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Swyddfeydd Dinesig, Stryd yr Angel, Pen-y-bont, CF31 4WB / Civic Offices, Angel Street, Bridgend, CF31 4WB

Rydym yn croesawu gohebiaeth yn Gymraeg. Rhowch wybod i ni os mai Cymraeg yw eich dewis iaith.

We welcome correspondence in Welsh. Please let us know if your language choice is Welsh.



Dear Councillor,

Gwasanaethau Gweithredol a Phartneriaethol / Operational and Partnership Services

Deialu uniongyrchol / Direct line /: 01656 643147 Gofynnwch am / Ask for: Andrew Rees

Ein cyf / Our ref: Eich cyf / Your ref:

Dyddiad/Date: Wednesday, 16 November 2016

STANDARDS COMMITTEE

A meeting of the Standards Committee will be held in the Committee Rooms 2/3, Civic Offices Angel Street Bridgend CF31 4WB on **Tuesday, 22 November 2016** at **2.00 pm**.

AGENDA

1. <u>Apologies for Absence</u>

To receive apologies for absence from Members.

2. Declarations of Interest

To receive declarations of personal and prejudicial interest (if any) from Members/Officers in accordance with the provisions of the Members' Code of Conduct adopted by Council on 1 September 2008.

3. Request for Dispensations

3 - 22

4. Urgent Items

To consider any item(s) of business in respect of which notice has been given in accordance with Rule 4 of the Council's Procedure Rules, and which the person presiding at the meeting is of the opinion should by reason of special circumstances be transacted at the meeting as a matter of urgency.

Yours faithfully

P A Jolley

Corporate Director Operational and Partnership Services

Independent Members

Mr J Baker Mr C Jones Mrs J Kiely Mr P Clarke

County Borough Councillors

Councillor R D Jenkins Councillor D R W Lewis

Town/Community Councillors

Councillor A Davies
Councillor R J Hancock

Ffôn/Tel: 01656 643643

Negeseuon SMS/ SMS Messaging: 07581 157014

Facs/Fax: 01656 668126 Twitter@bridgendCBC Ebost/Email: <u>talktous@bridgend.gov.uk</u>
Gwefan/Website: <u>www.bridgend.gov.uk</u>

Cyfnewid testun: Rhowch 18001 o flaen unrhyw un o'n rhifau ffon ar gyfer y gwasanaeth trosglwyddo testun



REPORT TO STANDARDS COMMITTEE

22 NOVEMBER 2016

REPORT OF THE MONITORING OFFICER

REQUEST FOR DISPENSATIONS

1. Purpose of Report

1.1 To advise the Standards Committee of applications received from Members of the Development Control Committee for dispensation to speak and vote in connection with a planning application received regarding the site and premises formerly known as the Ogmore Constituency Labour Party Social Club.

2. Connection to Corporate Improvement Plan / Other Corporate Priority

2.1 There are no direct links to the Corporate Improvement Plan and Corporate Priorities.

3. Background

- 3.1 The Council held a freehold interest in the land and premises which were the subject of a 99 year lease to The Trustees of The Ogmore Constituency Labour Party Social Club (OCLP) which was assigned by Licence dated 5 March 2012 to Labour Party Nominees Limited. Under the terms of the lease an annual rent of £305 was payable and the land and premises were to be used for the purpose of a social and recreational club and car park for members and their guests.
- 3.2 The Council explored the possibility of joining with the leaseholder in the marketing and sale of both freehold and leasehold interest in the site but this was not progressed. In order to maximise consideration for the Council's freehold interest in the site, Cabinet approved the sale of the site subject to the OCLP leasehold interest on 27th May 2014.

Members Code of Conduct

- 3.3 The Members Code of Conduct was adopted by the Council in September 2008. All Councillors are required to sign an undertaking to abide by the provisions of the Code as part of their declaration of acceptance of office. The Standards Committee has statutory responsibility under the Local Government Act 2000 for monitoring compliance with the Code.
- 3.4 Under Paragraph 14 of the Code of Conduct, where a Member has a personal interest which is prejudicial, the Member will be prevented from participating in Council business relating to that matter unless there is a saving provision within the Code or the Standards Committee grant special dispensation.

3.5 The Committee can grant dispensations in accordance with the Standards Committees Grant of Dispensation (Wales) Regulations 2001 and Section 81(4) of the Local Government Act 2000. The circumstances in which dispensations may be granted are attached for information as **Appendix 1**.

4. Current situation / proposal

- 4.1 The Monitoring Officer has received 14 applications from Members of the Development Control Committee for special dispensation to enable them to speak and vote in connection with a planning application received regarding the site and premises formerly known as the Ogmore Constituency Labour Party Social Club which will be considered at the next meeting of the Development Control Committee on 24th November 2016.
- 4.2 From the applications presented (attached as **Appendix 2**), it appears that the Members all have a personal interest in accordance with paragraph 10 of the Code of Conduct but also a prejudicial interest (paragraph 12 of the Code) as the test is whether a member of the public might reasonably regard their personal connection with the Ogmore Constituency Labour Club as so significant as to prejudice their judgement of the public interest. Whilst it is a matter of judgment for the individual Members concerned, the Monitoring Officer has advised the Members to err on the side of caution and treat this as a prejudicial interest. The Members have therefore applied for special dispensation to speak and vote in connection with the Club.
- 4.3 The Standards Committee can grant such dispensations in accordance with the 2001 Regulations and the 2000 Act. In this case, the following possible statutory grounds for granting dispensation are possible:
 - (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;
- 4.4 The Committee can grant or refuse the applications for special dispensation. If dispensations are granted, then the Committee can impose conditions or restrictions, if they think fit.
- 4.5 If the dispensations are granted, the Members would still declare their interests and disclose the nature of the dispensations relied upon before participating in the matter.
- 5. Effect upon Policy Framework& Procedure Rules
- 5.1 None.
- 6. Equality Impact Assessment
- 6.1 There are no equality implications.

