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**TUESDAY, 9 JANUARY 2024**

**TO: ALL MEMBERS OF THE STANDARDS COMMITTEE**

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **STANDARDS COMMITTEE** WHICH WILL BE HELD IN THE **CHAMBER, COUNTY HALL, CARMARTHEN, SA31 1JP AND REMOTELY AT 1.30 PM ON TUESDAY, 16TH JANUARY, 2024** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Janine Owen</b>
<b>Telephone (direct line):</b>	<b>01267 224030</b>
<b>E-Mail:</b>	<b>JanineOwen@carmarthenshire.gov.uk</b>
This is a multi-location meeting. Committee members can attend in person at the venue detailed above or remotely via the Zoom link which is provided separately.	
The meeting can be viewed on the Authority's website via the following link:- <a href="https://carmarthenshire.public-i.tv/core/portal/home">https://carmarthenshire.public-i.tv/core/portal/home</a>	

Wendy Walters Prif Weithredwr, *Chief Executive*,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
*County Hall, Carmarthen. SA31 1JP*

# STANDARDS COMMITTEE

9 MEMBERS

## MEMBERSHIP: 9 MEMBERS

### Independent Members (5)

1. Mrs Mary Dodd
2. Ms Caryl Davies
3. Mrs Daphne Evans
4. Mrs Julie James
5. Mr Frank Phillips

### Community Committee Member (1)

1. Town Councillor Phillip Rogers

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

1. Councillor Betsan Jones
2. Councillor Rob James
3. Councillor Gareth 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 MEETING OF THE COMMITTEE HELD ON THE 11TH DECEMBER 2023** 5 - 8
4. **DISPENSATION APPLICATION BY COUNCILLOR ALED DAVIES, COUNCILLOR ALUN DAVIES, COUNCILLOR ARWEL DAVIES, COUNCILLOR MARK HARRIES, COUNCILLOR ANDREW THOMAS** 9 - 18
5. **DISPENSATION APPLICATION BY COUNCILLOR PETER COMLEY** 19 - 28
6. **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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## STANDARDS COMMITTEE

**MONDAY, 11 DECEMBER 2023**

**PRESENT:** M. Dodd (Chair)

**Independent Members (In Person):**

D. Evans J. James

**Independent Members (Virtually):**

C. Davies F. Phillips P. Rogers

**Also Present (In Person):**

R. Edgecombe, Legal Services Manager  
L. Davies, Simultaneous Translator  
D. Hall-Jones, Member Support Officer  
K. Thomas, Democratic Services Officer

**Also Present (Virtually):**

E. Evans, Principal Democratic Services Officer

**Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 2.00 - 3.00 pm**

**1. APOLOGIES FOR ABSENCE.**

Apologies for absence were received from Councillors B. Jones and G.B. Thomas.

**2. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of personal interest.

**3. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 19TH OCTOBER 2023.**

**UNANIMOUSLY RESOLVED** that the minutes of the meeting of the Standards Committee held on the 19<sup>th</sup> October, 2023 be signed as a correct record.

**4. ACTIONS UPDATE**

The Committee received a report detailing the progress achieved in relation to the actions, requests or referrals that had emanated from previous meetings.

**UNANIMOUSLY RESOLVED** that the report be received.

**5. REVIEW OF DISCIPLINARY HEARING PROCEDURES**

Note: These minutes are subject to confirmation at the next meeting.

The Committee considered a report detailing a revised procedure for the hearing of Code of Conduct disciplinary proceedings against councillors to that previously adopted in June 2022 with the changes reflecting the experience gained in conducting two hearings in 2023. The amended procedure was detailed within the annexe to the report with the main changes to that previously agreed being:

1. Amending the procedures to reflect that the Councillor may be legally represented.
2. Make it clear that final hearings will usually be heard in public.
3. Providing for questions to be put to the Ombudsman's investigating officer (where that officer is not also a witness in the case)
4. Including a general statement that procedure is intended to provide justice and fairness both for the councillor who is subject for the investigation and any other parties involved and that it is also intended to fulfil the wider public interest of having an open and fair adjudication process.
5. Including a general statement that the Committee may revise the procedure in any case having regard to the public interest and the need for a proportionate adjudication process.

The Committee noted that whilst consideration had been given to the proposal that the initial assessment and pre-hearing review stages should be merged to reduce the overall length of time involved, that would not be possible for legal reasons. Instead, that part of the procedure had been streamlined as much as it could.

The Committee noted that the reference to 'subject for the investigation' in the second paragraph of page 19 should be amended to read 'subject of the investigation'.

