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Mark James LLM, DPA, DCA
Prif Weithredwr,
Chief Executive,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

THURSDAY, 29 NOVEMBER 2018

TO: ALL MEMBERS OF THE STANDARDS COMMITTEE

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **STANDARDS COMMITTEE** WHICH WILL BE HELD IN THE CHAMBER, - COUNTY HALL, CARMARTHEN. SA31 1JP. AT 10.00 AM, ON FRIDAY, 7TH DECEMBER, 2018 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

Mark James CBE

CHIEF EXECUTIVE



PLEASE RECYCLE

Democratic Officer:	Janine Owen
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Ref:	AD016-001

STANDARDS COMMITTEE

MEMBERSHIP: 9 MEMBERS

Independent Members (5)

- | | |
|------------------------------|-----------------------------|
| 1. Mrs Mary Dodd | Vice-Chair of the Committee |
| 2. Mrs Daphne Evans | |
| 3. Mrs Julie James | |
| 4. Mr M. Andre Morgan | Chair of the Committee |
| 5. Mr Alun Williams | |

Community Committee Member (1)

1. **Town Councillor Philip Rogers**

Elected Members of the County Council (3)

1. **Councillor Jeanette Gilasbey**
2. **Councillor Andre McPherson**
3. **Councillor Gareth Thomas**

AGENDA

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTEREST.
3. TO SIGN AS CORRECT RECORDS THE MINUTES OF THE FOLLOWING STANDARDS COMMITTEE MEETINGS:
 - 3.1 STANDARDS COMMITTEE HELD ON THE 19TH OCTOBER, 2018 5 - 10
 - 3.2 STANDARDS COMMITTEE HELD ON THE 12TH NOVEMBER, 2018 11 - 12
4. STANDARDS COMMITTEE ANNUAL REPORT 2017/2018. 13 - 22
5. CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS. 23 - 34
6. APPLICATION FOR DISPENSATION BY COUNCILLOR JENNY YOUENS. 35 - 44
7. APPLICATION FOR DISPENSATION BY COUNCILLOR ROY WILLIAM OWEN. 45 - 54
8. APPLICATION FOR DISPENSATION BY COUNCILLOR ROBERT HARLEY JONES. 55 - 64
9. APPLICATION FOR DISPENSATION BY COUNCILLOR WILLIAM JOHN WYN EVANS. 65 - 74
10. APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER - Y LLOFFWR. 75 - 82
11. APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER - MENTER BRO DINEFWR. 83 - 92
12. ANY OTHER ITEMS OF BUSINESS THAT BY REASONS OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100(4)(B) OF THE LOCAL GOVERNMENT ACT 1972.

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Agenda Item 3.1

STANDARDS COMMITTEE

Friday, 19 October 2018

PRESENT: Mr M.A. Morgan (Chair)

Independent Members:

Mrs M. Dodd, Mrs D. Evans, Mrs J. James, Mr P. Rogers and Mr A. Williams

Councillors:

S.J.G. Gilasbey, J.G. Prosser (In place of A.S.J. McPherson) and G.B. Thomas

The following Officers were in attendance:

R. Edgecombe, Legal Services Manager

K. Thomas, Democratic Services Officer

E. Bryer, Democratic Services Officer

Chamber, County Hall, Carmarthen - County Hall, Carmarthen. SA31 1JP. - 10.00 am - 12.00 pm

1. APOLOGIES FOR ABSENCE.

An apology for absence was received from Councillor A. McPherson.

2. DECLARATIONS OF PERSONAL INTEREST.

Member	Item Number	Nature of Interest
Councillor J. Prosser	4 – Application for Dispensation by Councillor Andre McPherson	Personal Friend
Julie James	5 – Application for Dispensation by Councillor Edward Thomas	Co-member of the Audit Committee with Councillor Thomas

3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 15TH JUNE, 2018

RESOLVED that the minutes of the meeting of the Standards Committee held on the 15th June, 2018 be signed as a correct record.

4. APPLICATION FOR DISPENSATION BY COUNCILLOR ANDRE MCPHERSON

(NOTE: Councillor J. Prosser, having earlier declared an interest in this item, left the meeting during its consideration by the Committee)

The Committee considered an application submitted by County Councillor Andre McPherson, for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak, vote and make written representations in respect of any council business relating to mental health issues, and the provision of mental health services, but not including any

application by Llanelli MIND or any other MIND Charities for funding or for any regulatory approval.

It was reported that a dispensation was sought as Councillor McPherson had a personal interest in these matters by virtue of paragraph 10(2)(a)(i) of the Members Code of Conduct in that he worked as a clinical psychologist and also paragraph 10(2)(a)(ix)(bb) in that he was Chairman of the charity Llanelli MIND.

Councillor McPherson's interest was also prejudicial in that a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor McPherson had accordingly requested that a dispensation be granted under Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

Following a discussion it was

RESOLVED that dispensation be granted under Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to County Councillor Andre McPherson to SPEAK, BUT NOT VOTE, AND MAKE WRITTEN REPRESENTATIONS on any council business relating to mental health issues and the provision of mental health services, excluding any application by Llanelli MIND or any other MIND Charities for funding, or for any regulatory approval, and the dispensation be valid until the end of his current term of office.

5. APPLICATION FOR DISPENSATION BY COUNCILLOR EDWARD THOMAS

(NOTE: Mrs J. James had earlier declared an interest in this item)

The Committee considered an application submitted by County Councillor Edward Thomas for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak at meetings of Llandeilo Fawr Town Council in respect of any council business relating to the annual grant from the Town Council to the Llandeilo and District Sports Association

It was reported that a dispensation was sought as Councillor Thomas had a personal interest in these matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Members Code of Conduct in that he was Chairman of the Llandeilo and District Sports Association.

Councillor Thomas' interest was also prejudicial in that a member of the public, with full knowledge of the facts, would reasonably regard that interest as being so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Thomas had accordingly requested that a dispensation be granted under Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001.

Following a discussion it was

RESOLVED that dispensation be granted under Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor Edward Thomas to SPEAK ONLY at meetings of Llandeilo Fawr Town Council on any council business relating to the annual grant from the Town Council to the Llandeilo and District Sports Association, and the dispensation be valid until the 31st December, 2019.

6. PUBLIC SERVICES OMBUDSMAN FOR WALES ANNUAL REPORT

The Committee considered the Public Service Ombudsman for Wales' Annual Report for 2017/18 incorporating the Statement of Accounts and providing information on both maladministration and Code of Conduct cases dealt with by his office during the period of the report.

The Committee noted that the key points from the report detailed:

- A total of 270 code complaints had been received during the reporting period representing a 14% increase on the previous year, and being entirely due to a 33% increase in code complaints against town and community councils, the most common of which was a failure by a member to promote quality and respect.
- Of those complaints, (plus some brought forward from the previous year) the Ombudsman had closed 247, having investigated 30 (down 32%) and found evidence of a breach in only 13 (down 41%);

With specific reference to Carmarthenshire County Council, it was noted that a total of 6 Code of Conduct Complaints had been made against council members, all of which were closed after initial consideration.

With regard to Code of Conduct complaints against Town and Community Councils within Carmarthenshire, the Ombudsman had dealt with 17 complaints against community councillors i.e. LLanddowror & Llanmiloe (2), Llanelli Rural Council (1), and Pembrey and Burry Port (14).

The Legal Services Manager referred to the 14 complaints received against the Pembrey and Burry Port Town Council and advised that the Monitoring Officer would be providing Code of Conduct Training for that Authority.

A reference was made to the complaints made against both County and Town and Community Councillors and to whether it would be possible for the Committee to be provided with additional information on those complaints. The Legal Services Manager confirmed he would discuss the request with the Council's Monitoring Officer.

Reference was made to page 73 of the report and the analysis by age group of complaints received by the Ombudsman, whereby 60% were in the 35-65 age group and only 14% in the under 35's. A question was raised on whether it would be possible for Town and Community Councils to provide a breakdown of their members by age and how many had attended Code of Conduct Training. The Legal Services Manager advised that he would include such a request within the annual questionnaire sent to the Town and Community Council's and for the incorporation of the responses within the Committee's next annual report.

UNANIMOUSLY RESOLVED that the report be received.

7. ADJUDICATION PANEL FOR WALES DECISION

The Committee considered a report recently published by the Adjudication Panel for Wales detailing its findings in the case of a former Monmouthshire County Councillor (now community councillor) Graham Down. The matter had been referred to the Panel by the Public Services Ombudsman for Wales as a result of complaints received that Councillor Down had breached the Code by failing to show respect and consideration for others by making a series of homophobic statements in e-mails to the Council's Chief Executive. The Panel having considered the content of five of the e-mails had found Councillor Down had breached the Members Code of Conduct in respect of two of those and had imposed a 2 month period of suspension.

