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**THURSDAY, 27 JANUARY 2022**

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

I HEREBY SUMMON YOU TO ATTEND A VIRTUAL MEETING OF THE **STANDARDS COMMITTEE** WHICH WILL BE HELD **AT 10.00 AM, ON FRIDAY, 4TH FEBRUARY, 2022** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

*Wendy Walters*

**CHIEF EXECUTIVE**



PLEASE RECYCLE

<b>Democratic Officer:</b>	<b>Kevin Thomas</b>
<b>Telephone (direct line):</b>	<b>01267 224027</b>
<b>E-Mail:</b>	<b><a href="mailto:kjthomas@carmarthenshire.gov.uk">kjthomas@carmarthenshire.gov.uk</a></b>

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

# **STANDARDS COMMITTEE**

## **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 Philip Rogers

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

1. Councillor Jeanette Gilasbey
2. Councillor Rob James
3. Councillor Gareth Thomas

# AGENDA

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 13 DECEMBER 2021 5 - 10
4. APPLICATION FOR DISPENSATION BY CLLR T DEVICHAND 11 - 20
5. APPLICATION FOR DISPENSATION BY CLLR SHAREN LOUISE DAVIES 21 - 30
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, 13 December 2021

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

**Independent Members:**

C. Davies, D. Evans, J. James and F. Phillips

**Community Member:**

Town Councillor P. Rogers

**Councillors:**

W.T. Evans (In place of G.B. Thomas) and S.J.G. Gilasbey

**The following Officers were in attendance:**

L.R. Jones, Head of Administration and Law

R. Edgecombe, Legal Services Manager

E. Evans, Principal Democratic Services Officer

T. Jones, Translator

K. Evans, Assistant Democratic Services Officer

E. Bryer, Democratic Services Officer

**Virtual Meeting - 2.00 - 3.20 pm**

**1. APOLOGIES FOR ABSENCE.**

An apology for absence was received from Councillor G.B. Thomas.

**2. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of personal interest.

**3. APPOINTMENT OF CHAIR AND VICE-CHAIR**

The Committee considered nominations for Chair and Vice-Chair of the Standards Committees for the remainder of the Municipal Year.

**UNANIMOUSLY RESOLVED**

**3.1 That M. Dodd be appointed Chair of the Standards Committee for the remainder of the Municipal Year.**

**3.2 That D. Evans be appointed Vice-Chair of the Standards Committee for the remainder of the Municipal Year.**

**4. TO SIGN AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COMMITTEE HELD ON THE 20TH SEPTEMBER, 2021.**

**RESOLVED** that the minutes of the meeting of the Standards Committee held on the 20<sup>th</sup> September, 2021 be signed as a correct record.

## 5. CODE OF CONDUCT DATA FROM TOWN AND COMMUNITY COUNCILS

In accordance with previously established practice, letters were sent to all Town and Community Councils in the County in April 2021 seeking information regarding code of conduct compliance over the preceding 12 months. Further letters had been sent in July and November to those Councils who had not responded.

The data provided had been combined with other information held by the County Council. The report contained comparable data for previous years to help identify any trends.

The Committee noted the following conclusions:

- There was no obvious correlation between code training and the number of complaints
- The number of complaints, although higher this year, was still low overall bearing in mind the large numbers of councillors involved
- Problems in a single council could disproportionately affect the overall number of complaints during the year
- There was a wide variation in the numbers of declarations of interest being made between councils.

It was noted that owing to the disruption caused by the Coronavirus pandemic no request for data was sent to councils last year in respect of the period 1<sup>st</sup> April 2019 to 31<sup>st</sup> March 2020. Data shown for that period was limited to that held by the County Council.

It was suggested that the data was difficult to interpret, and that it could be presented in a different format. In response the Legal Services Manager advised that graphs and charts would not provide enough information or enable users to clearly see the trends for a particular Council.

