

# Pecyn Dogfennau



Mark James LLM, DPA, DCA  
Prif Weithredwr,  
Chief Executive,  
Neuadd y Sir, Caerfyrddin. SA31 1JP  
County Hall, Carmarthen. SA31 1JP

**DYDD MERCHER, 2 MAWRTH 2016**

**AT: HOLL AELODAU'R PWYLLGOR SAFONAU**

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R  
**PWYLLGOR SAFONAU A GYNHELIR YN SIAMBR, 3 HEOL SPILMAN,  
CAERFYRDDIN AM 10.00 AM, DYDD GWENER, 11EG MAWRTH, 2016 ER  
MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD  
YNGHLWM**

*Mark James*

**PRIF WEITHREDWR**



**AILGYLCHWCH OS GWELWCH YN DDA**

<b>Swyddog Democrataidd:</b>	<b>Mr Kevin Thomas</b>
<b>Ffôn (Ilinell uniongyrchol):</b>	<b>01267 224027</b>
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<b>Cyf:</b>	<b>AD016-001</b>

# PWYLLGOR SAFONAU

## AELODAETH: 9 AELOD

### Aelodau Annibynnol (5)

1. Mrs. Mary Dodd
2. Mr. Christopher A. Downward Cadeirydd y Pwyllgor
3. Mr. M. Andre Morgan
4. Mr. Alun Williams
5. Lle-Gwag

### Aelod Pwyllgor Cymunedol (1)

1. Y Cynghorydd Jeanette Gilasbey

### Aelodau Etholedig y Cyngor Sir (3)

1. Y Cynghorydd Susan M. Allen
2. Y Cynghorydd B.A. Louvain Roberts
3. Y Cynghorydd Gareth B. Thomas

# AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB
2. DATGAN BUDDIANNAU PERSONOL.
3. LLOFNODI FEL COFNOD CYWIR COFNODION CYFARFOD Y PWYLLGOR A GYNHALIWYD AR YR 3YDD RHAGFYR 2015 5 - 14
4. CAIS AM OLLYNGIAD GAN CYNGHORWYR O GYNGOR CYMUNED GORS-LAS 15 - 22
5. CAIS AM OLLYNGIAD GAN CYNGHORWYR O GYNGOR CYMUNED GORS-LAS 23 - 30
6. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD COUNCILLOR B REES 31 - 36
7. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD COUNCILLOR E.W. NICHOLAS 37 - 42
8. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD COUNCILLOR W R A DAVIES 43 - 48
9. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD I R LLEWELLYN 49 - 56
10. CÔD YMDDYGIAD - CANLLAW HAWDD EI DDEFNYDDIO 57 - 62
11. FFURFLEN GAIS DDIWYGIEDIG AM OLLYNGIADAU 63 - 72
12. FORDDIANT YNGHYLCH Y CÔD YMDDYGIAD AR GYFER CYNGHORWYR TREF A CHYMUNED 73 - 110
13. BIL LLYWODRAETH LEOL (CYMRU) 111 - 114
14. UNRHYW FATER ARALL Y DYLLID, YM MARN Y CADEIRYDD, EI YSTYRIED YN FATER BRYD OHERWYDD AMGYLCHIADAU ARBENNIN YN UNOL AG ADRAN 100B(4)(B) O DDEDDF LLYWODRAETH LEOL 1972.

Mae'r dudalen hon yn wag yn fwriadol

DYDD IAU, 3 Rhagfyr 2015

**YN BRESENNOL:** C.A. Downward (Cadeirydd)

**Aelodau Annibynnol:**

M.A. Morgan ac A. Williams

**Cynghorwyr:**

S.M. Allen, J. Gilasbey a B.A.L. Roberts

**Roedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:**

R. Edgecombe, Rheolwr y Gwasanaethau Cyfreithiol

L.R. Jones, Pennaeth Gweinyddiaeth a'r Gyfraith

K. Thomas, Swyddog Gwasanaethau Democrataidd

**Y Siambr**, 3 Heol Spilman, Caerfyrddin - 10.00 - 11.55 a.m.

**1. YMDDIHEURIADAU AM ABSENOLDEB.**

Derbyniwyd ymddiheuriadau am absenoldeb gan Mrs. M. Dodd a'r Cynghorydd G.B. Thomas.

**2. DATGAN BUDDIANNAU PERSONOL.**

Ni ddatganwyd dim buddiannau personol yn y cyfarfod.

**3. ETHOL CADEIRYDD AC IS-GADEIRYDD**

**PENDERFYNWYD**

**3.1 penodi Mr C. Downward yn Gadeirydd y Pwyllgor Safonau.**

**3.1 penodi Mr A. Morgan yn Is-gadeirydd y Pwyllgor Safonau.**

**4. COFNODION**

**PENDERFYNWYD YN UNFRYDOL** Iofnodi cofnodion cyfarfod y Pwyllgor a gynhaliwyd ar 11eg Medi, 2015 yn gofnod cywir.

**5. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD B REES**

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cynghorydd B Rees, a oedd yn aelod o Gyngor Cymuned Llandybïe, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio yng nghyfarfodydd Cyngor Cymuned Llandybïe mewn perthynas â'r bwriad i drosglwyddo cyfleusterau bowlio o'r Cyngor Sir i'r Cyngor Cymuned.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd Rees fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(a)(ix)(ee) o'r Côd Ymddygiad gan ei fod yn Llywydd Clwb Bowlio Llandybïe.

Roedd buddiant y Cynghorydd Rees hefyd yn rhagfarnol gan y byddai aelod o'r

cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cynghorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cynghorydd Rees wedi gofyn am ollyngiad o dan reoliad 2 (d)(e)(f)(h) ac (i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Dywedodd Rheolwr y Gwasanaethau Cyfreithiol wrth y Pwyllgor y dylai nodi, wrth ystyried y cais, nad oedd rheoliadau 2(e) ac (i) yn briodol o ran cais y Cynghorydd Rees.

Yn dilyn trafodaeth fanwl,

**PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d)(f) a (h) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cynghorydd B Rees SIARAD OND NID PLEIDLEISIO yng nghyfarfodydd Cyngor Cymuned Llandybïe mewn perthynas ag unrhyw drafodaeth ynghylch trosglwyddo cyfleusterau bowlio o'r Cyngor Sir i Gyngor Cymuned Llandybïe, a bod y Gollyngiad i fod yn ddilys tan 31 Mawrth 2016.**

## **6. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD E.W. NICHOLAS**

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cynghorydd E.W. Nicholas, a oedd yn aelod o Gyngor Cymuned Llandybïe, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio yng nghyfarfodydd Cyngor Cymuned Llandybïe mewn perthynas â'r bwriad i drosglwyddo cyfleusterau tennis o'r Cyngor Sir i'r Cyngor Cymuned.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd Nicholas fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(a)(ix)(ee) o'r Côd Ymddygiad gan ei fod yn Llywydd Clwb Tennis Llandybïe.

Roedd buddiant y Cynghorydd Nicholas hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cynghorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cynghorydd Rees wedi gofyn am ollyngiad o dan reoliad 2 (d)(e)(f)(h) ac (i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Dywedodd Rheolwr y Gwasanaethau Cyfreithiol wrth y Pwyllgor y dylai nodi, wrth ystyried y cais, nad oedd rheoliadau 2(e) ac (i) yn briodol o ran cais y Cynghorydd Nicholas.

Yn dilyn trafodaeth fanwl,

**PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d)(f) a (h) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cynghorydd E.W. Nicholas SIARAD OND NID PLEIDLEISIO yng**

**nghyfarfodydd Cyngor Cymuned Llandybïe mewn perthynas ag unrhyw drafodaeth ynghylch trosglwyddo cyfleusterau tennis o'r Cyngor Sir i Gyngor Cymuned Llandybïe, a bod y Gollyngiad i fod yn ddilys tan 31 Mawrth 2016.**

## **7. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD W.R.A. DAVIES**

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cyngorydd W.R.A. Davies, a oedd yn aelod o Gyngor Cymuned Llandybïe, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio yng nghyfarfodydd Cyngor Cymuned Llandybïe mewn perthynas â'r bwriad i drosglwyddo cyfleusterau tennis o'r Cyngor Sir i'r Cyngor Cymuned.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cyngorydd Davies fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(a)(ix)(ee) o'r Côd Ymddygiad gan ei fod yn Ysgrifennydd ac yn Drysorydd Clwb Tennis Llandybïe.

Roedd buddiant y Cyngorydd Davies hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cyngorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cyngorydd Davies wedi gofyn am ollyngiad o dan reoliad 2 (d)(e)(f)(h) ac (i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Dywedodd Rheolwr y Gwasanaethau Cyfreithiol wrth y Pwyllgor y dylai nodi, wrth ystyried y cais, nad oedd rheoliadau 2(e) ac (i) yn briodol o ran cais y Cyngorydd Davies.

Yn dilyn trafodaeth fanwl,

**PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d)(f) a (h) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cyngorydd W.R.A. Davies SIARAD OND NID PLEIDLEISIO yng nghyfarfodydd Cyngor Cymuned Llandybïe mewn perthynas ag unrhyw drafodaeth ynghylch trosglwyddo cyfleusterau tennis o'r Cyngor Sir i Gyngor Cymuned Llandybïe, a bod y Gollyngiad i fod yn ddilys tan 31 Mawrth 2016.**

## **8. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD J. JONES**

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cyngorydd J. Jones, a oedd yn aelod o Gyngor Tref Llandeilo, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad yn unig yng nghyfarfodydd Cyngor Tref Llandeilo mewn perthynas â materion yn ymwneud â Gŵyl Gerdd flynyddol Llandeilo Fawr, neu sy'n debygol o effeithio ar yr Ŵyl.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cyngorydd Jones fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(ix)(bb) o'r Côd Ymddygiad gan ei fod yn Ymddiriedolwr ac yn Gyfarwyddwr Artistig yr Ŵyl.

Gan hynny, roedd y Cynghorydd Jones wedi gofyn am ollyngiad o dan reoliad 2 (d)(e)(f)(h) ac (i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Dywedodd Rheolwr y Gwasanaethau Cyfreithiol wrth y Pwyllgor y dylai nodi, wrth ystyried y cais, nad oedd rheoliadau 2(e) ac (i) yn briodol o ran cais y Cynghorydd Jones.

Yn dilyn trafodaeth fanwl,

**PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d)(f) a (h) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cynghorydd J. Jones SIARAD OND NID PLEIDLEISIO yng nghyfarfodydd Cyngor Tref Llandeilo mewn perthynas ag unrhyw drafodaeth ynghylch Gŵyl Gerdd flynyddol Llandeilo Fawr a bod y Gollyngiad i fod yn ddilys tan 10 Mehefin 2016.**

## **9. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD G. THOMAS**

Rhoddodd y Pwyllgor ystyriaeth i gais gan y Cynghorydd Sir, Gareth Thomas am ollyngiad o dan ddarpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) fel y gallai siarad a/neu gyflwyno sylwadau ysgrifenedig mewn cyfarfodydd o Gyngor Sir Caerfyrddin mewn perthynas â materion yn ymwneud â ffermio'n gyffredinol.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd Thomas fuddiant personol mewn materion o'r fath yn rhinwedd paragraff 10(2)(a)(i) o'r Côd Ymddygiad gan fod y materion yn ymwneud ag unrhyw gyflogaeth neu fusnes a wneid gan y Cynghorydd Thomas, oedd yn ffermwr.