UNANIMOUSLY RESOLVED that the report be received.

8. ADJUDICATION PANEL FOR WALES - SANCTIONS GUIDANCE

The Committee considered guidance issued by the Adjudication Panel for Wales to Standards Committees on the imposition of sanctions following a finding that a councillor had breached the Code of Conduct. The Guidance identified the following five areas for Standards Committees in investigating code complaints:-

1. The underlying principles to be applied when imposing a sanction in such cases;
2. The relevance of human rights laws, particularly Article 10 of the European Convention on Human Rights (freedom of expression);
3. The correct process for determining an appropriate sanction, namely:-
 - (a) Assessing the seriousness of the breach
 - (b) Identifying the most appropriate type of sanction
 - (c) Considering relevant mitigating and aggravating sanctions
 - (d) Considering if any further adjustment was necessary to ensure the sanction was appropriate
 - (e) Confirming the sanction and the reasons for choosing it.
4. The range of sanctions available to Standards Committees.
5. Examples of mitigating and aggravating factors that may be taken into account.

In addition to the above, the Guidance also provided advice on the power of the Adjudication Panel to make recommendations to a local authority and its Standards Committee regarding their functions and the authority's code of conduct.

UNANIMOUSLY RESOLVED that the report be received.

9. OMBUDSMAN'S CODE OF CONDUCT CASEBOOK

The Committee considered the Public Service Ombudsman for Wales' latest issue of the 'Code of Conduct' Casebook, published in July 2018, detailing summaries of 3 code investigations undertaken relating to members of County and Community Councils. None of the cases related to councillors from Carmarthenshire.

UNANIMOUSLY RESOLVED that the report be received.

10. WLGA SOCIAL MEDIA GUIDE FOR COUNCILLORS

The Committee considered a guide issued by the Welsh Local Government Association for councillors in relation to the use of social media. The guide explained some of the more common types available, the advantages and disadvantages of its use, 'Golden Rules' for its use and its relationship with the Members' Code of Conduct and also referencing the various criminal and civil liabilities that could arise from any misuse.

The Committee welcomed the report and commented on the need for use of social media to be incorporated within future code of conduct training provided by the Council. It was also of the view the guidance should be forwarded to the clerks of Town and Community Councils within Carmarthenshire for dissemination to their elected members.

The Legal Services Manager responded to a question on whether a newer edition of the Guide had been issued by the WLGA containing a section on online abuse and if available would ensure that version's circulation to the Clerks of the Town and Community Councils

UNANIMOUSLY RESOLVED:

- 10.1 That the report be received;**
- 10.2 That use of Social Media be incorporated within future Code of Conduct Training provided for County and Town and Community Councillors within Carmarthenshire**
- 10.3 A copy of the Social Media Guide be sent to the clerks of the Town and Community Councils within Carmarthenshire.**

11. CODE OF CONDUCT TRAINING FOR TOWN AND COMMUNITY COUNCILLORS 2018

The Committee received a report on two training sessions held on the 14th and 26th June, 2018 on the Members Code of Conduct for Town and Community Councils attended by 80 delegates representing 30 different Town and community Councils. It was noted that copies of the training presentation, case studies and the 'easy use' guide on personal interests had been sent to all the Town and Community Councils within Carmarthenshire.

A discussion was held on various ways of increasing the number of town and community councillors attending the training which, included retention of the existing training format in County Hall, increased use of the Welsh medium, issue of personal invitations to councillors, use of social media, online electronic aides together with an online video of the training,

UNANIMOUSLY RESOLVED that the report be received

12. ANY OTHER ITEMS OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT 1972.

There were no items of urgent business.

CHAIR

DATE

STANDARDS COMMITTEE

MONDAY, 12TH NOVEMBER, 2018

PRESENT: Mr M.A. Morgan [Chair]

Independent Members:

Mrs M. Dodd, Mrs J. James and Mr A. Williams

Community Member:

Town Councillor P. Rogers

Councillor:

J.G. Gilasbey

The following officers were in attendance:

Ms L. Rees-Jones	-	Head of Administration and Law
Mr R. Edgecombe	-	Legal Services Manager
Mrs M. Evans Thomas	-	Principal Democratic Services Officer

Chamber, County Hall, Carmarthen : 10.00 a.m. - 10.35 a.m.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Mrs Daphne Evans, Independent Member, and Councillor G.B. Thomas.

2. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

3. APPLICATION FOR DISPENSATION BY COUNCILLORS CEFIN CAMPBELL, GARETH THOMAS, JEAN LEWIS, KEN HOWELL, TYSSUL EVANS, MANSEL CHARLES, EIRWYN WILLIAMS, ANN DAVIES AND ARWEL DAVIES

The Committee considered applications submitted by County Councillors Cefin Campbell, Gareth Thomas, Jean Lewis, Ken Howell, Tyssul Evans, Mansel Charles, Eirwyn Williams, Ann Davies and Arwel Davies for the grant of dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and make written representations at meetings of Carmarthenshire County Council in respect of any Council business relating to or likely to affect farming and agriculture.

It was reported that dispensation was sought by each Councillor in that they could potentially have a personal interest in such business by virtue of paragraphs 10(2)(a)(i), 10(2)(a)(iv), 10(2)(b)(i) and 10(2)(b)(ii) of the Code of Conduct in that they are all either actively engaged in farming in the county, own farm land which is actively farmed by others or have close personal associates who are actively engaged in farming.

The members' interests were also prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard that interests as being so

significant that they would be likely to prejudice the councillors' judgement of the public interest.

The Councillors had accordingly requested that they be granted dispensation on two grounds set out in the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, namely:-

- (1) The Councillors' participation in such matters would not damage public confidence in the conduct of the Council's business;
- (2) That their participation is justified by their particular expertise.

The Acting Legal Services Manager reminded the Committee that Councillors Gareth Thomas and Jean Lewis were previously granted dispensation in respect of these matters in June 2016 until the Local Authority elections in May 2017. All the above-mentioned Councillors (with the exception of Councillor Campbell) were subsequently granted dispensation in respect of these matters from September 2017 to September 2018. Councillor Arwel Davies was granted dispensation from December 2017 to September 2018.

UNANIMOUSLY RESOLVED

- 3.1 that dispensation be granted under Regulations 2(d) and (f) of the Standards Committees (Grant of Dispensations) (Wales) Regulations to County Councillors Cefin Campbell, Gareth Thomas, Jean Lewis, Ken Howell, Tyssul Evans, Mansel Charles, Eirwyn Williams, Ann Davies and Arwel Davies to SPEAK, BUT NOT VOTE, AND TO MAKE WRITTEN REPRESENTATIONS at meetings of Carmarthenshire County Council in respect of any Council business relating to or likely to affect farming and agriculture, until the 31st March, 2019;**
- 3.2 That delegated authority be granted to the Monitoring Officer to grant any further requests for such a dispensation up to and including 31st March, 2019.**

CHAIR

DATE

STANDARDS COMMITTEE 7th December, 2018

STANDARDS COMMITTEE ANNUAL REPORT 2017/2018

Recommendations / key decisions required:

To consider the report.

Reasons:

The subject matter of the report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable

Exec Board Decision Required	NO
Council Decision Required	YES - 9 th January, 2019

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

Directorate: Chief Executives	Designations:	Tel Nos.
Name of Head of Service: Linda Rees-Jones	Head of Administration & Law	01267 224018
Report Author: Robert Edgecombe	Acting Legal Services Manager	E Mail Addresses: RJEdgeco@carmarthenshire.gov.uk .

EXECUTIVE SUMMARY

STANDARDS COMMITTEE

7th December, 2018

STANDARDS COMMITTEE ANNUAL REPORT 2017/2018

The Standards Committee is required to produce an annual report of its activities during the preceding municipal year for presentation to Full Council,

Following discussions between officers and the Chair of the Committee, the attached draft report has been prepared.

The committee is requested to consider the draft report and make such changes as it considers appropriate, prior to the presentation of the report at full council in January 2019.

