

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: Russell Sparks

Name of your Council: Carmarthenshire County Council

Your address and postcode: 6 Parc Starling, Johnstown, Carmarthen SA31 3HX

Contact telephone number(s): 07883098648

Email address: rusparks@carmarthenshire.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

The provision of leisure services in the County particularly the provision of swimming pools and swimming lessons by the Council

What is your interest in the above matter?

I own a swimming pool business

When will the above matter be considered?

At various times either in my role on the communities, home and regeneration scrutiny committee, or in general council meetings also.

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)

I own a business in Carmarthen which includes a swimming pool and the provision of swimming lessons and acknowledge the conflict of interest relating to my business as the county aquatic leisure services also offer swimming lessons.

I have worked in leisure and aquatics for my whole career and I continue to have a national role with Swimming Teachers Association as an External Quality Assurer, I understand the complexities of the leisure industry having worked for Swim Wales, Amateur Swimming Association and CCC in aquatics roles over the past 25 years of my career.

This work includes advising businesses on best practice, reviewing and promoting best practice and industry leading ideas to develop and promote swimming. As a national lead on education in quality assurance I effectively quality assure hundreds of businesses and offer them advice to develop and improve their output and their customer experiences. It also includes collaboration and development of regional working too. I think all of this expertise would be valuable for my own council too.

I would like a dispensation to be able to participate in any discussion in County Council or scrutiny committees regarding the provision of leisure facilities in the County and particularly swimming facilities and lessons

I feel allowing my participation in such a debate would not undermine public confidence as I am not a cabinet member and have no power to personally make decisions on such matters. I believe my expert professional advice would enhance the level of debate on this subject. Not allowing me to participate would disadvantage my constituents and reduce the quality of debate and scrutiny on these issues.

A dispensation would also enable me to participate in debates relating to wholistic solutions such as Pentre Awel which incorporate leisure, social care, medical innovation, living lab ideals and progressive housing solutions, including the provision of a swimming pool. Otherwise I might be unable contribute in a whole range of areas as arguably this all includes leisure services to an extent.

I feel I can speak objectively and would be able to give the benefit of my expertise if allowed to speak, I also feel that by not voting I would mitigate the conflict of interest which I have acknowledged.

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: Russell Sparks

Date: 24/11/22

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"> • your employment or business, • your employer, firm or company • a contract made between the Council and you • any land, lease or licence in which you have an interest • a public body or other association in which you have membership or hold a position of general control or management 	Y
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