

Pecyn Dogfennau



sirgar.llyw.cymru
carmarthenshire.gov.wales

DYDD MAWRTH, 28 CHWEFROR 2023

AT: HOLL AELODAU Y PWYLLGOR SAFONAU

YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R PWYLLGOR SAFONAU A GYNHELIR YN Y SIAMBR, NEUADD Y SIR, CAERFYRDDIN AC O BELL AM 10.00 YB DYDD MAWRTH, 7FED MAWRTH, 2023 ER MWYN CYFLAWNI'R MATERION A AMLINELLIR AR YR AGENDA SYDD YNGHLWM

Wendy Walters

PRIF WEITHREDWR

| | |
|---|-------------------------------|
| Swyddog Democrataidd: | Martin S. Davies |
| Ffôn (Ilinell uniongyrchol): | 01267 224059 |
| E-Bost: | MSDavies@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. **Mrs Julie James**
5. **Mr Frank Phillips**

Aelod Pwyllgor Cymunedol (1)

1. **Y Cynghorydd Tref Phillip Rogers**

Aelodau Etholedig y Cyngor Sir (3)

1. **Y Cynghorydd Betsan Jones**
2. **Y Cynghorydd Rob James**
3. **Y Cynghorydd Gareth Thomas**

AGENDA

1. YMDDIHEURIADAU AM ABSENOLDEB.
2. DATGAN BUDDIANNAU PERSONOL.
3. LLOFNODI YN GOFNOD CYWIR COFNODION Y CYFARFOD A GYNHALIWYD AR 24AIN IONAWR 2023. 5 - 8
4. CYDYMFFURFIO Â'R CÔD YMDDYGIAD GAN GYNGHORWYR TREF A CHYNGHORWYR CYMUNED. 9 - 12
5. HYFFORDDIANT YNGHYLCH Y CÔD YMDDYGIAD AR GYFER CYNGHORWYR TREF A CHYMUNED. 13 - 16
6. DIWEDDARIAD AR Y CAMAU GWEITHREDU. 17 - 22
7. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD KIM BROOM. 23 - 32
8. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD JAMES PICKUP. 33 - 42
9. 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

DYDD MAWRTH, 24 IONAWR 2023

PRESENNOL M. Dodd (Cadeirydd)(P)

Aelodau Annibynnol:

C. Davies (R), D. Evans (P), J. James (P)

Aelod Cymunedol:

Y Cyngorydd P. Rogers (H)

Y Cynghorwyr:

B.W. Jones (H)a G.B. Thomas (H)

Hefyd yn bresennol (Yn y Siambr):

R. Edgecombe, Rheolwr y Gwasanaethau Cyfreithiol

S. Rees, Cyfieithydd Ar Y Pryd

K. Thomas, Swyddog Gwasanaethau Democraidd

Hefyd yn bresennol (Yn rhithwyr):

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

S. Hendy, Swyddog Cefnogi Aelodau

[P = Presennol yn Neuadd y Sir. H = hirbell drwy Zoom]

Y Siambr - Neuadd y Sir, Caerfyrddin. SA31 1JP ac o hirbell - 2.00 - 2.25 pm

1. YMDDIHEURIADAU AM ABSENOLDEB.

Cafwyd ymddiheuriad am absenoldeb gan Mr F. Phillips.

2. DATGAN BUDDIANNAU PERSONOL.

Ni chafwyd dim datganiadau o fuddiant personol.

3. LLOFNODI FEL COFNOD CYWIR GOFNODION CYFARFOD A GYNHALWYD AR 12 RHAGFYR 2022

Cyfeiriwyd at y penderfyniad yng nghyfarfod blaenorol y Pwyllgor ar gyfer cynnwys cofrestr weithredu ar agenda arferol pob Pwyllgor a bod y gofrestr yn cael ei chynnwys ar yr agenda ar gyfer y cyfarfod arferol nesaf

PENDERFYNWYD:

3.1 Ilofnodi bod cofnodion cyfarfod y Pwyllgor Safonau a gynhaliwyd ar 12 Rhagfyr 2022 yn gywir.

3.2 Bod y gofrestr weithredu yn cael ei chynnwys ar yr agenda ar gyfer cyfarfod arferol nesaf y Pwyllgor Safonau

4. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD A DAVIES

Bu'r Pwyllgor yn ystyried cais a gyflwynwyd gan y Cynghorydd Sir Ann Davies am ollyngiad o dan ddarpariaethau Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a gweud sylwadau ysgrifenedig i Baneli Ymgynghorol y Cyngor wrth adolygu ystad wledig y Cyngor.