DETAILED REPORT ATTACHED ?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities NONE	Legal NONE	Finance NONE	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
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CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones **Head of Administration and Law**

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

- 1. Scrutiny Committee**
Not applicable
 - 2. Local Member(s)**
Not applicable
 - 3. Community / Town Council**
Not applicable
 - 4. Relevant Partners**
Not applicable
 - 5. Staff Side Representatives and other Organisations**
Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall



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STANDARDS COMMITTEE

ANNUAL REPORT 2017/2018

Introduction

1. Period Covered by the Report
2. Terms of Reference
3. Code of Conduct Complaints
4. Applications for Dispensation
5. Code of Conduct Training
6. Whistleblowing Policy
7. Code Compliance by Town and Community Councils
8. Other Activities
9. Conclusion

INTRODUCTION

The law requires each and every County and County Borough Council in Wales to establish and maintain a Standards Committee. Such committees are responsible for overseeing standards of conduct for elected members of both the principal council and the constituent community and town councils within the principal council's area.

The Committee receives and determines applications for dispensation from elected members in relation to the Code of Conduct and adjudicates upon code complaints referred to the Council by the Public Services Ombudsman for Wales. However it should be noted that only rarely has the Committee been requested to undertake this latter function.

The Committee also receives reports in relation to the operation of the Council's whistleblowing policy.

1. PERIOD COVERED BY THE REPORT

This report covers the activities of the Standards Committee during the period 1st April 2017 to 31st March 2018

2. TERMS OF REFERENCE

The role and functions of the committee as set out in the constitution of the Council are:

- To promote and maintain high standards of conduct by councillors and co-opted members
- To assist councillors and co-opted members to observe the Members' Code of conduct
- To advise the Council on the adoption or revision of the Members' Code of Conduct
- To monitor operation of the Members' Code of Conduct
- To advise, or arrange training for councillors and co-opted members on matters relating to the Members' Code of Conduct
- To grant dispensations to councillors and co-opted members where they have a personal and prejudicial interest under the Members' Code of Conduct
- To deal with reports from the Adjudication Panel for Wales and reports from the Monitoring Officer or the Public Services Ombudsman for Wales
- The exercise of the above functions in relation to Town and Community Councils in the county
- To receive annual reports on the operation of the Council's Whistleblowing Policy

3. CODE OF CONDUCT COMPLAINTS

The Committee was not required to adjudicate upon any Code of Conduct complaints during the period of this report.

Formal complaints about councillors who are suspected of breaching the Code of Conduct are referred directly to the Public Service Ombudsman for Wales without involving the Standards Committee. Most complaints are resolved by the Ombudsman but occasionally the Ombudsman may require the Committee to investigate and adjudicate on a complaint.

In 2017-18, however, the Ombudsman did not refer any complaints to the Committee, nor were any matters referred to the Adjudication Panel for Wales in respect of Councillors from Carmarthenshire.

The Committee is kept informed by the Monitoring Officer about the number of complaints relating to Carmarthenshire councillors notified to her by the Ombudsman.

During the period covered by this report a total of 23 code complaints were made in respect of councillors and co-opted members of councils in Carmarthenshire. Unfortunately this represents a significant increase from the 9 complaints made during the previous year. Of these 23 complaints, 6 related to County Councillors and 17 to Town and Community Councillors (14 of which related to just 1 Town Council).

It should be noted that in all of these cases the Ombudsman either closed his investigation after initial consideration or found no evidence of a breach of the Code.

Therefore despite the increase in the number of code complaints the committee is satisfied that the vast majority of councillors do comply with the code and that where allegations of breach are made they are either unfounded or are not considered by the Ombudsman to be sufficiently serious to warrant enforcement action.

4. APPLICATIONS FOR DISPENSATION

The Committee considered 31 applications for dispensation from County and Community and Town Councillors during the year, all of which were either granted or partly granted.

The grounds upon which the Committee may grant a dispensation are set out in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001.

The Committee continues to approach each application with a presumption in favour of granting a dispensation wherever practicable, particularly in relation to granting a dispensation to speak. The Committee may also delegate authority to the Monitoring Officer to grant similar dispensations in relation to that business. However no such delegation has

was given during the period of this report.

Details of the applications that have been dealt with can be viewed as part of the minutes of the meetings of the Committee which are accessible on Carmarthenshire County Council's website www.carmarthenshire.gov.uk.

A comparison between the numbers of dispensation applications received since 2009 shows the following:

YEAR	TOTAL	CCC	T/CC	GRANTED*	REFUSED	OTHER
2013/14	27	7	20	26	1	N/A
2014/15	17	1	16	17	0	N/A
2015/16	65	5	60	62	3	N/A
2016/17	21	4	17	18	3	N/A
2017/18	31	7	24	31	0	N/A

* either granted or partly granted

5. CODE OF CONDUCT TRAINING

Following a review of the code of conduct training provided to Town and Community Councillors in previous years, a decision was again taken to invite each Town and Community Council to send representatives to two training sessions that were held on separate evenings during June 2017. The sessions were well attended, with a total of 92 delegates present representing a large number of different Councils.

6. WHISTLEBLOWING POLICY

The Committee has oversight of the authority's Whistleblowing Policy. The process is regulated by the Public Interest Disclosure Act 1998, which protects against dismissal and other detriment for workers who disclose information in the public interest in prescribed circumstances to prescribed persons.

Details of the complaints dealt with during the period of this report are set out below.

New Complaints	Complaints carried over from 2016/17	Cases Concluded	Cases Continuing
8	1	5	4

The number of complaints recorded is slightly higher than in the previous year but continues to be consistent with those received by other local authorities.

When considering the number of complaints made under the policy, it is necessary to keep in mind that there is often some overlap with matters relating to grievance, disciplinary matters and dignity at work.

The Committee reviewed the Whistleblowing Policy during the period covered by this report and made changes which reflected the experience of its operation during the year.

7. CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILS

The committee again received a report regarding the extent to which Town and Community Councils within the County are complying with the Code of Conduct. The report contained data relating to:

- Code complaints
- Dispensation applications
- Declarations of interest
- Code training

No particular trends or patterns could be discerned from the data and there is no obvious correlation between whether a particular Council provides Code training to its members and the number of Code complaints being made.

8. OTHER ACTIVITIES

In addition to the above activities the Committee also:

- Received and considered the Annual Report of the Public Services Ombudsman for Wales
- Received and considered case decisions of the Adjudication Panel for Wales
- Received and considered case decisions made by other Standards Committees in Wales
- Received and considered the Code of Conduct casebook published by the Ombudsman

Where appropriate the Committee has identified points of learning and best practice and has taken them into account in their own decision making and included them in the training referred to in paragraph 5 above.

9. CONCLUSION

The committee had a busy year and we are grateful for the help and support given to us by the council's legal department. We have been much encouraged by the generally good levels of compliance with the Code of Conduct exhibited by Councillors across the County and very much hope this will continue.

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STANDARDS COMMITTEE

7th December 2018

CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS

Recommendations / key decisions required:

To consider the report.

Reasons:

The subject matter of the report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable

Exec Board Decision Required NO

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

Cllr M Stephens

Directorate

Chief Executives

Name of Head of Service:

Designations:

Linda Rees-Jones

Head of Administration & Law

Tel Nos.

Report Author:

01267 224018

Robert Edgecombe

E Mail Addresses

Acting Legal Services Manager

E Mail Addresses:

RJEdgeco@carmarthe

uk.



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EXECUTIVE SUMMARY

STANDARDS COMMITTEE

7th December 2018

CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS

As part of its role in monitoring Code compliance by Town and Community Councillors, the Committee receives reports detailing the levels of code training received, declarations of interest made, dispensation requests granted and Code complaints registered in respect of Town and Community Councils within the County.

A request for this information was submitted in April 2018 to all Town and Community Councils in the County.

The attached spreadsheet sets out the information provided and allows for comparison with previous years.

In addition to the usual questions councils were asked to confirm whether any of their councillors had not received any code training since April 2015. This information (where provided) is captured in the 'comments' column of the spreadsheet

As can be seen, there continue to be significant variations between councils as to the extent to which declarations of interest are made and/or dispensations sought, although there appears to be no correlation between these factors and the level of code of conduct training provided.

Similarly there appears to be no clear evidence of any correlation between the provision of code training and the number of code complaints nor is there a consistent pattern of complaints against particular councils.

As in previous years a disappointingly high proportion of Councils have failed to respond to the request for information and there are a number of councils who have now failed to respond for several years.

Overall however the statistical evidence appears to suggest a generally good level of Code compliance by Town and Community Councillors across the County.

