

GWŶS Y CYNGOR

Rydych dan wŷs trwy hyn i ddod i gyfarfod CYNGOR DINAS A SIR ABERTAWA
i'w gynnal yn Siambr y Cyngor, Neuadd y Ddinas, Abertawe
Dydd Iau, 19 Mai 2016 am 4.00 pm

Cynigir trafod y materion canlynol:

1. **Etholiad Aelod Llywyddol y cyngor ar gyfer Blwyddyn Ddinesig 2016-2017.**
2. **Etholiad Dirprwy Aelod Llywyddol y cyngor ar gyfer Blwyddyn Ddinesig 2016-2017.**
3. **Ymddiheuriadau am absenoldeb.**
4. **Datgeliadau o fuddiannau personol a rhagfarnol.**
<https://www.abertawe.gov.uk/DatgeluCysylltiadau>
5. **Cofnodion.** **1 - 10**
Cymeradwyo Cofnodion y Cyfarfod Cyffredinol a gynhaliwyd ar 28 Ebrill 2016 a'u llofnodi fel cofnod cywir.
6. **Cyhoeddiad gan yr Aelod Llywyddol a/neu Bennaeth y Gwasanaeth Cyflogedig.**
7. **Derbyn, er gwybodaeth, enwau'r Cyngorwyr y mae Arweinydd y Cyngor wedi'u dewis i fod yn Aelodau'r Cabinet. (Er Gwybodaeth)**
8. **Materion Cyfansoddiadol 2016-2017.** **11 - 36**
9. **Gorchymyn yr Awdurdodau Lleol (Côd Ymddygiad Enghreifftiol) (Cymru) (Newid) 2016 - Mabwysiadu Côd Ymddygiad Aelodau Newydd.** **37 - 59**
10. **Sêl Gyffredin.**
I awdurdodi gosod y Sêl Gyffredin ar unrhyw ddogfen angenrheidiol i weithredu unrhyw benderfyniad a gymeradwywyd neu a gadarnhawyd yn y cyfarfod hwn.



Patrick Arran
Pennaeth Gwasanaethau Cyfreithiol a Democrataidd
Canolfan Ddinesig
Abertawe

Dydd Mercher, 11 Mai 2016

I: Bob Aelod o'r Cyngor

Agenda Item 5.

CITY AND COUNTY OF SWANSEA

MINUTES OF THE COUNCIL

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON
THURSDAY, 28 APRIL 2016 AT 4.00 PM

PRESENT: Councillor J Newbury (Lord Mayor) Presided

Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	J C Bayliss	P M Black
A C S Colburn	D W Cole	A M Cook
J P Curtice	A M Day	P Downing
C R Doyle	V M Evans	W Evans
E W Fitzgerald	R Francis-Davies	J A Hale
T J Hennegan	C A Holley	P R Hood-Williams
B Hopkins	D H Hopkins	L James
S M Jones	E T Kirchner	A S Lewis
P Lloyd	K E Marsh	P N May
P M Meara	H M Morris	T H Rees
I M Richard	C Richards	P B Smith
R V Smith	R C Stewart	D G Sullivan
G J Tanner	C Thomas	C M R W D Thomas
D W W Thomas	M Thomas	L J Tyler-Lloyd
G D Walker	L V Walton	T M White

197. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors J E Burtonshaw, M C Child, R A Clay, U C Clay, S E Crouch, N J Davies, C R Evans, F M Gordon, J E C Harris, Y V Jardine, M H Jones, A J Jones, J W Jones, E J King, R D Lewis, D J Lewis, C E Lloyd, P M Matthews, G Owens, D Phillips, C L Philpott, J A Raynor, R J Stanton, L G Thomas and N M Woollard.

198. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea the following interests were declared:

- 1) Councillors P M Black, R Francis-Davies, C A Holley, P N May, D G Sullivan and C Thomas declared a Personal Interest in Minute 199 "To confer the Honorary Freedom of the City and County of Swansea to Mel Nurse".

199. **TO CONFER THE HONORARY FREEDOM OF THE CITY AND COUNTY OF SWANSEA TO MR MEL NURSE.**

The Lord Mayor welcomed the Lord Lieutenant, High Sheriff, Civic Dignitaries, Distinguished Guests, Members of the Council and Mel Nurse to the Ceremonial Meeting of Council.

The Leader of the Council referred to the resolution of the Extraordinary Meeting of Council held on 7 April 2016 (Minute 193 refers) whereby the Council voted to confer the honorary freedom of the City and County of Swansea to Mel Nurse in recognition of his contribution to sport and the City, specifically his key involvement and leadership in saving Swansea City Football Club.

The Leader of the Largest Opposition Political Group and the other Political Group Leader spoke in support of the motion.

RESOLVED that the Honorary Freedom of the City and County of Swansea be conferred on Mel Nurse in recognition of his contribution to sport and the City, specifically his key involvement and leadership in saving Swansea City Football Club.

The Lord Mayor then presented Mel Nurse with the Honorary Freedom Scroll, granting the Freedom of the City and County of Swansea.

Mel Nurse responded by thanking the Council for the honour.

The meeting ended at 4.27 pm

CHAIR

CITY AND COUNTY OF SWANSEA

MINUTES OF THE COUNCIL

HELD AT COUNCIL CHAMBER, GUILDHALL, SWANSEA ON
THURSDAY, 28 APRIL 2016 AT 5.00 PM

PRESENT: Councillor D W W Thomas (Presiding Member) Presided

Councillor(s)	Councillor(s)	Councillor(s)
C Anderson	J C Bayliss	P M Black
J E Burtonshaw	M C Child	A C S Colburn
D W Cole	A M Cook	J P Curtice
N J Davies	A M Day	P Downing
C R Doyle	V M Evans	C R Evans
W Evans	E W Fitzgerald	R Francis-Davies
F M Gordon	J A Hale	T J Hennegan
C A Holley	P R Hood-Williams	B Hopkins
D H Hopkins	L James	Y V Jardine
A J Jones	S M Jones	J W Jones
E J King	E T Kirchner	R D Lewis
D J Lewis	A S Lewis	P Lloyd
K E Marsh	P M Matthews	P N May
P M Meara	H M Morris	G Owens
J A Raynor	T H Rees	I M Richard
C Richards	P B Smith	R V Smith
R C Stewart	D G Sullivan	G J Tanner
C Thomas	C M R W D Thomas	M Thomas
L J Tyler-Lloyd	G D Walker	L V Walton
T M White		

200. **APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors R A Clay, U C Clay, S E Crouch, J E C Harris, M H Jones, C E Lloyd, J Newbury, D Phillips, C L Philpott, R J Stanton and L G Thomas.

201. **DISCLOSURES OF PERSONAL AND PREJUDICIAL INTERESTS.**

The Deputy Head of Legal and Democratic Services gave advice regarding the potential personal and prejudicial interests that Councillors and / Officers may have on the agenda.

The Head of Democratic Services reminded Councillors and Officers that the "Disclosures of Personal and Prejudicial Interests" sheet should only be completed if the Councillor / Officer actually had an interest to declare. Nil returns were not required. Councillors and Officers were also informed that any declarable interest must be made orally and in writing on the sheet.

In accordance with the provisions of the Code of Conduct adopted by the City and County of Swansea the following interests were declared:

Councillors

- 1) Councillors C Anderson, J E Burtonshaw, J P Curtice, C A Holley, D G Sullivan and C Thomas declared a Personal Interest in Minute 180 "Pay Policy 2016-2017";
- 2) Councillor P Downing declared a Personal Interest in Minute 180 "Pay Policy 2016-2017" and stated that he had dispensation from the Standards Committee to stay and speak and vote on any item relating to general staff Employment, on Budget matters and any other matters that affect Corporate Building Services, other than matters that directly affect his brother with specific reference to his post;

202. **MINUTES.**

RESOLVED that the following Minutes be approved and signed as a correct record:

- 1) Ordinary Meeting of Council held on 25 February 2016;
- 2) Extraordinary Meeting of Council held on 10 March 2016;
- 3) Ceremonial Meeting of Council held on 12 March 2016 subject to Councillor T H Rees being shown as having been present;
- 4) Extraordinary Meeting of Council held on 7 April 2016.

203. **WRITTEN RESPONSES TO QUESTIONS ASKED AT THE LAST ORDINARY MEETING OF COUNCIL. (FOR INFORMATION REPORT - NOT FOR DISCUSSION)**

The Head of Legal and Democratic Services submitted an information report setting out the written responses to questions asked at the last Ordinary Meeting of Council.

204. **ANNOUNCEMENTS OF THE PRESIDING MEMBER.**

1) **Changes / Amendments to the Council Summons**

a) **Item 9 "Membership of Committees.**

An amended report has been circulated.

2) **Gold Corporate Health Standard Award**

The Presiding Member stated that on 11 March 2016 the Corporate Health, Safety & Wellbeing Service was formally presented with the Welsh Government, Gold Corporate Health Standard Award on behalf of the Authority. The award follows a two day assessment by Healthy Working

Wales, who in their report praised the Authority's culture, standards of support, delivery and investment in employee wellbeing.

This was due to the commitment and dedication of the service, the wellbeing working group, volunteers, employees and trade unions involved in proactively promoting and improving safety and wellbeing across the organisation. Particular recognition was paid to the Standards of Stress Management support, Occupational Health, H&S Training and the Helping Hands Service delivery. The assessors felt that the Authority had made significant improvements in engagement, commitment from top down and culture with regards embedding wellbeing as part of the way we do business.

Craig Gimblett, Gary Davies, Ray Mitchell, Helen Lewis, Liz Thomas-Evans, Caroline Ford, Sarah Owens, Katja Davies, Alison Cosker and Jackie Griffiths (GMB Trade Union) were present to receive the award.

3) Tanya Nash, Sustainable Development Team - Leading Wales Awards

The Presiding Member congratulated Tanya Nash, Sustainable Development Team, for making a shortlist of three in the Next Generation Leader category of the Leading Wales Awards 2016. Tanya has helped the Council achieve significant success, recognised last year as the award winner for Most Sustainable Public Sector Organisation in the UK.

4) Legal Services - Lexcel

The Presiding Member congratulated Staff in Legal Services who have recently undergone another successful annual Law Society Lexcel assessment. This is the third consecutive assessment that has established no non-compliances, an accomplishment that is to be congratulated.

5) Jazz Carlin

The Presiding Member congratulated Jazz Carlin on achieved the 400m freestyle Rio qualification time by winning in 4:04:33 in Glasgow to complete a British Championships golden hat-trick. She also won the 200 & 400m titles.

6) Tŷ Hafan Rainbow Run

The Presiding Member congratulated all that took part in the Tŷ Hafan Rainbow Run, Swansea beach on 23 April 2016. Over 2,000 participants helped raise vital funds for life-limited children and young people in Wales.

The event encourages participants to wear white and whilst they run the 5km (3.1 mile) course they get covered in different coloured powder paint. He stated that he'd heard that it was a fun event and hoped that many of the Councillors would take part next year.

7) London Marathon

The Presiding Member congratulated all Council staff and the people of Swansea that took part in the London Marathon on 24 April 2016

8) 2016 National Running Awards

The Presiding Member congratulated the Council's Admiral Swansea Bay 10K race which came 2nd in the 2016 National Running Awards - BEST 10K Race category. The Awards ceremony took place in London on 22 April 2016. Nigel Jones, Special Events Team collected the award on behalf of the Authority.

This is a great achievement as the BEST 10K race category was the largest category of all the Award categories and therefore the most hotly contended.

He also congratulated the JCP Swansea Half Marathon which came 2nd in the Half Marathon category, making Swansea the only City or Town with two top placed finalists. He stated that this was great news for our City of Sport ambitions.

9) Show Racism the Red Card Competition 2016

The Presiding Member stated that the Show Racism the Red Card is an anti-racist educational charity aiming to combat racism through enabling role models, who are predominately but not exclusively footballers, to present an anti-racist message to young people and others.

The Show Racism the Red Card competition in Wales was an accessible and engaging way to encourage pupils to think about issues surrounding racism.

He stated that he was delighted to announce that St. Helens Primary School, Terrace Road Primary School and Ffynone House School all won awards at last night's ceremony in Cardiff.

10) Dean Taylor - Director of Corporate Services

The Presiding Member extended the Council's thanks to Dean Taylor, Director of Corporate Services for his dedication and professionalism in transforming and modernising aspects of the Authority under the Swansea - Fit for the Future programme.

He stated that Dean Taylor was now on leave at the end of which his employment with the Authority ends. He wished him well in his new ventures.

11) Non Stanford, Rio Olympics

The Presiding Member congratulated Non Stannford, Triathlete for her recent success in Cape Town and her inclusion in the GB Triathlon Team for the Rio Olympics.

205. **ANNOUNCEMENTS OF THE LEADER OF THE COUNCIL.**

1) Dean Taylor

The Leader of the Council echoed the words of the Presiding Member in thanking Dean Taylor for his hard work and professionalism whilst working for the Authority.

