

# Document Pack



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**MONDAY, 20 FEBRUARY 2023**

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

**I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE STANDARDS COMMITTEE WHICH WILL BE HELD IN THE CHAMBER - COUNTY HALL, CARMARTHEN. SA31 1JP AND REMOTELY AT 1.30 PM ON MONDAY, 27TH FEBRUARY, 2023 FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA**

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Gaynor Morgan</b>
<b>Telephone (direct line):</b>	<b>01267 224026</b>
<b>E-Mail:</b>	<b>gmorgan@carmarthenshire.gov.uk</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

# **A G E N D A**

- 1. APOLOGIES FOR ABSENCE.**
- 2. DECLARATIONS OF PERSONAL INTEREST.**
- 3. DISPENSATION APPLICATION BY COUNCILLOR MANSEL CHARLES** **5 - 14**
- 4. DISPENSATION APPLICATION BY COUNCILLOR ANN DAVIES** **15 - 24**
- 5. DISPENSATION APPLICATION BY COUNCILLOR LLINOS DAVIES** **25 - 34**
- 6. DISPENSATION APPLICATION BY COUNCILLOR HEFIN JONES** **35 - 46**
- 7. 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

## 27/02/2023

### DISPENSATION APPLICATION BY COUNCILLOR MANSEL CHARLES

**Purpose: To consider the application and determine whether to grant dispensation**

### To consider and comment on the following issues:

- To decide whether to grant the dispensation application

### Reasons:

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

### CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

<p><b>Directorate</b></p> <p><b>Name of Head of Service:</b> Linda Rees Jones</p> <p><b>Report Author:</b> Robert Edgecombe</p>	<p><b>Designations:</b> Head of Administration and Law</p> <p><b>Legal Services Manager</b></p>	<p><b>Tel Nos.</b> 01267 224012 <a href="mailto:LRJones@carmarthenshire.gov.uk">LRJones@carmarthenshire.gov.uk</a></p> <p>01267 224018 <a href="mailto:rjedgeco@carmarthenshire.gov.uk">rjedgeco@carmarthenshire.gov.uk</a></p>
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**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**27/02/2023**

**Dispensation Application by Cllr Mansel Charles**

County Councillor Mansel Charles has submitted a dispensation request in relation to council business regarding electricity transmission from Nant Mithil Energy Park and other energy park developments to a grid connection in Carmarthenshire.

This is part of the Bute Energy Towy Usk Grid connection scheme.

Councillor Charles would have a personal and prejudicial interest in such business as he and close personal associates of his would be affected by the proposals put forward by Bute Energy.

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

Regulation 2(2)(d) – the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.

And

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

If the committee is minded to grant Councillor Charles 's request it will need to determine the duration of that dispensation

**DETAILED REPORT ATTACHED ?**

Yes - Application

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: LRJones

Head of Administration and Law

1. **Scrutiny Committee** – not applicable
2. **Local Member(s)** - not applicable
3. **Community / Town Council** - not applicable
4. **Relevant Partners** - not applicable
5. **Staff Side Representatives and other Organisations** - not applicable

**CABINET MEMBER PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**  
NO

N/A

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

There are none.

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## **APPLICATION TO THE STANDARDS COMMITTEE FOR DISPENSATION**

Please note that each section **MUST** be completed. Please refer to the attached Guidance Notes when completing the form.

### **1. YOUR DETAILS**

Your full name: J. Mansel Charles

Name of your Council: Carmarthenshire County Council  
Llanegwad Community Council

Your address and postcode:

Contact telephone number(s):

Email address: MCharles@carmarthenshire.gov.uk

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

What is the matter under consideration?

Electricity transmission from Nant Mithil Energy Park, Forrest of Radnor and potentially other energy park developments to grid connection in Carmarthenshire.

What is your interest in the above matter?

- I am a landowner. I received the introductory letter but as of 16.02.2023, there has been no request for access onto my land to undertake survey work, though that might change.
- I have immediate neighbours and close associates who have received requests for access onto land to undertake survey work.
- Should pylons be erected, it is possible that they would be visible from my property.
- Should pylons be erected, there would be potential impact on the value of my property.
  
