

STANDARDS COMMITTEE –7TH NOVEMBER 2013

FINANCE AND CORPORATE SERVICES

**REPORT OF THE HEAD OF LEGAL SERVICES AND
MONITORING OFFICER**

INDEX OF REPORT ITEMS

PART 1 – Doc. Code: STDS-071113-REP-FS-DM

SECTION A – MATTER FOR DECISION		
Report Item	Page Nos	Wards Affected
1. Grant of Dispensations under Section 81(4) Local Government Act 2000	2-7	All

ITEM 1
PART 1 SECTION A

**Policy and Resources Overview and Scrutiny Committee 8th
November 2013 - Grant of Dispensations under Section 81(4) Local
Government Act 2000**

1.1. General

- 1.1.1. Under Section 81(4) of the Local Government Act 2000 Standards Committees may grant dispensations to a Member of a relevant authority (including a Community Council) allowing the Member to participate in any business where that participation would otherwise be prohibited by the mandatory provisions of the Members' Code of Conduct.
- 1.1.2. The National Assembly for Wales in the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 (SI No: 2279) sets out the circumstances in which these dispensations may be granted. The Standards Committee may only grant dispensations in the circumstances set out in the Regulations.
- 1.1.3. The Policy and Resources Overview and Scrutiny Committee will be invited to scrutinise at its meeting of 8th November a proposed decision in relation to the funding of "third sector" bodies. A copy of the financial table to the report is attached as Annex 1. Some Members have interests in respect of various of the bodies.
- 1.1.4. Under Paragraph 18 of The Code of Conduct (and the relevant Regulations) The Standards Committee may not consider granting a dispensation to an individual Member unless the Member seeking it has previously notified the Monitoring Officer of that interest together with the relevant details.
- 1.1.5. Some Members have requested the Standards Committee grant a dispensation allowing them to participate in the meeting. Members who are appointed to bodies by the Council are required to declare the appointment but their personal interest is not a prejudicial interest under the Members' Code of Conduct. Other Members however are members of such organisations in their own right or have other interests. Their interests may be

both personal and prejudicial requiring them to leave the meeting.

1.1.6. The interests in relation to which a dispensation is sought are as follows:-

<u>Name of Member</u>	<u>Nature of Interest</u>
1 Cllr. Karen Pearson	(i) Cllr. Pearson is an employee of Barnado's based at the Neath Office. She works for the Invisible Walls Wales Team funded by the Big Lottery. She understands that the grants/contracts relate to Barnado's parenting team. (ii) Cllr. Pearson has also requested a dispensation in respect of Dulais Valley Partnership but that is not required due to the provision of the Code.
2. Cllr. Lella James	Cllr. James' daughter works for Prince's Trust.
3. Cllr. Linet Purcell	Cllr. Purcell is a member of the National Trust.
4. Cllr. Andrew Jenkins	Cllr. Jenkins is a member of Neath Port Talbot Credit Union.

1.1.7. The circumstances in which Standards Committee may grant dispensations are set out in the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001. The circumstances are set out below:-

- (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.

- 1.1.8. Further advice will be given at the meeting in the light of any developments which arise after the drafting of this report. However, the paragraphs which may be relevant in this case are (c), (d), (g) and (h).
- 1.1.9. Bearing in mind the nature of the decision to be taken by Cabinet Board and the restriction contained in paragraph (h) I would suggest that any dispensation would be confined to allowing the Member to speak but not vote on all matters related to this review.
- 1.1.10. Obviously the interests in respect of which dispensations have been requested differ and the Committee may make different decisions in different cases.

Recommendation

- 1.2. That Standards Committee considers the applications for dispensation set out in paragraph 1.1.6. in the circumstances set out in Regulation 2 (c), (d), (g) and (h) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak only and that the dispensations cover all matters related to the review.

1.3. **Background Papers**

Details of applications.

