

STANDARDS COMMITTEE

REPORT OF HEAD OF LEGAL SERVICES MR. DAVID MICHAEL

16 MARCH 2018

MATTER FOR DECISION

WARDS AFFECTED: ALL

GRANT OF DISPENSATIONS AND RENEWAL OF GRANTS UNDER SECTION 81(4) LOCAL GOVERNMENT ACT 2000

Purpose of Report

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. In the report which follows, I set out the circumstances or grounds on which dispensations may be granted in each case.

1.1.3. The form of the report will generally set out the dispensation, the circumstances in which it may be granted and details of the applicant for the dispensation.

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. In accordance with previous practice, it is suggested that all dispensations be granted until the first meeting of the Standards Committee following the Council Annual General Meeting in 2018 in order to ensure that they all come up for renewal at the same time.

1.2. **Miscellaneous Dispensations**

The Standards Committee has previously approved various dispensations to Members where they are members of voluntary organisations or organisations carrying out public functions where it is the wish of those Members to speak on Council business relating to those organisations and also, in some cases vote. The subject of the dispensation and its extent varies in each case and therefore I have summarised the applications in the table which appears below.

Circumstances for granting the Dispensations: Miscellaneous

1.2.1 The circumstances are:-

“(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”

Note: this paragraph derives from Regulation 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 and was the circumstance under which applications for dispensations of this sort were previously approved.

1.2.2. Applications for Dispensations: Miscellaneous

Member	Subject of Dispensation	Extent of Requested Dispensation	Circumstances
Cllr S. Hunt	Vice Chair Friends of Cefn Coed Colliery Museum	Speak and Vote	Reg 2 (d)
Cllr S Harris	Member of Friends of Cefn Coed Colliery Museum	Speak and Vote	Reg 2 (d)

Recommendation

- (1) That if the applications for dispensations set out in paragraph 1.2.2. be approved they be approved in the circumstances set out in Regulation 2 (d) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 to speak and vote as set out in the Schedule above and that the dispensations run to the Standards Committee which follows the Annual Meeting 2018.
- (2) That the following conditions be applied for the dispensations :-
 - That the matter under consideration is a general report concerning the budget of the County Borough Council.
 - That the matter under consideration relates to the funding of the Cefn Coed Colliery Museum itself and not to the funding of the Friends of Cefn Coed Colliery Museum.
 - That the dispensation will only apply during periods when the Cefn Coed Colliery Museum is owned and operated by the County Borough Council.

1.3. School Reorganization matters

1.3.1 Last year Standards Committee granted applications for dispensation from a number of members regarding School Reorganization matters. Some of the Councillors may in

future have a role in deciding school reorganization matters due to changes in the statutory regime.

Standard form of Dispensation: School Reorganization Personal Interests

1.3.2 The standard form of dispensation used in these cases would be:-

“To speak but not vote on issues which relate to school reorganization”.

Circumstances for granting a Dispensation: School Reorganization Personal Interests

1.3.3 The circumstances under which the dispensations were granted were as follows:-

“(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.”

Note: This paragraph derives from Regulation 2 of the Standards Committees (Grant of Dispensation) (Wales) Regulations 2001 and was the circumstances under which applications for dispensations of this sort were previously approved.

1.3.4 The application for dispensations are as follows:-

Name	Nature of Interest	Issue	Speak or Vote
Cllr Nicola Jayne Davies	Child of school age	School Reorganization	Speak only

1.3.5. Recommendation

That the applications for dispensations set out in paragraph 1.3.4 be approved in the circumstances set out in Regulation 2 (d) of the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001 in the standard form as set out in Paragraph 2.5.2. to speak but not vote and that the

dispensations run to the Standards Committee with follows the Annual meeting 2018.

1.4. **Background Papers**

Exchange of emails on grant of dispensations for 2017/18.

1.5. **Wards Affected**

All

1.6. **Officer Contact**

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