2) Hillsborough

The Leader of the Council paid tribute to the 96 Liverpool fans that died at Hillsborough 27 years ago. As a mark of respect the Brangwyn Arches will shine in the red colours of Liverpool Football Club this evening and will continue to do so until Monday. Flags at Council venues will also be flown at half-mast.

He stated that what happened at Hillsborough 27 years ago will never be forgotten. The campaign for justice by the families and the city of Liverpool as a whole cannot change what happened. But the campaign and the final verdicts we heard from the inquest this week has changed history.

Liverpool fans will be in Swansea this weekend for Sunday's game and we want them to know that, as our guests, we stand side-by-side with them at what is a time for remembrance as well as acknowledgement that justice has finally been done.

No-one can fail to have been moved this week by the continuing dignity demonstrated by the family, friends and supporters of the 96.

The Leader of the Council thanked the Lord Mayor for agreeing to write to the people of Liverpool showing the support of the Authority.

The Presiding Member asked all present to stand for a minutes silence as a mark of sympathy and respect.

206. **PUBLIC QUESTIONS.**

A number of questions were asked by members of the public. The relevant Cabinet Member responded.

A) Those question areas **not** requiring a written response are listed below:

- a) Item 12 "Leisure Partnerships Annual Report 2014-2015";
- b) Item 11 "Estyn Inspection of Local Authority Education Services for Children and Young People 2013 - Update".

B) There were no questions requiring a written response.

207. **PUBLIC PRESENTATION - ST. THOMAS SCHOOL PUPILS.**

Mrs Blyth, Mr Dwyer (Head Teacher of St Thomas Primary School), Katie Spendiff, Helen Dale (Funky Dragon) and Lewi Cook, Tegan Tweed, Syeda Ahmed, Jackson Williams (pupils from St Thomas Primary School) and Chloe-Marie Richards and Ffion Morgan (pupils from Cefn Hengoed Comprehensive School) gave a presentation on the United Nations Convention on the Rights of the Child (UNCRC). The UNCRC is a human rights treaty which sets out the civil, political, economic, social, health and cultural rights of children.

Councillor C Richards (Services for Children and Young People Cabinet Member) gave thanks for the presentation.

208. **MEMBERSHIP OF COMMITTEES.**

The Transformation and Performance Cabinet Member submitted a report which sought approval of the nominations / amendment to the membership of Council Bodies. He also outlined any additional amendments that had been submitted.

He referred to the report stating that the Leader of the Council had made the following changes to the Authority's Outside Bodies:

- 1) **Bay Leisure**
Remove Councillor A S Lewis.
Add Councillor A J Jones.
- 2) **Community Health Council (CHC) - Abertawe Bro Morgannwg Board**
Add Councillor J E C Harris, E J King and H M Morris.
- 3) **Welsh Local Government Association (WLGA) Council**
Add Leader of the Council, Deputy Leader of the Council and Councillors J P Curtice, C E Lloyd and M Thomas.
- 4) **Welsh Local Government Association (WLGA) Co-ordinating Committee**
Add Leader of the Council or any of the nominated representatives from Welsh Local Government Association (WLGA) Council.

RESOLVED that the membership of the Council Bodies listed below be amended as follows:

- 1) **Chief Officers Disciplinary Committee**
Remove Councillors J E Burtonshaw, J P Curtice and D W W Thomas.
Add Councillors A M Cook, Y V Jardine, A J Jones and E J King.
- 2) **Chief Officers Disciplinary Appeals Committee**
Remove Councillors J A Hale and D G Sullivan.
Add Councillors D J Lewis and D G Walker.

- 3) **Communities Cabinet Advisory Committee**
Remove Councillors J P Curtice and B Hopkins.
Add Councillors J E Burtonshaw and U C Clay.
- 4) **Development Cabinet Advisory Committee**
Remove Councillor J C Bayliss.
Add Councillor C R Doyle.
- 5) **Prevention and Social Care Reform Cabinet Advisory Committee**
Remove Councillor P Lloyd.
Add Councillor J A Hale.
- 6) **Scrutiny Programme Committee**
Remove Councillors A M Cook, J P Curtice and R V Smith.
Add Councillors C Anderson, C R Evans and E J King.

209. **STRATEGIC EQUALITY PLAN 2016 - 2020.**

The Transformation and Performance Cabinet Member submitted a report which detailed the Strategic Equality Plan 2016-2020.

RESOLVED that:

- 1) The Strategic Equality Plan 2016-2020 be approved.

210. **ESTYN INSPECTION OF LOCAL AUTHORITY EDUCATION SERVICES FOR CHILDREN AND YOUNG PEOPLE 2013 – UPDATE.**

The Education Cabinet Member submitted a report which provided an update on the progress in meeting the five recommendations in the Estyn Inspection Report.

RESOLVED that:

- 1) The progress update in meeting the five recommendations in the Estyn Inspection Report be noted.

211. **LEISURE PARTNERSHIPS ANNUAL REPORT 2014/15.**

The Wellbeing and Healthy City & Enterprise, Development and Regeneration Cabinet Members jointly submitted a report which advised on the partnership operations of key facilities within the Cultural Services portfolio.

RESOLVED that:

- 1) The report be noted.

212. **SCRUTINY DISPATCHES – QUARTERLY IMPACT REPORT.**

The Chair of the Scrutiny Programme Committee submitted an information report setting out the Scrutiny Dispatches - Quarterly Impact Report.

213. **COUNCILLORS' QUESTIONS.**

1) Part A 'Supplementary Questions'

Seven (7) Part A 'Supplementary Questions' were submitted. The relevant Cabinet Member(s) responded by way of written answers contained in the Council Summons.

The following supplementary question(s) required a written response.

a) Question 2. Councillor P M Meara:

"How many of these Trade Employees had previously been under the care of the Authority?"

The Next Generation Services Cabinet Member indicated that a written response would be provided.

2) Part B 'Questions not requiring Supplementary Questions'

No Part B 'Questions not requiring Supplementary Questions' were submitted.

The meeting ended at 6.51 pm

CHAIR

Agenda Item 8.

Joint Report of the Deputy Monitoring Officer and Head of Democratic Services

Annual Meeting of Council – 19 May 2016

CONSTITUTIONAL MATTERS 2016-2017

Purpose:	To inform Council of all necessary Constitutional matters in order to enable the efficient and lawful operation of Council.
Policy Framework:	Council Constitution.
Consultation:	Access to Services, Legal, Finance.
Recommendation(s)	It is recommended that:
1)	The Council Bodies and the Number of Allocated Seats as listed in Appendix E be appointed for the Municipal Year 2016-2017;
2)	The following Band 1 “Leader and Deputy Leader of the Council” be paid a Senior Salary : <ul style="list-style-type: none"> • Leader of the Council; • Deputy Leader of the Council.
3)	The following Band 2 “Executive Members” be paid a Senior Salary at Level 1 (£32,000): <ul style="list-style-type: none"> • Cabinet Members x 8.
4)	The following Band 3 “Committee Chairs” be paid a Senior Salary at Level 1 (£22,000): <ul style="list-style-type: none"> • Chair of Communities Cabinet Advisory Committee; • Chair of Corporate Services Cabinet Advisory Committee; • Chair of Development Cabinet Advisory Committee; • Chair of Education and Young People Cabinet Advisory Committee; • Chair of General Licensing Committee; • Chair of Planning Committee; • Chair of Prevention and Social Care Reform Cabinet Advisory Committee; • Chair of Scrutiny Programme Committee.
5)	The Independent Remuneration Panel for Wales (IRPW) determination that the Band 4 “Leader of the Largest Opposition Political Group” must be paid a Senior Salary (subject to the 10% rule) be noted;
6)	The following positions be paid a Civic Salary (subject to them not already being in receipt of a Senior Salary) at Level 1: <ul style="list-style-type: none"> • Lord Mayor (£24,000); • Deputy Lord Mayor (£18,000).

7)	A Presiding Member and Deputy Presiding Member be re-established and that they Chair Council Meetings. These posts will not receive a Senior Salary;
8)	The Committees listed in Appendix C be exempted by Council from the Local Government (Committees and Political Groups) Regulations 1990 for the Municipal Year 2016-2017 in order to allow greater representation from the Opposition Political Groups;
9)	Councillors be allocated to serve on Council Bodies in line with the nominations received from the Political Groups;
10)	The Leader of the Council decision to allocate Councillors to sit on Outside Bodies be noted;
11)	The adoption of the Council Constitution which may be viewed at www.swansea.gov.uk/constitution be reaffirmed including those relating to Local Choice Functions and any amendments made at this meeting;
12)	The Council Bodies Diary 2016-2017 as listed in Appendix F be confirmed and adopted;
13)	Councillor Paul M Meara be re-elected as Chair of the Democratic Services Committee;
14)	Those Co-opted Members eligible for Co-opted Member payments be paid a maximum of 20 full days per Municipal Year;
15)	The Councillors Handbook which may be viewed at www.swansea.gov.uk/CllrsHandbook be reaffirmed;
16)	Any consequential amendments to the Council Constitution and / or Councillors as a result of this report be carried out.
Report Author: Huw Evans Finance Officer: Carl Billingsley Legal Officer: Tracey Meredith Access to Services Officer: Phil Couch	

1. Introduction

- 1.1 In dealing with the discharge of its business the Council operates within a legal framework established by the Local Government Act 1972, the Local Government and Housing Act 1989, the Local Government Act 2000, the Local Authorities (Executive Arrangements) (Functions and Responsibilities) (Wales) Regulations 2007, the Local Government (Wales) Measure 2011 and other relevant legislation (“the legislation”). In addition the Independent Remuneration Panel for Wales (IRPW) determines the remuneration available to Councillors.

1.2 This report seeks to address the requirements of the legislation and the Council Constitution in one report.

2. Independent Remuneration Panel for Wales (IRPW)

2.1 The IRPW Annual Report of February 2016 sets out the new framework for Councillor and Co-opted Member remuneration. The IRPW determinations have been subsumed into this report. Nineteen (19) of the 72 City and County of Swansea Councillors are eligible to receive a Senior Salary payment.

2.2 The IRPW have prescribed actual payment levels for Basic Salary, Civic Salary, Senior Salary (**Appendix A**) and the Fees for Co-opted Member (with Voting Rights) of Local Authorities (**Appendix B**).

2.3 A Council **must** pay a Senior Salary to the Leader of the Largest Opposition Political Group subject to them having 10% or more of the total number of Council seats in their Political Group.

3. Senior Salaries

3.1 The Senior Salary includes the Basic Salary.

3.2 The IRPW state that each Council should decide whether to pay Senior Salaries. It is proposed that the following be paid Senior Salaries:

i)	Leader of the Council;
ii)	Deputy Leader of the Council;
iii)	Cabinet Members x 8 ;
iv)	Chair of Communities Cabinet Advisory Committee;
v)	Chair of Corporate Services Cabinet Advisory Committee;
vi)	Chair of Development Cabinet Advisory Committee;
vii)	Chair of Education and Young People Cabinet Advisory Committee;
viii)	Chair of General Licensing Committee;
ix)	Chair of Planning Committee;
x)	Chair of Prevention and Social Care Reform Cabinet Advisory Committee;
xi)	Chair of Scrutiny Programme Committee.

3.3 The IRPW have determined that each Individual Authority must decide if there is any variation in the level of responsibility and workload stemming from each Cabinet Portfolio. Council must then decide whether to pay a Cabinet Member and if payable should it be at Level 1 or Level 2.

Remuneration of Executive (Cabinet) Members (Inclusive of Basic Salaries)		
	Level 1	Level 2
Group A	£32,000	£28,800

- 3.4 The Leader of the Council sets the Cabinet Portfolios and appoints the Cabinet. He has stated that he has created each Cabinet Portfolio so that they have the same level of responsibility, importance and workload.
- 3.5 The IRPW have determined that each Individual Authority must decide if there is any variation in the level of responsibility and workload stemming from the work of a Committee Chair. Council must then decide whether to pay a Chair of Committee and if payable should it be at Level 1 or Level 2.

Remuneration of Chair of Committees (Inclusive of Basic Salaries)		
	Level 1	Level 2
Group A	£22,000	£20,000

- 3.6 The terms of reference of the Committees that will attract Senior Salaries have been drafted so as to ensure that they have the same level of responsibility, importance and workload.

4. Civic Salary

- 4.1 The Civic Salary includes the Basic Salary.
- 4.2 The IRPW determined that Authorities are permitted to pay a Civic Salary to the Civic Head & Deputy Civic Head (Lord Mayor and Deputy Lord Mayor). These payments do not count towards the 19 permitted Senior Salaries. A Councillor may not be in receipt of both a Senior Salary and Civic Salary payment.
- 4.3 Council at its meeting on 25 February 2016 resolved that Councillor D H Hopkins be nominated as Lord Mayor Elect 2016-2017 and that Councillor P Downing be nominated as Deputy Lord Mayor Elect 2016-2017. Assuming that both will be elected as Lord Mayor and Deputy Lord Mayor for 2016-2017 and that they both remain in receipt of their Senior Salaries then neither will receive a Civic Salary during 2016-2017. This will lead to a saving of up to £42,000.
- 4.4 Council must decide whether or not to remunerate the Civic Head and the Deputy Civic Head. If Council agrees to remunerate them, then it must consider at what Level they will be remunerated as set out below:

Remuneration of Civic Heads and Deputy Civic Heads (Inclusive of Basic Salaries)		
	Civic Heads	Deputy Civic Heads
Level 1	£24,000	£18,000
Level 2	£21,500	£16,000
Level 3	£19,000	£14,000

- 4.5 Prior to deciding whether or not and / or at what level the Civic Heads should be remunerated, the question 'Who should Chair Council?' needs to be addressed.

