

STANDARDS COMMITTEE

Minutes of the meeting held on 25th July, 2012

PRESENT: Mr. Michael Wilson (Chair,
Mr. Islwyn Jones (Vice-Chair),
Mr. Raymond Evans.

IN ATTENDANCE: Monitoring Officer (LB),
Committee Officer (MEH).

APOLOGIES: None

ALSO PRESENT: None

1 DECLARATION OF INTEREST

There was no declaration of interest by a Member or Officer.

2 APPLICATIONS FOR DISPENSATION

A report by the Monitoring Officer together with associated papers was submitted in relation to seven applications received by Beaumaris Town Council Members for dispensation to enable them to participate in relation to the proposed Marine Conservation Zones.

The Clerk of the Beaumaris Town Council was invited to present at the outset of the Hearing to explain the issue under consideration.

Professor T.W. Ashenden stated that the Welsh Government have launched a consultation in respect of proposals to designate several highly protected Marine Conservation Zones in Wales with two candidate sites in the Beaumaris area. If designated there will be restrictions imposed to protect the marine life of the area which will include restrictions on the maintenance of buoys and navigation marks, ban on fishing from boats and the shore, ban on anchoring, controls on the construction and maintenance of sea defences, controls on discharges and outfalls both inside and outside the zone and access to the shore and inter-tidal zone. He further stated that a ban could be imposed on the public enjoying leisure activities on the beach at Beaumaris. Restrictions could also be imposed on leisure boating cruises sailing from Beaumaris to Puffin Island.

Professor Ashenden stated that the residents and owners of local businesses in the Beaumaris are deeply concerned in respect of the potential effect on the town. The loss of revenue from tourism could have a detrimental effect on the area with potential loss of employment and revenue to the town of Beaumaris.

Beaumaris Town Council has 14 Members and owing to 7 Members having to declare an interest it was considered that a full discussion on such an important matter is impossible. If for any reason Members are unable to attend a meeting of the Town Council, it could be inquorate.

The Clerk further stated that the applications for dispensation are categorised into different categories. 4 of the applications are purely recreation interests in the Beaumaris area with the other 3 with commercial and financial interests.

Members of the Panel were given the opportunity to question the Clerk of the Town Council in respect of specific issues :-

- When does the Town Council need to respond to the consultation period in respect of the Marine Conservation Zones? The Clerk responded that a draft response has been produced as a response is required by the 31st July, 2012. It was hoped that wider

discussion can take place with the residents of the town and the dispensation would allow the 7 Town Councillors to discuss and assess the view of the local residents. At present they have a prejudicial interest.

- It was anticipated that further consultation will proceed beyond the lifetime of the present Town Council? The Clerk responded that the year 2014 has been mentioned for a decision regarding the Marine Conservation Zone at Beaumaris and it was that the dispensation cover the period of the present Town Council membership and to the end of the 4 year period of the new membership of the Town Council following Town/Community Council elections next May.
- What affect would it have on the credibility of the Town Council if the dispensation was not allowed? The Clerk responded that members of the public are approaching these 7 Town Councillors who have made an application for dispensation, asking what is their opinion in respect of the proposed Marine Conservation Zone as they know they have expertise within the specific area These Members are having to respond that they are unable to discuss the issue within them at present and are unable to fulfil their role as Town Councillors.

The Chair stated that he was inviting Councillor C. Theakston (one of the applicants) to address the Panel to explain why he should be granted a dispensation.

Councillor Theakston stated that if the Marine Conservation Zone was approved it would have an immense effect on the Town of Beaumaris. Everyone in the town of Beaumaris has an interest to some extent as tourism has a high impact on the life of the town. His interest is mainly fishing in the area for recreational purposes.

Members of the Panel were given the opportunity to question Councillor Theakston :-

- Why Councillor Theakston considered that he had a personal and prejudicial interest? Councillor Theakston responded that he lives near the Menai Straits and has a fishing kayak. It is totally recreational interest but one that is very important to him ;
- What percentage of the population of Beaumaris would share your interest? Councillor Theakston responded that Beaumaris attracts sailing, fishing etc., and a high percentage would have some sort of interest in enjoying activities on the waters around Beaumaris or a business interest arising from the activities;
- Is there a voice within Beaumaris for the Conservation Area? Councillor Theakston responded that no one spoke in favour of the Conservation Area at a recent public meeting arranged by the Welsh Government. However, the meeting was not well published by the organisers but was well attended by people from the town.

The Panel retired to private session.

The Chair stated that he was inviting Councillor Jason Zalot (another applicant) to address the Panel to explain why he should be granted a dispensation.