Roedd buddiant y Cynghorydd Thomas hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cynghorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cynghorydd Thomas wedi gofyn am ollyngiad o dan reoliad 2 (d) ac (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Atgoffodd Rheolwr y Gwasanaethau Cyfreithiol y Pwyllgor eu bod yn eu cyfarfod ar 29 Gorffennaf 2015 (gweler cofnod 6) wedi caniatáu gollyngiad i'r Cynghorydd Thomas siarad ond nid pleidleisio a hefyd i gyflwyno sylwadau ysgrifenedig mewn perthynas ag unrhyw drafodaethau yn ymwneud â ffermio llaeth tan 4 Rhagfyr 2015. Cafodd y gollyngiad ei weithredu ar un achlysur ynghylch Rhybudd o Gynnig a gafodd ei ystyried gan y Cyngor Sir ar 14 Hydref, 2015. Hefyd dywedodd fod y cais presennol am amrywio'r hyn a ganiatawyd eisoes er mwyn cynnwys unrhyw faterion yn ymwneud â ffermio yn gyffredinol, ac nid y diwydiant llaeth yn unig.

Yn dilyn trafodaeth fanwl,

**PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d) ac (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cynghorydd G. Thomas SIARAD, OND NID PLEIDLEISIO, A CHYFLWYNO**



**SYLWADAU YSGRIFENEDIG yng nghyfarfodydd Cyngor Sir Caerfyrddin mewn perthynas â materion yn ymwneud â ffermio yn gyffredinol, a bod y Gollyngiad i fod yn ddilys tan 10 Mehefin 2016.**

**10. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD J. LEWIS.**

Rhoddodd y Pwyllgor ystyriaeth i gais gan y Cynghorydd Sir, Jean Lewis am ollyngiad o dan ddarpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) fel y gallai siarad a/neu gyflwyno sylwadau ysgrifenedig mewn cyfarfodydd o Gyngor Sir Caerfyrddin mewn perthynas â materion yn ymwneud â ffermio'n gyffredinol.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd Lewis fuddiant personol mewn materion o'r fath yn rhinwedd paragraff 10(2)(a)(i) o'r Côd Ymddygiad gan fod y materion yn ymwneud ag unrhyw gyflogaeth neu fusnes a wneid gan y Cynghorydd Lewis, oedd yn ffermwr.

Roedd buddiant y Cynghorydd Lewis hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cynghorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cynghorydd Lewis wedi gofyn am ollyngiad o dan reoliadau 2 (d) ac (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Atgoffodd Rheolwr y Gwasanaethau Cyfreithiol y Pwyllgor eu bod yn eu cyfarfod ar 29 Gorffennaf 2015 (gweler cofnod 6) wedi caniatáu gollyngiad i'r Cynghorydd Lewis siarad ond nid pleidleisio a hefyd i gyflwyno sylwadau ysgrifenedig mewn perthynas ag unrhyw drafodaethau yn ymwneud â ffermio llaeth tan 4 Rhagfyr 2015. Cafodd y gollyngiad ei weithredu ar un achlysur ynghylch Rhybudd o Gynnig a gafodd ei ystyried gan y Cyngor Sir ar 14 Hydref, 2015. Hefyd dywedodd fod y cais presennol am amrywio'r hyn a ganiatawyd eisoes er mwyn cynnwys unrhyw faterion yn ymwneud â ffermio yn gyffredinol, ac nid y diwydiant llaeth yn unig.

Yn dilyn trafodaeth fanwl,

**PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d) ac (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cynghorydd J. Lewis SIARAD, OND NID PLEIDLEISIO, A CHYFLWYNO SYLWADAU YSGRIFENEDIG yng nghyfarfodydd Cyngor Sir Caerfyrddin mewn perthynas â materion yn ymwneud â ffermio yn gyffredinol, a bod y Gollyngiad i fod yn ddilys tan 10 Mehefin 2016.**

**11. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD I.R. LLEWELLYN.**

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cynghorydd I.R. Llewellyn, a oedd yn aelod o Gyngor Cymuned Llandybie, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio yng nghyfarfodydd Cyngor Cymuned Llandybie mewn perthynas â'r bwriad i drosglwyddo Asedau'r Cyngor Sir i'r Cyngor Cymuned.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd

Llewellyn fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(a)(ii) o'r Côd Ymddygiad gan fod y mater yn ymwneud â'i gyflogwr, neu'n debygol o effeithio ar ei gyflogwr, sef Cyngor Sir Caerfyrddin.

Roedd buddiant y Cyngorydd Llewellyn hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cyngorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cyngorydd Llewellyn wedi gofyn am ollyngiad o dan reoliad 2 (d) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Wrth ystyried y cais, roedd y Pwyllgor wedi rhoi sylw i gyflogaeth y Cyngorydd Llewellyn fel Rheolwr Blaen-gynllunio y Cyngor Sir, i'r datganiad yn ei gais nad oedd ei rôl yn cynnwys unrhyw ymgysylltiad uniongyrchol â'r Strategaeth Trosglwyddo Asedau, na'r broses gwneud penderfyniadau ar Lefel Cyngor Sir ac nad oedd ganddo unrhyw ddylanwad dros amodau unrhyw brydles i Gyngor Cymuned Llandybïe. Er yn cydnabod y pwyntiau hyn, roedd y Pwyllgor yn teimlo y gallai cyflogaeth y Cyngorydd Llewellyn roi cipolwg iddo o'r Broses Trosglwyddo Asedau, ac er nad oedd ganddo unrhyw wrthwynebiad i ganiatáu gollyngiad iddo siarad yng nghyfarfodydd y Cyngor Cymuned, roedd o'r farn na fyddai'n briodol ymestyn y gollyngiad i gynnwys pleidleisio.

**PENDERFYNWYD caniatáu gollyngiad o dan Reoliad 2(d) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cyngorydd I.R. Llewellyn SIARAD OND NID PLEIDLEISIO yng nghyfarfodydd Cyngor Cymuned Llandybïe mewn perthynas ag unrhyw drafodaeth ynghylch trosglwyddo asedau'r Cyngor Sir i Gyngor Cymuned Llandybïe, a bod y Gollyngiad i fod yn ddilys tan 10 Mawrth 2016.**

## 12. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD A. SMITH

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cyngorydd A. Smith, a oedd yn aelod o Gyngor Tref Rhydaman, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio yng nghyfarfodydd Cyngor Tref Rhydaman mewn perthynas â materion yn ymwneud ag Ammanford Enterprise Partnership Ltd.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cyngorydd Smith fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(x)(c)(v), gan fod ei bartner yn Gyfarwyddwr y Cwmni, a 10 (2)(ix)(bb) gan ei fod yn ôl pob golwg yn aelod o'r cwmni hwnnw.

Roedd buddiant y Cyngorydd Smith hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cyngorydd ynghylch budd y cyhoedd wrth ymdrin â cheisiadau gan y cwmni i'r cyngor cymuned am gymorth ariannol, neu mewn perthynas â gweithrediadau eraill rhwng y cwmni a'r cyngor.

Gan hynny, roedd y Cyngorydd Smith wedi gofyn am ollyngiad o dan reoliad 2 (d)(e)(f)(h) ac (i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Dywedodd Rheolwr y Gwasanaethau Cyfreithiol wrth y Pwyllgor y dylai nodi, wrth ystyried y cais, mai rheoliadau 2(d)(f) a (h) oedd y rhai mwyaf priodol.

Ar ôl i'r Pwyllgor ystyried lefel cyfranogiad y Cynghorydd Smith, a'i bartner, gydag Ammanford Enterprise Partnership Limited,

**PENDERFYNWYD YN UNFRYDOL fod y cais a gyflwynwyd gan y Cynghorydd A Smith i siarad a phleidleisio yng nghyfarfodydd Cyngor Tref Rhydaman mewn perthynas ag Ammanford Enterprise Partnership Limited yn cael ei WRTHOD.**

### **13. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD J F GWYNFRYN-EVANS**

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cynghorydd J.F. Gwynfryn-Evans, a oedd yn aelod o Gyngor Tref Rhydaman, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio yng nghyfarfodydd Cyngor Tref Rhydaman mewn perthynas â materion yn ymwneud ag Ammanford Enterprise Partnership Ltd.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd Gwynfryn-Evans fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(x)(c)(v) o'r Côt Ymddygiad, gan fod ei gyfeillion yn Gyfarwyddwr ac yn aelod o'r cwmni uchod a bod natur y cyfeillgarwch yn golygu y dylid ystyried yn briodol bod yr unigolion hynny yn gyfranogion agos a phersonol o'r cwmni.

Roedd buddiant y Cynghorydd Gwynfryn-Evans hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cynghorydd ynghylch budd y cyhoedd wrth ymdrin â cheisiadau gan y cwmni i'r cyngor cymuned am gymorth ariannol, neu mewn perthynas â gweithrediadau eraill rhwng y cwmni a'r cyngor.

Gan hynny, roedd y Cynghorydd Gwynfryn-Evans wedi gofyn am ollyngiad o dan reoliad 2 (d)(f)(h) ac (i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Dywedodd Rheolwr y Gwasanaethau Cyfreithiol wrth y Pwyllgor y dylai nodi, wrth ystyried y cais, mai rheoliadau 2(d)(f) a (h) oedd y rhai mwyaf priodol.

Ar ôl i'r Pwyllgor roi ystyriaeth i berthynas agos a phersonol y Cynghorydd Gwynfryn-Evans â Chyfarwyddwr ac aelod o Ammanford Enterprise Partnership Limited,

**PENDERFYNWYD bod y cais a gyflwynwyd gan y Cynghorydd J.F. Gwynfryn-Evans i siarad a phleidleisio yng nghyfarfodydd Cyngor Tref Rhydaman mewn perthynas ag Ammanford Enterprise Partnership Limited yn cael ei WRTHOD.**

### **14. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD G HOWELLS**

Rhoddodd y Pwyllgor ystyriaeth i gais a gyflwynwyd gan y Cynghorydd G. Howells, aelod o Gyngor Cymuned Llansteffan a Llanybri, am ganiatáu gollyngiad o dan ddarpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau)

(Cymru) fel y gallai siarad a phleidleisio yng nghyfarfodydd Cyngor Cymuned Llansteffan a Llanybri mewn perthynas â materion yn ymwneud â hawl tramwy oedd yn destun anghydfod i Croft Cottage, Llansteffan, ac y gallai hefyd effeithio ar dir a brydlesir gan y Cyngor Cymuned.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd Howells fuddiant personol yn y mater yn rhinwedd paragraff 10(2)(c)(i) o'r Côt Ymddygiad gan ei fod yn gyfaill i un o'r partïon yn yr anghydfod ers nifer o flynyddoedd.

Roedd buddiant y Cynghorydd Howells hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cynghorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cynghorydd Howells wedi gofyn am ollyngiad o dan reoliad 2 (d)(e)(f)(h) ac (i) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Dywedodd Rheolwr y Gwasanaethau Cyfreithiol wrth y Pwyllgor y dylai nodi, wrth ystyried y cais, nad oedd rheoliadau 2(e) ac (i) yn briodol yn ôl pob golwg. Mewn perthynas ag (f), roedd y Cynghorydd yn gyfreithiwr wedi ymddeol ac roedd ganddo brofiad helaeth o weithredu mewn materion yn ymwneud ag eiddo, gan gynnwys ar ran y Cyngor Cymuned. Gan hynny, gallai'r Pwyllgor ystyried y byddai ganddo wybodaeth dechnegol a chyfreithiol yn ogystal â dealltwriaeth o drafodion cyfreithiol perthnasol y gorffennol a fyddai o gymorth i'w gyd-gynghorwyr yn eu trafodaethau.

