

**DYDD LLUN, 14 TACHWEDD 2022**

**AT: HOLL AELODAU Y PWYLLGOR SAFONAU**

**YR WYF DRWY HYN YN EICH GALW I FYNYCHU CYFARFOD O'R  
PWYLLGOR SAFONAU A GYNHELIR YN SIAMBR, NEUADD Y SIR,  
CAERFYRDDIN AC O BELL AM 2.00 YP DYDD LLUN, 21AIN  
TACHWEDD, 2022 ER MWYN CYFLAWNI'R MATERION A  
AMLINELLIR AR YR AGENDA SYDD YNGHLWM**

*Wendy Walters*

**PRIF WEITHREDWR**

Swyddog Democrataidd:	Kevin J. Thomas
Ffôn (Ilinell uniongyrchol):	01267 224027
E-Bost:	kjthomas@sirgar.gov.uk
Gellir gwyllo'r cyfarfod ar wefan y cyngor drwy'r ddolen canlynol:- <a href="https://carmarthenshire.public-i.tv/core/portal/home">https://carmarthenshire.public-i.tv/core/portal/home</a>	

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 FEL COFNOD CYWIR GOFNODION CYFARFOD A GYNHALWYD AR:
  - 3 .1 25AIN AWST 2022; 5 - 6
  - 3 .2 14EG HYDREF 2022; 7 - 10
  - 3 .3 26AIN HYDREF 2022. 11 - 14
4. CANLLAWIAU GOLLYNGIAD. 15 - 22
5. CAIS AM OLLYNGIAD GAN GYNGHORWYR CYNGOR CYMUNED GORS-LAS SEF S. D. MARTIN, R. JAMES, N. LEWIS, E .GOLDSMITH. 23 - 34
6. CAIS AM OLLYNGIAD GAN GYNGHORWYR CYNGOR CYMUNED GORS-LAS SEF D. W. EDWARDS, C. GREEN, T. JUKES, N. LEWIS, A. KING. 35 - 46
7. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD SHAREN DAVIES. 47 - 54
8. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD EDWARD THOMAS. 55 - 64
9. CAIS AM OLLYNGIAD GAN Y CYNGHORWYR JEAN LEWIS, ANN DAVIES, GARETH BEYNON THOMAS, KEN HOWELL, HEFIN JONES, ARWEL DAVIES, MANSEL CHARLES, TYSSUL EVANS, KIM BROOM, LINDA DAVIES EVANS, ANDREW DAVIES, BRYAN DAVIES, HAZEL EVANS AC ELWYN WILLIAMS 65 - 76
10. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD ALEX EVANS. 77 - 82
11. CAIS AM OLLYNGIAD GAN Y CYNGHORYDD JOHN JENKINS. 83 - 92
12. CYDYMFFURFIAETH Â'R CÔD YMDDYGIAD GAN GYNGHORWYR TREF A CHYMUNED 2021-2022. 93 - 102
13. HYFFORDDIANT CÔD YMDDYGIAD. 103 - 106
14. 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

Mae'r dudalen hon yn wag yn fwriadol

Dydd Iau, 25 Awst 2022

**YN BRESENNOL:** M. Dodd (Cadeirydd)

**Aelodau Annibynnol:**

C. Davies, D. Evans, J. James, F. Phillips,

**Y Cynghorwyr:**

R. James, B.W. Jones a G.B. Thomas

**Yr oedd y swyddogion canlynol yn gwasanaethu yn y cyfarfod:**

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

R. Edgecombe, Rheolwr y Gwasanaethau Cyfreithiol

E. Evans, Prif Swyddog Gwasanaethau Democrataidd

S. Rees, Cyfieithydd Ar Y Pryd

J. Owens, Swyddog Gwasanaethau Democrataidd

E. Bryer, Swyddog Gwasanaethau Democrataidd

**Rhith-Gyfarfod - 2.00 - 2.40 yp**

**1. YMDDIHEURIADAU AM ABSENOLDEB.**

Cafwyd ymddiheuriad am absenoldeb gan Y Cyngorydd Tref P. Rogers (Aelod Cymunedol).

**2. DATGAN BUDDIANNAU PERSONOL.**

Ni ddatganwyd unrhyw fuddiannau personol.

**3. LLOFNODI YN GOFNOD CYWIR COFNODION Y CYFARFOD A GYNHALIWYD AR:**

**3.1. 28AIN GORFFENNAF 2022**

**PENDERFYNWYD** lofnodi bod cofnodion cyfarfod Y Pwyllgor Safonau oedd wedi ei gynnal ar 28ain Gorffennaf, 2022 yn gofnod cywir.

**3.2. 4YDD AWST 2022**

Derbyniodd y Cadeirydd ymddiheuriad gan y Cyngorydd R. James nad oedd wedi gallu mynychu cyfarfod y Pwyllgor Safonau a gynhaliwyd ar y 4ydd Awst, 2022.

**PENDERFYNWYD** lofnodi bod cofnodion cyfarfod Y Pwyllgor Safonau oedd wedi ei gynnal ar 4ydd Awst, 2022 yn gofnod cywir.

#### 4. GORCHYMYN I'R CYHOEDD ADAEL Y CYFARFOD

**PENDERFYNWYD YN UNFRYDOL**, yn unol â Deddf Llywodraeth Leol 1972, fel y'i newidiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007, orchymyn i'r cyhoeddadael y cyfarfod tra oedd yr eitemau canlynol yn cael eu hystyried, gan fod yr adroddiadau'n cynnwys gwybodaeth eithriedig fel y'i diffiniwyd ym mharagraff 12 a 13 o Ran 4 o Atodlen 12A i'r Ddeddf.

#### 5. YSTYRIAETH GYCHWYNNOL O ADRODDIAD A GYHOEDDWDYD GAN OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU MEWN PERTHYNAS Â'R CYNGHORYDD TREF LOUISE WRIDE

Ar ôl cynnal y prawf budd i'r cyhoedd **PENDERFYNWYD YN UNFRYDOL**, yn unol â'r Ddeddf y cyfeiriwyd ati yng nghofnod rhif 5 uchod, beidio â chyhoeddi cynnwys yr adroddiad gan ei fod yn cynnwys gwybodaeth eithriedig am faterion ariannol neu faterion busnes unigolyn penodol (gan gynnwys yr Awdurdod oedd yn meddu ar y wybodaeth honno) (Paragraff 12 a 13 o Ran 4 o Atodlen 12A i'r Ddeddf). Roedd y prawf budd y cyhoedd mewn perthynas â'r adroddiad hwn yn drech na'r budd i'r cyhoedd o ran datgelu'r wybodaeth ynddo byddai datgelu ar y cam cychwynnol hwn o broses dau gam yn anghymesur a byddai'n tarfu'n anfanteisiol ar fywyd preifat a bywyd teuluol y Cyngorydd dan sylw.

Bu'r Pwyllgor yn ystyried adroddiad a dderbyniwyd gan Swyddog Monitro'r Cyngor oddiwrth Ombwdsmon Gwasanaethau Cyhoeddus Cymru a nododd ganlyniadau'r ymchwiliad i honiadau bod y Cyngorydd Wride wedi torri côd ymddygiad yr aelodau.

Cynhaliodd aelodau, yn unol â'r gweithdrefnau a fabwysiadwyd gan y Pwyllgor, ystyriaeth gychwynnol o'r adroddiad ac yn seiliedig ar gynnwys adroddiad yr Ombwdsmon yn unig daeth i benderfyniad.

**PENDERFYNWYD YN UNFRYDOL** bod yr adroddiad yn cynnwys tystiolaeth o doriad ac y dylai'r Cyngorydd Wride gael cyfle i gyflwyno sylwadau i'r Pwyllgor, naill ai ar lafar neu'n ysgrifenedig, mewn perthynas â chanfyddiadau'r ymchwiliad

---

CADEIRYDD

---

DYDDIAD

**DYDD GWENER 14 HYDREF 2022**

**YN BRESENNOL:** Mrs M. Dodd [Cadeirydd] (P)

**Aelodau Annibynnol:**

C. Davies (H), J. James (P) a P. Rogers (P)

**Cynghorwyr:**

R. James (H), B.W. Jones (H) a G.B. Thomas (H)

**Roedd y Swyddogion canlynol yn bresennol yn y cyfarfod:**

L. Rees-Jones - Pennaeth Gweinyddiaeth a'r Gyfraith / Swyddog Monitro (H)

R. Edgecombe - Rheolwr Gwasanaethu Cyfreithiol / Dirprwy Swyddog Monitro (P)

M. Evans Thomas - Prif Swyddog Gwasanaethau Democrataidd [Cymwrwr Nodiadau] (H)

J. Owen - Swyddog Gwasanaethau Democrataidd (P)

S. Hendy - Swyddog Cymorth Aelodau (P)

A. Eynon - Cyfieithydd ar y Pryd (P)

**Hefyd yn bresennol:**

Ms S. Cook - Swyddog Ymchwilio Cynorthwyol, Swyddfa Ombwdsmon Gwasanaethau Cyhoeddus Cymru (H)

Y Cynghorydd Tref L. Wride (H)

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

**Cyfarfod Aml-leoliad: Y Siambr, Neuadd y Sir, Caerfyrddin ac o bell: 2.30 pm - 3.22 pm**

**1. YMDDIHEURIADAU AM ABSENOLDEB**

Cafwyd ymddiheuriad am absenoldeb gan Mrs D. Evans, Aelod Annibynnol.

**2. DATGAN BUDDIANNAU PERSONOL**

Ni chafwyd dim datganiadau o fuddiant.

