

# Document Pack



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**MONDAY, 14 NOVEMBER 2022**

**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. SA31 1JP AND REMOTELY AT 2.00 PM ON MONDAY, 21ST NOVEMBER, 2022 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA**

*Wendy Walters*

**CHIEF EXECUTIVE**

|  |   |
|--|---|
| <b>Democratic Officer:</b>   | <b>Kevin J. 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> |
| <b>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.</b>                                      |   |
| <b>The meeting can be viewed on the Authority's website via the following link:- <a href="https://carmarthenshire.public-i.tv/core/portal/home">https://carmarthenshire.public-i.tv/core/portal/home</a></b> |   |

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

# 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:
  - 3 .1 25TH AUGUST 2022; 5 - 6
  - 3 .2 14TH OCTOBER 2022; 7 - 10
  - 3 .3 26TH OCTOBER 2022. 11 - 14
4. DISPENSATIONS GUIDANCE. 15 - 22
5. DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS S. D. MARTIN, R. JAMES, N. LEWIS AND E. GOLDSMITH. 23 - 34
6. DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS D. W. EDWARDS, C. GREEN, T. JUKES N. LEWIS AND A. KING 35 - 46
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9. DISPENSATION APPLICATION BY COUNCILLORS JEAN LEWIS, ANN DAVIES, GARETH BEYNON THOMAS, KEN HOWELL, HEFIN JONES, ARWEL DAVIES, MANSEL CHARLES, TYSSUL EVANS, LINDA DAVIES EVANS, ANDREW DAVIES, BRYAN DAVIES, HAZEL EVANS AND ELWYN WILLIAMS 65 - 76
10. DISPENSATION APPLICATION BY COUNCILLOR ALEX EVANS. 77 - 82
11. DISPENSATION APPLICATION BY COUNCILLOR JOHN JENKINS. 83 - 92
12. CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS 2021-2022. 93 - 102
13. CODE OF CONDUCT TRAINING. 103 - 106
14. 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

Thursday, 25 August 2022

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

**Independent Members:**

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

**Councillors:**

R. James, B.W. Jones and G.B. Thomas

**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

S. Rees, Simultaneous Translator

J. Owens, Democratic Services Officer

E. Bryer, Democratic Services Officer

**Virtual Meeting - 2.00 - 2.40 pm**

**1. APOLOGIES FOR ABSENCE.**

An apology for absence was received from Town Councillor P. Rogers (Community Member).

**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:**

**3.1. 28TH JULY 2022**

**RESOLVED** that the minutes of the meeting of the Standards Committee held on the 28<sup>th</sup> July, 2022 be signed as a correct record.

**3.2. 4TH AUGUST 2022**

The Chair accepted an apology from Councillor R. James that he had not been able to attend the Standards Committee meeting held on the 4<sup>th</sup> August, 2022.

**RESOLVED** that the minutes of the meeting of the Standards Committee held on the 4<sup>th</sup> August, 2022 be signed as a correct record.

#### **4. EXCLUSION OF THE PUBLIC**

**UNANIMOUSLY RESOLVED**, pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, that the public be excluded from the meeting during consideration of the following items as the reports contained exempt information as defined in paragraph 12 and 13 of Part 4 of Schedule 12A to the Act.

#### **5. INITIAL CONSIDERATION OF REPORT ISSUED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES IN RESPECT OF TOWN COUNCILLOR LOUISE WRIDE**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 4 above not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 12 and 13 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein disclosure at this initial stage of a two-stage process would be a disproportionate and unwarranted intrusion into the private and family life of the Councillor in question.

The Committee considered a report received by the Council's Monitoring Officer from the Public Services Ombudsman for Wales which set out the results of the investigation into allegations that Councillor Wride had breached the members code of conduct.

Members, in accordance with the procedures adopted by the Committee, carried out an initial consideration of the report and based solely upon the contents of the Ombudsman's report came to a determination.

**UNANIMOUSLY RESOLVED** that the report contained evidence of a breach and that Councillor Wride should be given the opportunity to make representations to the Committee, either orally or in writing, in respect of the findings of the investigation.

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**CHAIR**

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**DATE**

**FRIDAY, 14 OCTOBER 2022**

**PRESENT:** Mrs M. Dodd [Chair] (Ph)

**Independent Members:**

C. Davies (R), J. James (Ph) and P. Rogers (Ph)

**Councillors:**

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

**The following Officers were in attendance:**

L. Rees-Jones - Head of Administration and Law / Monitoring Officer (R)  
R. Edgecombe - Legal Services Manager / Deputy Monitoring Officer (Ph)  
M. Evans Thomas - Principal Democratic Services Officer [Note Taker] (R)  
J. Owen - Democratic Services Officer (Ph)  
S. Hendy - Member Support Officer (Ph)  
A. Eynon - Simultaneous Translator (Ph)

**Also in attendance:**

Ms S. Cook, Assistant Investigating Officer, Office of the Public Services Ombudsman for Wales (R)  
Town Councillor L. Wride (R)

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

**Multi Location: Chamber, County Hall, Carmarthen and remotely :  
2.30 pm - 3.22 pm**

**1. APOLOGIES FOR ABSENCE**

An apology for absence was received from Mrs D. Evans, Independent Member.

**2. DECLARATIONS OF PERSONAL INTEREST**

There were no declarations of interest.

**3. EXCLUSION OF THE PUBLIC**

**UNANIMOUSLY RESOLVED**, pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007, that the public be excluded from the meeting during consideration of the following item as the report contained exempt information as defined in paragraphs 12 & 13 of Part 4 of Schedule 12A to the Act.

#### **4. PRE-HEARING REVIEW IN RESPECT OF REPORT ISSUED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES REGARDING TOWN COUNCILLOR LOUISE WRIDE**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 3 above not to publicise the content of the report as it contained exempt information relating to a particular individual and information which is likely to reveal the identity of an individual (Paragraphs 12 & 13 of Part 4 of Schedule 12A to the Act). The public interest test in respect of this report outweighed the public interest in disclosing the information contained therein as disclosure at this initial stage of a two stage process would be a disproportionate and unwarranted intrusion into the private and family life of the Councillor and other third parties referred to in the report.

The Chair welcomed to the meeting Town Councillor Louise Wride and Ms Sinead Cook of the Office of the Public Services Ombudsman for Wales.

The Chair reminded the Committee that at the meeting of the Standards Committee held on 25<sup>th</sup> August, initial consideration was given to the report issued by the Public Services Ombudsman for Wales in respect of Town Councillor Louise Wride. The Committee resolved that Councillor Wride be given the opportunity to make representations to the Committee in respect of the findings of the investigation.

The main purpose of the Pre-Hearing Review was to consider Councillor Wride's request that the final hearing be heard in private. The relevant legislation is set out in Schedule 12A of the Local Government Act and includes provision for a matter to be considered in private where it contains information relating to a particular individual (para 12) and Information which is likely to reveal the identity of an individual (para 13). Both these grounds are subject to a wider public interest test.

Ms Cooke of the Ombudsman's Office was invited to address the Committee and provided some background and context to the case.

Councillor Wride was thereupon invited to address the Committee regarding the further progress of the case.

The Deputy Monitoring Officer explained that, should the Committee decide to hold the next stage in public, the option would still be available to the Committee to enter into private session should they deem it necessary.

Following a lengthy discussion, it was

**RESOLVED** that, in line with the requirement for openness and transparency in relation to the duties undertaken by the Standards Committee, the final hearing of the case in respect of Town Councillor Louise Wride be held in public but with the Committee entering into private session should it be deemed in the public interest at any stage.

**5. 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 to be considered.

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**CHAIR**

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**DATE**

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**WEDNESDAY, 26 OCTOBER 2022**

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

**Independent Members:**

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

**Community Member:-**

Councillor P. Rogers (Ph)

**Councillors:**

R. James (Ph), B.W. Jones (R) and G.B. Thomas (R)

**The following Officers were in attendance:**

R. Edgecombe - Legal Services Manager / Deputy Monitoring Officer (Ph)

E. Evans - Principal Democratic Services Officer (Ph)

M. Evans Thomas - Principal Democratic Services Officer [Note Taker] (R)

J. Owen - Democratic Services Officer (Ph)

A. Eynon - Simultaneous Translator (Ph)

**Also in attendance:**

Ms S. Cook, Assistant Investigations Officer, Office of the Public Services Ombudsman for Wales (R)

Ms S. Jones, Investigations Officer, Office of the Public Services Ombudsman for Wales (Observing) (R)

Town Councillor L. Wride (R)

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

**Multi Location: Chamber, County Hall, Carmarthen and remotely :  
2.30 pm - 4.30 pm**

**1. APOLOGIES FOR ABSENCE.**

There were no apologies for absence.

**2. DECLARATIONS OF PERSONAL INTEREST.**

There were no declarations of interest.

