

# POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE

## APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST

**Council** All members of Abermule (with) Llandyssil Community Council

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

### SECTION 1

How you wish to participate – please tick all relevant categories below:

Attend a meeting	✓
Speak at a meeting	✓
Vote at a meeting	✓
Seek to influence a decision on a matter	✓
Make written representations	✓
Make oral representations	✓
Exercise Board functions (County Councillor only)	

### SECTION 2

(A) Describe in the box below:

- i) the business in which you wish to participate;
- ii) how your Council will deal with the matter;
- iii) how many Members there are on your Council;
- iv) what meetings will be held to consider it, when and where they will be held; and
- v) those taking part.

There are eleven members on Abermule with Llandyssil Community Council who wish to full participate with financial decisions relating to the Community centre and Millfields Amenity Land Trust. All would wish to be involved in the governance of both charities of which they are trust members financial assistance is given currently by Abermule with Llandyssil Community Council and it is envisaged that financial assistance will given to Millfields Amenity Land Trust in the future.

(B) If the business relates to or affects an organisation(s) please detail below:

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and
- what is the nature of the business:

- A Funding
- B Planning – applications, building improvement/changes
- C Licences – liquor/entertainment
- D Land
- E Management/operation of the organisation
- F General matters

Financial assistance is given currently by Abermule with Llandyssil Community Council and it is envisaged that financial assistance will be given to Millfields Amenity Land Trust in the future.

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

Both the Community Centre and Millfields Amenity Land Trust are charities all councillors are Custodian trustees of the Community Centre and the Council is the sole trustee of Millfields Amenity Land Trust

### SECTION 3

Detail the **PREJUDICIAL** interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

As all members are either Trustees of the Community Centre or members of the Council which is the trustee of Millfields Amenity Land Trust they will clearly have a prejudicial interest in financial matters which will in the future be discussed.

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	-

## SECTION 5

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

**4a As all members have a prejudicial interest in the business relating to the Community Centre and Millfields Amenity Land Trust it will be impossible for business relating to both charities to be decided upon.**

**4f all members are either Trustees of the Community Centre or members of the Council which is the trustee of Millfields Amenity Land Trust. Therefore as a member of the authority they need a dispensation for the Trust to function.**

**4h all members are either Trustees of the Community Centre or members of the Council which is the trustee of Millfields Amenity Land Trust they will clearly have a prejudicial interests in financial matters which will in the future be discussed.**

Applicant's home address:	<b>Abermule (with) Llandyssil Community Council c/o 12 Agincourt Drive Guilsfield Welshpool Powys SY21 9NA</b>
Applicant's telephone number:	
Applicant's fax number:	
Applicant's E Mail address:	<b>llandyssilcommunitycouncil@yahoo.co.uk</b>

SIGNED:

Clerk to Abermule with Llandyssil Community Council

DATED: 20<sup>th</sup> August 2012

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

**Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**

V:\wlegal\Clarence\Standards\Dispensation Application Powys Standards Committee

**POWYS STANDARDS COMMITTEE  
COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH  
PREJUDICIAL INTEREST**

I, Councillor James Tennant-Eyles, of Presteigne and Norton Town Council hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.  
I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

Indicate how you wish to participate by placing a tick in the right hand column against the relevant category below

Attend a meeting	X
Speak at a meeting	X
Vote at a meeting	
Seek to influence a decision on a matter	
Make written representations	X
Make oral representations	X
Exercise Board functions (County Councillor only)	

**SECTION 2**

Describe in the box below the business in which you wish to participate including details of how your Council will deal with the matter, what meetings will be held to consider it, when and where they will be held and those taking part.

I wish to participate in that part of the town council's meetings, during its current term until the next elections, to speak only, (and to leave the room during any discussion about voting or voting itself), in connection with issues relating to the Presteigne Festival of Music and the Arts ("the Presteigne Festival"), the Presteigne Chamber of Trade Commerce and Industry, The Presteigne and Norton Community Trust Ltd, Transition Presteigne, Presteigne Youth Project Ltd, and Presteigne Zero Waste. Those taking part will be the other members of the council assisted by its clerk.

### SECTION 3

Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

I am a Director of the Presteigne Festival.  
I am Chairman of the Presteigne and Norton Community Trust Ltd  
I am President of the Presteigne Chamber of Trade Commerce and Industry  
I am a member of Transition Presteigne  
I am Chairman of Presteigne Youth Project  
I am a member of the steering committee for Presteigne Zero Waste

### SECTION 4

Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.

(a) No fewer than half of the Members of the relevant Authority or of a committee of the Authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	
(b) No fewer than half of the Members of a leader and cabinet executive of the relevant Authority by which the business is to be considered has an interest which relates to that business and either Paragraph (d) or (e) also applies;	
(c) In the case of a County or County Borough Council, the inability of the Member to participate would upset the political balance of the relevant Authority or of the committee of the Authority by which the business is to be considered to such an extent that the outcome would be likely to be affected.	
(d) The nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant Authority's business;	X
(e) The interest is common to the Member and a significant proportion of the general public;	
(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	X
(g) The business to which the interest relates is to be considered by an Overview and Scrutiny Committee of the relevant Authority and <b>the Member's interest is not a pecuniary interest.</b>	<b>X to part in bold</b>
(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	X

(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.	X
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**SECTION 5**

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

I wish to attend meetings and take part in discussions when issues relating to the stated organisations take place and be available to answer questions from other councillors. I would not seek to vote on these matters, or take part in discussion about voting.