- 4.6 The IRPW state that each Council should decide whether to pay Civic Salaries. It is proposed that the following be paid Civic Salaries:

i)	Lord Mayor;
ii)	Deputy Lord Mayor.

5. Presiding Member

- 5.1 The Local Government (Democracy) (Wales) Act 2013 allows Councils to appoint an additional post of Presiding Member whose role it will be to Chair meetings of the whole Council. Where appointed, there would be a consequential reduction in the responsibilities of the respective Civic Head.
- 5.2 As such the Authority must decide whether to appoint a Presiding Member to Chair Council or to allow the Civic Head to do so. This decision will impact on the level that the remuneration of the Civic Head / Deputy Civic Head is set at.
- 5.3 If a Presiding Member is appointed, and if Council resolves to remunerate the post then the position would be paid at a Band 3 Senior Salary Level in line with the Committee Chairs. If remunerated, this would count towards the maximum allowed of 19 Senior Salaries.
- 5.4 The Authority may also appoint a Deputy Presiding Member; however this post would not be remunerated.
- 5.5 Previous Annual Meetings of Council have resolved to appoint a Presiding Member and a Deputy Presiding Member. Council is asked to review its latest decision and to determine whether to continue with a Presiding Member or not.

6. Annual Meeting of Council

- 6.1 The Authority's Council Constitution which is based on legislation outlines what needs to be considered at the Annual Meeting of Council (Council Procedure Rule 8). This report seeks to address those requirements.

7. Political Balance / Committee Proportionality

- 7.1 Council is required to decide the allocation of seats to Political Groups in accordance with the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (SI 1553/90) as amended. A simple explanation of these rules was presented to the Annual Meeting of Council on 24 May 2012.
- 7.2 The Standards Committee is exempt from the above legislation as outlined in Section 12 "Allocation of seats to Political Groups" of the Standards Committee (Wales) Regulations 2001.

7.3 The Ruling Group of the Authority have liaised with the Head of Democratic Services in order to outline its view on the structure and size of the Council Bodies. Based on this guidance, relevant proportional calculations have been made by the Democratic Services Team and those calculations have been shared with all other Political Groups. This process culminates with this report to Council seeking approval to the structure and size of Council Bodies.

8. Appointment of Committees and Other Council Bodies and their Sizes

8.1 The Council Bodies and the Number of Allocated Seats (in accordance with Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 (SI 1553/90) as amended are listed in **Appendix E**. It is proposed that these Council Bodies be established.

8.2 Should any changes be made to the size of these Council Bodies then it will necessitate the recalculation of Political Balance.

8.3 A number of Committees are exempted from the Local Government (Committees and Political Groups) Regulations 1990 as they are covered by separate legislation. Council also has the right to exempt a Committee from the legislation providing that it has the unanimous backing of all Councillors voting at the meeting. A list outlining such bodies is shown at **Appendix C**.

9. Allocation of Councillors to the Council Bodies

9.1 Councillors be allocated to serve on Council Bodies in line with the nominations received from the Political Groups.

9.2 The list showing the allocation of Councillors will be included in the minutes of the Annual Meeting of Council.

10. Allocation of Councillors to Outside Bodies

10.1 The Leader of the Council has allocated Councillors to sit on Outside Bodies.

10.2 The list showing Councillors and their allocation to Outside Bodies will be included in the minutes of the Annual Meeting of Council.

11. Democratic Services Committee

11.1 The Local Government (Wales) Measure 2011 (The Measure) states that a Democratic Services Committee and Chair must be appointed by Council. It also states that the Council shall appoint an Opposition Member to Chair the Committee.

11.2 The Leader of the Council shall not sit on this Committee. No more than one Cabinet Member shall sit on this Committee. Co-opted Members are not allowed to sit on this Committee.

11.3 Councillor Paul M Meara is the current Chair of the Democratic Services Committee and it is proposed that he be re-appointed in that role.

12. Council Bodies Diary 2016-2017

12.1 Section 6 “Timing of Council Meetings” of the Local Government (Wales) Measure 2011 places a duty on Authority’s to conduct a survey of its Councillors in relation to the timing of its Meetings. The Measure states that such a survey should be undertaken at least once in each Council term.

12.2 The Authority carried out a Councillors Survey in May / June 2012. The survey results were presented to Council on 14 June 2012. The Leader of the Council made a commitment in 2012 that Council Meetings should be more accessible to members of the public.

12.3 The Councillors Survey and the Leader of the Council’s commitment were considered in preparing the Council Bodies Diary. The Council Bodies Diary 2016-2017 is shown as **Appendix F**.

12.4 The Approximate Council Bodies Frequency Cycle is shown as **Appendix D**.

13. Co-opted Members

13.1 It is proposed to maintain payments to Co-opted Members at a maximum of 20 full days’ payments per Municipal Year.

14. Councillors Handbook

14.1 The Councillors Handbook www.swansea.gov.uk/CllrsHandbook provides a one stop guidance document for Councillors containing sections on Financial Information, Support Services, Protocols and Role Descriptions.

14.2 The Councillors Handbook needs to be reaffirmed annually by Council.

15. Appointment of Chairs & Vice Chairs of Committees

15.1 Following the close of the Annual Meeting of Council, a number of Committees shall meet in order to conduct the business of electing Chairs and Vice Chairs to these Committees.

16. Member Champions

16.1 Member Champions exist to provide a voice for traditionally underrepresented groups, or issues which need to be kept at the forefront of Council business although they may not be the responsibility of any individual or Committee.

- 16.2 Member Champions, (sometimes called Lead Members or Councillor Champions) in addition to their other Council responsibilities make sure that the issue or group that they are championing are taken into account when Council policy is being developed and decisions are made. Further information relating to Member Champions may be found within the ‘Member Champions’ report that was presented to Council on 17 January 2013.
- 16.3 Member Champions are appointed by the Leader of the Council. It is deemed best practice that the Leader of the Council informs Council of whom he has appointed to the Member Champion roles. The Leader of Council has appointed as follows:

Member Champion Area	Responsible Councillor
Armed Forces	June E Burtonshaw
Biodiversity	Mark C Child
Carers	Paulette B Smith
Children and Young People (Lead Member for Children and Young People’s Services – As defined by the Children Act 2004)	Christine Richards
Councillor Support and Development	Clive E Lloyd
Disabled People	Paul Lloyd
Diversity	Erika T Kirchner
Domestic Abuse	Erika T Kirchner
Health and Wellbeing	Jane E C Harris
Healthy Cities	Mark C Child
Language (including Welsh)	Paul M Meara
Older People	Jan P Curtice
Race, Religion, Belief and Heritage	Yvonne V Jardine
United Nations Convention on the Rights of the Child (UNCRC)	Christine Richards

17. Local Choice Functions, Scheme of Delegation:

- 17.1 The following be added to the Local Choice Functions under the Scheme of Delegation within Part 3 “Responsibility for Functions” within the Council Constitution:

No	Function	Provision of Act or Statutory Instrument	Delegated To
J27	Powers related to Public Rights of Way, Commons Registration and Village Greens.	Commons Registration Act 1965; Commons Act 2006; Section 53 Wildlife and Countryside Act 1981; Section 26, 118, 119 of the Highways Act 1980.	PC/HoER&P

J28	Powers related to the Diversion, Extinguishment and Creation of public rights of way where no objections have been received, and all other functions relating to public rights of way not delegated to the Planning Committee.	Highways Act 1980; Countryside Act 1968; National Parks and Access to the Countryside Act 1949; Wildlife and Countryside Act 1981; Countryside and Rights of Way Act 2000; Road Traffic Regulation Act 1984.	HoER&P
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18. Equality and Engagement Implications

18.1 An Equality Impact Assessment (EIA) screening process took place prior to the consultation period. The outcome indicated that it was low priority and a full report was not required.

19. Financial Implications

19.1 All financial impacts of this report are contained within existing budgets.

20. Legal Implications

20.1 There are no legal implications associated with this report other than those identified within it.

Background Papers: None

Appendices:

Appendix A	Basic Salary, Civic Salary and Senior Salary Payments. (Group A Councils) as Prescribed by IRPW - February 2016
Appendix B	Fees for Co-opted Member (with Voting Rights) of Local Authorities as Prescribed by the IRPW - February 2016.
Appendix C	Proposed Exemption from Committee Balance Rules.
Appendix D	Approximate Council Bodies Frequency Cycle.
Appendix E	Council Bodies & Number of Allocated Seats 2016-2017.
Appendix F	Council Bodies Diary 2016-2017.

Appendix A

Basic Salary, Civic Salary and Senior Salary Payments (Group A Councils) as Prescribed by IRPW - February 2016

Basic Salary	£13,300
Senior Salaries (inclusive of Basic Salary)	
Band 1	
Leader of the Council	£53,000
Deputy Leader of the Council	£37,000
Band 2	
Executive Member (Cabinet Member) Level 1	£32,000
Executive Member (Cabinet Member) Level 2	£28,800
Band 3	
Committee Chairs Level 1	£22,000
Committee Chairs Level 2	£20,000
Band 4	
Leader of the Largest Opposition Political Group *1	£22,000
Band 5	
Leader of Other Political Groups *2	£17,000
Civic Salaries (inclusive of Basic Salary) *3	
Civic Head (Mayor / Chair of Council) Level 1	£24,000
Civic Head (Mayor / Chair of Council) Level 2	£21,500
Civic Head (Mayor / Chair of Council) Level 3	£19,000
Deputy Civic Head (Deputy Mayor / Vice Chair of Council) Level 1	£18,000
Deputy Civic Head (Deputy Mayor / Vice Chair of Council) Level 2	£16,000
Deputy Civic Head (Deputy Mayor / Vice Chair of Council) Level 3	£14,000

Note:

- *1 Leader of the Largest Opposition Political Groups** – They are only entitled to a Senior Salary if they have 10% or more of the total number of Council seats in their Political Group. If the 10% rule is achieved then the payment is automatic.

- *2 Leaders of the Other Political Groups** – They are only entitled to a Senior Salary if they have 10% or more of the total number of Council seats in their Political Group and Council resolve to remunerate them.

- *3 Civic Head / Deputy Civic Head** – The IRPW have clearly stated that the Lord Mayor / Deputy Lord Mayor of the City and County of Swansea must be the Civic Head / Deputy Civic Head. This means that the Chair of Council / Vice Chair of Council shall not be allowed a Civic Salary or a Senior Salary.

Appendix B

Fees for Co-opted Member (with Voting Rights) of Local Authorities As Prescribed by the IRPW – February 2016

Chair of Standards Committee and Chair of Audit Committee	4 Hours and Over	£256
	Up to 4 Hours	£128
Ordinary Members of Standards Committee who also Chair Standards Committee for Community and Town Councils	4 Hours and Over	£226
	Up to 4 Hours	£113
Ordinary Members of Standards Committee; Education Scrutiny Committee; Crime and Disorder Scrutiny Committee and Audit Committee	4 Hours and Over	£198
	Up to 4 Hours	£99

Appendix C

Proposed Exemption from Committee Balance Rules

1. A number of Committees are exempt from the Local Government (Committees and Political Groups) Regulations 1990 as they are covered by other separate legislation. Council also has the right to exempt a Committee from the legislation providing that it has the unanimous backing of all Councillors voting at the meeting. The following is a list of the Committees covered by separate legislation together with a reference to that legislation and those proposed to be exempted by Council.
 - 1.1 **Chief Executive's Appraisal and Remuneration Committee.** Council is asked to exempt this from the Committee Balance Rules in order to ensure that each Political Group Leader is represented on it.
 - 1.2 **Standards Committee.** This is made up of 5 Independent Members and 4 Councillors. By virtue of Section 53 (10) of the Local Government Act 2000 a Standards Committee and the Standards Committees (Wales) Regulations 2001, the Standards Committee is not required to comply with Section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to Political Groups).
 - 1.3 **Community / Town Councils Forum.** Council is asked to exempt this from the Committee Balance Rules in order to ensure that only the Cabinet Members and Chairs of Planning Committee and General Licensing Committee are represented on it.
 - 1.4 **Corporate Parenting Board.** Council is asked to exempt this from the Committee Balance Rules in order to ensure that a representative of each Political Group is represented on it.
 - 1.5 **Gypsy Traveller Liaison Forum.** Council is asked to exempt this from the Committee Balance Rules in order to ensure that a representative of each Political Group is represented on it.
 - 1.6 **Student Liaison Forum.** Council is asked to exempt this from the Committee Balance Rules in order to ensure that the Relevant Cabinet Member and the Councillors from the following Electoral Divisions Castle, Gorseinon, Killay North, Kingsbridge, Loughor Lower, Loughor Upper, Oystermouth, Sketty, St. Thomas, Townhill and Uplands are represented on it.
 - 1.7 **Constitution Working Group.** Council is asked to exempt this from the Committee Balance Rules in order to ensure that the Presiding Member and each Political Group Leader and Deputy is represented on it.