**3. FINAL HEARING IN RESPECT OF REPORT ISSUED BY THE PUBLIC SERVICES OMBUDSMAN FOR WALES REGARDING TOWN COUNCILLOR LOUISE WRIDE**

The Chair welcomed to the meeting Town Councillor Louise Wride and Ms Sinead Cook and Ms Sarah Jones of the Office of the Public Services Ombudsman for Wales.

The Committee was reminded that at the meeting of the Standards Committee held on 25<sup>th</sup> August, initial consideration was given to the report issued by the Public Services Ombudsman for Wales detailing the results of their investigation into allegations that Town Councillor Louise Wride had breached the Members' Code of Conduct. The Committee concluded that the report did disclose evidence to suggest that there had been a breach of the Code of Conduct. The case then proceeded to the next stage and Councillor Wride was invited to make representations regarding the further progress of the case.

At the meeting of the Standards Committee held on 14<sup>th</sup> October, 2022 a Pre-Hearing Review was undertaken, the main aim of which was to consider Councillor Wride's request that the final hearing be heard in private. The Committee resolved that today's final hearing be held in public but with the Committee entering into private session should it be deemed in the public interest at any stage.

At today's final hearing the Committee was being asked to consider the case in full and determine whether Councillor Wride's conduct breached the Code adopted by Llandovery Town Council as suggested in the Ombudsman's report.

The Committee needed to determine whether Councillor Wride's conduct brought her office as a Town Councillor and/or her Council into disrepute. The conduct in question being Councillor Wride's conviction for a criminal offence, as set out in the Ombudsman's report.

If the Committee determined that Councillor Wride's conduct breached the Code, it would then need to consider what sanction (if any) it wished to impose. The maximum sanction that could be imposed was suspension from office for up to 6 months. Should the Committee conclude that Councillor Wride had breached the code and impose a sanction then Councillor Wride would have a right of appeal to the Adjudication Panel for Wales.

Ms Cook of the Ombudsman's Office thereupon summarised the findings of the investigation undertaken and the Committee was given the opportunity to ask questions/seek clarification.

Councillor Wride was thereupon invited to address the Committee in her defence of the findings and the Committee was given the opportunity to ask questions/seek clarification.

At this point in the proceedings it was proposed and seconded, pursuant to Section 100A(4) of the Local Government Act 1972, that the press and public be excluded from the meeting for the reason that, if they were present, it was likely that there would be disclosure to them of exempt information as defined in Paragraph 16 of Schedule 12A to the Local Government Act 1972 namely



information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

**UNANIMOUSLY RESOLVED to retire into private session to enable the Committee to consider exempt information as defined in Paragraph 16 of Schedule 12A to the Local Government Act 1972.**

The representatives from the Ombudsman's Office and Councillor Wride duly left the meeting and the webcasting of the meeting was paused. Following the conclusion of those deliberations, the Ombudsman's representatives and Councillor Wride re-joined the meeting and the webcast was re-commenced.

#### **Decision as to breach**

Based upon the undisputed facts in this case the Committee felt that a reasonable member of the public would consider that Councillor Wride's conduct had brought her office of Councillor and her Council into disrepute and therefore was satisfied that Councillor Wride had breached Paragraph 6(1)(a) of the Code of Conduct. This was especially given that at the time of the breach Councillor Wride held a senior position in the Council as Mayor and her conduct resulted in a criminal conviction.

At this point in the proceedings, in order for the Committee to receive confidential personal information from Cllr Wride to enable it to deliberate upon what sanction, if any, should be imposed, it was

**UNANIMOUSLY RESOLVED to retire into private session to enable the Committee to consider exempt information as defined in Paragraph 16 of Schedule 12A to the Local Government Act 1972.**

The webcasting of the meeting was therefore paused whilst that confidential personal information was provided to the committee

The committee then retired to consider what sanction, if any, it would impose and Cllr Wride and the Ombudsman's representative again left the meeting.

Having made its decision the private session was concluded and the Ombudsman's representatives and Councillor Wride re-joined the meeting and the webcast was re-commenced so that the decision as to sanction could be given.

#### **Decision as to sanction**

In considering the sanction to be imposed upon Councillor Wride for her breach of the Code the Committee had regard to the representations made on behalf of the Ombudsman and those made by Councillor Wride.

The Committee followed the five stage process set out in guidance issued by the Adjudication Panel for Wales.

Having considered all the evidence and representations, the Committee

**RESOLVED** that it would be appropriate and proportionate to suspend Councillor Wride for a period of 2 months and that she should undertake Code of Conduct training within the next six months.

4. **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 to be considered.

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

**STANDARDS COMMITTEE**  
**21/11/2022**

## DISPENSATIONS GUIDANCE

### Recommendations / key decisions required:

To consider the nature and scope of dispensations that are granted in cases where the member's interest is broad in character

Reasons:

The granting of dispensations forms part of the committee's remit

Relevant scrutiny committee to be consulted NO

**Include date of Cttee (if known and any observations here or within the Consultations section)**

|                           |    |
|---------------------------|----|
| Cabinet Decision Required | NO |
|---------------------------|----|

Council Decision Required YES

CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans

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

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**DISPENSATIONS GUIDANCE**

During the meeting of the committee in June 2022 dispensation requests were considered in relation to

- Farming and Agricultural matters generally
- The provision of social care services in Carmarthenshire and across the South West Wales Region

Committee members have asked for further guidance in relation to such dispensation requests given how wide ranging they can be in nature, scope, and effect.

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 offer no guidance on this issue, merely setting out the grounds upon which a dispensation may be granted.

Guidance issued by the Public Services Ombudsman for Wales on the members code of conduct states at paragraph 3.64

*“The Standards Committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority”*

**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:** LRees-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: L Rees-Jones

HEAD OF ADMINISTRATION AND LAW

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

No

## 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 Department File | DPSC-200     | County Hall   |

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# **DISPENSATIONS GUIDANCE**

## **Introduction**

During the meeting of the committee in June 2022 dispensation requests were considered in relation to

- Farming and Agricultural matters generally
- The provision of social care services in Carmarthenshire and across the Southwest Wales Region

In both cases dispensations were granted to speak/make written representations but not vote and were subject to certain caveats.

Committee members have asked for further guidance in relation to such dispensation requests given how wide ranging they can be in nature, scope, and effect.

## **Legislation and Guidance**

There appears to be no specific legislative provision or statutory guidance on this precise issue. Regulations prescribe the grounds upon which a dispensation can be granted and these are set out in the dispensation application form. The executive summary in the covering report references the relevant legislation and the one paragraph of the Ombudsman's guidance that may be considered relevant.

## **Basic Principles**

The first point the committee needs to remember is that any dispensation only applies where the member in question has a personal and prejudicial interest in an item of council business which would otherwise prevent their participation. If the member does not have that interest in the item of business, then they can participate fully irrespective of what the dispensation says.

So, taking the farming dispensation as an example, if the item of council of business is a motion on notice calling on supermarkets to only sell Welsh lamb, a dairy or arable farmer may well not have a personal and prejudicial interest in that motion (as it does not relate to or be likely to

affect their farming business) and will therefore be able to participate fully (including vote) without having to rely on their dispensation.

In contrast a sheep farmer would have a personal and prejudicial interest in that motion and therefore would have to rely on their dispensation to participate.

Invariably there will be individual councillors who fall between these two ends of the spectrum. Councillors who rent out land to sheep farmers for example would have to carefully consider their personal position in such a situation and may have to rely upon their dispensation to participate even though the main part of their personal farming activity is not sheep farming.

The second point the committee needs to remember is that in considering a dispensation application it is conducting a balancing exercise. As the Ombudsman's guidance says

*“The Standards Committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority”*

This will invariably need to be determined on a case-by-case basis and it is quite reasonable for the committee to conclude in a particular case that the balance of the public interest is in favour of allowing a member to speak/make written representations but not vote. It would appear from the wording of the Ombudsman's guidance that a factor in the committee's conclusions would be whether there would still be a 'reasonably representative group of members' available to make a decision, if the dispensation application were refused or only granted to speak/make written representations. What constitutes a 'reasonably representative group of members' will depend on the facts of each application.

### Alternative Approach

The practice of granting broad dispensations of the nature outlined above is relatively new, the first being granted in 2017 because of a motion on notice at full council. Since then, similar broad dispensations have been granted on 6 occasions, including the 2 granted at the



meeting in June. These dispensations have related to a wide variety of interests and to councillors across the political spectrum.

In line with advice given to councillors at code of conduct training sessions, members have been encouraged to be pro-active in seeking dispensations where they consider that they are likely to have a personal and prejudicial interest at some point in upcoming council business.

The alternative approach would be to expect members to apply for a dispensation each time an item of council business arises in which they have a prejudicial interest. However quite often members will not have sufficient warning that a particular item of business will be on the agenda to enable them to apply for a dispensation.

Taking the recent social care services dispensation as an example a motion on notice on this subject need only be submitted to the Chief Executive 7 clear working days before the meeting at which it is to be considered. The meeting agenda and reports must then be published at least 3 clear days before the meeting.

