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Cyngor Sir
CEREDIGION
County Council

Neuadd Cyngor Ceredigion, Penmorfa,
Aberaeron, Ceredigion SA46 0PA
ceredigion.gov.uk

07/11/23

Dear Sir / Madam

I write to inform you that a Meeting of the Ethics and Standards Committee will be held at the HYBRID - NEUADD CYNGOR CEREDIGION, PENMORFA, ABERAERON / REMOTELY VIA VIDEO CONFERENCE on Wednesday, 15 November 2023 at 10.00 am for the transaction of the following business:

- 1. Apologies**
- 2. To confirm as a true record the minutes of the meeting of the Ethics & Standards Committee held on 05 June 2023 (Pages 5 - 12)**
- 3. Matters Arising**
- 4. Action Log (Pages 13 - 22)**
- 5. To consider the following applications for dispensation :-**
 - (i) Councillor Gareth Davies - Ceredigion County Council (Pages 23 - 30)
 - (ii) Councillor Catrin M S Davies, Ceredigion County Council (Pages 31 - 38)
 - (iii) Councillor Gaerth Ioan - Llanllwchaearn Community Council (Pages 39 - 46)
 - (iv) Councillor Keith Evans - Ceredigion County Council (Calon Tysul) (Pages 47 - 56)
 - (v) Councillor Keith Evans, Llandysul Community Council (Calon Tysul) (Pages 57 - 66)
 - (vi) Councillor Keith Evans, Ceredigion County Council (Cymdeithas Chwaraeon Llandysul) (Pages 67 - 76)
 - (vii) County Councillor Keith Evans, Llandysul Community Council (Cymdeithas Chwaraeon Llandysul) (Pages 77 - 86)
 - (viii) Councillor Keith Evans, Ceredigion County Council (Pontweli Ymlaen Cyf) (Pages 87 - 96)
 - (ix) Councillor Keith Evans, Cyngor Cymuned Llandysul (Pontweli Ymlaen Cyf) (Pages 97 - 106)

- 6. Amendment to the consolidated statutory and non statutory guidance for principal councils (Pages 107 - 110)**
- 7. Recruitment of independent member (February 2024)**
- 8. Monitoring Officer Code of Conduct Update- Quarter 1& 2 2023-2024 (Pages 111 - 114)**
- 9. Political group leaders duties revised template to take into account the revised WG Statutory Guidance (Pages 115 - 124)**
- 10. Standards Committees (Wales)(Amendment) Regulations 2023 SI 2023/988 (Pages 125 - 130)**
- 11. Training with Town and Community Councils in 2024**
- 12. Update on Adjudication Panel for Wales matters (Pages 131 - 132)**
- 13. The Public Services Ombudsman Annual Letter 22/23 ,PSOW Annual Report 22/23 and PSOW Decision Notices (Pages 133 - 136)**
- 14. The Public Services Ombudsman Code of Conduct Findings (Pages 137 - 142)**
- 15. National Standards Committee Forum Minutes (Pages 143 - 152)**
- 16. Harmonisation of gifts/hospitality thresholds across all Welsh Authorities (Pages 153 - 156)**
- 17. Town & Community Council training Plans (Pages 157 - 158)**
- 18. Forward Work Programme (Pages 159 - 162)**
- 19. To consider any other applications for dispensation received since the agenda was published**
 - (x) Councillor Matthew Vaux, Ceredigion County Council (Pages 163 - 170)
 - (xi) Councillor Gareth Lloyd, Ceredigion County Council (Pages 171 - 178)
 - (xii) Councillor Elizabeth Evans, Ceredigion County Council (Pages 179 - 190)
 - (xiii) Councillor Elizabeth Evans, Aberaeron Town Council (Pages 191 -

202)

- (xiv) Councillor Chris James, Ceredigion County Council (Pages 203 - 210)

Members are reminded to sign the Attendance Register

A Translation Services will be provided at this meeting and those present are welcome to speak in Welsh or English at the meeting.

Yours faithfully

A handwritten signature in black ink, appearing to read 'L Edwards', written in a cursive style.

Miss Lowri Edwards
Corporate Lead Officer: Democratic Services

To: Chairman and Members of Ethics and Standards Committee
The remaining Members of the Council for information only.

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Minutes of the Meeting of ETHICS AND STANDARDS COMMITTEE held Hybrid at Neuadd Cyngor Ceredigion, Penmorfa, Aberaeron / remotely via video conference on Monday, 05 June 2023

PRESENT: Miss Caryl Davies (Chair) Mr Alan Davies, Ms Carol Edwards and Mrs Caroline White (Independent Members)

Councillors Caryl Roberts & Gwyn Wigley Evans (Elected Members)

Councillors Delyth James & Jan Culley (Town and Community Council Representatives)

Other Elected Members in attendance: Councillor Rhodri Evans

IN ATTENDANCE:

Ms Elin Prysor (Monitoring Officer)

Mrs Lisa Evans (Scrutiny and Standards Officer)

Mrs Dana Jones (Democratic and Standards Officer)

(10:00am-11:55am)

1 Apologies

None.

2 Disclosure of personal / prejudicial interests

Miss Caryl Davies declared a personal and prejudicial interest in item 16 on the agenda, and the item was chaired by Councillor Caroline White.

Councillor Gwyn Wigley Evans declared a personal and prejudicial interest in 5 (a)

Councillor Caryl Roberts declared a personal and prejudicial interest in 5 (a).

3 To confirm as a true record the minutes of the meeting of the Ethics & Standards Committee held on 03 April 2023

It was RESOLVED to confirm as a true record of the minutes of the meeting of the Committee held on 03 April 2023 subject to the following:-

- (i) to amend “me” to “her” residents in minute 7(b);
- (ii) to amend the minute paragraph numbering/letter as from 7(p) as two 7(p) had been included in the minutes;
- (iii) to amend minute 7(x) from “my business” to “his business”;
- (iv) to amend/add the last line of the minutes by removing “always”;
- (v) to amend minute 7(a) from “her” to “his” application;
- (vi) that the date to confirm the minutes were 05 June 2023 and not 28 June 2023 as the date of the meeting had come forward;
- (vii) item 10 should state 24 July and not 29 July
- (vii) to note that the Chair was Miss Caryl Davies and not Mrs

Matters Arising

None.

4 Action Log

It was AGREED to note the Action Log as presented.

5 To consider applications for dispensation from the following Councillors

(i) Councillor John Roberts, Ceredigion County Council-TB application

An application dated 08 April 2023 was received from Councillor John Roberts, Ceredigion County Council requesting a dispensation regarding the Notice of Motion to Full Council in relation to the way TB is dealt with by Welsh Government. His brothers owned land in Goginan. The land was split in two. One brother had leased all his land to different people which he didn't know. The other brother keeps a couple of horses just for grazing. He had no interest in the land other than volunteering to feed the horses whilst his brother was recovering from a serious operation. I believe horses were not regarded as an agricultural animal.

It was RESOLVED to grant Councillor Roberts a dispensation to speak and vote on the TB motion to Council that would be considered at their meeting on the 15 June 2023 on the grounds that 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; (Regulation 2 (d))

The dispensation was granted for the meeting of the Council on the 15 June 2023 and subsequent Council meetings if required, but not to exceed six months.

(ii) Councillor Rhodri Evans, Ceredigion County Council

An application dated 01 May 2023 was received from Councillor Rhodri Evans seeking a dispensation to speak only on Planning Application A201012 that was being discussed at the Development Management Committee on the 14 June 2023.

Councillor Evans was present at the meeting to present his application. He stated that he did not believe he had a prejudicial interest but wanted to bring this in front of the Ethics and Standards Committee for transparency. The applicant Mr. O Jones was his best man at his wedding in 2007. In turn Councillor Evans was an usher at the applicants wedding over 10 years ago. As the Local Member, he stated that he doesn't have a vote on this application, but feels that he should have the right to speak regarding the application.

It was RESOLVED to grant Councillor Evans a dispensation to speak only (as he was Ward Member and had sought to speak only) on Planning Application A202012 at the Development Control Committee on the grounds that the participation of the member in the business to which the interest

relates is justified by the member's particular role or expertise (Regulation 2(d))

The dispensation was granted for the meeting of Development Management Committee on the 14 June 2023 and subsequent Development Management Committee if required, but doesn't exceed six months.

(iii) Councillor Rhodri Evans, Ceredigion County Council

An application dated 01 May 2023 was received from Councillor Rhodri Evans seeking a dispensation to speak only on Planning Application A220751 being discussed at the Development Management Committee.

Councillor Evans was present at the meeting to present his application. He stated that he did not believe he had a prejudicial interest but wanted to bring this in front of the Ethics and Standards Committee for transparency. The applicants were Mr and Mrs G and E Jones. Mr G Jones his brother-in-law's brother. As the Local Member, he stated that he doesn't have a vote on this application, but felt that he should have the right to speak regarding the application.

It was RESOLVED to grant Councillor Evans a dispensation to speak only (as he was Ward Member and had sought to speak only) on Planning Application A220751 at the Development Control Committee on the grounds that the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise (Regulation 2(d))

The dispensation was granted for the meeting of Development Management Committee on the 14 June 2023 and subsequent Development Management Committee if required, but doesn't exceed six months.

6 Ethics and Standards Annual Report 2022/23

Consideration was given to the Annual Report from the Chair of Ethics and Standards Committee 2022/23. The Chair thanked officers for preparing the Annual Report subject to the following amendments:-

- (i) that the pie chart measures in Section 5 be split into length of time and type of dispensation;
- (ii) that "no data available" for Town/community Councils be inserted on page 27 of the report; and
- (ii) that a time limit of six months for Councillors to complete the Social Media Training be inserted to the Political Group Leaders section

7 Political Group Leaders Compliance Assessment

Consideration was given to the Political Group Leaders Compliance Assessment. Group leaders completed their reports by 30/4/23. A workshop took place with each group leader individually on 15/5/23 with:

- Cllr Bryan Davies (Plaid Cymru)
- Cllr Elizabeth Evans (Liberal democrats)

· Cllr Gareth Lloyd (Independent group)

The Committee assessed the extent to which whether political group leaders had :

1. taken reasonable steps to promote and maintain high standards of conduct by group members
2. co-operated with the Committee in exercise of its functions
3. any training needs

The Committee' assessment was that:

1. The group leaders had taken reasonable steps to promote and maintain high standards of conduct by group members , and had done so in a meaningful way, albeit that there was a lack of supporting evidence and metrics within the reports.

Whilst the PGLs thought they had done enough to promote and maintain good standards of behaviour amongst their group members, this was not evidenced adequately. The responses subjective and vague, and did not focus on the Code of conduct.

2. The group leaders had complied with their duty to co-operate with the Committee in exercise of its functions
3. All Group Leaders should ensure that their group members complete the on-line social media training within 6 months.

Recommendations or comment on levels of compliance with these new duties:

All Group Leaders should ensure that their group members complete the on-line social media training.

That additional training should be provided for 2023/2024 to ensure Group leaders completed the templates adequately, with more metrics and evidence.

Continue to engage with the Ethics and Standards Committee, Monitoring Officer in proactive way.

Continue to engage with other group leaders to learn from and support each other in promoting positive behaviours.

Continue to use group meetings to provide opportunities for informal mentoring.

Continue to use group meetings to share cases and lessons learned and consider including APW/PSOW cases as a standing item.

Recommend to members that they should not sign petitions.

It was AGREED to note the current position.

8 Appointment of Vice Chair

It was AGREED that Mr John Weston remains the Vice-Chair on the Committee until 22 February 2023.

9 Succession Planning of Independent Members

Consideration was given to the Report upon the Succession Planning of Independent Members. The recommendations were necessary to ensure that the appropriate appointments were in place, in accordance with the Constitution

It was AGREED to recommend to Council to approve:

- 1) Carol Edwards term of office is extended 22/2/2024 to 21/2/2028.
- 2) the role description, person specification and criteria
- 3) Membership of the Selection Panel as follows:
 - Chair of the Council(in absence Vice Chair);
 - Independent/Lay Panel member (nominated by the Monitoring Officer)
 - Chair and Vice Chair of the Ethics and Standards Committee (or other independent members nominated by the Monitoring Officer as necessary)
 - Town and Community Council representative nominated by One Voice Wales.
 - Independent/Lay Panel member (Chair of the selection panel) (nominated by the Monitoring Officer)

10 Self-evaluation of the Ethics and Standards Committee

It was agreed at the Ethics and Standards Committee on 13th October 2022 that a paper on the self evaluation of the Ethics and Standards Committee would be considered at the next meeting.

The Chair, Vice Chair and Officers met and drafted a questionnaire in order to self-evaluate the Ethics and Standards Committee annually. The proposed questionnaire was presented to the Committee on 25th January 2023 and it was proposed that a self-evaluation was undertaken annually at the end of the municipal year by the members of the Ethics and Standards Committee.

It was agreed that further consideration be given to the self evaluation in relation to the removal of the middle option on the self evaluation and that a question be added in relation to the effectiveness of the Committee in considering the workload of the committees' agenda. Feedback on the self evaluation was requested to be sent by Members of the Committee to finalise the self evaluation. The content of the responses would be added to the Forward work Plan and considered at a workshop to agree future priorities.

Following consideration of the responses, it was AGREED

that a workshop be held to consider the responses and to prioritise the future work of the committee.

- 11 Monitoring Officer Code of Conduct Update- Quarter 4**
Consideration was given to the Monitoring Officer Code of Conduct Update – Quarter 4. It was AGREED to note the information presented.
It was noted that Group Leaders would be well-placed to highlight trends issues and need to self-report following conviction to their members
- 12 Consultation response form: WG47012 (Recommendations of the Independent Review of the Ethical Standards Framework (Richard Penn report)**
It was AGREED to note that the consultation response would be submitted as presented.
- 13 Vision Statement**
It was AGREED that the Vision Statement remained to be fit for purpose.
- 14 Training- Town and Community Councils in 2024**
It was AGREED that further training would be provided in 2024, and further consideration be given to present training sessions with actual cases/reports of misconduct. It was noted that the Ombudsman and Adjudication Panel for Wales reports were circulated to Clerks of all Town and Community Councils following each meeting of the committee. It was noted that feedback from the Clerks of Town and Community Councils on training needs of their Council could be requested as they had greater knowledge of the training need of their Members. It was also noted that whilst provision of training may not be an issue, engagement of members with training was an on-going issue. Not all training plans had been returned.
- 15 Update on Adjudication Panel for Wales matters**
It was AGREED to note the report circulated via email. This report would be circulated to all Clerks of Town and Community Councils and Group Leaders.
- 16 Update on the Public Services Ombudsman matters**
It was AGREED to note the report. This report would be circulated to all Clerks of Town and Community Councils and Group Leaders.
- 17 Forward Work Programme**
It was AGREED to note the content of the Forward Work Programme as presented.
- 18 Any Other Business**
The Chair reported that this was the last meeting for Mrs Caroline White and thanked her for all her work and commitment over the last 10 years. All wished her well for the future.

**Confirmed at the Meeting of the Ethics and Standards Committee held
on xxxxx**

Chairman: _____

Date: _____

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Ceredigion County Council Ethics and Standards Committee Meeting Actions Log 2023-2024*

The purpose of this Actions Log is to monitor Actions agreed by the Ethics and Standards Committee at their Meetings e.g. where the Ethics and Standards have requested a future Report to be presented to them, or information sought at a future Meeting.

For further information regarding the Actions Log please contact the Standards Officer.

