

DISPENSATION PANEL OF THE STANDARDS COMMITTEE

Minutes of the meeting held on 29th June, 2018

PRESENT: **Independent Members**

Mr Michael Wilson (Chair)
Mr Islwyn Jones (Vice-Chair)

Representing Town/Community Councils

Mr Keith Roberts

IN ATTENDANCE: Head of Function (Council Business)/Monitoring Officer
Solicitor (Corporate Governance) (MY)
Committee Officer (SC)

ALSO PRESENT: Professor Trevor Ashenden (Clerk of Beaumaris Town Council,
and also representing Councillor Stan Zalot (Beaumaris Town
Council)
Councillor Howard Mattocks (Beaumaris Town Council)
Councillor Jason Zalot (Beaumaris Town Council, Mayor of
Beaumaris)

APOLOGIES: None

1 DECLARATION OF INTEREST

None received.

2 APPLICATION FOR DISPENSATION

Applications for dispensations to participate in Council business were submitted by Councillors Jason Zalot, Stan Zalot and Howard Mattocks, members of the Beaumaris Town Council, on matters relating to the renewal of the Menai Strait East Fishery Order. The applicants have requested that the Standards Committee considers granting dispensations in relation to prejudicial interests, as outlined in each application.

The Chair welcomed Professor Ashenden, the Beaumaris Town Clerk and Councillors Zalot and Mattocks to the meeting. He reported that each application for dispensation would be considered separately on its own merits, due to slight differences in each case.

Professor Ashenden gave a summary of the background to the applications. He reported that the Menai Strait East Fishery Order Management Association are applying for the renewal of the Fishery Order, which permits mussel farming and

dredging along the Menai Straits in an area which includes Beaumaris Bay and close to the town.

Professor Ashenden reported that the Management Association has given assurance that the renewal of the Fishery Order will not impact upon sailing, walking on the foreshore or angling in the area. However, there has been local concern over a number of years that the inclusion of Beaumaris Bay in the Order threatens the continued existence of the deep water moorings that are vital to many activities. The loss of, or a reduction in the area of deep water moorings would have a major negative impact upon the economy of the town and its residents, as well as activities in the bay.

It was noted that the Management Association has confirmed that it does not intend to dredge moorings or use the bay area. However, the Fishery Order, presently in its consultation stage, and due for renewal in 2022, does give the Association control of the area. Previously, an application was submitted to the Welsh Government Minister to exclude this part of the bay and the area close to the town in the Order, as there are moorings sited off the end of the pier. Subsequently, this application was refused.

Several members of the Beaumaris Town Council have a specialised interest in the use of the bay with regard to moorings, fishing, pleasure cruise trips, and enjoyment of the locality.

The Panel noted that only Councillor Stan Zalot has applied to speak to officers of the Community Council, and no Councillors have sought a dispensation to write to officers. As the consultation period for the Fishery Order will be ongoing until 2022, Councillors Jason Zalot and Howard Mattocks were afforded an opportunity by the Panel to include "to write and speak to officers of the Community Council" in their applications for dispensation, to which they agreed. Councillor Stan Zalot's application was amended to include 'to write to officers'.

The Chair asked Councillor Jason Zalot to present his application for dispensation.

Councillor Zalot reported that he has worked on boats in Beaumaris operating pleasure cruises and fishing trips off the pier for many years, and previously ran a mooring business. He stated that he now manages a rib business from the pier, ferrying visitors along the Menai Straits to Puffin Island. It was noted that there could be an impact on Councillor Zalot's rib business if the bay area was to be included in the Fishery Order, as one of his ribs operates from the pier in summer.

Councillor Zalot reported that he owns a sailing boat, which is moored above the low water mark in Beaumaris Bay, and is not currently affected by the Fishery Order. Councillor Zalot is also a member of the Royal Anglesey Yacht Club in Beaumaris.

Councillor Zalot reported that he has a wealth of experience of working with moorings in Beaumaris Bay and the Menai Straits. He referred to the mussel industry, and how he has seen the industry grow, along with the benefits it has brought to the locality and the environment. He stated that he has specialised

knowledge and expertise to discuss fishery matters with experts, and knows how the Management Association is operating, which will prove invaluable in discussing and drafting the Council's response to the Consultation.

The Panel questioned Councillor Zalot on how changes to the Fishery Order would affect his business and the community in Beaumaris?

Councillor Zalot responded that if the moorings were to be removed from Beaumaris, his business would not be impacted greatly, only inconvenienced, as he would use moorings that he has in other locations. With regard to the local community, he stated that it would have a massive impact on the town, as the Royal Anglesey Yacht Club is reliant upon deep water moorings.

The Panel questioned whether businesses within the town of Beaumaris who might rely on the fishing industry would suffer if the terms of the Order were changed. It was noted that as Beaumaris focuses on tourism, it would have a serious impact on local businesses.

Councillor Zalot reported that the loss of the passenger cruises and boat trips would have a major impact on the town, as 60,000-70,000 visitors are ferried on boats from the pier every year, employing 20-25 people. Councillor Zalot stated that the business in which he is a stakeholder employs 9-10 people.

