

Meeting of:	Standards Committee
Date of Meeting:	Thursday, 25 November 2021
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Application for Dispensation
Purpose of Report:	To consider an application for dispensation.
Report Owner:	Ms. Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	Mrs. Karen Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not involve any consultation with other parties
Policy Framework:	This report is a matter for consideration by the Standards Committee
Executive Summary:	<ul style="list-style-type: none"> To consider an application for dispensation.

Recommendation

1. That the Standards Committee consider the dispensation application on matters as set out in the completed proforma attached at Appendix 1 to this report.

Reason for Recommendation

1. To comply with the regulations and obligations for the grant of dispensations to speak and vote.

1. Background

- 1.1 The Standards Committee Grant of Dispensations (Wales) Regulations 2001 permits Members to apply to Standards Committee to speak and, if appropriate, to vote on issues which due to prejudicial interests, they may not otherwise be able to speak or vote or remain in the room.
- 1.2 In order to deal with the applications as quickly as possible, it is necessary for the Standards Committee to receive full information of the interests involved and why in the Member's opinion dispensation should be given.
- 1.3 Applicants are advised that they are also able to attend the Standards Committee meeting to present their application if they wish to do so.

2. Key Issues for Consideration

- 2.1 Committee is requested to consider and determine an application for dispensation from Vale of Glamorgan Councillor V.P. Driscoll to speak and vote on issues involving Holton Road, Barry attached at Appendix 1 to this report.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 3.1 One of the roles and functions of the Standards Committee (as detailed in the Council's Constitution) is to consider the granting of dispensations to Councillors, Co-opted Members and Church and Parent Governor Representatives from requirements relating to interests set out in the Members' Code of Conduct.

4. Resources and Legal Considerations

Financial

- 4.1 None as a direct result of this report.

Employment

4.2 None as a direct result of this report.

Legal (Including Equalities)

4.3 The Council is required to comply with the Standards Committee Grant of Dispensations (Wales) Regulations 2001.

5. Background Papers

Standards Committee Grant of Dispensations (Wales) Regulations 2001.

THE VALE OF GLAMORGAN COUNCIL
STANDARDS COMMITTEE



Application for a Dispensation to the Standards Committee under Section 2 of
the Standards Committees (Grant of Dispensations) (Wales) Regulations 2001

Name of Councillor	VINCE DRISCOLL
Address	SUNNYCROFT FARM SUNNYCROFT LANE DINAS POWYS CF64 2QP
Name of Member's relevant Authority and Ward	VALE OF GLAMORGAN DINAS POWYS
Nature of Dispensation sought	TO SPEAK + VOTE ON ISSUES INVOLVING RETIRE HOUSTON (C) BARBY
Date of meeting / issue to be discussed (if known)	N/A
Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period. (N.B. All dispensations granted expire at the next Council elections.)	LONGER
Level of dispensation sought (i.e. to speak only or to speak and vote)	SPEAK + VOTE
Relevant paragraph(s) under which dispensation can be granted (See (a) to (j) overleaf)	D + F

<p>Details of the Prejudicial Interest</p>	<p>I AM A DIRECTOR OF A COMPANY THAT OWNS + RENTS OUT RETAIL PREMISES ON HOLTON RD</p>
<p>Details of any Position of responsibility / control held on your Council (e.g. Chairman / Vice-Chairman / Cabinet Member)</p>	<p>NONE</p>
<p>Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation (Use a separate sheet of paper if necessary)</p>	<p>I HAVE A STRONG CONNECTION WITH HOLTON RD. HAVING RUN BUSINESSES THERE FOR NEARLY 40 years. I believe I can offer advice and comments on issues involving HOLTON RD</p>

SIGNED: V P DEISCOLL

DATED: 23 - SEPT 2021

Each section of the form MUST be fully completed.

(N.B. If you are submitting your application form electronically, without a signature, please give written permission for the receiving officer to sign the application form on your behalf. Failure to do this will result in the application being deemed incomplete and returned to the applicant.)

SIGNATURE OF OFFICER (IF APPROPRIATE):

Please return completed form to:
Democratic and Scrutiny Services, Directorate of Resources, Room 26, 1st Floor,
Civic Offices, Holton Road, Barry, CF63 4RU

Circumstances When A Standards Committee May Grant Dispensations

The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001 specifies that the Council's Standards Committee may grant dispensations under Section 81(4) of the Local Government Act 2000 where:

- (a) no fewer than half of the Members of the Council or of a committee of the Council (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 the Executive of the Council (i.e. Leader and Cabinet) 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) Members' inability to participate would upset the political balance of the Council, or any of its committees 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 Council'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 registerable interest relates to business, which is to be considered by an Overview and Scrutiny Committee of the Council, and the Member's interest is not a pecuniary/financial interest;
- (h) the business 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 Council 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;
- (i) it appears to the Standards Committee to be in the interests of the inhabitants of the area of the Council that the disability should be removed; or
- (j) it appears to the Standards Committee to be otherwise appropriate to grant a dispensation. [If this circumstance is relied upon it will be required to be reviewed on a 12 month basis – Local Government (Standards Committees, Investigations, Dispensations and Referral) (Wales) (Amendment) Regulations 2016 (3(1)A)]