**3. GORCHYMYN I'R CYHOEDD ADAEL Y CYFARFOD**

**PENDERFYNWYD YN UNFRYDOL, yn unol â Deddf Llywodraeth Leol 1972, fel y'i diwygiwyd gan Orchymyn Llywodraeth Leol (Mynediad at Wybodaeth) (Amrywio) (Cymru) 2007, orchymyn i'r cyhoedd adael y cyfarfod tra oedd yr eitem ganlynol yn cael ei hystyried, gan fod yr adroddiad yn cynnwys gwybodaeth eithriedig fel y'i diffiniwyd ym mharagraffau 12 a 13 o Ran 4 o Atodlen 12A i'r Ddeddf.**

#### 4. ADOLYGIAD CYN GWRANDAWIAD MEWN PERTHYNAS AG ADRODDIAD A GYHOEDDWDYD GAN OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU YN YMWNEUD Â'R CYNGHORYDD TREF LOUISE WRIDE

Yn sgil cynnal y prawf budd y cyhoedd PENDERFYNWYD, yn unol â'r Ddeddf y cyfeiriwyd ati yng nghofnod 3 uchod, beidio â chyhoeddi cynnwys yr adroddiad am ei fod yn cynnwys gwybodaeth eithriedig ynghylch unigolyn penodol a gwybodaeth sy'n debygol o ddatgelu pwy oedd unigolyn (Paragraffau 12 a 13 o Ran 4 o Atodlen 12A i'r Ddeddf). Roedd y prawf budd y cyhoedd mewn perthynas â'r adroddiad hwn yn drech na'r budd i'r cyhoedd o ran datgelu'r wybodaeth a geir ynddo gan y byddai datgelu'r wybodaeth yn ystod y cam cychwynnol hwn o broses dau gam yn ymyrraeth ormodol a heb gyfiawnhad i fywyd preifat a theuluol y Cyngorydd a thrydydd partion eraill y cyfeirir atynt yn yr adroddiad.

Croesawodd y Cadeirydd y Cyngorydd Tref Louise Wride a Ms Sinead Cook o Swyddfa Ombwdsmon Gwasanaethau Cyhoeddus Cymru i'r cyfarfod.

Atgoffodd y Cadeirydd y Pwyllgor fod ystyriaeth gychwynnol wedi'i rhoi i'r adroddiad a gyhoeddwyd gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru mewn perthynas â'r Cyngorydd Tref Louise Wride, yng nghyfarfod y Pwyllgor Safonau a gynhaliwyd ar 25 Awst. Yn y cyfarfod hwnnw penderfynodd y Pwyllgor roi cyfle i'r Cyngorydd Wride gyflwyno sylwadau i'r Pwyllgor mewn perthynas â chanfyddiadau'r ymchwiliad.

Prif bwrpas yr Adolygiad Rhagwrandawriad oedd ystyried cais y Cyngorydd Wride am i'r gwrandawriad terfynol gael ei glywed yn breifat. Nodir y ddeddfwriaeth berthnasol yn Atodlen 12A i'r Ddeddf Llywodraeth Leol ac mae'n cynnwys darpariaeth ar gyfer ystyried mater yn breifat lle mae'n cynnwys gwybodaeth sy'n ymwneud ag unigolyn penodol (paragraff 12) a gwybodaeth sy'n debygol o ddatgelu pwy yw unigolyn (paragraff 13). Mae'r ddwy sail hyn yn destun prawf ehangach o ran budd y cyhoedd.

Gwahoddwyd Ms Cooke o Swyddfa'r Ombwdsmon i annerch y Pwyllgor a rhoddodd ychydig o gefndir a chyd-destun ynghylch yr achos.

Yna gwahoddwyd y Cyngorydd Wride i annerch y Pwyllgor ynglŷn â chymau pellach yr achos.

Esboniodd y Dirprwy Swyddog Monitro, pe bai'r Pwyllgor yn penderfynu cynnal y cam nesaf yn gyhoeddus, y byddai'n dal yn bosibl i'r Pwyllgor gynnal sesiwn breifat pe baent yn barnu bod hynny'n angenrheidiol.

Yn dilyn trafodaeth hir,

**PENDERFYNWYD, yn unol â'r gofyniad i fod yn agored ac yn dryloyw mewn perthynas â'r dyletswyddau a wneir gan y Pwyllgor Safonau, fod gwrandawriad terfynol yr achos mewn perthynas â'r Cyngorydd Tref Louise Wride yn cael ei gynnal yn gyhoeddus gan roi sancsiynau ar waith i alluogi'r Pwyllgor i gynnal sesiwn breifat pe bai hynny'n cael ei farnu'n angenrheidiol.**



**5. 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 unrhyw eitemau eraill o fater brys i'w hystyried.

---

**CADEIRYDD**

---

**DYDDIAD**

Mae'r dudalen hon yn wag yn fwriadol

**DYDD MERCHER, 26 HYDREF 2022**

**PRESENNOL** Cyngorydd M. Dodds (Cadeirydd)

**Cynghorwyr (Yn y Siambr):**

D. Evans P. Rogers R. James

**Cynghorwyr (Yn rhithwir):**

C. Davies J. James F. Phillips B.W. Jones  
G.B. Thomas

**Hefyd yn bresennol (Yn y Siambr):**

R. Edgecombe, Rheolwr y Gwasanaethau Cyfreithiol  
E. Evans, Prif Swyddog Gwasanaethau Democrataidd  
J. Owen, Swyddog Gwasanaethau Democrataidd  
M. Evans Thomas, Prif Swyddog Gwasanaethau Democrataidd

**Chamber - County Hall, Carmarthen. SA31 1JP and remotely - 2.30 - 4.30 yp**

**1. YMDDIHEURIADAU AM ABSENOLDEB.**

Ni chafwyd ymddiheuriadau am absenoldeb.

**2. DATGAN BUDDIANNAU PERSONOL.**

Ni chafwyd dim datganiadau o fuddiant.

**3. GWRANDAWIAD TERFYNOL MEWN PERTHYNAS AG ADRODDIAD A GYHOEDDWDYD GAN OMBWDSMON GWASANAETHAU CYHOEDDUS CYMRU YNGHYLCH Y CYNGHORYDD TREF LOUISE WRIDE.**

Croesawodd y Cadeirydd y Cyngorydd Tref Louise Wride a Ms Sinead Cook a Ms Sarah Jones o Swyddfa Ombwdsmon Gwasanaethau Cyhoeddus Cymru i'r cyfarfod.

-

Atgoffwyd y Pwyllgor, yng nghyfarfod y Pwyllgor Safonau ar 25 Awst, fod ystyriaeth gychwynnol wedi'i rhoi i'r adroddiad a gyhoeddwyd gan Ombwdsmon Gwasanaethau Cyhoeddus Cymru yn manylu ar ganlyniadau eu hymchwiliad i honiadau bod y Cynghorydd Tref Louise Wride wedi torri Côt Ymddygiad yr Aelodau. Daeth y Pwyllgor i'r casgliad fod yr adroddiad wedi datgelu tystiolaeth oedd yn awgrymu fod y Côt Ymddygiad wedi'i dorri. Aeth yr achos ymlaen wedyn i'r cam nesaf a gwahoddwyd y Cynghorydd Wride i gyflwyno sylwadau ynghylch cynnydd pellach yr achos.

Yng nghyfarfod y Pwyllgor Safonau a gynhaliwyd ar 14 Hydref 2022, cynhaliwyd Adolygiad Rhagwrandawriad, a'r prif nod oedd ystyried cais y Cynghorydd Wride y dylid clywed y gwrandawriad terfynol yn breifat. Penderfynodd y Pwyllgor fod y gwrandawriad terfynol heddiw yn cael ei gynnal yn gyhoeddus ond byddai'r Pwyllgor yn dechrau sesiwn breifat pe bai'n cael ei ystyried er budd y cyhoedd ar unrhyw adeg.

Yn y gwrandawriad olaf heddiw roedd gofyn i'r Pwyllgor ystyried yr achos yn llawn a phenderfynu a oedd ymddygiad y Cynghorydd Wride yn torri'r Côt a fabwysiadwyd gan Gyngor Tref Llanymddyfri fel yr awgrymwyd yn adroddiad yr Ombwdsmon.

Roedd angen i'r Pwyllgor benderfynu a wnaeth ymddygiad y Cynghorydd Wride ddwyn anfri ar ei swydd fel Cynghorydd Tref a/neu ei Chyngor. Yr ymddygiad dan sylw yw collfarn y Cynghorydd Wride am drosedd, fel y nodir yn adroddiad yr Ombwdsmon.

Pe bai'r Pwyllgor yn penderfynu bod ymddygiad y Cynghorydd Wride wedi torri'r Côt, byddai angen wedyn ystyried pa gosb (os o gwbl) yr oedd am ei rhoi. Yr uchafswm gosb y gellid ei rhoi oedd ei hatal o'r swydd am hyd at 6 mis. Pe bai'r Pwyllgor yn dod i'r casgliad bod y Cynghorydd Wride wedi torri'r côd ac yn rhoi cosb iddi, byddai gan y Cynghorydd Wride hawl i apelio i Banel Dyfarnu Cymru.

Gwnaeth Ms Cook o Swyddfa'r Ombwdsmon grynhai canfyddiadau'r ymchwiliad a gynhaliwyd a rhoddwyd cyfle i'r Pwyllgor ofyn cwestiynau/gofyn am eglurhad.

Cafodd y Cynghorydd Wride wahoddiad i annerch y Pwyllgor yn ei hamddiffyniad o'r canfyddiadau a rhoddwyd cyfle i'r Pwyllgor ofyn cwestiynau/gofyn am eglurhad.

Ar y pwynt hwn yn yr achos cafodd ei gynnig a'i eilio, yn unol ag Adran 100A(4) o Ddeddf Llywodraeth Leol 1972, fod y wasg a'r cyhoedd yn cael eu heithrio o'r cyfarfod am y rheswm, pe byddent yn bresennol, ei bod yn debygol y byddai datgeliad iddynt o wybodaeth eithriedig fel y'i diffinnir ym Mharagraff 16 o Atodlen 12A i Ddeddf Llywodraeth Leol 1972 sef gwybodaeth o ran y gellid honni baint gyfreithiol broffesiynol mewn perthynas â hi mewn achosion llys cyfreithiol.

**PENDERFYNWYD YN UNFRYDOL gynnal sesiwn preifat er mwyn i'r Cyngor ystyried gwybodaeth eithriedig fel y'i diffinnir ym Mharagraff 16 o Atodlen 12A i Ddeddf Llywodraeth Leol 1972.**

Gwnaeth cynrychiolwyr Swyddfa'r Ombwdsmon a'r Cynghorydd Wride adael y cyfarfod a chafodd gwe-ddarllediad y cyfarfod ei oedi. Ar ôl i'r trafodaethau hynny ddod i ben, ail-ymunodd cynrychiolwyr yr Ombwdsmon a'r Cynghorydd Wride yn cyfarfod ac ailddechreuwyd y gwe-ddarllediad.