Ar ôl i'r Pwyllgor roi sylw i gyfeillgarwch personol maith y Cynghorydd Howell ag un o bartïon yr anghydfod,

**PENDERFYNWYD YN UNFRYDOL bod y cais a gyflwynwyd gan y Cynghorydd G. Howells i siarad a phleidleisio yng nghyfarfodydd Cyngor Cymuned Llansteffan a Llanybri mewn perthynas ag anghydfod ynghylch hawl tramwy i Croft Cottage, Llansteffan, yn cael ei WRTHOD.**

## **15. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD G HOWELLS**

Rhoddodd y Pwyllgor ystyriaeth i'r cais gan y Cynghorydd G. Howells, a oedd yn aelod o Gyngor Cymuned Llansteffan a Llanybri, ac a oedd yn gofyn am ganiatáu gollyngiad yn unol â darpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio yng nghyfarfodydd Cyngor Cymuned Llansteffan a Llanybri mewn perthynas ag Ysgol Gynradd Llansteffan ac Eglwys y Plwyf, Llansteffan.

Adroddwyd bod cais wedi'i wneud am ollyngiad gan fod gan y Cynghorydd Howells fuddiant personol yn y ddau fater yn rhinwedd paragraff 10(2)(ix)(aa) mewn perthynas â'r ysgol a 10 (2) (ix) (ee) mewn perthynas ag Eglwys y Plwyf i'r graddau:

1. Bod yr ysgol yn gorff a arferai swyddogaethau cyhoeddus a bod y Cynghorydd Howells, fel Cadeirydd, yn dal swydd rheoli cyffredinol ac nad oedd wedi'i benodi'n llywodraethwr yr ysgol gan y Cyngor Cymuned;
2. Dylid ystyried yr Eglwys yn gymdeithas breifat yr oedd ef, fel Warden yr Eglwys, yn

aelod ohoni.

Roedd buddiant y Cynghorydd Howells hefyd yn rhagfarnol gan y byddai aelod o'r cyhoedd, o wybod yr holl ffeithiau, yn ystyried yn rhesymol fod y buddiant hwnnw mor arwyddocaol fel ei fod yn amharu ar farn y Cynghorydd ynghylch budd y cyhoedd.

Gan hynny, roedd y Cynghorydd Howells wedi gofyn am ollyngiad o dan reoliadau 2 (d) ac (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru).

Yn dilyn trafodaeth fanwl,

**PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d) ac (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i'r Cynghorydd G. Howells SIARAD OND NID PLEIDLEISIO yng nghyfarfodydd Cyngor Cymuned Llansteffan a Llanybri mewn perthynas ag unrhyw drafodaeth ynghylch Ysgol Gynradd Llansteffan ac Eglwys y Plwyf, Llansteffan, a bod y Gollyngiad i fod yn ddilys tan 10 Mehefin 2016.**

**16. PANEL DYFARNU CYMRU-COFNOD PENDERFYNIADAU - CYNGHORYDD CYMUNED HAULWEN LEWIS**

Mewn perthynas â Chofnod 10 o'i gyfarfod a gynhaliwyd ar 11 Medi 2015, derbyniodd y Pwyllgor benderfyniad rhesymegol llawn Panel Dyfarnu Cymru i atal Cynghorydd Cymuned Haulwen Lewis, aelod o Gyngor Cymuned Llanfihangel ar Arth, am gyfnod o dri mis mewn perthynas â thorri paragraffau 11(1) ac 14(1) (a) o Gôd Ymddygiad yr Aelodau.

**PENDERFYNWYD YN UNFRYDOL fod adroddiad Panel Dyfarnu Cymru yn cael ei dderbyn.**

**17. CYNHADLEDD SAFONAU CYMRU GYFAN 2015**

Derbyniodd y Pwyllgor adroddiad ar Gynhadledd Safonau Cymru Gyfan a gynhaliwyd ar 20 Hydref 2015. Roedd y thema'n ystyried a oedd Egwyddorion Nolan yn parhau'n addas i'r pwrpas 20 mlynedd ar ôl eu cyflwyno a chafwyd gweithdai'n ymwneud â Datgelu Camarfer, Cyfryngau Cymdeithasol - Cadw Allan o Drwbl, Datrys Cwynion yn Lleol, a Chynghorau Tref a Chymuned - Llywodraethu.

**PENDERFYNWYD YN UNFRYDOL fod adroddiad Cynhadledd Safonau Cymru Gyfan 2015 yn cael ei dderbyn.**

**18. CYNHADLEDD SWYDDFA ARCHWILIO CYMRU YNGHYLCH DATGELU CAMARFER**

Derbyniodd y Pwyllgor adroddiad ar Gynhadledd Swyddfa Archwilio Cymru ynghylch Datgelu Camarfer a gynhaliwyd yng Nghaerdydd ar 29 Hydref, 2015. Pwrpas y gynhadledd oedd rhannu arferion gorau ar draws amrywiaeth eang o asiantaethau cyhoeddus a thrydydd sector o bob cwr o'r Deyrnas Unedig a Gweriniaeth Iwerddon.

**PENDERFYNWYD YN UNFRYDOL fod adroddiad Cynhadledd Swyddfa**

## Archwilio Cymru ynghylch Datgelu Camarfer 2015 yn cael ei dderbyn.

### 19. FFEITHLENNI YNGHYLCH Y CÔD YMDDYGIAD

Derbyniodd y Pwyllgor gopiâu o'r ffeithlenni canlynol a gyhoeddwyd gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn ymwneud â:-

1. Sut roedd yr Ombwdsmon yn penderfynu ymchwilio i gŵyn ai peidio;
2. Yr hyn y gall Cynghorwyr ddisgwyl mewn cyfweiliad fel rhan o ymchwiliad yn ymwneud â'r Côt.

Roedd y Pwyllgor, wrth groesawu'r wybodaeth a ddarparwyd yn y ffeithlenni, o'r farn y dylid eu dosbarthu i holl aelodau'r Cyngor ac i Glercod Cynghorau Tref a Chymuned.

#### PENDERFYNWYD YN UNFRYDOL

**19.1 bod y ffeithlenni a gyhoeddwyd gan yr Ombwdsmon Gwasanaethau Cyhoeddus yn cael eu derbyn.**

**19.2 bod y ffeithlenni'n cael eu dosbarthu i holl aelodau'r Cyngor Sir ac i Glercod y Cynghorau Tref a Chymuned yn Sir Gaerfyrddin**

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Y CADEIRYDD

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Y DYDDIAD



**Y PWYLLGOR SAFONAU**  
**11eg MAWRTH 2016**

**CAIS AM OLLYNGIAD GAN CYNGHORWYR O GYNGOR  
 CYMUNED GORS-LAS**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
 Ystyried y cais a phenderfynu arno

**Y rhesymau:**

Mae cynnwys yr adroddiad hwn yn rhan o gylch gorchwyl y Pwyllgor

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y  
 Cyngorydd E Dole (Arweinydd)**

Y Gyfarwyddiaeth:

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
 Gyfraith

Rheolwr Dros Dro y  
 Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
11<sup>TH</sup> MARCH 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLORS FROM  
GORSLAS COMMUNITY COUNCIL**

An application has been received on behalf of elected members of Gorslas Community Council for the grant of a dispensation to speak and vote on matters relating to 4 schools in the area.

The Councillors have a personal interest in these matters pursuant to paragraph 10(2)(ix)(ee) of the code in that they are school governors of those schools.

The Councillors were not appointed to their positions by the Community Council.

The Councillor's interests are prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard that interest as so significant that it is likely to prejudice the Councillors judgement of the public interest.

In view of the continuing nature of these interests, the applicants ask that dispensation be granted for the remainder of their term of office.

If the committee is minded to grant these applications it is suggested that this be on ground 2(a) in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely that the interest affects no fewer than half the members of the authority.

In granting a dispensation the Committee has absolute discretion as to how long it lasts for. If the committee is minded to limit the dispensation for a specific period, it may wish to consider doing so until the 10<sup>th</sup> June (3 months) or 9<sup>th</sup> September (6mths)

DETAILED REPORT ATTACHED ?

NO



## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

**1. Scrutiny Committee**

Not applicable

**2. Local Member(s)**

Not applicable

**3. Community / Town Council**

Not applicable

**4. Relevant Partners**

Not applicable

**5. Staff Side Representatives and other Organisations**

*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-141	Legal Services, County Hall

# CARMARTHENSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

### APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

<b>SECTION 1</b>	<b>Name(s) of Member(s)</b>	<b>Name of member's authority</b>
Please see attached schedule		<b>Cyngor Cymuned Gorslas Community Council</b>

<b>SECTION 2</b>	<b>Matter to be discussed on which member seeks dispensation</b>	
Matters relating to schools of which Community Councillors serve on the Governing Bodies.		
<b>Date of meeting at which the matter is to be discussed:</b>	As and when matters arise.	

<b>Dispensation being sought to speak and vote</b>	<b>Yes</b>
<b>Dispensation being sought to speak only</b>	

<b>SECTION 3</b>	<b>The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed</b>
That they are members of Governing Bodies of schools in the area and should there be an issue discussed, or support offered by the Council in relation to those schools the Community Councillors would wish, in the interests of transparency for that link to be known.	

SECTION 4	Criteria for seeking dispensation								
<ul style="list-style-type: none"> <li>~ 50% of members affected</li> <li>~ Political balance would be affected (county borough only)</li> <li>~ No damage to public confidence</li> <li>~ Common interest with general public</li> <li>~ Justified because of special expertise</li> <li>~ Scrutiny committee business <u>and</u> not financial interest</li> <li>~ Voluntary organisation <u>and</u> not financial interest</li> <li>~ In the interests of inhabitants</li> </ul>	<table border="1" style="width: 100%; height: 100%; border-collapse: collapse;"> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px;"></td></tr> <tr><td style="height: 20px; text-align: center;">✓</td></tr> <tr><td style="height: 20px;"></td></tr> </table>							✓	
✓									
<p><i>(See appendix for more details)</i></p>									

SECTION 5	Reason/s in support of my/our application (use a separate sheet of paper if necessary)
<p>Community Councillors who are also members of school Governing Bodies provide a valuable service in linking the community with those schools.</p> <p>The Community Council is not involved directly in the running of schools. The public do however refer practical issues as well as any proposed strategic changes to the schools' network in an area to the Community Council.</p> <p>The Community Council is of the view that the current model benefits both the Community as well as the school and provides a valuable channel of communication and dialogue.</p> <p>In the interests of transparency members would wish for the involvement to be noted and for a dispensation to be granted to allow them to speak, participate and vote in any discussion related the Community Council related to the schools on which they serve as Governors.</p>	

**SIGNED**  Clerk to the Community Council

**DATED:** 15/02/16.

## Appendix A School Governors Gorslas Community Council

### Maes Y Gwendraeth

Terence Davies

### Cefneithin

Simon David Martin,

### Drefach

Darren Price,  
Clive Green,

### Gorslas

Terrence Davies,  
Janice Ann Price,  
Ellis Davies,  
Gavin Griffiths,

Mae'r dudalen hon yn wag yn fwriadol

## Y PWYLLGOR SAFONAU 11eg MAWRTH 2016

### CAIS AM OLLYNGIAD GAN CYNGHORWYR O GYNGOR CYMUNED GORS-LAS

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
Ystyried y cais a phenderfynu arno

#### **Y rhesymau:**

Mae cynnwys yr adroddiad hwn yn rhan o gylch gorchwyl y Pwyllgor

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y  
Cynghorydd E Dole (Arweinydd)**

Y Gyfarwyddiaeth:

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
Gyfraith

Rheolwr Dros Dro y  
Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk.

