

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 23 March 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:
 - Dinas Powys Community Councillor D. Evans to speak and vote only on general issues; and speak only in relation to Finance and Property issues relating to Southra Park at Dinas Powys Community Council meetings.
 - Dinas Powys Community Councillor D. Evans to speak and vote only on general issues; and speak only in relation to Finance and Property issues relating to Seel Park at Dinas Powys Community Council meetings.
 - Dinas Powys Community Councillor D. Evans to speak and vote only on general issues; and speak only in relation to Finance and Property issues relating to the management of allotments at Dinas Powys Community Council meetings.
 - Vale of Glamorgan Council Councillor W.A. Hennessy to speak and vote at Council meetings, but to speak only if the issue is prejudicial, on issues relating to telecare services being a recipient of a telecare service from the Council.

- 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.

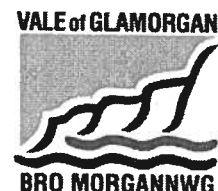
Legal (Including Equalities)

- 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	Cllr. Debbie Evans
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Dinas Powys Community Council Eastbrook Ward
Nature of Dispensation sought	SOUTHRA PARK To be allowed to speak and vote only on general issues; speak only in relation to Finance and Property issues relating Southra Park - as I am a member of the COSAC sub-committee (Commons Open Spaces and Cemetery)
Date of meeting / issue to be discussed (if known)	On going
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 end of current Dinas Powys Community Council term – MAY 2026
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	To be allowed to speak and vote only on general issues; speak only in relation to Finance and Property issues relating to Southra Park
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	D F H

<p>Details of the Prejudicial Interest</p>	<p>I currently assist 'Friends of Southra Park'.</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)</p>	<p>Member of the Dinas Powys Community Council, and member of sub-committee COSAC (Common Open Spaces and Cemetery)</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>Currently I will have to leave the room when we discuss any issues relating to Southra Park.</p> <p>This constrains me from participating in the debate and offering relevant background information to council members.</p>

SIGNED: ...Debbie Evans

DATED: ...20 January 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	Cllr. Debbie Evans
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Dinas Powys Community Council Eastbrook Ward
Nature of Dispensation sought	SEEL PARK To be allowed to <u>speak and vote</u> only on general issues; <u>speak only</u> in relation to Finance and Property issues relating to Seel Park - as I am a member of the COSAC sub-committee (Commons Open Spaces and Cemetery)
Date of meeting / issue to be discussed (if known)	On going
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 end of current Dinas Powys Community Council term – MAY 2026
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	To be allowed to <u>speak and vote</u> only on general issues; <u>speak only</u> in relation to Finance and Property issues relating to Seel Park
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	D F H

Details of the Prejudicial Interest	I am Chair of 'Friends of 'Seel Park'
Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)	Member of the Dinas Powys Community Council, and member of COSAC sub-committee (Commons Open Spaces and Cemetery)
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>	Currently I will have to leave the room whenever there are discussions surrounding Seel Park This constrains me from participating in the debate and offering relevant background information to council members.

SIGNED: ...Debbie Evans

DATED: ...20 January 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	Cllr. Debbie Evans
Address	[REDACTED]
Name of Member's relevant Authority and Ward	Dinas Powys Community Council Eastbrook Ward
Nature of Dispensation sought	MANAGEMENT OF DINAS POWYS COMMUNITY COUNCIL ALLOTMENTS To be allowed to <u>speak and vote</u> only on general issues; <u>speak</u> only in relation to Finance and Property on issues relating to the management of allotments; - I am member of the sub-committee, COSAC (Commons Open Spaces and Cemetery)
Date of meeting / issue to be discussed (if known)	On going
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 end of current Dinas Powys Community Council term – MAY 2026
Level of dispensation sought (i.e. to speak only or to speak and vote)	To <u>speak and vote</u> only on general matters relating to the 'management of allotments' and <u>speak</u> only in relation to Finance and Property.
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	D F H

<p>Details of the Prejudicial Interest</p>	<p>I currently rent an allotment from Dinas Powys Community Council.</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)</p>	<p>Member of the Dinas Powys Community Council, and member of sub-committee COSAC (Common Open Spaces and Cemetery)</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>Currently I will have to leave the room when we discuss any potential changes to the tenancy agreement or any other issues that may arise relating to the allotments.</p> <p>This constrains me from participating in the debate and offering relevant background to council members.</p>

SIGNED: ...Debbie Evans

DATED: ...20 January 2023.....

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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	William Andrew Hennessy
Address	c/o Vale of Glamorgan Council office
Name of Member's relevant Authority and Ward	Rhose Ward Vale Of Glamorgan
Nature of Dispensation sought	Personal
Date of meeting / issue to be discussed (if known)	At meetings of the Council
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 next Council elections
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	To speak and or vote at Council meetings but to speak only if the issue is prejudicial
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	(d) and (f)

<p>Details of the Prejudicial Interest</p>	<p>I am in receipt of a telecare service from the Council but would be able to offer advise and information as a service user.</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i>)</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>To enable me to speak on relevant matters unless they become prejudicial</p>

SIGNED: William Andrew Hennessy

DATED: 06 / 03 /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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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)]