The first the member may know of the motion would be when they receive the agenda for the meeting. Clearly it would not be possible for that member to apply for a dispensation and have their request considered by the committee within 3 days.

Requiring the member to apply for a dispensation each time a specific item of council business arose regarding the provision of social care services (and in which he considered he had a prejudicial interest) would therefore have the practical effect of excluding him from the consideration of such business even though, in line with the Ombudsman's guidance, the committee might feel that the balance of public interest was in favour of allowing him to participate on that occasion.

## Conclusion

The Committee's annual report has in recent years contained the statement that

"The Committee continues to approach each application with a presumption in favour of granting a dispensation wherever practicable, particularly in relation to granting a dispensation to speak only." [my emphasis]

The Committee has tended to draw a distinction between dispensations to speak only and dispensations to speak and vote and this approach is fully justified provided they consider each application on its on individual merits.

Where the members of the committee consider the balance of public interest lies in each individual case is a matter for them to decide based on the particular facts of that case.

Granting broad dispensations of the sort given in June has the effect of enabling councillors to participate in council business which they may otherwise be excluded from in practice due to having insufficient time to make a specific dispensation application.

## STANDARDS COMMITTEE 21/11/2022

|   |  |  |
|---|--|--|
| <b>DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS S. D. MARTIN, R. JAMES, N. LEWIS, E. GOLDSMITH</b> |  |  |
| <b>Recommendations / key decisions required:</b><br>To consider the attached application                        |  |  |
| Reasons:<br>The determination of dispensation applications forms part of the committee's remit                  |  |  |
| Relevant scrutiny committee to be consulted NO  |  |  |
| <b>Include date of Cttee (if known and any observations here <u>or</u> within the Consultations section)</b>    |  |  |
| Cabinet Decision Required NO  |  |  |
| Council Decision Required YES   |  |  |
| CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans   |  |  |
| Directorate:<br><br>Name of Head of Service:<br><br>Linda Rees-Jones<br><br>Report Author:<br>Robert Edgecombe  | Designations:<br><br>Head of Administration<br>and Law<br><br>Legal Services Manager | Tel: 01267 224018<br><br>Email addresses:<br>rjedgeco@carmarthenshire.gov.uk |

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS  
S D MARTIN, R JAMES, N LEWIS, E GOLDSMITH**

A dispensation application has been received from the Clerk to Gorslas Community Council on behalf 4 councillors who are governors of schools within the administrative area of the community council.

The application is to both speak and vote.

The Councillors have a personal interest in council business relating to the schools of which they are governors by virtue of paragraph 10(2)(a)(ix)(aa) of the members code of conduct.

The exemption in paragraph 12(2)(a)(iv) of the code relating to school governors would not apply if the council business related to the specific school of which the councillor was a governor.

The application is made on the ground that to enable the councillors to participate in council business relating to their individual schools would not damage public confidence in the conduct of that business.

The attached application sets out in detail the nature of the interests and the basis upon which dispensation is sought.

Committee members should also be aware that dispensations to speak and vote were granted to 7 Gorslas councillors (including 1 of the current applicants) in respect of the same interest in 2016. Dispensations were also granted to 4 Gorslas councillors in 2017, again to speak and vote. Two of the councillors granted dispensation in 2017 are amongst the current applicants. In 2016 and 2017 dispensations were granted until the end of the councillor's terms of office

**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:** LRees-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: L Rees-Jones

HEAD OF ADMINISTRATION AND LAW

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

No

## 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 Department File | DPSC-200     | County Hall   |

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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: Schedule of Members Names Attached

Name of your Council: Gorslas Community Council

Your address and postcode: As per attached schedule

Contact telephone number(s): As per attached schedule

Email address: Gorslas.CC.Clerk@gmail.com

### 2. DETAILS OF YOUR INTEREST

What is members interest in the above matter?

The members stated in the attached schedule are also governors of primary schools in the local area which fall within the Gorslas Community Council wards.

When will the above matter be considered?

- Park matters arise at each meeting of the Community Council and can involve school matters.
- The Community Use Agreement related to the new Gorslas CP School is likely to feature at each meeting of the Community Council for the 2022/23 year and subsequently probably reviewed and updated every school term. These are estimates as the new school will be established at the new location in September 2022, and thus the timescale for negotiation, completion and implementation of the agreement have not been finalised.



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  |                                     |
| • 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 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"/>            |



The Community Council is not involved directly in the running of schools. The County Council, as well as residents, do however refer issues related to any proposed changes to the schools' network affecting the area or issues related to the admission of pupils to the schools and or lack of suitable accommodation, facilities or provision.

Additionally, issues arise at Council meetings which relate to local schools and in particular currently the new Gorslas C.P. school which is re-locating to Gorslas Park. The Community Council is negotiating an agreement with the Governing Body in relation to the use of certain facilities outside school times and days.

At Cefneithin Park the local primary school is given free use of the MUGA and of the adjoining park, both of which are owned by the Community Council to provide physical exercise and team games for the pupils.

It is likely that operational, and management issues will arise during the course of the next five years where there will be an interaction with the Governing Body specifically in relation to these arrangements.

Having members of the Community Council who are also members of the Governing Body has proved particularly beneficial in terms of shared problem areas in the three parks. Dog fouling is one such issue and through the offices of the members of the two bodies it has been possible to agree an action plan which will commence in September, 2022 and include both bodies as well as the County Council.

The partnership type arrangement also made the process of consulting with the local schools to obtain the views of the pupils in relation to the type and nature of play equipment they would like to see in the parks in the future. That information was used as part of the tender process and also to support application for financial assistance.

The Community Council is also conscious of the fact that a number of its members volunteered to be nominated as representatives of the Council on the Governing Bodies of the schools as they have an active interest and commitment in education.

It would seem punitive, and a disincentive, to then prohibit them from discussions and decisions relating to those schools given their desire to serve the community and the school.

The Community Council feels there is a benefit in allowing members in such a position to be able to contribute, take part and vote in relation to issues affecting those schools.

It is believed that the overall balance of public interest is best served by such an arrangement and that there is a sufficient safeguard in that the vast majority of Councillors do not have any formal involvement with the school.

The Community Council therefore respectfully requests that consideration be given to retaining the current arrangement



*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:

02.08.22

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> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul> |  |
| 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

|          |   |
|----------|---|
| 10(2)(a) | <ul style="list-style-type: none"> <li>• your employment or business;</li> <li>• any land, lease or licence in which you have an interest;</li> <li>• a public body or other association in which you have membership or hold a position of general control or management;</li> </ul> |
| 10(2)(c) | <ul style="list-style-type: none"> <li>• 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;</li> </ul>                               |
| 13       | <ul style="list-style-type: none"> <li>• 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]</li> </ul>                 |

(2) The Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 (as amended) state that a Standards Committee may grant dispensations where:

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- (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 (b) 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



## **Appendix A GORSLAS COMMUNITY COUNCIL MEMBERS**

### Cefneithin C.P School

Simon David Martin,  
Cwmeiddon,  
Maesybont, Llanelli SA14 7HF ,

Roy James,  
No 4 Heol Trefenty,  
Cefneithin, SA14 6TE

### Drefach and Cross Hands CP Schools Federation.

Nia Lewis,  
Rhoswen ,  
Heol Caegwyn, Drefach SA14 7BB

### Gorslas C.P. School

Elinor Goldsmith,  
5 Heol Yr Eglwys,  
Gorslas. SA14 7NF.

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## STANDARDS COMMITTEE 21/11/2022

### DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS D. W. EDWARDS, C. GREEN, T. JUKES N. LEWIS A. KING

#### Recommendations / key decisions required:

To consider the attached application

#### Reasons:

The determination of dispensation applications forms part of the committee's remit

Relevant scrutiny committee to be consulted NO

Cabinet Decision Required NO

Council Decision Required YES

CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans

#### Directorate:

Name of Head of Service:

Linda Rees-Jones

Report Author:

Robert Edgecombe

#### Designations:

Head of Administration  
and Law

Legal Services Manager

Tel: 01267 224018

Email addresses:

rjedgeco@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS  
D. W. EDWARDS, C. GREEN, T. JUKES, N. LEWIS, A. KING**

A dispensation application has been received from the Clerk to Gorslas Community Council on behalf 5 councillors who are members of 2 different welfare associations within the administrative area of the community council.

The application is to both speak and vote.

The Councillors have a personal interest in council business relating to these welfare associations by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct.

The application is made on the ground that to enable the councillors to participate in council business relating to their respective welfare associations would not damage public confidence in the conduct of that business and that the interest relates to a voluntary organisation in which the councillor has a management role and that the councillor has no other personal interest.

The attached application sets out in detail the nature of the interests and the basis upon which dispensation is sought.