The Legal Services Manager referred to a query raised on part 6.1 of the procedure relating to the case being heard in public, and confirmed that he could amend the wording to clarify that attendance by members of the public at the hearing would be as 'observers only' and that they would not be permitted to participate in the hearing.

Reference was made to 9.1 of the policy adopted in June 2022 ie: 'Where requested the Hearing will be conducted in Welsh in order to comply with statutory requirements and Welsh Language Standards. A translation service will be provided for any person attending the Hearing that requires it'. The Committee was advised that element had not been included within the new procedure. The Legal Services Manager confirmed the new procedure would be amended to re-insert that wording.

The Legal services manager in response to a question on the inclusion of timings under part 4 of the proceedings confirmed that was catered for within 4.2 but that he could amend the wording of 4.2 to read 'accurate timings'

**UNANIMOUSLY RESOLVED that, subject to the amendments referred to above, the revised formal procedure for the hearing of Code of Conduct disciplinary proceedings against councillors in the event of a report being**

Note: These minutes are subject to confirmation at the next meeting.

received from the Public Services Ombudsman for Wales, pursuant to Part III of the Local Government Act 2000, be adopted.

## **6. GIFTS AND HOSPITALITY**

The Committee received a report detailing the number of declarations made by Carmarthenshire County Councillors in accordance with Paragraph 17 of the Members Code of Conduct for gifts and hospitality received over the value of £25 subsequent to the local government elections in May 2022. It was noted that 8 declarations had been received.

**UNANIMOUSLY RESOLVED that the report be received.**

## **7. PROTOCOL FOR RESOLVING LOW LEVEL MEMBER ON MEMBER CODE BREACH COMPLAINTS**

The Committee received the Council's protocol for resolving low level member on member code breach complaints, as adopted on the 10<sup>th</sup> July 2013, which typically related to alleged failures to show respect and consideration for others, as required by paragraph 4(b) of the Code, or the making of vexatious, malicious or frivolous complaints against other members under paragraph 6(1)(d) of the Code.

It was noted that the Local Government and Elections (Wales) Act imposed a new duty on Group Leaders to promote high standards of conduct amongst their group members, which was consistent with the arrangements adopted by the Council in 2013.

The Legal Services Manager in response to a query on the section of the report relating to 'Persistent Breaches' and on who would be responsible for reporting a member's persistent breaches of the Code to the Ombudsman, advised he would raise that issue with the Council's Monitoring Officer and inform members of the outcome of that discussion by e-mail. If, following that advice, members considered it to be appropriate, a report thereon could be prepared for consideration by the Committee at its next meeting in March 2024. He also clarified that any subsequent changes to the protocol would need to be determined by the Council.

**UNANIMOUSLY RESOLVED that the report be received.**

## **8. GROUP LEADERS DUTY**

The Committee considered a report on Group Leaders duties under the Local Government and Elections (Wales) Act and to Welsh Government Guidance and was advised that subsequent to its meeting held in September 2023 it was required to agree on the following 4 issues:

1. Any changes to the template to be used by Group Leaders when reporting to the committee (a copy of which was appended to the report).

2. The deadline by which such reports are to be submitted.

Note: These minutes are subject to confirmation at the next meeting.

3. The date on which the committee is to meet Group Leaders at the start of the 2024-2025 municipal year.
4. The criteria against which the performance of the Group Leaders is to be measured (a copy of which was appended to the report).

The Legal Services Manager referred to points 2 and 3 above and advised that, provisionally, the 22<sup>nd</sup> April 2024 had been set aside within the Council's diary for the Committee to meet with the Group Leaders and suggested that if the Committee was agreeable to that date then the deadline for the submission of their reports would be the 5<sup>th</sup> April 2024

Reference was made to the use by members of online communications eg face book what's app etc in relation to the promotion of civility and respect. The Legal Services Manager suggested that an appropriate additional line covering that aspect could be included within both the template and the criteria against which performance would be measured.

#### **UNANIMOUSLY RESOLVED**

- 8.1 **That the template to be used by Group Leaders be approved subject to the inclusion of an additional line to address promoting civility and respect in all on-line communications**
  - 8.2 **The deadline for the submission of Group Leader reports be the 5<sup>th</sup> April, 2024.**
  - 8.3 **That the Committee meet with Group Leaders on the 22<sup>nd</sup> April, 2024.**
  - 8.4 **That the criteria against which the performance of the Group Leaders was to be measured be approved subject to the inclusion of an additional criteria relating to the monitoring of on-line communications.**
9. **ANY OTHER ITEMS OF BUSINESS THAT BY REASON OF SPECIAL CIRCUMSTANCES THE CHAIR DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY PURSUANT TO SECTION 100B(4)(B) OF THE LOCAL GOVERNMENT ACT 1972.**

There were no items of urgent business.

