

CYNGOR SIR YNYS MON / ISLE OF ANGLESEY COUNTY COUNCIL	
MEETING:	Standards Committee
DATE:	14 September 2016
TITLE OF REPORT:	Adoption of amended Code of Conduct
PURPOSE OF THE REPORT:	To advise members on the adoption of the amended Code of Conduct and advertising requirements
REPORT BY:	Solicitor – Corporate Governance
CONTACT OFFICER:	Mared Wyn Yaxley, mwyys@ynysmon.gov.uk 01248 752566

1. INTRODUCTION & BACKGROUND

The Local Authorities (Model of Code of Conduct) (Wales) (Amendment) Order 2016 amends existing subordinate legislation made under Part III of the Local Government Act 2000, consequential upon provision in the Local Government (Democracy) (Wales) Act 2013. The Order came into force on 1st April 2016.

All authorities subject to the Code had until 26th July 2016 (6 months) to adopt the amended Code of Conduct.

2. ISLE OF ANGLESEY COUNTY COUNCIL

This Council adopted the amended Code of Conduct on 12.05.2016

3. TOWN AND COMMUNITY COUNCILS

An email was sent on behalf of the Standards Committee to all town and community council clerks on 25th May 2016 requesting a copy of the relevant minute from the Councils' meetings which confirm adoption of the Code as revised.

Responses were requested by end August 2016.

4. FURTHER REQUIREMENTS

Once adopted, there is a requirement, under Section 51(6) of the Local Government Act 2000, for an advertisement to be published in one or more newspapers circulating in the local area confirming the adoption and when and where the Code is available for inspection. Please find extract of the requirement under this legislation at **Enclosure 1**.

5. ADVERTISEMENT

There has been some discussion with some community councils as to whether one advertisement could be utilized for the county council and all town and community councils.

However, it is clear from the legislation that the advertisement must include details of where the amended Code can be viewed and when, and so it is not practically possible to combine an advert for 41 separate and independent bodies.

An advert has been placed on behalf of the IOACC in the Chronicle on 18th August 2016. A copy of the advertisement is attached at **Enclosure 2**.

6. FURTHER ACTION

The deadline for response has passed and **Enclosure 3** explains the current status of adoption of the Code by way of responses from the town and community councils.

We seek guidance on how the Standards Committee Members wish to proceed:

- a) What does the Standards Committee want to do in relation to those town and community councils which haven't responded to the email from 25th May 2016?
- b) It is suggested we contact those town and community councils which confirm they have adopted the amended Code of Conduct and advise them to advertise in accordance with the legislation and to confirm to this Council when they have done the same. Is this agreed?

7. RECOMMENDATION

To note the contents of this report and discuss how the Standards Committee wishes to proceed in relation to the requirement on town and community councils to adopt an amended Code of Conduct and to advertise the same.

ATODIAD / ENCLOSURE

1



Local Government Act 2000

2000 CHAPTER 22

PART III

CONDUCT OF LOCAL GOVERNMENT MEMBERS AND EMPLOYEES

CHAPTER I

CONDUCT OF MEMBERS

Standards of conduct

51 Duty of relevant authorities to adopt codes of conduct.

- (1) It is the duty of a relevant authority, before the end of the period of six months beginning with the day on which the first order under section 50 which applies to them is made, to pass a resolution adopting a code as regards the conduct which is expected of members and co-opted members of the authority (referred to in this Part as a code of conduct).
- (2) It is the duty of a relevant authority, before the end of the period of six months beginning with the day on which any subsequent order under section 50 which applies to them is made, to pass a resolution—
 - (a) adopting a code of conduct in place of their existing code of conduct under this section, or
 - (b) revising their existing code of conduct under this section.
- (3) A relevant authority may by resolution—
 - (a) adopt a code of conduct in place of their existing code of conduct under this section, or
 - (b) revise their existing code of conduct under this section.
- (4) A code of conduct or revised code of conduct—

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government Act 2000. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)

