

**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: Peter Comley

Name of your Council: Betws Community Council

Your address and postcode: 24 Heol Y Felin, Betws, SA18 2HL

Contact telephone number(s): 01269 596508

Email address: peter.comley52@gmail.com

2. DETAILS OF YOUR INTEREST

What is the matter under consideration?

Payment of Rent by Betws RFC to Betws Community Council this has been a bone of contention between both parties for many years with frequent non-payment.

This matter needs to be resolved to the benefit of both parties with the forthcoming meetings within the Community Council meeting/s format and a separate meeting/s with both sides discussing with the intention of drawing a line and making a fresh start and move forward for the benefit of the community.

What is your interest in the above matter?

Under 10 (2) (a)

- A contract made between the Council and you
- Any land, lease or license in which you have an interest
- A public body or other association in which you have membership or hold a position of general control or management.

I am the Secretary, Treasurer and Licensee for Betws RFC and a member of the committee.

When will the above matter be considered?

This will be discussed in several meetings in the coming months with the Community Council and separate meetings with the Community Council and RFC committee.

Are you applying for dispensation to:

Speak only: X

Speak and vote:

Make written
Representations X

Exercise Executive
Powers

3. GROUNDS FOR DISPENSATION

Regulations issued by the National Assembly for Wales prescribe the circumstances in which the Standards Committee may grant a dispensation. These grounds for granting a dispensation are summarised below and are set out in full in the attached guidance notes. On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

• at least half of the members considering the business has an interest	<input type="checkbox"/>
• my inability to participate would upset the political balance of the meeting to such an extent that the outcome would be likely to be affected;	<input type="checkbox"/>
• my participation would not damage public confidence	<input type="checkbox"/>
• the interest is common to me and a significant proportion of the general public;	<input type="checkbox"/>
• my participation in the business is justified by my particular role or expertise;	X <input type="checkbox"/>
• the business is to be considered by an overview and scrutiny committee and my interest is not a pecuniary interest;	<input type="checkbox"/>
• the business relates to the finances or property of a voluntary organisation of whose management committee or board I am a member and I have no other interest	X <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)

Please find below in italics a recent letter which I sent to Betws Community Council regarding the longstanding issues between Betws RFC and Betws Community Council. The Clerk is in the process of compiling the facts and supporting documentation regarding the issues and will present once collated to the Members of the Community Council in a separate meeting. The Councillors will no doubt have questions that will come from reading the report and documents.

A solicitor's advice may well be sought for some aspects of the issues as a significant amount of money has been spent when the lease was drawn up and signed in April 2012 and with the ongoing issues since which include non-payment of rent. The First issues becoming apparent in a meeting of the Community Council on 20th February 2013, a letter dated 14th March 2014 sent by the Clerk regarding rent arrears, no rent indexation was implemented by the Community Council in 2017 with the next review being 2022, the rent had been agreed via both parties using a jointly appointed surveyor in 2012. Further rent arrears occurred in 2017 and were not paid up until October and November 2019 after letters being sent by Betws Community Council solicitors.

Betws RFC have not paid the rent which is due in advance each March (£500) and September (£500) since March 2020 due to the Coronavirus Pandemic.

The Councillors and the Committee are now in a position where they are prepared to come to an agreement and draw a line in order to make a fresh start for the benefit of the local community with options needing to be debated by both parties.

A lot of time and money has been wasted on both sides that could be put to better use.

From: [Peter Comley](#)

Sent: 07 April 2021 12:32

To: [Betws Community Council](#)

Subject: Re: RFC on meeting agenda

To : The Chairperson, Clerk and Committee Members of Betws Community Council

Ref : Various issues at ClwbRygbi Betws RFC Ltd

I write on behalf of the Committee and Directors of the above club to raise some issues and hopefully suggest some ways forward in the Community in Betws.

Firstly I would raise the issue of the car park rent currently set at £ 980.00 per year, as some of you may have seen the car park has had to undergo major work far and beyond the contract repair and maintenance remit.