DETAILED REPORT ATTACHED?	YES
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees Jones

Head of Administration and Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

Not applicable

2. Local Member(s)

Not applicable

3. Community / Town Council

Not applicable

4. Relevant Partners

Not applicable

5. Staff Side Representatives and other Organisations

Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall

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Council	Code Training 2015/2016			Declarations 2015/2016			Code Training 2016/2017			Declarations 2016/2017			Code Training 2017/2018			Declarations 2017/2018			Comments
	Code Complaints 2015/2016	Dispensations 2015/2016	Code Complaints 2015/2016	Declarations 2015/2016	Code Complaints 2016/2017	Dispensations 2016/2017	Code Complaints 2016/2017	Declarations 2016/2017	Code Complaints 2017/2018	Dispensations 2017/2018	Code Complaints 2017/2018	Declarations 2017/2018	Code Complaints 2018/2019	Dispensations 2018/2019	Code Complaints 2018/2019	Declarations 2018/2019	Code Complaints 2019/2020	Dispensations 2019/2020	
Abergwili	No	0	0	5	Yes	0	0	2	ND	0	0	ND						ND = No data	
Abernant	ND	0	0	ND	Yes	0	0	ND	ND	0	0	ND							
Ammanford Town	ND	0	0	ND	Yes	0	0	16	Yes	0	0	ND							
Betws	Yes	0	0	2	No	0	0	6	ND	0	0	ND							
Bronwydd	ND	0	1	ND	ND	0	0	ND	ND	0	0	ND							
Carmarthen Town	Yes	0	0	94	Yes	0	0	80	Yes	0	0	76	8 Cllrs have received No Code training since 2015						
Cenarth	Yes	0	0	0	Yes	0	0	ND	Yes	0	0	0	2 Cllrs have received no code training since 2015						
Cilycwm	Yes	0	0	2	No	0	0	1	ND	0	0	ND	Clerk attended training in 2016						
Cilymaenllwyd	No	0	0	2	ND	0	0	ND	No	0	0	0	All Cllrs have had code training since 2015						
Cwmaman Town	No	0	1	34	No	1	1	29	Yes	0	0	22	All Cllrs have had code training since 2015						
Cynwyl Elfed	ND	0	0	ND	No	0	0	27	ND	0	0	ND							

Council	Code Training 2015/2016			Declarations 2015/2016			Code Training 2016/2017			Declarations 2016/2017			Code Training 2017/2018			Declarations 2017/2018			Comments
	Code Complaints 2015/2016	Dispensations 2015/2016	Code Complaints 2015/2016	Code Complaints 2015/2016	Dispensations 2015/2016	Code Complaints 2016/2017	Dispensations 2016/2017	Code Complaints 2016/2017	Dispensations 2016/2017	Code Complaints 2017/2018	Dispensations 2017/2018	Code Complaints 2017/2018	Dispensations 2017/2018	Code Complaints 2018/2019	Dispensations 2018/2019	Code Complaints 2019/2020	Dispensations 2019/2020		
Llanddowror & Llanmiloe	Yes	0	0	4	Yes	0	0	3	ND	0	2	ND							
Llandeilo Town	ND	0	0	ND	Yes	1	0	ND	YES	0	0	ND							
Llandovery Town	ND	1	0	ND	No	0	0	16	ND	0	0	ND	Training materials given to all members						
Llandybie	No	8	0	28	Yes	4	0	21	No	4	0	21	Training materials given to all members.						
Llandyfaelog	No	0	0	20	Yes	0	0	19	Yes	0	0	25	Only 1 member has received no training	8 Cllrs have received no code training since 2015					
Llanedi	No	0	0	32	Yes	0	0	21	Yes	0	0	13	All Cllrs have had code training since 2015						
Llanegwad	Yes	0	0	7	Yes	0	0	14	Yes	0	0	14	7 cllrs have had no code training since 2015 but have received copies of CCC						
Llanelli Rural	Yes	0	7	52	Yes	0	6	45	Yes	0	1	53	4 cllrs have received no code training since 2015						
Llanelli Town	No	0	1	8	Yes	0	1	23	Yes	0	0	44	3 Cllrs have received no Code training since 2015						
Llanfair ar y Bryn	ND	0	0	ND	No	0	0	4	No	0	0	8	7 cllrs have had no code training since 2015						
Llanfihangel Aberdythych	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND							
Llanfihangel ar Arth	Yes	0	0	6	Yes	0	0	7	Yes	0	0	4	2 Cllrs have received no Code training since 2015						

Council	Code Training 2015/2016			Code Complaints 2015/2016			Declarations 2015/2016			Code Training 2016/2017			Code Complaints 2016/2017			Declarations 2016/2017			Code Training 2017/2018			Code Complaints 2017/2018			Comments			
	No	0	0	ND	Yes	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llanfihangel Rhos y Corn	No	0	0	4	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llanfynydd	ND	0	0	ND	Yes	0	0	3	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llangadog	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llangain	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llangathen	No	0	0	4	Yes	0	0	6	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llangeler	No	0	0	10	No	0	0	20	Yes	0	0	ND	Yes	0	0	ND	Yes	0	0	ND	33	6 Cllrs have had no Code training since 2015	0	0	ND	ND	0	
Llangennech	ND	0	0	ND	No	0	2	9	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llangyndeyrn	ND	0	0	ND	No	0	0	38	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0	0	ND	ND	0		
Llangunnor	Yes	0	0	8	Yes	0	0	4	YES	0	0	YES	YES	0	0	YES	YES	0	0	ND	ND	0	0	ND	ND	0		
Llangynin	No	0	0	0	No	0	0	1	Yes	0	0	Yes	Yes	0	0	Yes	Yes	0	0	ND	ND	0	0	ND	ND	0		
Llangynog	No	0	0	3	Yes	0	0	0	No	0	0	No	No	0	0	No	No	0	0	ND	4	All Cllrs have had code training since 2015	0	0	ND	ND	0	

Council													Comments											
	Code Training 2015/2016		Dispensations 2015/2016		Code Complaints 2015/2016		Declarations 2015/2016		Code Training 2016/2017		Dispensations 2016/2017		Code Complaints 2016/2017		Declarations 2016/2017		Code Training 2017/2018		Dispensations 2017/2018		Code Complaints 2017/2018		Declarations 2017/2018	
Llanllawddog	No	0	0	0	1	ND	0	0	ND	No	0	0	0	3	No Cllrs have attended code training since 2015, given notes instead									
Llanllwni	No	0	0	0	8	Yes	Yes	0	5	ND	0	0	0	ND										
Llannon	No	0	0	0	6	Yes	0	0	5	Yes	0	0	0	23	All Cllrs have had code training since 2015									
Llanpumsaint	ND	0	0	0	ND	ND	0	0	ND	ND	0	0	0	ND										
Llansadwrn	No	0	0	0	0	ND	0	0	ND	ND	0	0	0	ND										
Llansawel	ND	0	0	0	ND	ND	0	0	ND	ND	0	0	0	ND										
Llansteffan & Llanybri	Yes	1	0	0	26	Yes	0	0	ND	YES	1	0	0	ND										
Llanwinio	Yes	0	0	0	6	No	0	0	2	No	0	0	0	9	Clerk attended in 2017. Only 1 Cllr has received no code training since 2015									
Llanwrda	No	0	0	0	0	ND	0	0	ND	ND	0	0	0	ND										
Llanbydder	No	0	0	0	9	No	0	0	11	ND	0	0	0	ND										
Llanwrws	No	0	0	0	0	ND	0	0	ND	ND	0	0	0	ND										

Council	Code Training 2015/2016	Dispensations 2015/2016	Code Complaints 2015/2016	Declarations 2015/2016	Code Training 2016/2017	Dispensations 2016/2017	Code Complaints 2016/2017	Declarations 2016/2017	Code Training 2017/2018	Dispensations 2017/2018	Code Complaints 2017/2018	Declarations 2017/2018	Comments
Manordeilo & Salem	Yes	0	0	6	No	0	0	12	Yes	0	0	12	5 Cllrs have received no Code training since 2015
Meidrim	No	0	0	0	ND	0	0	ND	ND	0	0	ND	
Myddfai	No	0	0	1	No	0	0	3	Yes	0	0	2	5 Cllrs have received no Code training since 2015 but all training notes shared
Newcastle Emlyn Town	No	0	0	27	No	0	0	18	No	0	0	31	Clerk attending training in 2018. 6 Cllrs have had no code training since 2015
Newchurch & Merthyr	No	0	0	0	ND	0	0	ND	ND	0	0	ND	
Pembrey & Burry Port Town	ND	0	0	ND	Yes	0	0	ND	YES	0	14	80	
Pencarreg	ND	0	0	ND	ND	0	0	ND	No	0	0	0	No Cllrs have received Code training since 2015
Pendine	No	0	0	0	Yes	0	0	0	ND	0	0	ND	
Pontyberem	ND	0	0	ND	No	0	0	6	ND	0	0	ND	