(d) applies because it is well known that I am a Director of the Festival, a position I have held for nearly 7 years, President of the Chamber of Trade of which I have been a member for 15 years, Chairman of the Presteigne and Norton Community Trust Ltd of which I have been a member for 13 years, Transition Presteigne which I have been a member for 4 years, Presteigne Youth Project of which I have been Chairman for one year (since inception of the project), and Presteigne Zero Waste of which I have been a member of the steering committee for three years. : (f) applies because I can provide information because of my position within the organisations: (g) part two in bold applies because my interest isn't a pecuniary interest: (h) applies because I have no other interest and I won't be voting: (i) applies because it is the interests of local inhabitants for me to be there to answer questions.

**Applicant's home address:**  
 Presteigne, Powys, LD8 2EU

**Applicant's telephone number:** \_ (

**Applicant's fax number:** \_ (

**Applicant's E Mail address:** ..

**SIGNED:** \_\_\_\_\_

**DATED:** 15/9/12

**This form fully completed, signed and dated should be returned to**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No. 01597 826980**

**Fax No. 01597 826220**

**STATEMENT IN SUPPORT OF APPLICATION TO STANDARDS SUB  
COMMITTEE BY JAMES TENNANT-EYLES.**

I WRITE IN SUPPORT OF MY APPLICATION TO PARTICIPATE IN DISCUSSIONS ABOUT ALL MATTERS TO DO WITH ORGANISATIONS LISTED IN THE APPLICATION BECAUSE ALTHOUGH I HAVE A PERSONAL INTEREST I BELIEVE IT IS NOT PREJUDICIAL, AND THIS IS FOR THE FOLLOWING REASONS.

1. I AM WIDELY KNOWN IN THE COMMUNITY FOR MY VOLUNTARY WORK FOR THE BENEFIT OF THE COMMUNITY, IN A BROAD RANGE OF AREAS OF ACTIVITY WHICH DEMONSTRATES MY **UNBIASED COMMITMENT TO THE INTERESTS OF PRESTEIGNE AS A WHOLE RATHER, THAN TO ANY PARTICULAR ORGANISATION OR FACTION.**
2. MY LONG INVOLVEMENT IN THE ORGANISATIONS MEANS THAT I AM VERY WELL INFORMED ABOUT ALL MATTERS TO DO WITH THEM AND CONSEQUENTLY MY INVOLVEMENT IN DISCUSSION ABOUT THOSE ORGANISATIONS IS VITAL FOR THE PROVISION OF ACCURATE AND CORRECT INFORMATION FOR TOWN COUNCILLORS TO CONSIDER AND AS SUCH **MY PRESENCE IS IN THE PUBLIC INTEREST**
3. I HAVE NEVER RECEIVED ANY FINANCIAL OR PERSONAL GAIN FOR THE WORK THAT I HAVE DONE FOR THE COMMUNITY AND IT IS **WELL KNOWN THAT I HAVE NO PECUNIARY OR OTHER INTEREST IN THE ORGANISATIONS I REPRESENT**
4. IN APPLYING THE TEST THAT A REASONABLE PERSON, AND HERE I SHOULD LIKE TO POINT OUT THAT IN THINKING ABOUT THE TEST FOR PREJUDICIAL INTEREST ONE TENDS TO HAVE IN MIND AN UNREASONABLE PERSON, SO I REPEAT, IN THINKING ABOUT A **REASONABLE PERSON IN POSSESSION OF THE ABOVE RELEVANT FACTS I DO NOT BELIEVE THEY WOULD HAVE ANY OBJECTION TO MY TAKING PART IN DISCUSSIONS, PARTICULARLY AS I WILL LEAVE THE MEETING DURING DISCUSSION ABOUT VOTING, AND THE VOTING ITSELF.**



Application by	Councillor J. Tennant-Eyles
Council	Presteigne and Norton Town Council
Involvement With	<ul style="list-style-type: none"> <li>(i) Matters relating to the Presteigne Festival of Music and the Arts (the Presteigne Festival)</li> <li>(ii) Matters relating to the Presteigne Chamber of Trade, Commerce and Industry</li> <li>(iii) Matters relating to the Presteigne and Norton Community Trust Ltd.</li> <li>(iv) Matters relating to Transition Presteigne</li> <li>(v) Matters relating to Presteigne Youth Project Ltd</li> <li>(vi) Matters relating to Presteigne Zero Waste</li> </ul>
Business To Be Considered	Funding; Management / Operation of the organisations; and General Matters
<b>Background</b>	<p>Councillor Tennant-Eyles is a member of the above organisations undertaking the following roles:</p> <ul style="list-style-type: none"> <li>(i) Director</li> <li>(ii) Chairman</li> <li>(iii) President</li> <li>(iv) Member</li> <li>(v) Chairman</li> <li>(vi) Member of the Steering Group</li> </ul> <p>He has not been appointed to any of these organisations by the Town Council.</p> <p>Only organisations (i) and (v) above are registered as charities according to the Charities Commission website. In relation to both these organisations the Sub-Committee may not need to consider these as they will have been dealt with by means of the earlier report by the Strategic Director – Law and Governance in relation to charities.</p> <p>As background information Councillor Tennant-Eyles was granted a dispensation by the Standards Sub-Committee to speak but not vote in February 2011 in relation to organisations (i), (ii), and (iii) and this application is a renewal request for a dispensation in relation to those organisations.</p> <p>The applicant is seeking a dispensation to:</p> <ul style="list-style-type: none"> <li>(i) Attend a meeting</li> <li>(ii) Speak at a meeting</li> <li>(iii) Make written and oral representations</li> </ul>
<b>STEP 1</b> Personal Interest(s) under paragraph 10 of the Code.	<p>Councillor Tennant-Eyles has a personal interest in relation to matters relating to these organisations under paragraph 10(2)(a)(ix)(bb) and 10(2)(a)(ix)(ee) of the Code:</p> <p>“You must regard yourself as having a personal interest in any business of your authority if it relates to, or is likely to affect any company, industrial and provident society, charity, or body directed to charitable purposes in which you have membership or hold a position of general</p>

