

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 13 July 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 Councillor H.M. Payne to speak and vote and remain in meetings of the Vale of Glamorgan Council when matters relating to the review of Council employment employee terms and conditions are discussed in view of family members being employed by the Authority.
 - Llanmaes Community Councillor G. Smith to speak and vote when matters related to the forthcoming Vale of Glamorgan Local Development Plan (2021-2036) on proposals affecting Llanmaes in view of his residence being within proximity of Site 395 (Glebelands at Llanmaes) are discussed at meetings of Llanmaes Community Council. Councillor Smith has also provided a location map to assist with the Committee's consideration which is attached to the application.
 - Llantwit Major Town Councillor Dr. P. Dickson to speak and vote at the Llantwit Major Town Council Planning Committee meeting when Planning Application 2023/00596/FUL Purlon Farm is discussed.

- Llantwit Major Town Councillor G. Morgan to speak and vote at the Llantwit Major Town Council Planning Committee meeting when Planning Application 2023/00596/FUL Purlon Farm is discussed.
 - Llantwit Major Town Councillor D. Foster to speak and vote at the Llantwit Major Town Council Planning Committee meeting when Planning Application 2023/00596/FUL Purlon Farm is discussed.
 - Llantwit Major Town Councillor J. Deakin to speak and vote at the Llantwit Major Town Council Planning Committee meeting when Planning Application 2023/00596/FUL Purlon Farm is discussed.
 - Llantwit Major Town Councillor G. Hughes to speak and vote at the Llantwit Major Town Council Planning Committee meeting when Planning Application 2023/00596/FUL Purlon Farm is discussed.
 - Vale of Glamorgan Councillor R. Sivagnanam to speak and vote at Vale of Glamorgan Council meetings where issues (including budgets) are considered in relation to Stanwell School in view of a family member attending the school.
- 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	Helen Mary Payne
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Cadoc
Nature of Dispensation sought	To speak and vote and remain in the meeting
Date of meeting / issue to be discussed (if known)	Not known
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>	Until the next council term
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	To speak and vote
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	(a) to (d) (f)

Details of the Prejudicial Interest	<p>My niece has just been employed at C1V</p> <p><i>To speak and vote on matters relating to the review of Council employment employee terms and conditions in view of family members being employed by the authority (paragraphs (d), (e)</i></p>
Details of any Position of responsibility / control held on your Council (e.g. Chairman / Vice-Chairman / Cabinet Member)	<p>Vice Chair Learning and Culture Planning member Well Being Champion</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 C1V potentially crosses all service areas, I am requesting dispensation to vote and speak.</p>

SIGNED: H M Payne

DATED: 4th July 2023

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	Graeme Smith
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Llanmaes Community Council
Nature of Dispensation sought	To speak and vote on matters related to the forthcoming Vale of Glamorgan Local Development Plan (2021 – 2036)
Date of meeting / issue to be discussed (if known)	
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.)	Through the entire period of consultations related to this replacement LDP up until adoption
Level of dispensation sought (i.e. to speak only or to speak and vote)	Speaking and Voting on LDP proposals affecting Llanmaes
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	b, e, l, j

<p>Details of the Prejudicial Interest</p>	<p>My residence is within the proximity of Site 395 (Glebelands at Llanmaes)</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. Chairman / Vice-Chairman / Cabinet Member)</p>	<p>Chairman</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>The LDP proposals are wide ranging and it is important that the Community Council is able to respond in a timely and appropriate nature to proposals and consultations affecting the Community.</p> <p>This is just one proposal that may or may not be considered to represent a prejudicial interest to myself. The development site is within view of a corner of my garden.</p>

SIGNED:



G SMITH

DATED:

July 5th 2023

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*




Excerpt of LDP proposals map published in March 2023. The area highlighted in green to the top of the map excerpt is Site ID 395 (Glebelands at Llanmaes). The house marked with a blue cross is my home (7 Rectory Court Llanmaes CF61 2WJ) which is in the proximity of although not directly neighbouring the proposed site for housing development.

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	DR. PETER DICKSON
Address	[REDACTED]
Name of Member's relevant Authority and Ward	NORTH WARD LLANTWIT MAJOR TOWN COUNCIL
Nature of Dispensation sought	TO DISCUSS PLANNING APPLICATION 2023 / 00596 / FUL PULLON FARM
Date of meeting / issue to be discussed (if known)	
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.)	ONE MEETING
Level of dispensation sought (i.e. to speak only or to speak and vote)	SPEAK - VOTE
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	

<p>Details of the Prejudicial Interest</p>	<p>COLLEAGUE - FRIEND</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. Chairman / Vice-Chairman / Cabinet Member)</p>	<p>COUNCILLOR + CHAIR OF PLANNING</p>
<p>Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation</p> <p>(Use a separate sheet of paper if necessary)</p>	<p>NEED FOR THIS PLANNING APPLICATION TO BE DISCUSSED?</p>

SIGNED:  P. DICKSON

DATED: 7/7/23

Each section of the form MUST be fully completed.