1.4. **Wards Affected**

All

1.8. **Officer Contact**

For further information on this report please contact:-

Mr. D. Michael,
Head of Legal Services and Monitoring Officer

Tel. No. 763368

E-mail d.michael@npt.gov.uk

APPENDIX 1

Directorate	Organisation	Grant Received from		Proposed % Cut	FFP Ref / Notes	Anticipated Savings	
		NPT Funded	Specific Grant			Current FFP	Review Driven
Core Funding							
SSHH	Age Concern Neath Port Talbot	20,268		20.0%			4,054
SSHH	Care & Repair NPT Ltd	5,526		20.0%			1,105
SSHH	Cruse	4,890		4.6%			225
SSHH	NPT CVS - Disability Forum	15,960		100.0%	Corp139 - £3k and SSH114 - £10k	13,000	2,960
SSHH	Epilepsy Support	1,554		4.6%			71
SSHH	Gateway Bookshop	1,240		100.0%			1,240
SSHH	Interplay	31,860		100.0%			31,860
SSHH	NPT CVS - Volunteering Project	13,090		4.6%			602
SSHH	NPT CVS - Working with volunteers	32,947		4.6%			1,516
SSHH	NPT Foster Care Association	1,400		4.6%			64
SSHH	Port Talbot Stroke Group	485		4.6%			22
SSHH	SNAP	4,680		100.0%			4,680
SSHH	Stroke Association	4,564		4.6%			210
SSHH	Vision Wales(was Wales Council for Blind)	2,029		4.6%			93
FCS	CAB - Afan Valley Outreach	980		100.0%			980
FCS	CAB - Ammanford	115		100.0%			115
FCS	CAB - Ystradgynlais	835		100.0%			835
FCS	Citizens Advice Bureau	104,000		20.0%			20,800
FCS	Mechanics Institute	13,520		100.0%			13,520
FCS	NPT CVS - Core Funding Contribution	47,939		4.6%			2,205
FCS	Princes Trust Volunteers	3,115		100.0%			3,115
FCS	St Johns Ambulance	3,000		100.0%			3,000
FCS	Swansea Bay Racial Equality Council	20,000		20.0%			4,000
ENVT	DANSA Transport	45,195		0.0%	ENVT243	12,000	-
ENVT	Groundwork	63,271		0.0%	ENVT244	63,000	-
ENVT	Neath Port Talbot Community Transport	46,692	10,000	0.0%	ENVT243	12,000	-
ENVT	South Wales Miners Museum	2,250		100.0%			2,250
ENVT	NPT Shop Mobility	49,000		0.0%	ENVT243	12,000	-
ELLL	Tan Dance Community Arts	4,790		100.0%			4,790
ELLL	Theatre Na'n Nog - Community Arts	13,330		100.0%			13,330
ELLL	NPTCVS - Enabler, Strat Dev Officer; Anti Bullying Co-ordinator; Participation Officer-Flying Start Element		129,040	0.0%			-
ELLL	NPTCVS - Childrens Rights Unit		21,762	0.0%			-
ELLL	Friends of Margam Park	2,000		0.0%	ELLL115	1,000	-