Dywedwyd bod y cais am ollyngiad yn cael ei gyflwyno oherwydd bod gan y Cynghorydd Davies fuddiant personol yn yr adolygiad gan fod ei gŵr yn denant ar hyn o bryd ar fferm Cyngor yr maent wedi'i meddiannu ers 1991, ac y byddai aelod rhesymol o'r cyhoedd gan wybod y ffeithiau hynny yn debygol o gredu y byddai'n dylanwadu ar farn y Cynghorydd ynghylch budd ehangach y cyhoedd o ran yr adolygiad hwnnw.

Dywedwyd bod y Cynghorydd Davies yn gwneud cais am ollyngiad yn rhinwedd Rheoliad 2(f) Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) gan fod cyfiawnhad ganddi dros gymryd rhan oherwydd ei rôl benodol a'i harbenigedd. Yn ogystal, cynghorwyd y Pwyllgor y gallai ystyried y byddai ei chyfranogiad hefyd yn berthnasol o dan Reoliad 2(d) gan na fyddai'n niweidio hyder y cyhoedd

Yn dilyn trafodaeth,

PENDERFYNIAD UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2 (d) ac (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) 2001 i'r Cynghorydd A Davies siarad a chyflwyno sylwadau ysgrifenedig ar yr adolygiad sy'n cael ei gynnal ar hyn o bryd o ystad wledig y Cyngor a bod y gostyngiad yn cael ei roi am gyfnod o chwe mis.

5. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD P H THOMAS

Bu'r Pwyllgor yn ystyried cais y Cynghorydd Sir P.H. Thomas o Gyngor Cymuned Llanismel am ollyngiad o dan ddarpariaethau'r Rheoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) i siarad a phleidleisio mewn perthynas â busnes y Cyngor ynghylch y blaendraeth a gweithgareddau casglu cocos yn Aber y Tair Afon.

Dywedwyd bod cais am ollyngiad yn cael ei gyflwyno oherwydd bod gan y Cynghorydd Thomas fuddiant personol yn y mater gan ei fod yn gweithio yn y diwydiant cocos, ac y byddai aelod rhesymol o'r cyhoedd gan wybod y ffeithiau hynny yn debygol o gredu y byddai'n dylanwadu ar farn y Cynghorydd ynghylch budd ehangach y cyhoedd o ran yr adolygiad hwnnw.

Er nad oedd gan y Cyngor Sir unrhyw rôl o ran gwneud penderfyniadau ynghylch y defnydd o'r blaendraeth ac nid yw'n berchen ar unrhyw dir yr effeithir arno gan y gweithgareddau hynny, dywedwyd eu bod yn cael eu trafod yn aml yng nghyfarfodydd y cyngor. Felly, roedd y Cynghorydd Thomas yn gwneud cais am ollyngiad o dan Reoliad 2(c)(d) a (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru)

O ran cais y Cynghorydd Thomas, cynghorodd Rheolwr y Gwasanaethau Cyfreithiol y dylai'r Pwyllgor nodi nad oedd Rheoliad 2(c) yn berthnasol yn y sefyllfa hon ac felly roedd y cais yn cael ei ystyried o dan Reoliadau 2(d) a (f)

O ystyried y cais ac o ran cysondeb cyfarfodydd penderfynu, roedd y Pwyllgor o'r farn na fyddai'n briodol caniatáu gollyngiad i'r Cynghorydd Thomas bleidleisio yng ngoleuni natur ei gyflogaeth. Fodd bynnag, teimlwyd ei bod yn briodol caniatáu gollyngiad i siarad ac i wneud sylwadau ysgrifenedig.

