

**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