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**CHAIR**

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**DATE**

Note: These minutes are subject to confirmation at the next meeting.



**16<sup>TH</sup> JANUARY 2024**

**DISPENSATION APPLICATION BY COUNCILLOR ALED DAVIES,  
COUNCILLOR ALUN DAVIES, COUNCILLOR ARWEL DAVIES,  
COUNCILLOR MARK HARRIES, COUNCILLOR ANDREW THOMAS**

**Purpose:**

To consider the application and determine whether to grant dispensation

**To consider and comment on the following issues:**

To decide whether to grant the dispensation application

**Reasons:**

Cllrs Aled Davies, Alun Davies, Arwel Davies, Mark Harris, Andrew Thomas have a personal and prejudicial interest which would otherwise prevent their participating in this council business

**CABINET MEMBER PORTFOLIO HOLDER: Not Applicable**

**Directorate**

**Name of Head of Service:**

Linda Rees Jones

**Report Author:**

Robert Edgecombe

**Designations:**

Head of Administration and Law

Legal Services Manager

**Tel Nos.**

01267 224012

[LRJones@carmarthenshire.gov.uk](mailto:LRJones@carmarthenshire.gov.uk)

01267 224018

[rjedgeco@carmarthenshire.gov.uk](mailto:rjedgeco@carmarthenshire.gov.uk)

# EXECUTIVE SUMMARY

## STANDARDS COMMITTEE 16<sup>TH</sup> JANUARY 2024

### **DISPENSATION APPLICATION BY COUNCILLOR ALED DAVIES, COUNCILLOR ALUN DAVIES, COUNCILLOR ARWEL DAVIES, COUNCILLOR MARK HARRIES, COUNCILLOR ANDREW THOMAS**

A dispensation application has submitted by the clerk to Manordeilo and Salem Community Council on behalf of 5 councillors to speak and vote and make written representations in relation to council business regarding the Bute Energy Towy Usk Energy Scheme

Each councillor would have a personal and prejudicial interest in such business. Details of their interests are set out in a schedule annexed to the dispensation application, which is attached to this report.

The Councillors seek dispensation on the following grounds under the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

Regulation 2(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.

Regulation 2(f) – the participation of the member in the business to which the interest relates is justified by the members particular role or expertise.

The application references the fact that these 5 councillors make up 41% of the total membership of the Council.

The committee has previously granted dispensations to other councillors from Llanwrda Community Council (1), Llandeilo Town Council (1), Llanarthne Community Council (3) and Carmarthenshire County Council (3) in respect of similar interests. In each case the dispensation was granted to speak only or speak and make written representations.

If the committee is minded to grant the request it will need to determine the duration of the dispensation.

**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: Linda 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: *LRJones*

Head of Administration and Law

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

**CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED**

N/A

**Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:**

There are none.

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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:	Elizabeth Jane Davies (Clerk)
Name of your Council:	Manordeilo and Salem Community Council
Email address:	janedavies41@gmail.com

### 2. DETAILS OF YOUR INTEREST

What is the matter under consideration?	Bute Energy Towy Usk Grid Connection Scheme
What is your interest in the above matter?	This is a group application. Please see attached schedule with names of five Councillors with details of their interests.
When will the above matter be considered?	No date has been set
Are you applying for dispensation to:	
Speak only: <input type="checkbox"/>	Speak and vote: <input checked="" type="checkbox"/>
Make written Representations <input checked="" type="checkbox"/>	Exercise Executive Powers <input type="checkbox"/>

### 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 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:

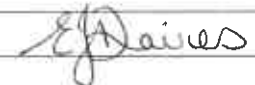
**(Please note that failure to complete this section will result in the application form being returned to you)**

The Bute Energy Towy Usk Grid Connection Scheme is a major proposal that is of relevance to, and would impact on, every single resident within the Marordale and Salem Community Council area. Nearly half (five) of the 12 Community Councillors are declaring an interest in this proposal. As such, should dispensations not be granted, a significant proportion of the Community Council would not be able to speak on behalf of the constituents they represent nor contribute to key discussions.