Council	Code Training 2015/2016			Declarations 2015/2016			Code Training 2016/2017			Declarations 2016/2017			Code Training 2017/2018			Declarations 2017/2018			Comments
	Code Complaints 2015/2016	Dispensations 2015/2016	Code Complaints 2015/2016	Code Complaints 2015/2016	Declarations 2015/2016	Code Complaints 2016/2017	Dispensations 2016/2017	Code Complaints 2016/2017	Declarations 2016/2017	Code Complaints 2017/2018	Dispensations 2017/2018	Code Complaints 2017/2018	Declarations 2017/2018	Code Complaints 2017/2018	Declarations 2017/2018	Code Complaints 2017/2018	Declarations 2017/2018		
Quarter Bach	No	0	0	38	Yes	0	0	43	ND	0	0	0	ND						
St. Clears Town	Yes	0	0	24	Yes	0	0	7	Yes	0	0	0	7	4 Cllrs have had no code training since 2015					
St. Ishmael	No	0	0	22	ND	0	0	ND	Yes	1	0	0	ND						
Talley	No	0	0	9	Yes	0	0	ND	Yes	0	0	0	4	5 Cllrs have had no Code training since 2015					
Trelech a'r Betws	No	0	0	0	No	0	0	0	ND	0	0	0	ND						
Trimsaran	Yes	0	0	1	Yes	0	0	1	Yes	0	0	0	9	8 Cllrs have received no code training since 2015					
Whitland Town	ND	0	0	ND	Yes	0	0	4	Yes	0	0	0	3						

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STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR JENNY YOUENS

Recommendations / key decisions required:

To consider and determine the application.

Reasons:

The subject matter of this report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable.

Exec Board Decision Required NO

Council Decision Required

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

DIRECTORATE		
CHIEF EXECUTIVES		
NAME OF HEAD OF SERVICE:	DESIGNATIONS:	
LINDA REES-JONES	HEAD OF ADMINISTRATION & LAW	TEL NOS.
REPORT AUTHOR:		01267 224018
ROBERT EDGEcombe	ACTING LEGAL SERVICES MANAGER	E MAIL ADDRESSES: RJEdgeco@carmarthenshire.gov.uk.

EXECUTIVE SUMMARY

STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR JENNY YOUENS

An application has been received from Community Councillor Jenny Youens of Llanddarog Community Council for dispensation to speak and vote in respect of Mynyddcerrig Workingmen's club and Institute and Mynyddcerrig Welfare Committee

Councillor Youens would have a personal interest in any council business relating to or likely to affect these organisations by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct as she is a member of the management committee of both organisations.

This personal interest would also be prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Youens has submitted her application on the basis of two grounds set out in the Standards Committees (Grant of Dispensations)(Wales) regulations 2011 (as amended) namely;

1. That the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.
2. That the business in question relates to the finances of a voluntary organisation of whose management committee the councillor is a member AND that he has no other interest.(A dispensation granted under this ground cannot extend to allowing the member to vote)

If the committee is minded to grant Councillor Youens a dispensation in respect of this interest it has absolute discretion as to the duration of that dispensation.

DETAILED REPORT ATTACHED ?	No
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones

Head of Administration and Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

Not applicable

2. Local Member(s)

Not applicable

3. Community / Town Council

Not applicable

4. Relevant Partners

Not applicable

5. Staff Side Representatives and other Organisations

Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall



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www.carmarthenshire.gov.wales

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APPLICATION TO THE STANDARDS COMMITTEE FOR DISPENSATION

Please note that each section MUST be completed. Please refer to the attached Guidance Notes when completing the form.

1. YOUR DETAILS

Your full name: Cllr Jenny Youens

Name of your Council: Llanddarog Community Council

Your address and postcode:

Contact telephone number(s):

Email address:post@ccllanddarog.uk

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

Matters relating to Mynyddcerrig Workingmen's club and Institute and Mynyddcerrig Welfare Committee

What is your interest in the above matter?

Cllr Youens is a member of the management committees of both organisations

When will the above matter be considered?

At any time during the current term of office

Are you applying for dispensation to:

Speak only:

Speak and vote: x

Make written Representations

Exercise Executive Powers

3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	x <input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input type="checkbox"/>
• the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	x <input type="checkbox"/>
• it is appropriate to do so in all the circumstances where not otherwise possible to make reasonable adjustments to accommodate a person's disability	<input type="checkbox"/>

4. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please set out below the reasons why you consider that the Standards Committee should grant a dispensation in this case:

(Please note that failure to complete this section will result in the application form being returned to you)

Llanddarog Community Council covers 3 villages to the east of Carmarthen, namely Llanddarog, Porthyrhyd and Mynyddcerrig.

In each of these villages there are community groups which are very active in running local community facilities and with which the Council has a close working relationship.

As these are small, close knit, communities there is an overlap between the membership of the Council and membership of these community groups.

In none of these cases has the Council nominated or appointed any of its members to serve on these community groups as a representative of the Council.

It is not uncommon for Council business to relate to, or be likely to impact, upon these community groups. This might include for example a decision by the Council to hire a facility run by a group in order to hold a Council event, or a request by a group for funding from the Council.

Councillor Youens is a member of the management committee of the Mynyddcerrig Workingmen's club and institute and the Mynyddcerrig Welfare Committee. As such she has a personal and prejudicial interest in any Council business relating to or likely to affect those organisations. The Councillor has no other personal or financial interest in such business.

The Workingmen's club and institute was founded in 1927 and is run as a not for profit community organisation. It is used for community events such as Christmas and Easter functions, sports days, horticultural shows, parties, fund raising events, welfare functions and as a polling station.

The Welfare Committee is a registered Charity established for the purposes of promoting the social, leisure and recreational interests of people in the area. It works closely and shares facilities with the Workingmen's institute and club.

I confirm that the information provided on this form is true to the best of my knowledge. I agree that this application and all the information contained within it may form part of a public report to the Standards Committee. I request a dispensation in respect of the above matter.

Signed: Owain Enoch (Clerk)

Date: 21/11/18

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP.

Guidance notes

- (1) Please read through the Code of Conduct and decide which of the paragraphs is most appropriate to your case. Brief details of the relevant paragraphs are noted in the table below. If you are unsure, please contact the Monitoring Officer for advice.

Para.	Type of personal interest
10(2)(a)	Council business which relates to or is likely to affect: <ul style="list-style-type: none">• your employment or business,• your employer, firm or company• a contract made between the Council and you• any land, lease or licence in which you have an interest• a public body or other association in which you have membership or hold a position of general control or management
10(2)(c)	Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association
13	Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only]

- (2) The Standards Committees (Grant of Dispensations)(Wales) Regulations 2001(as amended) state that a Standards Committee may grant dispensations where:

- no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;
- no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;
- in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;

- (d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;
- (e) the interest is common to the member and a significant proportion of the general public;
- (f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- (g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;
- (h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- (i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.
- (j) It is considered appropriate in all the circumstances to do so where not otherwise possible to make reasonable adjustments to accommodate a persons disability

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STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR ROY WILLIAM OWEN

Recommendations / key decisions required:

To consider and determine the application.

Reasons:

The subject matter of this report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable.

Exec Board Decision Required	NO
Council Decision Required	NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

Directorate		
Chief Executives		
Name of Head of Service:	Designations:	
Linda Rees-Jones	Head of Administration & Law	Tel Nos.
Report Author:		01267 224018
Robert Edgecombe	Acting Legal Services Manager	E Mail Addresses: RJEdgeco@carmarthenshire.gov.uk.

EXECUTIVE SUMMARY

STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR ROY WILLIAM OWEN

An application has been received from Community Councillor Roy William Owen of Llanddarog Community Council for dispensation to speak and vote in respect of Mynyddcerrig Workingmen's club and Institute

Councillor Owen would have a personal interest in any council business relating to or likely to affect this organisation by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct as he is a member of the management committee.

This personal interest would also be prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Owen has submitted his application on the basis of two grounds set out in the Standards Committees (Grant of Dispensations)(Wales) regulations 2011 (as amended) namely;

1. That the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.
2. That the business in question relates to the finances of a voluntary organisation of whose management committee the councillor is a member AND that he has no other interest.(A dispensation granted under this ground cannot extend to allowing the member to vote)

If the committee is minded to grant Councillor Owen a dispensation in respect of this interest it has absolute discretion as to the duration of that dispensation.

