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TUESDAY, 28 FEBRUARY 2023

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 AND REMOTELY AT 10.00AM ON TUESDAY, 7TH MARCH, 2023** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA

Wendy Walters

CHIEF EXECUTIVE

| | |
|--|--|
| Democratic Officer: | Martin S. Davies |
| Telephone (direct line): | 01267 224059 |
| E-Mail: | MSDavies@carmarthenshire.gov.uk |
| 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:- https://carmarthenshire.public-i.tv/core/portal/home | |

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 24TH JANUARY, 2023.** 5 - 8
- 4. CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS.** 9 - 12
- 5. CODE OF CONDUCT TRAINING FOR TOWN AND COMMUNITY COUNCILLORS.** 13 - 16
- 6. ACTIONS UPDATE.** 17 - 22
- 7. DISPENSATION APPLICATION BY COUNCILLOR KIM BROOM.** 23 - 32
- 8. DISPENSATION APPLICATION BY COUNCILLOR JAMES PICKUP.** 33 - 42
- 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.**

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Standards Committee

Tuesday, 24 January 2023

PRESENT: M. Dodd (Chair)(Ph)

Independent Members:

C. Davies (R), D. Evans (Ph), J. James (Ph)

Community Member:

Councillor P. Rogers (R)

Councillors:

B.W. Jones (R) and G.B. Thomas (R)

The following Officers were in attendance (In Person):

R. Edgecombe, Legal Services Manager

K. Thomas, Democratic Services Officer

Also Present (Virtually)

L. Rees-Jones – Head of Administration and Law

S. Hendy, Member Support Officer

S. Rees, Simultaneous Translator

[Ph = physical attendance at County Hall. R = remote attendance via Zoom)

Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 2.00 - 2.25 pm

1. APOLOGIES FOR ABSENCE.

An apology for absence was received from Mr F. Phillips.

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 12TH DECEMBER, 2022

Reference was made to the decision at the Committee's previous meeting for an action register to be included onto the normal agenda of each Committee and that the register be included on the agenda for the next normal meeting

RESOLVED:

3.1 that the minutes of the meeting of the Standards Committee held on 12th December, 2022 be signed as a correct record.

3.2 That the action register be included on the agenda for the next normal meeting of the Standards Committee

4. DISPENSATION APPLICATION BY COUNCILLOR A DAVIES

The Committee considered an application submitted by County Councillor Ann Davies for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and make written representations to the Council's Advisory Panels undertaking a review of the Council's rural estate.

It was reported that a dispensation was sought as Councillor Davies had a personal interest in the review as her husband was currently a tenant on a Council farm which they had occupied since 1991, and that a reasonable member of the public with knowledge of those facts would be likely to conclude it would influence the Councillors View of the wider public interest when it came to that review.

It was reported that a dispensation was sought by Councillor Davies by virtue of Regulation 2(f) of the Standards Committees (Grant of Dispensations) (Wales) Regulations in that her participation was justified by her particular role and expertise. In addition, the Committee was advised that it may wish to consider her participation would also be relevant under Regulation 2(d) in that it would not damage public confidence

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulations 2 (d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor A Davies to speak and make written representations on the review currently being undertaken of the Council's rural estate and the dispensation be granted for a period of six months.

5. DISPENSATION APPLICATION BY COUNCILLOR P H THOMAS

The Committee considered an application submitted by Community Councillor P.H. Thomas of St Ishmael's Community Council for the grant of a dispensation under the provisions of the Standards Committees (Grant of Dispensations) (Wales) Regulations to speak and vote in relation to Council business regarding the foreshore and cockling activities in the Three Rivers Estuary.

It was reported that a dispensation was sought as Councillor Thomas had a personal interest in the matter as he works in the cockling industry, and that a reasonable member of the public with knowledge of those facts would be likely to conclude it would influence the Councillors View of the wider public interest when it came to that review.

It was reported that whilst the Community Council had no decision making role on the use of the foreshore, the permitting of cockling activities and does not own any land affected by those activities they were the subject of frequent discussion at council meetings. Councillor Thomas was therefore seeking dispensation under Regulation 2(c)(d) and (f) of the Standards Committees (Grant of Dispensations) (Wales) Regulations

The Legal Services Manager advised the Committee that with regard to the grounds of Councillor Thomas' application, it should note that Regulation 2(c) was not relevant in this instance and therefore the application fell to be considered under Regulations 2(d) and (f)

The Committee having regard to the application, and in terms of consistency of decision meeting, felt that given the nature of Councillor Thomas' employment it would not be appropriate to grant dispensation to vote. It was however felt appropriate to grant dispensation to speak and to make written representations.

