

Report to	Standards Committee
Date of meeting	13 December 2024
Lead Member / Officer	Gary Williams, Monitoring Officer
Report author	Gary Williams, Monitoring Officer
Title	Application for Grant of Dispensation by members of Gwyddelwern Community Council

1. What is the report about?

1.1. This report is about an application for a dispensation made by members of Gwyddelwern Community 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. The Monitoring Officer has received an application for Dispensation for members of the Gwyddelwern Community Council to actively participate in an item relating to a planning application in their area. A number of community councillors have connections with the applicant. The grounds for the application would appear to be that without dispensations there would not be sufficient members available to form a quorum. Full details of the applications received are contained in the applications attached as Appendix 1 to this report. Members may feel that they need additional information in order to consider these applications which may be provided verbally at Committee.
- 4.5. The Regulations set out the grounds upon which a Standards Committee may grant a dispensation. A copy of Regulation 2 of the Regulations is set out as Appendix 2 to this report and lists the circumstances in which a dispensation may be granted.
- 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 Plan 2022 to 2027: The Denbighshire We Want?

5.1. The decision has no direct impact on the Corporate Plan.

6. What will it cost and how will it affect other services?

6.1. There are no costs associated with this report.

7. What are the main conclusions of the Well-being Impact Assessment?

7.1. No assessment is required for this report.

8. What consultations have been carried out with Scrutiny and others?

8.1. No such consultations are required for this report.

9. Chief Finance Officer Statement

9.1. Not required for 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 this dispensation is not granted the community council may not be able to consider business related to the Community Shop, Hub and Post Office.

11. Power to make the decision

11.1. s81(4) Local Government Act 2000 as amended

11.2. Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 as amended.