- (a) must incorporate any mandatory provisions of the model code of conduct which for the time being applies to that authority,
 - (b) may incorporate any optional provisions of that model code, and
 - (c) may include other provisions which are consistent with that model code.
- (5) Where a relevant authority fail to comply with the duty under subsection (1) or (2) before the end of the period mentioned in that subsection—
- (a) they must comply with that duty as soon as reasonably practicable after the end of that period, and
 - (b) any mandatory provisions of the model code of conduct which for the time being applies to the authority are to apply in relation to the members and co-opted members of the authority for so long as the authority fail to comply with that duty.
- (6) As soon as reasonably practicable after adopting or revising a code of conduct under this section, a relevant authority must—
- (a) ensure that copies of the code or revised code are available at an office of the authority for inspection by members of the public at all reasonable hours,
 - (b) publish in one or more newspapers circulating in their area a notice which—
 - (i) states that they have adopted or revised a code of conduct,
 - (ii) states that copies of the code or revised code are available at an office of the authority for inspection by members of the public at such times as may be specified in the notice, and
 - (iii) specifies the address of that office, and
 - (c) send a copy of the code or revised code—
 - (i) in the case of a relevant authority in England or a police authority in Wales, to the Standards Board for England,
 - (ii) in the case of a relevant authority in Wales, to the [F1Public Services Ombudsman for Wales].
- (7) Where a relevant authority themselves publish a newspaper, the duty to publish a notice under subsection (6)(b) is to be construed as a duty to publish that notice in their newspaper and at least one other newspaper circulating in their area.
- (8) A relevant authority may publicise their adoption or revision of a code of conduct under this section in any other manner that they consider appropriate.
- (9) A relevant authority's function with respect to the passing of a resolution under this section may be discharged only by the authority (and accordingly, in the case of a relevant authority to which section 101 of the M1Local Government Act 1972 applies, is not to be a function to which that section applies).

Annotations:

Amendments (Textual)

- F1** Words in s. 51(6)(c)(ii) substituted (1.4.2006) by Public Services Ombudsman (Wales) Act 2005 (c. 10), s. 40, Sch. 4 para. 3; S.I. 2005/2800, art. 5(1)(3) (with transitional provisions in S.I. 2006/362, art. 4)

Modifications etc. (not altering text)

- C1** Pt. III applied (24.3.2005) by New Forest National Park Authority (Establishment) Order 2005 (S.I. 2005/421), art. 1, Sch. 4 para. 9(3)

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C2 S. 51 modified (24.3.2005) by New Forest National Park Authority (Establishment) Order 2005 (S.I. 2005/421), art. 1, Sch. 4 para. 10

Commencement Information

I1 S. 51 wholly in force at 28.7.2001; s. 51 not in force at Royal Assent see s. 108; s. 51 in force at 19.12.2000 in relation to England and to police authorities in Wales by S.I. 2000/3335, art. 2; s. 51 in force at 28.7.2001 in so far as not already in force see s. 108(4)-(6)

Marginal Citations

M1 1972 c. 70.

ATODIAD / ENCLOSURE

2

Public Notices

HYSBYSIAD O FABWYSIADU CÔD YMDDYGIAD NEWYDD

Mae'n rhaid i bob Cyngor fabwysiadu côd ymddygiad yn seiliedig ar fodel cenedlaethol a bennwyd mewn deddfwriaeth gan Lywodraeth Cymru. Mae'r model cenedlaethol wedi newid yn ddiweddar ac mae Cyngor Sir Ynys Môn wedi diweddarau ei gôd ymddygiad yn unol â hynny. Gellir gweld copi o'r côd diweddaraf ar wefan y Cyngor yn <http://www.ynysmon.gov.uk/cyngor-a-democratiaeth/cynghorwyr-democratiaeth-ac-etholiadau/cyfansoddiad/cyfansoddiad-rhan-5-codau-a-phrotocolau/cyfansoddiad-51-cd-ymddygiad-i-aelodau> neu yn bersonol yng Nghyngor Sir Ynys Môn, Swyddfeydd y Cyngor, Llangefni, Ynys Môn LL77 7TW trwy gysylltu efo'r Swyddog Monitro yn ystod oriau swydfa.