*(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:

05 / 12 / 2023

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP. / [Monitoringofficer@carmarthenshire.gov.uk](mailto:Monitoringofficer@carmarthenshire.gov.uk)



**Declarations of Interest - Bute Energy Towy Usk Grid Connection Scheme  
Manordeilo and Salem Community Council**

Name of Councillor	Type of Interest	Dispensation Request
Aled Davies	1. Possible route 1 of the pylons go through my parents' smallholding in Manordeilo. 2. Possible route 2 goes through the field behind my house in Cwm Ifor. 3. I am secretary of Llandeilo Angling Association and we do not want the pylons going along the Tywi, carbon fibre fishing rods conduct electricity and this would be dangerous. 4. Finally I work for Natural Resources Wales and as of yet we have not come out with a policy to oppose or support the Pylons.	To participate and vote at meetings of the Community Council, or public meetings I attend in my capacity as Councillor and where I need to make written representations. I also request dispensation for any meetings or representation with/from the Angling Association in my role as Secretary and with Natural Resources Wales in my role as employee
Alun Davies	Pylons possibly passing over our land near our house.	To participate and vote at meetings of the Community Council or public meetings I attend in my capacity as Councillor and where I need to make written representations
Arwel Davies	The preferred route is within half a mile of my property and will have a visual impact on my current view. As the pylons can be seen it will have a significant impact on the valuation of my property.	To participate and vote at meetings of the Community Council or public meetings I attend in my capacity as Councillor and where I need to make written representations
Mark Harries	Pylons possibly crossing our land.	To participate and vote at meetings of the Community Council or public meetings I attend in my capacity as Councillor and where I need to make written representations
Andrew Thomas	Pylons possibly crossing my land.	To participate and vote at meetings of the Community Council or public meetings I attend in my capacity as Councillor and where I need to make written representations

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## STANDARDS COMMITTEE

16<sup>TH</sup> JANUARY 2024

### DISPENSATION APPLICATION BY COUNCILLOR PETER COMLEY

**Purpose:**

To consider the application and determine whether to grant dispensation

**To consider and comment on the following issues:**

**To decide whether to grant the dispensation application**

**Reasons:**

Cllr Peter Comley a personal and prejudicial interest which would otherwise prevent him participating in this council business

**CABINET**

**MEMBER PORTFOLIO HOLDER: Not Applicable**

**Directorate**

**Name of Head of Service:**

Linda Rees Jones

**Report Author:**

Robert Edgecombe

**Designations:**

Head of Administration and Law

Legal Services Manager

**Tel Nos.**

01267 224012

[LRJones@carmarthenshire.gov.uk](mailto:LRJones@carmarthenshire.gov.uk)

01267 224018

[rjedgeco@carmarthenshire.gov.uk](mailto:rjedgeco@carmarthenshire.gov.uk)

**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**16<sup>TH</sup> JANUARY 2024**

**DISPENSATION APPLICATION BY COUNCILLOR PETER COMLEY**

A dispensation application has submitted by Councillor Peter Comley of Betws Community Council to speak and make written representations in relation to council business regarding Betws RFC.

Councillor Comley would have a personal and prejudicial interest in such business as the application discloses he holds the position of secretary in Betws RFC.

Councillor Comley seeks dispensation on the following grounds under the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001

Regulation 2(f) – the participation of the member in the business to which the interest relates is justified by the members particular role or expertise.

Regulation 2(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.

If the committee is minded to grant the request it will need to determine the duration of the dispensation.

<b>DETAILED REPORT ATTACHED ?</b>	<b>NO</b>
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## IMPLICATIONS

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

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<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: *LRJones*

Head of Administration and Law

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

**CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED**

N/A

**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

There are none.

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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: Peter Comley

Name of your Council: Betws Community Council

Your address and postcode: 24 Heol Y Felin, Betws, SA18 2HL

Contact telephone number(s): 01269 596508

Email address: peter.comley52@gmail.com

**2. DETAILS OF YOUR INTEREST**



What is the matter under consideration?

a) Payment of Rent by Betws RFC to Betws Community Council this has been a bone of contention between both parties for many years with frequent non-payment.

This matter needs to be resolved to the benefit of both parties with the forthcoming meetings within the Community Council meeting/s format and a separate meeting/s with both sides discussing with the intention of drawing a line and making a fresh start and move forward for the benefit of the community. With an issue between Betws RFC and the third party whereby a new lease for the rugby field was required which without it the RFC could not seek funding and informed Betws Community Council in the 12 October 2022 monthly meeting at point 8 b) whereby **"It was proposed that no payment for current rent owed is sought until such time as the lease is resolved. Council will revisit the rent charges at that point."**

The lease has now been signed and rent payments owed from September 2022 and March 2023 should now be paid to the Community Council as these payments go towards the upkeep of the children's playground and green area.