Yn dilyn trafodaeth,

PENDERFYNWYD YN UNFRYDOL ganiatáu gollyngiad o dan Reoliadau 2(d) a (f) o Reoliadau Pwyllgorau Safonau (Caniatáu Gollyngiadau) (Cymru) 2001 i ganiatáu i'r Cynghorydd P.H. Thomas siarad a gwneud sylwadau ysgrifenedig, ond nid pleidleisio, yng nghyfarfodydd Cyngor Cymuned Llanismel mewn perthynas â busnes y Cyngor ynghylch y blaendraeth a gweithgareddau cocos yn Aber y Tair Afon, a bod y gollyngiad yn ddilys tan ddiwedd y tymor etholiadol presennol.

**6. UNRHYW FATER ARALL Y GALL Y CADEIRYDD OHERWYDD
AMGYLCHIADAU ARBENNIG, BENDERFYNU EI YSTYRIED YN FATER
BRYN YN UNOL AG ADRAN 100B(4)(B) DEDDF LLYWODRAETH LEOL 1972**

Nid oedd dim materion brys i'w trafod.

CHAIR

DATE

Mae'r dudalen hon yn wag yn fwriadol

Y PWYLLGOR SAFONAU

7 Mawrth 2023

CYDYMFFURFIO Â'R CÔD YMDDYGIAD GAN GYNGHORWYR TREF A CHYNGHORWYR CYMUNED

**Pwrpas: Cytuno ar y cwmpas a'r fethodoleg ar gyfer ymarfer
cydymffurfio â'r côd 2022/2023**

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Cytuno ar y canlynol

1. Y cwestiynau cydymffurfio i'w gofyn
2. Sut mae'r data i'w ddarparu gan gynghorau
3. Sut mae'r data i'w gyflwyno i'r pwyllgor

Y rhesymau:

- Sicrhau bod y pwyllgor yn derbyn y data sydd ei angen arno i'w alluogi i gyflawni ei swyddogaethau mewn perthynas â Chynghorau Tref a Chymuned.

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: Ddim yn berthnasol

| | | |
|--|--|---|
| <p>Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Linda Rees-Jones</p> <p>Awdur yr Adroddiad: Robert Edgecombe</p> | <p>Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith</p> <p>Rheolwr y Gwasanaethau Cyfreithiol</p> | <p>Rhifau ffôn: 01267 224012 LRJones@sirgar.gov.uk</p> <p>01267 224018 rjedgeco@sirgar.gov.uk</p> |
|--|--|---|

EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023

Code of Conduct Compliance by Town and Community Councillors

For several years, the committee has undertaken a data gathering exercise with Town and Community Councils aimed at establishing the level of compliance with the members code of conduct in those organisations.

The questions normally asked related to

1. The number of declarations of interest made by councillors during the preceding municipal year
2. Whether the members and clerk had received code of conduct training during the preceding year

This information, combined with data regarding code of conduct complaints and dispensation requests gives the committee an overall picture of code compliance in the County.

Considering the provisions of the Local Government and Elections (Wales) Act 2021 regarding training for Town and Community Councils it is proposed that additional questions be added to this year's exercise, namely

1. Whether the Council has adopted a training plan for its members
2. Whether that plan has been published on the Council's website
3. Whether the plan includes a requirement for members to undertake code of conduct training
4. Whether the plan has been implemented

It is therefore proposed that

- The data be collected via an online snap survey, which will reduce the administrative burden of the exercise considerably.
- The data be presented to the committee using a mixture of charts and graphs, ideally allowing comparison with the preceding municipal year.
- The target date for delivery of the report be the scheduled quarterly committee meeting in December 2023.

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 and Law

| | | | | | | |
|--|----------------------|------------------------|--------------------|---------------------------------------|--------------------------------------|--------------------------------|
| Policy, Crime & Disorder and Equalities NONE | Legal NONE | Finance NONE | ICT NONE | Risk Management Issues NONE | Staffing Implications NONE | Physical Assets NONE |
|--|----------------------|------------------------|--------------------|---------------------------------------|--------------------------------------|--------------------------------|

CONSULTATIONS

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

Signed: *LRJones*

Head of Administration and Law

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

CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED
NO

N/A

Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report:

There are none.

