

**STANDARDS COMMITTEE  
3RD DECEMBER 2015**

<b>APPLICATION FOR DISPENSATION BY COUNCILLOR G HOWELLS</b>		
<b>Recommendations / key decisions required:</b> To consider and determine the application		
<b>Reasons:</b> The subject matter of this report falls within the remit of the Committee		
Scrutiny Committee recommendations / comments:  Not applicable		
Exec Board Decision Required		NO
Council Decision Required		NO
<b>EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr E Dole (Leader)</b>		
Directorate		
Chief Executives		
Name of Head of Service:	Designations:	
Linda Rees-Jones	Head of Administration & Law	Tel Nos.
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# EXECUTIVE SUMMARY STANDARDS COMMITTEE 3RD DECEMBER 2015

## APPLICATION FOR DISPENSATION BY COUNCILLOR G HOWELLS

An application for dispensation to speak and vote has been received from Councillor Gerald Howells of Llansteffan and Llanybri Community Council. (Copy and covering letter enclosed).

By virtue of paragraph 10 (2) (c) (i) of the Members Code of Conduct Councillor Howells has a personal interest in a dispute relating to a right of way to Croft Cottage, Llansteffan as he has been friends with one of the parties to the dispute for many years. The dispute potentially impacts upon land leased by the Council.

This personal interest is also prejudicial as a member of the public with knowledge of the relevant facts, would reasonably regard that interest as so significant that it is likely to prejudice his judgement of the public interest.

Councillor Howells seeks a dispensation on the basis of the following grounds in the Standards Committee (Grant of Dispensations)(Wales) Regulations 2011;

- (d) No damage to public confidence
- (e) Common interest with a significant proportion of the general public
- (f) involvement is justified by the members special expertise
- (i) involvement is in the interests of the inhabitants of the area.

Paragraphs (e) and (i) do not appear to be appropriate. In relation to paragraph (f) Cllr Howells is a retired solicitor with considerable experience in acting in property related matters, including on behalf of the Council. The committee may therefore feel that he will have both technical legal knowledge and an understanding of relevant past legal transactions which will assist fellow councillors in their discussions.

If the committee is minded to grant a dispensation, it has an absolute discretion as to duration, up to and including granting a dispensation until the end of the Councillors term of office. Alternately the Committee could decide to grant a dispensation until its next meetings on the 11<sup>th</sup> March 2016 or the 10<sup>th</sup> June 2016.

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: L. 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: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

**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*

**Section 100D Local Government Act, 1972 – Access to Information**

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

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-140	Legal Services, County Hall