**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**11<sup>TH</sup> MARCH 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLORS FROM**  
**GORSLAS COMMUNITY COUNCIL**

An application has been received on behalf of elected members of Gorslas Community Council for the grant of a dispensation to speak and vote on matters relating to 3 recreation parks owned and maintained by the Community Council.

The Councillors have a personal interest in these matters pursuant to paragraph 10(2)(ix)(ee) of the code in that they are members of local Welfare Association Committees which are involved in the running of those parks.

The Councillors were not appointed to their roles on those committees by the Community Council.

The Councillor's interests are prejudicial as a member of the public with knowledge of the relevant facts would reasonably regard that interest as so significant that it is likely to prejudice the Councillors judgement of the public interest. For example when the Community Council is deciding whether or not to spend monies on the parks a member of the public could reasonably conclude that the fact a Councillor is a member of the relevant Welfare Association committee would influence their view as to whether the money should be spent on the park or on some other issue unconnected with the Association.

The Councillors have no direct financial interest in their respective welfare associations.

In September 2015 the Committee granted dispensations to 15 elected members of the Council in relation to the same matters. Those dispensations expire on the 11<sup>th</sup> March 2016.

In view of the continuing nature of these interests, the applicants ask that dispensation be granted for the remainder of their term of office.

If the committee is minded to grant these applications it is suggested that this be on ground 2(a) in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely that the interest affects no fewer than half the members of the authority.

In granting a dispensation the Committee has absolute discretion as to how long it lasts for. If the committee is minded to limit the dispensation for a specific period, it may wish to consider doing so until the 10<sup>th</sup> June (3 months) or 9<sup>th</sup> September (6mths)

**DETAILED REPORT ATTACHED ?**

**NO**



## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

**1. Scrutiny Committee**

Not applicable

**2. Local Member(s)**

Not applicable

**3. Community / Town Council**

Not applicable

**4. Relevant Partners**

Not applicable

**5. Staff Side Representatives and other Organisations**

*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
<b>Legal file</b>	<b>DPSC-141</b>	<b>Legal Services, County Hall</b>

# CARMARTHENSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

### APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

<b>SECTION 1</b>	<b>Name(s) of Member(s)</b>	<b>Name of member's authority</b>
Please see attached schedule A		<b>Cyngor Cymuned Gorslas Community Council</b>

<b>SECTION 2</b>	<b>Matter to be discussed on which member seeks dispensation</b>	
	<p><b>1.0 Welfare Committees.</b></p> <p>1.1 The Community Council is the owner of parks at Gorslas, Drefach and Cefneithin and makes strategic and operational decisions relating to both the provision in general or at an individual park.</p> <p>1.2 There are Welfare Associations in each of those communities who have a role in the running of the park in their particular area.</p> <p>1.3 Each Community Councillor is also a member of the Welfare Association for the area in which their electoral Ward falls.</p> <p>1.4 The Community Councillors do not have a direct personal or financial interest in any of the three Welfare Associations.</p> <p>1.5 Dispensation is sought to allow Community Councillors, to speak and vote at meetings of the Community Council on matters related to any of the three parks, including the park for which they are also members of the Welfare Association.</p>	
	<b>Date of meeting at which the matter is to be discussed:</b>	Park matters are discussed at each meeting of the Council.

<b>Dispensation being sought to speak and vote</b>	<b>Yes</b>
<b>Dispensation being sought to speak only</b>	

<b>SECTION 3</b>	<b>The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed</b>
	Discussion and decisions by the Community Council relating to strategic, operational and financial aspects of the management of each of the three parks.

**SECTION 4****Criteria for seeking dispensation**

- ~ 50% of members affected ( 100%)
- ~ Political balance would be affected (county borough only)
- ~ No damage to public confidence
- ~ Common interest with general public
- ~ Justified because of special expertise
- ~ Scrutiny committee business and not financial interest
- ~ Voluntary organisation and not financial interest
- ~ In the interests of inhabitants

✓
✓

*(See appendix for more details)*

**SECTION 5****Reason/s in support of my/our application (use a separate sheet of paper if necessary)**


The parks represent a significant area of service provision and engagement with the community for the Community Council.

With each of the Community Councillors serving on one of the Welfare Associations in the area the arrangement facilitates the pooling and sharing of experiences and resources as well as providing opportunities for service development and growth.

The arrangement has worked well over a significant number of years and has been a positive development for the Council and the areas which it serves.

Without such an arrangement Community Councillors would have to withdraw from membership of the relevant Welfare Association and a significant link with the Community would be lost as would be the sharing and pooling of the knowledge and resources members have developed over a number of years. Changing the arrangement would provide a poorer service for each community.

Members are anxious therefore that the arrangement continue.

**SIGNED**  Clerk To Community Council

**DATED:** 15/02/16

## Appendix A GORSLAS COMMUNITY COUNCIL MEMBERS

### Cefneithin

Simon David Martin,  
Terry Jones,  
Huw Davies,  
Brian Kirby,  
Cllr Darren Price,

### Drefach

Dewi Wyn Edwards,  
Clive Green,  
Anthony Rees,  
Tina Jukes,  
Nia Lewis,

### Gorslas

Terrence Davies,  
Aled Owen,  
Janice Ann Price,  
Ellis Davies,  
Gavin Griffiths,

Mae'r dudalen hon yn wag yn fwriadol

## Y PWYLLGOR SAFONAU 11eg MAWRTH 2016

### CAIS AM OLLYNGIAD GAN Y CYNGHORYDD COUNCILLOR B REES

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
Ystyried y cais a phenderfynu arno

#### **Y rhesymau:**

Mae'r testun dan sylw yn yr adroddiad hwn yn rhan o gylch gorchwyl y Pwyllgor

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Ddim yn berthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y  
Cyngorydd E Dole (Arweinydd y Cyngor)

Y Gyfarwyddiaeth:

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
Gyfraith

Rheolwr Dros Dro y  
Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY**  
**STANDARDS COMMITTEE**  
**11<sup>TH</sup> MARCH 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLOR B REES**

An application for dispensation to speak and vote in relation to matters regarding the transfer of bowls facilities from the County Council to the Community Council has been received from Community Councillor B Rees of Llandybie Community Council.

Councillor Rees has a personal interest in such matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as he is the President of Llandybie Bowls Club.

This interest is also a prejudicial interest as a member of the public, with full knowledge of the facts, would reasonably regard that interest as so significant as to prejudice the Councillor's judgement of the public interest.

The application is submitted on 5 grounds specified in the Standards Committees (Grant of Dispensation)(Wales) Regulations 2001 namely;

- (d) no damage to public confidence
- (e) common interest with significant proportion of the general public
- (f) participation justified due to the member's special expertise
- (h) interest relates to a voluntary organisation (limited to speaking only)
- (i) granting the application is in the interests of the inhabitants of the area

Of these, paragraphs (e) and (i) are not appropriate.

In December 2015 Councillor Rees was granted a dispensation to speak only on these matters until the 31<sup>st</sup> March 2016. To date Councillor Rees has not made use of that dispensation, and therefore asks that, if his application is successful, the dispensation be granted until at least the meeting of the Standards Committee in September 2016

If the committee is minded to grant the application, it has an absolute discretion as to duration, it may grant it until the end of the Councillor's term of office, or some other date, such as the date of a future meeting of this committee.

**DETAILED REPORT ATTACHED ?**

**NO**



## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

- 1. Scrutiny Committee**  
Not applicable
- 2. Local Member(s)**  
Not applicable
- 3. Community / Town Council**  
Not applicable
- 4. Relevant Partners**  
Not applicable
- 5. Staff Side Representatives and other Organisations**  
*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

<b>Title of Document</b>	<b>File Ref No.</b>	<b>Locations that the papers are available for public inspection</b>
<b>Legal file</b>	<b>DPSC-141</b>	<b>Legal Services, County Hall</b>

# CARMARTHENSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

### APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

SECTION 1	Name(s) of Member(s)	Name of member's authority
	BRYAN REES	LLANDYBIE COMMUNITY COUNCIL

SECTION 2	Matter to be discussed on which member seeks dispensation
	ASSET TRANSFER OF BOWLS FACILITIES AT LLANDYBIE
Date of meeting at which the matter is to be discussed:	ON GOING NEGOTIATIONS

Dispensation being sought to speak and vote	YES
Dispensation being sought to speak only	

SECTION 3	The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed
	PRESIDENT OF TYBIE BOWLS CLUB

<b>SECTION 4</b>	<b>Criteria for seeking dispensation</b>	
~ 50% of members affected		
~ Political balance would be affected (county borough only)		<input checked="" type="checkbox"/>
~ No damage to public confidence		<input checked="" type="checkbox"/>
~ Common interest with general public		<input checked="" type="checkbox"/>
~ Justified because of special expertise		
~ Scrutiny committee business <u>and</u> not financial interest		
~ Voluntary organisation <u>and</u> not financial interest		<input checked="" type="checkbox"/>
~ In the interests of inhabitants		<input checked="" type="checkbox"/>
<i>(See appendix for more details)</i>		

<b>SECTION 5</b>	<b>Reason/s in support of my/our application (use a separate sheet of paper if necessary)</b>
<p style="font-family: cursive;">As President of Tybie Bowls Club I have a lot of knowledge of this facility including the costs of running such a facility.</p>	

**SIGNED** B Rees (Member of County Council)

**DATED:** 4/2/16

## Y PWYLLGOR SAFONAU 11eg MAWRTH 2016

### CAIS AM OLLYNGIAD GAN Y CYNGHORYDD COUNCILLOR E W NICHOLAS

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
Ystyried y cais a phenderfynu arno

#### **Y rhesymau:**

Mae'r testun dan sylw yn yr adroddiad hwn yn rhan o gylch gorchwyl y Pwyllgor

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Ddim yn berthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y Cyngorydd E Dole (Arweinydd y Cyngor)

Y Gyfarwyddiaeth:

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r Gyfraith

Rheolwr Dros Dro y Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
11<sup>th</sup> MARCH 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLOR E W NICHOLAS**

An application for dispensation to speak and vote in relation to matters regarding the transfer of tennis facilities from the County Council to the Community Council has been received from Community Councillor E W Nicholas of Llandybie Community Council.

Councillor Nicholas has a personal interest in such matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as he is the President of Llandybie Tennis Club.

This interest is also a prejudicial interest as a member of the public, with full knowledge of the facts, would reasonably regard that interest as so significant as to prejudice the Councillor's judgement of the public interest.

The application is submitted on 5 grounds specified in the Standards Committees (Grant of Dispensation)(Wales) Regulations 2001 namely;

- (d) no damage to public confidence
- (e) common interest with significant proportion of the general public
- (f) participation justified due to the member's special expertise
- (h) interest relates to a voluntary organisation (limited to speaking only)
- (i) granting the application is in the interests of the inhabitants of the area

Of these, paragraphs (e) and (i) are not appropriate.

In December 2015 the Committee granted Councillor Nicholas a dispensation to speak only in respect of these matters until the 31<sup>st</sup> March 2016. To date Councillor Nicholas has not made use of that dispensation. Councillor Nicholas therefore asks that if his application is successful, any dispensation be granted at least until the meeting of the Standards Committee in September 2016.

If the committee is minded to grant the application, it has an absolute discretion as to duration, it may grant it until the end of the Councillor's term of office, or some other date, such as the date of a future meeting of this committee.