- I am the current County Councillor for the Llanegwad Ward and a member of Llanegwad Community Council, and likely to be called upon to discuss issues that require a swift response/to make representations to the community council.
  
- I am a member of FUW who will be required to address the issue. I may be called upon to be present information concerning the matter at meetings where the issue will be discussed.

When will the above matter be considered?

It is likely that the matter will be discussed periodically over the forthcoming three or four years.

Are you applying for dispensation to:

Speak only: ☐

Speak and vote: ☐ \*\*

Make written  
Representations ☐ \*\*

Exercise Executive  
Powers ☐

### 3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	<input type="checkbox"/> **
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input 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 Standards Committee has already granted me a dispensation to speak and to make written representations at meetings of Carmarthenshire County Council in respect of any Council business relating to farming and farming related matters generally, from 13<sup>th</sup> June 2022 until the end of the current electoral term. However, the Committee advised me to seek further legal advice and, if necessary, apply for another dispensation in the event that I wished to participate in council business which specifically related to, or was likely to affect, my or close personal associates' farming activities or farmland. I am therefore making a specific application for a dispensation to participate on matters relating to the proposal for an energy transmission scheme in part of the Tywi Valley, which may involve the erection of pylons and overhead electricity cables. It is not yet clear whether any of the scheme will directly impact my own land, or whether it will just be visible from my land, but I have received a notification from the proposed developer.

As a county councillor, I have received calls about the issue, and I have been copied into correspondence by ward residents sent to the company/companies requesting access onto land. The issue, however, will impact on several wards. It is not exclusive to the ward that I represent, either as a County Councillor or a Community Councillor. The energy transmission scheme in question will impact on landowners and/or tenants (private and local authority) who use land for various purposes, including agricultural. I feel that I have an understanding of the practical effects and consequences of such a development (buried cables or above ground infrastructure) on land-based enterprises, and therefore would be able to offer an insight as part of any discussion.

It is difficult to say what types of debates might arise in meetings at Council, Committees or Panels on the matter, but for example I am aware that on a previous proposal elsewhere in the County a Motion on Notice was tabled for debate at County Council about the proposed lines being overground and not underground, so there is a potential for debates about the proposal to arise.

*(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: J. Mansel Charles

Date: 16 / 02 / 23

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.

Agenda Item 4

# STANDARDS COMMITTEE

## 27/02/2023

### DISPENSATION APPLICATION BY COUNCILLOR ANN DAVIES

**Purpose: To consider the application and determine whether to grant dispensation**

#### **To consider and comment on the following issues:**

- To decide whether to grant the dispensation application

#### **Reasons:**

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

#### **CABINET MEMBER PORTFOLIO HOLDER: Not Applicable**

##### **Directorate**

##### **Name of Head of Service:**

Linda Rees Jones

##### **Designations:**

Head of Administration and Law

##### **Tel Nos.**

01267 224012

[LRJones@carmarthenshire.gov.uk](mailto:LRJones@carmarthenshire.gov.uk)

##### **Report Author:**

Robert Edgecombe

##### **Legal Services Manager**

01267 224018

[rjedgeco@carmarthenshire.gov.uk](mailto:rjedgeco@carmarthenshire.gov.uk)

**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**27/02/2023**

**Dispensation Application by Cllr Ann Davies**

County Councillor Ann Davies has submitted a dispensation request in relation to council business regarding electricity transmission from Nant Mithil Energy Park and other energy park developments to a grid connection in Carmarthenshire.

This is part of the Bute Energy Towy Usk Grid connection scheme.

Councillor Davies would have a personal and prejudicial interest in such business as she and close personal associates of hers would be affected by the proposals put forward by Bute Energy.

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

Regulation 2(2)(d) – the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.

And

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

If the committee is minded to grant Councillor Davies 's request it will need to determine the duration of that dispensation

**DETAILED REPORT ATTACHED ?**

Yes - Application



## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: LRJones

Head of Administration and Law

1. Scrutiny Committee – not applicable
2. Local Member(s) - not applicable
3. Community / Town Council - not applicable
4. Relevant Partners - not applicable
5. Staff Side Representatives and other Organisations - not applicable

CABINET MEMBER PORTFOLIO  
HOLDER(S) AWARE/CONSULTED  
NO

N/A

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

There are none.