Committee members should also be aware that dispensations to speak and vote were granted to 15 Gorslas councillors (including 3 of the current applicants) in respect of the same interest in 2015. Dispensations were also granted to 4 Gorslas councillors in 2016 (namely the 4 current applicants), again to speak and vote. In 2017 dispensations were again granted to the same 4 councillors to speak and vote in respect of these interests. The 2015 dispensation was granted for 6 months but in 2016 and 2017 dispensations were granted until the end of the councillor's terms of office.

**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:** LRees-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: L Rees-Jones

HEAD OF ADMINISTRATION AND LAW

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

No

## 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 |
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| Legal Department File | DPSC-200     | County Hall   |

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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: Schedule of Members Names Attached

Name of your Council: Gorslas Community Council

Your address and postcode: As per attached schedule

Contact telephone number(s): As per attached schedule

Email address: Gorslas.CC.Clerk@gmail.com

### 2. DETAILS OF YOUR INTEREST

- Members of the Welfare Committee

#### **Explanatory Note - Welfare Committees.**

- The Community Council own the recreational parks at Gorslas, Drefach and Cefneithin.
- Accordingly, it makes strategic and operational decisions relating to general provision for the three parks but also on occasion in relation to individual park.
- There are Welfare Associations in each of those communities have a consultative role in the running of the park in their particular area.
- The Community Council also, on occasion, considers requests from the three local Welfare Associations at Cefneithin, Drefach and Gorslas for financial assistance to host community events notably Christmas tree and lights events within their community.
- Many of the Community Councillors are also members of the Welfare Association for the area in which their electoral Ward falls.
- The Community Councillors do not have a direct personal or financial interest in any of the three Welfare Associations.
- Dispensation is sought to allow Community Councillors, to speak and vote at meetings of the Community Council on matters related to the three parks, including the park within the ward which they represent and are members of the Welfare Association as well as matters relating to requests for financial assistance up to £500 from those associations and for the benefit of the local community.
- The request is made to allow the Council to benefit from the input and local knowledge of the elected members on matters related to the relevant ward and for which the local members are also members of the Welfare Association.
- It will facilitate the decision through the provision of local relevant community-based information from members representing the respective wards before a decision is made and which the Council would otherwise not be in possession of.



### What is members interest in the above matter?

- The elected representatives are also members of the Welfare Association within their respective wards and thus the Welfare Organisation association could potentially benefit from a decision made by the Community Council relating either to the park or for the granting of financial assistance for community events.

### When will the above matter be considered?

- Park matters will arise at each meeting of the Community Council.
- Financial Assistance Requests are considered usually once a year

### 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  |                                     |
| • 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 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. 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)***

The Welfare Associations have played a significant role in the development of the parks which the Community Council own and operate and play a consultative role in obtaining the views of residents on proposed changes to the park or any issues residents may have with difficulties arising from the operation of the parks.

The Community Councillors who are also members of the local Welfare Associations contribute to the work of the Community Council considerably through the pooling and sharing of their ongoing knowledge of the activities, aims and actions of the local organisations.

The full Council consists of 15 Councillors, five from each of the three wards. There is also a Sub Committee (it is a General Purpose Sub Committee and deals with any matters delegated to it by full Council – there are no other committees or sub-committees). One member from each ward sits on the Sub Committee and each ward also appoints a further member, as part of a mentoring and development programme, to serve in the role of observer.

The balance of membership of Councillors who are also members of Welfare Associations has changed following the elections in May 2022. It currently stands at 33% of the total membership.

Whilst that is shy of the 50% threshold indicated as a stated reason for applying for dispensation if a third of the total membership was not able to participate in the discussion and decision-making process then it would impact on the quality of the decision-making process and leave the views of a significant number of electors unrepresented.

The Community Council is of the view that the current arrangement works well, facilitates better informed decision making and that the balance is such that it allows for input from the local members who are also members of the Welfare Association but with the majority of members not being members of that particular local welfare association or indeed any association.

A recent practical example resulted in the Gorslas Welfare Association donating £6k to assist in the process of purchasing new play equipment for Gorslas Park. The role of the Community Council members who were also members of the Gorslas Welfare Association was key in facilitating the arrangement.

Changing the arrangement would provide a poorer service for each community and work against the efficient delivery and co-ordination of services in the area.

Members kindly seek the permission of the County Council to continue the current arrangement and grant dispensation for the relevant members.



#### 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)

The Welfare Associations have played a significant role in the development of the parks which the Community Council own and operate and play a consultative role in obtaining the views of residents on proposed changes to the park or any issues residents may have with difficulties arising from the operation of the parks.

The Community Councilors who are also members of the local Welfare Associations contribute to the work of the Community Council considerably through the pooling and sharing of their ongoing knowledge of the activities, aims and actions of the local organisations.

The full Council consists of 15 Councilors, five from each of the three wards. There is also a Sub Committee (it is a General Purpose Sub Committee and deals with any matters delegated to it by full Council - there are no other committees or sub-committees). One member from each ward sits on the Sub Committee and each ward also appoints a further member, as part of a mentoring and development programme, to serve in the role of observer.

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Whilst that is shy of the 50% threshold indicated as a stated reason for applying for dispensation it is a third of the total membership was not able to participate in the discussion and decision-making process then it would impact on the quality of the decision-making process and leave the views of a significant number of electors unrepresented.

The Community Council is of the view that the current arrangement works well, facilitates better informed decision making and that the balance is such that it allows for input from the local members who are also members of the Welfare Association but with the majority of members not being members of that particular local welfare association or indeed any association.

*(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:

02.08.22

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



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

|          |   |
|----------|---|
| 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)   |
| 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  |
| 10(2)(a) | Council business which relates to:<br>• your employment or business;<br>• any land, lease of land or other interest in which you have an interest;<br>• a public body or other association in which you have membership or hold a position of general control or management |

(2) The Standards Committee (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



### 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> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul> |  |
| 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]  |  |

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- 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;
- 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;
- 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;
- the interest is common to the member and a significant proportion of the general public;
- the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- 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;
- 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



## **Appendix A GORSLAS COMMUNITY COUNCIL MEMBERS**

### **Drefach Ward**

Dewi Wyn Edwards,  
Coedfryn,  
Heol Blaenhirwaun, Drefach, SA14 7AY

Clive Green,  
Penderyn,  
61 Heol Cwmmawr, Drefach, SA14 7AS

Tina Jukes,  
Dan yr Allt,  
Heol Dan yr Allt ,Drefach Llanelli.

Nia Lewis,  
Rhoswen ,  
Heol Caegwyn, Drefach SA14 7BB

### **Gorslas Ward**

A King,  
8 Clos Y Gwendraeth,  
Gorslas.

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## STANDARDS COMMITTEE

21/11/2022

### DISPENSATION APPLICATION BY COUNCILLOR SHAREN DAVIES

**Recommendations / key decisions required:**

To consider the application and decide whether to grant Councillor Davies a dispensation.

**Reasons:**

Consideration of such applications fall within the remit of the committee

Relevant scrutiny committee to be consulted NO

Cabinet Decision Required NO

Council Decision Required NO

CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans

**Directorate:**

**Name of Head of Service:**

Linda Rees-Jones

**Report Author:**

Robert Edgecombe

**Designations:**

Head of Administration  
and Law

Legal Services Manager

Tel: 01267 224018

**Email addresses:**

rjedgeco@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY  
COUNCILLOR SHAREN DAVIES**

A dispensation application has been received from Councillor Sharen Davies of Carmarthenshire County Council and Llanelli Rural Council.

Councillor Davies seeks dispensation to speak, vote and make written representations in relation to council business relating to or likely to affect Dolen Teifi Community Transport.

Councillor Davies has a personal and prejudicial interest in council business relating to or likely to affect that organisation as they are Councillor Davies's employers.

The attached application from Councillor Davies sets out the grounds upon which the application is made and contains a supporting statement with details of her role in the organisation.

If the committee is minded to grant Councillor Davies a dispensation it will need to determine its duration.