Cyhoeddwr yr hysbysiad yn unol ag Adran 51 Deddf Llywodraeth Leol 2000 a Gorchymyn Awdurdodau Lleol (Côd Ymddygiad Enghreifftiol) (Cymru) (Diwygiadau) 2016.

NOTICE OF ADOPTION OF NEW CODE OF CONDUCT

All councils must adopt a code of conduct based on a national model laid down in legislation by Welsh Government. The national model has recently changed and The Isle of Anglesey County Council has updated its code of conduct accordingly. A copy of the updated code can be viewed on the Council's website at <http://www.anglesey.gov.uk/council-and-democracy/councillors-democracy-and-elections/constitution/constitution-part-5-codes-and-protocols/constitution-51-members-code-of-conduct/> or in person at The Isle of Anglesey County Council, Council Offices, Llangefni, Anglesey LL77 7TW by contacting the Monitoring Officer during office hours.

Notice issued in accordance with Section 51 Local Government Act 2000 and the Local Authorities (Model Code of Conduct) (Wales) (Amendments) Order 2016.

Lynn Ball
Pennaeth Swyddogaeth (Busnes y Cyngor) a Swyddog Monitro / Head of Function (Council Business) and Monitoring Officer

CYNGOR SIR YNYS MÔN / ISLE OF ANGLESEY COUNTY COUNCIL
SWYDDFA'R SIR/COUNTY OFFICES, LLANGEFNI, YNYS MÔN LL77 7TW

Croeso i chi ddellio gyda'r Cyngor yn Gymraeg neu'n Saesneg.
Cewch yr un safon o wasanaeth yn y ddwy iaith.
You are welcome to deal with the Council in Welsh or English.
You will receive the same standard of service in both languages.

RHYBUDD DAN ADRAN 25(6) DEDDF PRIFFYRDD 1980

Rhoddir yma rybudd fod cytundeb creu llwybr troed cyhoeddus ar gyfer defnydd gan y cyhoedd wedi e'i chwblhau rhwng Cyngor Sir Ynys Môn/Isle of Anglesey County Council a Dŵr Cymru Cyf yn y safle canlynol :-

Tir i'r de o Lyn Alaw yn gyffredinol ar ymyl y gronfa dŵr mewn tri rhan rhwng Cyfeiriad Grid SH4047386758 yng nghymuned Llannerchymedd a SH3764585241 yng nghymuned Tref Alaw.

Mae copi o'r Cytundeb a'r cynlluniau a gynhwysir ynddo ar gael i'w harchwilio yn rhad ag am ddim yn ystod oriau agor arferol yn Swyddfeydd y Cyngor, Llangefni, Ynys Môn.

Dyddiedig 18/8/2016 Dated

Robyn W. Jones
Rheolwr Gwasanaethau Cyfreithiol/Legal Services Manager
Cyngor Sir Ynys Môn/Isle of Anglesey County Council
Swyddfeydd y Cyngor/Council Offices
Llangefni
Ynys Mon LL77 7TW

Am fwy o wybodaeth ynglŷn a'r uchod cysylltwch a'r Adran Gyfreithiol ar Llangefni 01248 752591. HT-18947-SMJ

Croeso i chi ddellio gyda'r Cyngor yn Gymraeg neu'n Saesneg. Cewch yr un safon o wasanaeth yn y ddwy iaith.

NOTICE PURSUANT TO S 25(6) HIGHWAYS ACT 1980

Notice is hereby given that a footpath has been created for use by the public at large by agreement between Cyngor Sir Ynys Môn/Isle of Anglesey County Council and D r Cymru Cyf at the following location:-

Land to the south of Llyn Alaw generally at the edge of the reservoir in three sections between Grid Reference SH4047386758 in the Community of Llannerchymedd and SH3764585241 in the Community of Tref Alaw.

A copy of the Agreement and maps may be inspected free of charge at the Council Offices, Llangefni, Anglesey during normal opening hours.

For further information regarding the above please telephone the Legal Section on Llangefni 01248 752591. HT-18947-SMJ

You are welcome to deal with the Council in Welsh or English. You will receive the same standard of service in both languages.

