



**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**MUNICIPAL YEAR 2018 - 2019**

**STANDARDS COMMITTEE**

**23 NOVEMBER 2018**

**APPLICATION FOR DISPENSATION – COUNTY BOROUGH COUNCILLOR R. BEVAN**

**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 Robert Bevan 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 daughter who is employed by the Council in the Community and Children's Services Group as the Service Manager for Access and Enablement, with such dispensation being reviewed on an annual basis by the Standards Committee.

**2. RECOMMENDATION**

- 2.1 To consider granting County Borough Councillor Robert Bevan 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 daughter, who is employed by the Council in the Community and Children's Services Group as the Service Manager for Access and Enablement, 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 Robert Bevan's daughter works in the Community & Children's Services Group as the Service Manager for Access and Enablement. Councillor Bevan therefore 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 daughter. Reference to matters 'directly affecting his daughter' 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 Bevan acknowledges that any dispensation awarded cannot be used if the matter under consideration would confer a greater benefit on the employed family member 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 Bevan further states that by virtue of being a Cabinet Member his participation in matters relating to the Community and Children's Services Group is justified.
- 3.7 Two of the grounds for granting a dispensation are:-
- “(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”; and
- “(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 Robert Bevan a dispensation to speak and vote on all matters for relating to the Community and Children's Services Group save for any specific matters that directly affect his daughter, who is employed by the Council in the Community and Children's Services Group as the Service Manager for Access and Enablement, with such dispensation being reviewed on an annual basis.

**RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL**

**LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

**LIST OF BACKGROUND PAPERS**

**STANDARDS COMMITTEE**

**23<sup>RD</sup> NOVEMBER 2018**

**BACKGROUND PAPERS**

<b>APPLICATION FOR DISPENSATION - COUNTY BOROUGH COUNCILLOR R.BEVAN</b>	<b>Officer to contact: Mr. A.S. Wilkins Tel: 01443 424189</b>
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**Freestanding Matter**