**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: LRJones**

**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: LRJones**

**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**

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

**No**

**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-200     | County Hall Carmarthen  |

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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:              | CLL SHAREN DAVIES  |
| Name of your Council:        | CARMARTHENSHIRE COUNTY COUNCIL<br>LLANELLI RURAL COUNCIL |
| Your address and postcode:   | 3 DAFEN ROAD, DAFEN,<br>LLANELLI SA14 8LY                |
| Contact telephone number(s): | 07856747856  |
| Email address:               | sharendavies@hotmail.co.uk                               |

**2. DETAILS OF YOUR INTEREST**

|  |   |                           |                                     |
|--|---|---------------------------|-------------------------------------|
| What is the matter under consideration?    | DOLEN TEIFI COMMUNITY TRANSPORT   |                           |                                     |
| What is your interest in the above matter? | EMPLOYEE OF DOLEN TEIFI   |                           |                                     |
| When will the above matter be considered?  | DISCUSSIONS, BOTH WRITTEN AND VERBAL WITH COUNCIL OFFICER, ORGANISATIONS AND COUNCIL MEMBERS. |                           |                                     |
| Are you applying for dispensation to:      |   |                           |                                     |
| Speak only:                                | <input type="checkbox"/>  | Speak and vote:           | <input checked="" type="checkbox"/> |
| Make written Representations               | <input checked="" type="checkbox"/>   | Exercise Executive Powers | <input type="checkbox"/>            |

### 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 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"/>            |

### 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)**

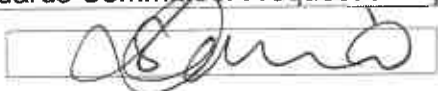
I am currently employed as a Community Transport Development Officer for Dolan Teifi. As project officer I will be responsible for developing the use of a network of fully accessible electric vehicles. Also tasked with supporting families, individuals to access employment, education, training, support leisure opportunities. I'm also tasked with improving cross valley connectivity developing and improving non-commercial EV infrastructure connecting and integrating with other transport modes. Working in partnership with schools and the National Botanic Garden of Wales. Identify and manage new and existing volunteer drivers.



*(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 / 7 / 22

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

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## STANDARDS COMMITTEE 21/11/2022

|   |                                   |                                 |
|---|-----------------------------------|---------------------------------|
| <b>DISPENSATION APPLICATION BY<br/>COUNCILLOR EDWARD THOMAS</b>                           |                                   |                                 |
| <b>Recommendations / key decisions required:</b>  |                                   |                                 |
| To consider the application and decide whether to grant Councillor Thomas a dispensation. |                                   |                                 |
| <b>Reasons:</b>   |                                   |                                 |
| Consideration of such applications fall within the remit of the committee                 |                                   |                                 |
| Relevant scrutiny committee to be consulted NO  |                                   |                                 |
| Cabinet Decision Required NO  |                                   |                                 |
| Council Decision Required NO  |                                   |                                 |
| CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans                                 |                                   |                                 |
| Directorate:  | Designations:                     | Tel: 01267 224018               |
| Name of Head of Service:  |                                   | Email addresses:                |
| Linda Rees-Jones  | Head of Administration<br>and Law | rjedgeco@carmarthenshire.gov.uk |
| Report Author:  | Legal Services Manager            |                                 |
| Robert Edgecombe  |                                   |                                 |

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY  
COUNCILLOR EDWARD THOMAS**

A dispensation application has been received from Councillor Edward Thomas of Carmarthenshire County Council.

Councillor Thomas seeks dispensation to speak only in relation to council business relating to a grant application from Tregib Sports Facilities Limited {TSF} which will be submitted to pre-cabinet/cabinet meetings for consideration.

Councillor Thomas has a personal and prejudicial interest in council business relating to the grant application as he is one of the directors of Tregib Sports Facilities Limited.

The attached application from Councillor Thomas sets out the grounds upon which the application is made and confirms that TSF is a not for profit limited company running the sports facilities at the Tregib site. The application also confirms that the directors post that Councillor Thomas holds is non remunerated and that he and the other directors are all volunteers.

If the committee is minded to grant Councillor Thomas a dispensation it will need to determine its duration.

**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: LRJones**

**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 – 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

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

**No**

## 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-200     | County Hall Carmarthen  |

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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: County Cllr Edward Gwynne Thomas

Name of your Council: Carmarthenshire County Council

Your address and postcode: 8 Bridge St , Llandeilo SA19 6BN

Contact telephone number(s): 07811067970

Email address: egthomas@carmarthenshire.gov.uk

### **2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Application will be submitted to pre-cabinet/cabinet for a grant application from Tregib Sports Facilities Limited {TSF}. TSF are in the process of applying to WG for grants to replace the astro turf and have been recommended to apply for a Regeneration Targeted Finance Fund

What is your interest in the above matter?

I am one of the directors of Tregib Sports Facilities Limited – a not for profit limited company running the sports facilities. The post is non remunerated and the other directors are equally volunteers

When will the above matter be considered?

During the September round of Cabinet Meetings possibly 19<sup>th</sup>

Are you applying for dispensation to:

Speak only:           X☐

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  | 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;  | <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 | X <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)***

*I wish to be able to answer any questions asked by my colleagues at cabinet . I believe the application will be self sufficient and there should be enough information provided to allow my colleagues to make a decision . I will of course not vote*

*(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: Edward Thomas

Date: 18 / 08/22

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> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul> |  |
| 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 21/11/2022

**DISPENSATION APPLICATION BY COUNCILLORS JEAN LEWIS, ANN DAVIES, GARETH BEYNON THOMAS, KEN HOWELL, HEFIN JONES, ARWEL DAVIES, MANSEL CHARLES, TYSSUL EVANS, LINDA DAVIES EVANS, ANDREW DAVIES, BRYAN DAVIES, HAZEL EVANS AND ELWYN WILLIAMS**

### **Recommendations / key decisions required:**

To consider the application and decide whether to grant each Councillor a dispensation.

### **Reasons:**

Consideration of such applications fall within the remit of the committee

Relevant scrutiny committee to be consulted NO

**Include date of Cttee (if known and any observations here or within the Consultations section)**

Exec. Board Decision Required NO

Council Decision Required NO

**CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans**

Directorate:

Name of Head of Service:

Linda Rees-Jones

Report Author:

Robert Edgecombe

Designations:

Head of Administration  
and Law

Legal Services Manager

Tel: 01267 224018

Email addresses:

rjedgeco@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY COUNCILLORS Jean Lewis, Ann Davies, Gareth Beynon Thomas, Ken Howell, Hefin Jones, Arwel Davies, Mansel Charles, Tyssul Evans, Kim Broom, Linda Davies Evans, Andrew Davies, Bryan Davies, Hazel Evans and Elwyn Williams**

A joint dispensation application has been received from a group of Carmarthenshire County Council members who wish to speak and vote in relation to a proposed motion on notice relating to TB testing, which is to be considered at a forthcoming meeting of full council.

The Councillors have a personal and prejudicial interest in that council business as they are all farmers (or are related to farmers) who farm cattle and therefore have involvement with the TB testing requirements.

The committee has previously granted dispensation to these members to speak but not vote in relation to farming/agriculture generally. This was however subject to a caveat that it does not apply to council business that relates directly to the specific farm or agricultural land or activity which gives rise to the councillor's personal interest.

Advice has been given by the Monitoring Officer that this caveat means that this previous dispensation would not permit the relevant members to participate in the debate on this particular motion and therefore that a further, more specific dispensation, should be requested.

The attached application sets out the grounds upon which the application is made and contains a supporting statement.

If the committee is minded to grant the application it will need to determine the duration of the 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: LRJones

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: LRJones

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**

**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-200     | County Hall Carmarthen  |



## **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: Cllr. Jean Lewis, Ann Davies, Gareth Beynon Thomas, Ken Howell, Hefin Jones, Arwel Davies, Mansel Charles, Tyssul Evans, Linda Davies Evans, Andrew Davies, Bryan Davies, Hazel Evans and Elwyn Williams.

Name of your Council: Carmarthenshire County Council.

Your address and postcode: c/o County Hall, Carmarthen SA31 1JP

Contact telephone number(s):

Email address:

### **2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Motion on Notice regarding TB testing at forthcoming council meeting

What is your interest in the above matter?

We are all either actively engaged in farming activities, own agricultural land which is rented out for farming activities or have close personal associates who are actively engaged on farming activities or own agricultural land. Further information is contained in the supporting statement below.

When will the above matter be considered?

Forthcoming full council meeting (date to be confirmed)

Are you applying for dispensation to:

Speak only: ☐

Speak and vote: ☒ X

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;                | X <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;   | X <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"/>   |
| • 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)***

**Cllr. Jean Lewis**

Councillor Lewis is the owner of agricultural land and actively engaged in the running of the family's farming business.

**Cllr. Ann Davies**

Councillor Davies is actively engaged in the running of the family farm and her family owns and rents agricultural land in the County.

**Cllr. Arwel Davies**

Councillor Davies is the owner of agricultural land and actively engaged in the running of the family's farming business. He also rents agricultural land.

**Cllr. Tyssul Evans**

Councillor Evans owns agricultural land in the County which is rented out for the farming activities by other farmers.

**Cllr. Ken Howell**

Councillor Howell is the owner of farm land.

**Cllr. Gareth Thomas**

Councillor Tomas owns farm land and works as a farmer.

**Cllr. Mansel Charles**

Councillor Charles is the owner of farm land and is a working farmer.

**Cllr Hefin Jones**

Councillor Jones is the owner of agricultural land and a shareholder in a farming business. He is also involved in the following Glastir agri-environmental schemes – Glastir woodland creation and management, Glastir advanced, Glastir Small Grants schemes.

**Cllr Elwyn Williams**

Councillor Williams owns and rents out agricultural land.

**Cllr. Linda Davies Evans**

Councillor Davies Evans' daughter and son in law own and farm agricultural land.

