

Pecyn Dogfennau



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DYDD MERCHER, 24 EBRILL 2024

AT: HOLL AELODAU Y PWYLLGOR SAFONAU

YR WYF DRWY HYN YN EICH GALW I FYNYSBU RHITH-GYFARFOD O'R PWYLLGOR SAFONAU A GYNHELIR AM 10.00 YB DYDD MAWRTH, 30AIN EBRILL, 2024 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Wendy Walters

PRIF WEITHREDWR

Swyddog Democrataidd:	Julie Owens
Ffôn (llinell uniongyrchol):	01267 224088
E-Bost:	juowens@sirgar.gov.uk
Gellir gwyllo'r cyfarfod ar wefan y cyngor drwy'r ddolen canlynol:- https://carmarthenshire.public-i.tv/core/portal/home	

Wendy Walters Prif Weithredwr, *Chief Executive*,
Neuadd y Sir, Caerfyrddin. SA31 1JP
County Hall, Carmarthen. SA31 1JP

PWYLLGOR SAFONAU

Aelodau Annibynnol (5)

1. Mrs Mary Dodd
2. Ms Caryl Davies
3. Mrs Daphne Evans
4. Mr Frank Phillips
5. Lle Gwag

Aelod Pwyllgor Cymunedol (1)

1. Y Cyngorydd Tref Phillip Rogers

Aelodau Etholedig y Cyngor Sir (3)

1. Y Cyngorydd Betsan Jones
2. Y Cyngorydd Gareth Thomas
3. Lle Gwag

A G E N D A

- 1. YMDDIHEURIADAU AM ABSENOLDEB.**
- 2. DATGAN BUDDIANNAU PERSONOL.**
- 3. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD TREF CASTELL
NEWYDD EMLYN HAZEL EVANS.** 5 - 14
- 4. UNRHYW FATER ARALL Y GALL Y CADEIRYDD OHERWYDD
AMGYLCHIADAU ARBENNIG, BENDERFYNU EI YSTYRIED YN
FATER BRYD YN UNOL AG ADRAN 100B(4)(B) DEDDF
LLYWODRAETH LEOL 1972**

Mae'r dudalen hon yn wag yn fwriadol

Y Pwyllgor Safonau 30 Ebrill 2024

Pwnc

Cais am Ollyngiad gan y Cyngorydd Tref Castell Newydd Emlyn Hazel Evans

Y Pwrpas:

I benderfynu ar y cais.

Yr argymhellion / penderfyniadau allweddol sydd eu hangen:

Penderfynu a ddylid caniatáu'r cais ac, os caiff ei ganiatáu, hyd y gollyngiad.

Y rhesymau:

Yn unol â Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) 2001.

Angen i'r Cabinet wneud penderfyniad

NAC OES

Angen i'r Cyngor wneud penderfyniad

NAC OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO:- Amherthnasol

Y Gyfarwyddiaeth: Y Prif Weithredwr

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:

Linda Rees-Jones

Swyddi:

Pennaeth Gweinyddiaeth a'r Gyfraith

Fel uchod

Ffôn: 01267 224010

Cyfeiriadau e-bost:

LRJones@sirgar.gov.uk

EXECUTIVE SUMMARY

SUBJECT

Application for Dispensation by Newcastle Emlyn Town Councillor Hazel Evans

An application for dispensation has been received from Newcastle Emlyn Town Councillor Hazel Evans.

The application relates to Town Council business regarding the grant of tenancy of the Old Courthouse where there are two applicants, and Town Cllr. Evans is a non-remunerated Director of one of the applicants, which itself is a charity. This constitutes a personal and prejudicial interest under the Code of Conduct.

Cllr. Evans seeks a dispensation to Speak and Vote and to make written recommendations on the following grounds in the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001.

1. Regulation 2(d) – the nature of the member's interest is such that their participating in the business to which the interest relates would not damage public confidence.
2. Regulation 2(f) – the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise.

If the Committee is minded to grant the dispensation, its duration will also need to be considered.

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: Linda Rees-Jones, Head of Administration & Law and Monitoring Officer.

Policy, Crime & Disorder & Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets	Bio-diversity & Climate Change
NONE	NONE	NONE	NONE	NONE	NONE	NONE	NONE

CONSULTATIONS

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

Signed: Linda Rees-Jones, Head of Administration & Law and Monitoring Officer

Scrutiny Committee request for pre-determination	NA
Scrutiny Committee	
Date the report was considered:-	
Scrutiny Committee Outcome/Recommendations:-	

2. Local Member(s) - N/A

3. Community / Town Council – N/A

4. Relevant Partners – N/A

5. Staff Side Representatives and other Organisations - N/A

CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED	N/A
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**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
Application for dispensation	N/A	Attached to the report

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: Hazel Anna Louise Evans

Name of your Council: Newcastle Emlyn Town Council

Email

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

Newcastle Emlyn Town Council are in the process of obtaining a lease from CCC for the Old Court House, Newcastle Emlyn. We as a Town Council are looking for a tenant to run it as a Community Venture

What is your interest in the above matter?

There are two interested parties and I have been told by the Clerk that I have an interest in one as a Director of the Charity, for which I receive no remuneration.

When will the above matter be considered?

There is a meeting on 2nd May to discuss their applications

Are you applying for dispensation to:

Speak only:

Speak and vote: X

Make written Representations X

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	X <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;	X <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)

I am the Current Mayor of Newcastle Emlyn Town Council. The Library was located in the Old Court House, due to issues with water damage from the chimneys the Library had to close and have now relocated to the Cawdor Hall as a new dispensing facility with vending machines. The building has remained empty since 2019. As this is a historic building we as a Town Council wanted it to remain in Public ownership. The Town Council commissioned a feasibility study through grant funding which was undertaken by Landsker Business Solutions. A consultation day was held to discover public opinion on its future use. When the Town Council collated all the information a decision was made to look for outside tenders to run it as a community venture. Two applications were received and to protect the names I have not named the Charity I am a non remuneration Director of. The Town Council needs to assess the applications (I have not seen either application) and I would like to contribute to this debate as I do not believe it would have affect my me personally or affect public opinion on me taking part as the Company is a Charity with no Director remuneration.

(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: *Hazel Evans*

Date:

24 / 04 /2024

Please return this form to the Monitoring Officer, Chief Executive's Department, Carmarthenshire County Council, County Hall, Carmarthen, SA31 1JP. / Monitoringofficer@carmarthenshire.gov.uk

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)	Council business which relates to or is likely to affect: <ul style="list-style-type: none"> • your employment or business, • your employer, firm or company • a contract made between the Council and you • any land, lease or licence in which you have an interest • a public body or other association in which you have membership or hold a position of general control or management 	
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.