

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)

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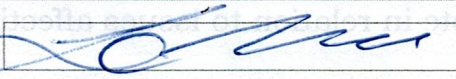
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I confirm that the information provided on this form is true to the best of my knowledge. I agree that this application and all the information contained within it may form part of a public report to the Standards Committee. I request a dispensation 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"> • 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

		10(2)(a)
	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	10(2)(c)
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- (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.