Concern was expressed that some Councils had not responded to the request for data. It was suggested that an automated email could be sent every three months. The Committee was advised that every Council that hadn't responded had received three letters, however with the changes to the Local Government and Elections (Wales) Act 2021 the process would be reviewed.

The Committee advised that they would like to see a complete record of data and requested that Councils be asked to provide data for the period 1<sup>st</sup> April 2019 to 31 March 2020. The Legal Services Manager confirmed that he would write to the Councils requesting this data.

It was asked if it would have been possible to telephone the Councils that hadn't provided data. The Committee was advised that to have done this would have involved over 20 phone calls to be made but this was simply not viable.

The Head of Administration and Law reminded the Committee that even without the data, by law the Committee Clerks were the responsible officers for the Councils and would be monitoring the performance of the Council.

**UNANIMOUSLY RESOLVED to note the available code of conduct data from Town and Community Councils.**

## 6. STANDARDS COMMITTEE ANNUAL REPORT

The Committee considered its 2020/21 Annual Report detailing the work undertaken during that period and noted that, if adopted, it would be presented to the Council meeting in early 2022 for approval.

Committee members noted that with effect from May 2022 the provisions of the Local Government and Elections (Wales) Act 2021 would apply regarding the production of reports and therefore both the timing and content of the reports would need to be change.

It was reported that in 2020-21 the Ombudsman had not referred any complaints to the Committee, nor were any matters referred to the Adjudication Panel for Wales in respect of Councillors from Carmarthenshire.

The report stated that during this period the Ombudsman had considered and closed total of 15 code of conduct complaints against Councillors from Carmarthenshire. However there were a further 2 that had not been closed and the report would be changed accordingly and the report updated to include a paragraph regarding the cases being carried forward.

The Committee asked if it would be possible for the report to include a table showing the number of meetings and attendance data for the Committee. The Legal Services Manager confirmed that this would be possible for future reports however due to the time constraints it would not be possible for this reporting period.

It was noted that St Clears Community Council was mentioned in the report and was asked why the other Councils whose councillors were on the Committee weren't mentioned. The Head of Administration and Law advised that the County Councillors wards should not be mentioned as they represented the County Council and not the Community Councils on the Committee.

It was suggested that Mr Andre Morgan (past Chair) should be asked to comment on the report and that the introduction paragraph should include reference to covid and also acknowledgement of the work done by Mr Andre Morgan and Mr Alun Williams.

It was asked if it would be possible to receive a copy of the draft report earlier than the December meeting. The Legal Services Manager advised that it had been the decision of the Committee to receive the report in December and not in September as it previously was. It was suggested that in the future draft reports could be circulated to the Committee via email prior to consideration at the Committee meetings.

The Legal Services Manager advised the Committee that he would liaise with them outside of the meeting regarding the amendments to the report taking into account the comments made.

**UNANIMOUSLY RESOLVED TO RECOMMEND TO COUNCIL THAT the Standards Committee Annual Report 2020/21 be adopted following inclusion of the suggested amendments.**

## **7. LOCAL GOVERNMENT AND ELECTIONS (WALES) ACT 2021**

The Committee received a report detailing the Local Government and Elections (Wales) Act 2021 which contained several provisions which directly related to political group leaders and the working of the Standards Committee.

These included:

- A duty on the leaders of political groups to take reasonable steps to promote and maintain high standards of conduct by the members of their group
- A duty on the leaders of political groups to co-operate with the standards committee in the exercise of that committee's functions
- Amending the functions of the Standards Committee to include monitoring compliance by group leaders with the above duties and advising and training them in respect of those duties.
- Introducing a statutory requirement on Standards committees to produce an annual report as soon as possible after the end of each financial year. And prescribes certain content to be included in those reports:
  - (a) A summary of what has been done to discharge the functions referred to above
  - (b) A summary of any reports or recommendations received
  - (c) A summary of any action taken following consideration of any reports or recommendations received
  - (d) An assessment of the extent to which political group leaders have complied with their duties under the Act

Following a discussion, it was:

**Resolved:**

- 7.1 That the Committee would discuss and agree the requirements of the meetings with the political group leaders at the March 2022 Standards Committee Meeting.**
- 7.2 To meet with the leaders of the political groups as soon as possible following the elections in May.**
- 7.3 That feedback from the discussions with the political group leaders be included as an agenda item at the Standards Committee Meeting in June 2022.**

## **8. RECENT CASE - NEWPORT CITY COUNCIL STANDARDS COMMITTEE DECISION - CLLR JOAN WATKINS**

The Committee reviewed a report detailing the case considered by the Standards Committee for Newport City Council regarding Councillor Joan Watkins following a complaint to and an investigation by the Public Services Ombudsman for Wales.

The allegations were that Councillor Watkins had breached Newport City Council's Code of Conduct in that she had improperly used her position as a member of the council and local health board when she advocated on behalf of a patient at a



doctor's surgery and subsequently when making complaints to the health board about the surgery staff.

During discussions regarding the report, the preparedness of the Committee to deal with a similar case was questioned. The Head of Administration and Law advised that the Authority had limited experience of convening these meetings however this would not be an issue as it was possible to draw on the expertise of colleagues across Wales.

**UNANIMOUSLY RESOLVED to note the report.**

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**

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## STANDARDS COMMITTEE 04/02/2022

<b>APPLICATION FOR DISPENSATION BY CLLR T DEVICHAND</b>		
<b>Recommendations / key decisions required:</b> To consider and determine the application		
Reasons: The committee has a statutory role to consider and determine such applications.		
Relevant scrutiny committee to be consulted    NA		
Exec. Board Decision Required		NO
Council Decision Required		NO
EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. Emlyn Dole – Leader of the Council		
Directorate: Chief Executives  Name of Head of Service:  Linda Rees-Jones  Report Author: Robert Edgecombe	Designations:  Head of Administration and Law  Legal Services Manager	Email addresses:   <a href="mailto:rledgeco@carmarthenshire.gov.uk">rledgeco@carmarthenshire.gov.uk</a> 01267 224018

**STANDARDS COMMITTEE**  
**04/02/2022**

**APPLICATION FOR DISPENSATION BY CLLR T DEVICHARD**

An application for dispensation has been received from Llanelli Rural Councillor Tegwen Devichand to make written representations, speak and vote in respect of matters relating to the removal of 20mph speed limits and parking restrictions on Maescanner Road and Dafen Road, Llanelli.

Cllr. Devichand has been requested by her constituents to advocate on their behalf in respect of these matters.

Cllr. Devichand has a personal and prejudicial interest in such matters as she lives in Dafen Road and is therefore affected by these restrictions

Cllr Devichand asks that the dispensation be granted on the grounds that

- her participation in any such council business will not damage public confidence and
- that her interest is common to a significant proportion of the public.

Should the committee decide to grant a dispensation to Cllr. Devichand in respect of these matters, it is suggested that, in light of the proximity of the local authority elections in May 2022, such dispensation be granted until the end of her current 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** *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** *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 Organisations - N/A**

**EXECUTIVE BOARD PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**

NO

N/A

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

**THESE ARE DETAILED BELOW**

<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
<b>Legal Services File</b>	<b>DPSC-194</b>	<b>County Hall, Carmarthen</b>

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:

Foguen DEVLAND

Name of your Council:

LLANELLI RURAL COUNCIL

Your address and postcode:

3, Dafen Rd, LLANELLI, SA11 4SL

Contact telephone number(s):

07864 860832

Email address:

T.dave@devland.co.uk

## 2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

20 mile/hr. SPEED LIMIT.  
YELLOW LINES ON MAESCANNER AND  
Dafen Road

What is your interest in the above matter?

LIVING IN THE AREA.

When will the above matter be considered?

ALREADY IN PLACE.