	<p>control or management”</p> <p>“You must regard yourself as having a personal interest in any business of your authority if it relates to, or is likely to affect any private club, society or association operating within you authority’s area in which you have membership or hold a position of general control or management”</p>
<p><b>STEP 2</b> Exemptions under paragraph 12 (2) &amp; (3) of the Code.</p>	<p>In relation to Councillor Tennant-Eyles and his membership of these organisations, only the exemption in Paragraph 12(2)(c) would apply in relation to the personal interests if the Town Council provided funding towards these organisations (up to the maximum allowed by the Code of £500).</p> <p>The above exemption does not apply if the business relates to the determination of an approval, consent, licence, permission or registration.</p> <p>In relation to financial and non-financial matters the Sub-Committee similarly needs to consider the application as detailed in step 3 below.</p>
<p><b>STEP 3</b> Application of “public perception” test under paragraph 12 (1) of the Code.</p>	<p><b><u>Financial and Non-Financial.</u></b></p> <p>In applying the Paragraph 12(1) test in relation to financial and non-financial type business involving these organisations it is suggested that the Sub-Committee approach the issue in this way i.e. to ask itself:</p> <p>“Is it reasonable to suppose that the public perception would regard the Councillor’s personal interest, as so significant that whenever a proposal regarding these organisations was discussed at the Town Council the potential conflict of interest would be so significant as to be likely to prejudice his / her judgement of the public interest in performing his / her role as a Town Councillor?”</p> <p>It is difficult to conclude that the Sub-Committee would answer this question otherwise than in the affirmative i.e. that a prejudicial interest would exist in this situation, unless the business under discussion involving the organisation(s) is of such a nature that it would be categorised as trivial, insignificant or uncontentious.</p>
<p><b>STEP 4</b> Ground(s) on which dispensation could be granted</p>	<p>The Sub-Committee is required to consider a dispensation in relation to financial and non-financial matters concerning these organisations other than business which would be of such a nature that it would be categorised as trivial, insignificant or uncontentious.</p> <p>In relation to the Councillor’s membership of these organisations the grounds which could be considered would be grounds (d) and (f), namely:</p>

	<p>(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.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p> <p>(f) the participation of the member in the business to which the interest relates is justified by the Member's particular role or expertise.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p>
<p><b>STEP 5</b> Determine the application:-</p> <p>(i) Refuse</p> <p>(ii) Approve:-</p> <p>(a) attend</p> <p>(b) speak</p> <p>(c) vote</p> <p>(d) exercise Board Function</p> <p>(e) seek to influence</p> <p>(f) make written communications</p> <p>(g) make oral representations</p>	<p>The applicant has requested a dispensation to attend meetings of the Town Council, to speak, and make oral and written representations, on matters relating to these organisations. The applicant has indicated that he does not wish to take part in the following discussion or to vote on any matters relating to these organisations.</p> <p>The applicant does not gain either personally or financially from his membership of these organisations.</p> <p>In the event of the Sub-Committee granting a dispensation it would also need to consider whether that dispensation should be limited to exclude the regulatory type matters set out in Paragraph 12(3) of the Code.</p> <p>The Sub-Committee is reminded that at a previous meeting it was decided in another case not to grant a dispensation in respect of regulatory type matters.</p>
<p><b>RECOMMENDATION:</b></p>	<p>In relation to Councillor Tennant-Eyles' membership of these organisations it is suggested that it would not damage public confidence if Councillor Tennant-Eyles were granted a dispensation to speak and vote on all matters relating to these organisations. Therefore he should be granted a dispensation under paragraphs (d) and (f).</p> <p>The dispensation would not apply to any regulatory type matters i.e. planning or licensing matters.</p>

**POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE**  
**APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL**  
**INTEREST**

I, Councillor LESLIE DAVIES

of \_\_\_\_\_ DISERTH & TRECOED COMMUNITY COUNCIL

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

How you wish to participate – please tick all relevant categories below:

<b>Attend a meeting</b>	✓
<b>Speak at a meeting</b>	✓
<b>Vote at a meeting</b>	✓
<b>Seek to influence a decision on a matter</b>	
<b>Make written representations</b>	
<b>Make oral representations</b>	
<b>Exercise Board functions (County Councillor only)</b>	

**SECTION 2**

- (A) Describe in the box below:
- i) the business in which you wish to participate;
  - ii) how your Council will deal with the matter;
  - iii) how many Members there are on your Council;
  - iv) what meetings will be held to consider it, when and where they will be held; and
  - v) those taking part.

i To participate in interviews of applicants for co-option on to Community Council  
 ii Advertisements have been placed and applications received from 10 candidates, interviews will be held of all applicants.  
 iii The Council consist currently of 5 members (there should be 11)  
 iv One interview evening will be held in Howey Village Hall, date and time will be decided if dispensation is granted.  
 v Existing 5 members of the Council – L Davies, P Hales, G Evans, C Myhill, J Hamer.

**(B) If the business relates to or affects an organisation(s) please detail below:**

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and
- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

Application relates to appointing co-opted members to the Community Council

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

No

### SECTION 3

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

C4. I have a personal friendship with a number of the applicants

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- ✓
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	-

**SECTION 5**

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

Dispensation is required for the Council to be quorate in this matter

Applicant's home address:	Howey, Llandrindod Wells Powys
Applicant's telephone number:	
Applicant's fax number:	
Applicant's E Mail address:	

SIGNED: \_\_\_\_\_

DATED: 10<sup>th</sup> July 2012

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

**Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**

**POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE  
APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL  
INTEREST**

I, Councillor PHILIP CHARLES HALES  
of \_\_\_\_\_ DISERTH & TRECOED COMMUNITY COUNCIL

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

How you wish to participate – please tick all relevant categories below:

Attend a meeting	<input checked="" type="checkbox"/>
Speak at a meeting	<input checked="" type="checkbox"/>
Vote at a meeting	<input checked="" type="checkbox"/>
Seek to influence a decision on a matter	<input type="checkbox"/>
Make written representations	<input type="checkbox"/>
Make oral representations	<input type="checkbox"/>
Exercise Board functions (County Councillor only)	<input type="checkbox"/>

**SECTION 2**

- (A) Describe in the box below:
- i) the business in which you wish to participate;
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  - F General matters

Application relates to appointing co-opted members to the Community Council

(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?

No

### SECTION 3

Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

C4 - close friends with one or more candidates

## SECTION 4

Set out the **GROUND(S)** upon which you rely by placing a tick in the right hand column against the relevant category/ies below.

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- ✓
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	-

**SECTION 5**

Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek

To allow Council to become quorate.

Applicant's home address:	Howey Llandrindod Wells
Applicant's telephone number:	
Applicant's fax number:	
Applicant's E Mail address:	

SIGNED: \_\_\_\_\_

DATED: 15/7/12

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

**Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**

**POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST**

I, Councillor ~~John~~ JOHN, HAMER

of DISERTH & TRECOED COMMUNITY COUNCIL

27 JUL 2012

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

How you wish to participate – please tick all relevant categories below:

Attend a meeting	<input checked="" type="checkbox"/>
Speak at a meeting	<input checked="" type="checkbox"/>
Vote at a meeting	<input checked="" type="checkbox"/>
Seek to influence a decision on a matter	<input type="checkbox"/>
Make written representations	<input type="checkbox"/>
Make oral representations	<input type="checkbox"/>
Exercise Board functions (County Councillor only)	<input type="checkbox"/>

**SECTION 2**

- (A) Describe in the box below:
- i) the business in which you wish to participate;
  - ii) how your Council will deal with the matter;
  - iii) how many Members there are on your Council;
  - iv) what meetings will be held to consider it, when and where they will be held; and
  - v) those taking part.

i To participate in interviews of applicants for co-option on to Community Council  
ii Advertisements have been placed and applications received from 10 candidates, interviews will be held of all applicants.  
iii The Council consist currently of 5 members (there should be 11)  
iv One interview evening will be held in Howey Village Hall, date and time will be decided if dispensation is granted.  
v Existing 5 members of the Council – L Davies, P Hales, G Evans, C Myhill, J Hamer.

**(B) If the business relates to or affects an organisation(s) please detail below:**

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and
- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

Application relates to appointing co-opted members to the Community Council

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

No

### SECTION 3

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

C 4 7 FRIENDS HAVE APPLIED

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	✓ -
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	-

**SECTION 5**

Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek

Dispensation require to enable Council to be quorate for co-opton

Applicant's home address:	BUIETH WELLS
Applicant's telephone number:	
Applicant's fax number:	
Applicant's E Mail address:	

SIGNED: \_\_\_\_\_

DATED: 10<sup>th</sup> July

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

**Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**

**POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE**  
**APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL**  
**INTEREST**

I, Councillor LESLIE CHIVE OWEN MYHILL  
of \_\_\_\_\_ **DISERTH & TRECOED COMMUNITY COUNCIL**

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

How you wish to participate – please tick all relevant categories below:

Attend a meeting	<input checked="" type="checkbox"/>
Speak at a meeting	<input checked="" type="checkbox"/>
Vote at a meeting	<input checked="" type="checkbox"/>
Seek to influence a decision on a matter	<input type="checkbox"/>
Make written representations	<input type="checkbox"/>
Make oral representations	<input type="checkbox"/>
Exercise Board functions (County Councillor only)	<input type="checkbox"/>

**SECTION 2**

- (A) Describe in the box below:
- i) the business in which you wish to participate;
  - ii) how your Council will deal with the matter;
  - iii) how many Members there are on your Council;
  - iv) what meetings will be held to consider it, when and where they will be held; and
  - v) those taking part.

i To participate in interviews of applicants for co-option on to Community Council  
ii Advertisements have been placed and applications received from 10 candidates, interviews will be held of all applicants.  
iii The Council consist currently of 5 members (there should be 11)  
iv One interview evening will be held in Howey Village Hall, date and time will be decided if dispensation is granted.  
v Existing 5 members of the Council – L Davies, P Hales, G Evans, C Myhill, J Hamer.



(B) If the business relates to or affects an organisation(s) please detail below:

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and
- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

Application relates to appointing co-opted members to the Community Council

(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?

No

### SECTION 3

Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

CH - RELATES TO ONE OR MORE

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	✓
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	-

**SECTION 5**

Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek

DISPENSATION IS REQUIRED TO ALLOW THE COUNCIL TO  
BE QUORUM

Applicant's home address:	DISSEARTH BUILTH WELLS
Applicant's telephone number:	
Applicant's fax number:	" "
Applicant's E Mail address:	

SIGNED: \_\_\_\_\_

DATED: 10.7.12

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic  
Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980  
Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**

Application by	Councillors C. Myhill, J. Hamer, P. Hales, L. Davies
Council	Disserth and Trecoed Community Council
Involvement With	(i) Matters relating to interview of applicants for co-option onto the Community Council.
Business To Be Considered	General Matters
<b>Background</b>	<p>Disserth and Trecoed Community Council has 5 councillors elected out of a total Council number of 11 following the May 2012 elections.</p> <p>Advertisements for co-opted members have been issued and 10 candidates have applied, all of whom are to be interviewed by the 5 Councillors.</p> <p>4 of the 5 Councillors have applied for a dispensation to enable them to take part in this interview process as they have friends who are applicants for the co-opted posts. Without the granting of a dispensation the Council is inquorate and cannot function to co-opt additional councillors.</p> <p>The applicants are seeking a dispensation to:</p> <ul style="list-style-type: none"> <li>(i) Attend a meeting</li> <li>(ii) Speak at a meeting</li> <li>(iii) Vote at a meeting</li> </ul>
<b>STEP 1</b> Personal Interest(s) under paragraph 10 of the Code.	<p>The 4 councillors have a personal interest in relation to a person / persons with whom they have a close personal association under paragraph 10(2)(c)(i)(bb) of the Code:</p> <p>“You must regard yourself as having a personal interest in any business of your authority if a decision upon it might reasonably be regarded as affecting 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 to a greater extent than the majority of in all other cases, other council tax payers, rate payers or inhabitants of the authority’s area”</p>
<b>STEP 2</b> Exemptions under paragraph 12 (2) & (3) of the Code.	In relation to the 4 councillors, none of the exemptions in Paragraph 12(2) would apply in relation to the personal interests.
<b>STEP 3</b> Application of “public perception” test under paragraph 12 (1) of the Code.	<p>In applying the Paragraph 12(1) test in relation to business involving the co-options it is suggested that the Sub-Committee approach the issue in this way i.e. to ask itself:</p> <p>“Is it reasonable to suppose that the public perception would regard the Councillor’s personal interest, as so significant that whenever a proposal regarding the co-options was discussed at the Community Council the potential conflict of interest would be so significant as to be likely to prejudice his / her judgement of the public interest in performing his / her role as a Community Councillor?”</p>

	<p>In applying the Paragraph 12(1) test in relation to this matter it is difficult to conclude that the Sub-Committee would answer this question otherwise than in the affirmative i.e. that a prejudicial interest would exist in this situation, unless the business under discussion is of such a nature that it would be categorised as trivial, insignificant or uncontentious.</p>
<p><b>STEP 4</b> Ground(s) on which dispensation could be granted</p>	<p>The Sub-Committee is required to consider a dispensation in relation to this matter to allow the Council to have a quorum so that the business can be transacted.</p> <p>In relation to the Councillors the ground which could be considered for this matter would be ground (a), namely:</p> <p style="padding-left: 40px;">(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.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p>
<p><b>STEP 5</b> Determine the application:-</p> <p>(i) Refuse</p> <p>(ii) Approve:-</p> <p style="padding-left: 20px;">(a) attend</p> <p style="padding-left: 20px;">(b) speak</p> <p style="padding-left: 20px;">(c) vote</p> <p style="padding-left: 20px;">(d) exercise Board Function</p> <p style="padding-left: 20px;">(e) seek to influence</p> <p style="padding-left: 20px;">(f) make written communications</p> <p style="padding-left: 20px;">(g) make oral representations</p>	<p>The applicants have requested a dispensation to attend meetings of the Community Council, to speak, vote, on a matter relating to the co-option of additional councillors onto the Council.</p>
<p><b>RECOMMENDATION:</b></p>	<p>In relation to the 4 councillors it is suggested that it would not damage public confidence if the councillors were granted a dispensation to speak and vote on all matters relating to the co-option of additional councillors. Therefore they should be granted a dispensation under paragraph (a). If a dispensation is not granted then the Council cannot function to co-opt additional councillors.</p>

# POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE

## APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST

I, Councillor Geoffrey John Jackson

of Crickhowell Town \_\_\_\_\_ COUNCIL

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

### SECTION 1

How you wish to participate – please tick all relevant categories below:

Attend a meeting	Yes
Speak at a meeting	Yes
Vote at a meeting	Yes
Seek to influence a decision on a matter	Yes
Make written representations	
Make oral representations	Yes
Exercise Board functions (County Councillor only)	

### SECTION 2

(A) Describe in the box below:

- i) the business in which you wish to participate;
- ii) how your Council will deal with the matter;
- iii) how many Members there are on your Council;
- iv) what meetings will be held to consider it, when and where they will be held; and
- v) those taking part.

- |      |  |
|------|--|
| i)   | Voting to appoint 4 new Councillors by co-option.  |
| ii)  | Council will hold a ballot to select the four candidates to be co-opted (there are 4 vacancies and 5 or 6 candidates).   |
| iii) | Nominal strength twelve. Current actual strength eight.  |
| iv)  | A special meeting of the Council will be convened on Tuesday 11 <sup>th</sup> Sept. in the Clarence Hall, Crickhowell (the normal meeting place is too small to accommodate the members of public expected). |
| v)   | All incumbent Councillors, under the Chairmanship of the Mayor.  |

(B) If the business relates to or affects an organisation(s) please detail below:

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and
- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

N/A

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

N/A

### SECTION 3

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

**One of the candidates is Geoffrey Powell, former Councillor and one-time Mayor. A few years ago my wife and I attended his wedding reception; as a consequence it could be felt that I had a close personal association with him, and that I would vote for him on the grounds of such an association.**

**In fact I have absolutely no financial interest in him or his affairs, nor anything more than normal concern for his well-being. However the possibility of adverse perception remains.**

**In addition to the above, Mr. Powell is a Trustee of The Market Hall Trust, a not-for-profit organisation of which I am Chairman.**

# POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE

## APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST

I, Councillor Rebecca Dykes of Crickhowell Town Council

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

### SECTION 1

How you wish to participate – please tick all relevant categories below:

Attend a meeting	X
Speak at a meeting	X
Vote at a meeting	X
Seek to influence a decision on a matter	X
Make written representations	X
Make oral representations	X
Exercise Board functions (County Councillor only)	

### SECTION 2

(A) Describe in the box below:

- i) the business in which you wish to participate;
- ii) how your Council will deal with the matter;
- iii) how many Members there are on your Council;
- iv) what meetings will be held to consider it, when and where they will be held; and
- v) those taking part.

- |   |
|---|
| <ol style="list-style-type: none"><li>i) Discussions in respect the co-option of [REDACTED] to Crickhowell Town Council.</li><li>ii) Discuss and possible vote on the co-option of [REDACTED] to Crickhowell Town Council.</li><li>iii) 12 (8 at present as there are 4 Casual Vacancies)</li><li>iv) Regular monthly meetings of the Crickhowell Town Council the co-option of [REDACTED] to Crickhowell Town Council.</li><li>v) Town Councillors maybe County Councillor John Morris</li></ol> |
|---|



**(B) If the business relates to or affects an organisation(s) please detail below:**

- **how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and Initially co opted then by appointment to town council through election process May 2012**
- **what is the nature of the business:**
  - **A Funding**
  - **B Planning – applications, building improvement/changes**
  - **C Licences – liquor/entertainment**
  - **D Land**
  - **E Management/operation of the organisation**
  - **F General matters**

N/A

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

N/A

### **SECTION 3**

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

**i) (e.4) The interest is common to the Member and a significant proportion of the general public; the relationship with [REDACTED] whom previously was a councillor of Crickhowell Town Council and her family has not been amicable recently, I have had to contact the police as I felt threatened [REDACTED].**

**Many of the residents of Llangenny Lane and surrounding area are not happy with the owner [REDACTED] and his agent Mr Geoff Powell have put the land forward as alternative sites when the BBNPA rejected them in the first round and as Town Councillor are looking to me to do something.**

**Crickhowell Town Council have also discussed purchasing the fields in front of my home for a Cemetery, as the daughter to the land owner**

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- x
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	- x
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(i) It appears to the committee to be in the interests of the inhabitants of the area of the relevant Authority that the	Speak and Vote	-

Community Councillors	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.	Speak only	x
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**SECTION 5**

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

**I am a councillor of Crickhowell Town Council and as part of the role I am to participate in co option of councillors.**

**Having had one incident with [REDACTED] when I contacted the Police about [REDACTED] as I felt threatened. I have worked with [REDACTED] on the town council as a fellow councillor in the past and since been in her presence to which I have not felt threatened I believe I can forefill my role of co option fully.**

**The issue of the land surrounding Llangenny Lane is being delt with by the town council holding a public meeting on 11<sup>th</sup> September 2012 at the Clarence Hall Crickhowell. A decision made in my absence of a Town Council meeting where I had sent my apologies.**

Applicant's home address:	[REDACTED]
Applicant's telephone number:	[REDACTED]
Applicant's fax number:	
Applicant's E Mail address:	[REDACTED]

SIGNED: \_\_\_\_\_

DATED: \_\_\_\_\_

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	Yes -
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	Yes -
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	-

## SECTION 5

Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek

Crickhowell Town Council currently has 8 members, against a nominal strength of 12. In the forthcoming meeting, for co-option of candidates to the Council, there is a strong possibility that four or more of the current Councillors will have a prejudicial interest of one sort or another and the meeting would not be quorate. This essential matter would then have to be postponed until a solution could be found.

