

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 08 June 2023
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Applications for Dispensation
Purpose of Report:	To consider applications for dispensation
Report Owner:	Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	Karen Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not involve any consultation with other parties
Policy Framework:	This report is a matter for consideration by the Standards Committee
Executive Summary:	
<ul style="list-style-type: none"> To consider applications for dispensation as attached at Appendix 1 to this report. 	

Recommendation

1. That the Standards Committee consider the dispensation applications on matters as set out in the completed proformas attached at Appendix 1 to this report.

Reason for Recommendation

1. To comply with the regulations and obligations for the grant of dispensations to speak and vote.

1. Background

- 1.1 The Standards Committee Grant of Dispensations (Wales) Regulations 2001 permits Members to apply to Standards Committee to speak and, if appropriate, to vote on issues which due to prejudicial interests, they may not otherwise be able to speak or vote or remain in the room.
- 1.2 In order to deal with the applications as quickly as possible, it is necessary for the Standards Committee to receive full information of the interests involved and why in the Member's opinion dispensation should be given.
- 1.3 Applicants are advised that they are also able to attend the Standards Committee meeting to present their application if they wish to do so.
- 1.4 All Vale of Glamorgan Councillors and Town and Community Councils have been advised that previous applications that had been agreed during the last term of office ceased at the time of the Local Government elections held on 5th May 2022.

2. Key Issues for Consideration

- 2.1 Committee is requested to consider and determine applications for dispensation from the following Councillors as attached at Appendix 1 to this report:
 - Vale of Glamorgan and Llantwit Major Town Councillor G. John to speak and vote on issues relating to the Royal British Legion at both Vale of Glamorgan and Llantwit Major Town Councils.
 - Llanmaes Community Councillor L. Green to speak and vote on matters relating to the Local Development Plan (including the Replacement Local Development Plan and its updates/consultations).
 - Vale of Glamorgan Councillor H. Payne to speak and vote on matters relating to housing and homelessness at Vale of Glamorgan Council meetings
- 2.2 The Standards Committee agreed that when applications for dispensation are required to be considered as a matter of urgency, the Monitoring Officer in consultation with the Chair of the Standards Committee be provided with the authority to consider such applications and to report to a future meeting such applications that have been agreed under this delegated authority.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1** One of the roles and functions of the Standards Committee (as detailed in the Council's Constitution) is to consider the granting of dispensations to Councillors, Co-opted Members and Church and Parent Governor Representatives from requirements relating to interests set out in the Members' Code of Conduct.

4. Climate Change and Nature Implications

- 4.1** There are no direct implications as result of this report.

5. Resources and Legal Considerations

Financial

- 5.1** None as a direct result of this report.

Employment

- 5.2** None as a direct result of this report.

Legal (Including Equalities)

- 5.3** The Council is required to comply with the Standards Committee Grant of Dispensations (Wales) Regulations 2001.

6. Background Papers

Standards Committee Grant of Dispensations (Wales) Regulations 2001.



**THE VALE OF GLAMORGAN COUNCIL
STANDARDS COMMITTEE**

**Application for a Dispensation to the Standards Committee under Section 2 of
the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001**

Name of Councillor	Gwyn John
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Vale of Glamorgan Council and Llantwit Major Town Council
Nature of Dispensation sought	Speak and Vote
Date of meeting / issue to be discussed (if known)	At all meetings as and when required
Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period. <i>(N.B. All dispensations granted expire at the next Council elections.)</i>	The period of the Council term up to the next Elections in 2027
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	Speak and Vote
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	(d), (e) and (f)

Details of the Prejudicial Interest	President of Llantwit Major Royal British Legion (March 2023)
Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)	Cabinet Member
Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation <i>(Use a separate sheet of paper if necessary)</i>	My knowledge as a Vale of Glamorgan Councillor, also a Cabinet Member.

SIGNED: G. John

DATED: 27.03.23

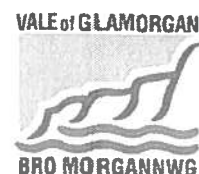
Each section of the form MUST be fully completed.

(N.B. If you are submitting your application form electronically, without a signature, please give written permission for the receiving officer to sign the application form on your behalf. **Failure to do this will result in the application being deemed incomplete and returned to the applicant.)**

SIGNATURE OF OFFICER (IF APPROPRIATE):K. Bowen.....

