

Report To: Standards Committee

Date of Meeting: 21st September 2018

Lead Member / Officer: Gary Williams, Monitoring Officer

Report Author: Gary Williams, Monitoring Officer

Title: Application for Dispensation by Members of Llanbedr Dyffryn Clwyd Community Council

1. What is the report about?

1.1 This report is about an application for a dispensation made by members of Llanbedr Dyffryn Clwyd Council

2. What is the reason for making this report?

2.1 To enable the Committee to consider the background to the request for a dispensation and the relevant legal provisions before making a determination whether to grant the dispensation.

3. What are the Recommendations?

3.1 That the Committee considers the request for a dispensation and makes a determination whether to grant the dispensation and, if so, the terms upon which the dispensation is granted.

4. Report details

4.1 The Members' Code of Conduct provides that a member of a local authority who has a prejudicial interest in any matter must withdraw from the chamber during the discussion of that matter and take no part in the consideration of that matter, unless the member has been granted a dispensation by the Standards Committee for that authority.

4.2 s81(4) Local Government Act 2000 gives Standards Committees power to grant dispensations in accordance with regulations made by Welsh Ministers under s81(5) of that Act prescribing the circumstances in which they may do so.

4.3 The relevant regulations are the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 (the Regulations).

4.4 On 3rd April 2018 the Committee considered a request for a dispensation on behalf of members of Llanbedr DC Community Council in respect of membership of a community association relating to The Griffin Community Hub project. The Committee granted a dispensation to two members of the community council. The dispensation was granted for a period of six months which ends on 3rd October 2018. A copy of the report and supporting documentation submitted to the Committee on 3rd April is attached as Appendix 1.

- 4.5 The Monitoring Officer has now received a request for an extension of the dispensation in respect of the two councillors to whom the dispensation was granted in April, Councillors Lyn Evans and Tim Baker, together with a request for an additional Councillor to be granted a dispensation, namely Cllr Dave Ritchie. Details of this request can be seen in Appendix 2 and Appendix 3 attached.
- 4.6 If the Committee is minded to grant a dispensation it must consider whether it wishes to grant the dispensation as requested or whether to place any limitation or restriction on the operation of the dispensation, including the length of time for which the dispensation will be in force.
- 4.7 If a dispensation is granted, any member who has the benefit of it must still declare a personal interest in any business relating to the voluntary body and declare the existence and nature of the dispensation granted.
- 5. How does the decision contribute to the Corporate Priorities?**
- 5.1 The decision has no direct impact on the Corporate Priorities.
- 6. What will it cost and how will it affect other services?**
- 6.1 There no direct costs associated with this report.
- 7. What are the main conclusions of the Well-being Impact Assessment? The completed Well-being Impact Assessment report can be downloaded from the [website](#) and should be attached as an appendix to the report**
- 7.1 This report does not seek to introduce a change or a proposal that would require such an assessment.
- 8. What consultations have been carried out with Scrutiny and others?**
- 8.1 There has been no consultation with Scrutiny in respect of this matter.
- 9. Chief Finance Officer Statement**
- 9.1 There are no direct financial consequences as a result of this report.
- 10. What risks are there and is there anything we can do to reduce them?**
- 10.1 There is a risk that if Members are not granted the dispensation the Town Council will be unable to consider requests for financial or other assistance by the voluntary body.
- 11. Power to make the Decision**
- 11.1 s81(4) Local Government Act 2000
Standards Committees (Grant of Dispensations) (Wales) Regulations 2001