**DETAILED REPORT ATTACHED ?**

**NO**

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

**1. Scrutiny Committee**

Not applicable

**2. Local Member(s)**

Not applicable

**3. Community / Town Council**

Not applicable

**4. Relevant Partners**

Not applicable

**5. Staff Side Representatives and other Organisations**

*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

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# CARMARTHENSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

### APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

SECTION 1	Name(s) of Member(s)	Name of member's authority
	EMIR WYN NICHOLAS	LLANDYBIE COMMUNITY COUNCIL

SECTION 2	Matter to be discussed on which member seeks dispensation
	Asset transfer of Tennis Facilities at Llandybie
Date of meeting at which the matter is to be discussed:	Ongoing negotiations

Dispensation being sought to speak and vote	<input checked="" type="checkbox"/>
Dispensation being sought to speak only	<input type="checkbox"/>

SECTION 3	The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed
	President of Llandybie Tennis Club

<b>SECTION 4</b>	<b>Criteria for seeking dispensation</b>	
~ 50% of members affected		<input type="checkbox"/>
~ Political balance would be affected (county borough only)		<input type="checkbox"/>
~ No damage to public confidence		<input checked="" type="checkbox"/>
~ Common interest with general public		<input checked="" type="checkbox"/>
~ Justified because of special expertise		<input checked="" type="checkbox"/>
~ Scrutiny committee business <u>and</u> not financial interest		<input type="checkbox"/>
~ Voluntary organisation <u>and</u> not financial interest		<input checked="" type="checkbox"/>
~ In the interests of inhabitants		<input checked="" type="checkbox"/>
<i>(See appendix for more details)</i>		

<b>SECTION 5</b>	<b>Reason/s in support of my/our application (use a separate sheet of paper if necessary)</b>
<p>As president of Llandybie Tennis Club  I have a lot of knowledge of this  facility including cost in running the  facility</p>	

**SIGNED**  (Member of County Council)

**DATED:** 5.1.2016

**Y PWYLLGOR SAFONAU**  
**11eg MAWRTH 2016**

**CAIS AM OLLYNGIAD GAN Y CYNGHORYDD COUNCILLOR W R A DAVIES**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
 Ystyried y cais a phenderfynu arno

**Y rhesymau:**

Mae'r testun dan sylw yn yr adroddiad hwn yn rhan o gylch gorchwyl y Pwyllgor

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Ddim yn berthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y**  
 Cyngorydd E Dole (Arweinydd y Cyngor)

Y Gyfarwyddiaeth:

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
 Gyfraith

Rheolwr Dros Dro y  
 Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
11<sup>TH</sup> MARCH 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLOR W R A DAVIES**

An application for dispensation to speak and vote in relation to matters regarding the transfer of tennis facilities from the County Council to the Community Council has been received from Community Councillor W R A Davies of Llandybie Community Council.

Councillor Davies has a personal interest in such matters by virtue of paragraph 10(2)(a)(ix)(ee) of the Code of Conduct as he is the secretary and treasurer of Llandybie Tennis Club.

This interest is also a prejudicial interest as a member of the public, with full knowledge of the facts, would reasonably regard that interest as so significant as to prejudice the Councillor's judgement of the public interest.

The application is submitted on 5 grounds specified in the Standards Committees (Grant of Dispensation)(Wales) Regulations 2001 namely;

- (d) no damage to public confidence
- (e) common interest with significant proportion of the general public
- (f) participation justified due to the member's special expertise
- (h) interest relates to a voluntary organisation (limited to speaking only)
- (i) granting the application is in the interests of the inhabitants of the area

Of these, paragraphs (e) and (i) are not appropriate.

At the meeting of the Standards Committee in December 2015 Councillor Davies was granted a dispensation to speak only in respect of these matters until the 31<sup>st</sup> March 2016. To date Councillor Davies has not made use of that dispensation and therefore asks that, should his application be successful, any dispensation granted be until at least the meeting of the Standards Committee scheduled for September 2016.

If the committee is minded to grant the application, it has an absolute discretion as to duration, it may grant it until the end of the Councillor's term of office, or some other date, such as the date of a future meeting of this committee.

**DETAILED REPORT ATTACHED ?**

**NO**

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

**1. Scrutiny Committee**

Not applicable

**2. Local Member(s)**

Not applicable

**3. Community / Town Council**

Not applicable

**4. Relevant Partners**

Not applicable

**5. Staff Side Representatives and other Organisations**

*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

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<b>Legal file</b>	<b>DPSC-141</b>	<b>Legal Services, County Hall</b>

# CARMARTHENSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

### APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

SECTION 1	Name(s) of Member(s)	Name of member's authority
	William Richards Anthony Davies	Llandybie Community Council

SECTION 2	Matter to be discussed on which member seeks dispensation
	Asset Transfer of Tennis Facilities at Llandybie
Date of meeting at which the matter is to be discussed:	Ongoing negotiations

Dispensation being sought to speak and vote	Yes
Dispensation being sought to speak only	

SECTION 3	The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed
	Secretary and Treasurer of Llandybie Tennis Club

SECTION 4	Criteria for seeking dispensation
~ 50% of members affected	<input type="checkbox"/>
~ Political balance would be affected (county borough only)	<input type="checkbox"/>
~ No damage to public confidence	<input checked="" type="checkbox"/>
~ Common interest with general public	<input checked="" type="checkbox"/>
~ Justified because of special expertise	<input checked="" type="checkbox"/>
~ Scrutiny committee business <u>and</u> not financial interest	<input type="checkbox"/>
~ Voluntary organisation <u>and</u> not financial interest	<input checked="" type="checkbox"/>
~ In the interests of inhabitants	<input checked="" type="checkbox"/>
<i>(See appendix for more details)</i>	

SECTION 5	Reason/s in support of my/our application (use a separate sheet of paper if necessary)
	<p>As secretary and treasurer of Wandycie Tennis Club I have a lot of knowledge of this Facility including the costs of running such a Facility Interest not solely limited to tennis club members but also to wider benefits such as coaching children.</p>

**SIGNED**  (Member of County Council)

**DATED:** 9/2/2016



**Y PWYLLGOR SAFONAU**  
**11eg MAWRTH 2016**

**CAIS AM OLLYNGIAD GAN Y CYNGHORYDD I R LLEWELLYN**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
 Ystyried y cais a phenderfynu arno

**Y rhesymau:**

Mae'r testun dan sylw yn yr adroddiad hwn yn rhan o gylch gorchwyl y Pwyllgor

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Ddim yn berthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y**  
**Cynghorydd E Dole (Arweinydd y Cyngor)**

Y Gyfarwyddiaeth:

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
 Gyfraith

Rheolwr Dros Dro y  
 Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
11<sup>TH</sup> MARCH 2016**

**APPLICATION FOR DISPENSATION BY COUNCILLOR I R LLEWELYN**

An application for dispensation to speak and vote in respect of the transfer of County Council assets to Llandybie Community Council has been received from Councillor I R Llewelyn of Llandybie Community Council. (Copy attached)

Councillor Llewelyn has a personal interest in these matters by virtue of paragraph 10(2)(ii) of the Code in that it relates to or is likely to affect his employer, namely Carmarthenshire County Council.

This interest is prejudicial as a member of the public with knowledge of the facts would reasonably regard that interest as so significant as to be likely to influence the Councillor's judgement of the public interest.

Councillor Llewelyn's application is based on one ground in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001, namely paragraph (d) that his participation will not damage public confidence.

In coming to a decision the Committee may wish to note that a County Councillor who is also a Community Councillor would also have a personal interest in this situation, but that by virtue of paragraph 12(2)(a)(i) of the Code such an interest would not be considered prejudicial and therefore the Councillor would be able to participate fully in any debate or vote without the need for a dispensation.

Councillor Llewelyn was granted a dispensation to speak but not vote on these issues on the 3<sup>rd</sup> December 2015. That dispensation expires on the 10<sup>th</sup> March 2016.

If the committee is minded to grant a dispensation, it has an absolute discretion as to duration. It may wish to grant the dispensation until one of its scheduled meetings, some other date or until the Councillor's term of office comes to an end.

**DETAILED REPORT ATTACHED ?**

**NO**

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

- 1. Scrutiny Committee**  
Not applicable
- 2. Local Member(s)**  
Not applicable
- 3. Community / Town Council**  
Not applicable
- 4. Relevant Partners**  
Not applicable
- 5. Staff Side Representatives and other Organisations**  
*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

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<b>Legal file</b>	<b>DPSC-141</b>	<b>Legal Services, County Hall</b>

# CARMARTHENSHIRE COUNTY COUNCIL

## STANDARDS COMMITTEE

### APPLICATION for a dispensation under Section 2 of the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

The Carmarthenshire County Council Standards Committee are requested to grant the Member/s listed below a Dispensation to cover the interest/s declared in Section 2 below. My reasons for requesting same are set out in Section 4

<b>SECTION 1</b>	<b>Name(s) of Member(s)</b>	<b>Name of member's authority</b>
	Ian Llewelyn	Llandybie Community Council

<b>SECTION 2</b>	<b>Matter to be discussed on which member seeks dispensation</b>	
	The transfer of County Council assets to the Community Council	
<b>Date of meeting at which the matter is to be discussed:</b>	Ongoing	

<b>Dispensation being sought to speak and vote</b>	<b>Yes</b>
<b>Dispensation being sought to speak only</b>	

<b>SECTION 3</b>	<b>The interest which the member must disclose, and the nature of that interest in relation to the matter to be discussed</b>
	The transfer of County Council assets to the Community Council relates to and affects my employer, namely Carmarthenshire County Council.

<b>SECTION 4</b>	<b>Criteria for seeking dispensation</b>
~ 50% of members affected	<input type="checkbox"/>
~ Political balance would be affected (county borough only)	<input type="checkbox"/>
~ No damage to public confidence	<input checked="" type="checkbox"/>
~ Common interest with general public	<input type="checkbox"/>
~ Justified because of special expertise	<input type="checkbox"/>
~ Scrutiny committee business <u>and</u> not financial interest	<input type="checkbox"/>
~ Voluntary organisation <u>and</u> not financial interest	<input type="checkbox"/>
~ In the interests of inhabitants	<input type="checkbox"/>
<i>(See appendix for more details)</i>	

<b>SECTION 5</b>	<b>Reason/s in support of my/our application (use a separate sheet of paper if necessary)</b>
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The Community Council is currently in discussion with the County Council regarding the possible lease of a number of open space, play and recreation sites to the Community Council.

As a member of the Community Council the issue of Asset Transfer requires a collective view across the whole Community area. It involves members from all the wards within the Community.

The potential for asset transfer outcomes to impact on the future responsibilities of the Community Council is notable. In this respect the opportunity to participate in any debates and vote on any decisions would allow me to represent my area and constituents more effectively.

Although an employee of the County Council my role as Forward Planning Manager in Planning Services does not involve me in any direct engagement with the Asset Transfer Strategy. I do not have any involvement in the decision making process at County Council level and have no influence over the terms of any lease to the Community Council.



**SIGNED** \_\_\_\_\_ (Member of Community Council)

**DATED:**   5/2/16

## **APPENDIX**

### **Circumstances when a standards committee may grant dispensations**

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 specify that a standards committee of a relevant authority may grant dispensations under Section 81 of the Act where:

- a. no fewer than half of the members of the relevant authority or of a committee of the authority (as they 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 a leader and cabinet executive of the relevant authority 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. in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority of the committee of the authority 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 relevant authority'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 business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and a member's interest is not a pecuniary interest;
- h. the business which is to be considered 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 relevant authority 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; or
- i. it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within 7 days in such manner as it may specify.