Last updated: 18 October 2023

*Municipal Year

Actions marked green and Completed ('Y') shall be removed from the subsequent Actions Log

Acronyms:

AW – Audit Wales

CE: Chief Executive

CLO – Corporate Lead Officer

FWP – Forward Work Programme

SO – Standards Officer

MO – Monitoring Officer

CM – Corporate Manager

ESC – Ethics and Standards
Committee

OVW – One Voice Wales

L&G – Legal & Governance

N/A – Not Applicable

TBC – To Be Confirmed

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
1,	25/1/23	To discuss with party leaders the methods of promoting and maintaining high standards by conduct by Members of Ceredigion County Council to include the duties required under S 62-63 of the Local Government and Elections (Wales) Act 2021		Arrangements be given to providing refresher training on the Code soon	MO / LE	Date arranged 18 th May 2023		Yes
2.	25/1/23	Harmonisation of gifts/hospitality thresholds	AGREED that: Whilst consistency agreed in	The threshold for acceptance of gifts by Council Members and	MO / NJ	Emal sent to MO /NJ 17/2/23	15/11/23 10/1/24	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
		across all Welsh Authorities	principle, local variation was acceptable.	Officers should be in-line with each other. Further consideration would be given to this proposal by the Committee and would also be placed on the Forward Work Programme for consideration. Also potentially by the Democratic Services Committee as necessary. Changes to the Code could only be made by Council.		3/4/23 meeting: agreed that it would be reviewed again in six months as it was also now a part of the consultation in the Penn report. This would be placed on the Forward Work Programme.		
3.	25/1/23	Self Evaluation	It was AGREED that	Amended version sent to	LE	Responses received. Self	5/6/23	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
		of the Ethics and Standards Committee	further consideration be given to the self evaluation in relation to the removal of the middle option on the self evaluation and that a question be added in relation to the effectiveness of the Committee in considering the workload of the committees' agenda.	Members 16/2/23 for further comment		evaluation will be sent to Members in May 2023 Questionnaire sent to Members Workshop was arranged for members following the 5/6/23 meeting. Workshop on 6/9/23 cancelled due to number of members unable to attend	Workshop to be re-arranged	
4.		Review the Vision Statement		Members provided views over email	LE	Reported to ESC ³ / ₄ It was AGREED at	3/4/23 5/6/23	Y

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
						the meeting on 5/6/23 that the Vision Statement remained to be fit for purpose		
5.	3/4/23	Political group Leaders template document		Para 12 amended Template sent to group leaders to complete. Workshop set up with ESC members and group leaders 15/5/23	EP / LE		Reported 5/6/23	Y
6.	3/4/23	Appoint Vice Chair		Deferred to next meeting		JW confirmed he'd be happy to remain as Vice Chair until his term of office comes to end	5/6/23 Report to Committee 10/1/23	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
7.	3/4/23 5/6/23	Review of Vision Statement		defer consideration of the statement wording in order to consider additional wording proposed to include businesses and organisation after “people”	MO / Chair	Placed on FWP for next meeting It was AGREED at the meeting on 5/6/23 that the Vision Statement remained to be fit for purpose	5/6/23	Y
8.	3/4/23	Livestream of ESC Hearings in other authorities		Share livestream recordings from other authorities for training purposes	LME	Current links found shared with MO and sent to Members of the Committee		
9.	3/4/23 5/6/23	Code of Conduct refresher training for Town/		To be offered to Town/ Community Councils in 2024	DJ / MO			

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
		Community Councils						
10	3/4/23 5/6/23	Penn Review consultation		Draft response to the 20 questions prepared by the Monitoring Officer be circulated to Members	MO	Circulated to ESC Members via email and uploaded to Teams for Member input Responses asked for by 30 April Consultation response submitted	5/6/23: It was AGREED to note that the consultation response would be submitted as presented.	Y
11	5/6/23	Succession Planning of Independent Members		Report to Council Establish shortlisting / interview panel	LME	Report taken to Council Shortlisting panel took place on 9/10/23 Interviews scheduled to	Update on 15/11/23`	

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
						take place on 16/11/23		
12	5/6/23	Self evaluation of scrutiny		AGREED that a workshop be held to consider the responses and to prioritise the future work of the committee.	LME	Arranged for 6/9/23 Cancelled due to numbers able to attend. To be discussed at end of 16/11/23 meeting	Workshop following 16/11/23 meeting	
13	5/6/23	Update on Adjudication Panel for Wales matters		This report would be circulated to all Clerks of Town and Community Councils and Group Leaders.	LE / DJ	Sent		Y
14	5/6/23	Update on the Public Services Ombudsman matters		This report would be circulated to all Clerks of Town and Community	LE /DJ	sent		Y

No.	ESC Meeting Date	Item	Noted/ Comments	Action	Officer(s) responsible for Action	Progress Update	To next be Reported	Completed ? Y/N
				Councils and Group Leaders.				

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: Councillor Gareth Davies

Council:

County:

Town/Community:

Name of your Council: Ceredigion County Council

Your address: 6 Dôl yr Odyn, Parcyronnen, Llanbadarn Fawr, Aberystwyth, Ceredigion

Postcode: SY23 3SS

Contact telephone number(s): 01970 624929 (Home) 07855 906326 (Mobile)

Email address: Gareth.Davies@ceredigion.llyw.cymru

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Council Tax Premium for Long-Term Empty Properties and Second Homes in Ceredigion

Describe your prejudicial interest in the above matter, including your connection with it:

Along with my wife, I'm a co-owner of a property which is let out.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

County- Cabinet

County- Committee

Town /Community

**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any —
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

I own a property which has been in my possession for around 15 years, and it has been rented out throughout that period. The Council will consider the Council Tax Premium for Second Homes and Long-Term Empty Properties during the Council's Revenue Budget setting process in several committees. The guidelines aren't clear as to whether my property falls into these two categories.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I'm the Cabinet Member with responsibility for the Finance and Procurement Services. The Finance and Procurement Department will be leading these discussions.

As I noted previously, it isn't clear if my property falls into the category of Second Home or Empty Property. During the whole time this property has been under my ownership, there hasn't been a single period where the property has been empty. Therefore, it couldn't be considered a Second Home (as I have no intention of living there), nor could it be considered a Long-Term Empty Property as there are tenants there at all times.

I strongly believe that the Cabinet Member should be allowed to speak freely regarding this subject, which can be a very emotive subject as well as a subject which includes several technical elements.

I kindly ask the committee to kindly consider my application and allow me to speak and vote on this matter.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

**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 Ethics and Standards Committee.**

Signed:

Date:

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: CATRIN M S DAVIES

Council:

County:

Town/Community:

Name of your Council: Ceredigion County Council

Your address:

SIMNE WEN, 3 STRYD NEWYDD, TALYBONT, CEREDIGION.

Postcode: SY24 5HD

Contact telephone number(s): 07866 452287

Email address: Catrin.M.S.Davies@ceredigion.llyw.cymru

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

The Council will be discussing raising the tax on empty properties.

Describe your prejudicial interest in the above matter, including your connection with it:

I own an empty property. Charging tax on empty homes may affect me.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

County- Cabinet

County- Committee

Town /Community

**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, industrial and provident society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

The house has been empty for years, since around 1998. I inherited it when it was already in a bad condition. It has no water supply and no sewerage system. It requires so much work that I cannot afford to do it to bring it up to an acceptable standard as a dwelling.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

There is little I can do about the house I own since it is in the middle of land that is farmed by my sister – I cannot afford to renovate it and I can't sell it so it is not a factor for me when discussing personal matters. Owning this property does not affect my ability to discuss and consider increasing the council tax on empty homes. I will not be considering this matter in the context of me owning a second home but rather in terms of how to act fairly towards all groups in society and the people that we represent.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

To be able to influence the decision.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s):

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

**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 Ethics and Standards Committee.**

Signed:

Date:

03 / 11 / 23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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Neuadd Cyngor Ceredigion,
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Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: GARETH IOAN

Council:

County:

Town/Community:

Name of your Council:

CYNGOR CYMUNED LLANLLWCHAEARN

Your address:

CROESHEDDIG NEWYDD, PENTRE'R BRYN, LLANDYSUL, CEREDIGION

Postcode: SA44 6NB

Contact telephone number(s):

01545 560255

Email address:

gareth.ioan1@gmail.com

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Council Tax Premium

Describe your prejudicial interest in the above matter, including your connection with it:

I am a part-owner of a holiday home in Ceredigion.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

County- Cabinet

County- Committee

Town /Community

**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, industrial and provident society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

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(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

I have shared ownership of a holiday home in Ceredigion (although we are exempt from paying council tax at this moment). I also own a property in Ceredigion that is rented out long-term. I am also a member of a local working group that lobbies in the field of Housing – Tai'r 4 Llan.

Recognising this, my application involves being able to contribute to the public discussion on Housing, and specifically the current discussion around the County Council's Council Tax Premium. I believe I have a role to play in the Community Council's discussion because of my recent involvement in the 4 Llan action group, and my expertise as a Language Planning and Policy consultant for over 20 years.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>

(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	<input type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

As stated above, my application involves being able to contribute to the public discussion on Housing, and specifically the current discussion around the County Council's Council Tax Premium. I believe I have a role to play in the Community Council's discussion because of my recent involvement in the 4 Llan action group, and my expertise as a Language Planning and Policy consultant for over 20 years with IAITH Cyf.

Owning property such as a holiday home or rental property is a common feature among the native population of Ceredigion. Not being able to share experience and expertise would impoverish the public discourse – whilst recognising that it needs to be done in a transparent way.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

I am keen to contribute to the discussion. I am willing to waive the right to vote on the matter because of the potential interest.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

**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 Ethics and Standards Committee.**

Signed:

Gareth Iwan

Date:

13 / 10 / 23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

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Ethics and Standards
Neuadd Cyngor Ceredigion
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Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: Evan John Keith Evans

Council:

County:

Town/Community:

Name of your Council: Ceredigion County Council. Llandysul Community Council

Your address: Deganwy, Llandysul, Ceredigion.

Postcode: SA44 4DT

Contact telephone number(s): 07970 261861

Email address: keith.evans@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Potential Funding for Calon Tysul

Describe your prejudicial interest in the above matter, including your connection with it:
I serve and advise on their Management Committee. As both their County Council and Community Council local Member, local organisations looks to elected members for guidance, leadership and support.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council



County- Cabinet



County- Committee



Town /Community



**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any — (ee)
x
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of—

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(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

About 7/ 8years ago the County Council decided to withdraw their revenue support for the then Llandysul Swimming Pool, a facility that was built by the people of Llandysul some 46 years ago, and which is a pool voluntarily run by a Board of Trustees.

A few years later the same Authority resolved to close the Llandysul Lesiure Centre and sought interest from the Community to take over the responsibility for the continuance of its operation. As the Pool is linked to the Lesiure centre the Board resolved to make known their interest in taking over the facility and created the body now known as Calon Tysul. The County Authority accepted their business case and proceeded to transfer the building under the community asset transfer scheme bringing with it a modest revenue sum for the initial 2 years that followed.

As might be appreciated and known by some on the panel, Pools and leisure facilities, particularly those managed by Local Authorities always require revenue support to sustain their very important community service.

To their credit Calon Tysul has managed thus far to sustain this valuable community resource, but are reliant on attracting programme funding and some modest revenue support from the community council and rely also for external financial support in the main, to undertake projects that are capital works in their nature. As a matter of background information we spend over £1k a week on energy costs alone. The current energy crisis means that the figure is now up to circa £1.6 a week. I am seeking dispensation therefore to enable me as their local elected representative to plead their case at county and community authority level.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>

(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I represent a small market town ward, where everyone knows everyone and as an elected member the public are very much aware of the work that you undertake in the community. Having an insight into these groups by being on their management committees expedites business. On many occasions I could have been in a position to aid Council Committees deliberations because of the knowledge and background information one possesses about the applicants. The tendency is to go back to the applicant and seek the information and in the process lose an extended period of time until the next cycle of meetings. Enabling my participation would expedite the dispensing of the decision making process and make for better and efficient Local Government. My ability to speak and vote would not damage the public's confidence in the Authorities business as all the work I undertake in the community is on a voluntary basis. My standing and repute in the town is such that the public are aware that my stance, and any support given will be for the betterment of our community. Llandysul is a very active community and I serve on some 10 local organisations. I have been involved in all tiers of Local Government for over 37 years and have served on numerous Regional and National bodies during my political career.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

The ability to speak and vote on occasions where I have an interest in a community organisation will expedite and aid the decision making processes due to the local knowledge, expertise and experience that I possess.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Signed:

Keir Ewans

Date:

08/09/23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Updated 23/03/20



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: Evan John Keith Evans

Council:

County:

Town/Community:

Name of your Council: Ceredigion County Council. Llandysul Community Council

Your address: Deganwy, Llandysul, Ceredigion.

Postcode: SA44 4DT

Contact telephone number(s): 07970 261861

Email address: keith.evans@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Potential Funding for Calon Tysul

Describe your prejudicial interest in the above matter, including your connection with it:
I serve and advise on their Management Committee. As both their County Council and Community Council local Member, local organisations looks to elected members for guidance, leadership and support.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council



County- Cabinet



County- Committee



Town /Community



**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any — (ee)
x
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management,
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

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3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

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A few years later the same Authority resolved to close the Llandysul Lesiure Centre and sought interest from the Community to take over the responsibility for the continuance of its operation.

As the Pool is linked to the Lesiure centre the Board resolved to make known their interest in taking over the facility and created the body now known as Calon Tysul. The County Authority accepted their business case and proceeded to transfer the building under the community asset transfer scheme bringing with it a modest revenue sum for the initial 2 years that followed.

As might be appreciated and known by some on the panel, Pools and leisure facilities, particularly those managed by Local Authorities always require revenue support to sustain their very important community service.

To their credit Calon Tysul has managed thus far to sustain this valuable community resource, but are reliant on attracting programme funding and some modest revenue support from the community council and rely also for external financial support in the main, to undertake projects that are capital works in their nature. As a matter of background information we spend over £1k a week on energy costs alone. The current energy crisis means that the figure is now up to circa £1.6 a week. I am seeking dispensation therefore to enable me as their local elected representative to plead their case at county and community authority level.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>

(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

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(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

The ability to speak and vote on occasions where I have an interest in a community organisation will expedite and aid the decision making processes due to the local knowledge, expertise and experience that I possess.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Signed:

Keir Ewans

Date:

08/09/23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

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Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: Evan John Keith Evans

Council:

County:

Town/Community:

Name of your Council: Ceredigion County Council. Llandysul Community Council

Your address: Deganwy, Llandysul, Ceredigion.

Postcode: SA44 4DT

Contact telephone number(s): 07970 261861

Email address: keith.evans@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Potential Funding for Cymdeithas Chwaraeon Llandysul

Describe your prejudicial interest in the above matter, including your connection with it:
I serve and advise on their Management Committee. As both their County Council and Community Council local Member, local organisations looks to elected members for guidance, leadership and support.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council



County- Cabinet



County- Committee



Town /Community



**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any — (ee)
x
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management,
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

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(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

Cymdeithas Chwaraeon Llandysul Cyf is an umbrella organisation that was created some 31 years ago to provide sporting opportunities for the community of Llandysul and its hinterland and run by unpaid volunteers. It has been set up as a company with limited liabilities and a not for profit enterprise. It boasts 2 soccer pitches, cricket pitches and nets, bowling green, Pavilion and changing rooms as well as a circular permissive footpath with associated seating and picnic area which is well used by the general community.

Again some 9 years ago the County Council withdrew its revenue support of circa £20k pa from the organisation which meant that we needed to be fleet of foot to plug the financial hole. Under my guidance as Chair we set about putting in place a weekly lotto draw which has been well supported by the community and is making up some of the deficit. The Community Council in Llandysul support us with a modest amount of revenue funding for which we are grateful, but increasingly we have to turn to both tiers of Local Government when we embark on improvement work, seeking grant aid.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I represent a small market town ward, where everyone knows everyone and as an elected member the public are very much aware of the work that you undertake in the community. Having an insight into these groups by being on their management committees expedites business. On many occasions I could have been in a position to aid Council Committees deliberations because of the knowledge and background information one possesses about the applicants. The tendency is to go back to the applicant and seek the information and in the process lose an extended period of time until the next cycle of meetings. Enabling my participation would expedite the dispensing of the decision making process and make for better and more efficient Local Government.

My ability to speak and vote would not damage the public's confidence in the Authorities business as all the work I undertake in the community is on a voluntary basis. My standing and repute in the town is such that the public are aware that my stance, and any support given will be for the betterment of our community. Llandysul is a very active community and I serve on some 10 local organisations. I have been involved in all tiers of Local Government for over 37 years and have served on numerous Regional and National bodies during my political career.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

The ability to speak and vote on occasions where I have an interest in a community organisation will expedite and aid the decision making processes due to the local knowledge, expertise and experience that I possess.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Signed:

Keir Evans

Date:

08/09/23

Please return this form to:

Ethics and Standards
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Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

Updated 23/03/20

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: Evan John Keith Evans

Council:

County:

Town/Community:

Name of your Council: Ceredigion County Council. Llandysul Community Council

Your address: Deganwy, Llandysul, Ceredigion.

Postcode: SA44 4DT

Contact telephone number(s): 07970 261861

Email address: keith.evans@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Potential Funding for Cymdeithas Chwaraeon Llandysul

Describe your prejudicial interest in the above matter, including your connection with it:
I serve and advise on their Management Committee. As both their County Council and Community Council local Member, local organisations looks to elected members for guidance, leadership and support.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council



County- Cabinet



County- Committee



Town /Community



**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any — (ee)
x
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

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(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management,
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

Cymdeithas Chwaraeon Llandysul Cyf is an umbrella organisation that was created some 31 years ago to provide sporting opportunities for the community of Llandysul and its hinterland and run by unpaid volunteers. It has been set up as a company with limited liabilities and a not for profit enterprise. It boasts 2 soccer pitches, cricket pitches and nets, bowling green, Pavilion and changing rooms as well as a circular permissive footpath with associated seating and picnic area which is well used by the general community.

Again some 9 years ago the County Council withdrew its revenue support of circa £20k pa from the organisation which meant that we needed to be fleet of foot to plug the financial hole. Under my guidance as Chair we set about putting in place a weekly lotto draw which has been well supported by the community and is making up some of the deficit. The Community Council in Llandysul support us with a modest amount of revenue funding for which we are grateful, but increasingly we have to turn to both tiers of Local Government when we embark on improvement work, seeking grant aid.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I represent a small market town ward, where everyone knows everyone and as an elected member the public are very much aware of the work that you undertake in the community. Having an insight into these groups by being on their management committees expedites business. On many occasions I could have been in a position to aid Council Committees deliberations because of the knowledge and background information one possesses about the applicants. The tendency is to go back to the applicant and seek the information and in the process lose an extended period of time until the next cycle of meetings. Enabling my participation would expedite the dispensing of the decision making process and make for better and more efficient Local Government.