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## **APPLICATION TO THE STANDARDS COMMITTEE FOR DISPENSATION**

Please note that each section **MUST** be completed. Please refer to the attached Guidance Notes when completing the form.

### **1. YOUR DETAILS**

Your full name: Celia Ann Davies

Name of your Council: Carmarthenshire County Council  
Llanarthne Community Council

Your address and postcode:

Contact telephone number(s):

Email address: canndavies@carmarthenshire.gov.uk

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

What is the matter under consideration?

Electricity transmission from Nant Mithil Energy Park, Forrest of Radnor and potentially other energy park developments to grid connection in Carmarthenshire.

What is your interest in the above matter?

- I am a landowner. I received the introductory letter and a request for access to my land which would allow Bute to undertake survey work.
- I have immediate neighbours and close associates who have received requests for access onto land to undertake survey work along with residents within my Ward.
- Should pylons be erected, it is probable that they would be visible from my property.
- Should pylons be erected, there would be potential impact on the value of my property.
- I am a member of the 'response group' and called the public meeting which was held at Llanarthne Hall on the 15<sup>th</sup> January. I did this as a resident not as a County Councillor, and a declaration noting this was made at the beginning of the meeting.
- I am the current county vice chairman of the FUW, albeit in a personal capacity as opposed to my councillor role. The nature of the matter will inevitably require the union to address the issue. It is likely that I will be called upon to be present in meetings where the issue will be discussed.

When will the above matter be considered?

It is likely that the matter will be discussed periodically over the forthcoming three or four years.

Are you applying for dispensation to:

Speak only: ☐

Speak and vote: ☐ \*\*

Make written  
Representations ☐ \*\*

Exercise Executive  
Powers ☐

### 3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	<input type="checkbox"/> **
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input 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 Standards committee has already granted me a dispensation to speak and to make written representations at meetings of Carmarthenshire County Council in respect of any Council business relating to farming and farming related matters generally, from 13<sup>th</sup> June 2022 until the end of the current electoral term. However, the Committee advised me to seek further legal advice and, if necessary, apply for another dispensation in the event that I wished to participate in council business which specifically related to, or was likely to affect, my or close personal associates' farming activities or farmland. I am therefore making a specific application for a dispensation to participate on matters relating to the proposal for an energy transmission scheme in part of the Tywi Valley, which may involve the erection of pylons and overhead electricity cables. It is not yet clear whether any of the scheme will directly impact my own land, or whether it will just be visible from my land, but I have received notification from the proposed developer.

As a county councillor, I have received calls about the issue and I have been copied into correspondence by ward residents sent to the company/companies requesting access onto land. The issue, however, will impact on several wards. It is not exclusive to the ward that I represent, either as a County Councillor or a Community Councillor. The energy transmission scheme in question will impact on landowners and/or tenants (private and local authority) who use land for various purposes, including agricultural. I feel that I have an understanding of the practical effects and consequences of such a development (buried cables or above ground infrastructure) on land-based enterprises, and therefore would be able to offer a valuable insight as part of any discussion.

It is difficult to say what types of debates might arise in meetings at Council, Committees or Panels on the matter, but for example I am aware that on a previous proposal elsewhere in the County a Motion on Notice was tabled for debate at County Council about the proposed lines being overground and not underground, so there is a potential for debates about the proposal to arise.

I would like to note that I'm the Cabinet member for Rural Affairs and Planning Policy and therefore my experience on both Rural and planning matters will be invaluable during Council, Cabinet and Scrutiny meetings.

*(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: C Ann Davies

Date: 16 / 2 /23

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

## 27/02/2023

### DISPENSATION APPLICATION BY COUNCILLOR LLINOS DAVIES

**Purpose: To consider the application and determine whether to grant dispensation**

#### To consider and comment on the following issues:

- To decide whether to grant the dispensation application

#### Reasons:

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

#### CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

<p><b>Directorate</b></p> <p><b>Name of Head of Service:</b> Linda Rees Jones</p> <p><b>Report Author:</b> Robert Edgecombe</p>	<p><b>Designations:</b> Head of Administration and Law</p> <p><b>Legal Services Manager</b></p>	<p><b>Tel Nos.</b> 01267 224012 <a href="mailto:LRJones@carmarthenshire.gov.uk">LRJones@carmarthenshire.gov.uk</a></p> <p>01267 224018 <a href="mailto:rjedgeco@carmarthenshire.gov.uk">rjedgeco@carmarthenshire.gov.uk</a></p>
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**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**27/02/2023**

**Dispensation Application by Cllr Llinos Davies**

County Councillor Llinos Davies has submitted a dispensation request in relation to council business regarding budget proposals for the funding of the peripatetic music service in schools.