7. Financial Implications

7.1 None.

8. Recommendation

8.1 The Committee is recommended to consider the applications attached as Appendix 2 and determine whether the dispensations should be granted.

Contact Officer: P A Jolley

Corporate Director – Operational and Partnership Services

Telephone: (01656) 643106

E-mail: Andrew. Jolley@bridgend.gov.uk

Postal Address Level 2,

Civic Offices, Angel Street, Bridgend, CF31 4WB

Background Documents

None



<u>Circumstances when Standards Committee may grant Dispensations</u>

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 Wales Act 2000 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;...
- (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 [; or]
- [(j) "it appears to the committee to be otherwise appropriate to grant a dispensation].



Name of Causailles	
Name of Councillor	PAMERA Annelle DAvies
Address	1 maes-yr- Eurly
	1 Maes-yr- Eurly Broadlands Bridged (F315D)
Electoral Division/Ward	haleston, Broadlands +
	Bryntinion
Nature of Dispensation sought	Approval is required to consider a planning application in relation to the Ogmore Constituency Labour Party building.
	The matter will be discussed at the meeting of the Development Control Committee on 24 th November 2016.
Level of Dispensation sought (i.e to speak only or to speak and vote)	Speak and Vote at the specified meeting of Development Control Committee.
Relevant Paragraph under which Dispensation can be granted (see overleaf)	(c) & (d)
Details of the Prejudicial Interest	Member of the National Labour Party as are other members of the Committee and therefore dispensation is sought otherwise there would be an inability to make a decision at the specified meeting.
	The Prejudicial Interest is only due to membership of the National Party and therefore the decision is unlikely to be a concern to the public. No personal benefit would be accrued from the decision.
Details of any Position of responsibility held on Council (e.g Chairman/Cabinet Member	
Signed/Date P. H. Downs	2) november 2016

Name of Councillor	Wyn Davies
Address	12, Glan Yr Afon, Cwmfelin, Maesteg
Electoral Division/Ward	Caerau
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Details of any Position of responsibility held on Council (e.g Chairman/Cabinet Member	None
Signed/Date	le Wyn Savier 02/11/2016

Name of Councillor	DAVID LEWIS
Address	DAVID LEWIS 30, PARK PLACE, SARN, BRIDGENS CF3Z GUA.
	BRIDGEND CF3Z 9UA.
Electoral Division/Ward	6
	PEN-Y-FA).
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Signed/Date	THENO 2-11-16,

Name of Councillor	
	JANICE LEWIS
Address	JANICE LEWIS 30. PARK PLACE
	SARN
Electoral Division/Ward	
	BRYNCOCH
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Signed/Date	J. hewis

Name of Councillor	L.G. MORGAN
Address	L.C. MORGAN 121LANGEINOR LO, BRYNMENYN BRIDGEND, CE32 9LY
	BRIDGEND, CF32 9LY
Electoral Division/Ward	
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Signed/Date	Marz

Name of Councillor	HAYDOL MORGAN
Address	HAYDN MORGAN CF31 ITS 7 HERBERT ST BRIDGEND
	7 HERRERT ST BRINGENS
Electoral Division/Ward	
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Signed/Date	AEV601ga. 02/11/2016

Name of Councillor	DHANISHA PATEL
Address	5 Dunraven Place, Wyndham, Og more Vale, Bridgerd. CF32ZET
Electoral Division/Ward	OGMORE VALE
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Signed/Date	Dharisha Vale

Name of Councillor	John C. Spanswick
Address	5 Min-Y-Coed, Brackla, Bridgend
Electoral Division/Ward	Brackla
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Details of any Position of responsibility held on Council (e.g Chairman/Cabinet Member	Chairman of Community Environment & Leisure Scrutiny Committee
Signed/Date	J. C. Spannick

Name of Councillor	CARY Monas
Address	CARY MOMAS 1 BKUAI WAY BYNTIRION CF 31 HELP
Electoral Division/Ward	BRYNCRAIN
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Signed/Date	M Man S 2- 11- 16

Name of Councillor	MARLENE THOMAS
Address	11110000
	I RAILWAY TERRACE BLAENGAR
Electoral Division/Ward	
	MANGEINO R
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Signed/Date	m Znamas a/11/16

Name of Councillor	
	CIIT CLEONE WESTWOOD
Address	23 BURNS CRESCENT
	CEFN CHAS BRIDGEND CF31 4PY
Electoral Division/Ward	
	CEFN GNAS.
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Signed/Date - lo blestwood	2 Novembro 2016.

Name of Councillor	RICHARD WILLIAMS.
Address	15 DERI CLOSE PENCOED CF356UA
Electoral Division/Ward	HEHDKE
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Signed/Date	Revilianus 2/11/16

Name of Councillor	P
Address	KICHARD YOUNG 44 WYNDHAM CRESCENT BRIDGEND CF31 JON
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Electoral Division/Ward	DKIIOGERO CESI JUN
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Signed/Date	Responsable 11/16