My ability to speak and vote would not damage the public's confidence in the Authorities business as all the work I undertake in the community is on a voluntary basis. My standing and repute in the town is such that the public are aware that my stance, and any support given will be for the betterment of our community. Llandysul is a very active community and I serve on some 10 local organisations. I have been involved in all tiers of Local Government for over 37 years and have served on numerous Regional and National bodies during my political career.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

The ability to speak and vote on occasions where I have an interest in a community organisation will expedite and aid the decision making processes due to the local knowledge, expertise and experience that I possess.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Signed:

Keir Evans

Date:

08/09/23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
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Postcode: SA44 4DT

Contact telephone number(s): 07970 261861

Email address: keith.evans@ceredigion.gov.uk

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What is the matter being discussed by the Council?

Potential Funding for Llandysul Pont-Tyweli Ymlaen Cyf

Describe your prejudicial interest in the above matter, including your connection with it:
I serve and advise on their Management Board as a Director. As both their County Council and Community Council local Member, local organisations looks to elected members for guidance, leadership and support.

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(Please specify)**

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3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

Llandysul Pont- Tyweli Ymlaen Cyf is a not for profit community development group that was set up some 21 years ago to help energise Llandysul and its hinterland following the decline in trade as a consequence of the recession and the impact of the Foot and Mouth epidemic. Ironically we have come full circle with the impact of the austerity measures and the general decline in High street traders, most notably the loss of the four major clearing banks from our town in recent years coupled with the impact of the Covid -19 pandemic. Again the public look to their elected representatives to lead in the circumstances as highlighted above. The organisation also provides a community transport service element. Llandysul is one of the towns within the context of the Mid Wales region able to access funding that is only available to 3 towns in Ceredigion. My role as a volunteer Director is to provide business expertise and experience as well as the focus my broad experience of having served on Regional and National bodies brings to the Board. My extended knowledge, contacts in the business sector and the ability to identify and be creative with potential projects is something the Board values highly. My background in business, Local Authority as well as external boards, across all my dispensation applications before you, is also of great value in providing leadership and support in governance matters.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

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(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	<input type="checkbox"/>
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What is the requested duration for this dispensation?

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General:

6 months:

12 months:

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I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Signed:

Keir Ewans

Date:

08/09/23

Please return this form to:

Ethics and Standards
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Penmorfa
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(Please specify)**

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Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

Llandysul Pont- Tyweli Ymlaen Cyf is a not for profit community development group that was set up some 21 years ago to help energise Llandysul and its hinterland following the decline in trade as a consequence of the recession and the impact of the Foot and Mouth epidemic. Ironically we have come full circle with the impact of the austerity measures and the general decline in High street traders, most notably the loss of the four major clearing banks from our town in recent years coupled with the impact of the Covid -19 pandemic. Again the public look to their elected representatives to lead in the circumstances as highlighted above. The organisation also provides a community transport service element. Llandysul is one of the towns within the context of the Mid Wales region able to access funding that is only available to 3 towns in Ceredigion. My role as a volunteer Director is to provide business expertise and experience as well as the focus my broad experience of having served on Regional and National bodies brings to the Board. My extended knowledge, contacts in the business sector and the ability to identify and be creative with potential projects is something the Board values highly. My background in business, Local Authority as well as external boards, across all my dispensation applications before you, is also of great value in providing leadership and support in governance matters.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>

(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

I represent a small market town ward, where everyone knows everyone and as an elected member the public are very much aware of the work that you undertake in the community. Having an insight into these groups by being on their management committees expedites business. On many occasions I could have been in a position to aid Council meetings deliberations because of the knowledge and background information one possesses about the applicants. The tendency is to go back to the applicant and seek the information and in the process lose an extended period of time until the next cycle of meetings. Enabling my participation would expedite the dispensing of the decision making process and make for better and more efficient Local Government. My ability to speak and vote would not damage the public's confidence in the Authorities business as all the work I undertake in the community is on a voluntary basis. My standing and repute in the town is such that the public are aware that my stance, and any support given will be for the betterment of our community. Llandysul is a very active community and I serve on some 10 local organisations. I have been involved in all tiers of Local Government for over 37 years and have served on numerous Regional and National bodies during my political career.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

The ability to speak and vote on occasions where I have an interest in a community organisation will expedite and aid the decision making processes due to the local knowledge, expertise and experience that I possess.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Signed:

Keir Ewans

Date:

08/09/23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Updated 23/03/20

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Amendment to the consolidated statutory and non statutory guidance for principal councils

Purpose of the report: To update the Committee on the amendment to the consolidated statutory and non statutory guidance for principal councils

Background

There has been an amendment to the consolidated statutory and non statutory guidance for principal councils in Wales at Part 2, Section 6.0, paragraph 6.4.

The guidance has been amended to read that standards committees (as opposed to standards committee chairs) should meet with group leaders at the beginning of each council year to agree a number of issues.

The updated guidance has been published on the following links:

[Statutory and non-statutory guidance on democracy within principal councils | GOV.WALES](#)

[Canllawiau statudol ar ddemocratiaeth o fewn prif gynghorau | LLYW.CYMRU](#)

A set of videos on ethical standards and the code of conduct have been developed. The final versions are now live and can be found here:

[Standards of behaviour for councillors in Wales - YouTube](#)

[Advice on how to complain about a councillor in Wales - YouTube](#)

[How councillors should behave and interact with people - YouTube](#)

[Safonau ymddygiad ar gyfer cynghorwyr yng Nghymru - YouTube](#)

[Cyngor ar sut i gwyno am gynghorydd yng Nghymru - YouTube](#)

[Sut dylai cynghorwyr ymddwyn ac ymwneud â phobl - YouTube](#)

The relevant section for the Ethics and Standards Committee are Part 2 4.0-7.0.

4.0 Statutory Guidance on duties of leaders of political groups in relation to standards of conduct.....	20
5.0 Statutory Guidance on the Functions of Standards Committees	28
6.0 Duty of a standards committee to monitor group leaders' compliance with the duties, and provision of advice and training.....	30
7.0 Duty of standards committee to make annual report	31

We draw your attention to para 4.36 and 4.24 of the Statutory and Non-Statutory Guidance introduced in June '23 relating to Political Group Leaders meeting their statutory duty in the '21 Act and the interface with Standards Committee (not least the threshold to be used by the individual Standards Committee).

4.36 At the beginning of each council year Political group leaders should meet with the standards committee to agree the following:

- How group leaders and the standards committee will work together to ensure appropriate standards of behaviour;
- Frequency of meetings between group leaders and the standards committee throughout the year;
- The threshold which the standards committee will use to establish whether it is content that political group leaders have complied with the duties of the 2021 Act;
- The mechanism for political group leaders to provide reports to the standards committee about the actions they have taken to comply with the duties within the 2021 Act.

4.24 Reasonable steps the group leader may undertake include:

- demonstrating personal commitment to and attending and participating in relevant development or training around equalities and standards, including on the Code of Conduct;
- actively encouraging group members to attend relevant development or training around equalities and standards including in relation to the Code of Conduct;
- ensuring nominees to a committee have received the recommended training for participating on that committee;
- promoting modelling civility and respect within group communications and meetings and in formal council meetings;
- supporting informal resolution procedures in the council, and working with the standards committee and monitoring officers to achieve local resolution;
- encouraging a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the council's standards committee if requested to participate in discussions on Code of Conduct issues;
- drive forward work to implement any recommendations from the standards committee about improving standards;
- work with the standards committee to proactively identify, consider and tackle patterns of inappropriate behaviour;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the council and where any issues identified involve more than one political group.

The template has been reviewed and will be considered on today's agenda.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A

Collaboration: N/A

Involvement: N/A

Prevention: N/A

Integration: N/A

Recommendation(s):

To note the amendment to the consolidated statutory and non statutory guidance for principal councils.

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 18/10/23

Acronyms:

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Cyngor Sir CEREDIGION County Council

REPORT TO:	Ethics and Standards Committee
Title:	Monitoring Officer Code of Conduct Update- Quarter 1& 2 2023-2024
DATE:	15 November 2023
LOCATION:	Hybrid
Purpose:	Information

Background

Committee will recall that the Monitoring Officer reported for 2022/2023:

Q3: Committee meeting 25 January 2023.

Q4: Committee meeting 06 June 2023.

Committee:

- requested to be informed in future reports of any trends that had increased/decreased
- noted the increase in recent years of trends relating to social media and online abuse.

Current position

The Monitoring Officer Update-Q 1 & 2 (April 2023-September 2023) on Code of Conduct activity and recent trends is shown below.

County Council

- Decrease -Councillors subject to Police investigation
- Increase-lack of respect and consideration to officers
- Increase- lack of respect and consideration towards officers via social media
- Lack of respect and consideration to officers in public meetings

- Increase- Lack of respect and consideration towards officers in public meetings: impolite/disrespectful language towards officers
 - Bring Council into disrepute-social media/press
 - Racist remarks-via social media
- APW interim suspension x1:6m
- Self-referral to MO:x1
- PSOW Decision Notices:x1

Town & Community Councils

- Increase in complaints relating to behaviour- lack of respect and consideration towards members of public via social media including:
 - “crass and distasteful remark”: need for Councillor to consider how personal comments about members of the public can be interpreted/perceived by others
- Decrease in Councillors failing to declare conviction or self-report to PSOW
- Bring Council into disrepute-former Councillor: conviction
- Increase:lack of respect and consideration towards clerk in public meeting
- towards
- Assault in public place
- Racist remarks

Monitoring Officer referral to PSOW: x1

PSOW Decision Notices:x3

RECOMMENDATION (S):

To note the contents of the report

REASON FOR RECOMMENDATION (S):

To inform Committee of Code of Conduct activity and recent trends

Contact Name: Elin Prysor
Designation: Monitoring Officer
Date of Report: 10/10/23

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CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Review of the political group leaders compliance assessment template.

Purpose of the report: To ensure that the political group leaders compliance assessment template is up to date.

Background

Consideration was given to the first Political Group Leaders Compliance Assessment at the Ethics and Standards Committee meeting held on 5th June 2023. Group leaders had completed their reports by 20 April 2023. A workshop had taken place with each group leader individually on 15 May 2023:

- Cllr Bryan Davies (Plaid Cymru)
- Cllr Elizabeth Evans (Liberal democrats)
- Cllr Gareth Lloyd (Independent group)

The Committee assessed the extent to which whether political group leaders had:

1. taken reasonable steps to promote and maintain high standards of conduct by group members
2. co-operated with the Committee in exercise of its functions
3. any training needs.

Current Situation

There has been an amendment to the consolidated statutory and non statutory guidance for principal councils in Wales at Part 2, Section 6.0, paragraph 6.4.

The guidance has been amended to read that standards committees (as opposed to standards committee chairs) should meet with group leaders at the beginning of each council year to agree a number of issues.

The updated guidance has been published on the following links and shared with you on a separate item on today's agenda:

[Statutory and non-statutory guidance on democracy within principal councils | GOV.WALES](#)

[Canllawiau statudol ar ddemocratiaeth o fewn prif gynghorau | LLYW.CYMRU](#)

The compliance assessment template has been reviewed and amended in light of the final guidance. Changes made are shown on the document.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A

Collaboration: N/A

Involvement: N/A

Prevention: N/A

Integration: N/A

Recommendation(s):

To review and agree the amendments made to the political group leaders compliance assessment template.

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 18/10/23

Acronyms:

Ceredigion County Council

Ethics & Standards Committee

Group Leaders Reporting Duty

1. Group leaders are subject to two new statutory duties:
 - i. To take reasonable steps to promote and maintain ~~high good~~ standards of ~~conduct by the members of behaviour amongst~~ their group ~~members~~
 - ii. To co-operate with the Standards Committee in the exercise of the standards committee's functions.

Local Government & Elections Wales Act 2021: S62

2. Group leaders could be deemed to be bringing their office into disrepute under the councillors' code of conduct by not fulfilling the duties;
Duty does not make group leaders accountable for behaviour of their members.
3. The Ethics & Standards Committee is under a duty to:
 - a) monitor compliance by leaders of political groups on the council with their duties, and
 - b) to advise, train or arrange to train leaders of political groups on the council about matters relating to those duties.

Local Government & Elections Wales Act 2021: S63

4. The Ethics & Standards Committee is also under a duty to prepare an annual report which:
 - a) must include the committee's assessment of the extent to which leaders of political groups on the council have complied with their duties, and
 - b) may include recommendations or comment on levels of compliance with these new duties

Local Government & Elections Wales Act 2021: S63

5. The ~~draft~~ guidance issued by WG in relation to the new duties suggests the steps that could be taken by Group Leaders to fulfill these obligations;
~~"Reasonable steps" and "good standards" are not as yet defined.~~

[4.24 of the Guidance states:](#)

Reasonable steps the group leader may undertake include:

- demonstrating personal commitment to and attending and participating in relevant development or training around equalities and standards, including on the Code of Conduct;
- actively encouraging group members to attend relevant development or training around equalities and standards including in relation to the Code of Conduct;
- ensuring nominees to a committee have received the recommended training for participating on that committee;
- promoting modelling civility and respect within group communications and meetings and in formal council meetings;
- supporting informal resolution procedures in the council, and working with the standards committee and monitoring officers to achieve local resolution;
- encouraging a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the council's standards committee if requested to participate in discussions on Code of Conduct issues;
- drive forward work to implement any recommendations from the standards committee about improving standards;
- work with the standards committee to proactively identify, consider and tackle patterns of inappropriate behaviour;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the council and where any issues identified involve more than one political group.

6. Group leaders and Standards Committees must take the WG Guidance (2023) into account;

Statutory and Non-Statutory Guidance for Principal Councils in Wales – supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021

6-7. Group Leaders already take some steps to prevent matters escalating and to nip issues in the bud. These are informal & confidential and so should not be publicly or individually reported;

7-8. The template below is based on examples in the WG Guidance to prompt group leaders on the matters to be covered in their reports;

9. So that the Ethics & Standards Committee retains independence from operational matters it will ask Group Leaders to report once per year. The Ethics

and Standards committee will meet with group leaders at the beginning of each council year to agree a number of issues.

4.36 of the Guidance states:

At the beginning of each Council year Political group leaders should meet with the Standards Committee to agree the following:

- How group leaders and the Standards committee will work together to ensure appropriate standards of behaviour;
- Frequency of meetings between group leaders and the Standards Committee throughout the year;
- The threshold which the Standards Committee will use to establish whether it is content that political group leaders have complied with the duties of the 2021 Act;
- The mechanism for political group leaders to provide reports to the Standards Committee about the actions they have taken to comply with the duties within the 2021 Act.

8-10. The Ethics & Standards Committee Chair may also wish to meet group leaders periodically to review behaviour generally. The Chair may also seek the views of the Monitoring Officer.

9-11. If additional matters of importance, or matters which might be raised by the Ethics & Standards Committee, such as seeking assurance from Group Leaders, arise during the year, these can be reported to the Monitoring Officer who will inform the Ethics & Standards Committee;

10-12. Group Leaders will prepare their report for the Ethics & Standards Committee after 1st April each year.

11-13. The report will not mention specific cases and will refer to the type of actions undertaken;

12-14. The Committee will thereafter meet with each group leader informally to explore their report. The Committee may also seek the view of the Monitoring Officer.

13-15. The Committee may give informal feedback to group leaders

14-16. The Ethics & Standards Committee Chair' annual report will contain:
a) short summary of steps taken by group leaders to fulfill the duty,
b) its opinion on whether sufficient has been done,

- c) any recommendations as to what may be done by group leaders to fulfill their duties,
- d) any recommendations as to what may be done to evidence the group leaders' actions,
- e) any recommendations as to what may be done to improve the reporting mechanism,
- f) what additional training if any is required,
- g) any future pieces of work that might be undertaken etc.

45.17. The Ethics & Standards Committee Chair' annual report will be presented to Council at the next available meeting following consideration by the Ethics and Standards Committee.