Approximate Council Bodies Frequency Cycle

a) 6 Monthly

- Community / Town Councils Forum;
- Local Pensions Board.

b) 3 Monthly Cycle

- Armed Forces Community Covenant Signatories Panel;
- Democratic Services Committee;
- Gower AONB Partnership Group;
- Pension Fund Committee;
- Standards Committee;
- West Glamorgan Archives Committee.

c) 2 Monthly Cycle

- Audit Committee;
- Corporate Parenting Board;
- External Funding Panel;
- Joint Consultative Committee.

d) Monthly Cycle

- Council;
- Cabinet;

- Communities CAC;
- Corporate Services CAC;
- Development CAC;
- Education and Young People CAC;
- General Licensing Committee;
- Planning Committee;
- Local Authority (LA) Governor Panel;
- Prevention and Social Care Reform CAC;
- Scrutiny Programme Committee.

e) Other Cycle

Not all Council Bodies are listed in the cycles above. This is often due to the fact that these bodies are called on an ad hoc basis.

Council Bodies & Number of Allocated Seats 2016-2017

Appendix E

Body	Seats	Comments	Status
Council	72	Not Part of PR Calculations	
Cabinet	10	Not Part of PR Calculations	SS
Committees			
Appeals & Awards	7		
Appointments	12		
Audit	12	Chaired by an Independent Person	
Chief Exec Appraisal & Remuneration	8	Leader & Deputy Leader of all Political Groups and 3 other Labour.	XPR
Chief Officers Disciplinary	12	All Political Groups must be represented on this (CCS Rule)	
Chief Officers Disciplinary Appeals	12	All Political Groups must be represented on this (CCS Rule)	
Democratic Services	12	Chair must be an Opposition Councillor and appointed by Council.	
Family Absence Complaints		As per Council of 12 August 2014	
Communities CAC	13	CAC Membership is 9 Labour, 2 Liberal Democrats, 1 Independent and 1 Conservative. Opposition Councillors have not submitted names.	SS
Corporate Services CAC	13		SS
Development CAC	13		SS
Education and Young People CAC	13		SS
Prevention and Social Care Reform CAC	13		SS
JCC	7		
General Licensing	12		SS
<i>General Licensing Sub</i>	3	Drawn proportionally from General Licensing Cttee.	
Statutory Licensing	12		
<i>Statutory Licensing Sub</i>	3	Drawn proportionally from Statutory Licensing Cttee.	
Pension Fund	6	Chaired by the Finance & Strategy Cabinet Member	
Planning	12		SS
Scrutiny Programme	16		SS
Standards	X	Standards Committee (Wales) Regulations 2001.	XPR
West Glamorgan Archives	5	Independent Chair	
Panels, Forums, Groups etc			
Admissions Panel	6		
Armed Forces Community Covenant Signatories Panel	1	Armed Forces Member Champion	XPR
Challenge Panel	12	Must contain Leader of Largest Opposition Political Group (Chair) and Leader of the Second Largest Political Group (Vice Chair).	
External Funding Panel	10	This is a Cabinet Body. All Cabinet Members to have a vote.	XPR
LA Governor Panel	12	Independent Chair	
Standards Cttee Vacancy Panel	3		
Trustees Panel	17		
West Wales Valuation Tribunal Joint Appointments Panel	2		
Community / Town Councils Forum	12	All Cabinet Members, Chair of Planning and Chair of General Licensing.	XPR
Corporate Parenting Board	11	8 Labour, 1 Lib Dem, 1 Ind & 1 Con.	XPR
Gower AONB Partnership Group	6	Chaired by Chair of Planning Committee	
<i>Sustainable Development Fund Panel</i>	2	Chaired by Chair of Planning Committee	
<i>Sustainable Development Fund Appeal Panel</i>	1		
Gypsy Traveller Liaison Forum	8	5 Labour, 1 Lib Dem, 1 Ind & 1 Con.	XPR
Swansea Student Liaison Forum (SSLF)	23	Relevant Cabinet Member & Cllrs with student issues within their Electoral Ward.	XPR
Constitution Working Group	9	Presiding Member, Leader & Deputy Leader of all Political Groups.	XPR
Development Advisory Group (DAG)	3	This is a Cabinet Body.	XPR
Social Services Rota Visits Group	15		
Local Pension Board	1		

SS - Committees that attract Senior Salary

XPR - Bodies exempt from Proportionality.

June 2016

June 2016

July 2016

Mo	Tu	We	Th	Fr	Sa	Su
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

Mo	Tu	We	Th	Fr	Sa	Su
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
30 May	31	1 Jun 15:00 16:00 External Funding Panel 16:00 17:00 Corporate Services CAC	2 14:00 15:00 Corporate Briefing	3 09:35 10:35 Standards	4	5
6 17:00 18:00 Student Liaison	7 14:00 15:00 Planning	8 16:00 17:00 Education CAC	9 14:00 15:00 Communities CAC	10 10:00 11:00 General Licensing	11	12
13 09:30 10:30 Corporate Parenting 16:30 17:30 Scrutiny Programme	14 14:00 15:00 Audit	15 15:00 16:00 Development CAC	16 14:00 15:00 Cabinet 15:00 16:00 LA Governor 17:00 18:00 Council	17 11:00 12:00 Archives	18	19
20 14:00 15:00 Prevention CAC	21	22	23 EU Referendum	24	25	26
27	28 14:00 15:00 Audit 17:00 18:00 Democratic Services	29 16:00 17:00 Corporate Services CAC	30	1 Jul	2	3

30 May - 5 Jun

6 - 12 Jun Page 25

13 - 19 Jun

20 - 26 Jun

27 Jun - 3 Jul

July 2016

July 2016							August 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
27 Jun	28	29	30	1 Jul	2	3
4	5	6	7	8	9	10
14:00 15:00 Armed Forces 19:00 20:00 Gower AONB (Annual Meeting)	14:00 15:00 Planning		14:00 15:00 Corporate Briefing	10:00 11:00 General Licensing		
11	12	13	14	15	16	17
16:30 17:30 Scrutiny Programme	10:30 11:30 JCC	16:00 17:00 Education CAC	10:00 11:00 Pension Fund Ctte 14:00 15:00 Communities CAC			
18	19	20	21	22	23	24
14:00 15:00 Prevention CAC	17:00 18:00 Community Town Councils	15:00 16:00 Development CAC	16:00 17:00 Cabinet			
25	26	27	28	29	30	31
		16:00 17:00 Corporate Services CAC	14:00 15:00 LA Governor 15:30 16:00 Ceremonial Council 17:00 18:00 Council			

27 Jun - 3 Jul

4 - 10 Jul

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18 - 24 Jul

25 - 31 Jul

August 2016

August 2016							September 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
1	2	3	4	5	6	7	8	9	10	11	12	13	14
8	9	10	11	12	13	14	15	16	17	18	19	20	21
15	16	17	18	19	20	21	22	23	24	25	26	27	28
22	23	24	25	26	27	28	29	30	31				

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 Aug 09:30 10:30 Corporate Parenting	2 14:00 15:00 Planning	3 15:00 16:00 External Funding Panel	4 14:00 15:00 Corporate Briefing	5	6	7
8 16:30 17:30 Scrutiny Programme	9	10 16:00 17:00 Education CAC	11 14:00 15:00 Communities CAC	12 10:00 11:00 General Licensing	13	14
15 14:00 15:00 Prevention CAC	16	17 15:00 16:00 Development CAC	18 16:00 17:00 Cabinet	19	20	21
22	23	24	25 14:00 15:00 LA Governor 17:00 18:00 Council	26	27	28
29 BANK HOLIDAY	30 14:00 15:00 Audit	31 16:00 17:00 Corporate Services CAC	1 Sep	2	3	4

1 - 7 Aug

8 - 14 Aug

Page 2 of 2
15 - 21 Aug

22 - 28 Aug

29 Aug - 4 Sep

September 2016

September 2016							October 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
29 Aug	30	31	1 Sep	2	3	4
			14:00 15:00 Corporate Briefing	09:35 10:35 Standards		
5	6	7	8	9	10	11
	14:00 15:00 Planning		14:00 15:00 Communities CAC	10:00 11:00 General Licensing		
12	13	14	15	16	17	18
16:30 17:30 Scrutiny Programme	10:30 11:30 JCC	16:00 17:00 Education CAC	10:00 11:00 Pension Fund Cttee 16:00 17:00 Cabinet	11:00 12:00 Archives		
19	20	21	22	23	24	25
14:00 15:00 Prevention CAC 19:00 20:00 Gower AONB		15:00 16:00 Development CAC	14:00 15:00 LA Governor 17:00 18:00 Council			
26	27	28	29	30	1 Oct	2
14:00 15:00 Armed Forces	17:00 18:00 Democratic Services	16:00 17:00 Corporate Services CAC				

29 Aug - 4 Sep

5 - 11 Sep

Page 20 of 12 - 18 Sep

19 - 25 Sep

26 Sep - 2 Oct

October 2016

October 2016							November 2016						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
3	4	5	6	7	8	9	1	2	3	4	5	6	
10	11	12	13	14	15	16	7	8	9	10	11	12	13
17	18	19	20	21	22	23	14	15	16	17	18	19	20
24	25	26	27	28	29	30	21	22	23	24	25	26	27
31							28	29	30				

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
26 Sep	27	28	29	30	1 Oct	2
3	4	5	6	7	8	9
09:30 10:30 Corporate Parenting	14:00 15:00 Planning	15:00 16:00 External Funding Panel	14:00 15:00 Corporate Briefing			
10	11	12	13	14	15	16
16:30 17:30 Scrutiny Programme		16:00 17:00 Education CAC	14:00 15:00 Communities CAC	10:00 11:00 General Licensing		
17	18	19	20	21	22	23
14:00 15:00 Prevention CAC		15:00 16:00 Development CAC	16:00 17:00 Cabinet			
24	25	26	27	28	29	30
17:00 18:00 Student Liaison Forum	14:00 15:00 Audit	16:00 17:00 Corporate Services CAC	14:00 15:00 LA Governor 17:00 18:00 Council			
31	1 Nov	2	3	4	5	6
31/10 - 5/11						

26/9 - 1/10

3 - 8/10

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17 - 22/10

24 - 29/10

31/10 - 5/11

November 2016

December 2016

Mo	Tu	We	Th	Fr	Sa	Su
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2016

Mo	Tu	We	Th	Fr	Sa	Su
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
31 Oct	1 Nov 14:00 15:00 Planning	2	3 14:00 15:00 Corporate Briefing	4	5	6
7	8 10:30 11:30 JCC	9 16:00 17:00 Education CAC	10 14:00 15:00 Communities CAC	11 10:00 11:00 General Licensing	12	13
14 16:30 17:30 Scrutiny Programme	15	16 15:00 16:00 Development CAC	17 16:00 17:00 Cabinet	18	19	20
21 14:00 15:00 Prevention CAC	22	23	24 14:00 15:00 LA Governor 17:00 18:00 Council	25	26	27
28	29	30 16:00 17:00 Corporate Services CAC	1 Dec	2	3	4

31 Oct - 6 Nov

7 - 13 Nov

Page 30
14 - 20 Nov

21 - 27 Nov

28 Nov - 4 Dec

December 2016

December 2016

January 2017

Mo	Tu	We	Th	Fr	Sa	Su
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

Mo	Tu	We	Th	Fr	Sa	Su
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
28 Nov	29	30	1 Dec	2	3	4
			14:00 15:00 Corporate Briefing	09:35 10:35 Standards		
5	6	7	8	9	10	11
09:30 10:30 Corporate Parenting	14:00 15:00 Planning	15:00 16:00 External Funding Panel	10:00 11:00 Pension Fund Cttee 14:00 15:00 Communities CAC	10:00 11:00 General Licensing		
12	13	14	15	16	17	18
16:30 17:30 Scrutiny Programme		16:00 17:00 Education CAC	14:00 15:00 Cabinet 15:00 16:00 LA Governor 17:00 18:00 Council	11:00 12:00 Archives		
19	20	21	22	23	24	25
14:00 15:00 Armed Forces 14:00 15:00 Prevention CAC 19:00 20:00 Gower AONB	17:00 18:00 Democratic Services	15:00 16:00 Development CAC 16:00 17:00 Corporate Services CAC				
26	27	28	29	30	31	1 Jan 17
HOLIDAY	HOLIDAY	HOLIDAY				

