

Meeting of:	<b>Standards Committee</b>
Date of Meeting:	<b>Thursday, 24 November 2022</b>
Relevant Scrutiny Committee:	No Relevant Scrutiny Committee
Report Title:	Applications for Dispensation
Purpose of Report:	To consider applications for dispensation
Report Owner:	Debbie Marles, Monitoring Officer/Head of Legal and Democratic Services
Responsible Officer:	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"> <li>To consider applications for dispensation as attached at Appendix 1 to this report.</li> </ul>

## **Recommendation**

1. That the Standards Committee consider the dispensation applications on matters as set out in the completed proformas 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.
- 1.4 All Vale of Glamorgan Councillors and Town and Community Councils have been advised that previous applications that had been agreed during the last term of office ceased at the time of the Local Government elections held on 5<sup>th</sup> May 2022.

## **2. Key Issues for Consideration**

- 2.1 Committee is requested to consider and determine applications for dispensation from the following Councillors as attached at Appendix 1 to this report:
  - Vale of Glamorgan and Penarth Town Councillor I. Buckley to speak and vote on any matter relating to the South Wales Fire and Rescue Authority at Vale of Glamorgan Council and Penarth Town Council meetings;
  - Vale of Glamorgan and Penarth Town Councillor I. Buckley to speak and vote on topics connected with the Vale of Glamorgan Council's Re-Shaping Programme when being discussed at both Vale of Glamorgan and Penarth Town Council meetings as appropriate;
  - Vale of Glamorgan and Penarth Town Councillor I. Buckley to speak and vote on any matters relating to Ysgol y Deri as his daughter was employed there.
- 2.2 The Standards Committee agreed that when applications for dispensation are required to be considered as a matter of urgency, the Monitoring Officer in consultation with the Chair of the Standards Committee be provided with the authority to consider such applications and to report to a future meeting such applications that have been agreed under this delegated authority.

### **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. Climate Change and Nature Implications**

- 4.1** There are no direct implications as result of this report.

### **5. Resources and Legal Considerations**

#### **Financial**

- 5.1** None as a direct result of this report.

#### **Employment**

- 5.2** None as a direct result of this report.

#### **Legal (Including Equalities)**

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

### **6. 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	Ian Buckley
Address	█ Masefield Road, █, CF64 2SD
Name of Member's relevant Authority and Ward	Vale of Glamorgan Council Cornerswell ward
Nature of Dispensation sought	To speak and vote on any matter relating to the South Wales Fire and Rescue Authority at Vale of Glamorgan Council and Penarth Town Council meetings.
Date of meeting / issue to be discussed (if known)	When the issue is to be discussed
Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period. <i>(N.B. All dispensations granted expire at the next Council elections.)</i>	Until the next Local Government elections
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	To speak and vote
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	d

Details of the Prejudicial Interest	Family members' are employed by the South Wales Fire and Rescue Authority
Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i> )	Vale of Glamorgan Councillor and Penarth Town Councillor
Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation  <i>(Use a separate sheet of paper if necessary)</i>	I would like to speak and vote on matters as and when required in my capacity as an Elected Member of both Council's.

SIGNED: I. Buckley

DATED: 06.10.22

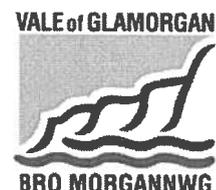
**Each section of the form MUST be fully completed.**

**(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): K. Bowen

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

**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	Ian Buckley
Address	■ Masefield Road, ■, CF64 2SD
Name of Member's relevant Authority and Ward	<b>Cornerswell ward Vale of Glamorgan Council and Penarth Penarth Town</b>
Nature of Dispensation sought	<b>To speak and vote on topics connected with the Vale of Glamorgan Council's re-shaping programme when being discussed at both Vale of Glamorgan and Penarth Town Council meetings as appropriate</b>
Date of meeting / issue to be discussed (if known)	<b>When the issue is to be discussed</b>
Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period. <i>(N.B. All dispensations granted expire at the next Council elections.)</i>	<b>Until the next Local Government elections</b>
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	<b>To speak and vote</b>
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	<b>d, f and g</b>

Details of the Prejudicial Interest	In addition to being a member of the Vale of Glamorgan Council, I am a member of Penarth Town Council which may be involved in the Vale of Glamorgan Council's 'Reshaping Programme
Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i> )	Vale of Glamorgan Councillor and Penarth Town Councillor
Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation  <i>(Use a separate sheet of paper if necessary)</i>	The Vale of Glamorgan's Reshaping Programme is intended to devolve a number of services outside the direct control of this Council. A possible alternative provider could be Penarth Town Council acting alone or in some cluster arrangement. The matter will be an ongoing feature of discussion at committee meetings and in accordance with the advice issued by the Ombudsman under the heading 'Twin Hatted Members' I submit this application

SIGNED: I. Buckley

DATED: 06.10.22

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**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	Ian Buckley
Address	■ Masefield Road, ■, CF64 2SD
Name of Member's relevant Authority and Ward	Vale of Glamorgan Council Cornerswell ward
Nature of Dispensation sought	To speak and vote on matters matter relating to Ysgol y Deri as my daughter is employed there
Date of meeting / issue to be discussed (if known)	When the issue is to be discussed
Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period. <i>(N.B. All dispensations granted expire at the next Council elections.)</i>	Until the next Local Government elections
Level of dispensation sought <i>(i.e. to speak only or to speak and vote)</i>	To speak and vote
Relevant paragraph(s) under which dispensation can be granted <i>(See (a) to (j) overleaf)</i>	d and e

Details of the Prejudicial Interest	<b>Family members' employment</b>
Details of any Position of responsibility / control held on your Council (e.g. <i>Chairman / Vice-Chairman / Cabinet Member</i> )	<b>Vale of Glamorgan Councillor and Penarth Town Councillor</b>
Reason(s) to support the application and why you consider the Standards Committee should grant a dispensation  <i>(Use a separate sheet of paper if necessary)</i>	<b>I would like to speak and vote on matters relating to Ysgol Y Deri school when being considered at meetings of the Vale of Glamorgan Council</b>

SIGNED: I. Buckley

DATED: 06.10.22

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## **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)]