Mae'r dudalen hon yn wag yn fwriadol

Y PWYLLGOR SAFONAU

7 Mawrth 2023

HYFFORDDIANT YNGHYLCH Y CÔD YMDDYGIAD AR GYFER CYNGHORWYR TREF A CHYMUNED

Pwrpas: Cytuno ar y dull gweithredu sydd i'w gymryd gan y Pwyllgor mewn perthynas â rhaglen y Côt Ymddygiad ar gyfer 2023

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

Cytuno ar y canlynol

- Faint o sesiynau hyfforddiant i'w cynnal
- Pan fydd y sesiynau hyfforddi i'w cynnal
- Ym mha ffordd y bydd y sesiynau hyfforddi yn cael eu cynnal

Y rhesymau:

- Sicrhau bod y sesiynau mor llwyddiannus â phosib

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: Ddim yn berthnasol

| | | |
|--|---|---|
| <p>Y Gyfarwyddiaeth</p> <p>Enw Pennaeth y Gwasanaeth:</p> <p>Linda Rees-Jones</p> <p>Awdur yr Adroddiad:</p> <p>Robert Edgecombe</p> | <p>Swyddi:</p> <p>Pennaeth Gweinyddiaeth a'r Gyfraith</p> <p>Rheolwr y Gwasanaethau Cyfreithiol</p> | <p>Rhifau ffôn:</p> <p>01267 224012</p> <p>LRJones@sirgar.gov.uk</p> <p>01267 224018</p> <p>rjedgeco@sirgar.gov.uk</p> |
|--|---|---|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Code of Conduct Training for Town and Community Councillors

For several years the committee has organised code of conduct training sessions for Town and Community Councillors each summer. These have usually taken the form of ‘in-person’ sessions in County Hall, with the 2022 sessions also being accessible remotely. Both sessions were recorded, and the recordings provided to councils to aide in the training of those members who were unable to attend.

For the first time, the sessions in 2022 were all held during the working day. Across the 2 sessions attendance was comparable to previous years. Subsequent consultation with councils identified that whilst some councillors preferred an evening session others preferred a daytime one and overall, there was no appreciable demand for an additional session or for sessions to be held during the evening. This was particularly if the sessions were being recorded and the recordings made available for viewing later.

The following is therefore proposed

1. Officers organise 2 code of conduct training sessions for Town and Community Councillors to take place in June or July 2023
2. The sessions be held during normal office hours and be hybrid events, attended in person at county hall or remotely via Zoom or Microsoft Teams
3. The sessions be recorded, and the recordings made available to Town and Community Councils along with the training materials used.

| | |
|-----------------------------------|-----------|
| 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 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: *LRJones*

Head of Administration and Law

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

| | |
|---|-----|
| CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED NO | N/A |
|---|-----|

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

There are none.

Mae'r dudalen hon yn wag yn fwriadol

Y PWYLLGOR SAFONAU

7 Mawrth 2023

DIWEDDARIAD AR Y CAMAU GWEITHREDU

Pwrpas: Arfarnu'r Pwyllgor ynghylch y camau a gymerwyd mewn ymateb i benderfyniadau a wnaed

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

- Craffu ar y cynnydd a wnaed mewn perthynas â chamau, ceisiadau neu atgyfeiriadau a gofnodwyd yn ystod cyfarfodydd blaenorol y Pwyllgor.

Y rhesymau:

- Galluogi aelodau i fonitro perfformiad mewn perthynas â'u camau gweithredu y cytunwyd arnynt

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: Ddim yn berthnasol

| | | |
|---|---|--|
| <p>Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Linda Rees-Jones</p> <p>Awdur yr Adroddiad: Robert Edgecombe</p> | <p>Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith</p> <p>Rheolwr y Gwasanaethau Cyfreithiol</p> | <p>Rhifau ffôn: 01267 224012 LRJones@sirgar.gov.uk 01267 224018 rjedgeco@sirgar.gov.uk</p> |
|---|---|--|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Actions Update

During the committee meeting on the 12th December 2022 the committee requested that a log of agreed actions arising from meetings of the committee be developed and be presented at future meetings of the committee.