The report we had done stated that the structure of the car park was beyond a repair, and that it needed excavation of nearly 100 tons of material and replacing of the under surface and the final finish in tarmac was going to cost nearly £10,000 on the basis of this, we decided to use concrete.

The total cost of the excavation and the replacement surface has cost the club just over £5000, this was achieved by doing most of the excavation and replacement surface ourselves.

We were forced into doing this work as our insurers would no longer cover for any damage to vehicles or for any personal injury and by our commitment to maintaining the car park as per the Council contract, this at a very precarious time financially for the Club due to the Covid situation and not having traded

We feel that the work carried out is above and beyond repair and maintenance and has increased the holding value of the council's asset, and there is further work on other parts of the car park still to be done with manholes which have raised due to amount of water passing through and lifting the surrounding tarmac.

This car park was partly laid before the new club was built so parts of it are 25 years plus old, it is with this in mind that we are asking the council for financial assistance with this, as the contract has not been in force for that period of time.

We are the siting of the only Defibrillator in the village and raised the money by donations from the local businesses including the Community Council and the Turbines sited on Betws Mountain, we supply the electricity and maintain it by regularly checking it is charged, and working we are also responsible for replacing the packs used to revive someone and up until now have paid for these ourselves, but as its now 2 years old all packs have to be replaced at a cost of £80.00 under normal circumstances we would pay, but with no trade and income at its lowest ever we have to seek help in maintaining this important asset for the village and as it is a much needed Community facility we ask for financial help with this .

We are aware the Council has limited funds but feel that the club supplies a venue for 14 local organisations to meet and bottle banks and now the Polling Station. and it is with this in mind that we feel the Car park rent should be waived for a considerable amount of time to compensate the Club and invest in the Club as a village asset as well as offering any financial help it can.

Further to this we have decided to cancel our Catering side of the business due to the sheer lack of profit from this venture. and to make use of the upstairs hall which is a large hall licensed to hold 200 people by offering it for use as a Community Centre for the use of the local population, for any use suitable to the venue .

We already hold childrens parties, Weddings, Birthday parties etc and would offer this to local residents at a discounted rate { cleaning costs } and if the organisation was a charity or raising funds for the local community FOC.

The hall could have a real purpose in the village if advertised and promoted properly, and would avoid any costs to the setting up and running as its already there ready for use, we would need to meet we believe when the Covid restrictions allow in a face to face meeting to make certain decisions, We hope that when it has been discussed at that time that the Council would support this idea.

Yours sincerely

Peter Comley

Secretary

Clwb Rygbi Betws RFC Ltd

(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: P. Comley

Date: 15 / 06 / 2021

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"> • your employment or business, • your employer, firm or company • a contract made between the Council and you • any land, lease or licence in which you have an interest • a public body or other association in which you have membership or hold a position of general control or management
10(2)(c)	Council business which affects your well-being or financial position, or the well-being, financial position or other interests of a person with whom you live or have a close personal association
13	Council business which is being considered by an Overview and Scrutiny Committee and which relates to a decision of the Cabinet or another Committee of which you were a member at the time [County Council only]

(2) The Standards Committees (Grant of Dispensations)(Wales) Regulations 2001(as amended) state that a Standards Committee may grant dispensations where:

- (a) no fewer than half of the members of the relevant authority or of a committee of the authority (as the case may be) by which the business is to be considered has an interest which relates to that business;
- (b) no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) also applies;
- (c) in the case of a county or county borough council, the inability of the member to participate would upset the political balance of the relevant authority or of the committee of the authority by which the business is to be considered to such an extent that the outcome would be likely to be affected;
- (d) the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant authority's business;
- (e) the interest is common to the member and a significant proportion of the general public;

- (f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
- (g) the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;
- (h) the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or
- (i) it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.
- (j) It is considered appropriate in all the circumstances to do so where not otherwise possible to make reasonable adjustments to accommodate a persons disability