

Meeting of:	STANDARDS COMMITTEE
Date of Meeting:	26 FEBRUARY 2025
Report Title:	DISPENSATIONS
Report Owner / Corporate Director:	MONITORING OFFICER
Responsible Officer:	LAURA GRIFFITHS GROUP MANAGER LEGAL AND DEMOCRATIC SERVICES
Policy Framework and Procedure Rules:	There is no effect upon the Policy Framework and Procedure Rules.
Executive Summary:	To present to the Committee the process for granting dispensations.

1. Purpose of Report

- 1.1 The purpose of the report is to present to the Committee the process for granting dispensations.

2. Background

- 2.1 The Model Code of Conduct provides that a member who has a prejudicial interest in any matter must declare that interest and leave the chamber or room in which a meeting considering that matter is being held. The member must not seek to influence any decision about that matter and must not make any oral or written representations in respect of it. The Codes allows a member with a prejudicial interest to take part in any meeting in respect of which they might have a prejudicial interest provided that they have a dispensation granted by the Standards Committee.
- 2.2 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. The Standards Committee may only grant dispensations in the circumstances set out in the Regulations:
- (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 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.

3. Current situation / proposal

- 3.1 A Member seeking a dispensation is required to complete an application on the application form attached as **Appendix 1**. Additional information may be submitted with the application form. Where more than one member seeks a dispensation in respect of the same interest, they should each sign the application form or submit individual applications. It will usually be expected that the Member or one of the Members seeking a dispensation attend the relevant meeting of the Standards Committee at which the application is to be considered.
- 3.2 At such a meeting, the Member will be expected to explain the reason for the application and answer any questions that the Standards Committee may have with regard to the application. The Standards Committee may ask the Member to withdraw in order that the Committee may deliberate. The Member will then be provided with written confirmation within 7 days of the Standards Committee's decision in respect of the application together with details of any conditions attached to any dispensation that may have been granted.

4. Equality implications (including Socio-economic Duty and Welsh Language)

- 4.1 The protected characteristics identified within the Equality Act 2010, Socio-economic Duty and the impact on the use of the Welsh Language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

5. Well-being of Future Generations implications and connection to Corporate Well-being Objectives

- 5.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report. This report also assists in the achievement of the following well-being objective under the Well-being of Future Generations (Wales) Act 2015:-

A county borough where people feel valued, heard and part of their community.

- 5.2 Standards are an implicit requirement in the successful implementation of the corporate well-being objectives.

6. Climate Change Implications

- 6.1 There are no climate change implications.

7. Safeguarding and Corporate Parent Implications

- 7.1 There are no safeguarding and corporate parent implications.

8. Financial Implications

- 8.1 There are no financial implications arising from this report.

9. Recommendation

- 9.1 It is recommended that the Committee note the report.

Background documents:

None

BRIDGEND COUNTY BOROUGH COUNCIL

APPLICATION FOR DISPENSATION TO THE STANDARDS COMMITTEE BY MEMBER OF
THE COUNCIL

Name of Councillor	
Address	
Electoral Division/Ward	
Nature of Dispensation sought	
Level of Dispensation sought (i.e to speak only or to speak and vote)	
Relevant Paragraph under which Dispensation can be granted (see overleaf)	
Details of the Prejudicial Interest	
Details of any Position of responsibility held on Council (e.g Chairperson/Cabinet Member	
Signed/Date	

Circumstances when 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 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 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.