The attached action log sets out the 2 actions arising at that meeting.

It is proposed that

1. The log be presented as an agenda item at each scheduled quarterly meeting of the committee and
2. That the actions be colour coded according to their status

Green – completed

Yellow – ongoing

Red - overdue

| | |
|----------------------------------|-------------|
| 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: Linda 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: *LRJones*

Head of Administration and Law

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

**CABINET MEMBER PORTFOLIO
HOLDER(S) AWARE/CONSULTED**

N/A

NO

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

There are none.

Mae'r dudalen hon yn wag yn fwriadol

| Reference | Meeting Date | ACTION | PROGRESS | Officer | Status |
|------------|--------------|--|---|---------------|-----------|
| DPSC-201/1 | 12/12/22 | Create an action log recording actions agreed at Standards committee meetings and present at each quarterly committee meeting | Log created and included on agenda for March 2022 meeting | R J Edgecombe | Ongoing |
| DPSC-201/2 | 12/12/22 | Write to Group leaders setting out the committee's requirements regarding compliance with the Group Leaders duty in the Local Government and Elections Act | Letter sent to Group Leaders 03/02/2023 | R J Edgecombe | Completed |

Mae'r dudalen hon yn wag yn fwiadol

Y PWYLLGOR SAFONAU

7 Mawrth 2023

CAIS AM OLLYNGIAD GAN Y CYNGHORYDD KIM BROOM

Pwrpas: Ystyried y cais a phenderfynu a ddylid caniatáu gollyngiad

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

- Penderfynu a ddylid caniatáu'r cais am ollyngiad

Y rhesymau:

- Mae gan y Cynghorydd Broom fuddiant personol a rhagfarnol a fyddai fel arall yn ei hatal rhag cymryd rhan yn y busnes cyngor hwn

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: Ddim yn berthnasol

| | | |
|---|---|--|
| <p>Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Linda Rees-Jones</p> <p>Awdur yr Adroddiad: Robert Edgecombe</p> | <p>Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith</p> <p>Rheolwr y Gwasanaethau Cyfreithiol</p> | <p>Rhifau ffôn: 01267 224012 LRJones@sirgar.gov.uk</p> <p>01267 224018 rjedgeco@sirgar.gov.uk</p> |
|---|---|--|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Dispensation Application by Cllr Kim Broom

County Councillor Kim Broom has submitted a dispensation request in relation to council business regarding the Council Tax Levy on second homes.

Councillor Broom would have a personal and prejudicial interest in such business as she owns a second property which she lets as a holiday home.

Councillor Broom seeks dispensation to speak and make written representations only, on the following grounds under the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001

Regulation 2(2)(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.

And

Regulation 2(2)(f) – the participation of the member in the business to which the interest relates is justified by the members particular role or expertise

If the committee is minded to grant Councillor Broom’s request it will need to determine the duration of that dispensation.

| | |
|-----------------------------------|-----------|
| 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 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: *LRJones*

Head of Administration and Law

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

**CABINET MEMBER PORTFOLIO
HOLDER(S) AWARE/CONSULTED**

N/A

NO

**Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:**

There are none.

Mae'r dudalen hon yn wag yn fwriadol

**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: Kim Vanessa Broom

Name of your Council: Carmarthenshire County Council

Your address and postcode:

Contact telephone number(s):

Email address: kvbroom@carmarthenshire.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?
Council Tax levy on 2nd Homes

What is your interest in the above matter?

I have a 2nd property next door on my smallholding that I have let as holiday home for a number of years, this provides additional income into the smallholding we have paid council tax on this property as currently there is a choice as to registering for business rates or pay Council tax. I have knowledge and experience of the demands on this sector of the economy and as such can speak but acknowledge that I have a prejudicial interest and will not be able to vote on any changes.

When will the above matter be considered?

Within the next year

Are you applying for dispensation to:

Speak only: X

Speak and vote:

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)

As already stated I have run a successful holiday let for over 20 years at times during some challenging times when we were unable to trade due to Foot and Mouth and Covid. I have knowledge of the sector and the demands within it, as such consideration needs to be made to certain groups when considering changes to the taxation of 2nd Homes. I feel I can add value to any debate on the subject .