Following a discussion it was

UNANIMOUSLY RESOLVED that dispensation be granted under Regulations 2(d) and (f) of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 to Councillor P.H. Thomas to speak and make written representations, but not vote, at meetings of St Ishmaels Community Council in relation to Council business regarding the foreshore and cockling activities in the Three Rivers Estuary, and the dispensation be valid until the end of the current electoral term.

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.**

There were no items of urgent business.

CHAIR

DATE

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STANDARDS COMMITTEE

7th MARCH 2023

CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS

Purpose: To agree the scope and methodology for the 2022/2023 code compliance exercise

To consider and comment on the following issues:

To agree the following

1. The compliance questions to be asked
2. How the data is to be supplied by councils
3. How the data is to be presented to the committee

Reasons:

- To ensure that the committee receives the data it needs to enable it for perform its functions in relation to Town and Community Councils.

CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

| | | |
|--|---|--|
| <p>Directorate</p> <p>Name of Head of Service: Linda Rees Jones</p> <p>Report Author: Robert Edgecombe</p> | <p>Designations: Head of Administration and Law</p> <p>Legal Services Manager</p> | <p>Tel Nos. 01267 224012</p> <p>LRJones@carmarthenshire.gov.uk</p> <p>01267 224018</p> <p>rjedgeco@carmarthenshire.gov.uk</p> |
|--|---|--|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Code of Conduct Compliance by Town and Community Councillors

For several years, the committee has undertaken a data gathering exercise with Town and Community Councils aimed at establishing the level of compliance with the members code of conduct in those organisations.

The questions normally asked related to

1. The number of declarations of interest made by councillors during the preceding municipal year
2. Whether the members and clerk had received code of conduct training during the preceding year

This information, combined with data regarding code of conduct complaints and dispensation requests gives the committee an overall picture of code compliance in the County.

Considering the provisions of the Local Government and Elections (Wales) Act 2021 regarding training for Town and Community Councils it is proposed that additional questions be added to this year's exercise, namely

1. Whether the Council has adopted a training plan for its members
2. Whether that plan has been published on the Council's website
3. Whether the plan includes a requirement for members to undertake code of conduct training
4. Whether the plan has been implemented

It is therefore proposed that

- The data be collected via an online snap survey, which will reduce the administrative burden of the exercise considerably.
- The data be presented to the committee using a mixture of charts and graphs, ideally allowing comparison with the preceding municipal year.
- The target date for delivery of the report be the scheduled quarterly committee meeting in December 2023.

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 NONE | Legal NONE | Finance NONE | ICT NONE | Risk Management Issues NONE | Staffing Implications NONE | Physical Assets NONE |
|--|----------------------|------------------------|--------------------|---------------------------------------|--------------------------------------|--------------------------------|

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
NO

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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STANDARDS COMMITTEE

7th MARCH 2023

CODE OF CONDUCT TRAINING FOR TOWN AND COMMUNITY COUNCILLORS

Purpose: To agree the approach to be taken by the Committee in relation to the Code of Conduct programme for 2023

To consider and comment on the following issues:

To agree the following

- How many training sessions to be held
- When the training sessions are to be held
- They way in which the training sessions are to be held

Reasons:

- To ensure that the sessions are as successful as possible

CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

| | | |
|--|--|---|
| <p>Directorate</p> <p>Name of Head of Service: Linda Rees Jones</p> <p>Report Author: Robert Edgecombe</p> | <p>Designations: Head of Administration and Law</p> <p>Legal Services Manager</p> | <p>Tel Nos. 01267 224012</p> <p>LRJones@carmarthenshire.gov.uk</p> <p>01267 224018</p> <p>rjedgeco@carmarthenshire.gov.uk</p> |
|--|--|---|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Code of Conduct Training for Town and Community Councillors

For several years the committee has organised code of conduct training sessions for Town and Community Councillors each summer. These have usually taken the form of ‘in-person’ sessions in County Hall, with the 2022 sessions also being accessible remotely. Both sessions were recorded, and the recordings provided to councils to aide in the training of those members who were unable to attend.