ELLL	New Sandfields Aberafan	14,452		100.0%			14,452
ELLL	Glyncorwg Ponds	12,525		20.0%			2,505
ELLL	Dulais Valley Partnership	21,895		100.0%			21,895
ELLL	Glynneath Training Centre	58,098		4.6%			2,673
ELLL	Canolfan Maerdy	22,381		4.6%			1,030
ELLL	DOVE Workshops	42,330		4.6%			1,947
ELLL	New Sandfields Aberafan	27,574		100.0%			27,574
ELLL	Ystalyfera Development Trust	22,382		20.0%			4,476
ELLL	Neath Credit Union	9,830		100.0%			9,830
ELLL	Neuadd Cwmilyrfeil	35,000		0.0%	ELLL103	8,000	-
ELLL	West Glamorgan Youth Theatre	13,660		100.0%			13,660
ELLL	Womens Aid - CALAN		9,339	0.0%			-
ELLL	Womens Aid - CALAN		52,745	0.0%			-
ELLL	Womens Aid - PT		5,407	0.0%			-
ELLL	Womens Aid - PT		39,653	0.0%			-
ELLL	NPTCVS - Training & Quality, Participation Officer-RSG element, Under 8s	55,528		4.6%			2,554
		896,180	267,946			121,000	220,239
Contracts For Services							
SSHH	Age Cymru Afan Nedd	23,641		4.6%			1,087
SSHH	Action for Children	322,090		4.6%			14,816
SSHH	Action for Children	385,010		4.6%			17,710
SSHH	Action for Children	628,010		4.6%			28,888
SSHH	After Adoption	27,440		4.6%			1,262
SSHH	Age Concern Neath Port Talbot	6,264		4.6%			288
SSHH	BAAF Consortium - Dev.Officer	1,920		4.6%			88
SSHH	BAAF Membership	2,380		4.6%			109
SSHH	Barnardos	46,450		4.6%			2,137
SSHH	Barnardos	25,480		4.6%			1,172
SSHH	Care & Repair NPT Ltd	43,578		0.0%	SSHH115	10,000	-
SSHH	Coastal Housing	21,930		4.6%			1,009
SSHH	Coastal Housing	29,620		4.6%			1,363
SSHH	Crossroads	48,780		0.0%	Tender		-
SSHH	Crossroads	10,990		0.0%	Tender		-
SSHH	DEWIS	12,440		4.6%			572
SSHH	DEWIS	78,840		4.6%			3,627
SSHH	DEWIS	9,240		4.6%			425
SSHH	Hafal	11,555		4.6%			532
SSHH	Hafal	34,355		4.6%			1,580
SSHH	NPT Alzheimers Society	91,250		0.0%	Tender		-
SSHH	NPT Carers Service	110,261		4.6%			5,072
SSHH	Play Right	350		4.6%			16
SSHH	RNIB	9,444		4.6%			434
SSHH	Sense	27,396		4.6%			1,260
SSHH	Sense	7,167		4.6%			330
SSHH	Shaw Trust	86,625		4.6%			3,985
SSHH	Shaw Trust	130,967		4.6%			6,025
SSHH	Shaw Trust	45,936		0.0%	Tender		-
SSHH	SQUIGGLES	19,280		4.6%			887
SSHH	SQUIGGLES	6,810		4.6%			313
SSHH	Tros Gynnal	29,980		4.6%			1,379
SSHH	WGCADA	1,000		4.6%			46
SSHH	WGCADA	33,000		4.6%			1,518
SSHH	WGCADA		428,000	0.0%			-

