

# Document Pack



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

**FRIDAY, 27<sup>TH</sup> MAY, 2016**

**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 AT 10.00 A.M. ON FRIDAY, 3RD JUNE, 2016** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Mark James*

**CHIEF EXECUTIVE**



PLEASE RECYCLE

<b>Democratic Officer:</b>	<b>Michelle Evans Thomas</b>
<b>Telephone (direct line):</b>	<b>(01267) 224470</b>
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<b>Ref:</b>	<b>AD016-001</b>

# STANDARDS COMMITTEE

## MEMBERSHIP: 9 MEMBERS

### Independent Members (5)

1. Mrs Mary Dodd
2. Mr Christopher A. Downward Chair of the Committee
3. Mr M. Andre Morgan Vice Chair of the Committee
4. Mr Alun. Williams
5. Vacancy

### Community Committee Member (1)

1. Councillor Jeanette Gilasbey

### Elected Members of the County Council (3)

1. Councillor Susan M. Allen
2. Councillor B.A. Louvain Roberts
3. Councillor Gareth B. Thomas

# A G E N D A

1. APOLOGIES FOR ABSENCE.
2. DECLARATIONS OF PERSONAL INTEREST.
3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETINGS OF THE COMMITTEE HELD ON THE FOLLOWING DATES:-
  - 3 .1 11TH APRIL, 2016; 5 - 8
  - 3 .2 3RD MAY, 2016. 9 - 10
4. APPLICATION FOR DISPENSATION BY COUNCILLOR A. SMITH. 11 - 20
5. APPLICATION FOR DISPENSATION BY COUNCILLORS FROM LLANBOIDY COMMUNITY COUNCIL. 21 - 30
6. APPLICATION FOR DISPENSATION BY COUNCILLOR G. HOWELLS. 31 - 38
7. APPLICATION FOR DISPENSATION BY COUNCILLOR G. THOMAS. 39 - 48
8. APPLICATION FOR DISPENSATION BY COUNCILLOR J. LEWIS. 49 - 58
9. APPLICATION FOR DISPENSATION BY COUNCILLOR J. JONES. 59 - 68
10. APPLICATION FOR DISPENSATION BY COUNCILLOR J.F. GWYNFRYN-EVANS. 69 - 78
11. APPROVAL OF CHANGES TO MEMBERS CODE OF CONDUCT. 79 - 96
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.

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Monday, 11 April 2016

**PRESENT:** C.A. Downward (Chair)

**Independent Members:**

M.A. Morgan and A. Williams

**The following Officers were in attendance:**

R. Edgecombe, Legal Services Manager

K. Thomas, Democratic Services Officer

**Chamber, 3 Spilman Street, Carmarthen - 10.00 - 10.35 am**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from M. Dodd, Community Councillor J. Gilasbey and County Councillors S.M. Allen and B.A.L. Roberts

**2. DECLARATIONS OF PERSONAL INTEREST**

No declarations of personal interest were made at the meeting.

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 11TH MARCH 2016**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Committee held on the 11<sup>th</sup> March, 2016 be signed as a correct record.

**4. APPLICATION FOR DISPENSATION BY COUNCILLOR S DAVIES**

The Committee considered an application submitted by County Councillor Sharen Davies for the grant of a dispensation under the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to make written and oral representations and vote at meetings of Carmarthenshire County Council, or its Committees, in respect of matters relating to the Council's proposals to charge rent to the Ty Enfys Family Centre in Llanelli.

It was reported that a dispensation was sought as Councillor Davies had a personal interest in such matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as she was a committee member of the family centre, but had not been appointed to that position by either Carmarthenshire County Council or the Llanelli Rural Council.

Councillor Davies' interest was also prejudicial as 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 wider public interest.

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

Following a detailed discussion it was

**UNANIMOUSLY RESOLVED** that dispensation be granted under Regulations 2(d) (f) and (h) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to County Councillor S. L. Davies to **SPEAK, BUT NOT VOTE, AND TO MAKE WRITTEN REPRESENTATIONS** at meetings of Carmarthenshire County Council, or its Committees in relation to any matters relating to the Council's proposals to charge rent to the Ty Enfys Family Centre, and that the dispensation be valid until the 9<sup>th</sup> September, 2016.

## **5. APPROVAL OF CHANGES TO MEMBERS' CODE OF CONDUCT**

The Committee considered a report on changes introduced on the 1<sup>st</sup> April 2016 by the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 to the Model Code of Conduct for elected and co-opted members, with the key changes being:-

1. The removal of the duty under Paragraph 6 of the Code to report breaches of the Code to the Ombudsman;
2. The removal of Paragraph 10 (2) (b) in relation to the conflict between the ward and interests of a member and the wider community interest;
3. The removal of references to the Monitoring Officer in Paragraph 1(2) in relation to the maintenance of registers of interests by Town and Community Councils.

The Acting Legal Services Manager informed the Committee that whilst the Council was obliged to adopt the revised Code of Conduct by the 26<sup>th</sup> July, 2016, the Welsh Government had recommended its adoption by no later than at its forthcoming annual meeting. He reported that a revised version of the Code reflecting the changes had been appended to the report, and the Committee was being requested to endorse the changes and recommend to the Council that it re-adopt the Code in its revised form.

**UNANIMOUSLY RESOLVED** that

- 5.1 The changes introduced by the Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 to the Model Code of Conduct for elected and co-opted members be approved.**
- 5.2 The Council be recommended to re-adopt the Model Code of Conduct for elected and co-opted members, in its revised form, at its forthcoming Annual General Meeting.**

## **6. THE LOCAL GOVERNMENT (STANDARDS COMMITTEES, INVESTIGATIONS, DISPENSATION AND REFERRAL) (WALES) (AMENDMENT) REGULATIONS 2016**

The Committee considered a report on the introduction, on the 1<sup>st</sup> April 2016 of the Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 which amended the following legislation:-

- The Standards Committees (Wales) Regulations 2001;

- The Local Government Investigations (Functions of Monitoring Officers and Standards Committee) (Wales) Regulations 2001,
- Local Authorities (Grant of Dispensations) (Wales) Regulations 2001.

The Acting Legal Services Manager informed the Committee that the effect of the amended regulations were:-

1. To allow two or more authorities to establish a joint standards committee
2. To enable the Council to extend the term of office of county council and community council members of Standards Committee until the next ordinary election in 2017.
3. To remove the current limit on the duration of a county council or community council member of the committee of 4 years.
4. To enable the committee to delay publication of agendas and other information relating to a misconduct investigation until the misconduct proceedings are concluded
5. To allow a Standards Committee (or a Monitoring Officer with the agreement of the Chair of Standards Committee) to refer a misconduct investigation to another authority's Standards Committee for determination.
6. Confirms the powers of Standards Committees to suspend a member are limited to 6 months or the member's term of office if that is less than 6 months.
7. Introduces a general category of dispensation - 'if considered appropriate in all the circumstances to do so where not otherwise possible to make reasonable adjustments to accommodate a person's disability'. An ongoing dispensation granted under this ground is subject to annual review.