### **Penderfyniad o ran torri'r côd**

Yn seiliedig ar y ffeithiau diamheuol yn yr achos hwn, roedd y Pwyllgor o'r farn y byddai aelod rhesymol o'r cyhoedd o'r farn bod ymddygiad y Cynghorydd Wride wedi dwyn anfri ar ei swydd fel Cynghorydd a'i Chyngor ac felly roedd yn fodlon bod y Cynghorydd Wride wedi torri Paragraff 6(1)(a) o'r Côt Ymddygiad. Roedd hyn yn sylweddol o gofio bod y Cynghorydd Wride, ar adeg y toriad, wedi dal swydd uwch yn y Cyngor fel Maer a bod ei hymddygiad wedi arwain at golffarn droseddol.

Ar yr adeg hon yn yr achos, er mwyn i'r Pwyllgor dderbyn gwybodaeth bersonol gyfrinachol gan y Cynghorydd Wride i'w alluogi i benderfynu ar ba gosb, os o gwbl, y dylid ei rhoi,

### **PENDERFYNWYD YN UNFRYDOL gynnal sesiwn preifat er mwyn i'r Cyngor ystyried gwybodaeth eithriedig fel y'i diffinnir ym Mharagraff 16 o Atodlen 12A i Ddeddf Llywodraeth Leol 1972.**

Felly, cafodd gwe-ddarllediad y cyfarfod ei oedi wrth i'r wybodaeth bersonol gyfrinachol honno gael ei darparu i'r pwyllgor

Aeth y pwyllgor i ystyried pa gosb, os o gwbl, y byddai'n rhoi a gadawodd y Cynghorydd Wride a chynrychiolydd yr Ombwdsmon y cyfarfod unwaith eto.

Ar ôl gwneud ei benderfyniad daeth y sesiwn breifat i ben ac ail-ymunodd cynrychiolwyr yr Ombwdsmon a'r Cynghorydd Wride â'r cyfarfod ac ailddechreuwyd y gwe-ddarllediad fel bod modd rhoi'r penderfyniad ynghylch cosb.

### **Penderfyniad ynghylch cosb**

Wrth ystyried y gosb i'w rhoi i'r Cynghorydd Wride am iddi dorri'r Côt, roedd y Pwyllgor wedi ystyried y sylwadau a wnaed ar ran yr Ombwdsmon a'r rhai a wnaed gan y Cynghorydd Wride.

Roedd y Pwyllgor yn dilyn y broses pum cam a nodwyd mewn canllawiau a gyhoeddwyd gan Banel Dyfarnu Cymru.

Ar ôl ystyried yr holl dystiolaeth a sylwadau a roddwyd gerbron,

### **PENDERFYNWYD y byddai'n briodol ac yn gymesur i atal y Cynghorydd Wride am gyfnod o 2 fis ac y dylai ymgymryd â hyfforddiant Côt Ymddygiad o fewn y chwe mis nesaf.**

**4. 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 unrhyw eitemau eraill o fater brys i'w hystyried.

\_\_\_\_\_  
**CHAIR**

\_\_\_\_\_  
**DATE**

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

<b>CANLLAWIAU GOLLYNGIAD</b>		
Yr argymhellion / penderfyniadau allweddol sydd eu hangen: <b>Ystyried natur a chwmpas y gollyngiadau a roddir mewn achosion lle mae buddiant yr aelod yn eang ei natur</b>		
<b>Y Rhesymau:</b> <b>Mae rhoi gollyngiadau yn rhan o gylch gwaith y pwyllgor</b>		
Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES  <b>Gan gynnwys dyddiad y Pwyllgor (os yw'n hysbys ac unrhyw arsylwadau yma <u>neu</u> yn yr adran Ymgynghoriadau)</b>		
Angen i'r Cabinet wneud penderfyniad NAC OES  Angen i'r Cyngor wneud penderfyniad OES		
YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: - Y Cynghorydd Linda Evans		
Y Gyfarwyddiaeth:  Enw Pennaeth y Gwasanaeth:  Linda Rees-Jones  Awdur yr Adroddiad: Robert Edgecombe	Swyddi:  Pennaeth Gweinyddiaeth a'r Gyfraith  Rheolwr y Gwasanaethau Cyfreithiol	Ffôn: 01267 224018  Cyfeiriadau e-bost: rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**DISPENSATIONS GUIDANCE**

During the meeting of the committee in June 2022 dispensation requests were considered in relation to

- Farming and Agricultural matters generally
- The provision of social care services in Carmarthenshire and across the South West Wales Region

Committee members have asked for further guidance in relation to such dispensation requests given how wide ranging they can be in nature, scope, and effect.

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 offer no guidance on this issue, merely setting out the grounds upon which a dispensation may be granted.

Guidance issued by the Public Services Ombudsman for Wales on the members code of conduct states at paragraph 3.64

*“The Standards Committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority”*

**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:** LRees-Jones

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>



# 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

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

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

No

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Department File	DPSC-200	County Hall

Mae'r dudalen hon yn wag yn fwriadol

# **DISPENSATIONS GUIDANCE**

## **Introduction**

During the meeting of the committee in June 2022 dispensation requests were considered in relation to

- Farming and Agricultural matters generally
- The provision of social care services in Carmarthenshire and across the Southwest Wales Region

In both cases dispensations were granted to speak/make written representations but not vote and were subject to certain caveats.

Committee members have asked for further guidance in relation to such dispensation requests given how wide ranging they can be in nature, scope, and effect.

## **Legislation and Guidance**

There appears to be no specific legislative provision or statutory guidance on this precise issue. Regulations prescribe the grounds upon which a dispensation can be granted and these are set out in the dispensation application form. The executive summary in the covering report references the relevant legislation and the one paragraph of the Ombudsman's guidance that may be considered relevant.

## **Basic Principles**

The first point the committee needs to remember is that any dispensation only applies where the member in question has a personal and prejudicial interest in an item of council business which would otherwise prevent their participation. If the member does not have that interest in the item of business, then they can participate fully irrespective of what the dispensation says.

So, taking the farming dispensation as an example, if the item of council of business is a motion on notice calling on supermarkets to only sell Welsh lamb, a dairy or arable farmer may well not have a personal and prejudicial interest in that motion (as it does not relate to or be likely to

affect their farming business) and will therefore be able to participate fully (including vote) without having to rely on their dispensation.

In contrast a sheep farmer would have a personal and prejudicial interest in that motion and therefore would have to rely on their dispensation to participate.

Invariably there will be individual councillors who fall between these two ends of the spectrum. Councillors who rent out land to sheep farmers for example would have to carefully consider their personal position in such a situation and may have to rely upon their dispensation to participate even though the main part of their personal farming activity is not sheep farming.

The second point the committee needs to remember is that in considering a dispensation application it is conducting a balancing exercise. As the Ombudsman's guidance says

*“The Standards Committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority”*

This will invariably need to be determined on a case-by-case basis and it is quite reasonable for the committee to conclude in a particular case that the balance of the public interest is in favour of allowing a member to speak/make written representations but not vote. It would appear from the wording of the Ombudsman's guidance that a factor in the committee's conclusions would be whether there would still be a 'reasonably representative group of members' available to make a decision, if the dispensation application were refused or only granted to speak/make written representations. What constitutes a 'reasonably representative group of members' will depend on the facts of each application.

### Alternative Approach

The practice of granting broad dispensations of the nature outlined above is relatively new, the first being granted in 2017 because of a motion on notice at full council. Since then, similar broad dispensations have been granted on 6 occasions, including the 2 granted at the

meeting in June. These dispensations have related to a wide variety of interests and to councillors across the political spectrum.

In line with advice given to councillors at code of conduct training sessions, members have been encouraged to be pro-active in seeking dispensations where they consider that they are likely to have a personal and prejudicial interest at some point in upcoming council business.

The alternative approach would be to expect members to apply for a dispensation each time an item of council business arises in which they have a prejudicial interest. However quite often members will not have sufficient warning that a particular item of business will be on the agenda to enable them to apply for a dispensation.

Taking the recent social care services dispensation as an example a motion on notice on this subject need only be submitted to the Chief Executive 7 clear working days before the meeting at which it is to be considered. The meeting agenda and reports must then be published at least 3 clear days before the meeting.

The first the member may know of the motion would be when they receive the agenda for the meeting. Clearly it would not be possible for that member to apply for a dispensation and have their request considered by the committee within 3 days.

Requiring the member to apply for a dispensation each time a specific item of council business arose regarding the provision of social care services (and in which he considered he had a prejudicial interest) would therefore have the practical effect of excluding him from the consideration of such business even though, in line with the Ombudsman's guidance, the committee might feel that the balance of public interest was in favour of allowing him to participate on that occasion.

## Conclusion

The Committee's annual report has in recent years contained the statement that

"The Committee continues to approach each application with a presumption in favour of granting a dispensation wherever practicable, particularly in relation to granting a dispensation to speak only." [my emphasis]

The Committee has tended to draw a distinction between dispensations to speak only and dispensations to speak and vote and this approach is fully justified provided they consider each application on its on individual merits.

Where the members of the committee consider the balance of public interest lies in each individual case is a matter for them to decide based on the particular facts of that case.

Granting broad dispensations of the sort given in June has the effect of enabling councillors to participate in council business which they may otherwise be excluded from in practice due to having insufficient time to make a specific dispensation application.

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

**CAIS AM OLLYNGIAD GAN GYNGHORWYR CYNGOR CYMUNED  
GORS-LAS SEF S. D. MARTIN, R. JAMES, N. LEWIS,  
E .GOLDSMITH**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Ystyried y cais atodedig

Y Rhesymau:

Mae penderfynu ar geisiadau am ollyngiad yn rhan o gylch gwaith y pwyllgor

Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES

**Gan gynnwys dyddiad y Pwyllgor (os yw'n hysbys ac unrhyw arsylwadau yma neu yn yr adran Ymgynghoriadau)**

Angen i'r Cabinet wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: - Y Cynghorydd Linda Evans

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:  
Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth  
a'r Gyfraith

Rheolwr y Gwasanaethau  
Cyfreithiol

Ffôn: 01267 224018

Cyfeiriadau e-bost:  
rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS  
S D MARTIN, R JAMES, N LEWIS, E GOLDSMITH**

A dispensation application has been received from the Clerk to Gorslas Community Council on behalf 4 councillors who are governors of schools within the administrative area of the community council.