Promoting Compliance With the Code of Conduct				
To be completed by Monitoring Officer				
Report by:				
Political Group:				
No. of members:		No. trained on Code:	(100%)	
For the period:				
Number, Source and Level of Complaints				
	Informal	Local Resolution		PSOW/APW
Public				
Officers				
Councillors				
Steps taken to Promote Compliance (To Be Completed by Group Leader)				
See paras 4.240 & 4.36 & of the Guidance above.				
Include matters such as:				
<ul style="list-style-type: none"> - demonstrating personal commitment to and attending relevant development or training around equalities and standards, including on the code of conduct; - actively encouraging group members to attend relevant development or training around equalities and standards including in relation to the Code of Conduct; ; - ensuring nominees to a Committee have received the recommended training for participating on that Committee; - setting an example - using their influence to promote a positive culture 				

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- promoting modelling civility and respect within group communications and meetings and in formal Council meetings;
- address issues as soon as they arise
- ~~supporting~~promoting informal resolution procedures in the Council, and working with the Ethics & Standards Committee and Monitoring Officer to achieve local resolution;
- ~~encouraging~~promoting a culture within the group which supports high standards of conduct and integrity;
- attend a meeting of the Council's Ethics & Standards Committee if requested to participate in discussions on Code of Conduct issues;
- ~~attend periodic meetings with the Monitoring Officer and other group leaders~~
- ~~attend meetings between the Monitoring Officer and members of their group relating to Code of Conduct matter, as necessary~~
-

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- drive forward work to implement any recommendations from the Standards Committee about improving standards;
- work together with other group leaders, within reason, to collectively support high standards of conduct within the Council and where any issues identified involve more than one political group.
- ~~Work constructively with the Ethics & Standards Committee and Monitoring Officer to identify training requirements for themselves and their members.~~

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- work with the standards committee to proactively identify, consider and tackle patterns of inappropriate behaviour;

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CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Standards Committees (Wales)(Amendment)
Regulations 2023 SI 2023/988

Purpose of the report: To update the Committee on amendments to Corporate Joint Committees.

Background

The Standards Committees (Wales) Regulations 2001 2001 Regulations include requirements as to composition of standards Committees and appointment of independent/lay members to Standards Committees:

[The Standards Committees \(Wales\) Regulations 2001 \(legislation.gov.uk\)](https://legislation.gov.uk)

1)Mid Wales CJC Representatives

The following are the Ceredigion representatives on the Standards Corporate Joint Committee sub-committee as agreed by Council on 26th October 2023:

Councillor Gwyn Wigley-Evans
Independent Member: Carol Edwards

2)Standards Committees (Wales)(Amendment) Regulations 2023

Appendix A contains the Standards Committees (Wales)(Amendment) Regulations 2023 SI 2023/988 which relates in particular to the Mid Wales CJC Standards Committee.

The effect of the 2023 Regulations is to amend the Standards Committees (Wales) Regulations 2001 so as to include Corporate Joint Committees within the 2001 Regulations.

The 2001 Regulations include requirements as to appointment of independent/lay members to Standards Committees. It also has the effect of prohibiting appointment on to a Standards Committee where a member has been a member of a CJC previously.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.
No

Summary of Integrated Impact Assessment:

Long term: N/A
Collaboration: N/A
Involvement: N/A
Prevention: N/A
Integration: N/A

Recommendation(s):

To note the information.

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 18/10/23

Acronyms: CJC – Corporate Joint Committee

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The Standards Committees (Wales) (Amendment) Regulations 2023

Wales Statutory Instruments 2023 No. 988 (W. 159) Whole Instrument

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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

W E L S H S T A T U T O R Y I N S T R U M E N T S

2023 No. 988 (W. 159)

LOCAL GOVERNMENT, WALES

The Standards Committees (Wales) (Amendment) Regulations 2023

Made

11 September 2023

Laid before Senedd Cymru

13 September 2023

Coming into force

9 October 2023

The Welsh Ministers⁽¹⁾ make the following Regulations in exercise of the power conferred on them by section 53(11) and section 105(2)(a) and (2)(b) and (3) of the Local Government Act 2000⁽²⁾.

Title and coming into force

1. The title of these Regulations is the Standards Committees (Wales) (Amendment) Regulations 2023 and they come into force on 9 October 2023.

Amendments to the Standards Committees (Wales) Regulations 2001

2. The Standards Committees (Wales) Regulations 2001⁽³⁾ are amended as follows.

3. In regulation 2 —

- (a) in the appropriate place insert “‘corporate joint committee’ (“*cyd-bwyllgor corfforedig*) means a corporate joint committee established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021;”;
- (b) in the definition of “independent member”—
 - (i) in sub-paragraph (b), after “officer” omit “or”;
 - (ii) in sub-paragraph (c), after “council” insert “, or”;
 - (iii) after sub paragraph (c) insert “(d) where a relevant authority is a corporate joint committee, a person who is a member, co-opted member or officer of that corporate joint committee or its constituent authorities including a constituent National Park Authority or a spouse or civil partner of that member, co-opted member or officer;”;
- (c) in the definition of “lay panel member”—
 - (i) in sub-paragraph (a), after “council,” omit “or”;
 - (ii) in sub-paragraph (b), after “council” omit “;” and insert “, or”;
 - (iii) after sub-paragraph (b) insert—

“(c) where the relevant authority is a corporate joint committee, is

 - (i) a member of a constituent authority who is not a member of the executive of that authority, or
 - (ii) a member of a constituent National Park Authority who is not an eligible member of that corporate joint committee;”;
- (d) in the definition of “relevant authority”—
 - (i) in sub-paragraph (c) omit “and”;
 - (ii) in sub-paragraph (d), after “authority” omit “;” and insert “, and”;
 - (iii) after sub-paragraph (d) insert “(e) a corporate joint committee;”.

4. In regulation 4—

- (a) after paragraph (a) insert—

“(aa)

where the relevant authority is a corporate joint committee, members of that corporate joint committee's constituent authorities or constituent National Park Authority but not co-opted members of that corporate joint committee other than those co-opted for membership of the standards committee of that corporate joint committee,";

(b) in paragraph (c), after "members" insert "except where the relevant authority is a corporate joint committee".

5. In regulation 6—

(a) in paragraph (1), omit "A person" and insert "Subject to (1A), a person";

(b) after paragraph (1) insert—

"(1A) Where the relevant authority referred to in regulation 6(1) is a corporate joint committee, a person who has been, but is no longer a member of a corporate joint committee or a member of a constituent authority or constituent National Park Authority of that corporate joint committee, shall not be an independent member of the standards committee of that corporate joint committee.";

(c) in paragraph (2), after "has not been a member" insert ", save that where the relevant authority is a corporate joint committee, the person may not be an independent member of a standards committee of any constituent authority or constituent National Park Authority of that corporate joint committee".

6. In regulation 7—

(a) in paragraph (1)—

(i) omit "A person" and insert "Subject to (1A), a person";

(ii) in the Welsh language text, after "nad yw'n" for "aelod" substitute "swyddog";

(b) after paragraph (1) insert—

"(1A) Where the relevant authority referred to in regulation 7(1) is a corporate joint committee, a person who has been, but is no longer an officer of a corporate joint committee or an officer of a constituent authority or constituent National Park Authority of that corporate joint committee, shall not be an independent member of the standards committee of that corporate joint committee.";

(c) in paragraph (2), after "one or more relevant authorities" insert "or if the relevant authority is a corporate joint authority, an officer of its constituent authorities or constituent National Park Authority".

7. In regulation 8, after paragraph (3) insert—

"(4) Where a relevant authority is a corporate joint committee, the chairperson of such an authority shall not be a member of the standards committee of that corporate joint committee.".

8. In regulation 18—

(a) in paragraph (1)—

(i) after "a member of that authority" insert—

", or a member of a corporate joint committee standards committee who is a member of a constituent authority of that corporate joint committee,";

(ii) after "elections for that authority" insert "or constituent authority";

(b) in paragraph (2), after "local authority concerned" insert ", or, in the case of a corporate joint committee, a constituent authority of that corporate joint committee,".

9. In regulation 19, after paragraph (2) insert—

"(3) Where a relevant authority is a corporate joint committee, the term of office of a member of that authority's standards committee who is a member of that authority's constituent National Park Authority shall be no longer than the period until that member ceases to be a member of the constituent National Park Authority, and such a member shall cease to be a member of that standards committee if that member ceases to be a member of that National Park Authority.".

10. In regulation 21(1), after "member of that authority," insert "or, where the relevant authority is a corporate joint committee, a member of a constituent authority or a constituent National Park Authority of that corporate joint committee,".

11. In regulation 23(1), after "authorities concerned" insert "or, where the relevant authority is a corporate joint committee, is not a member of its constituent local authorities or constituent National Park Authority".

12. In regulation 25—

(a) in paragraph (1), after "standards committee" insert ", except a corporate joint committee standards committee,";

(b) in paragraph (2), after "standards committee" insert ", except a corporate joint committee standards committee,";

(c) after paragraph (2) insert—

"(2A) A corporate joint committee standards committee must hold at least one meeting during every period of 12 months after that corporate joint committee standards committee has been established.".

13. In regulation 26, insert—

"(10) This regulation does not apply to corporate joint committees.".

14. In regulation 27, insert—

"(5) This regulation does not apply to corporate joint committees.".

15. In regulation 28, insert—

"(3) This regulation does not apply to corporate joint committees.".

Rebecca Evans

Minister for Finance and Local Government, one of the Welsh Ministers

11 September 2023

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations add corporate joint committees established by regulations made under Part 5 of the Local Government and Elections (Wales) Act 2021 to the definition of "relevant authority" in the Standards Committees (Wales) Regulations 2001 ("the 2001 Regulations").

These Regulations also amend the 2001 Regulations to provide for the size, composition, and proceedings of standards committees of corporate joint committees and correct errors in the Welsh language text.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to the regulations which establish corporate joint committees and connected regulations and orders. As a result, a regulatory impact assessment was prepared at the time of making those establishment regulations and is relied on for the purpose of these Regulations. A copy can be obtained from the Local Government Strategic Finance Division, Welsh Government, Cathays Park, Cardiff, CF10 3NQ.

(1) The functions of the National Assembly for Wales now vest in the Welsh Ministers by virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32).

- (2) [2000 c. 22](#). Amended by [S.I. 2022/372 \(W. 92\)](#); regulation 3 inserted corporate joint committees into the definition of “relevant authority” in section 49 and amended section 53 of the 2000 Act. Section 49 is contained in Part 3 of the 2000 Act and concerns the conduct of local government members and employees.
- (3) [S.I. 2001/2283 \(W.172\)](#), relevant amending instruments are [S.I. 2005/2929 \(W.214\)](#), [S.I. 2005/3302 \(W.256\)](#), [S.I. 2006/362 \(W.48\)](#), [S.I. 2006/1849 \(W.192\)](#), [S.I. 2007/951 \(W.82\)](#), [S.I. 2013/3005 \(W.297\)](#), [S.I. 2014/3061](#), [S.I. 2016/85 \(W.39\)](#), [S.I. 2021/356 \(W.107\)](#), [S.I. 2022/533 \(W.125\)](#).

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CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Update on Adjudication Panel for Wales matters

Purpose of the report: To update the Committee on Adjudication Panel for Wales matters

Background

The Adjudication Panel for Wales (APW) is an independent tribunal that has been set up to determine alleged breaches against an authority's statutory Code of Conduct by elected and co-opted members of Welsh County, County Borough and Community Councils, Fire and National Park Authorities.

Ceredigion County Council Decision Report

Name: Councillor Steve Davies

Reference number: APW/014/2022-023/CT

Relevant authority: Ceredigion County Council

Nature of allegation: Breach of paragraphs 4(b), 4(c), 6(1)(a) and 7(a),

Hearing: 10 July 2023

Tribunal Decision: Suspended for 6 months

[Panel Dyfarnu Cymru \(gov.wales\)](https://gov.wales)

Other decision reports of interest to the Committee

Name: Former Councillor Karen Laurie-Parry

Reference number: APW/013/2022-023/CT

Relevant authority: Powys County Council

Nature of allegation: Breach of paragraphs 4(b), 4(c), 5(a), 6(1)(a), 6(1)(d), 7(b)(i) and 7(b)(iv)

Hearing: 6 July 2023

Tribunal Decision: Disqualified for 18 months

[apw-decision-notice-karen-parry.pdf \(gov.wales\)](https://gov.wales)

Name: Former Councillor Donald Jenkins
Reference number: APW/001/2023-024/CT
Relevant authority: St Harmon Community Council
Nature of allegation: Breach of paragraphs 6(1)(a) and 7(a)
Hearing: 4 July 2023

Tribunal Decision: Disqualified for 15 months

[apw-decision-notice-donald-jenkins.pdf \(gov.wales\)](#)

Name: Former Councillor Chris Evans
Reference number: APW/015/2022-023/CT
Relevant authority: Newport City Council
Nature of allegation: Breach of paragraphs 6(1)(a) and 7(a)
Hearing: 23 June 2023

Tribunal Decision: Disqualified for 9 months

[apw-decision-report-chris-evans.pdf \(gov.wales\)](#)

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.
No

Summary of Integrated Impact Assessment:

Long term: N/A
Collaboration: N/A
Involvement: N/A
Prevention: N/A
Integration: N/A

Recommendation(s):

To note the contents of the report.

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 25/10/23

Acronyms:

DECISION REPORT

TRIBUNAL REFERENCE NUMBER: APW/014/2022-023/CT

REFERENCE ABOUT ALLEGED BREACH OF THE CODE OF CONDUCT

RESPONDENT: Councillor Steve Davies

RELEVANT AUTHORITIES: Ceredigion County Council and
Aberystwyth Town Council

1. INTRODUCTION

- 1.1 An Interim Case Tribunal convened by the President of the Adjudication Panel for Wales has considered an Interim Report in respect of the above Respondent which had been made by Michelle Morris, the Public Services Ombudsman for Wales (“the PSOW”). The Interim Case Tribunal had before it a 374-page hearing bundle of documents containing the Listing direction of 15th June 2023, the Interim Report of the PSOW into the investigation of a complaint against Councillor Steve Davies of Ceredigion County Council and Aberystwyth Town Council dated 20th March 2023 and twenty-two appendices, relevant correspondence and the APW’s tribunal procedural guidance on references from the PSOW. The Interim report and appendices comprise 221 pages. References in square brackets are to page numbers in the hearing bundle.
- 1.2 In a letter dated 20th March 2023, the Adjudication Panel for Wales received a referral from the Public Services Ombudsman for Wales in relation to allegations made against Cllr Steve Davies. The allegations were that Cllr Davies had breached the Ceredigion County Council and Aberystwyth Town Council Code of Conduct by failing to comply with paragraphs 4(b), 4(c), 6(1)(a) and 7(a) of the Code.
- 1.3 The Interim Case tribunal issued a listing direction dated 15th June 2023 in which it was noted that the Respondent had failed to respond to the letter sent to him by the Registrar to the APW dated 23rd March 2023. The Respondent was written to by the APW on 23rd March 2023 [317] at his home address explaining the purpose of the Interim Case Tribunal and was sent the form APW01, the Reply to a Notice of Reference Form,[321] as well as other documents namely the PSOW Report, the APW Tribunal procedural guidance [350], the APW

Frequently Asked Questions booklet [362] and the APW Practice Direction 1 dated 1st January 2020 [369]. It was made clear to the Respondent in the APW's letter of 23rd March 2023 that his response to the notice must be received by the Registrar to the APW within 21 days and that the completed Respondent's reply to the reference form was to arrive at the APW office by no later than 13th April 2023.

- 1.4 The Respondent failed to provide any response at all within that time frame, and the tribunal therefore decided that, in accordance with regulations 15(1)(b) and 3(3) of The Adjudications by Case Tribunals and Interim Case Tribunal (Wales) Regulations 2001, that the Interim Case Tribunal would determine the interim application without a hearing.
- 1.5 The Interim Case Tribunal is satisfied that the Respondent, Councillor Davies, had received the letter sent to him by the APW on 23rd March 2023. The letter was not returned to the APW in the dead letter system. Further, the Interim Case Tribunal were informed by the Registrar of the APW that Councillor Davies had e mailed the APW on 27th April 2023. The Interim Case Tribunal have not seen and were not informed about the contents of that e mail, only of its existence, since it was dealt with by the President of the APW who directed that it could not be put before the Interim Case Tribunal on the grounds of legal professional privilege. However, Councillor Davies had no reason to e mail the APW unless he had received the APW's letter of the 23rd March 2023.
- 1.6 The case was determined on the papers by the Interim Case Tribunal meeting by remote video hearing on Microsoft Teams on 10th July 2023.

2. PRELIMINARY DOCUMENTS

2.1 Reference from the Public Services Ombudsman for Wales

- 2.1.1 The reference to the APW from the PSOW by letter dated 20th March 2023 contained an Interim Report which detailed an initial complaint made to the PSOW by the then Statutory Director of Social Services for Ceredigion County Council on 9th December 2021, and further incidents that had come to light and were under investigation by the PSOW.