RHYBUDD GWNEUD

DEDDF RHEOLI TRAFNIDIAETH FFYRDD.1984 ADRAN 14(1) FEL Y' I DIWYGIWYD GAN DDEDDF TRAFNIDIAETH FFYRDD (CYFYNGIADAU DROS DRO), 1991

GORCHYMYN CYNGOR SIR YNYS MÔN / ISLE OF ANGLESEY COUNTY COUNCIL (CAU LLWYBR TROED DROS DRO) (LLWYBR RHIF 4, CAERGYBI) 2016

RHODDIR DRWY HYN RYBUDD fod Cyngor Sir Ynys Môn/Isle of Anglesey County Council wedi gwneud Gorchymyn fydd yn cau llwybr rhif 4 yn Nhref Caergybi. Mae'r llwybr yn rhedeg o South Stack Road yn SH2392182600 ac yn mynd yn eifflaen mewn cyfeiriad gogleddol ar hyd y trac mynediad i Tyddyn Bach (nawr wedi'i ddymchwel), yna troi mewn cyfeiriad gogledd ddwyreinol a parhau drwy gae i derfynu ble mae'n ymuno gyda Llwybrau Troed rhif 2 & 3 Caergybi ger y parc cyhoeddus yn SH2406982893. Cyfanswm hyd y llwybr i'w gau yw 400M.

Mae angen y Gorchymyn er mwyn galluogi gwaith adeiladu cylchfan a fyfyrdd stad.

Y ffordd arall ar gyfer yr uchod yw o gyffordd llwybrau rhif 2, 3 a 4 yn SH2406982893 cario 'mlaen mewn cyfeiriad deheuol o fewn y parc cyhoeddus ac ymuno gyda South Stack Road rhwng y Lawntiau Bowlio a Cyrtiau Tennis yn SH2403482613.

NOTICE OF MAKING

ROAD TRAFFIC REGULATION ACT, 1984 SECTION 14(1) AS AMENDED BY THE ROAD TRAFFIC (TEMPORARY RESTRICTIONS) ACT, 1991

CYNGOR SIR YNYS MÔN / ISLE OF ANGLESEY COUNTY COUNCIL (TEMPORARY FOOTPATH CLOSURE) (FOOTPATH NO.4, HOLYHEAD) ORDER 2016

NOTICE IS HEREBY GIVEN that Cyngor Sir Ynys Môn/Isle of Anglesey County Council has made an Order, the effect of which will temporarily close footpath no.4 in the Town of Holyhead. The path runs from South Stack road at SH2392182600 and proceeds north along the access track to Tyddyn Bach (now demolished), then turning north east and proceeding through a field to end where it joins Footpaths nos. 2 & 3 Holyhead by the public park at SH2406982893. The total length of path to be closed is 400M.

The Order is necessary in order to facilitate the construction of roundabout and estate roads.

The alternative route for the above will be from the junction of paths nos. 2,3 and 4 at SH2406982893 proceeding in a southerly direction within the public park and joining South Stack Road between the Bowling Greens and Tennis Courts at SH2403482613.

Licensing Act 2003 Application for a Premises Licence

Name of Applicant: Robert Alan Evans
Postal Address of Premises: 34, Beach Road, Y Felinheli, Gwynedd LL56 4RQ

Proposed Licensable Activities: Supply alcohol by retail consumption off the premises Monday to Sunday 07:00hr to 22:00hr

Representations must be made in writing to the Licensing Authority by: 06.09.16

The postal address of the Licensing Authority where the register is kept, where the record of the application may be inspected and where representations should be sent to: Licensing Section, Public Protection Service, Gwynedd Council, Mona Building, Caernarfon, Gwynedd, LL55 1SH.