28 Nov - 4 Dec

5 - 11 Dec

12 - 18 Dec

19 - 25 Dec

26 Dec - 1 Jan

January 2017

February 2017

January 2017

Mo	Tu	We	Th	Fr	Sa	Su
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					

Mo	Tu	We	Th	Fr	Sa	Su
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
26 Dec	27	28	29	30	31	1 Jan 17
2	3 14:00 15:00 Audit	4	5 14:00 15:00 Corporate Briefing	6	7	8
9	10 14:00 15:00 Planning	11 16:00 17:00 Education CAC	12 14:00 15:00 Communities CAC	13 10:00 11:00 General Licensing	14	15
16	17 10:30 11:30 JCC	18 15:00 16:00 Development CAC	19 16:00 17:00 Cabinet	20	21	22
23	24	25 16:00 17:00 Corporate Services CAC	26 14:00 15:00 LA Governor 17:00 18:00 Council	27	28	29
30	31	1 Feb	2	3	4	5
17:00 18:00 Student Liaison Forum						

26 - 31/12

2 - 7/1

28 - 31/1

16 - 21/1

23 - 28/1

30/1 - 4/2

February 2017

February 2017							March 2017						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
6	7	8	9	10	11	12	13	14	15	16	17	18	19
13	14	15	16	17	18	19	20	21	22	23	24	25	26
20	21	22	23	24	25	26	27	28	29	30	31		
27	28												

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
30 Jan	31	1 Feb	2	3	4	5
		15:00 16:00 External Funding Panel	14:00 15:00 Corporate Briefing			
6	7	8	9	10	11	12
09:30 10:30 Corporate Parenting	14:00 15:00 Planning	16:00 17:00 Education CAC	14:00 15:00 Communities CAC 16:00 17:00 Cabinet (Budget)	10:00 11:00 General Licensing		
13	14	15	16	17	18	19
16:30 17:30 Scrutiny Programme		15:00 16:00 Development CAC	16:00 17:00 Cabinet			
20	21	22	23	24	25	26
14:00 15:00 Prevention CAC		16:00 17:00 Corporate Services CAC	14:00 15:00 LA Governor 17:00 18:00 Council			
27	28	1 Mar	2	3	4	5

30 Jan - 5 Feb

6 - 12 Feb

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13 - 19 Feb

20 - 26 Feb

27 Feb - 5 Mar

March 2017

March 2017							April 2017						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
27 Feb	28	1 Mar	2	3	4	5
			14:00 15:00 Corporate Briefing	09:35 10:35 Standards		
6	7	8	9	10	11	12
	14:00 15:00 Planning	16:00 17:00 Education CAC	10:00 11:00 Pension Fund Ctte 14:00 15:00 Communities CAC	10:00 11:00 General Licensing		
13	14	15	16	17	18	19
16:30 17:30 Scrutiny Programme	14:00 15:00 Audit	15:00 16:00 Development CAC	16:00 17:00 Cabinet	11:00 12:00 Archives		
20	21	22	23	24	25	26
14:00 15:00 Armed Forces 14:00 15:00 Prevention CAC			14:00 15:00 LA Governor 17:00 18:00 Council			
27	28	29	30	31	1 Apr	2
19:00 20:00 Gower AONB	17:00 18:00 Democratic Services	16:00 17:00 Corporate Services CAC				

27 Feb - 5 Mar

6 - 12 Mar

Page 3 of 4
13 - 19 Mar

20 - 26 Mar

27 Mar - 2 Apr

April 2017

April 2017							May 2017						
Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su
3	4	5	6	7	8	9	1	2	3	4	5	6	7
10	11	12	13	14	15	16	8	9	10	11	12	13	14
17	18	19	20	21	22	23	15	16	17	18	19	20	21
24	25	26	27	28	29	30	22	23	24	25	26	27	28
							29	30	31				

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
27 Mar	28	29	30	31	1 Apr	2
3	4	5	6	7	8	9
09:30 10:30 Corporate Parenting 14:00 15:00 Corporate Briefing 17:00 18:00 Student Liaison	14:00 15:00 Planning	15:00 16:00 External Funding Panel 16:00 17:00 Education CAC				
10	11	12	13	14	15	16
14:00 15:00 Prevention CAC 16:30 17:30 Scrutiny Programme	10:30 11:30 JCC		14:00 15:00 Communities CAC	GOOD FRIDAY		
17	18	19	20	21	22	23
EASTER MONDAY			14:00 15:00 Cabinet Panel 15:00 16:00 LA Governor Panel 17:00 18:00 Council	10:00 11:00 General Licensing		
24	25	26	27	28	29	30

27 Mar - 2 Apr

3 - 9 Apr

10 - 16 Apr

17 - 23 Apr

24 - 30 Apr

May 2017

June 2017

Mo	Tu	We	Th	Fr	Sa	Su
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
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May 2017

Mo	Tu	We	Th	Fr	Sa	Su
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29	30	31				

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
1 May BANK HOLIDAY	2	3	4 LOCAL GOVERNMENT E	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19 14:00 15:00 Ceremonial Meeting of Council(Lord Mayor)	20	21
22	23	24	25 16:00 17:00 Annual Meeting of Council	26	27	28
29 BANK HOLIDAY	30	31	1 Jun	2	3	4

1 - 7 May

8 - 14 May

15 - 21 May

22 - 28 May

29 May - 4 Jun

Agenda Item 9.

Report of the of the Deputy Monitoring Officer

Annual Meeting of Council – 19 May 2016

THE LOCAL AUTHORITIES (MODEL CODE OF CONDUCT) (WALES) (AMENDMENT) ORDER 2016 - ADOPTION OF NEW MEMBERS CODE OF CONDUCT

Purpose:	To seek members approval for the adoption of a new Members' Code of Conduct as a result of legislative changes
Policy Framework:	Council Constitution
Consultation:	Access to Services, Finance, Legal
Recommendation(s)	It is recommended that: 1) the new Model Code of Conduct set out in Appendix A be adopted; 2) the Council's Constitution is amended to include the new Model Code of Conduct.
Report Author:	Tracey Meredith
Finance Officer:	Ben Smith
Legal Officer:	Stephanie Williams
Access to Services Officer:	Ann Williams

1. Introduction

- 1.1 Swansea's Code of Conduct for Members is based on the prescribed national model. The Welsh Government have made the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 which amends the previous Code of Conduct. This amended Code of Conduct is attached at Appendix A.

2. New Model Code of Conduct

- 2.1 Welsh Government has made a number of changes to the national model of which the following are the most significant:
- a. Paragraph 6(1) c- the obligation to report suspected breaches of the Code of Conduct to the Public Services Ombudsman for Wales is

removed (Note- the obligation to report suspected breaches to the Monitoring Officer remains).

- b. Paragraph 10 (2) b- the obligation to declare an interest in the case of possible/perceived conflicts of interest between representing the need of a Councillor's ward and the duties of the Council as a whole is removed. This is to overcome unintended difficulties in relation to Members participation in business relating to their ward. Members are however, reminded that when participating in decisions relating to their ward, they must be mindful of the general obligation to act objectively and in the wider public interest (pursuant to paragraph 8 of the Code)
- c. Paragraph 14- by making it clear that a Councillor with a prejudicial interest in a matter can send written representations to a meeting about that item of business provided the public is able to speak at that meeting as of right.
- d. Paragraph 15- by imposing an obligation on town and community councillors to register any interest disclosed for the first time under paragraph 10 (2) a (thereby creating the register of interest for each town and community Council).
- e. Paragraph 15- by requiring town and community councillors to register their interests with their clerk (rather than the Monitoring Officer at the County Council).

3. Equality and Engagement Implications

- 3.1 There are no direct implications arising from this report. The adoption of the Code is a Statutory requirement.

4. Financial Implications

- 4.1 Under s51 (6) Local Government Act 2000 any changes to the Code of Conduct must be advertised as soon as reasonably practical. The advert must be in a local newspaper and must say where a copy of the Code can be inspected.

5. Legal Implications

- 5.1 All relevant Authorities must within six months of the Amendment Order adopt a revised Code of Conduct. The Order was made on 27th January 2016 and, therefore, the Council has until 26th July, 2016 in which to adopt a revised Code. However, it has been suggested by Welsh Government that it would be sensible for Local Authorities to do so no later than at their 2016 Annual Meeting.
- 5.2 There is no legal requirement for existing Members to sign a further declaration mid-term undertaking to observe the Members' Code of

Conduct as amended, given that the current declaration extends to revisions of the Members' Code of Conduct.

5.3 Section 51 (6) of the Local Government Act 2000 requires the Authority as soon as reasonable practicable after revising its Members Code of Conduct:

- To ensure that copies are available at an office of the authority for inspection by the public at all reasonable hours;
- To publish in one or more newspaper circulating in the area a notice which states that the Authority has revised the Code and made it available for inspection; and
- To send a revised copy of the Code to the Public Services Ombudsman for Wales

Background Papers: The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016

Appendices: Appendix A: Revised Code of Conduct

THE MODEL CODE OF CONDUCT

PART 1 INTERPRETATION

1.—(1) In this code —

"co-opted member" ("*aelod cyfetholedig*"), in relation to a relevant authority, means a person who is not a member of the authority but who —

- (a) is a member of any committee or sub-committee of the authority, or
- (b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority, and who is entitled to vote on any question which falls to be decided at any meeting of that committee or subcommittee;

"meeting" ("*cyfarfod*") means any meeting —

- (a) of the relevant authority,
- (b) of any executive or board of the relevant authority,
- (c) of any committee, sub-committee, joint committee or joint sub-committee of the relevant authority or of any such committee, sub-committee, joint committee or joint sub-committee of any executive or board of the authority, or
- (d) where members or officers of the relevant authority are present other than a meeting of a political group constituted in accordance with regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990,

and includes circumstances in which a member of an executive or board or an officer acting alone exercises a function of an authority;

"member" ("*aelod*") includes, unless the context requires otherwise, a co-opted member;

“registered society” means a society, other than a society registered as a credit union, which is —

- (a) a registered society within the meaning given by section 1(1) of the Co-operative and Community Benefit Societies Act 2014; or
- (b) a society registered or deemed to be registered under the Industrial and Provident Societies Act (Northern Ireland) 1969;

“register of members’ interests” (“*cofrestr o fuddiannau’r aelodau*”) means the register established and maintained under section 81 of the Local Government Act 2000;

"relevant authority" ("*awdurdod perthnasol*") means—

- (a) a county council,
- (b) a county borough council,
- (c) a community council,

(d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,

(e) a National Park authority established under section 63 of the Environment Act 1995;

"you" ("*chi*") means you as a member or co-opted member of a relevant authority; and

"your authority" ("*eich awdurdod*") means the relevant authority of which you are a member or co-opted member.

(2) In relation to a community council—

(a) “proper officer” (“*swyddog priodol*”) means an officer of that council within the meaning of section 270(3) of the Local Government Act 1972; and

(b) “standards committee” (“*pwyllgor safonau*”) means the standards committee of the county or county borough council which has functions in relation to the community council for which it is responsible under section 56(1) and (2) of the Local Government Act 2000.

PART 2 GENERAL PROVISIONS

2.—(1) Save where paragraph 3(a) applies, you must observe this code of conduct —

(a) whenever you conduct the business, or are present at a meeting, of your authority;

(b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;

(c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or

(d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

(2) You should read this code together with the general principles prescribed under section 49(2) of the Local Government Act 2000 in relation to Wales.

3. Where you are elected, appointed or nominated by your authority to serve —

(a) on another relevant authority, or any other body, which includes a Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or

(b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

(a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;

(b) show respect and consideration for others;

(c) not use bullying behaviour or harass any person; and

(d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

5. You must not —

(a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;

(b) prevent any person from gaining access to information to which that person is entitled by law.

6.—(1) You must —

(a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;

(b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);

(c) report to your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;

(d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

(2) You must comply with any request of your authority's monitoring officer, or the Public Services Ombudsman for Wales, in connection with an investigation conducted in accordance with their respective statutory powers.

7. You must not —

(a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;

(b) use, or authorise others to use, the resources of your authority —

(i) imprudently;

(ii) in breach of your authority's requirements;

(iii) unlawfully;

(iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;

(v) improperly for political purposes; or

(vi) improperly for private purposes.

8. You must —

(a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by —

(i) the authority's head of paid service;

(ii) the authority's chief finance officer;

(iii) the authority's monitoring officer;

(iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);

(b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

9. You must —

(a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;

(b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

PART 3 INTERESTS

Personal Interests

10.—(1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.

(2) You must regard yourself as having a personal interest in any business of your authority if —

(a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

4.

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in subparagraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, registered society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area,

in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

[Note: subparagraph (b) is omitted.]

(c) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(c)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management,

to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Disclosure of Personal Interests

11.—(1) Where you have a personal interest in any business of your authority and you attend a meeting at which that business is considered, you must disclose orally to that meeting the existence and nature of that interest before or at the commencement of that consideration, or when the interest becomes apparent.