**Cllr. Andrew Davies**

Councillor Davies' brother owns agricultural land and is a working farmer.

**Cllr. Bryan Davies**

Councillor Davies' nephew owns agricultural land and is a working farmer.

**Cllr. Hazel Evans**

Councillor Evans' sister and her family own agricultural land and are working farmers.



### **General information in support of the request**

Agriculture makes up an important part of the economy of the County and members of the public working in the industry, or whose families are directly connected with the industry, make up a significant part of the population of many parts of Carmarthenshire.

Many of the functions of the Council relate to or directly affect the farming industry. Decisions taken by elected members relating to farming matters can have a significant impact not just upon individual farms, but also upon the wider agricultural sector and the communities that they are a key part of.

If Councillors who have a personal and prejudicial interest in farming related decisions are unable to speak, not only would farming communities in the County be denied democratic representation when such decisions are made but also those Councillors who do not have such an interest would be denied the benefit of their expert knowledge.

Public confidence in the conduct of the Council's business would not be damaged by allowing these Councillors to speak in any debate or make written representations on farming related matters if any dispensation were to be caveated in the way suggested below.

The 14 applicants represent just over a third of their Plaid Cymru group on the Council and their inability to participate in any farming or agricultural matters would distort the political balance of the Council to such an extent that it could affect the outcome of **any vote on the particular motion**.

Some of these Councillors represent constituencies that are heavily affected by agricultural decisions and policies in terms of economy, employment and language etc. As such it is felt that it unfairly disadvantages those constituencies where their elected Councillor is denied a vote on such issues.

All applicants (apart from Cllrs. Davies Evans, Andrew Davies, Bryan Davies and Hazel Evans) have previously been granted dispensation to speak and make written representations (but not vote) in respect of these in respect of farming and agriculture generally, most recently in June 2022, and before this in 2017, 2018 and 2019.

However the June 2022 dispensation is subject to the caveat that it does not apply to council business that relates directly to the specific farm or agricultural land or activity which gives rise to the councillor's personal interest. Advice has been received from the Monitoring Officer that this caveat means that this previous dispensation would not therefore permit the relevant members to participate in the debate on this particular motion as the motion asks Welsh Government to review Tb testing procedures and all the Councillors above either have cattle on their respective holdings or have family which farm cattle.

Therefore, we require further dispensation which allows the mentioned Councillors to speak and vote on this specific issue in which they are experts. They all live with Tb testing on a bi-monthly basis or at best every 6 months. The Technical Advice Group which has been set up by Welsh Government is currently looking at Terms of Reference and therefore now is the opportune time to influence and provide expert representation. Tb testing affects all agricultural holdings which have cattle and constituents from all Wards need to have representations from their respective knowledgeable Councillors.

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:

8 / Nov 2022

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> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul> |  |
| 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:

- 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;
- 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;
- 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;
- 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



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## STANDARDS COMMITTEE 21/11/2022

|  |                                |                                 |
|--|--------------------------------|---------------------------------|
| <b>DISPENSATION APPLICATION BY COUNCILLOR ALEX EVANS</b>   |                                |                                 |
| <b>Recommendations / key decisions required:</b>   |                                |                                 |
| To consider the application and decide whether to grant Councillor Evans a dispensation.                     |                                |                                 |
| Reasons:   |                                |                                 |
| Consideration of such applications fall within the remit of the committee                                    |                                |                                 |
| Relevant scrutiny committee to be consulted NO   |                                |                                 |
| <b>Include date of Cttee (if known and any observations here <u>or</u> within the Consultations section)</b> |                                |                                 |
| Cabinet Decision Required NO   |                                |                                 |
| Council Decision Required NO   |                                |                                 |
| CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans  |                                |                                 |
| Directorate:   | Designations:                  | Tel: 01267 224018               |
| Name of Head of Service:   |                                | Email addresses:                |
| Linda Rees-Jones   | Head of Administration and Law | rjedgeco@carmarthenshire.gov.uk |
| Report Author:   | Legal Services Manager         |                                 |
| Robert Edgecombe   |                                |                                 |

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY COUNCILLOR ALEX EVANS**

A dispensation application has been received from Councillor Alex Evans of Carmarthenshire County Council.  
Councillor Evans seeks dispensation to make written representations in relation to road improvements required on Heol Y Pentre, Ponthenri  
Councillor Evans has a personal and prejudicial interest in council business relating to or likely to affect that road as he lives there.  
The attached application from Councillor Evans sets out the grounds upon which the application is made and contains a supporting statement.  
If the committee is minded to grant Councillor Evans a dispensation it will need to determine its duration.

**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: **LRJones**

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: **LRJones**

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

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

**NO**

**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-200     | County Hall Carmarthen  |

**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: *Alexander Evans*

Name of your Council: *Carmarthenshire County Council*

Your address and postcode: *21 Heol y Pentre, Pontherri SA15 5NS*

Contact telephone number(s): *07583 123 876*

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

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

*Road Improvements required on Heol y Pentre, Pontherri*

What is your interest in the above matter?

*I live on the road*

When will the above matter be considered?

*No exact date*

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 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)**

The road surface is appalling, there are no traffic calming measures - despite the primary school - and there are a list of hazards that can be witnessed on a daily basis, particularly at pick up/drop off times.

Ultimately, any representation I would make on this matter is to safeguard the community, particularly children and their families. I am more than willing to obtain letters of support to prove this is a community-led request and not anything for my personal benefit.

Ultimately, members should live in the areas they represent. I just happen to live near the primary school.

Didch,

Al. Alexander Evans  


(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:

15 10 22

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

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## STANDARDS COMMITTEE 21/11/2022

|  |                                   |                                 |
|--|-----------------------------------|---------------------------------|
| <b>DISPENSATION APPLICATION BY COUNCILLOR JOHN JENKINS</b>                                 |                                   |                                 |
| <b>Recommendations / key decisions required:</b>   |                                   |                                 |
| To consider the application and decide whether to grant Councillor Jenkins a dispensation. |                                   |                                 |
| Reasons:   |                                   |                                 |
| Consideration of such applications fall within the remit of the committee                  |                                   |                                 |
| Relevant scrutiny committee to be consulted NO   |                                   |                                 |
| Cabinet Decision Required NO   |                                   |                                 |
| Council Decision Required NO   |                                   |                                 |
| CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans                                  |                                   |                                 |
| Directorate:   | Designations:                     | Tel: 01267 224018               |
| Name of Head of Service:   |                                   | Email addresses:                |
| Linda Rees-Jones   | Head of Administration<br>and Law | rjedgeco@carmarthenshire.gov.uk |
| Report Author:   | Legal Services Manager            |                                 |
| Robert Edgecombe   |                                   |                                 |

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY COUNCILLOR JOHN JENKINS**

A dispensation application has been received from Councillor John Jenkins of Carmarthenshire County Council and Llanelli Town Council

Councillor Jenkins seeks dispensation to speak, vote and make written representations on in relation to council business relating to the provision of domiciliary care or day service provision for adults with learning disabilities

Councillor Jenkins has a personal and prejudicial interest in council business relating to such matters as he works for a company which is contracted with the Council to provide such services.

The attached application from Councillor Jenkins sets out the grounds upon which the application is made.

If the committee is minded to grant Councillor Jenkins a dispensation it will need to determine its duration.

**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: LRJones**

**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: LRJones

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

CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED

NO

**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-200     | County Hall Carmarthen  |

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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:              | <b>JOHN PAUL JENKINS</b>   |
| Name of your Council:        | <b>CARMARTENSHIRE COUNTY COUNCIL<br/>&amp; LLANELLI TOWN COUNCIL</b> |
| Your address and postcode:   | <b>22 BRETtenham STREET, LLANELLI, SA15 3ED</b>                      |
| Contact telephone number(s): | <b>01554 749649 / 07734 867588</b>                                   |
| Email address:               | <b>JPJenkins@carmarthenshire.gov.uk</b>                              |

### **2. DETAILS OF YOUR INTEREST**

|   |
|---|
| What is the matter under consideration?   |
| <b>Any matters relating to domiciliary care or day service provision for adults with learning disabilities in the County of Carmarthenshire</b>   |
| What is your interest in the above matter?  |
| <b>Employed in administration of an organisation, Perthyn, that is contracted to provide domiciliary care and day services for adults with learning disabilities in Carmarthenshire, contracted by Carmarthenshire County Council</b>             |
| When will the above matter be considered?   |
| <b>Future meetings of the Social Care and Health Scrutiny Committee and at meetings of Carmarthenshire County Council (and any meetings of Llanelli Town Council of which I am also an elected member) and its committees and sub-committees.</b> |

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 checked="" 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)***

It is being proposed to be allocated a place on the Social Care and Health Scrutiny Committee of Carmarthenshire County Council.