DETAILED REPORT ATTACHED ?	No
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YOUR COUNCIL doitononline
www.carmarthenshire.gov.wales

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities NONE	Legal NONE	Finance NONE	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
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CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones

Head of Administration and Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

Not applicable

2. Local Member(s)

Not applicable

3. Community / Town Council

Not applicable

4. Relevant Partners

Not applicable

5. Staff Side Representatives and other Organisations

Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall

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APPLICATION TO THE STANDARDS COMMITTEE FOR DISPENSATION

Please note that each section MUST be completed. Please refer to the attached Guidance Notes when completing the form.

1. YOUR DETAILS

Your full name: Cllr Roy William Owen

Name of your Council: Llanddarog Community Council

Your address and postcode:

Contact telephone number(s):

Email address:post@ccllanddarog.uk

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

Matters relating to Mynyddcerrig Workingmen's club and Institute

What is your interest in the above matter?

Cllr Owen is a member of the committee

When will the above matter be considered?

At any time during his term of office

Are you applying for dispensation to:

Speak only:

Speak and vote: x

Make written Representations

Exercise Executive Powers

3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	x <input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input type="checkbox"/>
• the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	x <input type="checkbox"/>
• it is appropriate to do so in all the circumstances where not otherwise possible to make reasonable adjustments to accommodate a person's disability	<input type="checkbox"/>

4. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please set out below the reasons why you consider that the Standards Committee should grant a dispensation in this case:

(Please note that failure to complete this section will result in the application form being returned to you)

Llanddarog Community Council covers 3 villages to the east of Carmarthen, namely Llanddarog, Porthyrhyd and Mynyddcerrig.

In each of these villages there are community groups which are very active in running local community facilities and with which the Council has a close working relationship.

As these are small, close knit, communities there is an overlap between the membership of the Council and membership of these community groups.

In none of these cases has the Council nominated or appointed any of its members to serve on these community groups as a representative of the Council.

It is not uncommon for Council business to relate to, or be likely to impact, upon these community groups. This might include for example a decision by the Council to hire a facility run by a group in order to hold a Council event, or a request by a group for funding from the Council.

Councillor Owen is a member of the management committee of the Mynyddcerrig Workingmen's club and institute. As such he has a personal and prejudicial interest in any Council business relating to or likely to affect those organisations. Councillor Owen has no other personal or financial interest in such business.

The workingmen's club and institute was founded in 1927 and is run as a not for profit community organisation. It is used for community events such as Christmas and Easter functions, sports days, horticultural shows, parties, fund raising events, welfare functions and as a polling station.

I confirm that the information provided on this form is true to the best of my knowledge. I agree that this application and all the information contained within it may form part of a public report to the Standards Committee. I request a dispensation in respect of the above matter.

Signed: Owain Enoch (Clerk)

Date: 21/11/18

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP.

Guidance notes

- (1) Please read through the Code of Conduct and decide which of the paragraphs is most appropriate to your case. Brief details of the relevant paragraphs are noted in the table below. If you are unsure, please contact the Monitoring Officer for advice.

Para.	Type of personal interest
10(2)(a)	Council business which relates to or is likely to affect: <ul style="list-style-type: none">• your employment or business,• your employer, firm or company• a contract made between the Council and you• any land, lease or licence in which you have an interest• a public body or other association in which you have membership or hold a position of general control or management
10(2)(c)	Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association
13	Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only]

- (2) The Standards Committees (Grant of Dispensations)(Wales) Regulations 2001(as amended) state that a Standards Committee may grant dispensations where:

- no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;
- no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;
- in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;

- (d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;
- (e) the interest is common to the member and a significant proportion of the general public;
- (f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- (g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;
- (h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- (i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.
- (j) It is considered appropriate in all the circumstances to do so where not otherwise possible to make reasonable adjustments to accommodate a persons disability

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STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR ROBERT HARLEY JONES

Recommendations / key decisions required:

To consider and determine the application.

Reasons:

The subject matter of this report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable

Exec Board Decision Required NO

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

DIRECTORATE		
CHIEF EXECUTIVES		
NAME OF HEAD OF SERVICE:	DESIGNATIONS:	
LINDA REES-JONES	HEAD OF ADMINISTRATION & LAW	TEL NOS.
REPORT AUTHOR:		01267 224018
ROBERT EDGEcombe	ACTING LEGAL SERVICES MANAGER	E MAIL ADDRESSES: RJEdgeco@carmarthenshire.gov.uk.

EXECUTIVE SUMMARY

STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR ROBERT HARLEY JONES

An application has been received from Community Councillor Robert Harley Jones of Llanddarog Community Council for dispensation to speak and vote in respect of Pwyllgor Llesiant Porthyrhyd Welfare Committee

Councillor Jones would have a personal interest in any council business relating to or likely to affect this organisation by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct as he is a member of the management committee.

This personal interest would also be prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Jones has submitted his application on the basis of two grounds set out in the Standards Committees (Grant of Dispensations)(Wales) regulations 2011 (as amended) namely;

1. That the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.
2. That the business in question relates to the finances of a voluntary organisation of whose management committee the councillor is a member AND that he has no other interest.(A dispensation granted under this ground cannot extend to allowing the member to vote)

If the committee is minded to grant Councillor Jones a dispensation in respect of this interest it has absolute discretion as to the duration of that dispensation.

DETAILED REPORT ATTACHED ?	No
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities NONE	Legal NONE	Finance NONE	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
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CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones

Head of Administration and Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee
Not applicable
2. Local Member(s)
Not applicable
3. Community / Town Council
Not applicable
4. Relevant Partners
Not applicable
5. Staff Side Representatives and other Organisations
Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall

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APPLICATION TO THE STANDARDS COMMITTEE FOR DISPENSATION

Please note that each section MUST be completed. Please refer to the attached Guidance Notes when completing the form.

1. YOUR DETAILS

Your full name: Cllr Robert Harley Jones

Name of your Council: Llanddarog Community Council

Your address and postcode:

Contact telephone number(s):

Email address:post@ccllanddarog.uk

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

Matters relating to Pwyllgor Llesiant Porthyrhyd Welfare Committee

What is your interest in the above matter?

Cllr Jones is a member of the committee

When will the above matter be considered?

At any time during his term of office

Are you applying for dispensation to:

Speak only:

Speak and vote: x

Make written Representations

Exercise Executive Powers

3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	x <input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input type="checkbox"/>
• the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	x <input type="checkbox"/>
• it is appropriate to do so in all the circumstances where not otherwise possible to make reasonable adjustments to accommodate a person's disability	<input type="checkbox"/>

4. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please set out below the reasons why you consider that the Standards Committee should grant a dispensation in this case:

(Please note that failure to complete this section will result in the application form being returned to you)

Llanddarog Community Council covers 3 villages to the east of Carmarthen, namely Llanddarog, Porthyrhyd and Mynyddcerrig.

In each of these villages there are community groups which are very active in running local community facilities and with which the Council has a close working relationship.

As these are small, close knit, communities there is an overlap between the membership of the Council and membership of these community groups.

In none of these cases has the Council nominated or appointed any of its members to serve on these community groups as a representative of the Council.

It is not uncommon for Council business to relate to, or be likely to impact, upon these community groups. This might include for example a decision by the Council to hire a facility run by a group in order to hold a Council event, or a request by a group for funding from the Council.

Councillor Jones is a member of the Pwyllgor Llesiant Porthryhyd Welfare Committee. As such he has a personal and prejudicial interest in any Council business relating to or likely to affect that organisation. Councillor Jones has no other personal or financial interest in such business.

Pwyllgor Llesiant Porthryhyd Welfare Committee is also a registered charity which owns and operates both the village hall ('Y Neuadd Fach') and the adjoining recreation ground ('Cae Efail'). The former is used by local football teams and local children and the latter hired out for community events, parties etc.

I confirm that the information provided on this form is true to the best of my knowledge. I agree that this application and all the information contained within it may form part of a public report to the Standards Committee. I request a dispensation in respect of the above matter.

Signed: Owain Enoch (Clerk)

Date: 21/11/18

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP.

Guidance notes

- (1) Please read through the Code of Conduct and decide which of the paragraphs is most appropriate to your case. Brief details of the relevant paragraphs are noted in the table below. If you are unsure, please contact the Monitoring Officer for advice.