**Y PWYLLGOR SAFONAU  
11EG MAWRTH 2016**

**CÔD YMDDYGIAD - CANLLAW HAWDD EI DDEFNYDDIO**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
Ystyried yr adroddiad a chymeradwyo'r canllaw

**Y Rhesymau:**

Mae cynnwys yr adroddiad hwn yn rhan o faes gorchwyl y Pwyllgor.

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y  
Cyngorydd E Dole (Arweinydd)**

Cyfarwyddiaeth

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
Gyfraith

Rheolwr Dros Dro y  
Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
11<sup>TH</sup> MARCH 2016**

**CODE OF CONDUCT EASY USE GUIDE**

The remit of the Standards Committee includes at Part 2 paragraph 9.3 (a) of the constitution of the Council a requirement to;

*'assist councillors and co-opted members to observe the Members' Code of Conduct'*

This requirement includes the provision of such assistance to Town and Community Councillors in the County.

One of the aspects of the Code which causes the most difficulty relates to personal and prejudicial interests. To help councillors and co-opted members apply this part of the code whilst attending meetings a pocket sized guide has been developed, taking the reader through the relevant parts of the code in 3 steps.

The guide has been designed to be printed on simple home printers to facilitate its distribution to Town and Community Councillors.

Copies of the guide in Welsh and English are attached to this report

If the committee approves the guide it is proposed that it be formally launched at the Code of Conduct training sessions in the summer.

DETAILED REPORT ATTACHED ?

NO

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

**1. Scrutiny Committee**

Not applicable

**2. Local Member(s)**

Not applicable

**3. Community / Town Council**

Not applicable

**4. Relevant Partners**

Not applicable

**5. Staff Side Representatives and other Organisations**

*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-141	Legal Services, County Hall

#### CAM 4 - Os na fydd yr un o'r eithriadau'n berthnasol

##### Mae gennych FUDDIANT RHAGFARNOL

###### Rhaid i chi:

- ddatgan eich buddiant personol
- gadael yr ystafell neu unrhyw leoliad arall lle mae'r cyfarfod yn cael ei gynnal
- peidio â chymryd rhan yn y broses o wneud penderfyniad na dylanwadu arni

###### ONI BAI

- eich bod wedi cael gollyngiad gan eich pwyllgor safonau i gymryd rhan a/neu bleidleisio
- bod aelodau o'r cyhoedd yn cael cyflwyno sylwadau, ateb cwestiynau neu roi tystiolaeth
- eich bod wedi cael eich galw i fynychu cyfarfod o'r Pwyllgor Trosolwg a Chraffu.

**Fodd bynnag, os rhoddwyd gollyngiad i chi siarad yn unig, rhaid i chi adael yr ystafell unwaith y byddwch wedi siarad, ac ni chewch fod yn rhan o unrhyw drafodaeth bellach na phleidleisio.**

I gael rhagor o wybodaeth, neu i wneud cais i'r Pwyllgor Safonau am ollyngiad, cysylltwch â:-

Mrs Linda Rees Jones  
Swyddog Monitro  
01267 224010  
LRJones@sirgar.gov.uk

Mr. Robert Edgecombe  
Dirprwy Swyddog Monitro  
01267 224018  
RJEDGECO@sirgar.gov.uk

Tudalen 61

## Cyngor Sir Caerfyrddin Y Côt Ymddygiad

Buddiannau Personol  
Cwestiynau i'w gofyn i'ch hunan

#### CAM 1 - Ydy'r Côt yn berthnasol?

##### Ydych chi'n:

- Gwneud gwaith eich awdurdod?
- Gweithredu, yn honni eich bod yn gweithredu, neu'n rhoi'r argraff eich bod yn gweithredu'n swyddogol fel aelod sy'n cynrychioli eich awdurdod?
- Gweithredu fel penodai neu enwebai eich awdurdod ar unrhyw gorff arall sydd heb ei gôt ymddygiad ei hun?

**Os Ydych** – rhowch sylw i gam 2 dros y dudalen



**EICH CYNGOR arleinamdani**  
[www.sirgar.llyw.cymru](http://www.sirgar.llyw.cymru)

**YOUR COUNCIL doitonline**  
[www.carmarthenshire.gov.wales](http://www.carmarthenshire.gov.wales)

## CAM 2 - Oes gennyh chi fuddiant personol?

### A. Ydy'r gwaith yn ymwneud â'r canlynol neu'n debygol o effeithio arnynt:

1. eich swydd neu eich busnes?
  2. eich cyflogwr neu eich cwmni?
  3. unrhyw un sydd wedi cyfrannu at gostau eich ethol neu eich treuliau fel cynghorydd?
  4. unrhyw gwmni y mae gan eich cyfranddaliadau ynddo werth symbolaidd o fwy na £25000 neu lle rydych yn dal mwy nag 1% o gyfanswm y cyfalaf cyfranddaliadau, sydd ag adeiladau neu dir yn ardal eich awdurdod?
  5. unrhyw gontract a greir rhwng eich awdurdod a'ch cwmni neu gwmni y mae gennyh gyfranddaliadau ynddo? (fel y disgrifiwyd yn 4)
  6. unrhyw dir y mae gennyh fuddiant ynddo?
  7. unrhyw dir y mae eich awdurdod yn ei osod i'ch cwmni? (fel y disgrifiwyd yn 4)
  8. unrhyw gorff yr ydych wedi cael eich ethol neu eich penodi iddo gan eich awdurdod?
  9. unrhyw
    - awdurdod cyhoeddus neu gorff sy'n ymarfer swyddogaethau cyhoeddus eu natur?
    - gwmni, cymdeithas ddiwydiannol a darbodus, elusen neu gorff sydd at ddiibenion elusennol?
    - gorff sydd â'r brif swyddogaeth o ddylanwadu ar farn y cyhoedd neu bolisi?
    - undeb llafur neu gymdeithas broffesiynol?
    - glwb neu gymdeithas sy'n gweithredu yn ardal eich awdurdod yr ydych yn aelod ohono/ohoni neu'n cyflawni swydd reoli gyffredinol ynddo/ynddi?
- neu
10. unrhyw dir yn ardal eich awdurdod y mae gennyh drwydded i'w feddiannu am o leiaf 28 diwrnod?

### B. A ellid barnu'n rhesymol bod penderfyniad yn effeithio (i raddau helaethach nag ar bobl eraill yn eich ward/yn ardal eich awdurdod):

- ar eich llesiant neu eich sefyllfa ariannol chi?
- ar lesiant neu sefyllfa ariannol unrhyw un sy'n byw gyda chi neu y mae gennyh gysylltiad personol agos â nhw?
- ar gyflogaeth/fusnes, cyflogwr neu gwmni unrhyw un sy'n byw gyda chi neu y mae gennyh gysylltiad personol agos â nhw?
- ar unrhyw gwmni y mae gan unrhyw un sy'n byw gyda chi neu y mae gennyh gysylltiad personol agos â nhw gyfranddaliadau ynddo?

### C. A allai aelod o'r cyhoedd ddod i'r casgliad rhesymol eich bod, wrth wneud penderfyniad, yn fwy o dan ddylanwad materion yn eich ward na buddiannau'r awdurdod cyfan?

Os yw A, B neu C yn wir, mae gennyh **FUDDIANT**

#### PERSONOL Rhaid i chi:

- ddatgan eich buddiant a natur y buddiant hwnnw:
  - mewn cyfarfodydd
  - wrth gyflwyno sylwadau ysgrifenedig
  - wrth gyflwyno sylwadau llafar (a'i gadarnhau yn ysgrifenedig o fewn 14 diwrnod)
- **ystyried a oes gennyh fuddiant rhagfarnol (gweler CAM 3 gyferbyn)**

## CAM 3 - Buddiannau rhagfarnol

### Cwestiynau i'w gofyn i chi'ch hunan.

**Fyddai aelod o'r cyhoedd, sy'n gwybod y ffeithiau perthnasol, yn meddwl yn rhesymol bod eich buddiant personol yn ddigon arwyddocaol i fod yn debygol o achosi rhagfarn wrth i chi farnu ynghylch buddiant y cyhoedd?**

**Os yw hyn yn wir – mae gennyh fuddiant rhagfarnol, oni bai bod un o'r eithriadau canlynol yn berthnasol.**

#### Ydy'r gwaith yn ymwneud ag un o'r canlynol:

- awdurdod perthnasol arall yr ydych yn aelod ohono'n ogystal?
- awdurdod cyhoeddus arall neu gorff sy'n ymarfer swyddogaethau cyhoeddus eu natur y mae gennyh swydd reoli gyffredinol ynddo?
- corff yr ydych wedi cael eich ethol, eich penodi neu eich enwebu iddo gan eich awdurdod?
- eich rôl fel llywodraethwr ysgol nad ydych wedi cael eich penodi na'ch enwebu iddi gan eich awdurdod (e.e. rhiant-lywodraethwr), oni bai bod y gwaith yn ymwneud yn benodol â'ch ysgol chi?
- eich rôl fel aelod o fwrdd iechyd nad ydych wedi cael eich penodi iddi gan eich awdurdod?
- tai, os oes gennyh denantiaeth neu brydles gan yr awdurdod, cyhyd ag nad yw'r mater yn ymwneud â'ch tenantiaeth neu eich prydles arbennig chi ac nad oes gennyh ôl-ddyledion rhent gwerth mwy na 2 fis?
- prydau ysgol neu gludiant i'r ysgol a chostau teithio, os ydych yn rhiant, yn warcheidwad, yn fam-gu neu'n dad-cu, neu â chyfrifoldeb rhiant am blentyn sydd mewn addysg amser llawn, oni bai ei fod yn ymwneud yn benodol â'r ysgol y mae eich plentyn yn mynd iddi?
- penderfyniadau ynghylch tâl salwch statudol os ydych yn ei dderbyn neu os oes gennyh hawl i'w dderbyn gan eich awdurdod?
- lwfans neu daliad i aelodau (yn ddibynnol ar rai amodau)?
- A yw Pwyllgor Trosolwg a Chraffu yn ystyried penderfyniad a wnaed neu gam a gymerwyd gan fwrdd gweithredol eich awdurdod neu bwyllgor arall, ac roeddech chi'n aelod o'r corff a wnaeth y penderfyniad hwnnw a'r corff presennol?
- Eich rôl fel Cynghorydd Tref neu Gymuned mewn perthynas â chymorth ariannol i grŵp cymunedol neu wirfoddol hyd at £500 o ran gwerth.

#### Os bydd un o'r eithriadau'n berthnasol

**Ni fernir bod gennyh fuddiant rhagfarnol. Rhaid i chi ddatgelu eich buddiant personol, ond mae hawl gennyh i fod yn rhan o'r eitem sy'n cael ei thrafod.**

Os na fydd yr un o'r eithriadau'n berthnasol, gweler **CAM 4** dros y dudalen.

**Y PWYLLGOR SAFONAU**  
**11eg MAWRTH 2016**

**FFURFLEN GAIS DDIWYGIEDIG AM OLLYNGIADAU**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
Ystyried yr adroddiad a chymeradwyo'r ffurflen gais ddiwygiedig i'w defnyddio yn y dyfodol

**Y Rhesymau:**

Mae cynnwys yr adroddiad hwn yn rhan o faes gorchwyl y Pwyllgor

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y**  
**Cynghorydd E Dole (Arweinydd)**

Cyfarwyddiaeth

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
Gyfraith

Rheolwr Dros Dro y  
Gwasanaethau Cyfreithiol

Rhifau ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk.