The application is to both speak and vote.

The Councillors have a personal interest in council business relating to the schools of which they are governors by virtue of paragraph 10(2)(a)(ix)(aa) of the members code of conduct.

The exemption in paragraph 12(2)(a)(iv) of the code relating to school governors would not apply if the council business related to the specific school of which the councillor was a governor.

The application is made on the ground that to enable the councillors to participate in council business relating to their individual schools would not damage public confidence in the conduct of that business.

The attached application sets out in detail the nature of the interests and the basis upon which dispensation is sought.

Committee members should also be aware that dispensations to speak and vote were granted to 7 Gorslas councillors (including 1 of the current applicants) in respect of the same interest in 2016. Dispensations were also granted to 4 Gorslas councillors in 2017, again to speak and vote. Two of the councillors granted dispensation in 2017 are amongst the current applicants. In 2016 and 2017 dispensations were granted until the end of the councillor's terms of office

**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:** LRees-Jones

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>



# 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

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

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

No

## Section 100D Local Government Act, 1972 – Access to Information

### List of Background Papers used in the preparation of this report:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Department File	DPSC-200	County Hall

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: Schedule of Members Names Attached

Name of your Council: Gorslas Community Council

Your address and postcode: As per attached schedule

Contact telephone number(s): As per attached schedule

Email address: Gorslas.CC.Clerk@gmail.com

**2. DETAILS OF YOUR INTEREST**

What is members interest in the above matter?

The members stated in the attached schedule are also governors of primary schools in the local area which fall within the Gorslas Community Council wards.

When will the above matter be considered?

- Park matters arise at each meeting of the Community Council and can involve school matters.
- The Community Use Agreement related to the new Gorslas CP School is likely to feature at each meeting of the Community Council for the 2022/23 year and subsequently probably reviewed and updated every school term. These are estimates as the new school will be established at the new location in September 2022, and thus the timescale for negotiation, completion and implementation of the agreement have not been finalised.

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 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"/>

The Community Council is not involved directly in the running of schools. The County Council, as well as residents, do however refer issues related to any proposed changes to the schools' network affecting the area or issues related to the admission of pupils to the schools and or lack of suitable accommodation, facilities or provision.

Additionally, issues arise at Council meetings which relate to local schools and in particular currently the new Gorslas C.P. school which is re-locating to Gorslas Park. The Community Council is negotiating an agreement with the Governing Body in relation to the use of certain facilities outside school times and days.

At Cefneithin Park the local primary school is given free use of the MUGA and of the adjoining park, both of which are owned by the Community Council to provide physical exercise and team games for the pupils.

It is likely that operational, and management issues will arise during the course of the next five years where there will be an interaction with the Governing Body specifically in relation to these arrangements.

Having members of the Community Council who are also members of the Governing Body has proved particularly beneficial in terms of shared problem areas in the three parks. Dog fouling is one such issue and through the offices of the members of the two bodies it has been possible to agree an action plan which will commence in September, 2022 and include both bodies as well as the County Council.

The partnership type arrangement also made the process of consulting with the local schools to obtain the views of the pupils in relation to the type and nature of play equipment they would like to see in the parks in the future. That information was used as part of the tender process and also to support application for financial assistance.

The Community Council is also conscious of the fact that a number of its members volunteered to be nominated as representatives of the Council on the Governing Bodies of the schools as they have an active interest and commitment in education.

It would seem punitive, and a disincentive, to then prohibit them from discussions and decisions relating to those schools given their desire to serve the community and the school.

The Community Council feels there is a benefit in allowing members in such a position to be able to contribute, take part and vote in relation to issues affecting those schools.

It is believed that the overall balance of public interest is best served by such an arrangement and that there is a sufficient safeguard in that the vast majority of Councillors do not have any formal involvement with the school.

The Community Council therefore respectfully requests that consideration be given to retaining the current arrangement

please continue on a separate sheet if necessary)

The Community Council is not involved directly in the running of schools. The County Council, as well as residents, do however refer issues related to any proposed changes to the schools' network affecting the site or issues related to the admission of pupils to the schools and or lack of suitable accommodation, facilities or provision.

Additionally, issues arise at Council meetings which relate to local schools and in particular currently the new Gorslas C.P. school which is re-locating to Gorslas Park. The Community Council is negotiating an agreement with the Governing Body in relation to the use of certain facilities outside school times and days.

At Cefnithin Park the local primary school is given free use of the MUGA and of the adjoining park, both of which are owned by the Community Council to provide physical exercise and team games for the pupils.

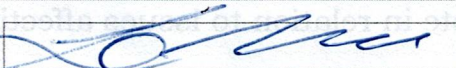
It is likely that operational, and management issues will arise during the course of the next five years where there will be an interaction with the Governing Body specifically in relation to these arrangements.

Having members of the Community Council who are also members of the Governing Body has proved particularly beneficial in terms of shared problem areas in the three parks. Dog fouling is one such issue and through the offices of the members of the two bodies it has been possible to agree an action plan which will commence in September, 2022 and include both bodies as well as the County Council.

The partnership type arrangement also made the process of consulting with the local schools to obtain the views of the pupils in relation to the type and nature of play equipment they would like to see in the parks in the future. That information was used as part of the tender process and also to support application for financial assistance.

The Community Council is also conscious of the fact that a number of its members volunteered to be nominated as representatives of the Council on the Governing Bodies of the schools as they have an active interest and commitment in education.

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: 02.08.22

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"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>	
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

Tudalen 31

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

		10(2)(a)
		10(2)(c)
		13

(2) The Standards Committee (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 (b) or (a) 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 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 individuals of the area of the relevant authority that the disability should be removed provided that written notification



## **Appendix A GORSLAS COMMUNITY COUNCIL MEMBERS**

### Cefneithin C.P School

Simon David Martin,  
Cwmeiddon,  
Maesybont, Llanelli SA14 7HF ,

Roy James,  
No 4 Heol Trefenty,  
Cefneithin, SA14 6TE

### Drefach and Cross Hands CP Schools Federation.

Nia Lewis,  
Rhoswen ,  
Heol Caegwyn, Drefach SA14 7BB

### Gorslas C.P. School

Elinor Goldsmith,  
5 Heol Yr Eglwys,  
Gorslas. SA14 7NF.

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

**CAIS AM OLLYNGIAD GAN GYNGHORWYR CYNGOR CYMUNED  
GORS-LAS SEF D W EDWARDS, C GREEN, T JUKES, N LEWIS,  
A KING**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Ystyried y cais atodedig

Y Rhesymau:

Mae penderfynu ar geisiadau am ollyngiad yn rhan o gylch gwaith y pwyllgor

Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES

Angen i'r Cabinet wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: - Y Cyngorydd Linda Evans

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:  
Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth  
a'r Gyfraith

Rheolwr y Gwasanaethau  
Cyfreithiol

Ffôn: 01267 224018

Cyfeiriadau e-bost:  
rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**DISPENSATION APPLICATION BY GORSLAS COMMUNITY COUNCILLORS  
D. W. EDWARDS, C. GREEN, T. JUKES, N. LEWIS, A. KING**

A dispensation application has been received from the Clerk to Gorslas Community Council on behalf 5 councillors who are members of 2 different welfare associations within the administrative area of the community council.

The application is to both speak and vote.

The Councillors have a personal interest in council business relating to these welfare associations by virtue of paragraph 10(2)(a)(ix)(ee) of the members code of conduct.

The application is made on the ground that to enable the councillors to participate in council business relating to their respective welfare associations would not damage public confidence in the conduct of that business and that the interest relates to a voluntary organisation in which the councillor has a management role and that the councillor has no other personal interest.

The attached application sets out in detail the nature of the interests and the basis upon which dispensation is sought.

Committee members should also be aware that dispensations to speak and vote were granted to 15 Gorslas councillors (including 3 of the current applicants) in respect of the same interest in 2015. Dispensations were also granted to 4 Gorslas councillors in 2016 (namely the 4 current applicants), again to speak and vote. In 2017 dispensations were again granted to the same 4 councillors to speak and vote in respect of these interests. The 2015 dispensation was granted for 6 months but in 2016 and 2017 dispensations were granted until the end of the councillor's terms of office.

**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:** LRees-Jones

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

# 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

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

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

No

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Department File	DPSC-200	County Hall

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: Schedule of Members Names Attached

Name of your Council: Gorslas Community Council

Your address and postcode: As per attached schedule

Contact telephone number(s): As per attached schedule

Email address: Gorslas.CC.Clerk@gmail.com

### 2. DETAILS OF YOUR INTEREST

- Members of the Welfare Committee

#### **Explanatory Note - Welfare Committees.**

- The Community Council own the recreational parks at Gorslas, Drefach and Cefneithin.
- Accordingly, it makes strategic and operational decisions relating to general provision for the three parks but also on occasion in relation to individual park.
- There are Welfare Associations in each of those communities have a consultative role in the running of the park in their particular area.
- The Community Council also, on occasion, considers requests from the three local Welfare Associations at Cefneithin, Drefach and Gorslas for financial assistance to host community events notably Christmas tree and lights events within their community.
- Many of the Community Councillors are also members of the Welfare Association for the area in which their electoral Ward falls.
- The Community Councillors do not have a direct personal or financial interest in any of the three Welfare Associations.
- Dispensation is sought to allow Community Councillors, to speak and vote at meetings of the Community Council on matters related to the three parks, including the park within the ward which they represent and are members of the Welfare Association as well as matters relating to requests for financial assistance up to £500 from those associations and for the benefit of the local community.
- The request is made to allow the Council to benefit from the input and local knowledge of the elected members on matters related to the relevant ward and for which the local members are also members of the Welfare Association.
- It will facilitate the decision through the provision of local relevant community-based information from members representing the respective wards before a decision is made and which the Council would otherwise not be in possession of.

**What is members interest in the above matter?**

- The elected representatives are also members of the Welfare Association within their respective wards and thus the Welfare Organisation association could potentially benefit from a decision made by the Community Council relating either to the park or for the granting of financial assistance for community events.

**When will the above matter be considered?**

- Park matters will arise at each meeting of the Community Council.
- Financial Assistance Requests are considered usually once a year

**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 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 checked="" 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)**

The Welfare Associations have played a significant role in the development of the parks which the Community Council own and operate and play a consultative role in obtaining the views of residents on proposed changes to the park or any issues residents may have with difficulties arising from the operation of the parks.