(2) Where you have a personal interest in any business of your authority and you make —

(a) written representations (whether by letter, facsimile or some other form of electronic communication) to a member or officer of your authority regarding that business, you should include details of that interest in the written communication; or

(b) oral representations (whether in person or some form of electronic communication) to a member or officer of your authority you should disclose the interest at the commencement of such representations, or when it becomes apparent to you that you have such an interest, and confirm the representation and interest in writing within 14 days of the representation.

(3) Subject to paragraph 14(1)(b) below, where you have a personal interest in any business of your authority and you have made a decision in exercising a function of an executive or board, you must in relation to that business ensure that any written statement of that decision records the existence and nature of your interest.

(4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer, or in relation to a community council, your authority's proper officer from time to time but, as a minimum containing —

(a) details of the personal interest;

(b) details of the business to which the personal interest relates; and

(c) your signature.

(5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.

(6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.

(7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

Prejudicial Interests

12.—(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.

(2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—

(a) relates to —

(i) another relevant authority of which you are also a member;

(ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;

- (iii) a body to which you have been elected, appointed or nominated by your authority;
- (iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;
- (v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to —

- (i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;
- (ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;
- (iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;
- (iv) the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011, or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989;

(c) your role as a community councillor in relation to a grant, loan or other form of financial assistance made by your community council to community or voluntary organisations up to a maximum of £500.

(3) The exemptions in subparagraph (2)(a) do not apply where the business relates to the determination of any approval, consent, licence, permission or registration.

Overview and Scrutiny Committees

13. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—

- (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint subcommittees; and
- (b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in subparagraph (a) and you were present when that decision was made or action was taken.

Participation in Relation to Disclosed Interests

14.—(1) Subject to sub-paragraphs (2), (2A), (3) and (4), where you have a prejudicial interest in any business of your authority you must, unless you have obtained a dispensation from your authority's standards committee —

- (a) withdraw from the room, chamber or place where a meeting considering the business is being held—
 - (i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event

before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or

(ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;

(b) not exercise executive or board functions in relation to that business;

(c) not seek to influence a decision about that business;

(d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and

(e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

(2) Where you have a prejudicial interest in any business of your authority you may attend a meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

(2A) Where you have a prejudicial interest in any business of your authority you may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under statutory right or otherwise.

(2B) When submitting written representations under sub-paragraph (2A) you must comply with any procedure that your authority may adopt for the submission of such representations.

(3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —

(a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or

(b) you have the benefit of a dispensation provided that you —

(i) state at the meeting that you are relying on the dispensation; and

(ii) before or immediately after the close of the meeting give written notification to your authority containing —

(aa) details of the prejudicial interest;

(bb) details of the business to which the prejudicial interest relates;

(cc) details of, and the date on which, the dispensation was granted; and

(dd) your signature.

(4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

PART 4

THE REGISTER OF MEMBERS' INTERESTS

Registration of Personal Interests

15.—(1) Subject to sub-paragraph (4), you must, within 28 days of—

(a) your authority's code of conduct being adopted or the mandatory provisions of this model code being applied to your authority; or

(b) your election or appointment to office (if that is later),

register your personal interests, where they fall within a category mentioned in paragraph 10(2)(a), in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(2) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any new personal interest falling within a category mentioned in paragraph 10(2)(a), register that new personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer.

(3) Subject to sub-paragraph (4), you must, within 28 days of becoming aware of any change to a registered personal interest falling within a category mentioned in paragraph 10(2)(a), register that change in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

(4) Sub-paragraphs (1), (2) and (3) do not apply to sensitive information determined in accordance with paragraph 16(1).

(5) Sub-paragraphs (1) and (2) do not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority.

(6) You must, when disclosing a personal interest in accordance with paragraph 11 for the first time, register that personal interest in your authority's register of members' interests by providing written notification to your authority's monitoring officer, or in the case of a community council to your authority's proper officer.

Sensitive information

16.—(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to the interest under paragraph 15.

(2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under sub-paragraph (1) is no longer sensitive information, notify your authority's monitoring officer, or in relation to a community council, your authority's proper officer asking that the information be included in your authority's register of members' interests.

(3) In this code, "sensitive information" ("*gwybodaeth sensitif*") means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

Registration of Gifts and Hospitality

17. You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value specified in a resolution of your authority, provide written notification to your authority's monitoring officer, or in relation to a community council, to your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.

Y COD YMDDYGIAD ENGHREIFFTIOL

RHAN 1 DEHONGLI

1.—(1) Yn y cod hwn —

mae "aelod" ("*member*") yn cynnwys aelod cyfetholedig onid yw'r cyd-destun yn mynnu fel arall;

ystyr "aelod cyfetholedig" ("*co-opted member*"), mewn perthynas ag awdurdod perthnasol, yw person nad yw'n aelod o'r awdurdod ond—

(a) sy'n aelod o unrhyw bwyllgor neu is-bwyllgor i'r awdurdod, neu

(b) sy'n aelod o unrhyw gyd-bwyllgor neu gyd-is-bwyllgor i'r awdurdod, ac sy'n cynrychioli'r awdurdod arno,

ac sydd â'r hawl i bleidleisio ar unrhyw gwestiwn sydd i'w benderfynu mewn unrhyw gyfarfod o'r pwyllgor neu o'r is-bwyllgor hwnnw;

ystyr "eich awdurdod" ("*your authority*") yw'r awdurdod perthnasol yr ydych chi'n aelod neu'n aelod cyfetholedig ohono;

ystyr "awdurdod perthnasol" ("*relevant authority*") yw—

(a) cyngor sir,

(b) cyngor bwrdeistref sirol,

(c) cyngor cymuned,

(ch) awdurdod tân ac achub a gyfansoddwyd drwy gynllun o dan adran 2 o Ddeddf Gwasanaethau Tân ac Achub 2004 neu gynllun y mae adran 4 o'r Ddeddf honno yn gymwys iddo,

(d) awdurdod Parc Cenedlaethol a sefydlwyd o dan adran 63 o Ddeddf yr Amgylchedd 1995;

ystyr "cofrestr o fuddiannau'r aelodau" ("register of members' interests") yw'r gofrestr a sefydlir ac a gedwir o dan adran 81 o Ddeddf Llywodraeth Leol 2000;

ystyr "cyfarfod" ("*meeting*") yw unrhyw gyfarfod —

(a) o'r awdurdod perthnasol,

(b) o unrhyw weithrediaeth neu fwrdd i'r awdurdod perthnasol,

(c) o unrhyw bwyllgor, is-bwyllgor, cyd-bwyllgor neu gyd-is-bwyllgor i'r awdurdod perthnasol neu unrhyw bwyllgor, is-bwyllgor, cyd-bwyllgor neu gyd-is-bwyllgor o'r fath i unrhyw weithrediaeth neu fwrdd i'r awdurdod, neu

(ch) y mae aelodau neu swyddogion yr awdurdod perthnasol yn bresennol ynddo ac eithrio cyfarfod grŵp gwleidyddol a gyfansoddwyd yn unol â rheoliad 8 o Reoliadau Llywodraeth Leol (Pwyllgorau a Grwpiau Gwleidyddol) 1990,

ac mae'n cynnwys amgylchiadau pan fo aelod o weithrediaeth neu fwrdd neu swyddog sy'n gweithredu ar ei ben ei hun yn arfer un o swyddogaethau awdurdod; ac

ystyr "chi" ("you") yw chi fel aelod neu aelod cyfetholedig o awdurdod perthnasol.

(2) Mewn perthynas â chyngor cymuned—

(a) ystyr “swyddog priodol” (“proper officer”) yw swyddog o’r cyngor hwnnw o fewn ystyr adran 270(3) o Ddeddf Llywodraeth Leol 1972; a

(b) ystyr “pwyllgor safonau” (“standards committee”) yw pwyllgor safonau’r cyngor sir neu’r cyngor bwrdeistref sirol sydd â swyddogaethau mewn perthynas â’r cyngor cymuned y mae’n gyfrifol amdano o dan adran 56(1) a (2) o Ddeddf Llywodraeth Leol 2000.

RHAN 2 DARPARIAETHAU CYFFREDINOL

2.—(1) Ac eithrio pan fo paragraff 3(a) yn gymwys, rhaid i chi gydymffurfio â’r cod ymddygiad hwn —

(a) pa bryd bynnag y byddwch yn cynnal busnes eich awdurdod, neu'n bresennol mewn un o gyfarfodydd eich awdurdod;

(b) pa bryd bynnag y byddwch yn gweithredu, yn honni gweithredu neu'n rhoi'r argraff eich bod yn gweithredu yn rôl aelod y cawsoch eich ethol neu eich penodi iddi;

(c) pa bryd bynnag y byddwch yn gweithredu, yn honni gweithredu neu'n rhoi'r argraff eich bod yn gweithredu fel un o gynrychiolwyr eich awdurdod; neu

(ch) ar bob adeg ac mewn unrhyw gapasiti, mewn cysylltiad ag ymddygiad a nodir ym mharagraffau 6(1)(a) a 7.

(2) Dylech ddarllen y cod hwn ar y cyd â’r egwyddorion cyffredinol a ragnodir o dan adran 49(2) o Ddeddf Llywodraeth Leol 2000 o ran Cymru.

3. Os byddwch wedi eich ethol, eich penodi neu eich enwebu gan eich awdurdod i wasanaethu —

(a) ar awdurdod perthnasol arall, neu ar unrhyw gorff arall, sy'n cynnwys Bwrdd Iechyd Lleol rhaid i chi, pan fyddwch yn gweithredu ar ran yr awdurdod arall neu'r corff arall hwnnw, gydymffurfio â chod ymddygiad yr awdurdod arall neu'r corff arall hwnnw; neu

(b) ar unrhyw gorff arall nad oes ganddo god sy'n ymwneud ag ymddygiad ei aelodau, rhaid i chi, pan fyddwch yn gweithredu ar ran y corff arall hwnnw, gydymffurfio â’r cod ymddygiad hwn, ac eithrio pan yw'n gwrthdaro ag unrhyw rwymedigaethau cyfreithlon eraill y gall y corff hwnnw fod yn ddarostyngedig iddynt neu i'r graddau y mae'n gwrthdaro â’r cyfryw rwymedigaethau.

4. Rhaid i chi —

(a) cyflawni eich dyletswyddau a'ch cyfrifoldebau gan roi sylw dyladwy i'r egwyddor y dylai fod cyfle cyfartal i bawb, waeth beth fo'u rhyw, eu hil, eu hanabledd, eu cyfeiriadedd rhywiol, eu hoed neu eu crefydd;

(b) dangos parch at eraill ac ystyriaeth ohonynt;

(c) peidio ag ymddwyn fel bwli neu harasio unrhyw berson; a

(ch) peidio â gwneud dim sy'n cyfaddawdu, neu sy'n debygol o gyfaddawdu, didueddrwydd y sawl sy'n gweithio i'ch cyngor neu ar ei ran.

5. Rhaid i chi —

(a) peidio â datgelu gwybodaeth gyfrinachol neu wybodaeth y byddai'n rhesymol ystyried ei bod o natur gyfrinachol, heb gydsyniad datganedig person a awdurdodwyd i roi cydsyniad o'r fath, neu onid yw'r gyfraith yn mynnu eich bod yn gwneud hynny;

(b) peidio â rhwystro unrhyw berson rhag gweld gwybodaeth y mae gan y person hwnnw hawl i'w gweld yn ôl y gyfraith.

6.—(1) Rhaid i chi —

(a) peidio ag ymddwyn mewn ffordd y gellid yn rhesymol ei hystyried yn un sy'n dwyn anfri ar eich swydd neu ar eich awdurdod;

(b) adrodd, p'un ai drwy weithdrefn adrodd gyfrinachol eich awdurdod neu'n uniongyrchol i'r awdurdod priodol, ar unrhyw ymddygiad gan aelod arall neu gan unrhyw un sy'n gweithio i'ch awdurdod neu ar ei ran ac y mae'n rhesymol i chi fod o'r farn ei fod yn golygu neu'n debygol o olygu ymddygiad troseddol (nad yw at ddibenion y paragraff hwn yn cynnwys tramgwyddau neu ymddygiad y gellir ei gosbi drwy gosb benodedig);

(c) adrodd i swyddog monitro eich awdurdod ar unrhyw ymddygiad gan aelod arall y mae'n rhesymol i chi fod o'r farn ei fod yn groes i'r cod ymddygiad hwn;

(ch) peidio â gwneud cwynion blinderus, maleisus neu wacsaw yn erbyn aelodau eraill neu unrhyw un sy'n gweithio i'ch awdurdod neu ar ei ran.

(2) Rhaid i chi gydymffurfio ag unrhyw gais gan swyddog monitro eich awdurdod, neu gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru, mewn cysylltiad ag ymchwiliad a wneir yn unol â'u gwahanol bwerau statudol.