FCS	Citizens Advice Bureau-Debt Counselling Service	42,200		0.0%	Corp147	42,200	-
ENVT	Giants Grave Boys Club	3,000		4.6%			138
ELLL	Unallocated - Special Needs Placements/Referrals	41,951		4.6%			1,930
ELLL	Sandfields Childsafe		3,303	0.0%			-
ELLL	NCMA	4,768		4.6%			219
ELLL	Wales pre school playgroup association		10,347	0.0%			-
ELLL	Wales pre school Playgroup Association -statutory Cymorth Framework	5,472		4.6%			252
ELLL	Aberavon ICC		3,398	0.0%			-
ELLL	Aberavon ICC - Sandfields Primary		147,131	0.0%			-
ELLL	Action for Children / Croeserw Playgroup		105,691	0.0%			-
ELLL	Brion Ferry Childcare		42,088	0.0%			-
ELLL	Brynhyfryd Flying Start Playgroup		64,345	0.0%			-
ELLL	Childcare Assisted Places - special needs - statutory - UNALLOCATED		65,850	0.0%			-
ELLL	Cyfh Chwarae Castell Nedd		4,320	0.0%			-
ELLL	Georgio Porgies (St. Catherine's Church)		109,858	0.0%			-
ELLL	Gwynfi Childcare Club		42,084	0.0%			-
ELLL	Little People		23,355	0.0%			-
ELLL	Little Stars		74,331	0.0%			-
ELLL	Lots of Tots Day Nursery		8,213	0.0%			-
ELLL	Lots of Tots, Port Talbot (Glanymor)		154,783	0.0%			-
ELLL	Melyn Infants		62,709	0.0%			-
ELLL	Melyn Juniors		34,895	0.0%			-
ELLL	Neath Port Talbot Day Nursery (Kier)		6,783	0.0%			-
ELLL	PALS		20,232	0.0%			-
ELLL	Rompers		11,827	0.0%			-
ELLL	Tiddlywinks		74,936	0.0%			-
ELLL	Aberafan Seafront/Lifeboat Service	34,300		0.0%	See Report		-
ELLL	Sports Council Wales	4,000		4.6%			184
ELLL	Action for Children		105,212	0.0%			-
ELLL	Crossroads - Young Careers Project		19,134	0.0%			-
ELLL	SNAC		24,336	0.0%			-
ELLL	Interplay		12,678	0.0%			-
ELLL	Family First Grant - Unallocated at start of year		151,216	0.0%			-
ELLL	Action for Children		190,340	0.0%			-
ELLL	FAW	15,000		0.0%	See Report		-
ELLL	Aberavon ICC - Flying Start Grant		2,046	0.0%			-
ELLL	Resolven Building Blocks		46,292	0.0%			-
ELLL	Tiddlywinks Nursery	14,745		4.6%			678
ELLL	Mudiad Ysgolion Meithrin		2,960	0.0%			-
ELLL	Mudiad Ysgolion Meithrin		13,430	0.0%			-
ELLL	Mudiad Ysgolion Meithrin	14,274		4.6%			657
ELLL	SNAP Cymru - Special Needs Advisory Project		6,505	0.0%			-
ELLL	SNAP Cymru - Special Needs Advisory Project		26,024	0.0%			-
ELLL	Clybiau Plant Cymru (Kids Club) - Framework Partnership Projects		15,196	0.0%			-
ELLL	Unallocated - After School Clubs		61,000	0.0%			-
ELLL	Barnardos		217,849	0.0%			-
ELLL	WRU	15,000		0.0%	See Report		-
ELLL	Sandfields Childsafe		7,707	4.6%			355
ELLL	National Trust - Tourist information Centre		26,332	0.0%	ELLL107	27,000	-
ELLL	Unallocated - Childcare strat Grant		47,835	4.6%			2,200
ELLL	WGCADA LTD		26,000	4.6%			1,196
ELLL	DOVE - Dulais Valleys Under 3's		8,996	0.0%			-
		2,672,083	2,430,941			79,200	105,741
Grants							
ELLL	Community Safety Grant	12,000		4.6%			552
ELLL	Neath Port Talbot District Sports Council	7,000		4.6%			322
ELLL	Show Racism the Red Card (Opsreys)	10,000		0.0%	TBC	10,000	-
ELLL	Unallocated - Margam Woodland Grant		23,411	0.0%			-
ELLL	DANSA		35,989	0.0%			-
ELLL	Groundwork BR & NPT 100% (Grant Funded)		169,072	0.0%			-
ELLL	Fireworks Grant	4,000		4.6%			184
ELLL	Misc - Community Regeneration	3,170		4.6%			146
FCS	One-off grants	1,000		4.6%			46
FCS	Welsh Church Act Trust Fund		73,487	0.0%			-
FCS	OAP Associations (various)	15,360		100.0%			15,360
FCS	Neath Antiquarian Society	2,500		100.0%			2,500
FCS	Discretionary Rate Relief	155,353		0.0%			-
ELLL	Business Connect RDP Grant		57,500	0.0%			-
ELLL	CALAN DVS		6,758	0.0%			-
ELLL	NPT - Credit Union		50,633	0.0%			-
		210,383	416,850			10,000	19,110
TOTAL						210,200	345,090
SSHH	Facing the Challenge				SSHH 123 Identified by Steering Group		57,000
Final TOTAL							402,090
						FFP TARGETS:	
						COR3	300,000
						CORP 149	100,000
							400,000