The Community Councillors who are also members of the local Welfare Associations contribute to the work of the Community Council considerably through the pooling and sharing of their ongoing knowledge of the activities, aims and actions of the local organisations.

The full Council consists of 15 Councillors, five from each of the three wards. There is also a Sub Committee ( it is a General Purpose Sub Committee and deals with any matters delegated to it by full Council – there are no other committees or sub - committees). One member from each ward sits on the Sub Committee and each ward also appoints a further member, as part of a mentoring and development programme, to serve in the role of observer.

The balance of membership of Councillors who are also members of Welfare Associations has changed following the elections in May 2022. It currently stands at 33% of the total membership.

Whilst that is shy of the 50% threshold indicated as a stated reason for applying for dispensation if a third of the total membership was not able to participate in the discussion and decision-making process then it would impact on the quality of the decision-making process and leave the views of a significant number of electors unrepresented.

The Community Council is of the view that the current arrangement works well, facilitates better informed decision making and that the balance is such that it allows for input from the local members who are also members of the Welfare Association but with the majority of members not being members of that particular local welfare association or indeed any association.

A recent practical example resulted in the Gorslas Welfare Association donating £6k to assist in the process of purchasing new play equipment for Gorslas Park. The role of the Community Council members who were also members of the Gorslas Welfare Association was key in facilitating the arrangement.

Changing the arrangement would provide a poorer service for each community and work against the efficient delivery and co-ordination of services in the area.

Members kindly seek the permission of the County Council to continue the current arrangement and grant dispensation for the relevant members.

Tudalen 41

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)

The Welfare Associations have played a significant role in the development of the parks which the Community Council own and operate and play a consultative role in obtaining the views of residents on proposed changes to the park or any issues residents may have with difficulties arising from the operation of the parks.

The Community Councilors who are also members of the local Welfare Associations contribute to the work of the Community Council considerably through the pooling and sharing of their ongoing knowledge of the activities, aims and actions of the local organisations.

The full Council consists of 15 Councilors, five from each of the three wards. There is also a Sub Committee (it is a General Purpose Sub Committee and deals with any matters delegated to it by full Council - there are no other committees or sub-committees). One member from each ward sits on the Sub Committee and each ward also appoints a further member, as part of a mentoring and development programme, to serve in the role of observer.

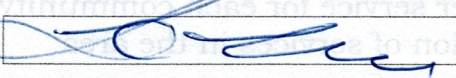
The balance of membership of Councilors who are also members of Welfare Associations has changed following the elections in May 2022. It currently stands at 33% of the total membership.

Whilst that is shy of the 50% threshold indicated as a stated reason for applying for dispensation if a third of the total membership was not able to participate in the discussion and decision-making process then it would impact on the quality of the decision-making process and leave the views of a significant number of electors unrepresented.

The Community Council is of the view that the current arrangement works well, facilitates better informed decision making and that the balance is such that it allows for input from the local members who are also members of the Welfare Association but with the majority of members not being members of that particular local welfare association or indeed any association.

*(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: 02.08.22

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

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


(2) The Standards Committee (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

### 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"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>	
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

## Appendix A GORSLAS COMMUNITY COUNCIL MEMBERS

### Drefach Ward

Dewi Wyn Edwards,  
Coedfryn,  
Heol Blaenhirwaun, Drefach, SA14 7AY

Clive Green,  
Penderyn,  
61 Heol Cwmmawr, Drefach, SA14 7AS

Tina Jukes,  
Dan yr Allt,  
Heol Dan yr Allt ,Drefach Llanelli.

Nia Lewis,  
Rhoswen ,  
Heol Caegwyn, Drefach SA14 7BB

### Gorslas Ward

A King,  
8 Clos Y Gwendraeth,  
Gorslas.

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

**CAIS AM OLLYNGIAD GAN Y CYNGHORYDD SHAREN DAVIES**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Ystyried y cais a phenderfynu a ddylid caniatáu'r gollyngiad ar gyfer y Cynghorydd Davies.

Y Rhesymau:

Mae ystyried ceisiadau o'r fath yn rhan o faes gorchwyl y Pwyllgor.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol Nac Oes

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: - Y Cynghorydd Linda Evans

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:  
Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth  
a'r Gyfraith

Rheolwr y Gwasanaethau  
Cyfreithiol

Ffôn: 01267 224018

Cyfeiriadau e-bost:  
rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY  
COUNCILLOR SHAREN DAVIES**

A dispensation application has been received from Councillor Sharen Davies of Carmarthenshire County Council and Llanelli Rural Council.

Councillor Davies seeks dispensation to speak, vote and make written representations in relation to council business relating to or likely to affect Dolen Teifi Community Transport.

Councillor Davies has a personal and prejudicial interest in council business relating to or likely to affect that organisation as they are Councillor Davies's employers.

The attached application from Councillor Davies sets out the grounds upon which the application is made and contains a supporting statement with details of her role in the organisation.

If the committee is minded to grant Councillor Davies a dispensation it will need to determine its duration.

**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: **LRJones**

Head of **Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

**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 – n/a
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 PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

**No**



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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal File	DPSC-200	County Hall Carmarthen

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: **CLLr SHAREN DAVIES**

Name of your Council: **CARMARTHENSHIRE COUNTY COUNCIL  
LLANELLI RURAL COUNCIL**

Your address and postcode: **3 DAFEN ROAD, DAFEN,  
LLANELLI SA14 8LY**

Contact telephone number(s): **07856747856**

Email address: **sharendavies@hotmail.co.uk**

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

**DOLEN TRIFI COMMUNITY TRANSPORT**

What is your interest in the above matter?

**EMPLOYEE OF DOLEN TRIFI**

When will the above matter be considered?

**DISCUSSIONS, BOTH WRITTEN AND VERBAL WITH COUNCIL  
OFFICER, ORGANISATIONS AND COUNCIL MEMBERS.**

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 checked="" 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"/>

### 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 currently employed as a Community Transport Development Officer for Dolan Teifi. As project officer I will be responsible for developing the use of a network of fully accessible electric vehicles. Also tasked with supporting families, individuals to access employment, education, training, support leisure opportunities. I'm also tasked with improving cross valley connectivity developing and improving non-commercial EV infrastructure connecting and integrating with other transport modes. Working in partnership with schools and the National Botanic Garden of Wales. Identify and manage new and existing volunteer drivers.

(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: 29 / 7 / 22

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

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

**CAIS AM OLLYNGIAD GAN Y CYNGHORYDD EDWARD THOMAS**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Ystyried y cais a phenderfynu a ddylid caniatáu'r gollyngiad ar gyfer y Cynghorydd Thomas.

**Y Rhesymau:**

Mae ystyried ceisiadau o'r fath yn rhan o faes gorchwyl y Pwyllgor.

Angen ymgynghori â'r Pwyllgor Craffu perthnasol Nac Oes

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: - Y Cynghorydd Linda Evans**

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:  
Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth  
a'r Gyfraith

Rheolwr y Gwasanaethau  
Cyfreithiol

Ffôn: 01267 224018

Cyfeiriadau e-bost:  
rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY  
COUNCILLOR EDWARD THOMAS**

A dispensation application has been received from Councillor Edward Thomas of Carmarthenshire County Council.

Councillor Thomas seeks dispensation to speak only in relation to council business relating to a grant application from Tregib Sports Facilities Limited {TSF} which will be submitted to pre-cabinet/cabinet meetings for consideration.

Councillor Thomas has a personal and prejudicial interest in council business relating to the grant application as he is one of the directors of Tregib Sports Facilities Limited.

The attached application from Councillor Thomas sets out the grounds upon which the application is made and confirms that TSF is a not for profit limited company running the sports facilities at the Tregib site. The application also confirms that the directors post that Councillor Thomas holds is non remunerated and that he and the other directors are all volunteers.

If the committee is minded to grant Councillor Thomas a dispensation it will need to determine its duration.

**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: LRJones**

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>



# 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 – n/a
- 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 PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

**No**

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal File	DPSC-200	County Hall Carmarthen

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: County Cllr Edward Gwynne Thomas

Name of your Council: Carmarthenshire County Council

Your address and postcode: 8 Bridge St , Llandeilo SA19 6BN

Contact telephone number(s): 07811067970

Email address:egthomas@carmarthenshire.gov.uk

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Application will be submitted to pre-cabinet/cabinet for a grant application from Tregib Sports Facilities Limited {TSF}. TSF are in the process of applying to WG for grants to replace the astro turf and have been recommended to apply for a Regeneration Targeted Finance Fund

What is your interest in the above matter?

I am one of the directors of Tregib Sports Facilities Limited – a not for profit limited company running the sports facilities. The post is non remunerated and the other directors are equally volunteers

When will the above matter be considered?

During the September round of Cabinet Meetings possibly 19<sup>th</sup>

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 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 checked="" 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 wish to be able to answer any questions asked by my colleagues at cabinet . I believe the application will be self sufficient and there should be enough information provided to allow my colleagues to make a decision . I will of course not vote*

*(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 62

**(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.

<b>Para.</b>	<b>Type of personal interest</b>	
10(2)(a)	Council business which relates to or is likely to affect: <ul style="list-style-type: none"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>	
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  
21/11/2022**

**CAIS AM OLLYNGIAD GAN Y CYNGHORWYR JEAN LEWIS, ANN DAVIES, GARETH BEYNON THOMAS, KEN HOWELL, HEFIN JONES, ARWEL DAVIES, MANSEL CHARLES, TYSSUL EVANS, KIM BROOM, LINDA DAVIES EVANS, ANDREW DAVIES, BRYAN DAVIES, HAZEL EVANS AC ELWYN WILLIAMS**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Ystyried y cais a phenderfynu a ddylid cymeradwyo gollyngiad i bob Cynghorydd.