For the first time, the sessions in 2022 were all held during the working day. Across the 2 sessions attendance was comparable to previous years. Subsequent consultation with councils identified that whilst some councillors preferred an evening session others preferred a daytime one and overall, there was no appreciable demand for an additional session or for sessions to be held during the evening. This was particularly if the sessions were being recorded and the recordings made available for viewing later.

The following is therefore proposed

1. Officers organise 2 code of conduct training sessions for Town and Community Councillors to take place in June or July 2023
2. The sessions be held during normal office hours and be hybrid events, attended in person at county hall or remotely via Zoom or Microsoft Teams
3. The sessions be recorded, and the recordings made available to Town and Community Councils along with the training materials used.

| | |
|-----------------------------------|-----------|
| 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 | NONE | NONE | NONE | NONE | NONE | NONE |

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**
NO

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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STANDARDS COMMITTEE

7th MARCH 2023

ACTIONS UPDATE

Purpose: To appraise the Committee of actions taken in response to decisions made

To consider and comment on the following issues:

- To scrutinise the progress made in relation to actions, requests or referrals recorded during previous meetings of the Committee.

Reasons:

- To enable members to monitoring performance in relation to their agreed actions

CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

| | | |
|--|--|---|
| <p>Directorate</p> <p>Name of Head of Service: Linda Rees Jones</p> <p>Report Author: Robert Edgecombe</p> | <p>Designations: Head of Administration and Law</p> <p>Legal Services Manager</p> | <p>Tel Nos. 01267 224012</p> <p>LRJones@carmarthenshire.gov.uk</p> <p>01267 224018</p> <p>rjedgeco@carmarthenshire.gov.uk</p> |
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**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Actions Update

During the committee meeting on the 12th December 2022 the committee requested that a log of agreed actions arising from meetings of the committee be developed and be presented at future meetings of the committee.

The attached action log sets out the 2 actions arising at that meeting.

It is proposed that

1. The log be presented as an agenda item at each scheduled quarterly meeting of the committee and
2. That the actions be colour coded according to their status

Green – completed

Yellow – ongoing

Red - overdue

| | |
|----------------------------------|-------------|
| DETAILED REPORT ATTACHED? | YES: |
|----------------------------------|-------------|

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 | NONE | NONE | NONE | NONE | NONE | NONE |

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 NO | N/A |
|---|-----|

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List of Background Papers used in the preparation of this report:**

There are none.

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| Reference | Meeting Date | ACTION | PROGRESS | Officer | Status |
|------------|--------------|--|---|---------------|-----------|
| DPSC-201/1 | 12/12/22 | Create an action log recording actions agreed at Standards committee meetings and present at each quaterly committee meeting | Log created and included on agenda for March 2022 meeting | R J Edgecombe | Ongoing |
| DPSC-201/2 | 12/12/22 | Write to Group leaders setting out the committee's requirements regarding compliance with the Group Leaders duty in the Local Government and Elections Act | Letter sent to Group Leaders 03/02/2023 | R J Edgecombe | Completed |

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STANDARDS COMMITTEE

7th MARCH 2023

DISPENSATION APPLICATION BY COUNCILLOR KIM BROOM

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 Broom has a personal and prejudicial interest which would otherwise prevent her participating in this council business

CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

| | | |
|--|--|---|
| <p>Directorate</p> <p>Name of Head of Service: Linda Rees Jones</p> <p>Report Author: Robert Edgecombe</p> | <p>Designations: Head of Administration and Law</p> <p>Legal Services Manager</p> | <p>Tel Nos. 01267 224012 LRJones@carmarthenshire.gov.uk</p> <p>01267 224018 rjedgeco@carmarthenshire.gov.uk</p> |
|--|--|---|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Dispensation Application by Cllr Kim Broom

County Councillor Kim Broom has submitted a dispensation request in relation to council business regarding the Council Tax Levy on second homes.

Councillor Broom would have a personal and prejudicial interest in such business as she owns a second property which she lets as a holiday home.

Councillor Broom seeks dispensation to speak and make written representations only, on the following grounds under the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001

Regulation 2(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.