Councillor Jason Zalot stated that the residents of Beaumaris are aware that he had grown up around the sea in Beaumaris. With the highly protected Marine Conservation Areas proposed, a lot of people are unaware of the technicalities. He noted that he is aware of all the issues raised within the Marine Conservation documentation and the local residents of Beaumaris expect a person like him (with his knowledge and experience of the sea) to be able to express his view within the consultation process. Owing to his business interest he is unable to use his expertise in this specific issue and this is why an application for dispensation has been made.

Members of the Panel were given the opportunity to question Councillor Zalot :-

- When would the Zone come into force? Councillor Zalot responded that Phase 1 of the consultation process is taking place at the moment. He stated that the 3 Phases are to be completed before final decision. Phase 1 of the process was to assess the impact a Conservation Zone would have on the area of Beaumaris. It is anticipated that Phase 2 of the consultation period will commence in January 2013. Councillor

Zalot considered that final decision on the Marine Conservation Area would be announced late 2014 to 2015.

- If the proposal as it currently stands goes through, what would be the detrimental impact on his business? Councillor Zalot responded that it would affect fishing and pleasure cruising. The Welsh Government seems to think that the Conservation Zone would increase the business but he is uncertain and could not quantify it.
- The Marine Conservation Zone is not just up to the water line, it is up to the coast aswell? Councillor Zalot responded that the zone could potentially stop people using the beach for leisure activities i.e. children rock pooling and recreational fishing.
- Is there any other Marine Conservation Zone in Wales? Councillor Zalot responded that no comparable Conservation Area within Wales. However he referred to Lundy Island but this is not a highly protected zone. The lobster numbers have declined near Lundy Island but have increased in size and are attacking the shell fish in the area. He further expressed that the proposal for the Beaumaris area is a highly protected Marine Conservation Zone which is more stringent. At present the Beaumaris area is a sustainable marine area and is acknowledged to be well maintained.
- How many other business people in Beaumaris would be affected? Councillor Zalot responded that a study has been compiled which has an estimated loss of £2.5m to the local economy of Beaumaris. This will affect much of the Community. Questions were raised that since Councillor Zalot could not quantify the possible impact on his own business how could he justify the figure of £2.5m of potential loss to the town. Councillor Zalot responded that study compiled has stated that 20-25% effect on local businesses.
- How many other people working in similar occupation? Councillor Zalot responded that boat operators in Conwy will be affected as they travel down the Beaumaris Straits. Boat operators in Amlwch will be affected. He expressed that around 300 to 400 people could be directly affected.
- What effect would the Conservation Area have on the navigation deep water channel and pleasure cruises? Councillor Zalot responded it would have a detrimental effect on cruises around the Island and could stop them completely.

The Monitoring Officer questioned the Clerk to the Beaumaris Town Council regarding what is the percentage of residents of Beaumaris rely directly on the access to the sea for their livelihood and would be adversely impacted by the Marine Conservation Zone? Professor Ashenden responded that 28% of the town's residents (hospitality and retail trade) which equates to around 140 jobs. The tourists who would cease to visit the town and this would have a detrimental effect on employment in the area. Businesses could cease to trade and empty shops could be found in Beaumaris thereafter.

The Panel retired into private session.

Following return of the Panel to public session the dispensations granted were as follows :-

Category 1

Councillor C. Theakston
Councillor R.L. Roberts
Councillor Ian Davies
Councillor D. Gallichan

Dispensations were granted under Section 2(a), (d), (e) and (f) of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001.

In each case the dispensation extends to speaking and voting and will come to an end on the last day of 2015.

Category 2

**Councillor J.W. Jones
Councillor J. Zalot
Councillor S. Zalot**

Dispensations were granted in each case under Section 2 (a), (e) and (f), but the dispensation is limited to the right to speak but not to vote. You will appreciate that the distinction relates to the direct/indirect pecuniary interest of these Applicants which, in the view of the Panel, precluded them from also granting the dispensation under ground 2(d).

The duration of these dispensations will also be until the last day of 2015.

In both categories, the Panel asked that it be made clear to the Applicants that the dispensations relate only to the interests described in their applications and, where relevant, in their evidence to the Panel. If different or additional interests emerge then separate applications would have to be made. The Panel also wished to confirm that it has no powers to grant dispensation against pre-determination and that, while the Town Council has formed a preliminary view on the substantive issue. It will doubtless give fair and proper consideration to all opinions and evidence as these evolve through what is likely to be, a lengthy process.

**MR. M. WILSON
CHAIR**