7. Rhaid i chi —

(a) yn eich capasiti swyddogol neu fel arall, beidio â defnyddio neu geisio defnyddio eich safle yn amhriodol i roi neu i sicrhau mantais i chi eich hun neu i unrhyw berson arall, neu i greu neu i osgoi anfantais i chi eich hun neu i unrhyw berson arall;

(b) peidio â defnyddio adnoddau eich awdurdod, neu awdurdodi eraill i'w defnyddio—

(i) yn annoeth;

(ii) yn groes i ofynion eich awdurdod;

(iii) yn anghyfreithlon;

(iv) ac eithrio mewn dull a fwriedir i hwyluso neu i ffafrio cyflawni swyddogaethau'r awdurdod neu'r swydd yr ydych wedi eich ethol neu eich penodi iddo neu iddi;

(v) yn amhriodol at ddibenion gwleidyddol; neu

(vi) yn amhriodol at ddibenion preifat.

8. Rhaid i chi —

(a) pan fyddwch yn cyfrannu mewn cyfarfodydd neu'n gwneud penderfyniadau ynghylch busnes y mae a wnelo eich awdurdod ag ef, wneud hynny ar sail rhinweddau'r amgylchiadau o dan sylw ac er budd y cyhoedd gan roi sylw i unrhyw gyngor perthnasol a ddarperir gan swyddogion eich awdurdod, ac yn benodol gan —

- (i) pennaeth gwasanaeth taledig yr awdurdod;
 - (ii) prif swyddog cyllid yr awdurdod;
 - (iii) swyddog monitro'r awdurdod;
 - (iv) prif swyddog cyfreithiol yr awdurdod (y dylid ymgynghori ag ef pan fo unrhyw amheuaeth ynghylch pw^er yr awdurdod i weithredu, ynghylch a yw'r cam a arfaethir yn dod o fewn y fframwaith polisi y cytunwyd arno gan yr awdurdod neu os gallai canlyniadau cyfreithiol gweithredu neu fethu â gweithredu gan yr awdurdod gael ôl-ffeithiau pwysig);
- (b) rhoi rhesymau dros bob penderfyniad yn unol ag unrhyw ofynion statudol ac unrhyw ofynion rhesymol ychwanegol a osodir gan eich awdurdod.

9. Rhaid i chi —

- (a) parchu'r gyfraith a rheolau eich awdurdod sy'n llywodraethu hawlio treuliau a lwfansau mewn cysylltiad â'ch dyletswyddau fel aelod;
- (b) osgoi derbyn rhoddion oddi wrth neb, na lletygarwch (ac eithrio lletygarwch swyddogol, megis derbyniad dinesig neu weithio dros ginio, a awdurdodir yn briodol gan eich awdurdod) na buddiannau materol neu wasanaethau i chi eich hun neu i unrhyw berson os byddai gwneud hynny'n eich rhoi o dan rwymedigaeth amhriodol, neu os gallai'n rhesymol ymddangos fel pe bai'n gwneud hynny.

RHAN 3 BUDDIANNAU

Buddiannau Personol

10.—(1) Ym mhob mater rhaid i chi ystyried a oes gennych fuddiant personol, ac a yw'r cod ymddygiad hwn yn ei gwneud yn ofynnol i chi ddatgelu'r buddiant hwnnw.

(2) Rhaid i chi ystyried bod gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef —

(a) os yw'n gysylltiedig â'r canlynol, neu'n debygol o effeithio arnynt —

- (i) unrhyw gyflogaeth yr ydych yn ymgymryd â hi neu fusnes yr ydych yn ei redeg;
- (ii) unrhyw berson sy'n eich cyflogi neu sydd wedi eich penodi, unrhyw ffyrn yr ydych yn bartner ynddi neu unrhyw gwmni yr ydych yn gyfarwyddwr arno ac yn derbyn tâl;
- (iii) unrhyw berson, ac eithrio eich awdurdod, sydd wedi rhoi taliad i chi mewn cysylltiad â'ch ethol neu mewn cysylltiad ag unrhyw dreuliau a dynnwyd gennych wrth i chi gyflawni eich dyletswyddau fel aelod;
- (iv) unrhyw gorff corfforaethol y mae ganddo le busnes neu dir yn ardal eich awdurdod, ac y mae gennych chi fuddiant llesiannol mewn dosbarth o warannau sydd gan y corff hwnnw ac sy'n werth mwy na'r gwerth enwol o £25,000 neu un ganfed ran o gyfanswm cyfalaf cyfrannau dyroddedig y corff hwnnw;
- (v) unrhyw gontract am nwyddau, gwasanaethau neu waith neu weithfeydd a wnaed rhyngoch chi, rhwng ffyrn yr ydych yn bartner ynddi, neu rhwng cwmni yr ydych yn gyfarwyddwr arno ac yn derbyn tâl, neu rhwng corff o'r math a ddisgrifir yn is-baragraff (iv) uchod a'ch awdurdod;

- (vi) unrhyw dir y mae gennych fuddiant llesiannol ynddo ac sydd yn ardal eich awdurdod;
- (vii) unrhyw dir y mae eich awdurdod yn landlord arno ac y mae ffyrm yr ydych yn bartner ynddi, cwmni yr ydych yn gyfarwyddwr arno ac yn derbyn tâl, neu gorff o'r math a ddisgrifir yn is-baragraff (iv) uchod yn denant arno;
- (viii) unrhyw gorff yr ydych wedi eich ethol, eich penodi neu eich enwebu gan eich awdurdod i fod arno;
- (ix) unrhyw —
 - (aa) awdurdod cyhoeddus neu gorff sy'n arfer swyddogaethau o natur gyhoeddus;
 - (bb) cwmni, cymdeithas ddiwydiannol a darbodus, elusen, neu gorff arall a chanddo ddibenion elusennol;
 - (cc) corff y mae dylanwadu ar farn neu bolisi cyhoeddus ymhlith ei brif ddibenion; (chch)undeb llafur neu gymdeithas broffesiynol; neu
 - (dd) clwb preifat neu gymdeithas breifat sy'n gweithredu o fewn ardal eich awdurdod, yr ydych yn aelod ohono neu ohoni neu mewn safle rheolaeth neu reoli cyffredinol ynddo neu ynddi;
- (x) unrhyw dir yn ardal eich awdurdod y mae gennych drwydded (ar eich pen eich hun neu ar y cyd ag eraill) i'w feddiannu am 28 o ddiwrnodau neu fwy;

[Nodyn: Mae is-baragraff (b) wedi ei hepgor.]

- (c) pe byddai'n rhesymol ystyried penderfyniad arno yn benderfyniad a fyddai'n effeithio —
 - (i) ar eich llesiant neu eich sefyllfa ariannol, neu lesiant neu sefyllfa ariannol person yr ydych yn byw gydag ef, neu unrhyw berson y mae gennych gysylltiad personol agos ag ef;
 - (ii) ar unrhyw gyflogaeth yr ymgymerir â hi neu fusnes a redir gan bersonau fel a ddisgrifir yn 10(2)(c)(i);
 - (iii) ar unrhyw berson sy'n cyflogi neu sydd wedi penodi'r cyfryw bersonau ag a ddisgrifir yn 10(2)(c)(i), unrhyw ffyrm y mae'r cyfryw bersonau'n bartneriaid ynddi, neu unrhyw gwmni y maent yn gyfarwyddwyr arno;
 - (iv) ar unrhyw gorff corfforaethol y mae gan bersonau fel a ddisgrifir yn 10(2)(c)(i) fuddiant llesiannol mewn dosbarth o warannau sy'n werth mwy na'r gwerth enwol o £5,000; neu
 - (v) ar unrhyw gorff a restrir ym mharagraffau 10(2)(a)(ix)(aa) i (dd) y mae personau a ddisgrifir yn 10(2)(c)(i) mewn safle rheolaeth neu reoli cyffredinol ynddo,

a hynny i raddau mwy—

- (aa) yn achos awdurdod â dosbarthiadau etholiadol neu wardiau, na'r rhelyw o bobl eraill sy'n talu'r dreth gyngor, bobl eraill sy'n talu ardrethi neu breswylwyr eraill yn y dosbarth etholiadol neu'r ward, yn ôl y digwydd, y bydd y penderfyniad yn effeithio arnynt; neu
- (bb) ym mhob achos arall, na'r rhelyw o bobl eraill sy'n talu'r dreth gyngor, o bobl eraill sy'n talu ardrethi neu breswylwyr eraill yn ardal yr awdurdod.

Datgelu Buddiannau Personol

11.—(1) Pan fydd gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef ac y byddwch yn bresennol mewn cyfarfod lle y caiff y busnes hwnnw ei ystyried, rhaid i chi ddatgelu ar lafar gerbron y cyfarfod hwnnw fodolaeth a natur y buddiant hwnnw cyn i'r cyfarfod ystyried y busnes neu ar ddechrau'r ystyriaeth, neu pan ddaw'r buddiant i'r amlwg.

(2) Pan fydd gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef ac y byddwch yn gwneud —

(a) cynrychioliadau ysgrifenedig (p'un ai drwy lythyr, neges ffacs neu ar ryw ffurf arall ar gyfathrebu electronig) i un o aelodau neu o swyddogion eich awdurdod ynghylch y busnes hwnnw, dylech gynnwys manylion am y buddiant hwnnw yn y gyfathrebiaeth ysgrifenedig; neu

(b) cynrychioliadau llafar (p'un ai'n bersonol neu ar ryw ffurf ar gyfathrebu electronig) i un o aelodau neu o swyddogion eich awdurdod dylech ddatgelu'r buddiant ar ddechrau'r cyfryw gynrychioliadau, neu pan ddaw'n amlwg i chi fod gennych fuddiant o'r fath, a chadarnhau'r cynrychioliad a'r buddiant yn ysgrifenedig o fewn 14 o ddiwrnodau ar ôl gwneud y cynrychioliad.

(3) Yn ddarostyngedig i baragraff 14(1)(b) isod, os bydd gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef ac y byddwch wedi gwneud penderfyniad wrth arfer un o swyddogaethau gweithrediaeth neu fwrdd, rhaid i chi mewn perthynas â'r busnes hwnnw sicrhau bod unrhyw ddatganiad ysgrifenedig ynghylch y penderfyniad hwnnw'n cofnodi bodolaeth a natur eich buddiant.

(4) Rhaid i chi, mewn cysylltiad â buddiant personol nas datgelwyd eisoes, cyn cyfarfod neu'n syth ar ôl diwedd cyfarfod pan ddatgelir y buddiant yn unol ag is-baragraff 11(1), roi hysbysiad ysgrifenedig i'ch awdurdod yn unol ag unrhyw ofynion a nodir gan swyddog monitro eich awdurdod, neu mewn perthynas â chynghor cymuned, swyddog priodol eich awdurdod o bryd i'w gilydd ond, rhaid cynnwys o leiaf —

(a) manylion am y buddiant personol;

(b) manylion am y busnes y mae'r buddiant personol yn gysylltiedig ag ef; ac

(c) eich llofnod.

(5) Pan fydd eich swyddog monitro wedi cytuno bod yr wybodaeth sy'n ymwneud â'ch buddiant personol yn wybodaeth sensitif, yn unol â pharagraff 16(1), mae eich rhwymedigaethau o dan y paragraff 11 hwn i ddatgelu'r cyfryw wybodaeth, p'un ai ar lafar neu'n ysgrifenedig, i'w disodli gan rwymedigaeth i ddatgelu bodolaeth buddiant personol ac i gadarnhau bod eich swyddog monitro wedi cytuno bod y cyfryw fuddiant personol o natur gwybodaeth sensitif.

(6) At ddibenion is-baragraff (4), dim ond os bod hysbysiad ysgrifenedig wedi ei ddarparu yn unol â'r cod hwn ers y dyddiad diwethaf pryd yr etholwyd chi, y penodwyd chi neu yr enwebwyd chi'n aelod o'ch awdurdod y bernir bod buddiant personol wedi ei ddatgelu eisoes.

(7) At ddibenion is-baragraff (3), os na ddarperir hysbysiad ysgrifenedig yn unol â'r paragraff hwnnw bernir na fyddwch wedi datgan buddiant personol yn unol â'r cod hwn.

Buddiannau sy'n Rhagfarnu

12.—(1) Yn ddarostyngedig i is-baragraff (2) isod, os bydd gennych fuddiant personol mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef bydd gennych hefyd fuddiant sy'n rhagfarnu yn y busnes hwnnw os bydd y buddiant yn un y bydd yn rhesymol i aelod o'r cyhoedd sy'n gwybod y ffeithiau perthnasol fod o'r farn ei fod mor arwyddocaol fel y bydd yn debygol o ragfarnu eich barn ynghylch buddiant cyhoeddus.