The solution proposed here is to grant dispensation for Councillors insofar as is possible, allowing them to participate in a legal, quorate, process.

Applicant's home address:	<b>Crickhowell Powys NP8 1BG</b>
Applicant's telephone number:	
Applicant's fax number:	<b>N/A</b>
Applicant's E Mail address:	

SIGNED: \_\_\_\_\_

DATED: \_\_\_17<sup>th</sup> August, 2012\_\_\_

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

**Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**

**POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST**

I, Councillor Rebecca Dykes of Crickhowell Town Council

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

How you wish to participate – please tick all relevant categories below:

Attend a meeting	X
Speak at a meeting	X
Vote at a meeting	X
Seek to influence a decision on a matter	X
Make written representations	X
Make oral representations	X
Exercise Board functions (County Councillor only)	

**SECTION 2**

(A) Describe in the box below:

- i) the business in which you wish to participate;
- ii) how your Council will deal with the matter;
- iii) how many Members there are on your Council;
- iv) what meetings will be held to consider it, when and where they will be held; and
- v) those taking part.

- i) Discussions in respect the co-option of Mr Geoff Powell to Crickhowell Town Council.
- ii) Discuss and possible vote on the co-option of Mr Geoff Powell to Crickhowell Town Council.
- iii) 12 (8 at present as there are 4 Casual Vacancies)
- iv) Regular monthly meetings of the Crickhowell Town Council the co-option of Mr Geoff Powell to Crickhowell Town Council.
- v) Town Councillors maybe County Councillor John Morris

**(B) If the business relates to or affects an organisation(s) please detail below:**

- **how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and Initially co opted then by appointment to town council through election process May 2012**
- **what is the nature of the business:**
  - **A Funding**
  - **B Planning – applications, building improvement/changes**
  - **C Licences – liquor/entertainment**
  - **D Land**
  - **E Management/operation of the organisation**
  - **F General matters**

N/A

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

N/A

### **SECTION 3**

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

(e.4) The interest is common to the Member and a significant proportion of the general public; **Mr Geoffrey Robert Powell made a code of conduct complaint to the ombudsman about me, the ombudsman decided not to investigate the complaint. Mr Powell complained that I should declare an interest in all matters relating to land to be included in the LDP of the BBNPA, which I had.**  
**The Three Fields detailed surround my home, the relationship with the agent Mr Geoff Powell has been formed from my role as a town councillor to which Mr Geoff Powell has made representation to the council, many of the residents of Llangenny Lane and surrounding area are not happy with the owner and his agent putting the land forward as alternative sites when the BBNPA rejected them in the first round and as Town Councillor are looking to me to do something.**

**Crickhowell Town Council have also discussed purchasing the fields in front of my home for a Cemetery.  
Crickhowell Town Council have arranged a public meeting in September about the land.**

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

<b>Eligible Applicant</b>	<b>Ground</b>		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	- x
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors	(i) It appears to the committee to be in the interests of the	Speak and	



and Town and Community Councillors	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.	Vote Speak only	- x
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**SECTION 5**

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

**I reside at a property addressed Llangenny Lane Crickhowell Powys nominated salt sites are titled land at Llangenny lane Crickhowell.**

**The Three Fields detailed above surround my home, the relationship with the owner and owners family has not been amicable recently, many of the residents of Llangenny Lane and surrounding area are not happy with the owner and his agent (Mr Geoff Powell) putting the land forward as alternative sites when the BBNPA rejected them in the first round and as Town Councillor are looking to me to do something.**

**Crickhowell Town Council have also discussed purchasing the fields in front of my home for a Cemetery,**

Applicant's home address:	[REDACTED]
Applicant's telephone number:	[REDACTED]
Applicant's fax number:	
Applicant's E Mail address:	[REDACTED]

SIGNED: \_\_\_\_\_

DATED: \_\_\_\_\_

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

# POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE

## APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST

I, Councillor  Vivian Peter Games  of    
Crickhowell Town Council

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

### SECTION 1

How you wish to participate – please tick all relevant categories below:

Attend a meeting	X
Speak at a meeting	X
Vote at a meeting	X
Seek to influence a decision on a matter	X
Make written representations	X
Make oral representations	X
Exercise Board functions (County Councillor only)	

### SECTION 2

(A) Describe in the box below:

- i) the business in which you wish to participate;
- ii) how your Council will deal with the matter;
- iii) how many Members there are on your Council;
- iv) what meetings will be held to consider it, when and where they will be held; and
- v) those taking part.