Para.	Type of personal interest
10(2)(a)	Council business which relates to or is likely to affect: <ul style="list-style-type: none">• your employment or business,• your employer, firm or company• a contract made between the Council and you• any land, lease or licence in which you have an interest• a public body or other association in which you have membership or hold a position of general control or management
10(2)(c)	Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association
13	Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only]

- (2) The Standards Committees (Grant of Dispensations)(Wales) Regulations 2001(as amended) state that a Standards Committee may grant dispensations where:

- no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;
- no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;
- in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;

- (d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;
- (e) the interest is common to the member and a significant proportion of the general public;
- (f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- (g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;
- (h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- (i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.
- (j) It is considered appropriate in all the circumstances to do so where not otherwise possible to make reasonable adjustments to accommodate a persons disability

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STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR WILLIAM JOHN WYN EVANS

Recommendations / key decisions required:

To consider and determine the application.

Reasons:

The subject matter of this report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable.

Exec Board Decision Required NO

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

Directorate		
Chief Executives		
Name of Head of Service:	Designations:	
Linda Rees-Jones	Head of Administration & Law	Tel Nos.
Report Author:		01267 224018
Robert Edgecombe	Acting Legal Services Manager	E Mail Addresses: RJEdgeco@carmarthenshire.gov.uk.

EXECUTIVE SUMMARY

STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR WILLIAM JOHN WYN EVANS

An application has been received from Community Councillor William John Wyn Evans of Llanddarog Community Council for dispensation to speak and vote in respect of Llanddarog Village Hall and Pwyllgor Llesiant Porthyrhyd Welfare Committee

Councillor Evans would have a personal interest in any council business relating to or likely to affect these organisations by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct as he is a member of their management committees.

This personal interest would also be prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Evans has submitted his application on the basis of two grounds set out in the Standards Committees (Grant of Dispensations)(Wales) regulations 2011 (as amended) namely;

1. That the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.
2. That the business in question relates to the finances of a voluntary organisation of whose management committee the councillor is a member AND that he has no other interest.(A dispensation granted under this ground cannot extend to allowing the member to vote)

If the committee is minded to grant Councillor Evans a dispensation in respect of this interest it has absolute discretion as to the duration of that dispensation.

DETAILED REPORT ATTACHED ?	No
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities NONE	Legal NONE	Finance NONE	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones

Head of Administration and Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee
Not applicable
2. Local Member(s)
Not applicable
3. Community / Town Council
Not applicable
4. Relevant Partners
Not applicable
5. Staff Side Representatives and other Organisations
Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall

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APPLICATION TO THE STANDARDS COMMITTEE FOR DISPENSATION

Please note that each section MUST be completed. Please refer to the attached Guidance Notes when completing the form.

1. YOUR DETAILS

Your full name: Cllr William John Wyn Evans

Name of your Council: Llanddarog Community Council

Your address and postcode:

Contact telephone number(s):

Email address:post@ccllanddarog.uk

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

Matters relating to Llanddarog Village Hall and Pwyllgor Llesiant Porthyrhyd Welfare Committee

What is your interest in the above matter?

Cllr Evans is a member of both committees

When will the above matter be considered?

At any time during his term of office

Are you applying for dispensation to:

Speak only:

Speak and vote: x

Make written Representations

Exercise Executive Powers

3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	x <input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input type="checkbox"/>
• the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	x <input type="checkbox"/>
• it is appropriate to do so in all the circumstances where not otherwise possible to make reasonable adjustments to accommodate a person's disability	<input type="checkbox"/>

4. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please set out below the reasons why you consider that the Standards Committee should grant a dispensation in this case:

(Please note that failure to complete this section will result in the application form being returned to you)

Llanddarog Community Council covers 3 villages to the east of Carmarthen, namely Llanddarog, Porthyrhyd and Mynyddcerrig.

In each of these villages there are community groups which are very active in running local community facilities and with which the Council has a close working relationship.

As these are small, close knit, communities there is an overlap between the membership of the Council and membership of these community groups.

In none of these cases has the Council nominated or appointed any of its members to serve on these community groups as a representative of the Council.

It is not uncommon for Council business to relate to, or be likely to impact, upon these community groups. This might include for example a decision by the Council to hire a facility run by a group in order to hold a Council event, or a request by a group for funding from the Council.

Councillor Evans is a member of the management committee of both Llanddarog Village Hall and Pwyllgor Llesiant Porthryhyd Welfare Committee. As such he has a personal and prejudicial interest in any Council business relating to or likely to affect those organisations. Councillor Evans has no other personal or financial interest in such business.

Llanddarog Village Hall is owned by the community and run as a not for profit registered charity by an elected committee of volunteers. Its purpose is to enhance the quality of life in the village through supporting and providing facilities for community, social, cultural and recreational events.

Pwyllgor Llesiant Porthryhyd Welfare Committee is also a registered charity which owns and operates both the village hall ('Y Neuadd Fach') and the adjoining recreation ground ('Cae Efai'). The former is used by local football teams and local children and the latter hired out for community events, parties etc.

I confirm that the information provided on this form is true to the best of my knowledge. I agree that this application and all the information contained within it may form part of a public report to the Standards Committee. I request a dispensation in respect of the above matter.

Signed: Owain Enoch (Clerk)

Date: 21/11/18

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP.

Guidance notes

- (1) Please read through the Code of Conduct and decide which of the paragraphs is most appropriate to your case. Brief details of the relevant paragraphs are noted in the table below. If you are unsure, please contact the Monitoring Officer for advice.

Para.	Type of personal interest
10(2)(a)	Council business which relates to or is likely to affect: <ul style="list-style-type: none">• your employment or business,• your employer, firm or company• a contract made between the Council and you• any land, lease or licence in which you have an interest• a public body or other association in which you have membership or hold a position of general control or management
10(2)(c)	Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association
13	Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only]

- (2) The Standards Committees (Grant of Dispensations)(Wales) Regulations 2001(as amended) state that a Standards Committee may grant dispensations where:

- no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;
- no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;
- in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;

- (d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;
- (e) the interest is common to the member and a significant proportion of the general public;
- (f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- (g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;
- (h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- (i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.
- (j) It is considered appropriate in all the circumstances to do so where not otherwise possible to make reasonable adjustments to accommodate a persons disability

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STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER

Recommendations / key decisions required:

To consider and determine the application.

Reasons:

The subject matter of this report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable.

Exec Board Decision Required NO

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

DIRECTORATE		
CHIEF EXECUTIVES		
NAME OF HEAD OF SERVICE:	DESIGNATIONS:	
LINDA REES-JONES	HEAD OF ADMINISTRATION & LAW	TEL NOS.
REPORT AUTHOR:		01267 224018
ROBERT EDGEcombe	ACTING LEGAL SERVICES MANAGER	E MAIL ADDRESSES: RJEdgeco@carmarthenshire.gov.uk.

EXECUTIVE SUMMARY

STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER

An application has been received from Community Councillor Carol Dyer of Myddfai Community Council for dispensation to speak and vote in respect of the Y Llofwr paper.

Councillor Dyer would have a personal interest in any council business relating to or likely to affect the paper by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct as she is its voluntary chairperson.

This personal interest would also be prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Dyer has submitted his application on the basis of two grounds set out in the Standards Committees (Grant of Dispensations)(Wales) regulations 2011 (as amended) namely;

1. That the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.
2. That the business in question relates to the finances of a voluntary organisation of whose management committee the councillor is a member AND that he has no other interest.(A dispensation granted under this ground cannot extend to allowing the member to vote)

If the committee is minded to grant Councillor Dyer a dispensation in respect of this interest it has absolute discretion as to the duration of that dispensation.

DETAILED REPORT ATTACHED ?	No
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones

Head of Administration and Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

- 1. Scrutiny Committee**
Not applicable
 - 2. Local Member(s)**
Not applicable
 - 3. Community / Town Council**
Not applicable
 - 4. Relevant Partners**
Not applicable
 - 5. Staff Side Representatives and other Organisations**
Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall



EICH CYNGOR arleinamdan
www.sirgar.llyw.cymru

YOUR COUNCIL doitonline
www.carmarthenshire.gov.wales

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APPLICATION FOR DISPENSATION TO THE STANDARDS COMMITTEE

Please note that every section MUST be completed. Refer to the attached Guidance Notes whilst completing this form.

1. YOUR DETAILS

Your full name: Carol Williams Dyer

Name of your Council: Myddfai Community Council

Your address and postcode: Penroc, Heol Llangadog, Llandovery SA20 0DZ

Telephone number(s): 01550 720956 / 07969 684418

Email address: carol.dyer@outlook.com

2. DETAILS OF YOUR INTEREST

What is the issue in question?

Issues relating to the Welsh community newspaper, *Y Llofwr*

What is your interest in the above matter?

Chair of Committee for *Y Llofwr* - voluntary position

When will the above matter be considered?