**Y Rhesymau:**

Mae ystyried ceisiadau o'r fath yn rhan o gylch gorchwyl y pwyllgor

Angen ymgynghori â'r Pwyllgor Craffu perthnasol Nac Oes

**Gan gynnwys dyddiad y Pwyllgor (os yw'n hysbys ac unrhyw arsylwadau yma neu yn yr adran Ymgynghoriadau)**

Angen i'r Bwrdd Gweithredol wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad NAC OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: - Y Cynghorydd Linda Evans

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:  
Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth  
a'r Gyfraith

Rheolwr y Gwasanaethau  
Cyfreithiol

Ffôn: 01267 224018

Cyfeiriadau E-bost:  
rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY COUNCILLORS Jean Lewis, Ann Davies, Gareth Beynon Thomas, Ken Howell, Hefin Jones, Arwel Davies, Mansel Charles, Tyssul Evans, Kim Broom, Linda Davies Evans, Andrew Davies, Bryan Davies, Hazel Evans and Elwyn Williams**

A joint dispensation application has been received from a group of Carmarthenshire County Council members who wish to speak and vote in relation to a proposed motion on notice relating to TB testing, which is to be considered at a forthcoming meeting of full council.

The Councillors have a personal and prejudicial interest in that council business as they are all farmers (or are related to farmers) who farm cattle and therefore have involvement with the TB testing requirements.

The committee has previously granted dispensation to these members to speak but not vote in relation to farming/agriculture generally. This was however subject to a caveat that it does not apply to council business that relates directly to the specific farm or agricultural land or activity which gives rise to the councillor's personal interest.

Advice has been given by the Monitoring Officer that this caveat means that this previous dispensation would not permit the relevant members to participate in the debate on this particular motion and therefore that a further, more specific dispensation, should be requested.

The attached application sets out the grounds upon which the application is made and contains a supporting statement.

If the committee is minded to grant the application it will need to determine the duration of the 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: LRJones

Head of Administration and Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## 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 – n/a

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

**EXECUTIVE BOARD PORTFOLIO  
HOLDER(S) AWARE/CONSULTED**

**No**

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal File	DPSC-200	County Hall Carmarthen

**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: Cllr. Jean Lewis, Ann Davies, Gareth Beynon Thomas, Ken Howell, Hefin Jones, Arwel Davies, Mansel Charles, Tyssul Evans, Linda Davies Evans, Andrew Davies, Bryan Davies, Hazel Evans and Elwyn Williams.

Name of your Council: Carmarthenshire County Council.

Your address and postcode: c/o County Hall, Carmarthen SA31 1JP

Contact telephone number(s):

Email address:

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

Motion on Notice regarding TB testing at forthcoming council meeting

What is your interest in the above matter?

We are all either actively engaged in farming activities, own agricultural land which is rented out for farming activities or have close personal associates who are actively engaged on farming activities or own agricultural land. Further information is contained in the supporting statement below.

When will the above matter be considered?

Forthcoming full council meeting (date to be confirmed)

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;	X <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;	X <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"/>
• 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)***

**Cllr. Jean Lewis**

Councillor Lewis is the owner of agricultural land and actively engaged in the running of the family's farming business.

**Cllr. Ann Davies**

Councillor Davies is actively engaged in the running of the family farm and her family owns and rents agricultural land in the County.

**Cllr. Arwel Davies**

Councillor Davies is the owner of agricultural land and actively engaged in the running of the family's farming business. He also rents agricultural land.

**Cllr. Tyssul Evans**

Councillor Evans owns agricultural land in the County which is rented out for the farming activities by other farmers.

**Cllr. Ken Howell**

Councillor Howell is the owner of farm land.

**Cllr. Gareth Thomas**

Councillor Tomas owns farm land and works as a farmer.

**Cllr. Mansel Charles**

Councillor Charles is the owner of farm land and is a working farmer.

**Cllr Hefin Jones**

Councillor Jones is the owner of agricultural land and a shareholder in a farming business. He is also involved in the following Glastir agri-environmental schemes – Glastir woodland creation and management, Glastir advanced, Glastir Small Grants schemes.

**Cllr Elwyn Williams**

Councillor Williams owns and rents out agricultural land.

**Cllr. Linda Davies Evans**

Councillor Davies Evans' daughter and son in law own and farm agricultural land.

**Cllr. Andrew Davies**

Councillor Davies' brother owns agricultural land and is a working farmer.

**Cllr. Bryan Davies**

Councillor Davies' nephew owns agricultural land and is a working farmer.

**Cllr. Hazel Evans**

Councillor Evans' sister and her family own agricultural land and are working farmers.





## **General information in support of the request**

Agriculture makes up an important part of the economy of the County and members of the public working in the industry, or whose families are directly connected with the industry, make up a significant part of the population of many parts of Carmarthenshire.

Many of the functions of the Council relate to or directly affect the farming industry. Decisions taken by elected members relating to farming matters can have a significant impact not just upon individual farms, but also upon the wider agricultural sector and the communities that they are a key part of.

If Councillors who have a personal and prejudicial interest in farming related decisions are unable to speak, not only would farming communities in the County be denied democratic representation when such decisions are made but also those Councillors who do not have such an interest would be denied the benefit of their expert knowledge.

Public confidence in the conduct of the Council's business would not be damaged by allowing these Councillors to speak in any debate or make written representations on farming related matters if any dispensation were to be caveated in the way suggested below.

The 14 applicants represent just over a third of their Plaid Cymru group on the Council and their inability to participate in any farming or agricultural matters would distort the political balance of the Council to such an extent that it could affect the outcome of **any vote on the particular motion**.

Some of these Councillors represent constituencies that are heavily affected by agricultural decisions and policies in terms of economy, employment and language etc. As such it is felt that it unfairly disadvantages those constituencies where their elected Councillor is denied a vote on such issues.

All applicants (apart from Cllrs. Davies Evans, Andrew Davies, Bryan Davies and Hazel Evans) have previously been granted dispensation to speak and make written representations (but not vote) in respect of these in respect of farming and agriculture generally, most recently in June 2022, and before this in 2017, 2018 and 2019.

However the June 2022 dispensation is subject to the caveat that it does not apply to council business that relates directly to the specific farm or agricultural land or activity which gives rise to the councillor's personal interest. Advice has been received from the Monitoring Officer that this caveat means that this previous dispensation would not therefore permit the relevant members to participate in the debate on this particular motion as the motion asks Welsh Government to review Tb testing procedures and all the Councillors above either have cattle on their respective holdings or have family which farm cattle.

Therefore, we require further dispensation which allows the mentioned Councillors to speak and vote on this specific issue in which they are experts. They all live with Tb testing on a bi-monthly basis or at best every 6 months. The Technical Advice Group which has been set up by Welsh Government is currently looking at Terms of Reference and therefore now is the opportune time to influence and provide expert representation. Tb testing affects all agricultural holdings which have cattle and constituents from all Wards need to have representations from their respective knowledgeable Councillors.

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:

8 / Nov 2022

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"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>
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:

- 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;
- 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;
- 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;
- 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;

Tudalen 74

- (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

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

<b>CAIS AM OLLYNGIAD GAN Y CYNGHORYDD ALEX EVANS</b>		
<b>Yr argymhellion / penderfyniadau allweddol sydd eu hangen:</b> Ystyried y cais a phenderfynu a ddylid caniatáu'r gollyngiad ar gyfer y Cynghorydd Evans.		
Y Rhesymau: Mae ystyried ceisiadau o'r fath yn rhan o faes gorchwyl y Pwyllgor.		
Angen ymgynghori â'r Pwyllgor Craffu perthnasol Nac Oes		
<b>Gan gynnwys dyddiad y Pwyllgor (os yw'n hysbys ac unrhyw arsylwadau yma <u>neu</u> yn yr adran Ymgynghoriadau)</b>		
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: - Y Cynghorydd Linda Evans		
Y Gyfarwyddiaeth: Enw Pennaeth y Gwasanaeth: Linda Rees-Jones Awdur yr Adroddiad: Robert Edgecombe	Swyddi: Pennaeth Gweinyddiaeth a'r Gyfraith Rheolwr y Gwasanaethau Cyfreithiol	Ffôn: 01267 224018 Cyfeiriadau e-bost: rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY COUNCILLOR ALEX EVANS**

A dispensation application has been received from Councillor Alex Evans of Carmarthenshire County Council.  
Councillor Evans seeks dispensation to make written representations in relation to road improvements required on Heol Y Pentre, Ponthenri  
Councillor Evans has a personal and prejudicial interest in council business relating to or likely to affect that road as he lives there.  
The attached application from Councillor Evans sets out the grounds upon which the application is made and contains a supporting statement.  
If the committee is minded to grant Councillor Evans a dispensation it will need to determine its duration.

**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: LRJones**

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

**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 – n/a**
- 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 PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

**NO**

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal File	DPSC-200	County Hall Carmarthen

**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: *Alexander Evans*

Name of your Council: *Carmarthenshire County Council*

Your address and postcode: *21 Heol y Pentre, Pontherri SA15 5NS*

Contact telephone number(s): *07583 123 876*

Email address: *alexevans@carmarthenshire.gov.uk*

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

*Road improvements required on Heol y Pentre, Pontherri*

What is your interest in the above matter?

*I live on the road*

When will the above matter be considered?

*No exact date*

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 type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input checked="" type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	<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)**

The road surface is appalling, there are no traffic calming measures - despite the primary school - and there are a list of hazards that can be witnessed on a daily basis, particularly at pick up/drop off times.

Ultimately, any representation I would make on this matter is to safeguard the community, particularly children and their families. I am more than willing to obtain letters of support to prove this is a community-led request and not anything for my personal benefit.



Ultimately, members should live in the areas they represent. I just happen to live near the primary school.

Didich,

Mr. Alexander Cross  


(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:

15 10 22

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

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

<b>CAIS AM OLLYNGIAD GAN Y CYNGHORYDD JOHN JENKINS</b>		
<b>Yr argymhellion / penderfyniadau allweddol sydd eu hangen:</b> Ystyried y cais a phenderfynu a ddylid caniatáu'r gollyngiad ar gyfer y Cyngorydd Jenks.		
Y Rhesymau: Mae ystyried ceisiadau o'r fath yn rhan o faes gorchwyl y Pwyllgor.		
Angen ymgynghori â'r Pwyllgor Craffu perthnasol Nac Oes		
<b>Gan gynnwys dyddiad y Pwyllgor (os yw'n hysbys ac unrhyw arsylwadau yma <u>neu</u> yn yr adran Ymgynghoriadau)</b>		
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: - Y Cyngorydd Linda Evans		
Y Gyfarwyddiaeth: Enw Pennaeth y Gwasanaeth: Linda Rees-Jones Awdur yr Adroddiad: Robert Edgecombe	Swyddi:  Pennaeth Gweinyddiaeth a'r Gyfraith  Rheolwr y Gwasanaethau Cyfreithiol	Ffôn: 01267 224018  Cyfeiriadau e-bost: rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/2022**

**DISPENSATION APPLICATION BY COUNCILLOR JOHN JENKINS**

A dispensation application has been received from Councillor John Jenkins of Carmarthenshire County Council and Llanelli Town Council

Councillor Jenkins seeks dispensation to speak, vote and make written representations o in relation to council business relating to the provision of domiciliary care or day service provision for adults with learning disabilities

Councillor Jenkins has a personal and prejudicial interest in council business relating to such matters as he works for a company which is contracted with the Council to provide such services.

