CARMARTHENSHIRE COUNTY COUNCIL

STANDARDS COMMITTEE

APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

SECTION 1	**Name(s) of Member(s)**	**Name of member's authority**
Ian Llewelyn		**Llandybie Community Council**

SECTION 2	**Matter to be discussed on which member seeks dispensation**
The transfer of County Council assets to the Community Council	
Date of meeting at which the matter is to be discussed:	**Ongoing**

Dispensation being sought to speak and vote	**Yes**
Dispensation being sought to speak only	

SECTION 3	**The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed**
The transfer of County Council assets to the Community Council relates to and affects my employer, namely Carmarthenshire County Council.	

SECTION 4	Criteria for seeking dispensation	
~	50% of members affected	
~	Political balance would be affected (county borough only)	
~	No damage to public confidence	x
~	Common interest with general public	
~	Justified because of special expertise	
~	Scrutiny committee business and not financial interest	
~	Voluntary organisation and not financial interest	
~	In the interests of inhabitants	

(See appendix for more details)

SECTION 5	Reason/s in support of my/our application (use a separate sheet of paper if necessary)

The Community Council is currently in discussion with the County Council regarding the possible lease of a number of open space, play and recreation sites to the Community Council.

As a member of the Community Council the issue of Asset Transfer requires a collective view across the whole Community area. It involves members from all the wards within the Community.

The potential for asset transfer outcomes to impact on the future responsibilities of the Community Council is notable. In this respect the opportunity to participate in any debates and vote on any decisions would allow me to represent my area and constituents more effectively.

Although an employee of the County Council my role as Forward Planning Manager in Planning Services does not involve me in any direct engagement with the Asset Transfer Strategy. I do not have any involvement in the decision making process at County Council level and have no influence over the terms of any lease to the Community Council.

SIGNED ______________________________ (Member of Community Council)

DATED: ____**9/11/15**____________________

APPENDIX
Circumstances when a standards committee may grant dispensations

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 specify that a standards committee of a relevant authority may grant dispensations under Section 81 of the Act where:

a. no fewer than half of the members of the relevant authority or of a committee of the authority (as they 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 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 a 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 7 days in such manner as it may specify.

CYNGOR SIR CAERFYRDDIN

PWYLLGOR SAFONAU

CAIS am ganiatáu gollyngiad yn unol ag Adran 2(i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) 2001

Gofynnir i Bwyllgor Safonau Cyngor Sir Caerfyrddin ganiatáu Gollyngiad i'r Aelod(au) a restrir isod i gwmpasu'r buddiant / buddiannau a ddatganwyd yn Adran 2 isod. Mae fy / ein rhesymau dros gyflwyno cais am hynny wedi eu nodi yn Adran 4

ADRAN 1	**Enw(au)'r Aelod(au)**	**Enw awdurdod yr aelod(au)**

ADRAN 2	**Y mater sydd i'w drafod y mae'r aelod yn gofyn am ollyngiad yn ei gylch**
Dyddiad y cyfarfod pryd y trafodir y mater:	

ADRAN 3	**Y buddiant y mae'n rhaid i'r aelod ei ddatgelu, a beth yw'r berthynas rhwng y buddiant hwnnw a'r mater sydd i'w drafod**

ADRAN 4	Y meini prawf dros ofyn am ollyngiad	
~ Byddai'n effeithio ar 50% o'r aelodau		☐
~ Byddai'n effeithio ar y cydbwysedd gwleidyddol (bwrdeistrefi sirol yn unig)		☐
~ Ni fyddai'n amharu ar hyder y cyhoedd		☐
~ Byddai'r buddiant yn gyffredin i'r cyhoedd yn gyffredinol		☐
~ Byddai modd cyfiawnhau hynny ar sail sgiliau arbenigol		☐
~ Byddai'n fater i bwyllgor craffu, <u>ac</u> ni fyddai'n ymwneud â buddiant ariannol		☐
~ Byddai a wnelo'r mater â chorff gwirfoddol, <u>ac</u> ni fyddai'n ymwneud â buddiant ariannol		☐
~ Byddai er budd y trigolion		☐
(gweler yr atodiad i gael rhagor o fanylion)		

ADRAN 5	Y rhesymau dros gyflwyno fy / ein cais (defnyddier dalen arall lle bo angen)

LLOFNODWYD: ___________________________(Aelod o Gyngor Sir Caerfyrddin)

DYDDIAD: ……………………………………………………………

ATODIAD

Pennir yn Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) 2001 y caiff pwyllgor safonau awdurdod perthnasol ganiatáu gollyngiadau dan Adran 81 (4) o Ddeddf Llywodraeth Leol 2000 yn yr achosion canlynol:-

a. os oes gan ddim llai na hanner aelodau'r awdurdod perthnasol neu hanner aelodau un o bwyllgorau'r awdurdod (yn ôl fel y digwydd) y mae'r busnes i gael ei ystyried ganddo fuddiant sy'n berthnasol i'r busnes hwnnw

b. os oes gan ddim llai na hanner aelodau gweithrediaeth arweinydd a chabinet yr awdurdod perthnasol y mae'r busnes i gael ei ystyried ganddo fuddiant sy'n berthnasol i'r busnes hwnnw a bod naill ai paragraff (ch) neu baragraff (d) hefyd yn gymwys;

c. yn achos cyngor sir neu gyngor bwrdeistref sirol, os byddai anallu aelod i gymryd rhan yn tarfu ar gydbwysedd gwleidyddol yr awdurdod perthnasol neu'r pwyllgor o'r awdurdod y mae'r busnes i'w ystyried ganddo i'r fath raddau nes y byddai'r canlyniad yn debygol o gael ei effeithio;

ch. os yw natur buddiant yr aelod yn gyfryw fel na fyddai cyfranogiad yr aelod yn y busnes y mae'r buddiant yn berthnasol iddo yn niweidio hyder y cyhoedd yn y modd y mae busnes yr awdurdod perthnasol yn cael ei gynnal;

d. os yw'r buddiant yn gyffredin i'r aelod ac i gyfran arwyddocaol o'r cyhoedd;

dd. os oes cyfiawnhad i'r aelod gymryd rhan yn y busnes y mae'r buddiant yn berthnasol iddo oherwydd rôl neu arbenigedd penodol yr aelod;

e. os yw'r busnes y mae'r buddiant yn berthnasol iddo i'w ystyried gan bwyllgor trosolygu a chraffu i'r awdurdod perthnasol ac nad yw buddiant yr aelod yn fuddiant ariannol;

f. os yw'r busnes sydd i'w ystyried yn berthnasol i arian neu eiddo corff gwirfoddol y mae'r aelod yn aelod o'i bwyllgor neu ei fwrdd rheoli heblaw fel cynrychiolydd yr awdurdod perthnasol ac nad oes gan yr aelod unrhyw fuddiant arall yn y busnes hwnnw ar yr amod na fydd unrhyw ollyngiad yn ymestyn i gymryd rhan mewn unrhyw bleidlais mewn perthynas â'r busnes hwnnw; neu

ff. os yw'n ymddangos i'r pwyllgor ei bod o les i drigolion ardal yr awdurdod perthnasol i'r anallu gael ei godi, ar yr amod bod hysbysiad ysgrifenedig bod y gollyngiad yn cael ei ganiatáu yn cael ei roi i Gynulliad Cenedlaethol Cymru o fewn saith diwrnod a hynny mewn unrhyw fodd y gall ei bennu.