2.2 The Ombudsman's Interim Report.

- 2.2.1 Section 72(1) of the Local Government Act 2000 ("the Act") authorises the PSOW to produce an interim report where the Ombudsman considers it necessary and in the public interest, before the completion of the Ombudsman's investigation under section 69.
- 2.2.2 The PSOW says that it was appropriate to investigate whether Councillor Davies had failed to comply with any of the following provisions of the Code of Conduct;
- 2.2.3. Paragraph 4 (b) states that "*You must- show respect and consideration for others;*"

- 2.2.4. Paragraph 4(c) states that “*You must- not use bullying behaviour or harass any person.*”
- 2.2.5 Paragraph 6(1)(a) states that “*You must- (a) not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute:*
- 2.2.6 Paragraph 7(a) states that “*You must not- (a) in your official capacity or otherwise, use or attempt to use your position improperly to confer on or secure for yourself, or any other person, an advantage or create or avoid for yourself, or any other person, a disadvantage.*”
3. The Interim Report notes that both the relevant authorities adopted a Code of Conduct for their members which incorporates the provisions of a Model Code of Conduct contained in an order made by Welsh Ministers. A copy of the Code was included in the papers before the Interim Case Tribunal [33]. The Respondent gave a signed undertaking that, in performing his functions, he would observe the Code of Conduct for Ceredigion County Council on 11th May 2012, 9th May 2017 and 20th May 2022. He did so likewise for Aberystwyth Town Council on 15th May 2017. The PSOW report notes at paragraph 4 [11], that the Respondent would have been required to give such a written undertaking on being re-elected to the Town Council in 2022 but that the Town Council had not been able to locate a copy of his acceptance of office. The PSOW was satisfied that the absence of that document does not affect the Respondent’s standing as a member or his duty to comply with the Code of Conduct.
4. The allegations that the Ombudsman considered on balance were suggestive of a breach of the Code were as follows;
- 4.1.1 In October 2020 a complaint was made to the Council that the Respondent was making repeated ‘welfare checks’ on a vulnerable widow (Ms A) despite her not being in his Ward and her asking him not to visit her. Ms A said that she did not wish to make a formal complaint and that she was terrified of the Respondent. The Respondent was spoken to by the Monitoring Officer.
- 4.1.2 In November 2020 a Police referral was made to the Council indicating that a member of the public (Ms B) had complained of harassing behaviour towards her by the Respondent. Ms B did not wish to make a formal complaint, but the Respondent was given words of advice by the Police.
- 4.1.3 In March 2021 the Respondent was alleged to have made inappropriate sexual and offensive remarks to a staff member (Ms C) and volunteer (Ms D) at a community hub where he also volunteered. The Respondent was advised by the hub that he was no longer welcome to attend there. Ms C and Ms D did not feel comfortable reporting matters to the Police owing to the Respondent’s position as a councillor and because he lived close to them. One of the alleged victims, Ms C, has reported that this was part of a pattern of behaviour by the Respondent that went unaddressed.

- 4.1.4 In March 2021, a woman, Ms E, advised Police that the Respondent had, since March 2020, been making unwanted visits to her home including at night. The Police recorded this as a stalking offence and gave advice to the Respondent. This was a different woman to the subject of the allegation at 4.1.1 above.
- 4.1.5 In January 2023 an allegation was made to the Police of harassment and stalking behaviour towards a much younger woman (Ms F) by the Respondent. Ms F did not pursue the complaint, but the Respondent was given advice by the Police and the incident recorded by the Police as a stalking event.

Legal considerations for the Interim Case Tribunal.

5. The Interim Case Tribunal is tasked, in accordance with section 76(2) of the Local Government Act 2000, with adjudicating upon the following three considerations;
- 5.1.1 Is the prima facie evidence such that it appears that the Respondent has failed to comply with the Code of Conduct of the relevant authorities?
- 5.1.2 Is the nature of that failure such as to likely to lead to disqualification under section 79(4)(b)?
- 5.1.3 Is it in the public interest to suspend or partially suspend the Respondent immediately?

Case Tribunal's Decision

6. **Is the prima facie evidence such that it appears that the Respondent has failed to comply with the Code of Conduct of the relevant authorities?**

- 6.1 There is no mystery about the words 'prima facie evidence' or about considering if there is a prima facie case made out. The Latin expression has been described as meaning "at first sight, "of first appearance", "at first view" and "based on first impression" or similar words. In other words, in the circumstances that are the subject of the PSOW's report and allegations of the apparent breaches of the Code, is there "a case in which there is evidence which will suffice to support the allegation made in it and which will stand unless there is evidence to rebut the allegation?" (Osborne's Concise Law Dictionary, Eighth Edition).
- 6.2 It is particularly important to note, and the Interim Case Tribunal reminded itself, that the consideration of whether there is prima facie evidence such that **it appears** that the Respondent has failed to comply with the Code of Conduct, is a different exercise to determining whether, on the facts, there has been a

breach of the Code of Conduct. The Interim Case Tribunal is not determining whether the allegations of a breach of the Code of Conduct are made out or not. That is a task for the Case Tribunal in due course. It follows that the Interim Case Tribunal is not required to and has made no findings of fact on whether the allegations are made out or not.

- 6.3 In respect of the **first allegation** noted at 4.1.1 above, the PSOW Interim Report included a statement from Ms Elin Prysor, Ceredigion County Council Monitoring Officer [203], dated 20th January 2023, which at paragraph 13 of Ms Prysor's statement details the Customer Services Record of 1st October 2020 recording the complaint and her subsequent telephone conversation with the Respondent on 2nd October 2020 [204], in which Councillor Davies accepted that he should not visit and had no reason to visit the Ms A. The Interim Case Tribunal note that the Respondent did not deny that he had been visiting Ms A as alleged. The Interim Case Tribunal also noted that there was evidence that suggested that the Respondent was visiting homes of others in apparent breach of the Covid pandemic rules that were then in force [205, paragraph 19].
- 6.3.1 Further, the PSOW Interim Report contained a statement from Ms Elizabeth Upcott, the Corporate Safeguarding Manager of Ceredigion County Council, dated 2nd August 2022 [165]. This statement, at paragraph 6 [166] refers to the complaint that had been received in October 2020 in relation to Ms A. This confirms that Ms A was not a constituent of the Respondent's and so he had no reason to visit her. The statement refers to a letter that was sent to the Respondent by the Safeguarding Officer and that the Safeguarding Officer spoke to the Respondent who was concerned that this had been escalated to safeguarding. Paragraph 8 of the statement says; *"The Safeguarding Officer said that as he is a Councillor, he needs to be aware that he will sometimes deal with vulnerable people. Councillor Davies made a comment that he would be careful about who he would pick next, and that it would be someone who wouldn't complain. Although this was said half-jokingly, we were concerned about this comment."*
- 6.3.2 The Interim Case Tribunal were satisfied on the totality of the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) and 7(a) of the Code of Conduct in respect of the first allegation.
- 6.4. In respect of the **second allegation** noted at 4.1.2 above, of harassing and stalking behaviour in relation to Ms B, the Interim Case Tribunal notes the minutes of the Professional Concerns Meeting held about the Respondent under the Social Services and Wellbeing Act 2014, Part 7 and the All Wales National Safeguarding Procedures in respect of the Safeguarding of Adults who may be at Risk of abuse and/or neglect on 16th December 2020 [143]. This meeting was attended by officers of Ceredigion Council and representatives of the Police. The circumstances of the allegation were set out in detail [145-147], which included unwanted contact between the Respondent and Ms B, entirely initiated by the Respondent, including him leaving 8-9 notes on her bicycle. The contents of some of the notes that the Respondent had left for Ms B were included. Ms B was not known to the Respondent and the allegation was that

he had continued to leave notes for her despite being asked to desist from doing so by Ms B and her boyfriend.

- 6.4.1 Ms B did not wish to make a formal criminal complaint but did wish the Police to speak to the Respondent. One of the discussion outcomes recorded from the meeting said “4- *The fact that Cllr Davies did not heed the advice from the police, the person herself, and also not listened to her partner, shows there to be a risk where he is not seeing professional/personal boundaries.*” [144] It was noted that if Ms B had supported the criminal process that the Respondent would have been charged with harassment and stalking crimes. The meeting notes recorded [144] that the Respondent confirmed that he had tried to contact Ms B and he was surprised that this was a matter of stalking. He was spoken to by the police and given advice and did not deny the conduct alleged. The Adult Safeguarding Enquiry Outcome Report in relation to this allegation, completed by Paul Portman-Barnard, Senior Practitioner for Ceredigion Adult Safeguarding Team, dated 20th November 2020 [106-107] notes that when the Respondent was spoken to and given words of advice about this matter “*he was unwilling to admit that the behaviour was unacceptable, regardless of whether it was threatening, and stated that he merely wanted a way to communicate with the IP.*” [107].
- 6.4.2 The Interim Case Tribunal were satisfied on the totality of the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c) and 6(1)(a) of the Code of Conduct in respect of the second allegation. The Interim Case Tribunal have noted above at paragraphs 6.4 and 6.4.1 prima face evidence suggestive of a breach of the Code in relation to this allegation and that the Respondent did not deny that the behaviour complained of had taken place.
- 6.5 The **third allegation** noted at 4.1.3 above concerns allegations of inappropriate and offensive sexual remarks and behaviour to Ms C and Ms D. There was a detailed statement from Ms C [273] dated 7th March 2023 which contained her evidence relating to incidents on 21st and 28th February 2021 amongst other matters relating to the Respondent’s behaviour. This included an exhibit of an e mail sent contemporaneously by Ms C on 28th February 2021 raising a complaint about the Respondent’s behaviour and noting that he treated it as ‘banter’. There is a letter dated 5th March 2021 to the Respondent on behalf of the Board of Trustees [285] at the community forum where the Respondent had been volunteering and where the behaviour complained of was alleged to have taken place. This detailed an internal investigation by the Board of Trustees and the decision to suspend the Respondent indefinitely from forum activities as a result.
- 6.5.1 The minutes of the Professional Concerns meeting of 16th March 2021 [from 137] detailed discussion of this third allegation and how a safeguarding meeting had been held with the Respondent on the 15th March 2021. There is evidence that this incident was referred to Dyfed–Powys Police who sent a MARF (Multi Agency Referral Form) to Ceredigion Council on 9th March 2021 [123]. An Adult Safeguarding Enquiry Report had been initiated by Paul Portman-Barnard [75]

on 9th March 2021. There is a (heavily redacted) report of the incidents that make up the third allegation from Dyfed-Powys Police, noting that the report was made to the Police on 11th March 2021 [183] and the allegation was that the injured person has received unwanted comments which are inappropriate, sexual and offensive over a period of months from the Respondent. The Police were considering this as a case of harassment.

6.5.2. The Interim Case Tribunal were satisfied on the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) and 7(a) of the Code of Conduct in respect of the third allegation. The Interim Case Tribunal have noted above at paragraphs 6.5 and 6.5.1 prima face evidence suggestive of a breach of the Code in relation to this allegation.

6.6 The **fourth allegation** noted at 4.1.4 above related to unwanted visits being made by the Respondent to Ms E including at night. There is a report from Dyfed-Powys Police [180] which the Police had categorised as a potential stalking offence which recorded that since the beginning of the initial covid lockdown, (which was in late March 2020), it was alleged that the Respondent had attended at Ms E's address on several occasions unannounced, he had taken Ms E flowers even after being asked to stay away which had made Ms E feel harassed, alarmed and distressed. The Police had sufficient information to interview the Respondent about this and to issue him with words of advice.

6.6.1 The fourth allegation is also recorded in the 'Chronology in relation to Concerns regarding Councillor Steve Davies' [68] prepared by Ms Upcott, Corporate Safeguarding Manager dated 12th October 2021 which confirms that Ms E had received unwanted visits to her home from the Respondent since March 2020 without invitation and that he continued to visit when asked not to including at night. He would bring her flowers and tend to her garden even when asked not to do so. It is recorded that the Police were told that the Respondent made remarks which the woman perceived to be of a sexual nature. The Interim Case Tribunal noted that this matter was discussed in the Professional Concerns Strategy Meeting of 15th April 2021 when it was noted that people are reluctant to make a formal complaint against the Respondent because he is a County Councillor and lives in the area.

6.6.2 The Interim Case Tribunal were satisfied on the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) and 7(a) of the Code of Conduct in respect of the fourth allegation. The Interim Case Tribunal have noted above at paragraphs 6.6 and 6.6.1 prima face evidence suggestive of a breach of the Code in relation to this allegation.

6.7 The **fifth allegation** noted at 4.1.5 above related to an allegation of stalking and harassment behaviour by the Respondent in relation to Ms F, a much younger woman. The Police report of this matter [262] describes that the Respondent had undertaken a course of conduct towards Ms F at her two places of work

from 2022. He had started to give her unwanted presents from around October 2022, had left Christmas presents and a card and that despite being told that Ms F did not want any presents and he was not to attend there, he did so again in January 2023 with presents, a Valentines card and a letter which said that she should choose between her boyfriend and the Respondent.

- 6.7.1 The information from the Police was shared with Ceredigion County Council and was also dealt with in the witness statement of Ms Audrey Somerton-Edwards, Interim Statutory Director of Social Services and Corporate Lead Officer [267] who pointed out that the complainant Ms F was over 30 years younger than the Respondent and that he did not stop his behaviour when asked to do so.
- 6.7.2 The fifth allegation in relation to Ms F was discussed at a Professional Concerns Meeting on 22nd February 2023 [Minutes of the meeting are at 309]. These minutes record that Ms F made a statement to the Police and although she did not want to make a formal complaint, she did want the Respondent to be spoken to about his behaviour. The minutes record that the Respondent was spoken to about this by a Detective Sergeant who gave him words of advice. The Detective Sergeant felt that the Respondent “does not think he is doing anything wrong” [310].
- 6.7.3 The Interim Case Tribunal were satisfied on the evidence in the PSOW Interim Report that the prima facie evidence was such that it appeared that the Respondent had failed to comply with paragraphs 4(b),4(c), 6(1)(a) of the Code of Conduct in respect of the fifth allegation. The Interim Case Tribunal have noted above at paragraphs 6.7 and 6.7.1 and 6.7.2 prima face evidence suggestive of a breach of the Code in relation to this allegation.
- 6.7.4 The Interim Case Tribunal therefore finds by unanimous decision that in relation to the five particular allegations that there is prima facie evidence such that it appears that the Respondent has failed to comply with the Code.

7. **Is the nature of that failure such as to likely to lead to disqualification under section 79(4)(b)?**

7.1 The PSOW at paragraph 20 of her report [17] considers that the prima facie evidence is so serious that if proven, it would justify a disqualification. Factors that the PSOW considered in assessing the seriousness of the allegations (summarised at paragraph 21 of her report) were;

- The numerous alleged breaches of the Code that have taken place at a number of different locations involving several different women.
- That the Respondent has persisted with his conduct despite being advised by safeguarding officers, the Police and the Monitoring Officer about how his behaviour is being perceived.
- The potential consequences of the breaches are wide ranging and as the behaviour continues there is potential for further incidents.
- The Interim Statutory Director of Social Services has stated that the Respondent poses a risk to the public. He has displayed predatory

behaviour towards a much younger woman and there are concerns about his behaviour towards vulnerable adult women.

- The impact on the Councils is very serious if the behaviour continues. The Respondent has access to vulnerable members of the community through his role and the witness evidence suggests that he is using his position to call on women. If proven, his behaviour has the potential to have a serious negative impact on the reputation of the Council.

7.2 The PSOW considered that if the breaches are proven then disqualification is likely to be the most appropriate sanction in order to make clear the unacceptable nature of such conduct in public office, underscore the importance of safeguarding the public as well as the public's confidence in local democracy and to deter repetition of the behaviour. The PSOW's view was that if the alleged breaches of the Code were to be proven, then the Respondent's behaviour shows a disregard for the Code which calls in to question his fitness for public office.

7.3 The Interim Case Tribunal have had regard to the APW Sanctions Guidance ("the Guidance") which at paragraph 57 stresses that Interim Case Tribunals aim to facilitate the Ombudsman's effective and expeditious investigation of the Respondent's conduct, to minimise any disruption to the business of the authority concerned during its investigation, to maintain the reputation of the authority concerned and to protect the authority from legal challenge. The Sanctions Guidance recognises that any form of suspension can have a significant impact on a member's role, credibility and finances at a time when no definitive ruling has yet been made on the validity of the allegations. The Sanctions Guidance makes it clear that Interim Case Tribunals will seek to take the minimum action necessary to ensure the effective completion of the PSOW's investigation, the proper functioning of the authority concerned and the maintenance of public confidence. The Interim Case Tribunal has fully taken such matters into account.

7.4 The Interim Case Tribunal has therefore considered, in accordance with the Guidance, whether, if the allegations were substantiated, a suspension or partial suspension would be an appropriate sanction. To do this the Interim Case Tribunal follows the Guidance as to the Five Stage Process for determining sanction. The first step is to assess the seriousness of the breaches (if substantiated) and any consequences for individuals and the Council. The Interim Case Tribunal notes the number of allegations of breach of the Code, that they happened over a period of time and related to a number of different women. The Respondent was given advice by the Monitoring Officer and the Police and yet allegedly continued to behave in a manner that was characterised by the Police as stalking and harassment, was predatory and involved allegations of sexual misconduct. These are all matters that the Interim Case Tribunal regard as potentially very serious breaches if proven.

7.5 The Interim Case Tribunal does not consider that this is a case where it would be appropriate to take no action or impose no sanction in the event of the breaches being proven. The Interim Case Tribunal has considered whether suspension for up to 12 months might be the appropriate sanction but also notes the Guidance considers this appropriate where it is felt highly unlikely that there

will be a further breach of the Code, that the member has recognised their culpability, shown insight into their behaviour and apologised to all involved. Whilst the Respondent has not provided any information to the APW despite being given the opportunity to do so, and whilst he will have the further opportunity to have his say at the Case Tribunal in due course, such information and evidence as is currently before the Interim Case Tribunal suggests that the Respondent, at present, does not recognise his culpability and has not shown insight or apologised to those involved. A theme of the concerns of the officers of Ceredigion County Council is that there have been further allegations against the Respondent after he has been given words of advice by both the Police and Council Officers that he does not appear to have heeded. Whilst the Guidance does provide advice on circumstances when a partial suspension might be appropriate, those circumstances do not appear to be present in this case.