b) Also, there is a longstanding legal issue between Betws Community Council and a third party regarding a land issue which involves the village green, Heol Y Felin Playground and RFC/car park areas this is leased to Betws RFC which are held in trust by the Community Council on behalf of the community (Deeds show land given to the community in 1947 and includes a trust deed). It was hoped that this issue would have ended last year however, the other side are slow in responding to the Council which has delayed procedures considerably.

c) The solicitor, Peter Comley and the clerk between them have all the information relating to the issues and it is of benefit to Council that Councillor Comley is allowed to speak and give background and other relevant information as required in relation to the above matters in order that Council can make decisions as required.

d) The management status of Betws RFC changed during 2012 whereby they no longer hold a trust as per the lease that was signed that same year. The RFC failed to inform Betws Community Council of this change. They have now been requested to submit a fresh application of consent see minutes of monthly meeting held on 14 June 2023 at point 11 (extract below in italics).

1. *11. Exempt Matters – Betws RFC point 14, 15 and 3.11.3 on lease and letter attached from Betws RFC and email from Peter Comley in his capacity as Secretary of Betws RFC. Reply from Solicitor regarding the Land Issue and Betws RFC lease.*

*The various documents were **NOTED** by members with the Community Council waiting for an application from Betws RFC as per email sent to him after a telephone conversation with the clerk on 2 June 2023 whereby the solicitor has advised that:*

***If the rugby club want to make a fresh application for consent they can do so and we will advise you as to whether that consent can be provided.***

*Betws Community Council will wait for Betws RFC to provide them with a fresh application as advised by the solicitor and the content of the email sent to Peter Comley as secretary of Betws RFC on 2 June 2023.*



What is your interest in the above matter?

Under 10 (2) (a)

- A contract made between the Council and you
- Any land, lease or license in which you have an interest
- A public body or other association in which you have membership or hold a position of general control or management.

I am the Secretary, Treasurer and Licensee for Betws RFC and a member of the committee.

When will the above matter be considered?

This will be discussed in several meetings in the coming months with the Community Council and separate meetings with the Community Council and RFC committee.

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 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. 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)***

Please find below in italics a recent letter which I sent to Betws Community Council regarding the longstanding issues between Betws RFC and Betws Community Council. The Clerk is in the process of compiling the facts and supporting documentation regarding the issues and will present once collated to the Members of the Community Council in a separate meeting. The Councillors will no doubt have questions that will come from reading the report and documents.

A solicitor's advice may well be sought for some aspects of the issues as a significant amount of money has been spent when the lease was drawn up and signed in April 2012 and with the ongoing issues since which include non-payment of rent. The First issues becoming apparent in a meeting of the Community Council on 20<sup>th</sup> February 2013, a letter dated 14<sup>th</sup> March 2014 sent by the Clerk regarding rent arrears, no rent indexation was implemented by the Community Council in 2017 with the next review being 2022, the rent had been agreed via both parties using a jointly appointed surveyor in 2012. Further rent arrears occurred in 2017 and were not paid up until October and November 2019 after letters being sent by Betws Community Council solicitors.

Betws RFC have not paid the rent which is due in advance each March (£500) and September (£500) since March 2020 due to the Coronavirus Pandemic. This £2,000 of outstanding rent was agreed to be wiped in the 27 April 2022 meeting at point

£500 rent payment due 25 March 2022 which was paid by Betws RFC Betws Community Council meeting minutes of 27 April 2022 point 6 a) refer to this payment being made and further discussion on the issues with the third party at point 10.

However, in the 12 October 2022 monthly meeting at point 8 b) **"It was proposed that no payment for current rent owed is sought until such time as the lease is resolved. Council will revisit the rent charges at that point."** Therefore, the 25 September 2022 rent payment and the 25 March 2023 rent payments of £500 each have not been paid.

The rugby field lease with the third party has been signed recently (April/May 2023) therefore Betws Community Council need to seek payment from Betws RFC so that the rent payments are brought back in line. There has been a request from a member of the community for goal posts to be placed at the village green and the outstanding rent payments may go towards the purchase for this project for the community.

The Councillors and the Committee are now in a position where they are prepared to come to an agreement and draw a line in order to make a fresh start for the benefit of the local community with options needing to be debated by both parties.

A lot of time and money has been wasted on both sides that could be put to better use.

(please continue on a separate sheet if necessary)

I request the dispensation to enable me to speak on behalf of Betws RFC in matters relating to the Council and to present paperwork with regard to ongoing issues with land, Rent and general ongoing matters relevant to both parties. This is a speak only application with no rights to vote on any matters relating to the Club.

Peter Comley,  
Secretary  
Treasurer  
Club Rugby Betws RFC Ltd

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:

P. Comley

Date:

12 / 12 / 2023

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></ul>



(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