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
11<sup>TH</sup> MARCH 2016**

**REVISED DISPENSATION APPLICATION FORM**

Part 2 Paragraph 9.3 (f) of the Council's constitution provides for the Standards Committee to grant dispensations to councillors and co-opted members where they have a personal and prejudicial interest under the members' code of conduct.

Applications for dispensation are submitted on a standard form which aims to capture sufficient information to enable the committee to make an informed decision upon the application.

Officers have recently reviewed the content and layout of the application form in response to experience with its use and to reflect examples of good practice by other local authorities in Wales.

A copy of the revised form is attached to this report.

If the Committee approves the form it is proposed that it be translated and put into operation in time for the next scheduled meeting on the 10<sup>th</sup> June 2016 and be promoted at the Code of Conduct training events to be held in the summer.

DETAILED REPORT ATTACHED ?

NO



## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

**1. Scrutiny Committee**

Not applicable

**2. Local Member(s)**

Not applicable

**3. Community / Town Council**

Not applicable

**4. Relevant Partners**

Not applicable

**5. Staff Side Representatives and other Organisations**

*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-141	Legal Services, County Hall

**APPLICATION TO THE STANDARDS COMMITTEE  
FOR DISPENSATION**

Please note that each section **MUST** be completed. Please refer to the attached  
Guidance Notes when completing the form.

**1. YOUR DETAILS**

Your full name:

Name of your Council:

Your address and postcode:

Contact telephone number(s):

Email address:

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

What is your interest in the above matter?

When will the above matter be considered?

Are you applying for dispensation to:

Speak only:

Speak and vote:

Make written  
Representations

Exercise Executive  
Powers

### 3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	<input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<input type="checkbox"/>
• the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	<input type="checkbox"/>

### 4. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please set out below the reasons why you consider that the Standards Committee should grant a dispensation in this case:

***(Please note that failure to complete this section will result in the application form being returned to you)***

*(please continue on a separate sheet if necessary)*

I confirm that the information provided on this form is true to the best of my knowledge. I agree that this application and all the information contained within it may form part of a public report to the Standards Committee. I request a dispensation in respect of the above matter.

Signed:

Date:  /  /

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP.

Tudalen 69

## Guidance notes

- (1) Please read through the Code of Conduct and decide which of the paragraphs is most appropriate to your case. Brief details of the relevant paragraphs are noted in the table below. If you are unsure, please contact the Monitoring Officer for advice.

Para.	Type of personal interest
10(2)(a)	<p>Council business which relates to or is likely to affect:</p> <ul style="list-style-type: none"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>
10(2)(b)	Council business in which there may be a conflict between your decision-making role and your role in representing constituents in your ward
10(2)(c)	Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association
13	Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only]

- (2) The Standards Committees (Grant of Dispensations)(Wales) Regulations 2001 state that a Standards Committee may grant dispensations where:

- (a) no fewer than half of the members of the relevant authority or of a committee of the authority (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 a leader and cabinet executive of the relevant authority 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) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority 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 relevant authority'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 business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;

- (h) the business which is to be considered 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 relevant authority 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; or
- (i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.

Mae'r dudalen hon yn wag yn fwriadol



**Y PWYLLGOR SAFONAU**  
**11eg MAWRTH 2016**

**HYFFORDDIANT YNGHYLCH Y CÔD YMDDYGIAD AR GYFER  
CYNGHORWYR TREF A CHYMUNED**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
Ystyried y cyflwyniad ynghylch hyfforddiant a chytuno ar y dyddiadau ar gyfer y sesiynau arfaethedig

**Y Rhesymau:**

Mae cynnwys yr adroddiad hwn yn rhan o faes gorchwyl y Pwyllgor.

Argymhellion / Sylwadau'r Pwyllgor Craffu:

Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y  
Cyngorydd E Dole (Arweinydd)**

Y Gyfarwyddiaeth

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
Gyfraith

Rheolwr Dros Dro y  
Gwasanaethau Cyfreithiol

Rhifau Ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk.

# EXECUTIVE SUMMARY STANDARDS COMMITTEE 11<sup>TH</sup> MARCH 2016

## CODE OF CONDUCT TRAINING FOR TOWN AND COMMUNITY COUNCILLORS

For several years the Standards Committee has arranged training sessions on the Members Code of Conduct for Town and Community Councillors. These have been held in County Hall in June, and the 2015 sessions were particularly well received with over 100 delegates in attendance over two evenings.

Preparations are now being made to repeat these sessions in 2016 and a revised presentation is attached which seeks to incorporate feedback from last year's events. The main changes are;

1. The deletion of the specific section on 'Equality & Respect' and the 'Calver' case.
2. The re-writing of the section on Personal interests. Rather than continuing with a 'lecture style' approach for this part of the session, it is instead proposed to work through the case studies with the help of an easy use guide which will be provided to delegates.
3. The inclusion of a separate Q & A session at the end.

Once the presentation has been finalised it will be sent for translation.

As regards the venue and dates for the session, it is suggested that they again take place in County Hall with a 6pm start. Possible dates would be the 2<sup>nd</sup>, 9<sup>th</sup>, 16<sup>th</sup>, 23<sup>rd</sup> or 30<sup>th</sup> June.

It is also suggested that no limit be placed upon the number of delegates that attend from each authority.

DETAILED REPORT ATTACHED ?

NO

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: L. Rees-Jones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: L. Rees-Jones

Head of Administration and Law

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

- 1. Scrutiny Committee**  
Not applicable
- 2. Local Member(s)**  
Not applicable
- 3. Community / Town Council**  
Not applicable
- 4. Relevant Partners**  
Not applicable
- 5. Staff Side Representatives and other Organisations**  
*Not applicable*

**Section 100D Local Government Act, 1972 – Access to Information**

**List of Background Papers used in the preparation of this report:**

**THESE ARE DETAILED BELOW**

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal file	DPSC-113	Legal Services, County Hall

# COUNCILLORS CODE OF CONDUCT



# **PROGRAMME**

**Introduction**

**When the Code Applies**

**General Duties**

**Personal Interests**

**Dispensations**

**Enforcement**

**Predetermination**

**Conclusion**

**Questions**

# INTRODUCTION

**Based upon the Nolan Principles for conduct in public life**

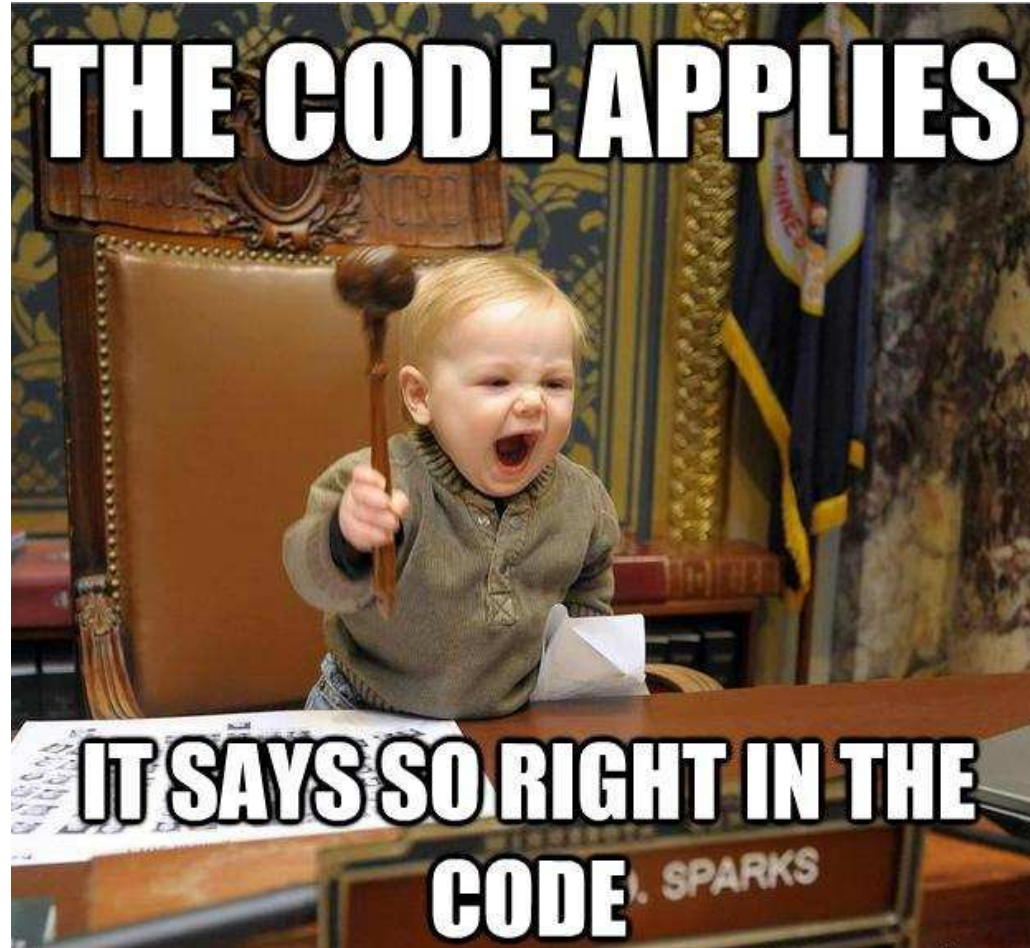
**Establishes an ethical framework for**

**Councillors to work to**

**The Code shows how to apply the framework in practice**

**Each Council must adopt its own code based on the WAG model.**

## WHEN THE CODE APPLIES





## **WHEN THE CODE APPLIES**

**In any official council meeting**

**In any meeting with members or officers**

**When acting as a Council rep or appearing to do so**

**If conducting Council business**

**If acting in any other official role**

**If a Council rep on another body**

**AND .....**

## **WHEN THE CODE APPLIES**

### **AT ANY TIME IF:**

**Your conduct is likely to bring your office or the Council into disrepute**

**You use your position to gain an advantage for yourself or another**

**You misuse Council resources**

## **WHEN THE CODE APPLIES – TEST YOURSELF**

### **DOES THE CODE APPLY:**

- **At Council meeting**
- **In the local pub**
- **When giving interviews**
- **When dealing with ward business**
- **When representing the Council at a school governors meeting**
- **When using social media**
- **When on holiday abroad**
- **In the privacy of your own home.**

## GENERAL DUTIES



## **GENERAL DUTIES – YOU MUST**

- **Promote Equality**
- **Show respect & consideration to others**
- **Not harass or bully others**
- **Not compromise your officers impartiality**
- **Not disclose confidential information**
- **Not prevent access to information**
- **Not bring your office or council into disrepute**

## **GENERAL DUTIES – YOU MUST**

- **Report code breaches**
- **Not make vexatious complaints**
- **Cooperate with investigations**
- **Not use your position improperly**
- **Not misuse Council resources**
- **Reach decisions objectively**
- **Consider advice and give reasons for not following it**

## **GENERAL DUTIES – YOU MUST**

- **Comply with rules on expenses**
- **Not accept gifts or hospitality that obligates you or appear to do so**

## **GENERAL DUTIES – TEST YOURSELF**

**Which of these is not a duty under the code;**

- 1. Promote equality**
- 2. Attend meetings**
- 3. Report code breaches**
- 4. Not to bully or harass**
- 5. Not misuse use position**
- 6. Consult constituents**
- 7. Follow officer advice**
- 8. Not misuse resources**
- 9. Show respect to others**
- 10. Apologise for mistakes**



## **PERSONAL & PREJUDICIAL INTERESTS**

“The public must have confidence that Councillors are acting in the public’s best interests, not their own, or those of their family and friends.”