- 7.6 Further the Guidance provides details of both mitigating circumstances and aggravating factors at paragraph 42. There was no indication or evidence of any mitigating factors before the Interim Case Tribunal but there was evidence suggestive of various aggravating factors, including repeated and numerous alleged breaches of the Code, allegations of a breach of position of trust, allegations of ignoring advice and lack of acceptance of the alleged misconduct and its consequences, failing to co-operate with the PSOW and APW's processes, (the Respondent failed to comment on the PSOW's draft report) and allegations of behaviour that has brought the Authorities and public service into disrepute. This is not an exhaustive list.
- 7.7 The Guidance at paragraph 39.13 lists circumstances in which a tribunal may decide that a disqualification is appropriate. These include deliberately seeking to disadvantage another by exploiting membership of the authority, deliberately disregarding or failing to comply with the provisions of the Code and demonstrating the likelihood of continuing the pattern of behaviour, conduct that calls into question the Respondent's fitness for public office and bringing the authority into serious disrepute. Whilst the Interim Case Tribunal makes no findings of fact, we are required to consider if such failures to abide by the Code on the part of the Respondent as are alleged would be likely to lead to disqualification if proven. The alleged failures to comply with the Code do meet the circumstances in the Guidance for which disqualification is appropriate and the Interim Case Tribunal note that the Respondent is an experienced councillor who first signed the undertaking to observe the Council's Code of Conduct in 2012 and should therefore be familiar with the requirements of the Code.
- 7.8 The Interim Case Tribunal notes that the overriding purpose of the sanctions regime is to uphold the standards of conduct in public life and to maintain confidence in local democracy. Taking all of these matters into account, the Interim Case Tribunal accept the representations of the PSOW (summarised at 7.1 and 7.2 above) and find that the nature of such alleged failures to follow the Code of Conduct is such as to be likely to lead to disqualification under section 79(4)(b) of the Local Government Act 2000 if there are positive findings of fact in respect of them.
8. **Is it in the public interest to suspend or partially suspend the Respondent immediately?**

- 8.1 The PSOW addresses this issue at paragraphs 23- 28 of her report [18] saying that it would be in the public interest to do so if it would facilitate her effective and expeditious investigation, would minimise any disruption to the business of the authority concerned during an investigation, maintain the reputation of the Councils or protect the Authorities from a legal challenge. The PSOW asserts that the Respondent remains active in the community and there is evidence before her that witnesses are cautious about coming forward. If the Respondent were to be suspended from his role as councillor, then it would provide reassurance to the public that complaints about him are being investigated independently by the PSOW's office so that potential witnesses may engage fully with the investigation.
- 8.2 The PSOW notes that the Respondent is in a position of authority as a member of both the County Council and Town Council and the Councils have no power to suspend or restrict the Respondent's role and remit. In the light of the Council's general safeguarding concerns, including about the Respondent's engagement with the public and in relation to female members of staff who work with or provide support to the Respondent, suspending the Respondent will minimise any disruption to Council business. It is noted that the Respondent is a school governor and although the complaints have not involved children, the role places him in a position of authority in the local school and its community, and that it would not be possible to monitor the Respondent's activities within the school without significant disruption to normal business and suspending him from his role will minimise the disruption to Council business.
- 8.3 The PSOW states that the Respondent has been advised by Council Safeguarding Officers and the Monitoring Officer that his behaviour is inappropriate and could pose a risk to the Council's reputation, but he has not acknowledged or accepted that this is so. There is a risk that if his behaviour continues, that the Council will be held publicly accountable for his actions because his role as a Councillor allows him access to vulnerable members of the community. The Council does not have any powers itself to suspend the Respondent and if suspended by the APW it will reduce the risk of further damage to the Council. The PSOW notes that the Respondent did not comment on the draft of the PSOW's Interim Report despite being given the opportunity to do so.
- 8.4 The PSOW's submissions deal with the factors set out in the Guidance at paragraph 57 upon the aims of Interim Case Tribunals. The Guidance at paragraph 63 says that if the Interim Case Tribunal concludes that a finding on breach would result in a suspension it will still require a compelling argument that it is in the public interest for a suspension or partial suspension of the Respondent in advance of the PSOW completing her investigation and referring a final report to the APW.
- 8.5 The Interim Case Tribunal recognises the force of the PSOW's submissions. It was clear from the information in the bundle that there have been other

allegations made against the Respondent which were not included in the five specific examples dealt with, and that will require ongoing investigation. The Interim Case Tribunal is also satisfied that the allegations raise issues of such gravity that they jeopardise public confidence in the Councils concerned.

9. Section 78(1) of the Local Government Act 2000 states that an interim case tribunal which adjudicates on any matters which are the subject of an interim report from the PSOW must reach one of the following conclusions;
 - (a) that the subject of the recommendation in the PSOW's interim report (the Respondent) should not be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned, or
 - (b) that the subject of the recommendation in the PSOW's interim report (the Respondent) should be suspended or partially suspended from being a member or co-opted member of the relevant authority concerned for a period which does not exceed six months or (if shorter) the remainder of the person's term of office.

- 9.1 For the reasons given above, the Interim Case Tribunal has decided that the Respondent should be suspended from being a member or a co-opted member of Ceredigion County Council and Aberystwyth Town Council for a period which does not exceed **six months** or (if shorter) the remainder of the Respondent's term of office **with effect from 10th July 2023, the date of the decision notice.**

10. Ceredigion County Council and Aberystwyth Town Council and their Standards Committees are notified accordingly.

11. The Respondent has the right to seek the leave of the High Court to appeal the above decision.

Signed.....*R. Payne*.....

Date 9th August 2023

Tribunal Judge Richard Payne
Chairperson of the Case Tribunal

Mrs S. McRobie
Panel Member

Mr D. Morris
Panel Member

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: The Public Services Ombudsman Annual Letter 22/23 ,PSOW Annual Report 22/23 and PSOW Decision Notices

Purpose of the report: To update the Committee on Public Service Ombudsman Wales matters

1)PSOW Annual letter (2022/23)

The PSOW Annual letter (2022/23) for Ceredigion County Council which with complaints relating to maladministration and service failure, complaints relating to alleged breaches of the Code of Conduct for Councillors and the actions being taken to improve public services.

The Ombudsman states:

“We received fewer Code of Conduct complaints in 22/23 compared to the previous year, relating to both Principal Councils and Town and Community Councils. My role is such that I do not make final findings about breaches of the Code of Conduct. Instead, where investigations find the most serious concerns, these are referred to the Standards Committee of the relevant local authority, or the Adjudication Panel for Wales. In 2022/23, the Ombudsman made 12 such referrals – a welcome reduction from 20 last year.

Appendix E shows the outcomes of Code Of Conduct complaints closed by PSOW related to Local Authority in 2022/23. This table shows both the volume, and the proportion that each outcome represents for the Local Authority:”

Appendix E - Code of Conduct Complaints

		Ceredigion County Council
Investigations	Decision not to investigate	0
	Discontinued	1
	No evidence of breach	0
	No action necessary	0
	Refer to Adjudication Panel	1
	Refer to Standards Committee	0
	Total	2

Appendix F shows the outcomes of Code of Conduct complaints closed by PSOW related to Town and Community Councils in the Local Authority’s area in 2022/23. This table shows both the volume, and the proportion that each outcome represents for each Town or Community Council:

Appendix F - Town/Community Council Code of Complaints

Town/Community Council	Decision not to investigate	Investigations				Refer to Adjudication Panel	Refer to Standards Committee	Total
		Discontinued	No evidence of breach	No action necessary				
Llandysul Community Council	1	0	0	0	0	0	1	
Llanfair Clydogau Community Council	0	0	0	0	0	0	0	
Llangoedmor Community Council	0	0	0	0	0	0	0	
Llansanffraed Community Council	0	0	0	0	0	0	0	
New Quay Town Council	0	0	0	0	0	0	0	
Trefeurig Community Council	0	0	0	0	0	0	0	

Following a query raised by the Corporate Resources Committee on 19 October, an enquiry was made of the PSOW as to the data in Appendix F, in so far as there were data entries save for "0" for x5 Town/Community Councils.

The PSOW replied:

"We keep town councils who have 0/zero cases in the year in the annual letter if there were cases the year previous, this is so that Councils are able to track patterns and compare with the previous year. We also thought that this approach provides certainty so that the Council knows we recorded zero cases for last year. That said, we'll keep this in mind this and if there's any additional feedback from the Ethics & Standards Committee after its meeting please let us know. As the Annual letter reports only on our work during 2022/23, the cases we have worked on during this financial year 23/24, will be reported in the annual report and the annual letters we publish next year. "

2) Ombudsman Annual Report

The Ombudsman A year of change - a year of challenge Annual Report and Accounts 2022/3 can be found on the following link:

[Annual-Report-and-Accounts-2022-23-19-07-2023-Auditor-signed.pdf](https://www.ombudsman.wales/Annual-Report-and-Accounts-2022-23-19-07-2023-Auditor-signed.pdf)
(ombudsman.wales)

Committee's attention is drawn to the following pages which reference the Code, page 9,10,13,14,**24-28**:

- "61% of Code of Conduct complaints about promotion of equality and respect.
- We investigated this year a slightly lower proportion of Code of Conduct complaints than last year. We also referred fewer complaints to the Adjudication Panel for Wales and Standards Committees. This is positive, as it suggests that we saw fewer very serious breaches of the Code.
- "Generally, we investigate only a small proportion of the Code of Conduct complaints we receive. This shows that the standards of conduct in local government are generally good."

On page 27, a Ceredigion Community Council is also referenced (in context of referral to the Adjudication Panel for Wales):

“A former member of Llansantffraed Community Council was disqualified from holding office as a councillor because she brought her office as a councillor into disrepute, having been convicted of the criminal offence of causing bodily harm by ‘wanton and furious driving’ contrary to Section 35 of the Offences against the Person Act 1861. You can read about this decision on the Adjudication Panel’s website here: [APW/009/2021-022/AT: Former Councillor Caryl Vaughan | The Adjudication Panel for Wales \(gov.wales\)](https://www.gov.wales/APW/009/2021-022/AT:FormerCouncillorCarylVaughan|TheAdjudicationPanelforWales)”

3)Decision Notices

Decision Notices are now issued by the PSOW in circumstances where the Ombudsman has decided not to investigate.

This will be because the Two-stage test was not met:

- i) No direct evidence of a breach of the Code, and
- ii) it was not in the public interest to in investigate.

This test is set out in the PSOW Guidance:

[General : 27 FINAL Investigation Report Template s21 casework support only \(ombudsman.wales\)](https://www.ombudsman.wales/General:27FINALInvestigationReportTemplate%20caseworksupportonly)

Investigations: Assessing the Public Interest

There have been 4 Decision Notices issued by the PSOW for Ceredigion Councillors during Q1 and 2 23/24.

These cannot be published or put in public domain but can be presented to the Committee for information only, either by email on a confidential basis, or by way of exempt agenda item. The Committee’s views are sought on how best to present these in future.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A

Collaboration: N/A

Involvement: N/A

Prevention: N/A

Integration: N/A

Recommendation(s): Committee is requested:

1) To note the contents of the PSOW Annual letter 22/23 and the PSOW Annual report 22/23,

2) to consider whether:

- a) Members would wish to receive information regarding PSOW Decision Notices, and
- b) if so, whether Members would wish to have the PSOW Decision Notices, circulated by confidential email or presented to Committee as exempt items.

Contact Name: Elin Prysor

Designation: Monitoring Officer

Date of Report: 25/10/23

Acronyms:

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: The Public Services Ombudsman Code of Conduct Findings

Purpose of the report: To update the Committee on Public Service Ombudsman Wales matters

Background

The Public Services Ombudsman for Wales considers complaints relating to the Members Code of Conduct, under the provisions of Part III of the Local Government Act 2000 and the relevant Orders made by the National Assembly for Wales under that Act. The following is a decision published since the last meeting.

Duty to uphold the law: Conwy County Borough Council

Report date 07/09/2023

Subject Duty to uphold the law

Outcome CODE

Case ref number 202205954

Report type CODE - No Action Necessary

Relevant body Conwy County Borough Council

[View report](#)

Promotion of equality & respect : Mumbles Community Council

Report date 21/03/2023

Subject Promotion of equality & respect

Outcome CODE

Case ref number 202106588

Report type CODE - Referred to Standards Committee

Relevant body Mumbles Community Council

[View report](#)

Promotion of equality & respect : Mumbles Community Council

Report date 21/03/2023

Subject Promotion of equality & respect

Outcome CODE

Case ref number 202106524

Report type CODE - Referred to Standards Committee

Relevant body Mumbles Community Council

[View report](#)

Promotion of equality & respect : Bay of Colwyn Town Council

Report date 30/03/2023

Subject Promotion of equality & respect

Outcome CODE

Case ref number 202205087

Report type CODE - Discontinued

Relevant body Bay of Colwyn Town Council

[View report](#)

Duty to uphold the law : Barry Town Council

Report date 30/03/2023

Subject Duty to uphold the law

Outcome CODE

Case ref number 201806120

Report type CODE - Discontinued

Relevant body Barry Town Council

[View report](#)

Promotion of equality & respect : Carmarthenshire County Council

Report date 30/03/2023

Subject Promotion of equality & respect

Outcome CODE

Case ref number 202201203

Report type CODE - No Action Necessary

Relevant body Carmarthenshire County Council

[View report](#)

Promotion of equality & respect : Solva Community Council

Report date 30/03/2023

Subject Promotion of equality & respect

Outcome CODE

Case ref number 202201039

Report type CODE - No Action Necessary

Relevant body Solva Community Council

[View report](#)

Duty to uphold the law : Barry Town Council and the Vale of Glamorgan Council

Report date 30/03/2023

Subject Duty to uphold the law

Outcome CODE

Case ref number 201806120

Report type CODE - Discontinued

Relevant body Barry Town Council and the Vale of Glamorgan Council

[View report](#)

Duty to uphold the law : Barry Town Council and the Vale of Glamorgan Council

Report date 30/03/2023

Subject Duty to uphold the law

Outcome CODE

Case ref number 201805958

Report type CODE - Discontinued

Relevant body Barry Town Council and the Vale of Glamorgan Council

[View report](#)

Duty to uphold the law : St Harmon Community Council

Report date 31/03/2023

Subject Duty to uphold the law

Outcome CODE

Case ref number 202106161

Report type CODE - Referred to the Adjudication Panel for Wales

Relevant body St Harmon Community Council

[View report](#)

Duty to uphold the law : Abertillery & Llanhilleth Community Council

Report date 03/05/2023

Subject Duty to uphold the law

Outcome CODE

Case ref number 202105443

Report type CODE - Referred to Standards Committee

Relevant body Abertillery & Llanhilleth Community Council

[View report](#)

Duty to uphold the law : Abergele Town Council

Report date 15/05/2023

Subject Duty to uphold the law

Outcome CODE

Case ref number 202107167

Report type CODE - No Action Necessary

Relevant body Abergele Town Council

[View report](#)

Promotion of equality & respect : Bannau Brycheiniog National Park Authority

Report date 28/06/2023

Subject Promotion of equality & respect

Outcome CODE

Case ref number 202106025

Report type CODE - No Evidence of Breach

Relevant body Bannau Brycheiniog National Park Authority

[View report](#)

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A

Collaboration: N/A

Involvement: N/A

Prevention: N/A

Integration: N/A

Recommendation(s):

To note the contents of the report.

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 25/10/23

Acronyms:

Cyngor Sir CEREDIGION County Council

REPORT TO: Ethics and Standards Committee

DATE: 15 November 2023

LOCATION: Hybrid

TITLE: Standards Committees Forum Wales Minutes

PURPOSE OF REPORT: For information

Attached are the minutes for the Standards Committee Forum Wales, which was held on the Friday, 30th June 2023 via Teams. The meeting was attended by the Chair of the Committee, Caryl Davies.

RECOMMENDATION (S):

To note the contents of the report.

Contact Name: Dana Jones
Designation: Democratic and Standards Officer
Date of Report: 25 October 2023

Standards Committees Forum - Wales

Friday, 30th June 2023 @ 2pm, via Teams

Notes

1. Notes of previous meeting 27 January 2023.

The notes of the previous meeting on 27 January 2023 were agreed.

a. Circulation of the meeting notes

- The Chairs were asked whether the notes of the meetings should be circulated to members of the standards committees.
- If the notes were shared with standards committees, they would be made public.
- The Chairs wanted to share as much as possible with their standards committees and the public.
- Davina Fiore, The Director of Governance and Legal and Monitoring Officer at Cardiff Council, who was advising the Forum, advised that if the minutes were to be made public as part of the Standards Committee agenda at individual Councils, it was important that any issues raised on individual ongoing cases or potential cases to assist with the process/problem solving/best practise were anonymised to ensure that individual members and councils could not be identified. She also advised that, if necessary, it was possible for part of the minutes to be confidential and not be circulated more widely.

