

**Y PWYLLGOR SAFONAU
3YDD RHAGFYR 2015**

CAIS AM OLLYNGIAD GAN Y CYNGHORYDD G HOWELLS

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
3RD DECEMBER 2015**

APPLICATION FOR DISPENSATION BY COUNCILLOR G HOWELLS

An application for dispensation to speak and vote has been received from Councillor Gerald Howells of Llansteffan and Llanybri Community Council. (Copy and covering letter enclosed).

By virtue of paragraph 10 (2) (c) (i) of the Members Code of Conduct Councillor Howells has a personal interest in a dispute relating to a right of way to Croft Cottage, Llansteffan as he has been friends with one of the parties to the dispute for many years. The dispute potentially impacts upon land leased by the Council.

This personal interest is also 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 his judgement of the public interest.

Councillor Howells seeks a dispensation on the basis of the following grounds in the Standards Committee (Grant of Dispensations)(Wales) Regulations 2011;

- (d) No damage to public confidence
- (e) Common interest with a significant proportion of the general public
- (f) involvement is justified by the members special expertise
- (i) involvement is in the interests of the inhabitants of the area.

Paragraphs (e) and (i) do not appear to be appropriate. In relation to paragraph (f) Cllr Howells is a retired solicitor with considerable experience in acting in property related matters, including on behalf of the Council. The committee may therefore feel that he will have both technical legal knowledge and an understanding of relevant past legal transactions which will assist fellow councillors in their discussions.

If the committee is minded to grant a dispensation, it has an absolute discretion as to duration, up to and including granting a dispensation until the end of the Councillors term of office. Alternately the Committee could decide to grant a dispensation until its next meetings on the 11th March 2016 or the 10th June 2016.

DETAILED REPORT ATTACHED ?

YES

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
NONE	NONE	NONE	NONE	NONE	NONE	NONE

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-140	Legal Services, County Hall