I am currently employed by an organisation, Perthyn, that is contracted by Carmarthenshire County Council to provide domiciliary and day care services for adults with learning disabilities in the County of Carmarthenshire (and other local authorities).

My role is as a Support Services Administrator for the organisation in Carmarthenshire, Pembrokeshire and the City and County of Swansea.

Should there be a general discussion on the provision of services to adults with learning disabilities then I would like to be able to speak and vote on such matters with the confidence that I have been awarded dispensation by the Standards Committee to do so on such matters.

I believe that my knowledge and experience of this particular area of social care would enable me to make a valuable contribution to the workings of the Scrutiny Committee and provide insight into the sector to the benefit of the Committee.

In the event of the discussion being specifically about my employer or the provision of contracts to my employer (or a company or organisation of similar purpose) then I would declare an interest in the matter and withdraw from the discussion or consideration of such matters.

Could this dispensation also apply in the same manner should the matter be raised at meetings of the full Carmarthenshire County Council and Llanelli Town Council.

As an administrator for the organisation, my participation would have no reduction of public confidence.

I have no pecuniary interest in the matters to be considered.

In the event that the discussion or decisions could impact upon any pecuniary interests of my employer then I would declare an interest in the matter and recuse myself from the meeting and any voting. Otherwise, my participation in a general discussion would enable my experience to be a positive contribution to the discussion.



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: **John P. Jenkins**

Date: 13/09/2022

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> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul> |  |
| 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:

- 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;
- 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;
- 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;
- 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

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## STANDARDS COMMITTEE 21/11/2022

### CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY COUNCILLORS 2021-2022

#### Recommendations / key decisions required:

To note the results of the data gathering exercise

#### Reasons:

The monitoring of code compliance forms part of the committee's remit

Relevant scrutiny committee to be consulted NO

Cabinet Decision Required NO

Council Decision Required YES

CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans

#### Directorate:

#### Name of Head of Service:

Linda Rees-Jones

#### Report Author:

Robert Edgecombe

#### Designations:

Head of Administration  
and Law

Legal Services Manager

Tel: 01267 224018

#### Email addresses:

rjedgeco@carmarthenshire.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY  
COUNCILLORS 2021-2022**

In accordance with the previous practice of the Committee letters were sent to all Town and Community Councils in April 2022 asking them to provide information regarding code of conduct compliance during the preceding municipal year (1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022).

Reminder letters were sent in May 2022 to those councils that had not responded and in July 2022 legal department staff also telephoned the remaining councils who had not provided data. As at the beginning of August only 6 out of 72 Councils had not responded and arrangements were made for those 6 councils to again be contacted by telephone.

Due to the request by committee members that the data be presented in a more accessible way than in the past, officers have utilised Snap Survey software to collate the responses received and present them in the attached report. Sheet 1 sets out the responses to all 3 questions in table form, sheet 2 deals with declarations of interest and sheet 3 code training. If members agree, it is suggested that for next year's data exercise councils be sent a link to the Snap Survey and that they complete the online questionnaire themselves.

Members will note that the survey does not address the issue of Code of Conduct complaints.

Data provided by the Public Services Ombudsman for Wales shows that during the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 a total of 4 code of conduct complaints were concluded against Town and Community Councillors from Carmarthenshire none of which required any action to be taken against the councillors concerned.

These figures do not however include complaints made and/or investigated but not concluded during the period of this report.

**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:** LRees-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: L Rees-Jones

HEAD OF ADMINISTRATION AND LAW

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

No

## 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 Department File | DPSC-196     | County Hall   |
| Legal Department File | DPSC-200     | County Hall   |