The attached application from Councillor Jenkins sets out the grounds upon which the application is made.

If the committee is minded to grant Councillor Jenkins a dispensation it will need to determine its duration.

**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: LRJones**

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

## 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 – n/a
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 PORTFOLIO HOLDER(S)  
AWARE/CONSULTED**

**NO**

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal File	DPSC-200	County Hall Carmarthen

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:	<b>JOHN PAUL JENKINS</b>
Name of your Council:	<b>CARMARTHENSHIRE COUNTY COUNCIL &amp; LLANELLI TOWN COUNCIL</b>
Your address and postcode:	<b>22 BRETtenham STREET, LLANELLI, SA15 3ED</b>
Contact telephone number(s):	<b>01554 749649 / 07734 867588</b>
Email address:	<b>JPJenkins@carmarthenshire.gov.uk</b>

**2. DETAILS OF YOUR INTEREST**

What is the matter under consideration?

**Any matters relating to domiciliary care or day service provision for adults with learning disabilities in the County of Carmarthenshire**

What is your interest in the above matter?

**Employed in administration of an organisation, Perthyn, that is contracted to provide domiciliary care and day services for adults with learning disabilities in Carmarthenshire, contracted by Carmarthenshire County Council**

When will the above matter be considered?

**Future meetings of the Social Care and Health Scrutiny Committee and at meetings of Carmarthenshire County Council (and any meetings of Llanelli Town Council of which I am also an elected member) and its committees and sub-committees.**

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 checked="" 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)***

It is being proposed to be allocated a place on the Social Care and Health Scrutiny Committee of Carmarthenshire County Council.

I am currently employed by an organisation, Perthyn, that is contracted by Carmarthenshire County Council to provide domiciliary and day care services for adults with learning disabilities in the County of Carmarthenshire (and other local authorities).

My role is as a Support Services Administrator for the organisation in Carmarthenshire, Pembrokeshire and the City and County of Swansea.

Should there be a general discussion on the provision of services to adults with learning disabilities then I would like to be able to speak and vote on such matters with the confidence that I have been awarded dispensation by the Standards Committee to do so on such matters.

I believe that my knowledge and experience of this particular area of social care would enable me to make a valuable contribution to the workings of the Scrutiny Committee and provide insight into the sector to the benefit of the Committee.

In the event of the discussion being specifically about my employer or the provision of contracts to my employer (or a company or organisation of similar purpose) then I would declare an interest in the matter and withdraw from the discussion or consideration of such matters.

Could this dispensation also apply in the same manner should the matter be raised at meetings of the full Carmarthenshire County Council and Llanelli Town Council.

As an administrator for the organisation, my participation would have no reduction of public confidence.

I have no pecuniary interest in the matters to be considered.

In the event that the discussion or decisions could impact upon any pecuniary interests of my employer then I would declare an interest in the matter and reclude myself from the meeting and any voting. Otherwise, my participation in a general discussion would enable my experience to be a positive contribution to the discussion.

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: **John P. Jenkins**

Date: 13/09/2022

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"> <li>• your employment or business,</li> <li>• your employer, firm or company</li> <li>• a contract made between the Council and you</li> <li>• any land, lease or licence in which you have an interest</li> <li>• a public body or other association in which you have membership or hold a position of general control or management</li> </ul>
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:

- 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;
- 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;
- 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;
- 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;

Tudalen 90

- (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

Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

**CYDYMFFURFIAETH Â'R CÔD YMDDYGIAD GAN GYNGHORWYR**  
**TREF A CHYMUNED 2021-2022**

**Yr argymhellion / penderfyniadau allweddol sydd eu hangen:**

Nodi canlyniadau'r ymarfer casglu data

Y Rhesymau:

Mae monitro cydymffurfiaeth â'r côd yn rhan o gylch gwaith y pwyllgor

Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES

Angen i'r Cabinet wneud penderfyniad NAC OES

Angen i'r Cyngor wneud penderfyniad OES

YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: - Y Cyngorydd Linda Evans

Y Gyfarwyddiaeth:

Enw Pennaeth y Gwasanaeth:

Linda Rees-Jones

Awdur yr Adroddiad:  
Robert Edgecombe

Swyddi:

Pennaeth Gweinyddiaeth  
a'r Gyfraith

Rheolwr y Gwasanaethau  
Cyfreithiol

Ffôn: 01267 224018

Cyfeiriadau e-bost:  
rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**CODE OF CONDUCT COMPLIANCE BY TOWN AND COMMUNITY  
COUNCILLORS 2021-2022**

In accordance with the previous practice of the Committee letters were sent to all Town and Community Councils in April 2022 asking them to provide information regarding code of conduct compliance during the preceding municipal year (1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022).

Reminder letters were sent in May 2022 to those councils that had not responded and in July 2022 legal department staff also telephoned the remaining councils who had not provided data. As at the beginning of August only 6 out of 72 Councils had not responded and arrangements were made for those 6 councils to again be contacted by telephone.

Due to the request by committee members that the data be presented in a more accessible way than in the past, officers have utilised Snap Survey software to collate the responses received and present them in the attached report. Sheet 1 sets out the responses to all 3 questions in table form, sheet 2 deals with declarations of interest and sheet 3 code training. If members agree, it is suggested that for next year's data exercise councils be sent a link to the Snap Survey and that they complete the online questionnaire themselves.

Members will note that the survey does not address the issue of Code of Conduct complaints.

Data provided by the Public Services Ombudsman for Wales shows that during the period 1<sup>st</sup> April 2021 to 31<sup>st</sup> March 2022 a total of 4 code of conduct complaints were concluded against Town and Community Councillors from Carmarthenshire none of which required any action to be taken against the councillors concerned.

These figures do not however include complaints made and/or investigated but not concluded during the period of this report.

**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:** LRees-Jones

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>

# CONSULTATIONS

<b>I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below</b>	
<b>Signed:</b> L Rees-Jones	<b>HEAD OF ADMINISTRATION AND LAW</b>
<b>1. Scrutiny Committee</b> None <b>2. Local Member(s)</b> None <b>3. Community / Town Council</b> All Town and Community Councils have been consulted as outlined in the Executive Summary <b>4. Relevant Partners</b> None <b>5. Staff Side Representatives and other Organisations</b> None	
<b>CABINET PORTFOLIO HOLDER(S) AWARE/CONSULTED</b>	No

<b>Section 100D Local Government Act, 1972 – Access to Information</b> <b>List of Background Papers used in the preparation of this report:</b>		
Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Department File	DPSC-196	County Hall
Legal Department File	DPSC-200	County Hall