AGREED: that the notes may be circulated to Standards Committees, provided no individual complainant or councillor complained of could be identified. This will be kept under review at/after each meeting.

b. Training for Chairs

ACTION: The WLGA to arrange a training session on chairing Standards

2. Chair of the Committee on Standards in Public Life (CSPL) Research

Advisory Board, Professor Mark Philp

- Professor Mark Philp outlined his role as a member of the CSPL and provided an overview of the standards regime in England and the implementation of recommendations from the Local Government Ethical Standards Report (2019).

ACTION: WLGA to provide a link to the CSPL report "[Leading in Practice](#)".

3. Michelle Morris - Public Services Ombudsman for Wales (PSOW) – Update

Michelle Morris updated the Forum on her annual report for 2022/23.

Noted

- A 4% reduction in the number of complaints alleging misconduct by local authority members.
- A decrease in the number of complaints against Town and Community councillors.

- The PSOW investigated 35 cases which, although not a high number, involved a huge amount of work.
- The number of complaints involving equality and respect had increased again. Just over 60% of cases involving a breach of the code were in this category.
- 12 cases had been referred to standards committees and the adjudication panel for Wales, compared to 20 the year before.
- Since the PSOW last spoke to the Forum there had been 6 Standards Committee hearings and 1 decision from the tribunal and a further 3 were scheduled. One of which involved an interim referral.
- Of the 280 complaints made to PSOW only 35 met the public interest test. Feedback was given to standards committees and Monitoring Officers about lower-level issues that didn't require further investigation.

Open forum, comments.

- The interim intervention process needed to be shortened.
- Concern was expressed about the wellbeing of individuals who came before a standards committee given the lengthy time to complete the process.
- The public interest test had three stages i.e., was there sufficient evidence that there had been a breach of the code; if there was evidence to support

it, would it be significant enough to result or likely result in a sanction and was there wider public interest in taking forward the investigation.

ACTION: PSOW to forward case law in respect of the public interest test to the Forum members via the WLGA.

4. Promoting high standards

- The forum discussed the Group Leaders duty to take reasonable steps to promote and maintain high standards of conduct by members of the group and, the duty on the Standards Committee to comment on Group Leaders' compliance with that duty as part of its annual report.
- Experiences had generally been positive and encouraging.
- Leaders had shown a willingness to engage with the process and some authorities were more advanced than others.
- Typically, Standards Committees had already met with the group leaders.
- There appeared to be an anomaly with recent government guidance. It was unclear whether the leaders should meet with the Standards committee or just the chair.

ACTION: WLGA to seek clarification on the statutory guidance and update members.

1

¹ This has already taken place. Monitoring Officers and Heads of Democratic Services received an email from Welsh Government on Tuesday 4th July at 2.37pm informing them: "We would like to draw your attention to an amendment to the consolidated statutory and non-statutory guidance for principal councils in Wales at part 2, section 6.0, paragraph 6.4. The guidance has been amended to read that the standards committee (as opposed to standards committee chairs) should meet with group leaders at the beginning of each council year to agree a number of issues. The updated guidance has been published; the links remain the same".

5. Supporting Town and Community Councils (T&CCs)

Comments

- It was difficult to identify a successful approach.
- Standards Committees were attending T&CC meetings.
- T&CCs were encouraged, in one area, to adopt a local resolution process.

Take up had been slow.

- Meetings between the Chairs and Clerks could be helpful.
- Sharing anonymous feedback after attending meetings of T&CCs including good practice.
- Support of Monitoring Officers particularly to the Clerks.
- A T&CC compact setting out what support was on offer had been developed in one area.

ACTION Compact to be shared with members of the forum.

6. Resourcing of Standards Committees.

Comments

- The resourcing of Standards Committees was a challenge.
- Welsh Government should provide additional funding when they placed more responsibilities on Standards Committees.
- Additional work inevitably fell on Monitoring Officers as Standards Committees workloads increased.

- Setting a budget for the committee could be difficult because the level of demand could not be anticipated in advance.
- Achieving a consistency in terms of budgets would be difficult.
- Monitoring officers may be able to provide comparative information on how much time they spent on T&CC work and what their budgets were.

ACTION Chair and Davina Fiore to discuss the possibility of raising the issue of budgets with the Monitoring Officer group.

7. Richard Penn Review update

- The closing date for responses to the consultation on the Richard Penn report was 23 June 2023.
- The responses were being analysed and the results would be published during the autumn.
- Depending on what the results were, it may require secondary legislation followed by a 12-week consultation period.
- It must also fit in with the legislative programme which was unlikely during the current Senedd term.

9. Minimum value for gifts and hospitality

- £25 was the minimum value for most councils.
- Monitoring Officers were seeking to introduce it as a consistent amount across Wales.
- It could be difficult to place a value on hospitality e.g., invitations to sporting events.

10. Consideration of agenda items for future meetings

The following items would be considered at the next meeting.

- Local resolution protocols.
- Corporate Joint Committees (CJCs) and Joint Standards Committees

11. Date of next meeting.

To be confirmed, January 2024.

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CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Harmonisation of gifts/hospitality thresholds across all Welsh Authorities

Purpose of the report: • to inform Committee of arrangements amongst Welsh Authorities

Background

Members will recall considering this matter at its meeting on 23/1/23.

Code of Conduct

The Code of Conduct permits each Council to set a value above which councillors must declare that they have been offered gifts/hospitality (irrespective of whether it is accepted or refused).

The Ceredigion County Council Code of Conduct for Members is shown here:

[SI Template \(ceredigion.gov.uk\)](http://ceredigion.gov.uk)

The Ceredigion County Council limit has been £21 since 2008, as shown in the extract below:

Code of Conduct 2016:

“Ceredigion County Council resolved on 17 April 2008 to specify a value of £21.”

Threshold review

Some years ago an exercise was undertaken to compare the different thresholds amongst Welsh Councils (although not all authorities responded).

The results are shown below:

Value (£)	Total	Councils
50	2	Neath & Port Talbot, Vale of Glamorgan
25	12	Caerphilly, Carmarthenshire, Conwy, Denbighshire, MAWW FRA, Monmouthshire, Pembrokeshire, Rhondda Cynon Taff, SWFRA, Swansea, Torfaen, Wrexham
21	1	Ceredigion
20	2	Anglesey, Bridgend
10	3	Blaenau Gwent, Flintshire, Gwynedd
0	1	Merthyr

Blaenau Gwent-now £20

Review of the Ethical standards framework in Wales

Members will recall that the Independent Review of the Ethical standards framework in Wales report by Richard Penn (2021) stated:

“The Code does not specify any threshold for declarations of any gift, hospitality, material benefit or advantage. The threshold should be specified in the Code to ensure consistency across Wales.”

<https://gov.wales/sites/default/files/publications/2021-10/independent-review-of-the-ethical-standards-framework-in-wales.pdf>

Further review of threshold level

Consideration has been given amongst Monitoring Officers in Wales to seek Standards Committees views on whether it is appropriate to voluntarily align thresholds thereby prefiguring, and rendering unnecessary, any legislative change by Welsh Government.

The most common value was then and remains £25.

By making such a change voluntarily authorities may be able to demonstrate that authorities are adopting the recommendations within the Penn review where possible and taking ownership of the issues. This change would remove the “post code lottery” of differences between individual councils which make for inconsistency.

The disadvantages might be :

- 1) Loss of local choice
- 2) The risk that we make a change only for WG to legislate anyway thereby requiring another change

Many authorities have shown an interest in a unified approach.

The views of Standards Committee is being sought as to whether there is any support for such a move, and what the common value should be.

As the Ceredigion County Council level (£21) is currently less than the common denominator (£25), the views of the Committee is sought once again as to the merits of increasing the Ceredigion County Council threshold from £21 to £25.

Committee considered this matter and decided at its meeting on **25 January 23**:

- 1) whether to support the principle that the gift/hospitality threshold should be consistent amongst all Welsh authorities **AGAINST**
- 2) whether to support an in-principle increase of the Ceredigion County Council threshold from £21 to £25. **AGAINST**
- 3) whether to support a potential alternative in-principle change of the Ceredigion County Council threshold of £21 -upwards or downwards **AGAINST**

4) whether all offers of gifts/hospitality should be declared even if refused and regardless of the threshold level **AGAINST**

Following discussion, it was also AGREED that:

Whilst consistency agreed in principle, local variation was acceptable.

The Committee discussed whether any gifts should be accepted by Members as well as the cumulative impact of gifts which individually fall below the threshold. The threshold for acceptance of gifts by Council Members and Officers should be in-line with each other.

It was agreed that further consideration would be given to this proposal by the Committee and would also be placed on the Forward Work Programme for consideration. Also potentially by the Democratic Services Committee as necessary. Changes to the Code could only be made by Council.

National Standards Committee Forum

At the extract from the National Standards Committee Forum minutes 30 June 2023:

9. Minimum value for gifts and hospitality

- £25 was the minimum value for most councils.
- Monitoring Officers were seeking to introduce it as a consistent amount across Wales.
- It could be difficult to place a value on hospitality e.g., invitations to sporting events.

At the All Wales Monitoring Officers Group meeting on 13/9/23, it became apparent that most Authorities either had increased the level to £25 or were in process of doing so.

Current position

Committee is asked to

- 1) Note developments since considering this matter at its meeting on 23/1/23,

2) consider reviewing its decision 23/1/23 not to increase the gift/hospitality threshold for Ceredigion County Council Members from £21 to £25.

In the event that a change is now supported, Council will be asked to approve a change to the Code of Conduct for Members accordingly.

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A
Collaboration: N/A
Involvement: N/A
Prevention: N/A
Integration: N/A

Recommendation(s):That Committee:

2) Notes developments since considering this matter at its meeting on 23/1/23

2) consider reviewing its decision 23/1/23 not to increase the gift/hospitality threshold for Ceredigion County Council Members from £21 to £25.

Reasons:to align with the majority of other Welsh Local Authorities

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 18/10/23

Acronyms:

CYNGOR SIR CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: Town and Community Council training plans

Purpose of the report: For information

The Ethics and Standards Committee requested in 2022 that officers collate the training plans of Town and Community Councils which had to be produced and published by 5/11/22 under S67 of The Local Government and Elections (Wales) Act 2021.

67 Community council training plans

- (1) A community council must make and publish a plan (a “training plan”) setting out its proposals in relation to the provision of training for—
 - (a) the councillors of the community council, and
 - (b) the community council's staff.
- (2) A community council must make its first training plan no later than six months after the date on which subsection (1) comes into force.
- (3) A community council must make a new training plan no later than three months after each ordinary election of community councillors to the council.
- (4) A community council must review its training plan from time to time.
- (5) If a community council revises or replaces its training plan, it must publish the revised or new plan.
- (6) Section 101 of the 1972 Act (arrangements for discharge of functions by local authorities) does not apply to a community council's functions of—
 - (a) determining the content of a training plan or any revised plan, and
 - (b) reviewing the training plan.
- (7) A community council must have regard to any guidance issued by the Welsh Ministers about the exercise of functions under this section.

The legislation requires that the training plans were made and published by 5th November 2023.

The Council's Standards Officers wrote to the Town and Community Councils on 21st December 2022 requesting a copy of their Council's training plan by 2nd January 2023. This was last reported to the Committee on 25 January 2023.

13 Town/Community Councils had shared their training plans at this point. 5 further training plans have been received, totalling 18.

This leaves 33 Town/Community Councils who have not responded and/or provided their training plans to the Council

Current position

The training plan content in so far as it refers to the Code of conduct for members is useful to the Committee to assess the training needs of Town/Community Councils. The Committee's views is now sought on future action .

Wellbeing of Future Generations:

Has an Integrated Impact Assessment been completed? If, not, please state why.

No

Summary of Integrated Impact Assessment:

Long term: N/A

Collaboration: N/A

Involvement: N/A

Prevention: N/A

Integration: N/A

Recommendation(s):

- I. That an email is sent to all clerks reminding them that they must prepare and publish a training plan, and to request that the plans are sent to Ceredigion County Council
- II. Consider if the Council should have a monitoring plan.

Contact Name: Lisa Evans

Designation: Scrutiny and Standards Officer

Date of Report: 26/10/23

Acronyms:

CEREDIGION COUNTY COUNCIL

Report to: Ethics and Standards Committee

Date of meeting: 15 November 2023

Title: The Ethics and Standards Forward Work Programme 2023/24

Purpose of the report: To review the current work programme of the Committee

What does the Ethics & Standards Committee do?

The Local Government Act 2000 sets out the functions of the Ethics & Standards Committee as follows:-

- promoting and maintaining high standards of conduct by Councillors
- assisting Councillors to observe the Code of Conduct
- advising the Council on the adoption or revision of the Code of Conduct
- monitoring the operation of the Code of Conduct, and
- advising, training or arranging to train Councillors on matters relating to the Code of Conduct

The Ethics & Standards Committee can also grant dispensations, which permit Councillors who have an interest in a particular item of Council business to continue to take part in that business.

Investigation reports produced by the Ombudsman or the Council's Monitoring Officer on alleged breaches of the Code of Conduct may be referred to the Ethics & Standards Committee for determination.

The Ethics & Standards Committee also exercises the above responsibilities in relation to Town and Community Councils in Ceredigion.

Examples of the type of work carried out by Ceredigion's Ethics & Standards Committee include:

- involvement in developing training materials on the Code, including a flowchart summarising the main provisions of the Code
- attendance at and participation in training sessions on the Code for both the County Council and Community Councils
- attendance at Council and Committee meetings to observe proceedings
- the introduction of procedures which allow Councillors to attend Committee meetings to present an application for dispensation in person
- providing advice to Councillors regarding dispensation applications

The Forward Work Programme

The Forward Work Programme is a standing item on each agenda of the Committee. This will provide an opportunity for the Committee to review and update the programme of work of the Committee.

A draft Forward Work Programme is attached for consideration (Appendix 1)

Recommendation(s):

1) to consider, review and update the current draft Forward Work Programme (**Appendix 1**)

Contact Name: Lisa Evans
Designation: Scrutiny and Standards Officer
Date of Report: 1 November 2023
Acronyms:

Ethics and Standards Forward Work Programme 2023/24

Date	Item
<p>15 November 2023</p>	<p>Action Log</p> <p>To consider applications for dispensation: Councillor Keith Evans x6 Council tax- Second Homes/Long term empty properties:- Councillor Gareth Davies Councillor Catrin MS Davies</p> <p>Amendment to the consolidated statutory and non statutory guidance for principal Councils</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p> <p>PSOW Annual Letter</p> <p>Training Plans</p> <p>Quarterly report on trends of complaints</p> <p>Political group leaders duties template</p> <p>Harmonisation of gifts/hospitality thresholds across all Welsh Authorities</p> <p>Corporate Joint Committees Update</p> <p>National Standards Forum Minutes</p>
<p>10 January 2024</p>	<p>To consider applications for dispensation:</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p> <p>Quarterly report on trends of complaints</p> <p>Action Log</p> <p>Political group leaders duties – report back from a workshop held with political group leaders</p>

6 March 2024	<p>To consider applications for dispensation:</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p> <p>Training</p> <p>Quarterly report on trends of complaints</p> <p>Action Log</p> <p>Political group leaders – standing item (not necessarily invited to each meeting)</p>
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2024

First meeting of 2024/25 municipal year	<p>To consider applications for dispensation:</p> <p>Update on Adjudication Panel for Wales matters</p> <p>Update on the Public Services Ombudsman matters</p> <p>Training</p> <p>Quarterly report on trends of complaints</p> <p>Action Log</p> <p>Political group leaders – invited to the first meeting of the municipal year</p>
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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: Matthew Vaux

Council:

County:

Town/Community:

Name of your Council: Ceredigion CC

Your address:

1 Allen View
Cross Inn,
Llandysul

Postcode: SA446NG

Contact telephone number(s): 07931294547

Email address: matthew.vaux@ceredigion.llyw.cymru

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Empty Property & Second Home Council Tax

Describe your prejudicial interest in the above matter, including your connection with it:

Grandparents own a holiday cottage at Synod Ganol, Synod Inn.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

County- Cabinet

County- Committee

Town /Community

**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any —
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

This property was converted during the diversify scheme and is still only permitted to be used as a holiday cottage meaning it doesn't fall under this issue. Although welsh government say that if they do not meet the 182 days they will be charge the council tax at the rateable value. They will not be affected by any changes that the local authority make in this decision making process.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>

(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	<input type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

Because even though it might be seen that I have an interest in the subject, the decisions being made will not directly effect my grandparents position as the decision has already been made by welsh government. They will not be effected by change in Council tax on second homes and empty properties due to the nature of the planning ties on the property.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

Because the application is purely for clarity on my position.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

**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 Ethics and Standards Committee.**

Signed:

M. Vaux

Date:

09 / 11 /2023

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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: Gareth Ifan Lloyd

Council:

County:

Town/Community:

Name of your Council: Ceredigion

Your address: Hafancletwr, Talgarreg, Llandysul.