**UNANIMOUSLY RESOLVED that the changes introduced by the Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 be noted**

\_\_\_\_\_  
CHAIR

\_\_\_\_\_  
DATE

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Tuesday, 3 May 2016

**PRESENT:** C.A. Downward (Chair)

**Independent Members:**

M.A. Morgan and A. Williams

**The following Officers were in attendance:**

R. Edgecombe, Legal Services Manager;

M.S. Davies, Democratic Services Officer.

**Chamber, County Hall, Carmarthen - 10.00 a.m. - 10.20 a.m.**

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Mrs. M. Dodd, Community Councillor J. Gilasbey and County Councillors S.M. Allen and G.B. Thomas.

**2. DECLARATIONS OF PERSONAL INTEREST**

No declarations of personal interest were made at the meeting.

**3. APPLICATION FOR DISPENSATION BY COUNCILLOR J. TREMLETT**

The Committee considered an application submitted by County Councillor Jane Tremlett for the grant of a dispensation under the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to speak and vote at meetings of Carmarthenshire County Council, its Executive Board or its Committees, in respect of matters relating to the proposed Laugharne Township Parking Strategy.

It was reported that a dispensation was sought as Councillor Tremlett had a personal interest in this matter as she was a resident of King Street, Laugharne, and would be affected by the proposed resident parking permit scheme in that street and her husband had a business in King Street, Laugharne, which could benefit from the proposed off street car park.

Councillor Tremlett's interest was also prejudicial as 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 wider public interest.

Councillor Tremlett had accordingly requested that she be granted dispensation to speak and vote.

Following a detailed discussion it was

**UNANIMOUSLY RESOLVED** that the application from County Councillor J. Tremlett for dispensation to **SPEAK** and **VOTE** at meetings of Carmarthenshire County Council, its Executive Board or Committees in relation to any matters relating to the proposed Laugharne Township Parking Strategy be refused.

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CHAIR

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DATE

## STANDARDS COMMITTEE

3<sup>RD</sup> JUNE 016

### APPLICATION FOR DISPENSATION BY COUNCILLOR A SMITH

#### 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:

Linda Rees-Jones

Report Author:

Robert Edgecombe

Designations:

Head of Administration & Law

Acting Legal Services Manager

Tel Nos.

01267 224018

E Mail Addresses:

RJEdgeco@carmarthenshire.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
3<sup>RD</sup> JUNE 2016**

**APPLICATION FOR DISPENSATION BY CLLR A SMITH**

An application for dispensation to speak only has been received from Councillor Alexander Smith of Ammanford Town Council in respect of matters relating to the Ammanford Enterprise Partnership Limited. (Copy attached)

Councillor Smith has a personal interest in these matters by virtue of paragraph 10(2)(x)(c)(v) of the Code in that his partner is a Director of the company.

This interest is also 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 when considering matters relating to or likely to affect the company.

The application is submitted on the following grounds in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely;

(c) inability to participate would upset the political balance to such an extent as to be likely to affect the outcome

(d) no damage to public confidence

(e) common interest with the general public

(f) the member's particular role or expertise

Of these (c) only applies to members of a county or county borough

If the committee is minded to grant the application, it has absolute discretion as to its duration. It may grant the dispensation for the remainder of the councillor's term of office or until its meetings on the 9<sup>th</sup> September 2016 or 2<sup>nd</sup> December 2016.

DETAILED REPORT ATTACHED ?

NO

## 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: **L. Rees Jones** **Head of Administration and Law**

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	ICT <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>NONE</b>	Physical Assets <b>NONE</b>
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## CONSULTATIONS

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

Signed: **L. 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-143	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: ALEX SMITH

Name of your Council: AMMANFORD

Your address and postcode: 23, PARC BWTRI MAWR, BETWS, AMMANFORD SA18 2EZ

Contact telephone number(s): 07855855665

Email address: QUATTR@GMAIL.COM

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

DISCUSSING EVENTS INVOLVING THE AMMANFORD ENTERPRISE PARTNERSHIP

What is your interest in the above matter?

MY PARTNER IS A DIRECTOR AT THE ABOVE COMPANY

When will the above matter be considered?

OVER THE NEXT 6 MONTHS

Are you applying for dispensation to:

Speak only:

Speak and vote:

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 checked="" type="checkbox"/>
• my participation would not damage public confidence	<input checked="" type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input checked="" type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input checked="" 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	<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)***

I am neither a member nor Director of the Ammanford Enterprise Partnership. My whole relationship to the company is simply that my partner is a Director.

My partner is one of three Directors of the Ammanford Enterprise Partnership. None of the Directors receive financial remuneration for the work they carry out for the company it is done purely on a voluntary basis. The company is registered not for profit and the standing orders state that all money going into the company is spent back out on community events, they do not have any employees.

I do volunteer at most events that take place in Ammanford. However this is not limited to Ammanford Enterprise Partnership events. I have also volunteered at events for The Chamber of Trade, The Ammanford Rotary, Dementia Friendly Society, Menter Bro Dinefwr, Ammanford Twinning association and many more. This I believe is my responsibility as a Town Councillor.

I have significant expertise regarding the organisation and running of large community events that the council is not in possession of and often they have made negative decisions over the past few years regarding the support of various events. This has largely been due to misunderstanding the information they have been provided or just through a lack of knowledge. Therefore I strongly believe that the information I can provide is of significant importance to the council.

Finally, I feel that quite often the negative comments regarding the events come from the more established Labour side of our Council and as we are split 50/50 as a Plaid Councillor I feel that if I could address the issues Labour raise before the voting process there will be less of a political bias.

*(please continue on a separate sheet if necessary)*

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:

Date:

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)	<p>Council business which relates to or is likely to affect:</p> <ul style="list-style-type: none"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>
10(2)(c)	<p>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</p>
13	<p>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]</p>

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

- (a) 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;
- (b) 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;
- (c) 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

## STANDARDS COMMITTEE 3<sup>RD</sup> JUNE 2016

### APPLICATION FOR DISPENSATION BY COUNCILLORS FROM LLANBOIDY COMMUNITY COUNCIL

#### 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  
3<sup>RD</sup> JUNE 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLORS FROM  
LLANBOIDY COMMUNITY COUNCIL**

An application has been received on behalf of 7 members of Llanboidy Community Council for the grant of a dispensation to speak and vote on matters relating to Llanboidy Market Hall.