*Please return completed form to:
Democratic and Scrutiny Services, Directorate of Resources, Room 26, 1st Floor,
Civic Offices, Holton Road, Barry, CF63 4RU*

**THE VALE OF GLAMORGAN COUNCIL
STANDARDS COMMITTEE**



Application for a Dispensation to the Standards Committee under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

Name of Councillor	Linda Green
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Llanmaes Community Council
Nature of Dispensation sought	Local Development Plan
Date of meeting / issue to be discussed (if known)	Future meetings of the Community Council where the replacement Local Development plan and its updates/consultations will be discussed and responses drafted.
Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period. <i>(N.B. All dispensations granted expire at the next Council elections.)</i>	Longer in order to participate in LDP development
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	Speak and vote

<p>Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i></p>	<p>DEI</p>
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<p>Details of the Prejudicial Interest</p>	<p>Reviewing the current proposed sites for the next LDP, one field would classify me as a neighbour.</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. Chairman / Vice-Chairman / Cabinet Member)</p>	<p>None</p>
<p>Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation</p> <p><i>(Use a separate sheet of paper if necessary)</i></p>	<p>As the LDP considers various parcels of land in Llanmaes, I seek to be able to participate in evaluating and commenting on those proposed sites as they will impact on the entire community, not just myself as a neighbour of just one potential land area.</p>

L. GREEN

SIGNED: 

DATED: 4/5/23

Each section of the form MUST be fully completed.

(N.B. If you are submitting your application form electronically, without a signature, please give written permission for the receiving officer to sign the application form on your behalf. Failure to do this will result in the application being deemed incomplete and returned to the applicant.)

SIGNATURE OF OFFICER (IF APPROPRIATE): K. Bowen.....

*Please return completed form to:
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THE VALE OF GLAMORGAN COUNCIL
 STANDARDS COMMITTEE

Application for a Dispensation to the Standards Committee under Section 2 of
 the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

Name of Councillor	Helen Payne
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Cadoc
Nature of Dispensation sought	To discuss housing and homelessness in relation to my role as Projects Manager at Llamau
Date of meeting / issue to be discussed (if known)	Not known as yet
Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period. (N.B. All dispensations granted expire at the next Council elections.)	For the remainder of this council term unless my employment changes
Level of dispensation sought (i.e. to speak only or to speak and vote)	To speak and vote
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	C,D,E,F,H

<p>Details of the Prejudicial Interest</p>	<p>Personal- Employment at Llamau and Vice Chair of Vale Youth Forum</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)</p>	<p>Vice Chair Learning and Culture</p>
<p>Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation</p> <p><i>(Use a separate sheet of paper if necessary)</i></p>	<p>I have at times felt that I had a valid contribution to offer but because of my employment and a previous complaint made by another member, I have been unsure and not wanted to breach any standards. Having dispensation would enable me to speak and use my knowledge to contribute to the debate and give a rounded view as part of the decision making process.</p>

SIGNED: ...H M Payne.....
 DATED: 25/05/23.....

Each section of the form MUST be fully completed.

(N.B. If you are submitting your application form electronically, without a signature, please give written permission for the receiving officer to sign the application form on your behalf. **Failure to do this will result in the application being deemed incomplete and returned to the applicant.)**

SIGNATURE OF OFFICER (IF APPROPRIATE): ...K. Bowen.....

*Please return completed form to:
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Circumstances When A Standards Committee May Grant Dispensations

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 specifies that the Council's Standards Committee may grant dispensations under Section 81(4) of the Local Government Act 2000 where:

- (a) no fewer than half of the Members of the Council or of a committee of the Council (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 the Executive of the Council (i.e. Leader and Cabinet) 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) Members' inability to participate would upset the political balance of the Council, or any of its committees 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 Council'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 registerable interest relates to business, which is to be considered by an Overview and Scrutiny Committee of the Council, and the Member's interest is not a pecuniary/financial interest;
- (h) the business 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 Council 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;
- (i) it appears to the Standards Committee to be in the interests of the inhabitants of the area of the Council that the disability should be removed; or
- (j) it appears to the Standards Committee to be otherwise appropriate to grant a dispensation. [If this circumstance is relied upon it will be required to be reviewed on a 12 month basis – Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 (3(1)A)]