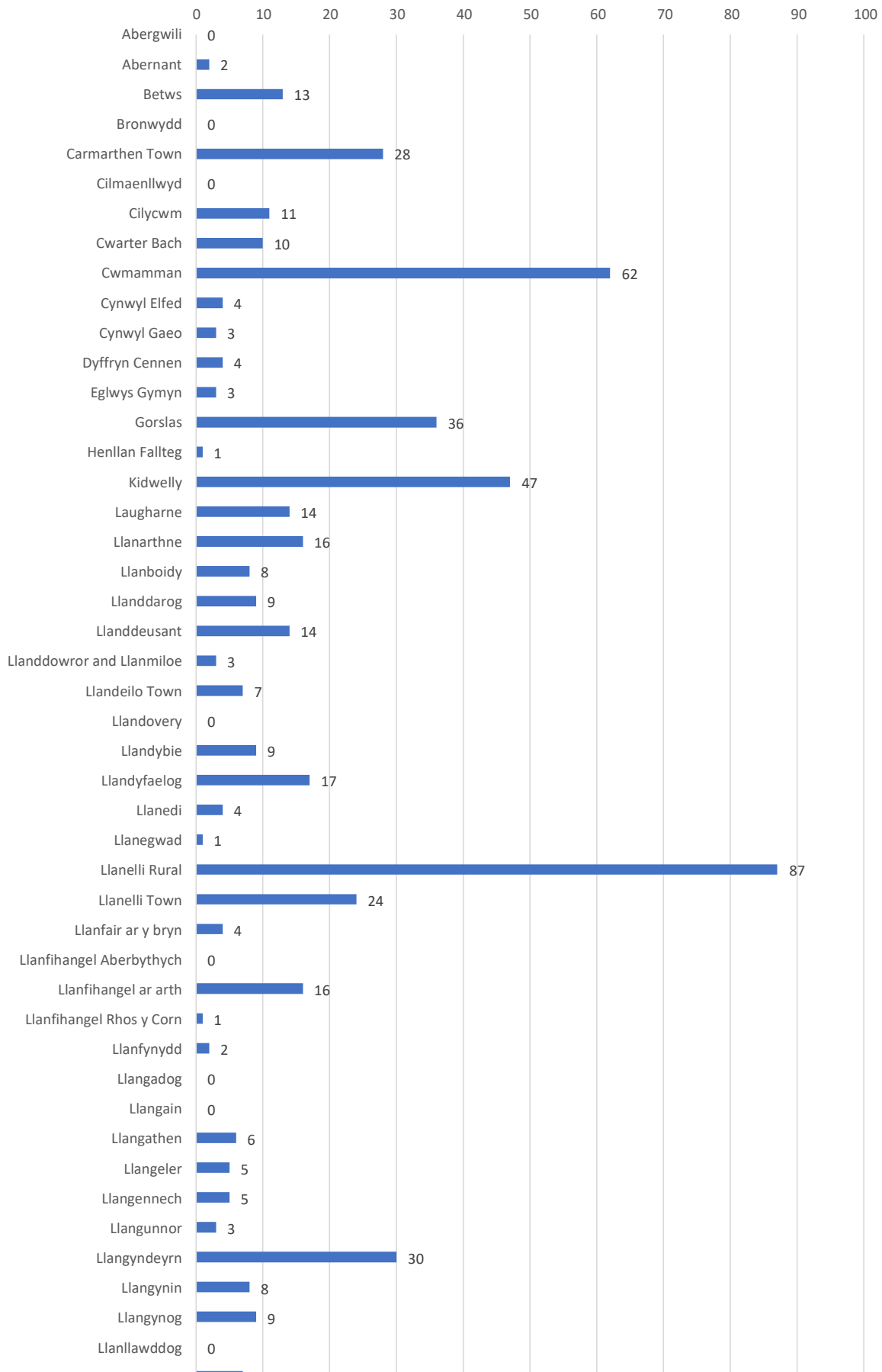
Mae'r dudalen hon yn wag yn fwriadol

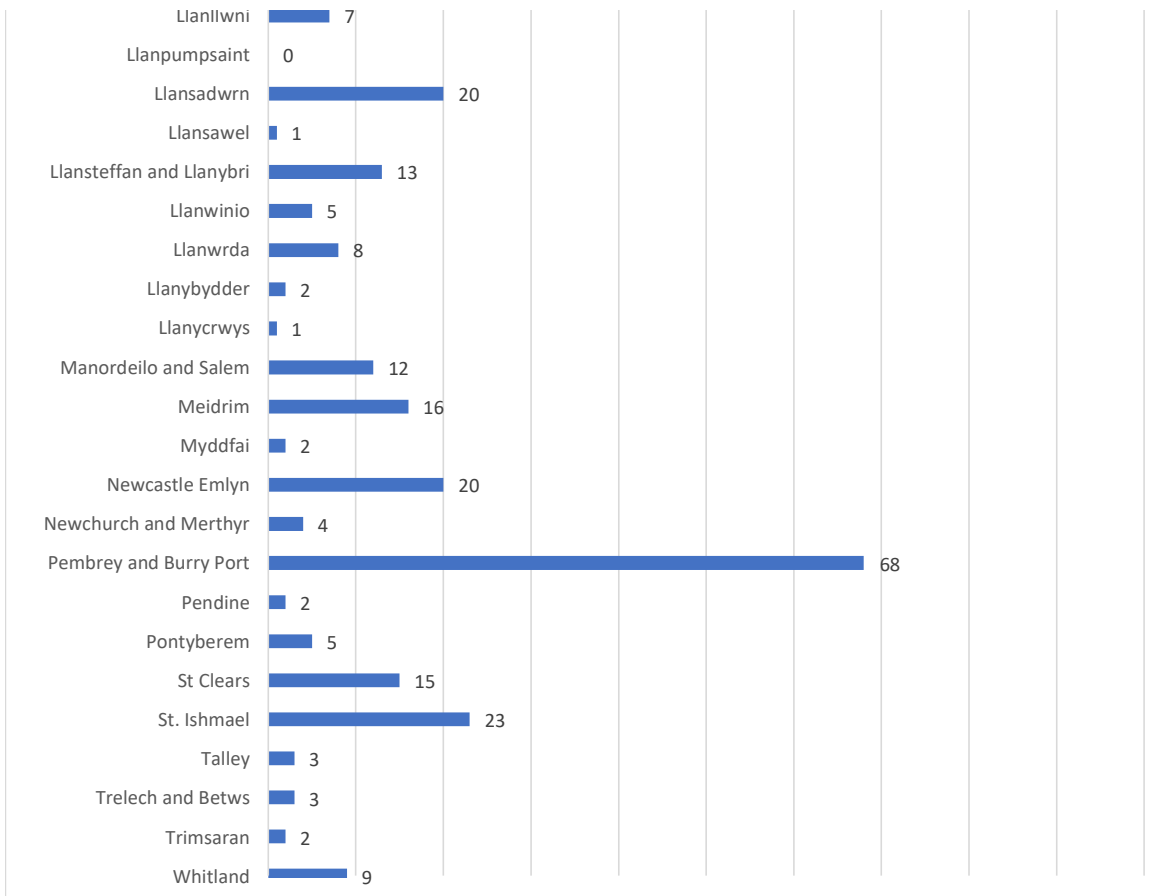


Q1	Q2	Q3	Q4
Name of community council:	Declarations of Interest during the period 1st April	Code Training during the period 1st April 20.	Dispensations
Abergwili		0	0
Abernant		2	0
Betws		13	0
Bronwydd		0	0
Carmarthen Town		28	0
Cilmaenllwyd		0	0
Cilycwm		11	0
Cwarter Bach		10	0
Cwmamman		62	0
Cynwyl Elfed		4	0
Cynwyl Gaeo		3	0
Dyffryn Cennen		4	0
Eglwys Gymyn		3	0
Gorslas		36	0
Henllan Fallteg		1	0
Kidwelly		47	0
Laugharne		14	0
Llanarthne		16	0
Llanboidy		8	0
Llanddarog		9	0
Llanddeusant		14	0
Llanddowror and Llanm		3	0
Llandeilo Town		7	0
Llandovery		0	0
Llandybie		9	0
Llandyfaelog		17	0
Llanedi		4	0
Llanegwad		1	0
Llanelli Rural		87	2
Llanelli Town		24	0
Llanfair ar y bryn		4	0
Llanfihangel Aberbythyc		0	0
Llanfihangel ar arth		16	0
Llanfihangel Rhos y Corr		1	0
Llanfynydd		2	0
Llangadog		0	0
Llangain		0	0
Llangathen		6	0
Llangeler		5	0
Llangennech		5	0
Llangunnor		3	0
Llangyndeyrn		30	0
Llangynin		8	0
Llangynog		9	0
Llanllawddog		0	0
Llanllwni		7	0
Llanpumpsaint		0	0
Llansadwrn		20	0
Llansawel		1	0
Llansteffan and Llanybri		13	0
Llanwinio		5	0
Llanwrda		8	0

Llanybydder	2	0
Llanycrwys	1	0
Manordeilo and Salem	12	0
Meidrim	16	0
Myddfai	2	0
Newcastle Emlyn	20	0
Newchurch and Merthy	4	0
Pembrey and Burry Port	68	0
Pendine	2	0
Pontyberem	5	0
St Clears	15	0
St. Ishmael	23	0
Talley	3	0
Trelech and Betws	3	0
Trimsaran	2	0
Whitland	9	0

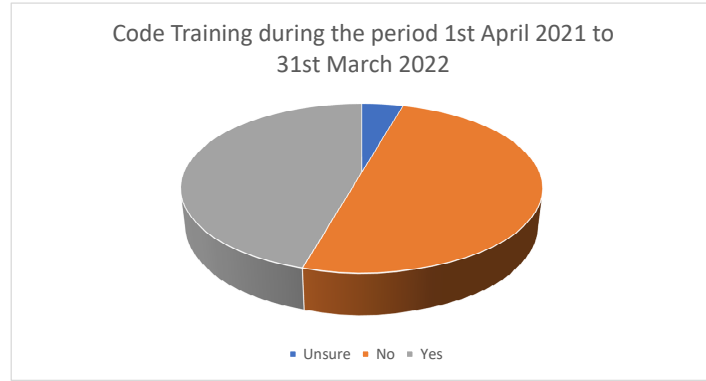
## Declarations of interest during the period 1st April 2021 to 31st March 2022





Unsure 3  
No 34  
Yes 31

**CODE OF CONDUCT TRAINING**



Mae'r dudalen hon yn wag yn fwriadol

**Y PWYLLGOR SAFONAU**  
**21/11/2022**

<b>HYFFORDDIANT CÔD YMDDYGIAD</b>		
<b>Yr argymhellion / penderfyniadau allweddol sydd eu hangen:</b>		
Nodi'r Hyfforddiant Côt Ymddygiad a roddwyd i Gynghorwyr Sir a Chynghorwyr Tref a Chymuned ers yr etholiadau llywodraeth leol ym mis Mai 2022		
Y Rhesymau:		
Mae darparu hyfforddiant o'r fath yn rhan o gylch gwaith y pwyllgor		
Angen ymgynghori â'r Pwyllgor Craffu perthnasol NAC OES		
Angen i'r Cabinet wneud penderfyniad NAC OES		
Angen i'r Cyngor wneud penderfyniad OES		
YR AELOD CABINET SY'N GYFRIFOL AM Y PORTFFOLIO: - Y Cynghorydd Linda Evans		
Y Gyfarwyddiaeth: Enw Pennaeth y Gwasanaeth: Linda Rees-Jones Awdur yr Adroddiad: Robert Edgecombe	Swyddi:  Pennaeth Gweinyddiaeth a'r Gyfraith  Rheolwr y Gwasanaethau Cyfreithiol	Ffôn: 01267 224018  Cyfeiriadau e-bost: rjedgeco@sirgar.gov.uk

**EXECUTIVE SUMMARY  
STANDARDS COMMITTEE  
21/11/22**

**CODE OF CONDUCT TRAINING**

Following the local government elections in May 2022 code of conduct training was arranged on the following dates

- 17<sup>th</sup> May 2022 – County Councillors (38 attendees)
- 4<sup>th</sup> July 2022 – Town and Community Councillors (42 attendees)
- 27<sup>th</sup> July 2022 – Town and Community Councillors (46 attendees)

All 3 sessions were hybrid in nature and held during normal office hours.

Training materials and a recording of the sessions have been made available for councillors to access in their own time.

Letters have also been sent to all Town and Community Councils to ascertain whether there is sufficient demand to warrant holding a further remote training session outside of normal office hours. A verbal update will be given at the meeting as to the responses received.

Code of Conduct issues were also covered in a separate training session for County Councillors on constitutional matters and meeting preparation on the 23<sup>rd</sup> May 2022 when there were 29 attendees.

**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:** LRees-Jones

**Head of Administration and Law**

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>	<b>NONE</b>



## 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

**1. Scrutiny Committee** None

**2. Local Member(s)** None

**3. Community / Town Council** All Town and Community Councils have been consulted as outlined in the Executive Summary

**4. Relevant Partners** None

**5. Staff Side Representatives and other Organisations** None

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

No

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

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Legal Department File	DPSC-195	County Hall
Legal Department File	DPSC-200	County Hall

Mae'r dudalen hon yn wag yn fwriadol