The Councillors have a personal interest in these matters pursuant to paragraph 10(2)(ix)(ee) of the code in that they are members of the Market Hall Committee which is involved in the running of the Hall.

The Councillors were not appointed to the committee by the Community Council.

The Councillor's interests are prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard that interest as so significant that it is likely to prejudice the Councillors judgement of the public interest.

In particular, the Council has received a request from the Hall Committee for a grant of £1,000 and is in negotiation with the Committee regarding the lease or purchase of Council owned land surrounding the Hall.

The Councillors have no direct financial interest in the running of the Hall or the particular matters currently requiring discussion.

The clerk to the council advises that without these members receiving dispensations, the Council will be unable to form a quorum to discuss these matters.

If the committee is minded to grant these applications it is suggested that this be on ground 2(a) in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely that the interest affects no fewer than half the members of the authority.

In granting a dispensation the Committee has absolute discretion as to how long it lasts for. If the committee is minded to limit the dispensation for a specific period, it may wish to consider doing so until the 9<sup>th</sup> September (3mths), 2<sup>nd</sup> December (6mths) or for the remainder of the Councillors term of office

**DETAILED REPORT ATTACHED ?**

**NO**

## 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: **L. Rees Jones** **Head of Administration and Law**

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

## CONSULTATIONS

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

Signed: **L. 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-143	Legal Services, County Hall

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# CARMARTHENSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

### APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

<b>SECTION 1</b>	<b>Name(s) of Member(s)</b>	<b>Name of member's authority</b>
	L Davies, D Phillips, S Thomas, N Thomas, R Williams, J Gibbin MBE and H Phillips	Llanboidy Community Council

<b>SECTION 2</b>	<b>Matter to be discussed on which member seeks dispensation</b>
	Llanboidy Market Hall – discussion regarding awarding a grant and access to the property.
<b>Date of meeting at which the matter is to be discussed:</b>	07.06.16

<b>Dispensation being sought to speak and vote</b>	<b>X</b>
<b>Dispensation being sought to speak only</b>	

<b>SECTION 3</b>	<b>The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed</b>
	All the members are members of the hall committee. If they are unable to speak and vote no decisions regarding the hall can be made as there are not enough members left to form a quorum.

<b>SECTION 4</b>	<b>Criteria for seeking dispensation</b>
~ 50% of members affected	<input checked="" type="checkbox"/>
~ Political balance would be affected (county borough only)	<input type="checkbox"/>
~ No damage to public confidence	<input type="checkbox"/>
~ Common interest with general public	<input type="checkbox"/>
~ Justified because of special expertise	<input type="checkbox"/>
~ Scrutiny committee business <u>and</u> not financial interest	<input type="checkbox"/>
~ Voluntary organisation <u>and</u> not financial interest	<input type="checkbox"/>
~ In the interests of inhabitants	<input type="checkbox"/>
<i>(See appendix for more details)</i>	

<b>SECTION 5</b>	<b>Reason/s in support of my/our application (use a separate sheet of paper if necessary)</b>
	<p>As section 3.</p>

**SIGNED** \_\_\_\_\_ (Member of County Council)

**DATED:** \_\_\_\_\_

## **APPENDIX**

### **Circumstances when a standards committee may grant dispensations**

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 specify that a standards committee of a relevant authority may grant dispensations under Section 81 of the Act where:

- a. no fewer than half of the members of the relevant authority or of a committee of the authority (as they case may be) by which the business is to be considered has an interest which relates to that business;
- b. 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;
- c. 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 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 a 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 7 days in such manner as it may specify.

**CYNGOR SIR CAERFYRDDIN**

## PWYLLGOR SAFONAU

### CAIS am ganiatáu gollyngiad yn unol ag Adran 2(i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) 2001

Gofynnir i Bwyllgor Safonau Cyngor Sir Caerfyrddin ganiatáu Gollyngiad i'r Aelod(au) a restrir isod i gwmpasu'r buddiant / buddiannau a ddatganwyd yn Adran 2 isod. Mae fy / ein rhesymau dros gyflwyno cais am hynny wedi eu nodi yn Adran 4

<b>ADRAN 1</b>	<b>Enw(au)'r Aelod(au)</b>	<b>Enw awdurdod yr aelod(au)</b>

<b>ADRAN 2</b>	<b>Y mater sydd i'w drafod y mae'r aelod yn gofyn am ollyngiad yn ei gylch</b>
<b>Dyddiad y cyfarfod pryd y trafodir y mater:</b>	

<b>ADRAN 3</b>	<b>Y buddiant y mae'n rhaid i'r aelod ei ddatgelu, a beth yw'r berthynas rhwng y buddiant hwnnw a'r mater sydd i'w drafod</b>

<b>ADRAN 4</b>	<b>Y meini prawf dros ofyn am ollyngiad</b>								
<ul style="list-style-type: none"> <li>~ Byddai'n effeithio ar 50% o'r aelodau</li> <li>~ Byddai'n effeithio ar y cydbwysedd gwleidyddol (bwrdeistrefi sirol yn unig)</li> <li>~ Ni fyddai'n amharu ar hyder y cyhoedd</li> <li>~ Byddai'r buddiant yn gyffredin i'r cyhoedd yn gyffredinol</li> <li>~ Byddai modd cyfiawnhau hynny ar sail sgiliau arbenigol</li> <li>~ Byddai'n fater i bwyllgor craffu, <u>ac</u> ni fyddai'n ymwneud â buddiant ariannol</li> <li>~ Byddai a wnelo'r mater â chorff gwirfoddol, <u>ac</u> ni fyddai'n ymwneud â buddiant ariannol</li> <li>~ Byddai er budd y trigolion</li> </ul>	<table border="1" style="width: 100px; height: 100px;"> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> <tr><td> </td></tr> </table>								
<i>(gweler yr atodiad i gael rhagor o fanylion)</i>									

<b>ADRAN 5</b>	<b>Y rhesymau dros gyflwyno fy / ein cais (defnyddier dalen arall lle bo angen)</b>
Empty space for reasons	

**LLOFNODWYD:** \_\_\_\_\_ (Aelod o Gyngor Sir Caerfyrddin)

**DYDDIAD:** .....

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## STANDARDS COMMITTEE 3<sup>RD</sup> JUNE 2016

### APPLICATION FOR DISPENSATION BY COUNCILLOR G HOWELLS

#### 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:

Linda Rees-Jones

Report Author:

Robert Edgecombe

Designations:

Head of Administration & Law

Acting Legal Services Manager

Tel Nos.