Councillor Davies would have a personal and prejudicial interest in such business as her husband is a Head of Music in a school in the County.

Councillor Davies seeks dispensation to speak and vote, on the following ground under the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001

Regulation 2(2)(d) – the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.

If the committee is minded to grant Councillor Davies 's request it will need to determine the duration of that dispensation

**DETAILED REPORT ATTACHED ?**

Yes - application

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: LRJones

Head of Administration and Law

1. **Scrutiny Committee** – not applicable
2. **Local Member(s)** - not applicable
3. **Community / Town Council** - not applicable
4. **Relevant Partners** - not applicable
5. **Staff Side Representatives and other Organisations** - not applicable

**CABINET MEMBER PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**  
NO

N/A

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

There are none.

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## **APPLICATION TO THE STANDARDS COMMITTEE FOR DISPENSATION**

Please note that each section MUST be completed. Please refer to the attached  
Guidance Notes when completing the form.

### **1. YOUR DETAILS**

Your full name: Llinos Mai Davies

Name of your Council: Carmarthenshire County Council

Your address and postcode:

Contact telephone number(s):

Email address: lmdavies@sirgar.gov.uk

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

What is the matter under consideration?

Savings for the Music Service and school funding (2023/24)

What is your interest in the above matter?

My husband works as Head of Music at a secondary school in the county

When will the above matter be considered?

Full Council – March 2023 (Budget/Council Tax)

Generally – Education, Young People and Welsh Language Scrutiny Committee.

Are you applying for dispensation to:

Speak only: ☐

Speak and vote: **X**

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	<b>X</b>
• 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"/>

### 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)***

These savings are part of a bundle of savings which will be considered. The savings will not directly affect my husband's job.

*(please continue on a separate sheet if necessary)*

I confirm that the information provided on this form is true to the best of my knowledge. I agree that this application and all the information contained within it may form part of a public report to the Standards Committee. I request a dispensation in respect of the above matter.

Signed:

Date:

 /  / 

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

**Guidance notes**



- (1) Please read through the Code of Conduct and decide which of the paragraphs is most appropriate to your case. Brief details of the relevant paragraphs are noted in the table below. If you are unsure, please contact the Monitoring Officer for advice.

Para.	Type of personal interest	
10(2)(a)	Council business which relates to or is likely to affect: <ul style="list-style-type: none"> <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.

Agenda Item 6

# STANDARDS COMMITTEE

## 27/02/2023

### DISPENSATION APPLICATION BY COUNCILLOR HEFIN JONES

**Purpose:** To consider the application and determine whether to grant dispensation

#### To consider and comment on the following issues:

- To decide whether to grant the dispensation application

#### Reasons:

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

#### CABINET MEMBER PORTFOLIO HOLDER: Not Applicable

##### Directorate

##### Name of Head of Service:

Linda Rees Jones

##### Designations:

Head of Administration and Law

##### Tel Nos.

01267 224012

[LRJones@carmarthenshire.gov.uk](mailto:LRJones@carmarthenshire.gov.uk)

##### Report Author:

Robert Edgecombe

##### Legal Services Manager

01267 224018

[rjedgeco@carmarthenshire.gov.uk](mailto:rjedgeco@carmarthenshire.gov.uk)

**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**27/02/2023**

**Dispensation Application by Cllr Hefin Jones**

County Councillor Hefin Jones has submitted a dispensation request in relation to council business regarding electricity transmission from Nant Mithil Energy Park and other energy park developments to a grid connection in Carmarthenshire.

This is part of the Bute Energy Towy Usk Grid connection scheme.

Councillor Jones would have a personal and prejudicial interest in such business as he and close personal associates of his would be affected by the proposals put forward by Bute Energy.