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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	Craham Morgan
Address	[REDACTED]
Name of Member's relevant Authority and Ward	South East Klantwit Major T.C.
Nature of Dispensation sought	To discuss Planning Application 2023 1/00596/FULL, Pylon Fence
Date of meeting / issue to be discussed (if known)	
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.)	Only One Meeting
Level of dispensation sought (i.e. to speak only or to speak and vote)	Speak & Vote.
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	

<p>Details of the Prejudicial Interest</p>	<p>Colleague & Friend</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. Chairman / Vice-Chairman / Cabinet Member)</p>	<p>local Councils</p>
<p>Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation (Use a separate sheet of paper if necessary)</p>	<p>Need for Planning applications to be discussed</p>

SIGNED:



G. MORGAN

DATED:

6/7/2023

Each section of the form MUST be fully completed.

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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	DAVID FOSTER
Address	[REDACTED]
Name of Member's relevant Authority and Ward	HLANTWIT MAJOR T.C. NORTH WARD.
Nature of Dispensation sought	Discuss Planning Application linked to Fellow Councillor
Date of meeting / issue to be discussed (if known)	-
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.)	one meeting
Level of dispensation sought (i.e. to speak only or to speak and vote)	speak & vote.
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	

<p>Details of the Prejudicial Interest</p>	<p>Colleague.</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. Chairman / Vice-Chairman / Cabinet Member)</p>	<p>Councillor</p>
<p>Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation (Use a separate sheet of paper if necessary)</p>	<p>Need For Planning Application to be discussed & determined</p>

SIGNED:  D. Foster

DATED: 6/7/23

Each section of the form MUST be fully completed.

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SIGNATURE OF OFFICER (IF APPROPRIATE): K Bowen

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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	John Deakin
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Llantwit Major Boverton Ward
Nature of Dispensation sought	Discuss planning application number 2023/00596/FUL – linked to Town Councillor/Mayor
Date of meeting / issue to be discussed (if known)	Town Council planning committee meeting. 21 days consultation closes 18th July 2023
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>	One meeting
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

<p>Details of the Prejudicial Interest</p>	<p>Fellow Councillor</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)</p>	<p>Councillor</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>Need for planning application to be discussed and determined. Application is in name of Councillors son but due to property details and business associated with property could be easily associated with Councillor/Mayor.</p>

SIGNED:J. DEAKIN.....

DATED:6TH JULY 2023.....

Each section of the form MUST be fully completed.


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

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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	Gill Hughes
Address	
Name of Member's relevant Authority and Ward	Llantwit Major Town Council Boverton Ward
Nature of Dispensation sought	Discuss planning application number 2023/00596/FUL – linked to Town Councillor/Mayor
Date of meeting / issue to be discussed (if known)	Town Council planning committee meeting. 21 days consultation closes 18th July 2023
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>	One meeting
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

<p>Details of the Prejudicial Interest</p>	<p>Fellow Councillor</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)</p>	<p>Councillor</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>Need for planning application to be discussed and determined. Application is in name of Councillors son but due to property details and business associated with property could be easily associated with Councillor/Mayor.</p>

SIGNED:G. HUGHES.....

DATED:6TH JULY 2023.....

Each section of the form MUST be fully completed.

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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	Ruba Sivagnanam
Address	[REDACTED]
Name of Member's relevant Authority and Ward	St. Augustines
Nature of Dispensation sought	To speak and vote
Date of meeting / issue to be discussed (if known)	Ongoing issues
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.)	Until the next Local Government elections
Level of dispensation sought (i.e. to speak only or to speak and vote)	Speak and vote
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	(d), (e), (f) and (i)

Details of the Prejudicial Interest	Family member attends Stanwell School
Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)	Cabinet Member – Community Engagement, Equalities and Regulatory Services
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>	As a Cabinet Member and Councillor the dispensation is being sought to remain, speak and vote at Vale of Glamorgan Council meetings where issues (including budgets) are considered in relation to the school. I also attend meetings where matters may be discussed at Cabinet as a Cabinet Member and as a Councillor I feel I should take part in discussions and be party to the decision making process in my councillor and Cabinet Member role.

SIGNED: R. Sivagnanam

DATED: 07.07.23

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)]