01267 224018

E Mail Addresses:

RJEdgeco@carmarthenshire.gov.uk.

**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**3<sup>RD</sup> JUNE 2016**

**APPLICATION FOR DISPENSATION BY CLLR G HOWELLS**

An application for dispensation has been received from Councillor Gerald Howells of Llansteffan and Llanybri Community Council to speak and vote in respect of matters relating to Llansteffan Primary School and Llansteffan Parish Church.

Councillor Howells has a personal interest in such matters by virtue of paragraph 10(2)(ix)(aa) in respect of the school and 10(2)(ix)(ee) in respect of the Parish Church in that;

1. The school is a body exercising functions of a public nature in which, as Chairman of Governors, he holds a position of general control or management. Councillor Howells was not appointed to his current position as a school governor by his community council.
2. The Church should be considered as a private association in which, as a Church Warden, he is a member.

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

The application is based upon two grounds in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely;

- (d) No damage to public confidence
- (f) Justified by the councillors special expertise

Councillor Howells was granted a dispensation to speak but not vote in respect of these matters in December 2015. That dispensation expires on the 10<sup>th</sup> June 2016.

If the committee is minded to grant the application, it has an absolute discretion as to the duration of the grant. It may be until the end of the Councillors term of office, or for a shorter period such as until the committee's meetings on the 9<sup>th</sup> September 2016 or 2<sup>nd</sup> December 2016.

**DETAILED REPORT ATTACHED ?**

**NO**



## 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: **L. Rees Jones** **Head of Administration and Law**

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	ICT <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>NONE</b>	Physical Assets <b>NONE</b>
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## CONSULTATIONS

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

Signed: **L. 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-143	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:	GERALD HOWELLS
Name of your Council:	LLANSTEFFAN + LLANYBRI COMMUNITY COUNCIL
Your address and postcode:	10, GLAN-Y-MOR LLANSTEFFAN SA33 5LL
Contact telephone number(s):	HOME - 01267 241255 MOBILE - 07492 427359
Email address:	gerald.howells@tesco.net

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?	GENERAL DISPENSATION RELATING TO LLANSTEFFAN CHURCH AND LLANSTEFFAN PRIMARY SCHOOL
What is your interest in the above matter?	CHAO OF GOVERNORS OF LLANSTEFFAN SCHOOL CHURCH WARDEN AND WORSHIP LEADER AT LLANSTEFFAN CHURCH
When will the above matter be considered?	GENERAL DISPENSATION REQUESTED

Are you applying for dispensation to:

Speak only: ✓

Speak and vote:

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).

•7 at least half of the members considering the business has an interest	
•8 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;	
•9 my participation would not damage public confidence	✓
•10 the interest is common to me and a significant proportion of the general public;	✓
•11 my participation in the business is justified by my particular role or expertise;	✓
•12 the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	✓
•13 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	✓
•14 it is appropriate to do so in all the circumstances where not otherwise possible to make reasonable adjustments to accommodate a person's disability	

#### 4. 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)**

MY REASONING WAS FULLY SET OUT IN MY ORIGINAL APPLICATION OF THE 16<sup>TH</sup> NOVEMBER 2015 WHICH EXPIRES ON THE 10<sup>TH</sup> JUNE 2016.

I AM THE CHAIR OF SCHOOL GOVERNORS AND OBVIOUSLY THERE IS INTERACTION WITH THE SCHOOL AND THE COMMUNITY ESPECIALLY AS THE COMMUNITY COUNCIL HAS A LEASE OVER THE ADJOINING FIELD KNOWN AS THE MORRA FARM THE COUNTY COUNCIL.

WE ARE A SMALL COMMUNITY AND I AM WELL KNOWN HAVING BEEN INVOLVED IN THE COMMUNITY IN ~~SOME~~<sup>VARIOUS</sup> WAYS FOR SOME 30+ YEARS.

AT THE MOMENT WE DO NOT HAVE A RESIDENT VICAR AND I AM CHURCHWARDEN AND WORSHIP LEADER FOR THE PARISH. THERE ARE MATTERS THAT ARISE RELATING TO SCHOOL AND CHURCH WITHIN THE COMMUNITY COUNCIL IN SUCH A SMALL COMMUNITY WHICH HAVE TO BE ADDRESSED.

EXAMPLES THAT HAVE ARISEN OVER THE LAST SIX MONTHS ARE AS FOLLOWS -

##### SCHOOL

1. APPOINTMENT OF A COMMUNITY COUNCILLOR AS A SCHOOL GOVERNOR.
2. THE FACT THAT A SUBSTANTIAL DONATION WAS GIVEN TO THE SCHOOL BY THE COMMUNITY COUNCIL FOR THE PUPILS TO UNDERGO SWIMMING LESSONS AT THE LEISURE CENTRE.

3. THERE WAS A PROBLEM OVER THE VERY WINDY AND STORMY WINTER PERIOD REGARDING SAFETY OF TREES IN A HEDGE BETWEEN THE SCHOOL AND THE MORAFA FIELD AND ALSO SOME SAFETY ISSUES REGARDING THE COMMUNITY COUNCIL MAINTAINED PLAY AREA ADJOINING THE SCHOOL.

### CHURCH

COMPLAINTS WERE ADDRESSED TO THE COMMUNITY COUNCIL REGARDING BELL RINGING IN THE CHURCH AND TREES OVERHANGING THE CHURCH BOUNDARY WALL AND CHURCH LANE ROADWAY. CONCERNS WERE ALSO EXPRESSED BY THE ELECTORATE TO THE COMMUNITY COUNCIL ABOUT THE FALLING NUMBER OF PLACES FOR BURIAL IN THE CHURCHYARD.

DUE TO THE FACT THAT GENERAL DISPENSATION HAD BEEN GIVEN I AM ABLE TO SPEAK AND INFORM THE COMMUNITY COUNCIL AND THE PUBLIC IN MEETINGS AND SATISFACTORILY ADDRESS THE SITUATIONS WHEN ABLE TO DO SO WITHOUT MAJOR PROBLEMS ARISING. I WOULD CERTAINLY NOT WISH TO VOTE ON SUCH ISSUES  
(please continue on a separate sheet if necessary)

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 the Standards Committee. I request a dispensation in respect of the above matter.

Signed: *L. H. H. H.*

Date: 9<sup>TH</sup> MAY 2016

MEMBER OF WAINSTEFFAN

WAINSTEFFAN

COMMUNITY COUNCIL

## STANDARDS COMMITTEE 3<sup>RD</sup> JUNE 2016

### APPLICATION FOR DISPENSATION BY COUNCILLOR G THOMAS

#### 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:

Linda Rees-Jones

Report Author:

Robert Edgecombe

Designations:

Head of Administration & Law

Acting Legal Services Manager

Tel Nos.