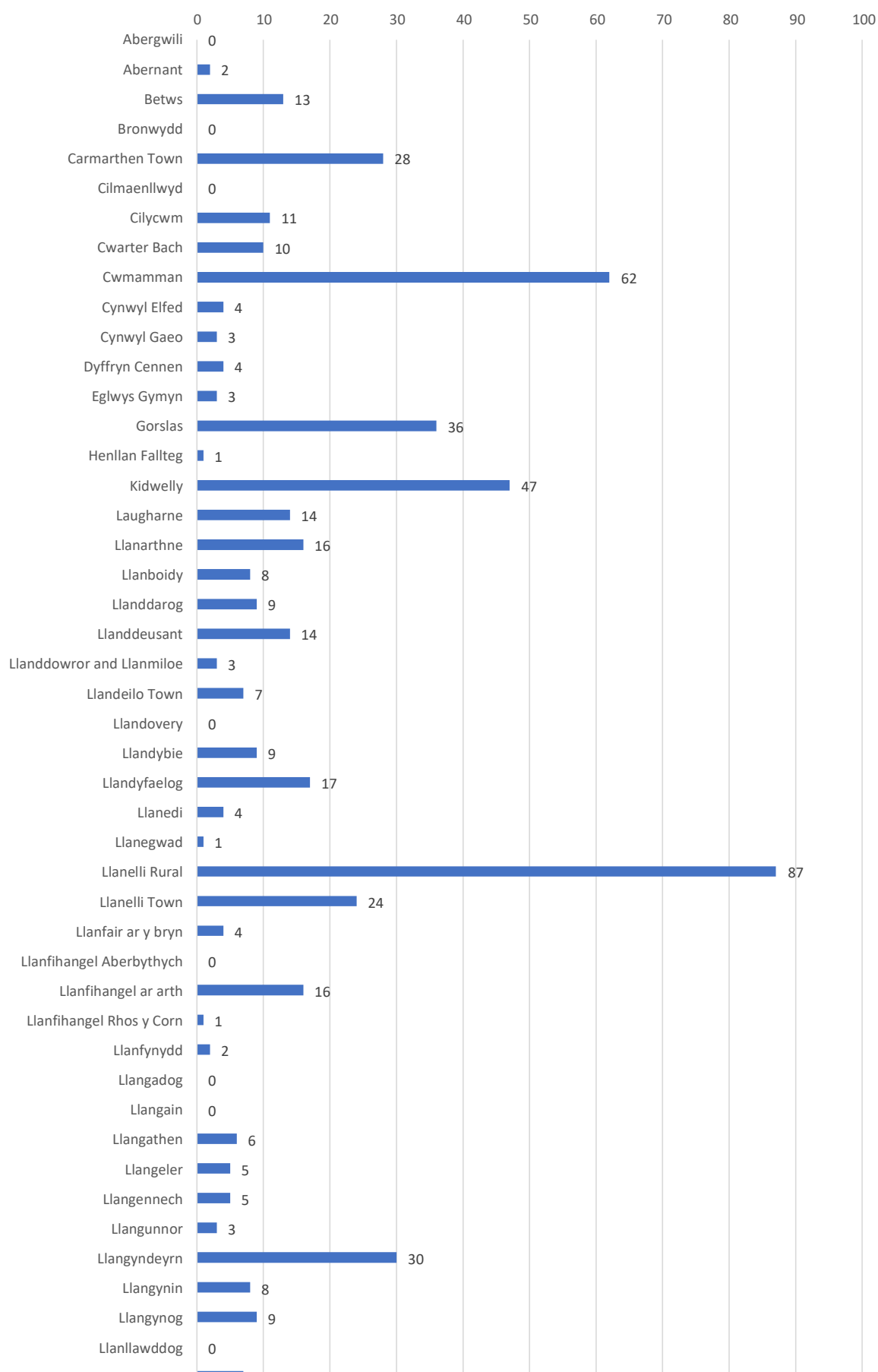


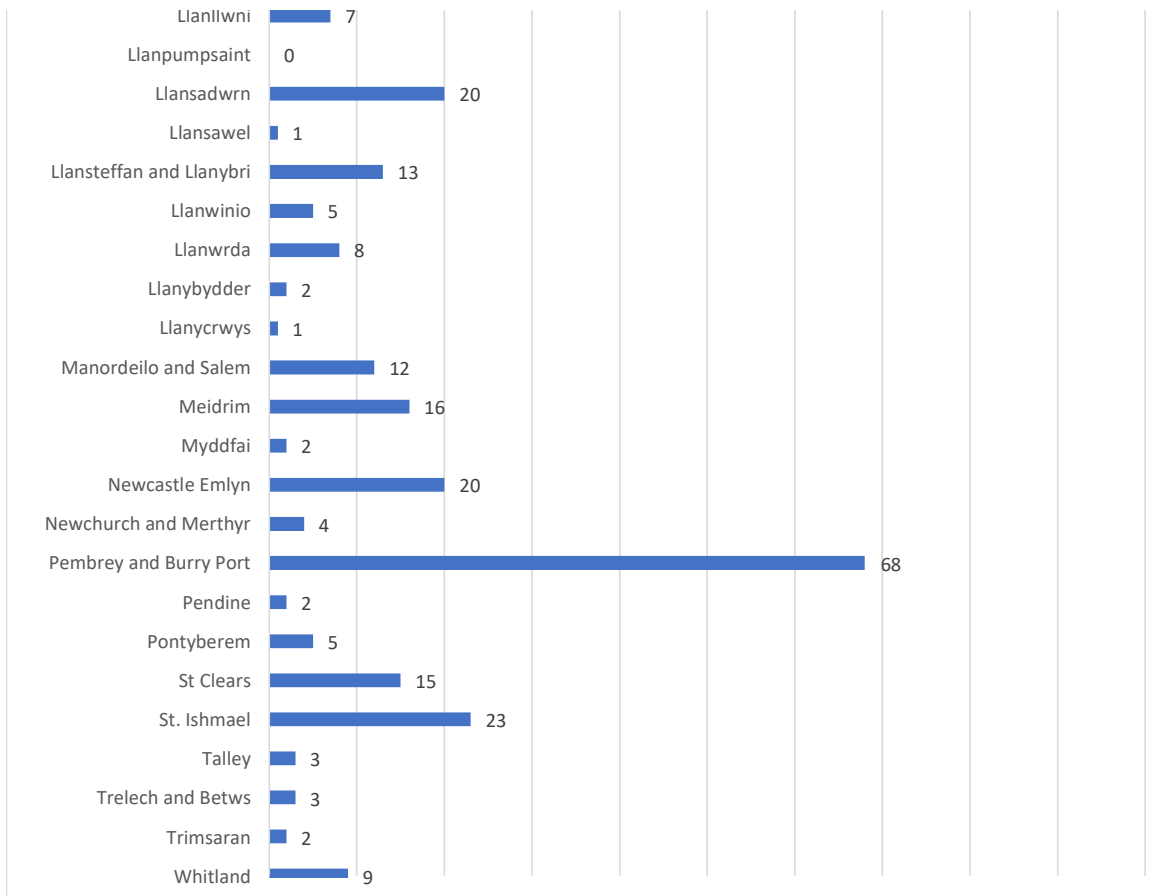
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| Q1                         | Q2   | Q3  | Q4            |
|----------------------------|--|---|---------------|
| Name of community council: | Declarations of Interest during the period 1st April | Code Training during the period 1st April 20. | Dispensations |
| Abergwili                  | 0  |   | 0             |
| Abernant                   | 2  |   | 0             |
| Betws                      | 13   |   | 0             |
| Bronwydd                   | 0  |   | 0             |
| Carmarthen Town            | 28   |   | 0             |
| Cilmaenllwyd               | 0  |   | 0             |
| Cilycwm                    | 11   |   | 0             |
| Cwarter Bach               | 10   |   | 0             |
| Cwmamman                   | 62   |   | 0             |
| Cynwyl Elfed               | 4  |   | 0             |
| Cynwyl Gaeo                | 3  |   | 0             |
| Dyffryn Cennen             | 4  |   | 0             |
| Eglwys Gymyn               | 3  |   | 0             |
| Gorslas                    | 36   |   | 0             |
| Henllan Fallteg            | 1  |   | 0             |
| Kidwelly                   | 47   |   | 0             |
| Laugharne                  | 14   |   | 0             |
| Llanarthne                 | 16   |   | 0             |
| Llanboidy                  | 8  |   | 0             |
| Llanddarog                 | 9  |   | 0             |
| Llanddeusant               | 14   |   | 0             |
| Llanddowror and Llanm      | 3  |   | 0             |
| Llandeilo Town             | 7  |   | 0             |
| Llandovery                 | 0  |   | 0             |
| Llandybie                  | 9  |   | 0             |
| Llandyfaelog               | 17   |   | 0             |
| Llanedi                    | 4  |   | 0             |
| Llanegwad                  | 1  |   | 0             |
| Llanelli Rural             | 87   |   | 2             |
| Llanelli Town              | 24   |   | 0             |
| Llanfair ar y bryn         | 4  |   | 0             |
| Llanfihangel Aberbythyc    | 0  |   | 0             |
| Llanfihangel ar arth       | 16   |   | 0             |
| Llanfihangel Rhos y Corr   | 1  |   | 0             |
| Llanfynydd                 | 2  |   | 0             |
| Llangadog                  | 0  |   | 0             |
| Llangain                   | 0  |   | 0             |
| Llangathen                 | 6  |   | 0             |
| Llangel                    | 5  |   | 0             |
| Llangennech                | 5  |   | 0             |
| Llangunnor                 | 3  |   | 0             |
| Llangyndeyrn               | 30   |   | 0             |
| Llangynin                  | 8  |   | 0             |
| Llangynog                  | 9  |   | 0             |
| Llanllawddog               | 0  |   | 0             |
| Llanllwni                  | 7  |   | 0             |
| Llanpumpsaint              | 0  |   | 0             |
| Llansadwrn                 | 20   |   | 0             |
| Llansawel                  | 1  |   | 0             |
| Llansteffan and Llanybri   | 13   |   | 0             |
| Llanwinio                  | 5  |   | 0             |
| Llanwrda                   | 8  |   | 0             |

|                        |    |   |
|------------------------|----|---|
| Llanybydder            | 2  | 0 |
| Llanycrwys             | 1  | 0 |
| Manordeilo and Salem   | 12 | 0 |
| Meidrim                | 16 | 0 |
| Myddfai                | 2  | 0 |
| Newcastle Emlyn        | 20 | 0 |
| Newchurch and Merthy   | 4  | 0 |
| Pembrey and Burry Port | 68 | 0 |
| Pendine                | 2  | 0 |
| Pontyberem             | 5  | 0 |
| St Clears              | 15 | 0 |
| St. Ishmael            | 23 | 0 |
| Talley                 | 3  | 0 |
| Trelech and Betws      | 3  | 0 |
| Trimsaran              | 2  | 0 |
| Whitland               | 9  | 0 |

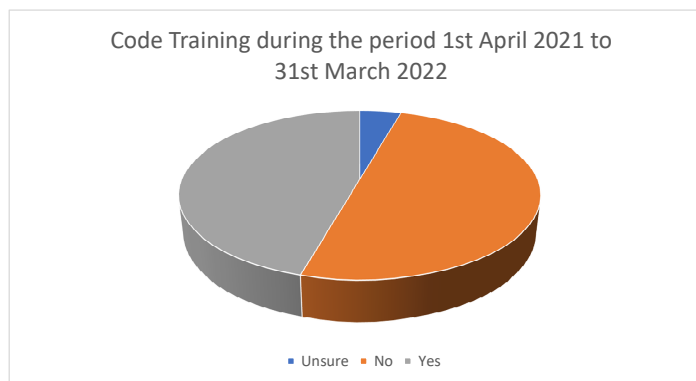
## Declarations of interest during the period 1st April 2021 to 31st March 2022





|        |    |
|--------|----|
| Unsure | 3  |
| No     | 34 |
| Yes    | 31 |

#### CODE OF CONDUCT TRAINING





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## STANDARDS COMMITTEE 21/11/2022

| CODE OF CONDUCT TRAINING  |                                |                                 |
|---|--------------------------------|---------------------------------|
| <b>Recommendations / key decisions required:</b>  |                                |                                 |
| To note the Code of Conduct Training delivered to both County Councillors and Town and Community Councillors since the local government elections in May 2022 |                                |                                 |
| Reasons:  |                                |                                 |
| The provision of such training forms part of the committee's remit  |                                |                                 |
| Relevant scrutiny committee to be consulted NO  |                                |                                 |
| Cabinet Decision Required   | NO                             |                                 |
| Council Decision Required   | YES                            |                                 |
| CABINET MEMBER PORTFOLIO HOLDER: - Councillor Linda Evans   |                                |                                 |
| Directorate:  | Designations:                  | Tel: 01267 224018               |
| Name of Head of Service:  |                                | Email addresses:                |
| Linda Rees-Jones  | Head of Administration and Law | rjedgeco@carmarthenshire.gov.uk |
| Report Author:  |                                |                                 |
| Robert Edgecombe  | Legal Services Manager         |                                 |

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**CODE OF CONDUCT TRAINING**

Following the local government elections in May 2022 code of conduct training was arranged on the following dates

17<sup>th</sup> May 2022 – County Councillors (38 attendees)  
4<sup>th</sup> July 2022 – Town and Community Councillors (42 attendees)  
27<sup>th</sup> July 2022 – Town and Community Councillors (46 attendees)

All 3 sessions were hybrid in nature and held during normal office hours.

Training materials and a recording of the sessions have been made available for councillors to access in their own time.

Letters have also been sent to all Town and Community Councils to ascertain whether there is sufficient demand to warrant holding a further remote training session outside of normal office hours. A verbal update will be given at the meeting as to the responses received.

Code of Conduct issues were also covered in a separate training session for County Councillors on constitutional matters and meeting preparation on the 23<sup>rd</sup> May 2022 when there were 29 attendees.

**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:** LRees-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: L Rees-Jones

HEAD OF ADMINISTRATION AND LAW

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

**CABINET PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

No

## 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 Department File | DPSC-195     | County Hall   |
| Legal Department File | DPSC-200     | County Hall   |

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