



RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

MUNICIPAL YEAR 2018 - 2019

STANDARDS COMMITTEE

22 MARCH 2019

APPLICATION FOR DISPENSATION – COUNTY BOROUGH COUNCILLOR M. POWELL

REPORT OF THE MONITORING OFFICER

Author : Mr. Andy Wilkins (Deputy Monitoring Officer) (Tel: 01443 424189)

1. PURPOSE OF REPORT

To enable the Committee to decide whether to grant a dispensation to County Borough Councillor Michael Powell to speak and vote on all matters relating to the Community and Children's Services Group, save for any specific matters that directly affect his wife who is employed by the Council in the Community and Children's Services Group as a Contact Worker, with such dispensation being reviewed on an annual basis by the Standards Committee.

2. RECOMMENDATION

- 2.1 To consider granting County Borough Councillor Michael Powell a dispensation to speak and vote on all matters relating to the Community and Children's Services Group, save for any specific matters that directly affect his wife, who is employed by the Council in the Community and Children's Services Group as a Contact Worker, with such dispensation being reviewed by the Standards Committee on an annual basis.

3. BACKGROUND

- 3.1 Paragraph 14 of the Code of Conduct sets out the procedures to be followed regarding participation in meetings when a Member has declared a personal and prejudicial interest.
- 3.2 However the participation by a Member in any business which is prohibited by Paragraph 14 is not a failure to comply with the Code if the Member has acted

in accordance with a dispensation from the prohibition granted by the Standards Committee in accordance with regulations.

- 3.3 The relevant regulations are the Standards Committee (Grant of Dispensations) (Wales) Regulations 2001. These regulations set out the grounds on which dispensations may be granted.
- 3.4 County Borough Councillor Michael Powell's wife works in the Community & Children's Services Group as a Contact Worker. Councillor Powell seeks a dispensation to speak and vote on all matters relating to the Community and Children's Services Group, save for any specific matters that directly affect his wife. Reference to matters 'directly affecting his wife' in this context means matters which do not directly financially advantage or disadvantage, or give other direct benefit or dis-benefit to her.
- 3.5 Councillor Powell acknowledges that any dispensation awarded cannot be used if the matter under consideration would confer a greater benefit on his wife than on other tax payers, ratepayers or inhabitants of the Council's area, or be such that a member of the public might reasonably conclude it would significantly affect his ability to act purely on the merits of the case and in the public interest if he were to take part in the discussion.
- 3.6 In his application for dispensation Councillor Powell states that by virtue of being the Leader of the Independent political group his participation in matters relating to the Community and Children's Services Group is justified.
- 3.7 One of the grounds for granting a dispensation under the aforementioned regulations is:-

"(f) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise."
- 3.8 It is recommended the Committee consider granting Councillor Michael Powell a dispensation to speak and vote on all matters relating to the Community and Children's Services Group save for any specific matters that directly affect his wife, who is employed by the Council in the Community and Children's Services Group as a Contact Worker, with such dispensation being reviewed on an annual basis.

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LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

LIST OF BACKGROUND PAPERS

STANDARDS COMMITTEE

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BACKGROUND PAPERS

APPLICATION FOR DISPENSATION - COUNTY BOROUGH COUNCILLOR M.POWELL	Officer to contact: Mr. A.S. Wilkins Tel: 01443 424189
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Freestanding Matter