01267 224018

E Mail Addresses:

RJEdgeco@carmarthenshire.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
3<sup>RD</sup> JUNE 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLOR G THOMAS**

An application for dispensation has been received from County Councillor Gareth Thomas to speak and/or make written representations concerning any matter relating to farming in general.

Councillor Thomas has a personal interest in such matters by virtue of paragraph 10(2)(a)(i) of the Code of Conduct as they relate to any employment or business carried on by Councillor Thomas who is himself a farmer.

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

The application is submitted on 2 grounds specified in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely;  
(d) No damage to public confidence  
(f) Participation is justified by the member's special expertise.

Councillor Thomas was granted a dispensation on similar terms (but limited to matters relating to dairy farming only) on the 29<sup>th</sup> July 2015. A dispensation was also granted to Cllr Thomas in relation to farming in general in December 2015. This dispensation expires on the 10<sup>th</sup> June 2016.

If the committee is minded to grant the application, it has an absolute discretion as to duration. It may grant the dispensation until the end of the Councillor's term of office, or until the Committee's meetings on the 9<sup>th</sup> September 2016 or 2<sup>nd</sup> December 2016.

DETAILED REPORT ATTACHED ?

NO



## 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: **L. Rees Jones** **Head of Administration and Law**

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	ICT <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>NONE</b>	Physical Assets <b>NONE</b>
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## CONSULTATIONS

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

Signed: **L. 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-143	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 Gareth Thomas & Cllr Jean Lewis

Name of your Council: Carmarthenshire County Council

Your address and postcode:

Contact telephone number(s):

Email address:

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Farming in general

What is your interest in the above matter?

We are both farmers, working and farming in the County.

When will the above matter be considered?

No fixed date. Matters relating to farming are occasionally discussed at of meetings of the  
Council and its committees

Are you applying for dispensation to:

Speak only:           x

Speak and vote:   

Make written  
Representations   x

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;	x <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	<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)***

Issues relating to farming and the problems it faces are often the subject of discussion and debate in council meetings. We both have considerable expertise as farmers living and working in the County as to the issues facing the industry and believe that it would not harm public confidence if we were allowed to speak on such matters or make written representations.

We were both granted dispensations on this basis in December 2015, which expire on the 10<sup>th</sup> June 2016.

*(please continue on a separate sheet if necessary)*

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:

Date:

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"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>	
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:

- (a) 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;
- (b) 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;
- (c) 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



## STANDARDS COMMITTEE 3<sup>RD</sup> JUNE 2016

### APPLICATION FOR DISPENSATION BY COUNCILLOR J LEWIS

#### 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:

Linda Rees-Jones

Report Author:

Robert Edgecombe

Designations:

Head of Administration & Law

Acting Legal Services Manager

Tel Nos.

01267 224018

E Mail Addresses:

RJEdgeco@carmarthenshire.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
3<sup>RD</sup> JUNE 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLOR J LEWIS**

An application for dispensation has been received from County Councillor Jean Lewis to speak and/or make written representations concerning any matter relating to farming in general.

Councillor Lewis has a personal interest in such matters by virtue of paragraph 10(2)(a)(i) of the Code of Conduct as they relate to any employment or business carried on by Councillor Lewis who is herself a farmer.

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

The application is submitted on 2 grounds specified in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely;  
(d) No damage to public confidence  
(f) Participation is justified by the member's special expertise.

Councillor Lewis was granted a dispensation on similar terms (but limited to matters relating to dairy farming only) in July 2015 and in respect of farming in general in December 2015. This latter dispensation expires on the 10<sup>th</sup> June 2016.

If the committee is minded to grant the application, it has an absolute discretion as to duration. It may grant the dispensation until the end of the Councillor's term of office, or until the Committee's meetings on the 9<sup>th</sup> September 2016 or 2<sup>nd</sup> December 2016.

DETAILED REPORT ATTACHED ?

NO

## 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: **L. Rees Jones** **Head of Administration and Law**

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	ICT <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>NONE</b>	Physical Assets <b>NONE</b>
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## CONSULTATIONS

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

Signed: **L. 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-143	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 Gareth Thomas & Cllr Jean Lewis

Name of your Council: Carmarthenshire County Council

Your address and postcode:

Contact telephone number(s):

Email address:

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Farming in general

What is your interest in the above matter?

We are both farmers, working and farming in the County.

When will the above matter be considered?

No fixed date. Matters relating to farming are occasionally discussed at of meetings of the  
Council and its committees

Are you applying for dispensation to:

Speak only:           x

Speak and vote:   

Make written  
Representations   x

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;	x <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	<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)***

Issues relating to farming and the problems it faces are often the subject of discussion and debate in council meetings. We both have considerable expertise as farmers living and working in the County as to the issues facing the industry and believe that it would not harm public confidence if we were allowed to speak on such matters or make written representations.

We were both granted dispensations on this basis in December 2015, which expire on the 10<sup>th</sup> June 2016.

*(please continue on a separate sheet if necessary)*

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:

Date:

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"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>	
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:

- (a) 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;
- (b) 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;
- (c) 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

## STANDARDS COMMITTEE 3<sup>RD</sup> JUNE 2016

### APPLICATION FOR DISPENSATION BY COUNCILLOR J 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:

Linda Rees-Jones

Report Author:

Robert Edgecombe

Designations:

Head of Administration & Law

Acting Legal Services Manager

Tel Nos.

01267 224018

E Mail Addresses:

RJEdgeco@carmarthenshire.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
3<sup>RD</sup> JUNE 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLOR J JONES**

An application for dispensation to speak only in respect of matters relating to or likely to affect the Annual Llandeilo Fawr Festival of Music has been received from Councillor Julia Jones of Llandeilo Town Council.

Councillor Jones has a personal interest in matters relating to or likely to affect the Festival by virtue of paragraph 10(2)(ix)(bb) of the code, namely that she is a Trustee and its Artistic Director.

Councillor Jones seeks a dispensation on the following grounds in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001;

- (d) No damage to public confidence
- (f) Justified due to special expertise
- (h) Voluntary organisation (does not extend to voting)

Councillor Jones was granted a dispensation on identical terms in December 2015, which is due to expire on the 10<sup>th</sup> June 2016

If the Committee is minded to grant the application, it has an absolute discretion as to the duration that dispensation is granted for. It may grant dispensation until the end of the Councillors term of office, or for a shorter period such as until the committee's meetings on the 9<sup>th</sup> September 2016 or 2<sup>nd</sup> December 2016.

DETAILED REPORT ATTACHED ?