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

Regulation 2(2)(d) – the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business.

And

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

If the committee is minded to grant Councillor Jones 's request it will need to determine the duration of that dispensation

**DETAILED REPORT ATTACHED ?**

Yes - application

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	NONE	NONE	NONE	NONE	NONE	NONE

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: LRJones

Head of Administration and Law

1. Scrutiny Committee – not applicable
2. Local Member(s) - not applicable
3. Community / Town Council - not applicable
4. Relevant Partners - not applicable
5. Staff Side Representatives and other Organisations - not applicable

**CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED**  
NO

N/A

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

There are none.

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**APPLICATION TO THE STANDARDS COMMITTEE  
FOR DISPENSATION**

Please note that each section MUST be completed. Please refer to the attached  
Guidance Notes when completing the form.

**1. YOUR DETAILS**

Your full name: Hefin Beynon Jones

Name of your Council: Carmarthenshire County Council  
Llanarthne Community Council  
Llanddarog Community Council

Your address and postcode:

Contact telephone number(s):

Email address: HeJones@carmarthenshire.gov.uk

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Electricity transmission from Nant Mithil Energy Park, Forrest of Radnor and potentially other energy park developments to grid connection in Carmarthenshire.

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

- I am a landowner. I received the introductory letter but as of 31.1.23, there has been no request for access onto my land to undertake survey work, though that might change.
- I have immediate neighbours and close associates who have received requests for access onto land to undertake survey work.
- Should pylons be erected, it is possible that they would be visible from my property.
- Should pylons be erected, there would be potential impact on the value of my property.
- I am the current Chairman of Llanarthne Community council, and likely to remain a member of the council's standing subcommittee (chair, vice chair and immediate past chair) called upon to discuss issues that require a swift response/to make representations to the community council. The community council will inevitably need to engage with the currently informal 'response group', and I have been mentioned in that group's meeting notes.
- I am the current county vice chairman of NFU Cymru, albeit in a personal capacity as opposed to my councillor role . The nature of the matter will inevitably require the union to address the issue. It is likely that I will be called upon to be present in meetings where the issue will be discussed.

### When will the above matter be considered?

It is likely that the matter will be discussed periodically over the forthcoming three or four years.

### Are you applying for dispensation to:

Speak only: ☐

Speak and vote: ☐ \*\*

Make written  
Representations ☐ \*\*

Exercise Executive  
Powers ☐

## 3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	<input type="checkbox"/> **
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input 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 Standards committee has already granted me a dispensation to speak and to make written representations at meetings of Carmarthenshire County Council in respect of any Council business relating to farming and farming related matters generally, from 13<sup>th</sup> June 2022 until the end of the current electoral term. However, the Committee advised me to seek further legal advice and, if necessary, apply for another dispensation in the event that I wished to participate in council business which specifically related to, or was likely to affect, my or close personal associates' farming activities or farmland. I am therefore making a specific application for a dispensation to participate on matters relating to the proposal for an energy transmission scheme in part of the Tywi Valley, which may involve the erection of pylons and overhead electricity cables. It is not yet clear whether any of the scheme will directly impact my own land, or whether it will just be visible from my land, but I have received a notification from the proposed developer.

As a county councillor, I have received calls about the issue and I have been copied into correspondence by ward residents sent to the company/companies requesting access onto land. The issue, however, will impact on several wards. It is not exclusive to the ward that I represent, either as a County Councillor or a Community Councillor. The energy transmission scheme in question will impact on landowners and/or tenants (private and local authority) who use land for various purposes, including agricultural. I feel that I have an understanding of the practical effects and consequences of such a development (buried cables or above ground infrastructure) on land-based enterprises, and therefore would be able to offer a valuable insight as part of any discussion.

It is difficult to say what types of debates might arise in meetings at Council, Committees or Panels on the matter, but for example I am aware that on a previous proposal elsewhere in the County a Motion on Notice was tabled for debate at County Council about the proposed lines being overground and not underground, so there is a potential for debates about the proposal to arise.

I should note that I serve on the rural affairs and climate change advisory panels where the matter is likely to be discussed, as well as at full council.

*(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: Hefin B. Jones

Date: 16 / 2 /23

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

## Guidance notes

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- (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.

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