

GERALD HOWELLS.

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Carmarthenshire .
SA33 5LL.
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Linda Rees - Jones ,
Head of Administration & Law & Monitoring Officer ,

17th May 2017 .

Dear Ms Rees-Jones ,

Re : Llansteffan and Llanybri Community Council - Dispensations
Previous Ref : LRJ/DPSC/0000.

Thank you so much for your speedy response to my email of the 15th May yesterday and for your kind words .

I had no intention of standing for Community Council again but was really pressurized by the community so to do and was more than surprised at the votes cast for me when I had not really done any canvassing at all .

I have completed a form which I had from the last time and hope that it is in order . As I said previously everything remains the same for the School and Church . As I have to make an application I have included the Carmarthen Bay Ferries CIC in which I have been asked to volunteer in the preparation work as a Director .

I do not get any remuneration for anything in which I am involved and there is no personal financial or other reward of any kind just a case of using my previous knowledge and some supposed expertise in benefiting and giving something back to the community that myself and my late wife loved when we moved here to live from Carmarthen town some 35 years ago .

I am perhaps being a bit over cautious in my dealings with dispensations and declaring interests in meetings but I want to be able to keep my Community Council fully informed on matters in which I am involved and help out in discussions but certainly not vote on such matters . I guess my legal training and what I have seen happening in courts and elsewhere lead me to wanting to be sure that I am acting properly especially since I remain on the Roll as a Non-practicing Solicitor . I trust that all will be in order for 16th June but please contact me if any clarification is needed .

Yours most sincerely and Kind regards ,




**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:	GERALD HOWELLS
Name of your Council:	LLANSTEFFAN AND LLANYBRI COMMUNITY COUNCIL
Your address and postcode:	10, GLAN-Y-MOR, LLANSTEFFAN CARMARTHEN. CARMS. SA33 5LL
Contact telephone number(s):	HOME LANDLINE - 01267 244255 MOBILE - 07492 427359
Email address:	gerald-howells@tesco.net

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?	GENERAL DISCUSSIONS REGARDING LLANSTEFFAN CHURCH, LLANSTEFFAN PRIMARY SCHOOL, CARMARTHEN BAY FERRIES COMMUNITY INTEREST COMPANY
What is your interest in the above matter?	LLANSTEFFAN CHURCH - CHURCH WARDEN AND WORSHIP LEADER, LLANSTEFFAN PRIMARY SCHOOL - CHAIR of GOVERNORS, CARMARTHEN BAY FERRIES CIC - DIRECTOR
When will the above matter be considered?	AT VARIOUS TIMES WHEN MATTERS ARISE

Are you applying for dispensation to:

Speak only: - YES

Speak and vote: - NO

Make written Representations - YES

Exercise Executive Powers - NO

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).

•7 at least half of the members considering the business has an interest	
•8 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;	
•9 my participation would not damage public confidence	✓
•10 the interest is common to me and a significant proportion of the general public;	✓
•11 my participation in the business is justified by my particular role or expertise;	✓
•12 the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	
•13 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	✓
•14 it is appropriate to do so in all the circumstances where not otherwise possible to make reasonable adjustments to accommodate a person's disability	

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)

ON THE 10TH JUNE 2016 I RECEIVED GENERAL DISPENSATION UNDER 3.2 OF THE STANDARDS COMMITTEES (GRANT OF DISPENSATIONS) (WALES) REGULATIONS IN RESPECT OF LLANSTEFFAN PRIMARY SCHOOL AND LLANSTEFFAN CHURCH. I WAS RE-ELECTED ONTO OUR COMMUNITY COUNCIL ON 4TH MAY 2017 AND ON THE 15TH MAY 2017 ACCEPTED THE CHAIR.

I SEEK A GENERAL DISPENSATION REGARDING LLANSTEFFAN CHURCH AND LLANSTEFFAN SCHOOL AS I HOLD POSITIONS WITHIN THOSE ORGANISATIONS AND MATTERS COME UP AT TIMES INVOLVING THEM IN A SMALL LOCAL COMMUNITY AND I WISH TO OPENLY CONTRIBUTE AND TAKE A PART IN SUCH MATTERS - NONE OF WHICH WOULD BE CONTROVERSIAL BUT I WISH TO DO THINGS CORRECTLY AND IT ENABLES ME TO PARTICIPATE AND USE MY PARTICULAR, ROLE, KNOWLEDGE AND EXPERTISE TO ADD TO THE DISCUSSION.

I WAS RECENTLY ASKED TO BE INVOLVED IN LOOKING AT POSSIBILITIES FOR THE FARM TO START UP AGAIN WITH THE AID OF POSSIBLE FUNDING FROM COASTAL COMMUNITIES FUND. I HAVE AGREED TO BECOME A DIRECTOR OF CARMARTHEN BAY FERRIES CIC. I MERELY ASK FOR DISPENSATION TO ALLOW ME TO REPORT FULLY TO MY COUNCIL ON WHAT IS GOING ON. I HAVE NO FINANCIAL INTEREST NOR DOES MY COUNCIL

BECAUSE OF MY BACKGROUND AND KNOWLEDGE AS WELL AS THE ROLES I HAVE STATED I BELIEVE THAT I HAVE A DUTY TO INFORM MY COUNCIL AND MY COMMUNITY AND ALSO PARTICIPATE IN DISCUSSIONS.

THINGS LIKE THIS ARE ALWAYS DIFFICULT IN A SMALL COMMUNITY AND COULD COME UP ON A REGULAR BASIS SO I NEED TO BE CERTAIN THAT I MEET THE RULES

OBVIOUSLY OTHER ITEMS WILL COME UP ON OUR AGENDA NOT ON A REGULAR BASIS AND I WILL THEN ADOPT THE CORRECT PROTOCOL. AT MEETINGS RELATING TO THESE MATTERS

I FEEL THE THREE ITEMS REFERRED TO HERE ARE THE ONLY ONES THAT COULD COME UP REGULARLY NEEDING MY INPUT.

(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:

G. H. H. H.

Date:

17th MAY 2017

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

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"> •1 your employment or business, •2 your employer, firm or company •3 a contract made between the Council and you •4 any land, lease or licence in which you have an interest •5 a public body or other association in which you have membership or hold a position of general control or management 	
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(as amended) 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.**
- (j) It is considered appropriate in all the circumstances to do so where not otherwise possible to make reasonable adjustments to accommodate a persons disability**