NO

## 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: L. Rees Jones Head of Administration and Law

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	ICT <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>NONE</b>	Physical Assets <b>NONE</b>
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## CONSULTATIONS

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

Signed: L. 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-143	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: **Julia Jones**

Name of your Council: **Llandeilo Town Council**

Your address and postcode:

Contact telephone number(s):

Email address: [juliajones.heelappeal@tesco.net](mailto:juliajones.heelappeal@tesco.net)

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

**Matters relating to or affecting the Annual Llandeilo Fawr Festival of Music**

What is your interest in the above matter?

**Artistic Director and one of the Trustees of the Festival**

When will the above matter be considered?

**No fixed date. Occasionally Council business relates to or has the potential to affect the festival.**

Are you applying for dispensation to:

Speak only:

Speak and vote:

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	<input checked="" 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 checked="" 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	<input checked="" 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)***

**I am the founder and artistic director of the Llandeilo Fawr Festival of Music. It is an immensely challenging task to promote and organise the Festival, which brings many benefits to the town and the surrounding area.**

**The support of the Town Council is crucial to the success of the Festival. Without it the Festival would probably not have continued as long as it has done.**

**My involvement in the Festival is entirely voluntary, and this has been the case since it started 15 years ago.**

**I do not receive any kind of remuneration for my work and have never been reimbursed for the expenses that I have incurred over the years. I have no financial interest in the festival and all monies it makes are reinvested in future events. The Festival is a registered Charity (No. 1138432).**

**Without a dispensation I am unable to speak in Council meetings on any matter relating to or likely to affect the Festival. Although at the time of making this application I have not had reason to use the dispensation granted in December 2015, I am aware that I may need to make use of it on at least one occasion before it expires on the 10<sup>th</sup> June, 2016.**

*(please continue on a separate sheet if necessary)*

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: J Jones

Date: 20 / MAY / 2016

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"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>	
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:

- (a) 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;
- (b) 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;
- (c) 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

## STANDARDS COMMITTEE 3<sup>RD</sup> JUNE 2016

### APPLICATION FOR DISPENSATION BY COUNCILLOR J F GWYNFRYN-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:

Linda Rees-Jones

Report Author:

Robert Edgecombe

Designations:

Head of Administration & Law

Acting Legal Services Manager

Tel Nos.

01267 224018

E Mail Addresses:

RJEdgeco@carmarthenshire.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
3<sup>RD</sup> JUNE 2016**

**APPLICATION FOR DISPENSATION BY CLLR J F GWYNFRYN - EVANS**

An application for dispensation to speak and vote has been received from Councillor Jonathan Francis Gwynfryn-Evans of Ammanford Town Council in respect of matters relating to the Ammanford Enterprise Partnership Limited. (Copy attached)

Councillor Gwynfryn-Evans has a personal interest in these matters by virtue of paragraph 10(2)(x)(c)(v) of the Code in that his friend is a Director of that company. The nature of the friendship is such that this individual should properly be considered a close personal associate of the applicant.

This interest is also 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 when dealing with matters relating to or likely to affect the company.

The application is submitted on the following grounds in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely;

- (c) the inability to participate would upset the political balance of the council to such an extent that the outcome would be affected
- (d) no damage to public confidence
- (e) the interest is common to the Councillor and a significant proportion of the general public

The committee should note that paragraph (c) only applies to members of County or County Borough Councils.

If the committee is minded to grant the application, it has absolute discretion as to its duration. It may grant the dispensation for the remainder of the councillor's term of office or until its meetings on the 9<sup>th</sup> September 2016 or 2<sup>nd</sup> December 2016

DETAILED REPORT ATTACHED ?

NO

## 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: **L. Rees Jones** **Head of Administration and Law**

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	ICT <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>NONE</b>	Physical Assets <b>NONE</b>
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## CONSULTATIONS

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

Signed: **L. 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-143	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: Jonathan Francis Gwynfryn-Evans

Name of your Council: Ammanford Town Council

Your address and postcode: 4 Rice Street, Betws, Ammanford, SA18 2HA

Contact telephone number(s): 07414 864093 or 01269 594242

Email address: jfge@btinternet.com

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Non prejudiced support for events in Ammanford including those organised by or involving the Ammanford Enterprise Partnership

What is your interest in the above matter?

My friend is a director of the Ammanford Enterprise Partnership

When will the above matter be considered?

At various times during the next 6 months

Are you applying for dispensation to:

Speak only:

Speak and vote:

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 checked="" type="checkbox"/>
• my participation would not damage public confidence	<input checked="" type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input checked="" 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	<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)***

It has been brought to my attention that I may need to seek dispensation for council meetings to allow me to discuss and vote in discussions relating to community events involving the Ammanford Enterprise Partnership. I am not directly involved with the Ammanford Enterprise Partnership, though my friend is a director. The company is a not for profit organisation in which none of the 3 company directors receive financial remuneration for the work they do on behalf of the company. There are no employees or members and all monies raised are put back into community events.

As a town council member my interests lie in supporting activities which promote our community and benefit the inhabitants of Ammanford. As a representative of this community I maintain a non-prejudiced approach to all matters concerning Ammanford Town Council and its support of local organisations. However there seems to be a distinct negative approach from the Labour members of our town council in relation to involvement of Plaid Cymru members in activities deemed to be potentially positive within the community. With Labour having held power for so many years and with a 53% to 47% split between the parties, we are in the minority, all too often out voted when common sense might suggest that a positive outcome should be achieved.

As a member of the Ammanford On Track Team I have regular contact with members of a whole range of organisations who are involved with events in Ammanford during the calendar year. This contact gives me valuable insight into the support these organisations might need and information that I may share with my council colleagues. Some of these have and still do receive funding from Ammanford Town Council, CCC and ATAT, including the Ammanford Twinning Association, Ammanford Rotary, Ammanford Chamber of Trade, the AEP and Menter Bro Dinefwr. I have participated in many events over the last two years involving these organisations. I provide voluntary assistance when required in the form of transportation, physical labour, the loan of equipment and intellectual support.

Some Ammanford Town Councillors do not possess the skills, resources or initiative to support and participate in large scale community events. For this reason it is all the more important that I make an effort and join other town councillors who do get involved. As I have the skills and resources at my disposal, along with the wish to do my bit for the community, I make every effort to participate, voluntarily offering my services.

