

# 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	
~ Political balance would be affected (county borough only)	
~ No damage to public confidence	x
~ Common interest with general public	
~ Justified because of special expertise	
~ Scrutiny committee business <u>and</u> not financial interest	
~ Voluntary organisation <u>and</u> not financial interest	
~ In the interests of inhabitants	
<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.