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 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"/>

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)*

IM A COMMUNITY COUNCILLOR REPRESENTING DAFEN  
WARD).  
LOCAL RESIDENTS AND BUSINESSES HAVE REQUESTED  
THAT I REPRESENT THEM ON THE REMOVAL OF  
THE YELLOW LINES AND DOWNLOADING LINES,  
I REQUEST THE STANDARDS COMMITTEE GRANT ME  
DISPENSATION TO REPRESENT THESE INDIVIDUALS  
IN ACCORDANCE WITH REGULATIONS 2001 2 d and  
e.



*(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:**

Dearhead

Date:

4/10/2022

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP.



## STANDARDS COMMITTEE 04/02/2022

<b>APPLICATION FOR DISPENSATION BY CLLR SHAREN LOUISE DAVIES</b>		
<b>Recommendations / key decisions required:</b> To consider and determine the application		
<b>Reasons:</b> The committee has a statutory role to consider and determine such applications.		
Relevant scrutiny committee to be consulted    NA		
Exec. Board Decision Required		NO
Council Decision Required		NO
<b>EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr. Emlyn Dole – Leader of the Council</b>		
Directorate: Chief Executives  Name of Head of Service:  Linda Rees-Jones  Report Author: Robert Edgecombe	Designations:  Head of Administration and Law  Legal Services Manager	Email addresses:   <a href="mailto:rjedgeco@carmarthenshire.gov.uk">rjedgeco@carmarthenshire.gov.uk</a> 01267 224018

**STANDARDS COMMITTEE**  
**04/02/2022**

**APPLICATION FOR DISPENSATION BY CLLR**  
**SHAREN LOUISE DAVIES**

An application for dispensation has been received from County Councillor Sharen Louise Davies to make written representations, speak and vote in respect of matters relating to the removal of 20mph speed limits and parking restrictions on Maescanner Road, Llanelli.

Cllr. Davies has been requested by her constituents to advocate on their behalf in respect of these matters.

Cllr. Davies has a personal and prejudicial interest in such matters as her mother has a property on Maescanner Road and is therefore affected by these restrictions

Cllr. Davies is also a Llanelli Rural Councillor for the ward and seeks dispensation in respect of both of her roles.

Cllr Davies asks that the dispensation be granted on the grounds that

- her participation in any such council business will not damage public confidence and
- that her interest is common to a significant proportion of the public.

Should the committee decide to grant a dispensation to Cllr. Davies in respect of these matters, it is suggested that, in light of the proximity of the local authority elections in May 2022, such dispensation be granted until the end of her current 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** *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** *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 Organisations - N/A**

**EXECUTIVE BOARD PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**

NO

N/A

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

**THESE ARE DETAILED BELOW**

<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
<b>Legal Services File</b>	<b>DPSC-194</b>	<b>County Hall, Carmarthen</b>



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: **CLL SHARON LOUISE DAVIES**

Name of your Council: **CARMARTHENSHIRE COUNTY COUNCIL**

Your address and postcode: **76 MAES DELFRYN, LLANELLI  
SA14 9PX**

Contact telephone number(s): **07856747856**

Email address: **SDavies@carmarthenshire.gov.uk**

## 2. DETAILS OF YOUR INTEREST

What is the matter under consideration? **Removal of Yellow lines and no unloading lines on Maescanner Rd, Dafen, Llanelli. Also the 20mile an hr speeding restriction.**

What is your interest in the above matter? **I am the local Community Councillor for the area. My mother also has a property on this road.**

When will the above matter be considered? **The Yellow lines and no unloading signs are already in place. However residents and businesses wish to have them removed. 20mile hr speeding restrictions are in place.**

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 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"/>

### 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)**

As a local Community Councillor for the Dafar Ward, It is my duty to represent the public on various issues. Local residents and local Businesses have requested that I represent them on the removal of the Yellow lines + 20 mile/hr speed restrictions. In order for me to carry out their wishes to act on their behalf, I therefore request that the Standards Committee consider granting me dispensation to represent these individuals. Regulations 2001 2 d/e.



*(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:

29/12/2022

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP.