(please continue on a separate sheet if necessary)

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:

Jonathan Gwynn-Evans

Date:

21 / 05 / 2016

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"><li>• your employment or business,</li><li>• your employer, firm or company</li><li>• a contract made between the Council and you</li><li>• any land, lease or licence in which you have an interest</li><li>• a public body or other association in which you have membership or hold a position of general control or management</li></ul>	
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:

- (a) 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;
- (b) 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;
- (c) 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 person's disability

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## STANDARDS COMMITTEE 3<sup>RD</sup> JUNE 2016

<b>APPROVAL OF CHANGES TO MEMBERS CODE OF CONDUCT</b>		
<b>Recommendations / key decisions required:</b> To consider the report and make recommendations to Full Council		
<b>Reasons:</b> The changes reflect those made to the model code and must be adopted		
Scrutiny Committee recommendations / comments: Not applicable		
Exec Board Decision Required	NO	
Council Decision Required	YES	
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  
3<sup>RD</sup> JUNE 2016**

**APPROVAL OF CHANGES TO MEMBERS CODE OF CONDUCT**

On the 1<sup>st</sup> April 2016 The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016 came into force, introducing changes to the Model Code of Conduct for elected and co-opted members.

A report was presented to the Standards Committee on the 11<sup>th</sup> April 2016 which sought approval for the changes to the Code in accordance with the 2016 Order.

Unfortunately the report erroneously omitted several of the changes required by the order.

The committee is therefore requested to approve the revised Code of Conduct attached to this report, which now includes all the required changes, so that it may then proceed to Full Council for formal adoption at its meeting in July.

The changes are highlighted on the attached copy of the Code

**DETAILED REPORT ATTACHED ?**

**NO**



## 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: **L. Rees Jones** **Head of Administration and Law**

Policy, Crime & Disorder and Equalities <b>NONE</b>	Legal <b>NONE</b>	Finance <b>NONE</b>	ICT <b>NONE</b>	Risk Management Issues <b>NONE</b>	Staffing Implications <b>NONE</b>	Physical Assets <b>NONE</b>
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## CONSULTATIONS

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

Signed: **L. 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**

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Legal file	DPSC-143	Legal Services, County Hall

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**PART 5**  
**CODES AND PROTOCOLS**

**PART 5.1**

**CARMARTHENSHIRE COUNTY COUNCIL**

**CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS**

**PART 1**

**INTERPRETATION**

1.—(1) In this code —

“co-opted member” in relation to a relevant authority, means a person who is not a member of the authority but who —

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

“meeting” means any meeting —

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

“member” includes, unless the context requires otherwise, a co-opted member;

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

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

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

“relevant authority” means—

- (a) a county council,
- (b) a county borough council,
- (c) a community council,
- (d) a fire and rescue authority constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 or a scheme to which section 4 of that Act applies,
- (e) a National Park authority established under section 63 of the Environment Act 1995;

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

“your authority” means the relevant authority of which you are a member or co-opted member.

(2) In relation to a community council—

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

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

## PART 2

### GENERAL PROVISIONS

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

- (a) whenever you conduct the business, or are present at a meeting, of your authority;
- (b) whenever you act, claim to act or give the impression you are acting in the role of member to which you were elected or appointed;
- (c) whenever you act, claim to act or give the impression you are acting as a representative of your authority; or
- (d) at all times and in any capacity, in respect of conduct identified in paragraphs 6(1)(a) and 7.

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

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

- (a) on another relevant authority, or any other body, which includes ~~a police authority~~ or Local Health Board you must, when acting for that other authority or body, comply with the code of conduct of that other authority or body; or
- (b) on any other body which does not have a code relating to the conduct of its members, you must, when acting for that other body, comply with this code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

4. You must —

- (a) carry out your duties and responsibilities with due regard to the principle that there should be equality of opportunity for all people, regardless of their gender, race, disability, sexual orientation, age or religion;
- (b) show respect and consideration for others;
- (c) not use bullying behaviour or harass any person; and
- (d) not do anything which compromises, or which is likely to compromise, the impartiality of those who work for, or on behalf of, your authority.

**5. You must not —**

- (a) disclose confidential information or information which should reasonably be regarded as being of a confidential nature, without the express consent of a person authorised to give such consent, or unless required by law to do so;
- (b) prevent any person from gaining access to information to which that person is entitled by law.

**6.—(1) You must —**

- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute;
- (b) report, whether through your authority's confidential reporting procedure or direct to the proper authority, any conduct by another member or anyone who works for, or on behalf of, your authority which you reasonably believe involves or is likely to involve criminal behaviour (which for the purposes of this paragraph does not include offences or behaviour capable of punishment by way of a fixed penalty);
- (c) report to ~~the Public Services Ombudsman for Wales and to~~ your authority's monitoring officer any conduct by another member which you reasonably believe breaches this code of conduct;
- (d) not make vexatious, malicious or frivolous complaints against other members or anyone who works for, or on behalf of, your authority.

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

**7. You must not —**

- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage;
- (b) use, or authorise others to use, the resources of your authority —
  - (i) imprudently;
  - (ii) in breach of your authority's requirements;
  - (iii) unlawfully;
  - (iv) other than in a manner which is calculated to facilitate, or to be conducive to, the discharge of the functions of the authority or of the office to which you have been elected or appointed;
  - (v) improperly for political purposes; or
  - (vi) improperly for private purposes.

**8. You must —**

- (a) when participating in meetings or reaching decisions regarding the business of your authority, do so on the basis of the merits of the circumstances involved and in the public interest having regard to any relevant advice provided by your authority's officers, in particular by —
  - (i) the authority's head of paid service;
  - (ii) the authority's chief finance officer;
  - (iii) the authority's monitoring officer;
  - (iv) the authority's chief legal officer (who should be consulted when there is any doubt as to the authority's power to act, as to whether the action proposed lies within the policy framework agreed by the authority or where the legal consequences of action or failure to act by the authority might have important repercussions);
  
- (b) give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

**9. You must —**

- (a) observe the law and your authority's rules governing the claiming of expenses and allowances in connection with your duties as a member;
- (b) avoid accepting from anyone gifts, hospitality (other than official hospitality, such as a civic reception or a working lunch duly authorised by your authority), material benefits or services for yourself or any person which might place you, or reasonably appear to place you, under an improper obligation.