(2) Yn ddarostyngedig i is-baragraff (3), nid ystyrir bod gennych fuddiant sy'n rhagfarnu mewn unrhyw fusnes os bydd y busnes hwnnw—

(a) yn gysylltiedig—

(i) ag awdurdod perthnasol arall yr ydych hefyd yn aelod ohono;

(ii) ag awdurdod cyhoeddus arall neu gorff sy'n arfer swyddogaethau o natur gyhoeddus lle yr ydych mewn safle rheolaeth neu reoli cyffredinol;

(iii) â chorff yr ydych wedi cael eich ethol, eich penodi neu eich enwebu gan eich awdurdod i fod arno;

(iv) â'ch rôl fel llywodraethwr ysgol (os na chawsoch eich penodi neu eich enwebu gan eich awdurdod) oni bai bod y busnes yn benodol gysylltiedig â'r ysgol yr ydych yn un o'i llywodraethwyr;

(v) â'ch rôl fel aelod o Fwrdd Iechyd Lleol os na chawsoch eich penodi neu eich enwebu gan eich awdurdod i fod arno;

(b) yn gysylltiedig:

(i) â swyddogaethau tai eich awdurdod os oes gennych denantiaeth neu les gyda'ch awdurdod, ar yr amod nad oes arnoch i'ch awdurdod ôl-ddyledion rhent o fwy na deufis, ac ar yr amod nad yw'r swyddogaethau hynny'n ymwneud yn arbennig â'ch tenantiaeth neu â'ch les;

(ii) â swyddogaethau eich awdurdod mewn cysylltiad â phrydau ysgol, cludiant a threuliau teithio, os ydych chi'n warchodwr, yn rhiant, yn fam-gu neu'n nain neu'n dad-cu neu'n daid, neu os oes gennych gyfrifoldeb rhiant (fel y'i diffinnir yn adran 3 o Deddf Plant 1989) dros blentyn sy'n cael addysg lawnamser, onid yw'r busnes yn benodol gysylltiedig â'r ysgol y mae'r plentyn hwnnw'n ei mynychu;

(iii) â swyddogaethau eich awdurdod mewn cysylltiad â thâl salwch statudol o dan Ran XI o Ddeddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992, os ydych yn cael, neu os oes gennych hawl i gael, taliad o'r fath gan eich awdurdod;

“(iv) â swyddogaethau eich awdurdod mewn cysylltiad â lwfans neu daliad a wneir yn unol â darpariaethau Rhan 8 o Fesur Llywodraeth Leol (Cymru) 2011, neu lwfans neu bensiw'n a ddarperir o dan adran 18 o Ddeddf Llywodraeth Leol a Thai 1989;

(c) yn gysylltiedig â'ch rôl fel cynghorydd cymunedol mewn perthynas â grant, benthyciad neu fath arall ar gymorth ariannol a wnaed gan eich cyngor cymuned i gyrff cymunedol neu wirfoddol hyd at uchafswm o £500.

(3) Nid yw'r esemptiadau yn is-baragraff (2)(a) yn gymwys os yw'r busnes yn gysylltiedig â dyfarnu ar unrhyw gymeradwyaeth, cydsyniad, trwydded, caniatâd neu gofrestrriad.

Pwyllgorau Trosolygu a Chraffu

13. Bydd gennych hefyd fuddiant sy'n rhagfarnu mewn unrhyw fusnes sydd gerbron un o bwyllgorau trosolygu a chraffu eich awdurdod (neu un o is-bwyllgorau pwyllgor o'r fath)—

(a) os bydd y busnes hwnnw'n gysylltiedig â phenderfyniad a wnaed (p'un a gafodd ei weithredu ai peidio) neu gam a gymerwyd gan weithrediaeth, bwrdd, neu un arall o bwyllgorau, is-bwyllgorau, cyd-bwyllgorau neu o gyd-is-bwyllgorau eich awdurdod; a

(b) os oeddech chi, ar yr adeg pan wnaed y penderfyniad neu pan gymerwyd y cam, yn aelod o'r weithrediaeth, y bwrdd, y pwyllgor, yr is-bwyllgor, y cyd-bwyllgor neu'r cyd-is-bwyllgor a

grybwyllir yn is-baragraff (a) a'ch bod chi'n bresennol pan wnaed y penderfyniad hwnnw neu pan gymerwyd y cam hwnnw.

Cyfrannu mewn Perthynas â Datgelu Buddiannau

14.—(1) Yn ddarostyngedig i is-baragraffau (2), (2A), (3) a (4), os bydd gennych fuddiant sy'n rhagfarnu mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef rhaid i chi, oni roddwyd i chi ollyngiad gan bwyllgor safonau eich awdurdod —

(a) ymadael â'r ystafell, y siambr neu'r man lle y mae cyfarfod i ystyried y busnes yn cael ei gynnal—

(i) pan fo is-baragraff (2) yn gymwys, yn syth ar ôl i'r cyfnod ar gyfer gwneud cynrychioliadau, ateb cwestiynau neu roi tystiolaeth sy'n ymwneud â'r busnes ddod i ben a beth bynnag cyn i ystyriaeth bellach o'r busnes ddechrau, p'un a ganiateir i'r cyhoedd aros yn bresennol ar gyfer y cyfryw ystyriaeth ai peidio; neu

(ii) mewn unrhyw achos arall, pa bryd bynnag y daw i'r amlwg bod y busnes hwnnw'n cael ei ystyried yn y cyfarfod hwnnw;

(b) peidio ag arfer swyddogaethau gweithrediaeth neu fwrdd mewn perthynas â'r busnes hwnnw;

(c) peidio â cheisio dylanwadu ar benderfyniad ynghylch y busnes hwnnw;

(ch) peidio â gwneud unrhyw gynrychioliadau ysgrifenedig (p'un ai drwy lythyr, neges ffacs neu ar ryw ffurf arall ar gyfathrebu electronig) mewn perthynas â'r busnes hwnnw; a

(d) peidio â gwneud unrhyw gynrychioliadau llafar (p'un ai'n bersonol neu ar ryw ffurf ar gyfathrebu electronig) mewn cysylltiad â'r busnes hwnnw neu rhaid i chi roi'r gorau ar unwaith i wneud y cyfryw gynrychioliadau llafar pan ddaw'r buddiant sy'n rhagfarnu i'r amlwg.

(2) Os oes gennych fuddiant sy'n rhagfarnu mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef cewch fod yn bresennol mewn cyfarfod ond dim ond er mwyn gwneud cynrychioliadau, ateb cwestiynau neu roi tystiolaeth sy'n ymwneud â'r busnes, ar yr amod y caniateir hefyd i'r cyhoedd fod yn bresennol yn y cyfarfod i'r un diben, p'un ai o dan hawl statudol neu fel arall.

(2A) Os oes gennych fuddiant sy'n rhagfarnu mewn unrhyw fusnes y mae a wnelo eich awdurdod ag ef cewch gyflwyno cynrychioliadau ysgrifenedig i gyfarfod sy'n ymwneud â'r busnes hwnnw, ar yr amod y caniateir i'r cyhoedd fod yn bresennol yn y cyfarfod at y diben o wneud cynrychioliadau, ateb cwestiynau neu roi tystiolaeth sy'n ymwneud â'r busnes, pa un ai o dan hawl statudol neu fel arall.

(2B) Pan fyddwch yn cyflwyno cynrychioliadau ysgrifenedig o dan is-baragraff (2A), rhaid i chi gydymffurfio ag unrhyw weithdrefn y caiff eich awdurdod ei fabwysiadu ar gyfer cyflwyno cynrychioliadau o'r fath.

(3) Nid yw is-baragraff (1) yn eich rhwystro rhag bod yn bresennol a chyfrannu mewn cyfarfod —

(a) os gofynnir i chi fod yn bresennol mewn cyfarfod pwyllgor trosolwg neu graffu, gan y cyfryw bwyllgor ac yntau'n arfer ei bwerau statudol; neu

(b) os oes gennych y fantais o fod gollyngiad wedi ei roi i chi ar yr amod—

(i) eich bod yn datgan yn y cyfarfod eich bod yn dibynnu ar y gollyngiad; a

(ii) eich bod, cyn y cyfarfod neu'n syth ar ôl i'r cyfarfod orffen, yn rhoi hysbysiad ysgrifenedig i'ch awdurdod a bod hwnnw'n cynnwys —

(aa) manylion y buddiant sy'n rhagfarnu;

(bb) manylion y busnes y mae'r buddiant sy'n rhagfarnu'n gysylltiedig ag ef;

(cc) manylion y gollyngiad a'r dyddiad pryd y'i rhoddwyd; a

(chch) eich llofnod.

(4) Os bydd gennych fuddiant sy'n rhagfarnu a'ch bod yn gwneud cynrychioliadau ysgrifenedig neu lafar i'ch awdurdod gan ddibynnu ar ollyngiad, rhaid i chi ddarparu manylion am y gollyngiad o fewn unrhyw gynrychioliad ysgrifenedig neu lafar o'r fath ac, yn yr achos olaf hwn, rhaid i chi ddarparu hysbysiad ysgrifenedig ar gyfer eich awdurdod o fewn 14 o ddiwrnodau ar ôl gwneud y cynrychioliad.

RHAN 4 COFRESTR BUDDIANNAU AELODAU

Cofrestru Buddiannau Personal

15.—(1) Yn ddarostyngedig i is-baragraff (4), rhaid i chi, o fewn 28 o ddiwrnodau ar ôl—

(a) i god ymddygiad eich awdurdod gael ei fabwysiadu neu i ddarpariaethau gorfodol y cod enghreifftiol hwn gael eu cymhwyso i'ch awdurdod; neu

(b) i chi gael eich ethol neu eich penodi i swydd (os digwydd hynny'n ddiweddarach),

gofrestru eich buddiannau personol, os ydynt yn dod o fewn categori a grybwyllir ym mharagraff 10(2)(a), yng nghofrestr eich awdurdod o fuddiannau'r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod.

(2) Yn ddarostyngedig i is-baragraff (4), rhaid i chi, o fewn 28 o ddiwrnodau ar ôl dod yn ymwybodol o unrhyw fuddiant personol newydd sy'n dod o fewn categori a grybwyllir ym mharagraff 10(2)(a), gofrestru'r buddiant personol newydd hwnnw yng nghofrestr eich awdurdod o fuddiannau'r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod.

(3) Yn ddarostyngedig i is-baragraff (4), rhaid i chi, o fewn 28 o ddiwrnodau ar ôl dod yn ymwybodol o unrhyw newid i fuddiant personol a gofrestrwyd sy'n dod o fewn categori a grybwyllir ym mharagraff 10(2)(a), gofrestru'r newid hwnnw yng nghofrestr eich awdurdod o fuddiannau'r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod, neu, yn achos cyngor cymuned, swyddog priodol eich awdurdod.

(4) Nid yw is-baragraffau (1), (2) a (3) yn gymwys i wybodaeth sensitif a benderfynir yn unol â pharagraff 16(1).

(5) Nid yw is-baragraffau (1) a (2) yn gymwys os ydych yn aelod o awdurdod perthnasol sy'n gyngor cymuned pan fyddwch yn gweithredu yn eich capasiti fel aelod o awdurdod o'r fath.

(6) Pan fyddwch yn datgelu buddiant personol yn unol â pharagraff 11 am y tro cyntaf, rhaid i chi gofrestru'r buddiant personol hwnnw yng nghofrestr eich awdurdod o fuddiannau'r aelodau drwy ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod, neu, yn achos cyngor cymuned, swyddog priodol eich awdurdod.

Gwybodaeth sensitif

16.—(1) Os byddwch yn ystyried bod yr wybodaeth sy'n ymwneud ag unrhyw un neu rai o'ch buddiannau personol yn wybodaeth sensitif, a bod swyddog monitro eich awdurdod yn cytuno, nid oes angen i chi gynnwys yr wybodaeth honno pan fyddwch yn cofrestru'r buddiant hwnnw, neu, yn ôl y digwydd, newid i'r buddiant o dan baragraff 15.

(2) Rhaid i chi, o fewn 28 o ddiwrnodau ar ôl i chi ddod yn ymwybodol o unrhyw newid yn eich amgylchiadau sy'n golygu nad yw gwybodaeth sydd wedi ei heithrio o dan is-baragraff (1) mwyach yn wybodaeth sensitif, hysbysu swyddog monitro eich awdurdod, neu mewn perthynas â chyngor cymuned, swyddog priodol eich awdurdod gan ofyn am i'r wybodaeth gael ei chynnwys yng nghofrestr buddiannau aelodau eich awdurdod.

(3) Yn y cod hwn, ystyr "gwybodaeth sensitif" ("*sensitive information*") yw gwybodaeth y mae ei rhoi ar gael i'w harchwilio gan y cyhoedd yn creu, neu'n debygol o greu, risg ddifrifol y gallech chi neu berson sy'n byw gyda chi fod yn destun trais neu fygythion.

Cofrestru Rhoddion a Lletygarwch

17. Rhaid i chi, o fewn 28 o ddiwrnodau ar ôl i chi gael unrhyw rodd, lletygarwch, buddiant materol neu fantais faterol, sy'n fwy na gwerth a bennir mewn penderfyniad gan eich awdurdod, ddarparu hysbysiad ysgrifenedig ar gyfer swyddog monitro eich awdurdod, neu mewn perthynas â chyngor cymuned, swyddog priodol eich awdurdod yn nodi bodolaeth a natur y rhodd honno, y lletygarwch hwnnw, y buddiant materol hwnnw neu'r fantais faterol honno.
