

STANDARDS COMMITTEE
1ST JUNE 2017

APPLICATION FOR DISPENSATION BY COUNTY COUNCILLOR E. DOLE

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

To consider and determine the application

REASONS:

In accordance with the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

Exec Board Decision Required

NO

Council Decision Required

NO

Directorate

Chief Executives

Name of Head of Service:

Linda Rees Jones

Report Author:

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Designations:

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EXECUTIVE SUMMARY
STANDARDS COMMITTEE
1st JUNE 2017

APPLICATION FOR DISPENSATION BY COUNTY COUNCILLOR E DOLE

County Councillor Emlyn Dole has submitted an application for the grant of a dispensation in relation to the appointment of members of the Executive Board.

Following his appointment as the leader of the Council, Councillor Dole is required by the constitution to appoint the members of the Executive Board

One of the Councillors that Councillor Dole wishes to appoint to the Executive Board is Councillor Linda Evans.

A copy of the application is attached at appendix 1.

Councillor Dole previously submitted a similar application in May 2015 which was granted by the Committee. This enabled Councillor Dole to appoint Councillor Evans to the Executive Board at that time and she remained in office until the local authority elections on the 4th May 2017. Both that appointment and the previous dispensation expired on that date.

Councillor Evans was returned unopposed in the local elections on the 4th May 2017.

Prior to her appointment to the Executive Board in May 2015 Councillor Evans had previously served as a member of the shadow Executive Board and as opposition spokesperson for the Housing portfolio since 2012, having been appointed to that position by the then leader of the opposition Cllr Peter Hughes-Griffiths. Cllr Evans had also previously held the salaried post of chair of a scrutiny committee, having been nominated to that role by full council.

Councillor Dole would have a personal interest in the appointment of Cllr Evans as she is a close personal associate of his, by virtue of her being his sister in law. Her appointment to the Executive Board would be likely to affect her well-being and financial position as the post carries a senior salary greater than that received by non-executive board members. Councillor Dole's personal interest could be prejudicial as a member of the public with knowledge of the relevant facts might reasonably regard the personal interest as so significant that it is likely to prejudice his judgement of the public interest.

Where a Councillor has a personal and prejudicial interest, paragraph 14(1)(b) of the Code prevents the Councillor from exercising any executive function to which the interest relates.

As before, strict adherence to the Code in this instance would hinder Councillor Dole in fulfilling his obligation to appoint members of the Executive Board and in particular to freely select from any Councillor that currently serves as a member of the authority.

It is suggested that in light of the fact that Councillor Evans has been a member of the Executive Board for the last 2 years if the committee decides to grant the application, it does so on the following grounds in the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001;

(d) the nature of the interest is such that participation in the business to be considered would not damage public confidence in the conduct of that business.

If the committee is minded to grant a dispensation, it is suggested that it be to enable Cllr Dole to appointed Councillor Linda Evans to the Executive Board if he considers it appropriate to do so.

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
NONE	YES	NONE	NONE	NONE	NONE	NONE

2. Legal

The circumstances in which a dispensation may be granted are set out in the 2001 regulations.

CONSULTATIONS

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

Signed: Linda Rees Jones

Head of Administration and Law

1. Scrutiny Committee N/A
2. Local Member(s) N/A
3. Community / Town Council N/A
4. Relevant Partners N/A
5. Staff Side Representatives and other Organisation N/A

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal File	DPSC-0000	County Hall, Carmarthen