Postcode: SA44 4XD

Contact telephone number(s): 07855342293

Email address: gareth.lloyd@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Council Tax Premium for Long-Term Empty Properties and Second Homes in Ceredigion

Describe your prejudicial interest in the above matter, including your connection with it:

I own property (other than my home) which are rented/let out.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

County- Cabinet

County- Committee

Town /Community

**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, industrial and provident society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

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(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

I own properties other than my home where I live. These are rented/let to tenants. The Council will, sometime in the future, consider the Council Tax Premium for Second Homes and Long-Term Empty Properties. I do not believe that any of the properties I own are/would be affected by this discussion however as the guidelines aren't clear as to whether my property falls into these two categories I believe it is more transparent to apply for dispensation to be safe.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>

(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	<input type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input checked="" type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

As stated previously I do not believe that as the properties are rented/let out to tenants that they are second homes or long term empty therefore would not be effected by any changes that follow the discussion and decision on the matter in hand.

However as the guidelines aren't clear as to whether my property falls into these two categories I believe it is more transparent to apply for dispensation to be safe.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

I believe this has been answered above in the reasoning for applying.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

**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 Ethics and Standards Committee.**

Signed:

Date:

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

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Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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Penmorfa
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For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
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Penmorfa,
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MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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:
G Elizabeth Evans

Council: County: Town/Community:

Name of your Council: Cyngor Sir Ceredigion

Your address: c/o Swyddfa'r Sir, Penmorfa, Aberaeron, CEREDIGION

Postcode: SA46 0PA

Contact telephone number(s):
07775638625

Email address:
elizabeth.evans@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Aberaeron Coastal Defence Scheme (to include Aberaeron harbour and Pwll Cam, Aberaeron).

Describe your prejudicial interest in the above matter, including your connection with it:

My mother lives in Market Street, Aberaeron. Her home directly overlooks the car park adjacent to Pwll Cam.

My family also own a building at No 18 Market Street, Aberaeron - I have no income from it nor do I have any part ownership of the property.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

It will be dealt with by the Ceredigion Development Control Committee (of which I am not a member). Aberaeron Town Council (of which I am a member), will also respond to the consultation.

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
X
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any —
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management,
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

The Aberaeron Coastal Defence Scheme is a multi million pound scheme funded 75% by the Welsh Government and 25% by Ceredigion County Council. It is the second phase of the coastal defence scheme, its first phase focussed on the North Beach area in 2010. The proposed scheme is to defend the town of Aberaeron against a rising tide and to protect the harbour in its entirety; to include its pier's and south beach, from the impact of high tides and storm surges, and to protect the town against a rising sea level. The proposed scheme could/or could not, contribute to the survival of lower Aberaeron and could/or could not, protect businesses who trade in the town, and allow people to be able to reside safely in lower Aberaeron for generations to come.

<https://www.ceredigion.gov.uk/your-council/consultations/aberaeron-harbour-coastal-defence-scheme/>

My mother's house directly overlooks the car park adjacent to Pwll Cam. The Pwll Cam harbour is part of the proposed scheme. My mother's house is also part of the harbour flood plane, and therefore any proposed works to protect the harbour from flooding could positively impact on her property.

Given the above, and in spite of the above, as the local councillor for Aberaeron, I have a duty to the residents who have elected me. It is vital that on this proposed, multi-faceted scheme, which has a direct impact on so many residents, businesses, and the town in general, that I am able to represent their views and opinions when the time comes, as well as representing Ceredigion County Council in a proper and upstanding way, always being mindful of the Members Code of Conduct. It is for this reason that I am requesting dispensation to speak and to represent the interests of the many people outlined above.

Note: It has always been my practice never to pre-determine planning applications, even though I am not part of the planning committee.

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

Please see my interest above.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

d); e); f);

Having been brought up around the harbour in Aberaeron, I have a detailed knowledge of the workings of the harbour, from its tides, over-topping on Pen Cei to which cellars flood. It is also one of my areas of patrol as part of the Aberaeron Town Council Flood Defence Group - distributing sandbags etc. It is generally acknowledged within Aberaeron that I have a clear understanding of how the harbour works. I have regular meetings with the fisherman, boat owners and businesses regarding the many and varied issues which affect the harbour on an ongoing basis. It is important that I am able to reflect the views of the people I represent - whether discussing with my residents, officers of council or a committee of council, including the Development Control Committee.

It is well known that my mother lives overlooking Pwll Cam. It was my Grandmother's house before her death in 1981. My family have lived in Aberaeron since it became a harbour in 1807, having moved from Henfynyw, to run a pub just before the north toll gate - until it was burnt down by Rebecca, and then became the farm house of my family's dairy farm, next to where Penmorfa is sited today. There is no doubt that I have a historical buy-in to Aberaeron which goes beyond the ownership of one property. I have a responsibility to everyone in Aberaeron as an elected member, and this proposed scheme impacts on the whole of Aberaeron town centre, its economy as a local service centre; its tourist economy - present and future; its tourist growth; jobs; businesses; residents; boat owners and fishermen. Granting me dispensation to speak will not in my view reflect negatively on the council or bring me in to disrepute. It is my sincere hope that the committee will reflect positively on my application.

Diolch.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

It is in my view important that all relevant bodies or/and representatives have the opportunity to hear my views on the scheme, and through me, the views of the residents, businesses and all relevant parties, on the application relating to the Aberaeron Coastal Defence Scheme.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Aberaeron Town Council Meeting and
Ceredigion County Council Development Control Committee and any other related meeting concerning the proposed scheme.

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Updated 23/03/20

Signed: G E Evans

Date: 13/11/23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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:
G Elizabeth Evans

Council: County: Town/Community: X

Name of your Council: Cyngor Tref Aberaeron

Your address: c/o Swyddfa'r Sir, Penmorfa, Aberaeron, CEREDIGION

Postcode: SA46 0PA

Contact telephone number(s):
07775638625

Email address:
elizabeth.evans@ceredigion.gov.uk

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Aberaeron Coastal Defence Scheme (to include Aberaeron harbour and Pwll Cam, Aberaeron).

Describe your prejudicial interest in the above matter, including your connection with it:

My mother lives in Market Street, Aberaeron. Her home directly overlooks the car park adjacent to Pwll Cam.

My family also own a building at No 18 Market Street, Aberaeron - I have no income from it nor do I have any part ownership of the property.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

It will be dealt with by the Ceredigion Development Control Committee (of which I am not a member). Aberaeron Town Council (of which I am a member), will also respond to the consultation.

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

- (i) any employment or business carried on by you;
- (ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;
- (iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;
- (iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;
- (v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (vi) any land in which you have a beneficial interest and which is in the area of your authority;
X
- (vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;
- (viii) any body to which you have been elected, appointed or nominated by your authority;
- (ix) any —
- (aa) public authority or body exercising functions of a public nature;
- (bb) company, industrial and provident society, charity, or body directed to charitable purposes;
- (cc) body whose principal purposes include the influence of public opinion or policy;
- (dd) trade union or professional association; or
- (ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management,
to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

The Aberaeron Coastal Defence Scheme is a multi million pound scheme funded 75% by the Welsh Government and 25% by Ceredigion County Council. It is the second phase of the coastal defence scheme, its first phase focussed on the North Beach area in 2010. The proposed scheme is to defend the town of Aberaeron against a rising tide and to protect the harbour in its entirety; to include its pier's and south beach, from the impact of high tides and storm surges, and to protect the town against a rising sea level. The proposed scheme could/or could not, contribute to the survival of lower Aberaeron and could/or could not, protect businesses who trade in the town, and allow people to be able to reside safely in lower Aberaeron for generations to come.

<https://www.ceredigion.gov.uk/your-council/consultations/aberaeron-harbour-coastal-defence-scheme/>

My mother's house directly overlooks the car park adjacent to Pwll Cam. The Pwll Cam harbour is part of the proposed scheme. My mother's house is also part of the harbour flood plane, and therefore any proposed works to protect the harbour from flooding could positively impact on her property.

Given the above, and in spite of the above, as the local councillor for Aberaeron, I have a duty to the residents who have elected me. It is vital that on this proposed, multi-faceted scheme, which has a direct impact on so many residents, businesses, and the town in general, that I am able to represent their views and opinions when the time comes, as well as representing Ceredigion County Council in a proper and upstanding way, always being mindful of the Members Code of Conduct. It is for this reason that I am requesting dispensation to speak and to represent the interests of the many people outlined above.

Note: It has always been my practice never to pre-determine planning applications, even though I am not part of the planning committee.

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

Please see my interest above.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input checked="" type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input checked="" type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input checked="" type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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	<input type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

d); e); f);

Having been brought up around the harbour in Aberaeron, I have a detailed knowledge of the workings of the harbour, from its tides, over-topping on Pen Cei to which cellars flood. It is also one of my areas of patrol as part of the Aberaeron Town Council Flood Defence Group - distributing sandbags etc. It is generally acknowledged within Aberaeron that I have a clear understanding of how the harbour works. I have regular meetings with the fisherman, boat owners and businesses regarding the many and varied issues which affect the harbour on an ongoing basis. It is important that I am able to reflect the views of the people I represent - whether discussing with my residents, officers of council or a committee of council, including the Development Control Committee.

It is well known that my mother lives overlooking Pwll Cam. It was my Grandmother's house before her death in 1981. My family have lived in Aberaeron since it became a harbour in 1807, having moved from Henfynyw, to run a pub just before the north toll gate - until it was burnt down by Rebecca, and then became the farm house of my family's dairy farm, next to where Penmorfa is sited today. There is no doubt that I have a historical buy-in to Aberaeron which goes beyond the ownership of one property. I have a responsibility to everyone in Aberaeron as an elected member, and this proposed scheme impacts on the whole of Aberaeron town centre, its economy as a local service centre; its tourist economy - present and future; its tourist growth; jobs; businesses; residents; boat owners and fishermen. Granting me dispensation to speak will not in my view reflect negatively on the council or bring me in to disrepute. It is my sincere hope that the committee will reflect positively on my application.

Diolch.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

It is in my view important that all relevant bodies or/and representatives have the opportunity to hear my views on the scheme, and through me, the views of the residents, businesses and all relevant parties, on the application relating to the Aberaeron Coastal Defence Scheme.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Aberaeron Town Council Meeting and
Ceredigion County Council Development Control Committee and any other related meeting concerning the proposed scheme.

Please specify meeting date(s): _____

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

I confirm that the information provided on this form is true to the best of my knowledge.

Updated 23/03/20

Signed: G E Evans

Date: 13/11/23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru



Cyngor Sir
CEREDIGION
County Council

APPLICATION TO THE ETHICS & STANDARDS COMMITTEE FOR DISPENSATION

Information

Please refer to the flowchart which will provide further guidance regarding the need for dispensation.

Members should also be aware of the Code of Conduct and its contents. If you are in any doubt, please contact the Monitoring Officer.

Please ensure that **ONLY ONE** matter is used per form, if there are multiple matters (different cases) please use separate forms.

If you require dispensation for both Town/Community Council **AND** County Council you must use **separate** forms for each application.

Please send this completed form to:

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

For any further guidance or advice, please contact:

Monitoring Officer - Elin Prysor
Neuadd Cyngor Ceredigion,
Penmorfa,
Aberaeron,
Ceredigion,
SA46 0PA

MonitoringOfficer@ceredigion.gov.uk / SwyddogMonitro@ceredigion.gov.uk



**APPLICATION TO THE ETHICS & 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:

Council:

County:

Town/Community:

Name of your Council: Beulah Community Council

Your address: Glyn y Coed, Cenarth, Ceredigion

Postcode: SA38 9JP

Contact telephone number(s): 01239 710 463

Email address: chris.james@ceredigion.llyw.cymru

2. DETAILS OF YOUR INTEREST

What is the matter being discussed by the Council?

Council Tax Premium on homes.

Describe your prejudicial interest in the above matter, including your connection with it:

I have 2 properties in the village of Cenarth.

Where will the above matter be considered? (e.g. Cabinet, County Council, Town/Community Council)

County- Council

County- Cabinet

County- Committee

Town /Community

**Other
(Please specify)**

Under which paragraph of the Members Code of Conduct (20th May 2016 edition) does your interest fall?

Paragraph 10 (2) (a) it relates to, or is likely to affect —

(i) any employment or business carried on by you;

(ii) any person who employs or has appointed you, any firm in which you are a partner or any company for which you are a remunerated director;

(iii) any person, other than your authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties as a member;

(iv) any corporate body which has a place of business or land in your authority's area, and in which you have a beneficial interest in a class of securities of that body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital of that body;

(v) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(vi) any land in which you have a beneficial interest and which is in the area of your authority;

(vii) any land where the landlord is your authority and the tenant is a firm in which you are a partner, a company of which you are a remunerated director, or a body of the description specified in sub-paragraph (iv) above;

(viii) any body to which you have been elected, appointed or nominated by your authority;

(ix) any —

(aa) public authority or body exercising functions of a public nature;

(bb) company, industrial and provident society, charity, or body directed to charitable purposes;

(cc) body whose principal purposes include the influence of public opinion or policy;

(dd) trade union or professional association; or

(ee) private club, society or association operating within your authority's area, in which you have membership or hold a position of general control or management;

(x) any land in your authority's area in which you have a licence (alone or jointly with others) to occupy for 28 days or longer;

Paragraph 10 (2) (b) a decision upon it might reasonably be regarded as affecting —

(i) your well-being or financial position, or that of a person with whom you live, or any person with whom you have a close personal association;

(ii) any employment or business carried on by persons as described in 10(2)(b)(i);

(iii) any person who employs or has appointed such persons described in 10(2)(b)(i), any firm in which they are a partner, or any company of which they are directors;

(iv) any corporate body in which persons as described in 10(2)(b)(i) have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or

(v) anybody listed in paragraphs 10(2)(a)(ix)(aa) to (ee) in which persons described in 10(2)(b)(i) hold a position of general control or management, to a greater extent than the majority of—

(aa) in the case of an authority with electoral divisions or wards, other council tax payers, rate payers or inhabitants of the electoral division or ward, as the case may be, affected by the decision; or

(bb) in all other cases, other council tax payers, ratepayers or inhabitants of the authority's area.

Paragraph 13 You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where —

(a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive, board or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken, you were a member of the executive, board, committee, sub-committee, joint-committee or joint sub-committee mentioned in sub-paragraph (a) and you were present when that decision was made or action was taken.

3. INFORMATION IN SUPPORT OF YOUR APPLICATION

Please provide additional (background/ factual) information in order to clarify/explain your interest further, and assist the committee considering this dispensation application.

(Please note that failure to complete this section will result in the application form being returned to you)

I have 2 houses in the village of Cenarth. I have a tenant living in one however the other is my parents house which is currently empty but awaiting confirmation of land registration following waiting nearly 2 years for probate. The house is therefore categorized as a summer house even though it's impossible to do anything with it until the legal process has completed.

(please continue on a separate sheet if necessary)

4. GROUNDS FOR DISPENSATION

The **Standards Committee (Grant of Dispensations)(Wales) Regulations 2001** prescribe the circumstances in which the Ethics & Standards Committee may grant a dispensation. The grounds for granting a dispensation are set out below.

On which of the following grounds do you believe that a dispensation should be granted in this case? Please tick the appropriate box(es).

(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(e) the interest is common to the member and a significant proportion of the general public;	<input type="checkbox"/>
(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	<input type="checkbox"/>
(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;	<input type="checkbox"/>
(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	<input type="checkbox"/>

(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	<input checked="" type="checkbox"/>
(j) it appears to the committee to be otherwise appropriate to grant a dispensation.	<input type="checkbox"/>

5. GROUNDS FOR DISPENSATION- FURTHER INFORMATION

Please set out below the reasons why you consider that the Ethics & Standards Committee should grant a dispensation in this case (i.e. Please explain how and why you consider that one of the grounds for dispensation is/are satisfied)

(Please note that failure to complete this section will result in the application form being returned to you)

Although the house is categorised as a summer house, effectively it isn't so – it is an empty house due to the legal process. I wish to take part in the discussion for the benefit of local residents who require appropriate housing as homes. I do not believe my interest is a prejudicial one in this case.

(please continue on a separate sheet if necessary)

6. REQUEST

Are you applying for dispensation to speak only or to speak and vote?

Speak Only:

Speak and Vote:

Please provide a reason for this:

I would like to contribute and vote on the matter in order to give the local electorate a voice.

7. DURATION

What is the requested duration for this dispensation?

Specific:

Specific Meeting(s):

Please specify meeting date(s): _____ 15 November 23

General:

6 months:

12 months:

8. DECLARATION

I request a dispensation in respect of the above matter.

**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 Ethics and Standards Committee.**

Signed: Chris James

Date: 13 / 11 /23

Please return this form to:

Ethics and Standards
Neuadd Cyngor Ceredigion
Penmorfa
Aberaeron
Ceredigion
SA46 0PA
Tel: 01545 570881

ethicsandstandards@ceredigion.gov.uk / moesegasafonau@ceredigion.llyw.cymru

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