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In Memoriam

Harrison
In Loving Memory of Peter.
Husband, brother, brother in law and uncle.
Passed away 18th August, 2000.
Thought of with fond memories.
Edyth and family x



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ATODIAD / ENCLOSURE

3

Cyngor Tref a Chymuned / Town and Community Council	Ymateb wedi ei dderbyn / Response Received	Dyddiad mabwysiadu'r Côt / Date Code adopted
Cyngor Cymdeithas Aberffraw Community Council	Do / Yes	20/7/2016
Cyngor Tref Amlwch Town Council	Do / Yes	28/6/2016
Cyngor Tref Biwmares / Beaumaris Town Council	Do / Yes	6/6/2016
Cyngor Cymdeithas Bodedern Community Council	Na / No	
Cyngor Cymdeithas Bodffordd Community Council	Na / No	
Cyngor Cymdeithas Bodorgan Community Council	Na / No	
Cyngor Cymdeithas Bryngwran Community Council	Do / Yes	8/6/2016
Cyngor Tref Caergybi / Holyhead Town Council	Do / Yes	9/5/2016
Cyngor Bro Cwm Cadnant Community Council	Na / No	
Cyngor Bro Cylch y Garn Community Council	Do / Yes	27/6/2016
Cyngor Cymuned Llanbadrig Community Council	Do / Yes	20/6/2016
Cyngor Cymdeithas Llanddaniel-Fab Community Council	Do / Yes	20/6/2016
Cyngor Cymdeithas Llanddona Community Council	Do / Yes	Dyddiad i'w gadarnhau / Date to be confirmed
Cyngor Cymdeithas Llanddyfnan Community Council	Do / Yes	21/6/2016
Cyngor Cymdeithas Llaneilian	Do / Yes	9/6/2016

Cyngor Tref a Chymuned / Town and Community Council	Ymateb wedi ei dderbyn / Response Received	Dyddiad mabwysiadu'r Côt / Date Code adopted
Community Council		
Cyngor Cymuned Llanerchymedd Community Council	Na / No	
Cyngor Cymuned Llaneugrad Community Council	Na / No	
Cyngor Cymdeithas Llanfachraeth Community Council	Na / No	
Cyngor Cymdeithas Llanfaelog Community Council	Do / Yes	22/6/2016
Cyngor Cymdeithas Llanfaethlu Community Council	Na / No	
Cyngor Cymuned Llanfair Mathafarn Eithaf Community Council	Do / Yes	Mawrth 2016 / March 2016
Cyngor Cymdeithas Llanfair yn Neubwll Community Council	Do / Yes	17/5/2016
Cyngor Cymuned Llanfairpwll Community Council	Na / No	
Cyngor Cymdeithas Llanfihangelesceifiog Community Council	Na / No	
Cyngor Tref Llangefni Town Council	Na / No	
Cyngor Cymdeithas Llangoed a Phenmon / Llangoed and Penmon Community Council	Do / Yes	Dyddiad i'w gadarnhau / Date to be confirmed
Cyngor Cymdeithas Llangristiolus Community Council	Na / No	
Cyngor Cymdeithas Llanidan Community Council	Do / Yes	31/5/2016
Cyngor Cymdeithas Mechell Community Council	Na / No	
Cyngor Cymuned Moelfre	Na / No	

Cyngor Tref a Chymuned / Town and Community Council	Ymateb wedi ei dderbyn / Response Received	Dyddiad mabwysiadu'r Côt / Date Code adopted
Community Council		
Cyngor Cymuned Penmynydd a Star / Penmynydd and Star Community Council	Do / Yes	1/6/2016
Cyngor Cymdeithas Pentraeth Community Council	Do / Yes	27/4/2016
Cyngor Tref Porthaethwy / Menai Bridge Town Council	Do / Yes	21/3/2016
Cyngor Cymdeithas Rhoscolyn Community Council	Na / No	
Cyngor Cymuned Rhosybol Community Council	Na / No	
Cyngor Rhosyr Council	Na / No	
Cyngor Bro Trearddur Community Council	Do / Yes	28/6/2016
Cyngor Cymdeithas Tref Alaw Community Council	Do / Yes	14/6/2016
Cyngor Bro Trewalchmai Community Council	Do / Yes	4/4/2016
Cyngor Cymuned Y Fali / Valley Community Council	Do / Yes	20/7/2016