And

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

If the committee is minded to grant Councillor Broom’s request it will need to determine the duration of that 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 |
|---|-------------|-------------|-------------|------------------------|-----------------------|-----------------|
| NONE | NONE | NONE | NONE | NONE | NONE | NONE |

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 NO | 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: Kim Vanessa Broom

Name of your Council: Carmarthenshire County Council

Your address and postcode:

Contact telephone number(s):

Email address: kvbroom@carmarthenshire.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?
Council Tax levy on 2nd Homes

What is your interest in the above matter?

I have a 2nd property next door on my smallholding that I have let as holiday home for a number of years, this provides additional income into the smallholding we have paid council tax on this property as currently there is a choice as to registering for business rates or pay Council tax. I have knowledge and experience of the demands on this sector of the economy and as such can speak but acknowledge that I have a prejudicial interest and will not be able to vote on any changes.

When will the above matter be considered?

Within the next year

Are you applying for dispensation to:

Speak only: X

Speak and vote:

Make written
Representations X

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 | X <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; | X <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 already stated I have run a successful holiday let for over 20 years at times during some challenging times when we were unable to trade due to Foot and Mouth and Covid. I have knowledge of the sector and the demands within it, as such consideration needs to be made to certain groups when considering changes to the taxation of 2nd Homes. I feel I can add value to any debate on the subject .

(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:

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"> • your employment or business, • your employer, firm or company • a contract made between the Council and you • any land, lease or licence 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 | x |
| 10(2)(b) | Council business in which there may be a conflict between your decision-making role and your role in representing constituents in your ward | |
| 10(2)(c) | Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association | |
| 13 | Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only] | |

(2) The Standards Committees (Grant of Dispensations)(Wales) Regulations 2001 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.

STANDARDS COMMITTEE

7th MARCH 2023

DISPENSATION APPLICATION BY COUNCILLOR JAMES PICKUP

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 Pickup has a personal and prejudicial interest which would otherwise prevent him participating in this council business

CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

| | | |
|--|--|---|
| <p>Directorate</p> <p>Name of Head of Service: Linda Rees Jones</p> <p>Report Author: Robert Edgecombe</p> | <p>Designations: Head of Administration and Law</p> <p>Legal Services Manager</p> | <p>Tel Nos. 01267 224012</p> <p>LRJones@carmarthenshire.gov.uk</p> <p>01267 224018</p> <p>rjedgeco@carmarthenshire.gov.uk</p> |
|--|--|---|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Dispensation Application by Cllr James Pickup

Cilycwm Community Councillor James Pickup has submitted a dispensation request in relation to council business regarding the Bute Energy Towy Usk Grid connection scheme.

Councillor Pickup would have a personal and prejudicial interest in such business as he is employed by Bute Energy and is the scheme's senior land manager.

Councillor Pickup seeks dispensation to speak only, on the following grounds under the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001

Regulation 2(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.

And

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

If the committee is minded to grant Councillor Pickup 's request it will need to determine the duration of that 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 |
|---|-------------|-------------|-------------|------------------------|-----------------------|-----------------|
| NONE | NONE | NONE | NONE | NONE | NONE | NONE |

CONSULTATIONS

| | |
|---|--------------------------------|
| I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below | |
| Signed: <i>LRJones</i> | 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 NO | 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: James Barnard Pickup

Name of your Council: Cilycwm Community Council

Your address and postcode:

Contact telephone number(s):

Email address: jamiepickup@hotmail.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?

Bute are my employee and I am the schemes senior land manager

When will the above matter be considered?

Meeting to be held First Tuesday in March

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 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"/> |
| • 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. 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)

My employer is Bute Energy where I am their Senior land manager overseeing all lands matters across their various grid connection schemes. I am also a community councillor on Cilycwm Community Council. Bute recently wrote to Cilycwm Community Council as a consultee at the start of the projects landowner engagement and ahead of its 1st round of informal consultation proposed at the end of Q1 2023 (march). I immediately declared an interest and stated that I wanted no part in debating or responding to any forthcoming consultations but, with my Bute hat on I offered the other councillors a short presentation / briefing on what Bute are proposing. This presentation will be similar to those that I've given to MPs / NFU / CLA & members of Carms CC. The chair of Cilycwm CC has, on behalf the council asked to take me up on my offer of a briefing and I understand from an e-mail conversation with Mrs Rees Jones that I technically need dispensation to do this, hence this request.

(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:

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"> • your employment or business, • your employer, firm or company • a contract made between the Council and you • any land, lease or licence 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 | x |
| 10(2)(c) | Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association | |
| 13 | Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only] | |

(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