(Public Services Ombudsman for Wales)

## **EASY USE GUIDE**

- Developed by the Standards Committee to help you apply the code in relation to personal & prejudicial interests
- Three steps to determine what interest (if any) you have and what you should do.

## **CASE STUDY ONE**

- **Cllr X has a grandchild who attends the village school which is threatened with closure. The matter is on the agenda at the next Governors meeting which the Cllr attends as a Council representative**
- **Does Cllr X have a personal interest?**
- **If he does, is it also prejudicial?**
- **What should Cllr X do?**

## **CASE STUDY TWO**

- **Your Council has been consulted on a planning application by a community group on which Cllr X sits as a council representative**
- **Does Cllr X have a personal interest?**
- **If yes, is it also prejudicial?**
- **What should Cllr X do?**

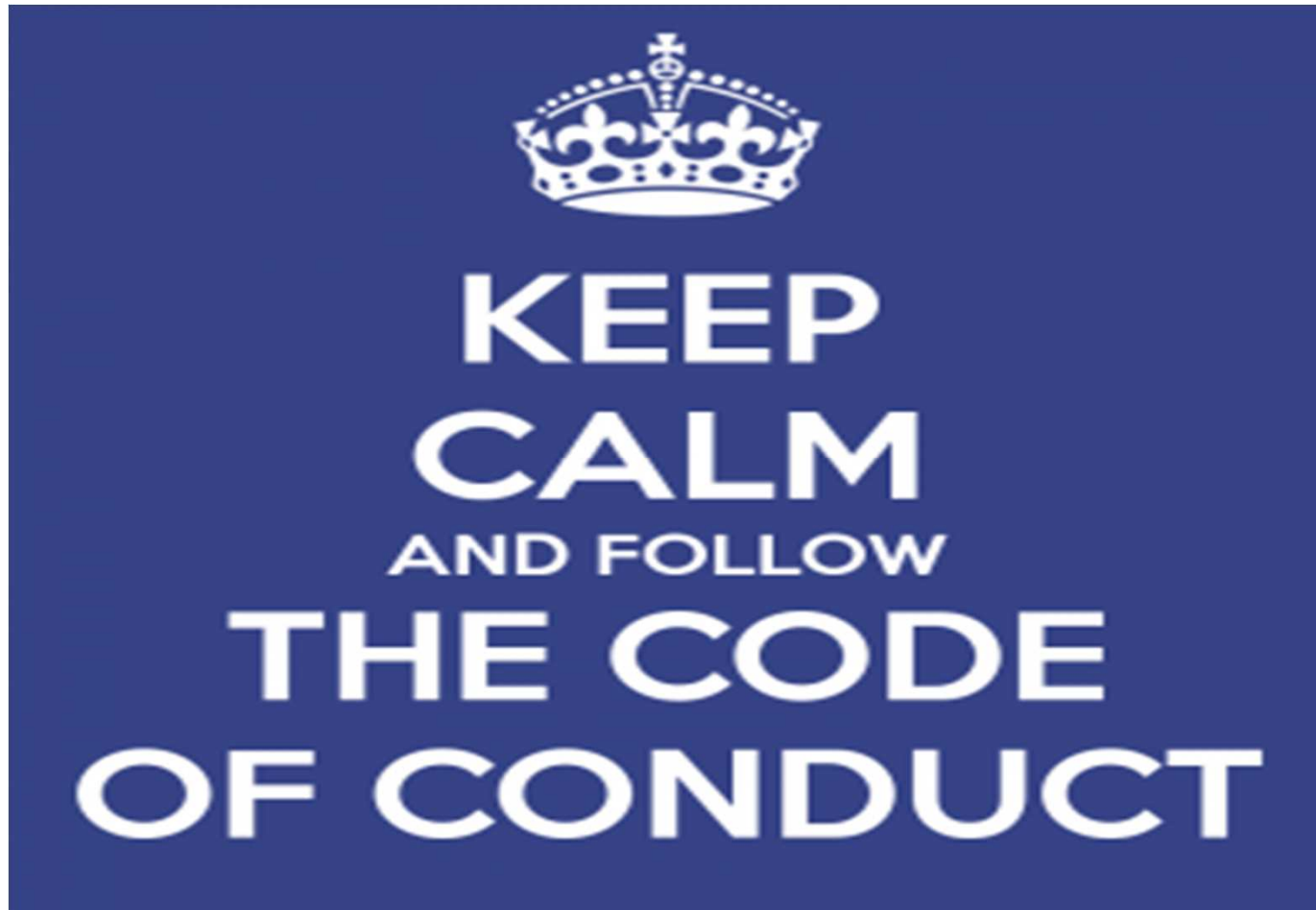
## **CASE STUDY THREE**

- **Your council receives an application from a community group for a £550 grant. Cllr X is a member of that group.**
- **Is there a personal interest?**
- **If yes, is it also prejudicial?**
- **What should Cllr X do?**

## PERSONAL & PREJUDICIAL INTERESTS

- **REMEMBER**
- **The test is not whether you think the interest influences you, but whether you think a hypothetical member of the public would think it does.**

## **DISPENSATIONS**



## **DISPENSATIONS**

- **A Cllr with a prejudicial interest may apply to the Standards Committee for permission to be involved in a matter**
- **Applications must be submitted in sufficient time for a meeting to be called in accordance with rules on publishing agendas etc.**



## **DISPENSATIONS**

- **Applications must be submitted on a standard form**
- **They may be submitted by a clerk on behalf of 1 or more cllrs.**
- **They must be based on one or more of the following grounds;**

## **DISPENSATIONS**

- **At least 1/2 of fellow cllrs share the same interest**
- **The nature of the interest is such that it would not damage public confidence**
- **The Cllr has a particular expertise which justifies their contd. involvement**
- **The interest is common to a significant proportion of the public**

## **DISPENSATIONS**

- **The matter relates to a vol. organisation & the Cllr is involved in its management & has no other interest in the matter (*can only speak , not vote under this option*)**
- **(*There are other grounds available but they do not apply to Community Cllrs*)**

## **DISPENSATIONS**

**The grounds for seeking a dispensation, plus additional guidance are attached to the application form.**

**Try to give as much information as possible as to the nature of your interest and why the ground(s) for dispensation apply**

## **DISPENSATIONS**

- **In 2013-2014 the Standards Committee granted 97.3% of dispensations sought.**
- **Dispensations are usually granted for a set period of time (often up to 6 months)**
- **The majority of dispensations are to speak only and relate to a cllrs involvement in a voluntary organisation.**

# ENFORCEMENT



## **ENFORCEMENT**

- **All complaints regarding breaches of the code should be referred to the PSOW who will decide whether or not to investigate.**
- **If the PSOW decides the case merits investigation, he may do so himself or refer the case to the local Monitoring Officer to do so**

## **ENFORCEMENT**

- **If an investigation finds evidence of a breach it may be referred to the local Standards Committee or the Adjudication Panel for Wales for determination.**
- **The Standards Committee can suspend a Cllr from office**
- **The Adjudication Panel can disqualify a Cllr from office**
- **Both can impose lesser sanctions**



# PREDETERMINATION



"I ALWAYS STOOD BY MY STRONG CONVICTIONS BUT SERIOUS ARGUMENTS MADE IT NECESSARY TO CHANGE MY MIND:"

## **PREDETERMINATION**

- **Technically not part of the Code, but ties in with the requirement to act objectively.**
- **Arises where someone makes their decision in advance.**
- **c/f 'Predisposition' – where someone forms a view in advance, but does not come to a decision until the end of the debate.**

## **PREDETERMINATION**

- **Avoid giving the impression that you have predetermined an issue. Instead :**
- ***‘I have a view on the issue, but want to listen to all the arguments before I make up my mind.’***
- **Predetermination can result in a decision being unlawful, as well as risking a Cllr being in breach of the Code**

## **PREDETERMINATION – TEST YOURSELF**

- **Cllr X was elected on a platform of opposing further housing development in his village. Does this mean he has predetermined any such planning application?**
- **What if he is on record as saying ‘If elected I will always vote against any such planning application’**
- **What if he said he would ‘argue against’ applications.**

## **CONCLUSION**

- **Take time to familiarise yourself with the code**
- **Always have it with you when conducting council business**
- **Make use of dispensations to fulfil your democratic role**
- **If unsure – SEEK ADVICE**

# QUESTIONS



**Y PWYLLGOR SAFONAU**  
**11eg MAWRTH 2016**

**BIL LLYWODRAETH LEOL (CYMRU)**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**  
 Ystyried yr adroddiad

**Y Rhesymau:**  
 Mae cynnwys yr adroddiad hwn yn rhan o faes gorchwyl y Pwyllgor.

Argymhellion / Sylwadau'r Pwyllgor Craffu:  
 Amherthnasol

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES  
 Angen i'r Cyngor wneud penderfyniad NAC OES

**YR AELOD O'R BWRDD GWEITHREDOL SY'N GYFRIFOL AM Y PORTFFOLIO:- Y**  
 Cynghorydd E Dole (Arweinydd)

Y Gyfarwyddiaeth

Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth a'r  
 Gyfraith

Rheolwr Dros Dro y  
 Gwasanaethau Cyfreithiol

Rhifau Ffôn:

01267 224018

Cyfeiriadau E-bost:

RJEdgeco@sirgar.gov.uk.

# EXECUTIVE SUMMARY STANDARDS COMMITTEE 11<sup>TH</sup> MARCH 2016

## LOCAL GOVERNMENT (WALES) BILL

The draft Local Government (Wales) Bill was published on the 24<sup>th</sup> November 2015. Although media attention has focussed on the proposals to reduce the number of Counties and County Boroughs, the Bill contains other provisions of particular relevance to the work of the Standards Committee. These include;

1. The broadcasting of meetings of Council committees (including the Standards Committee) which are open to the public (Section 76)
2. Placing a statutory duty upon members to attend 'all relevant meetings' (Section 82), to hold surgeries (Section 83), to answer correspondence (section 84) and to attend any training course which the Council has designated as compulsory (section 85) unless they have good reason for not doing so.
3. Complaints in relation to breach of the duties under sections 82-85 are to be made to the Monitoring Officer who must refer them to the Chair of the Standards Committee. If either wishes the complaint to be investigated, then it must be investigated. (Section 88)
4. If such an investigation is undertaken the Monitoring Officer must report to Standards Committee, who must determine whether a breach has taken place and if they consider it has, may censure or suspend the member concerned or take no further action. (Sections 91 to 93)
5. Placing a duty upon Standards Committees to train members in relation to their duties under sections 82-85 of the Bill (Section 96)
6. Placing a duty on Group Leaders to co-operate with the Standards Committee in the exercise of its functions. (Section 98)
7. Placing a duty on Standards Committees to make an annual report setting out how it has discharged its functions and in particular those specified in the Bill (Section 109)
8. Placing a duty on the County Council to consider whether any training for community councillors should be compulsory and securing that such training is provided. (Section 167). Placing a duty on community councillors to undertake such training unless they have a good reason for not doing so (Section 168)

DETAILED REPORT ATTACHED ?

NO



**EICH CYNGOR arleinamdani**  
www.sirgar.llyw.cymru

**YOUR COUNCIL doitonline**  
www.carmarthenshire.gov.wales



## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: **L. Rees-Jones** **Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: **L. Rees-Jones** **Head of Administration and Law**

*(Please specify the outcomes of consultations undertaken where they arise against the following headings)*

- 1. Scrutiny Committee**  
Not applicable
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