

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 26 September 2024
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Application for Dispensation
Purpose of Report:	To consider an application for dispensation
Report Owner:	Victoria Davidson, 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 an application 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 the application for dispensation from the following Councillor as attached at Appendix 1 to this report:
 - Cowbridge Town Councillor Malcolm Wilson to speak and vote on matters relating to Cowbridge and District Museum Trust and Charter Trust Cowbridge.
- 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. Since the last meeting no such applications have been received.
- 2.3 The Committee is requested to consider the applications attached to this report.

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	Malcolm Wilson
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Llanblethian West
Nature of Dispensation sought	Membership of two charitable trust in Cowbridge: <ol style="list-style-type: none"> 1. Cowbridge and District Museum Trust: Chair 2. Charter Trust Cowbridge
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. <i>(N.B. All dispensations granted expire at the next Council elections.)</i>	During the time I am both a Town Councillor and a Trustee
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; f.

<p>Details of the Prejudicial Interest</p>	<p>The museum is situated in the town hall and security and insurance is the responsibility of the town council. May be applications for grant on occasions.</p> <p>The Charter Trust works with the town council to identify and manage work on the town hall and may provide the town council some limited funding in some circumstances.</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)</p>	<p>Chair of The Finance & Governance Committee</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 am the only Councillor who is a trustee of both Charities so it is not possible for me or others to exert undue influence on decisions that might impact on the charities.</p> <p>As trustee by being able to participate in debates I will be able to explain the circumstances that any item effecting either trust has come about and the impact approving or otherwise recommendations.</p>

SIGNED: M. Wilson.....

DATED:29th August 2024.....

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*

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)]