It was noted that there would also be a detrimental visual impact on the town if there were no boats in the bay, and sandbanks were removed.

Reference was made to the terms of the licence, which currently permits extensive fisheries rights. Professor Ashenden reported that the original Fishery Order states that the area covers 1,928 acres due east of the green in Beaumaris and Menai Straits. It was noted that the Order was amended in 1962, and the mussel and oyster fisheries area was reduced. Professor Ashenden reported that the Town Council now want the Management Association's goodwill to be set in stone, and the Town Council will seek a resolution for the Fishery Order to be restricted to exclude the area where the moorings are sited, and the bay area.

Members of the Town Council left the room, whilst members of the Panel deliberated in private session.

Having withdrawn from private session, the Chair informed the Town Councillors that the Panel would announce its decision in relation to each application at the end of the meeting.

The Committee went on to consider the application of Councillor Stan Zalot, who was not present at the meeting, but was represented by Professor Ashenden. Professor Ashenden reported that Councillor Zalot has considerable experience of working on the Menai Straits, operating pleasure cruises and fishing trips from the pier in Beaumaris. It was noted that Councillor Zalot is fully aware of local opinion, and is very much involved in local issues and maintains contact with the residents of the town.

Professor Ashenden reported that the Fishery Order covers an area from Blundell Sands to Flagstaff. He stated that although the Management Association is not currently using the area, the Fishery Order can potentially expand into the bay. Local people have showed concern regarding the potential impact on tourism, the local economy, the effect on holiday homes, and the Royal Anglesey Yacht Club, should the Association's goodwill gesture be withdrawn.

Members of the Town Council left the room whilst members of the Panel deliberated in private session.

Having withdrawn from private session, the Committee continued to consider the application of Councillor Howard Mattocks, who was afforded an opportunity to address the Panel and give his reasons for applying for a dispensation.

Councillor Mattocks reported that he has sailed the Menai Straits for sixty years, and has considerable experience of the area. He stated that his reason for applying for a dispensation, is that he has two deep water moorings in the bay, for which he declares an interest. He further stated that he has a wealth of experience to offer the Town Council, but he is also worried about the impact the Order could have on the whole town. It was noted that should the Fishery Association take up the area, it would have a devastating effect on the Royal Anglesey Yacht Club. Councillor Mattocks is a former Commodore of the Yacht Club.

The Panel noted that Councillor Mattocks's application has no commercial interest, it is a wellbeing interest only.

The Panel questioned whether Councillor Mattocks had an alternative plan should the Fishery Order include moorings. Councillor Mattocks responded that he had no plans in place to move his yacht to a different location, but noted that it would have a catastrophic impact locally on the area where the Royal Anglesey Yacht Club is sited.

The Panel noted that Councillor Mattocks's interests relate to the Sailing Club as well as the Town Council. Councillor Mattocks reported that most of the deep water moorings in the bay are taken up by members of the sailing Club, who have a membership of 400. Approximately 200 deep water moorings are sited within the area, and 90% of these are taken up locally in the community. One third of the Yacht Club members are not local to Beaumaris, but are linked by the impact the Fishery Order could have on the local community.

Members of the Panel deliberated in private session. Following discussion, the Chair announced that the Standards Committee had **RESOLVED to grant a dispensation to the Councillors in respect of those interests referred to in their applications, as follows:-**

The dispensation granted to Councillor Jason Zalot and Councillor Stan Zalot permits the Councillors to:-

- **write to officers [and/or the Committee/Town Council] about the matter;**
- **speak to officers of the Town Council about the matter;**

- speak at Committee meetings/Town Council meetings and answer any questions about the issue;
- remain in the room during any debate;
- they were not granted a dispensation to vote.

The dispensation granted to Councillor Howard Mattocks permits the Councillor to:-

- write to officers [and/or the Committee/Town Council] about the matter;
- speak to officers of the Town Council about the matter;
- speak at Committee meetings/Town Council meetings and
- answer any questions about the issue;
- remain in the room during any debate/vote on the issue;
- vote.

The dispensations have been granted on the following grounds:-

- the nature of the interests are such that participation in the business to which the interests relates would not damage public confidence;
- the interests are common to the Councillors and a significant proportion of the general public;
- participation is justified by the Councillors' particular roles or expertise.

The dispensation shall run for the duration of the term of the Town Council, or until the Fishery Order is renewed in 2022.

The Chair requested that the three Councillors, all of whom have a prejudicial interest, must state clearly that they have been granted a dispensation to speak at Town Council meetings on this subject between now and 2022.

The Committee wishes for it to be noted that the right to vote was denied to Councillors Jason Zalot and Stan Zalot owing to the financial nature of their interests.

Action:

- The Monitoring Officer to write to Councillors Jason Zalot, Stan Zalot and Howard Mattocks confirming that the Panel have granted dispensations in relation to prejudicial interests, for the reasons noted and subject to the terms and conditions outlined above.
- The Monitoring Officer to write to the Clerk of Beaumaris Town Council confirming the above.

The meeting concluded at 3.45 pm

**MR MICHAEL WILSON
CHAIR**