

KIDWELLY TOWN COUNCIL

24th AUGUST 2010

At an **EXTRAORDINARY** Meeting of the **FULL COUNCIL** held at The Gwenllian Centre, Kidwelly on Tuesday, 24th August 2010 at 6.00pm.

Present:-	Town Mayor	F. Burke-Lloyd
	Deputy Mayor	J.Gilasbey
	Councillors:	H.Gilasbey, J.Lane, S.Finch, T. Burns, R.Thomas, K.Davies.
	Town Clerk	Geraint Thomas
	Town Secretary	Anna Padgett
	Translator	Lynda Kirkham-Jones
Apologies:-	Councillors	D.Jones

It was **RESOLVED** that the meeting would not be held *in camera*.

218 MEMBERS' DECLARATIONS OF INTEREST

There were no declarations of interest.

219 TO CONSIDER ALLEGATIONS RAISED BY COUNCILLORS R.DAVIES AND B.HUWS THAT THE POLICY AND PROCEDURES OF THIS COUNCIL WERE NOT FOLLOWED REGARDING THE AWARD OF THE TENDER FOR THE LAND KNOWN AS GL23

It was noted that Councillors R.Davies and B.Huws were not present.

The Town Clerk informed Council that:

[a] after taking advice from the Senior Solicitor of Carmarthenshire County Council, he could confirm that the present meeting had been lawfully called and any subsequent meeting called by councillors relating to this matter would be deemed to be "not properly constituted".

[b] the advice taken, after a scrutiny of the Council's policies, procedures and Financial Regulations, stated that all procedures followed during the tender process had been lawful.

Mayor's explanatory statement:

Councillors R.Davies and B.Huws had requested that the Mayor call an Extraordinary Meeting of Full Council to "review" the decision made at the Estates Committee meeting on 20th July 2010 regarding the awarding of the tender for land known as GL23. The request also stated that if she failed to do so, they would call a meeting.

Advice indicated that submitting an agenda using the wording requesting by the two councillors would be unlawful. Subsequently, the wording used on the agenda was as above.

Questions arising from communications from Councillors R.Davies and B.Huws:

{1} Letter from Councillor R.Davies dated 6th August 2010

Councillor Davies implied that the names of those who had submitted tenders were not revealed at the Estates Committee meeting on 20th July 2010. The 7 councillors present at that meeting stated that they had heard the names read out by the Chair of the Committee. Councillor H.Gilasbey confirmed this in a statement he read.

{2} E-mail from Councillor B.Huws dated 6th August 2010

Councillor Huws stated that he and Councillor Davies had been dealing with a complaint from a tenant. Councillor J.Gilasbey informed Council that Councillor Davies had approached the new tenant and told him that the tenancy was in dispute. The Mayor stated that a corporate decision had been made when awarding the tender and individual councillors should not take it upon themselves to brokerage compromises or make alternative arrangements.

{3} Letter from former tenant of GL23 dated 10th August 2010.

This letter was hand delivered by the former tenant to all councillors except Councillors Finch and Thomas. It was noted that the former tenant had approached the new tenant regarding a compromise over the tenancy. This was deemed unacceptable.

Councillor Finch was accused of having a social relationship” with the new tenant. The Code of Conduct was consulted and it was confirmed that this was not the case. It was stressed that as Chair of Estates, Councillor Finch had opened the tenders but had not voted on the resolution to award the tender.

{4} E-mail from Councillor B.Huws dated 16th August 2010

It was noted that relationships between Councillor B.Huws and the Town Clerk had broken down.

Observations/Comments from Councillors present:

{1} Councillor J.Gilasbey offered support to the Mayor and expressed concern over the stress that this issue had caused her. The Town Clerk stated that all matters relating to GL23 must be channelled through the office. An appointment system for the Town Clerk must be respected.

{2} Allegations of minutes being doctored were refuted. Councillor Burns stressed that minutes were circulated well before Full Council meetings and there was ample opportunity for amendments to be made at the meeting before the minutes were confirmed.

{3} The Town Clerk read out an e-mail from Councillor D.Jones which stated his belief that all procedures and policies had been followed.

{4} Councillor R.Thomas expressed support for the Mayor, Deputy Mayor and office staff. This was endorsed by the councillors present.

Mayor’s Statement

The Mayor reiterated that the present meeting was lawful. Any meeting called, by councillors, “to review” a decision made by Council or a committee would not be a “properly constituted meeting”. Councillors were advised not to attend such a meeting. The Town Clerk stated that neither he nor the office staff would attend a meeting that was not properly constituted. The Mayor thanked councillors and officers for their support.

RESOLUTIONS

It was **RESOLVED** that the conduct of Councillors R.Davies and B.Huws be reported to the Public Services Ombudsman for Wales as a breach of the Code of Conduct. Any information submitted will be endorsed by all councillors present. The vote was unanimous.

Councillors **RESOLVED** to confirm that Council policies and procedures had been followed in respect of the award of the tender for the land known as GL23. The vote was unanimous.