(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.

Guidance notes

Tudalen 30

(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 | x |
| 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.

Y PWYLLGOR SAFONAU

7 Mawrth 2023

CAIS AM OLLYNGIAD GAN Y CYNGHORYDD JAMES PICKUP

Pwrpas: Ystyried y cais a phenderfynu a ddylid caniatáu gollyngiad

Ystyried y materion canlynol a chyflwyno sylwadau arnynt:

- Penderfynu a ddylid caniatáu'r cais am ollyngiad

Y rhesymau:

- Mae gan y Cynghorydd Pickup fuddiant personol a rhagfarnol a fyddai fel arall yn ei hatal rhag cymryd rhan yn y busnes cyngor hwn

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: Ddim yn berthnasol

| | | |
|---|--|--|
| <p>Y Gyfarwyddiaeth Enw Pennaeth y Gwasanaeth: Linda Rees-Jones</p> <p>Awdur yr Adroddiad: Robert Edgecombe</p> | <p>Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith</p> <p>Rheolwr y Gwasanaethau Cyfreithiol</p> | <p>Rhifau ffôn: 01267 224012 LRJones@sirgar.gov.uk 01267 224018 rjedgeco@sirgar.gov.uk</p> |
|---|--|--|

**EXECUTIVE SUMMARY
STANDARDS COMMITTEE
7th MARCH, 2023**

Dispensation Application by Cllr James Pickup

Cilycwm Community Councillor James Pickup has submitted a dispensation request in relation to council business regarding the Bute Energy Towy Usk Grid connection scheme.

Councillor Pickup would have a personal and prejudicial interest in such business as he is employed by Bute Energy and is the scheme's senior land manager.

Councillor Pickup seeks dispensation to speak only, on the following grounds under the Standards Committees (Grant of Dispensations)(Wales) Regulations 2001

Regulation 2(2)(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.

And

Regulation 2(2)(f) – the participation of the member in the business to which the interest relates is justified by the members particular role or expertise

If the committee is minded to grant Councillor Pickup 's request it will need to determine the duration of that dispensation.

| | |
|-----------------------------------|-----------|
| 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 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: <i>LRJones</i> | Head of Administration and Law |
| 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 | |

| | |
|---|-----|
| CABINET MEMBER PORTFOLIO HOLDER(S) AWARE/CONSULTED NO | N/A |
| Section 100D Local Government Act, 1972 – Access to Information List of Background Papers used in the preparation of this report: There are none. | |

Mae'r dudalen hon yn wag yn fwriadol

**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: James Barnard Pickup

Name of your Council: Cilycwm Community Council

Your address and postcode:

Contact telephone number(s):

Email address: jamiepickup@hotmail.com

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

Bute Energy Towy Usk Grid connection scheme

What is your interest in the above matter?

Bute are my employee and I am the schemes senior land manager

When will the above matter be considered?

Meeting to be held First Tuesday in March

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 checked="" 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 checked="" 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"/> |
| • it is appropriate to do so in all the circumstances where not otherwise possible to make reasonable adjustments to accommodate a person's disability | <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)

My employer is Bute Energy where I am their Senior land manager overseeing all lands matters across their various grid connection schemes. I am also a community councillor on Cilycwm Community Council. Bute recently wrote to Cilycwm Community Council as a consultee at the start of the projects landowner engagement and ahead of its 1st round of informal consultation proposed at the end of Q1 2023 (march). I immediately declared an interest and stated that I wanted no part in debating or responding to any forthcoming consultations but, with my Bute hat on I offered the other councillors a short presentation / briefing on what Bute are proposing. This presentation will be similar to those that I've given to MPs / NFU / CLA & members of Carms CC. The chair of Cilycwm CC has, on behalf the council asked to take me up on my offer of a briefing and I understand from an e-mail conversation with Mrs Rees Jones that I technically need dispensation to do this, hence this request.

(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.

Guidance notes

Tudalen 40

(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 | x |
| 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