Whenever something regarding *Y Llofwr* comes before the Council

Have you applied for dispensation to:

Speak only:

Speak and vote:

Make written comments

Exercise executive powers

3. REASONS FOR DISPENSATION

Regulations made by the National Assembly for Wales specify the circumstances in which the Standards Committee may allow dispensation. The reasons for allowing dispensation are summarised below and are fully set out in the attached Guidance Notes. For which of the following reasons do you believe that a dispensation should be allowed in this case? Please tick the box/boxes that apply.

• at least half of the members considering the business have an interest	<input type="checkbox"/>
• my incapacity to take part would change the political balance of the meeting to a degree that would be likely to affect the outcome;	<input type="checkbox"/>
• the fact that I am taking part would not harm public confidence	<input checked="" type="checkbox"/>
• the interest is common to me and to a significant proportion of the public;	<input type="checkbox"/>
• it is justified that I take part in the business because of my particular role or expertise;	<input type="checkbox"/>
• the business will be considered by an overview and scrutiny committee and my interest is not a monetary interest;	<input type="checkbox"/>
• the business relates to the financial matters or the property of a voluntary body whose committee or management board I am a member of, and I have no other interest	<input checked="" type="checkbox"/>
• it is appropriate to do so in all circumstances where it is not otherwise possible to make reasonable adjustments for a person's disability	<input type="checkbox"/>

INFORMATION IN SUPPORT OF YOUR APPLICATION

Please state below the reasons why you believe that the Standards Committee should allow dispensation in this case:

(Note that this application form will be returned to you if you do not complete this section)

Y Lloffwr is a community newspaper mainly in the Dinefwr area which is distributed to the villages and towns in the whole area. It's a monthly paper containing news, reports, and articles about our communities. More often than not, it's the local people who contribute the articles. The first copy of Y Lloffwr was printed in November 1978 and the aim was to ensure that there was a Welsh language reading resource available to every home in our area. This same aim still stands forty years later. As a member of a committee of volunteers, at Y Lloffwr we work to ensure that ten issues a year are printed, distributed and sold. The committee also supports and assists the Senior Editor to produce a quality community newspaper.

(Use a separate sheet if necessary)

I confirm that the information provided in this form is true to the best of my knowledge. I agree that this application and all information contained therein can form part of a public report to the Standards Committee. I am making an application for dispensation in relation to the above matter.

Signature: C. W. Dyer

Date: 14 / 10 /18

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen SA31 1JP.

STANDARDS COMMITTEE

7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER

Recommendations / key decisions required:

To consider and determine the application.

Reasons:

The subject matter of this report falls within the remit of the Committee.

Scrutiny Committee recommendations / comments:

Not applicable.

Exec Board Decision Required NO

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)

Directorate		
Chief Executives		
Name of Head of Service:	Designations:	
Linda Rees-Jones	Head of Administration & Law	Tel Nos.
Report Author:		01267 224018
Robert Edgecombe	Acting Legal Services Manager	E Mail Addresses: RJEdgeco@carmarthenshire.gov.uk.

EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th December, 2018

APPLICATION FOR DISPENSATION BY COUNCILLOR CAROL DYER

An application has been received from Community Councillor Carol Dyer of Myddfai Community Council for dispensation to speak and vote in respect of Menter Bro Dinefwr.

Councillor Dyer would have a personal interest in any council business relating to or likely to affect the paper by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct as she is a voluntary director of the organisation.

This personal interest would also be prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard the interest as so significant that it would be likely to prejudice the Councillor's judgement of the public interest.

Councillor Dyer has submitted his application on the basis of two grounds set out in the Standards Committees (Grant of Dispensations)(Wales) regulations 2011 (as amended) namely;

1. That the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.
2. That the business in question relates to the finances of a voluntary organisation of whose management committee the councillor is a member AND that he has no other interest.(A dispensation granted under this ground cannot extend to allowing the member to vote)

If the committee is minded to grant Councillor Dyer a dispensation in respect of this interest it has absolute discretion as to the duration of that dispensation.

DETAILED REPORT ATTACHED ?	No
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IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities NONE	Legal NONE	Finance NONE	ICT NONE	Risk Management Issues NONE	Staffing Implications NONE	Physical Assets NONE
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CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Linda Rees-Jones

Head of Administration and Law

(Please specify the outcomes of consultations undertaken where they arise against the following headings)

1. Scrutiny Committee

Not applicable

2. Local Member(s)

Not applicable

3. Community / Town Council

Not applicable

4. Relevant Partners

Not applicable

5. Staff Side Representatives and other Organisations

Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-165	Legal Services, County Hall

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APPLICATION FOR DISPENSATION TO THE STANDARDS COMMITTEE

Please note that every section MUST be completed. Refer to the attached Guidance Notes whilst completing this form.

1. YOUR DETAILS

Your full name: Carol Williams Dyer

Name of your Council: Myddfai Community Council

Your address and postcode: Penroc, Heol Llangadog, Llandovery SA20 0DZ

Telephone number(s): 01550 720956 / 07969 684418

Email address: carol.dyer@outlook.com

2. DETAILS OF YOUR INTEREST

What is the issue in question?
Issues relating to Menter Bro Dinefwr (MBD)

What is your interest in the above matter?
Director - voluntary position

When will the above matter be considered?
Whenever something regarding MBD comes before the Council

Have you applied for dispensation to:

Speak only:

Speak and vote:

Make written comments

Exercise executive powers

3. REASONS FOR DISPENSATION

Regulations made by the National Assembly for Wales specify the circumstances in which the Standards Committee may allow dispensation. The reasons for allowing dispensation are summarised below and are fully set out in the attached Guidance Notes. For which of the following reasons do you believe that a dispensation should be allowed in this case? Please tick the box/boxes that apply.

• at least half of the members considering the business have an interest	<input type="checkbox"/>
• my incapacity to take part would change the political balance of the meeting to a degree that would be likely to affect the outcome;	<input type="checkbox"/>
• the fact that I am taking part would not harm public confidence	<input checked="" type="checkbox"/>
• the interest is common to me and to a significant proportion of the public;	<input type="checkbox"/>
• it is justified that I take part in the business because of my particular role or expertise;	<input type="checkbox"/>
• the business will be considered by an overview and scrutiny committee and my interest is not a monetary interest;	<input type="checkbox"/>
• the business relates to the financial matters or the property of a voluntary body whose committee or management board I am a member of, and I have no other interest	<input checked="" type="checkbox"/>
• it is appropriate to do so in all circumstances where it is not otherwise possible to make reasonable adjustments for a person's disability	<input type="checkbox"/>

4. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please state below the reasons why you believe that the Standards Committee should allow dispensation in this case:

(Note that this application form will be returned to you if you do not complete this section)

Menter Bro Dinefwr is one of three language initiatives in Carmarthenshire. Here is an outline of the duties and purpose of a director.

Menter Bro Dinefwr was established in 1999 with one member of staff and a turnover of approximately £30k. Today Menter Bro Dinefwr employs seven members of staff and the turnover has increased to almost £700k. The core funding for MBD is provided by the Welsh Government and Carmarthenshire County Council. MBD merged with Menter Dyffryn Aman in 2007 following a restructure of the language initiatives in the county.

Menter Bro Dinefwr aims to support the development of the Welsh language and to contribute to community and economic regeneration in order to create sustainable, naturally bilingual and prosperous communities. The Menter's slogan is 'Cymuned • Iaith • Economi' (*Community • Language • Economy*) and this is at the heart of all their work.

We now focus on six specific areas as follows:

- Families
- Children and young people
- Schools and education
- The community
- Work, Language and the Economy
- Promotion and Marketing

The following are among the statutory general duties of Directors:

1. Ensure that the organisation complies with its governing document, company law and any other relevant legislation or regulations.
2. Ensure that the organisation follows its objectives as defined in its governing document.
3. Ensure that the organisation only uses its resources to follow its objectives.
4. Actively contribute to the role of the Directors Board in providing a firm strategic direction for the organisation, setting a general policy, defining goals, setting targets and evaluating performance in line with agreed targets.
5. Protect the reputation and values of the organisation.
6. Ensure that the organisation is administered effectively and efficiently.
7. Ensure that the organisation is financially stable.
8. Protect and control the property of the organisation and ensure that money is invested appropriately.
9. Appoint the Chief Executive Officer and monitor his/her performance
10. This role is voluntary and unpaid.

(If necessary you can use a separate sheet)

I confirm that the information provided in this form is true to the best of my knowledge. I agree that this application and all information contained therein can form part of a public report to the Standards Committee. I am making an application for dispensation in relation to the above matter.

Signature: C W Dyer

Date: 14 / 10 /18

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen SA31 1JP.

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