

GERALD HOWELLS. LL.B
Solicitor (Non - Practicing)
SRA Number - 108786

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CARMS C.C.

- 6 NOV 2015

PRIF WEITHREDWR
CHIEF EXECUTIVE

E - mail : gerald.howells@tesco.net

2nd November 2015 ,

Dear Mr Edgecombe ,

Llansteffan and Llanybri Community Council .

I can assure you that this is not my usual letterhead but I just wanted to let you see why I have taken this action to cover the situation in what has the makings of a major problem .

I have seen the correspondence between the parties involved and although both parties are known to me Mr and Mrs Rees have been friends for many years and as a Solicitor I acted for them many years ago but not in anything involving Croft Cottage and in fact not in anything involving property in the area of Llansteffan and Llanybri .

Whilst my reading of the Code of Conduct indicates that I do not need dispensation bearing in mind that I remain on the Roll of Solicitors in a Non-Practicing capacity I do not wish to jeopardise my own strict personal and professional standards . I have not been a practicing Solicitor due to personal problems for some 15 years and have not acted for anyone professionally in that time . With a short period when I felt unable to be a Community Councillor once again I have been one of the Community Councillors for this ward for over 20 years . I have lived in Llansteffan since 1982 and having been involved in local community matters over that time so I have a great deal of local knowledge as well as my professional background .

Having set out the reasons why I feel that even if you feel that I should get

Dispensation these are the matters which I feel that I have to consider :-
I know the parties well but then that is inevitable in a small community .
I have previously acted professionally for Mr & Mrs Rees but never in the
Llansteffan and Llanybri area and over 20 years ago .

I was involved professionally as the Solicitor who negotiated for and acted
for the Community Council when it took a Lease of The Morfa from the
Carmarthen District Council . The Morfa is affected as it adjoins land
which is now the subject of the dispute . I believe my knowledge and
professional background could assist Community Council in adopting a
proper course of action in this matter .

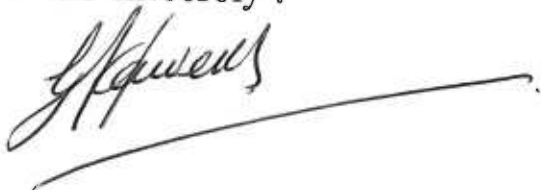
I have previously acted for Clients regarding the use of a long standing
Right of Way by one party who could be prejudiced by this behaviour and
could have serious implications in the long run for many people with rear
entrances along The Green together with the Community Council itself and
the County Council as the successor in title of the Freehold interest . I have
not practiced as a Solicitor for some 15 years and do not have any personal
interest on the Right of Way as my property does not abut The Morfa .

Whilst this dispute is between 2 parties I believe it has far reaching
implications and one has to consider whether any Vendors of properties on
The Green would have to disclose on a Sale the fact that the Right of Way
was queried in one case .

I am involved in discussions with the County Council regarding the
Community Council extending the present Lease on The Morfa and
obviously this could have a bearing on these discussions .

Hence bearing everything in mind I feel that I do not need Dispensation
but if you feel that I do I consider that it should be given in full . I would
point out that when the matter came up in correspondence at our meeting
last month I chose not to take part and left the room as I had not considered
my position in full which I now have .

Yours sincerely .



A handwritten signature in cursive script, appearing to read 'J. H. Jones', followed by a long horizontal line extending to the right.

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

SECTION 1	Name(s) of Member (s)	Name of member's authority
	GERALD HOWELLS	LLANSTEFFAN AND LLANYBRI COMMUNITY COUNCIL

SECTION 2	Matter to be discussed on which member seeks dispensation
	CORRESPONDENCE LIKELY TO ARISE OVER A DISPUTE THAT HAS ARISEN OVER A RIGHT OF WAY THAT IS CLAIMED EXISTS FOR THE OWNERS OF CROFT COTTAGE FROM THE GARDEN TO THE REAR OF THE PROPERTY, DELETED BY THE OWNER OF SUNRAISE BAY CARAVAN PARK
Date of meeting at which the matter is to be discussed:	16 TH MONDAY NOVEMBER 2015 MONTHLY MEETING

Dispensation being sought to speak and vote	<input checked="" type="checkbox"/>
Dispensation being sought to speak only	<input type="checkbox"/>

SECTION 3	The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed
	I KNOW BOTH PARTIES, BOTH RESIDE IN MY WARD. AS A PRACTISING SOLICITOR PREVIOUSLY ACTED FOR THE OWNERS OF THE CROFT OVER 20 YEARS AGO BUT NOTHING TO DO WITH THIS PROPERTY. ACTED FOR THE COMMUNITY COUNCIL WHEN THEY TOOK THE MATTER AT LEAST

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

SECTION 5	Reason/s in support of my/our application (use a separate sheet of paper if necessary)
<p>I AM NOT SURE IF THIS IS NECESSARY, AS A SOLICITOR BEFORE I BECAME A COMMUNITY COUNCILLOR I ACTED FOR THE THEN LANSTEFFAN COMMUNITY COUNCIL WHEN A LEASE WAS TAKEN BY THEM FROM CARMARTHEN RD. C. FOR 50 YEARS FROM 1ST APRIL 1981. HENCE I HAVE KNOWLEDGE OF THE SITUATION. I HAVE ALSO ACTED FOR JARVIS BUYERS AND SELLERS OF PROPERTIES ON THE GREEN REGARDING REAR ENTRANCES SOME OF WHOM WHO COULD BE AFFECTED ARE ASSOCIATED WITH THE COMMUNITY COUNCIL. I KNOW ALL PARTIES WHO ARE INVOLVED BUT BELIEVE THAT MY TRAINING ALLOWS AN UNBIASED VIEW. THIS PROBLEM COULD LEAD TO PROBLEMS FOR A NUMBER OF MY WARD MEMBERS, THE COUNCIL AS LEASEHOLDERS AND THE COUNTY COUNCIL</p>	

AS FREEHOLDER (PLEASE SEE ACCOMPANYING LETTER)

SIGNED G. Howells (Member of County Council)

GERRY HOWELLS,
 LANSTEFFAN
 WARD
 COMMUNITY
 COUNCIL