**PART 3  
INTERESTS  
Personal Interests**

- 10.—**(1) You must in all matters consider whether you have a personal interest, and whether this code of conduct requires you to disclose that interest.
- (2) You must regard yourself as having a personal interest in any business of your authority if —
- (a) it relates to, or is likely to affect —
    - (i) any employment or business carried on by you;
    - (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
    - (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any —
  - (aa) public authority or body exercising functions of a public nature;
  - (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
  - (cc) body whose principal purposes include the influence of public opinion or policy;
  - (dd) trade union or professional association; or
  - (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;
- (x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

~~(b) a member of the public might reasonably perceive a conflict between your role in taking a decision, upon that business, on behalf of your authority as a whole and your role in representing the interests of constituents in your ward or electoral division; or (repealed by The Local Authorities (Model Code of Conduct) (Wales) (Amendment) Order 2016)~~

- (c) a decision upon it might reasonably be regarded as affecting —
  - (i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;
  - (ii) any employment or business carried on by persons as described in 10(2)(c)(i);
  - (iii) any person who employs or has appointed such persons described in 10(2)(c)(i), any firm in which they are a partner, or any company of which they are directors;



- (iv) any corporate body in which persons as described in 10(2)(c)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
- (v) any body listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(c)(i) hold a position of general control or management, to a greater extent than the majority of—
  - (aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or
  - (bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

### **Disclosure of personal interests**

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

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

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

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

- (4) You must, in respect of a personal interest not previously disclosed, before or immediately after the close of a meeting where the disclosure is made pursuant to sub-paragraph 11(1), give written notification to your authority in accordance with any requirements identified by your authority's monitoring officer or in relation to a Community Council, your Authority's proper officer from time to time but, as a minimum containing —
- (a) details of the personal interest;
  - (b) details of the business to which the personal interest relates; and
  - (c) your signature.
- (5) Where you have agreement from your monitoring officer that the information relating to your personal interest is sensitive information, pursuant to paragraph 16(1), your obligations under this paragraph 11 to disclose such information, whether orally or in writing, are to be replaced with an obligation to disclose the existence of a personal interest and to confirm that your monitoring officer has agreed that the nature of such personal interest is sensitive information.
- (6) For the purposes of sub-paragraph (4), a personal interest will only be deemed to have been previously disclosed if written notification has been provided in accordance with this code since the last date on which you were elected, appointed or nominated as a member of your authority.
- (7) For the purposes of sub-paragraph (3), where no written notice is provided in accordance with that paragraph you will be deemed as not to have declared a personal interest in accordance with this code.

### **Prejudicial interests**

- 12.—**(1) Subject to sub-paragraph (2) below, where you have a personal interest in any business of your authority you also have a prejudicial interest in that business if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
- (2) Subject to sub-paragraph (3), you will not be regarded as having a prejudicial interest in any business where that business—
- (a) relates to —
    - (i) another relevant authority of which you are also a member;
    - (ii) another public authority or body exercising functions of a public nature in which you hold a position of general control or management;
    - (iii) a body to which you have been elected, appointed or nominated by your authority;
    - (iv) your role as a school governor (where not appointed or nominated by your authority) unless it relates particularly to the school of which you are a governor;

(v) your role as a member of a Local Health Board where you have not been appointed or nominated by your authority;

(b) relates to —

(i) the housing functions of your authority where you hold a tenancy or lease with your authority, provided that you do not have arrears of rent with your authority of more than two months, and provided that those functions do not relate particularly to your tenancy or lease;

(ii) the functions of your authority in respect of school meals, transport and travelling expenses, where you are a guardian, parent, grandparent or have parental responsibility (as defined in section 3 of the Children Act 1989) of a child in full time education, unless it relates particularly to the school which that child attends;

(iii) the functions of your authority in respect of statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of such pay from your authority;

(iv) ~~the functions of your authority in respect of an allowance or payment made under sections 22(5), 24(4) and 173 to 176 of the Local Government Act 1972, an allowance or pension under section 18 of the Local Government and Housing Act 1989 or an allowance or payment under section 100 of the Local Government Act 2000;~~

~~the functions of your authority in respect of an allowance or payment made in accordance with the provisions of Part 8 of the Local Government (Wales) Measure 2011 or an allowance or pension provided under section 18 of the Local Government and Housing Act 1989~~

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

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

### **Overview and scrutiny committees**

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

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

### **Participation in Relation to Disclosed Interests**

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

- (a) withdraw from the room, chamber or place where a meeting considering the business is being held—
  - (i) where sub-paragraph (2) applies, immediately after the period for making representations, answering questions or giving evidence relating to the business has ended and in any event before further consideration of the business begins, whether or not the public are allowed to remain in attendance for such consideration; or
  - (ii) in any other case, whenever it becomes apparent that that business is being considered at that meeting;
- (b) not exercise executive or board functions in relation to that business;
- (c) not seek to influence a decision about that business;
- (d) not make any written representations (whether by letter, facsimile or some other form of electronic communication) in relation to that business; and
- (e) not make any oral representations (whether in person or some form of electronic communication) in respect of that business or immediately cease to make such oral representations when the prejudicial interest becomes apparent.

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

**(2A) Where you have a prejudicial interest in any business of your authority you**

may submit written representations to a meeting relating to that business, provided that the public are allowed to attend the meeting for the purpose of making representations, answering questions or giving evidence relating to the business, whether under a statutory right or otherwise

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

- (3) Sub-paragraph (1) does not prevent you attending and participating in a meeting if —
- (a) you are required to attend a meeting of an overview or scrutiny committee, by such committee exercising its statutory powers; or
  - (b) you have the benefit of a dispensation provided that you —
    - (i) state at the meeting that you are relying on the dispensation; and
    - (ii) before or immediately after the close of the meeting give written notification to your authority containing —
      - (aa) details of the prejudicial interest;
      - (bb) details of the business to which the prejudicial interest relates;
      - (cc) details of, and the date on which, the dispensation was granted; and
      - (dd) your signature.
- (4) Where you have a prejudicial interest and are making written or oral representations to your authority in reliance upon a dispensation, you must provide details of the dispensation within any such written or oral representation and, in the latter case, provide written notification to your authority within 14 days of making the representation.

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## PART 4 THE REGISTER OF MEMBERS' INTERESTS

### *Registration of Financial and Other Interests and Memberships and Management Positions*

#### *Registration of Personal Interests*

~~15.—(1) Subject to sub-paragraph (3), you must, within 28 days of —~~

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

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

~~register your financial interests and other interests, where they fall within a category mentioned in paragraph 10(2)(a) in your authority's register maintained under section 81(1) of the Local Government Act 2000 by providing written notification to your authority's monitoring officer.~~

~~(2) You must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under sub-paragraph (1), register that new personal interest or change by providing written notification to your authority's monitoring officer.~~

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

~~(4) Sub-paragraph (1) will not apply if you are a member of a relevant authority which is a community council when you act in your capacity as a member of such an authority~~

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

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

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

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

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

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

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

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

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

your authority's monitoring officer, or in the case of a community council or your authority's property officer

### **Sensitive information**

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

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

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

### **Registration of Gifts and Hospitality**

**17.** You must, within 28 days of receiving any gift, hospitality, material benefit or advantage above a value of £25, provide written notification to your authority's Monitoring Officer or in relation to a community council, to your authority's proper officer of the existence and nature of that gift, hospitality, material benefit or advantage.

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