- i) Discussions in respect of co option of Mr Geoff Powell
- ii) Discuss and possible vote on co option of Mr Geoff Powell
- iii) 12 (8 at present as there are 4 Casual Vacancies)
- iv) Regular monthly meetings of the Crickhowell Town Council Planning and Full Council and Burial Board and Finance Meetings of which there are three a year.
- v) Town Councillors maybe County Councillor John Morris

**(B) If the business relates to or affects an organisation(s) please detail below:**

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and Initially co opted then by appointment to town council through election process May 2012
- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

N/A

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

N/A

### SECTION 3

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

(e.4) The interest is common to the Member and a significant proportion of the general public; **A code of Conduct complaint was made by Mr Geoff Powell to the Ombudsman. Which was not investigated.**

### SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and	(a) No fewer than half of the Members of the relevant Authority or of a committee of the Authority (as the case	Speak and	

Community Councillors	may be) by which the business is to be considered has an interest which relates to that business;	Vote Speak only	-
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	- x
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	- x

## SECTION 5

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

I reside at a property addressed Llangenny Lane Crickhowell Powys nominated salt sites are titled land at Llangenny lane Crickhowell.  
Mr Geoff Powell is the Agent for these sites, He is an ex-member of the Town Council, but is seeking co-option back onto the Council this year.  
I have worked with Mr Powell in the past on council business.

Applicant's home address:	[REDACTED]
Applicant's telephone number:	[REDACTED]
Applicant's fax number:	
Applicant's E Mail address:	

SIGNED: \_\_\_\_\_

DATED: \_\_\_\_\_

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980**

**Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**

Application by	Councillor G.J. Jackson
Council	Crickhowell Town Council
Involvement With	(i) Matters relating to interview of applicants for co-option onto the Town Council.
Business To Be Considered	General Matters
<b>Background</b>	<p>Crickhowell Town Council has 8 councillors elected out of a total Council number of 12 following the May 2012 elections.</p> <p>Advertisements for co-opted members have been issued and 5 or 6 candidates have applied, all of whom are to be interviewed by the 8 Councillors.</p> <p>Councillor Jackson has applied for a dispensation to enable him to take part in this interview process as he may be perceived to have a close personal association with one of the candidates. It is uncertain as to whether the Council will have quorum issues should Councillor Jackson not be granted a dispensation as it appears that 7 of 8 councillors will be able to take part. However it is unclear if other councillors have interests, and clarification is being sought from the clerk.</p> <p>The applicant is seeking a dispensation to:</p> <ul style="list-style-type: none"> <li>(i) Attend a meeting</li> <li>(ii) Speak at a meeting</li> <li>(iii) Vote at a meeting</li> <li>(iv) Seek to influence a decision on a matter</li> <li>(v) Make oral representations</li> </ul>
<b>STEP 1</b> Personal Interest(s) under paragraph 10 of the Code.	<p>Councillor Jackson has a personal interest in relation to an organisation on which both he and the candidate sit as members (The councillor is chairman of the trust) under paragraph 10(2)(a)(ix)(bb) of the Code:</p> <p style="padding-left: 40px;">“You must regard yourself as having a personal interest in any business of your authority if it relates to, or is likely to affect any company, industrial and provident society, charity, or body directed to charitable purposes in which you have membership or hold a position of general control or management”</p> <p>Councillor Jackson may also have a personal interest in relation to a close personal association with the applicant under paragraph 10(2)(c)(i) of the Code:</p> <p style="padding-left: 40px;">“You must regard yourself as having a personal interest in any business of your authority if a decision upon it might reasonably be regarded as affecting 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 to a greater extent than the majority of in all other cases, other council tax payers, rate payers or inhabitants of the authority’s area”</p>

	<p>The latter interest relates to attendance at the applicant's wedding reception some years ago. It is questionable that this is an interest unless an ongoing close personal association exists. Again clarification is being sought.</p>
<p><b>STEP 2</b> Exemptions under paragraph 12 (2) &amp; (3) of the Code.</p>	<p>In relation to Councillor Jackson, none of the exemptions in Paragraph 12(2) would apply in relation to the personal interests.</p>
<p><b>STEP 3</b> Application of "public perception" test under paragraph 12 (1) of the Code.</p>	<p>In applying the Paragraph 12(1) test in relation to business involving the co-options it is suggested that the Sub-Committee approach the issue in this way i.e. to ask itself:</p> <p>"Is it reasonable to suppose that the public perception would regard the Councillor's personal interest, as so significant that whenever a proposal regarding the co-options was discussed at the Town Council the potential conflict of interest would be so significant as to be likely to prejudice his / her judgement of the public interest in performing his / her role as a Town Councillor?"</p> <p>In applying the Paragraph 12(1) test in relation to this matter it is difficult to conclude that the Sub-Committee would answer this question otherwise than in the affirmative i.e. that a prejudicial interest would exist in this situation, unless the business under discussion is of such a nature that it would be categorised as trivial, insignificant or uncontentious. This is in relation to membership of the Trust where the councillor is Chair of the Trust and the applicant is a Trustee.</p>
<p><b>STEP 4</b> Ground(s) on which dispensation could be granted</p>	<p>In relation to the Councillor the grounds which could be considered for this matter would be grounds (a) and (d), namely:</p> <p>(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 to be considered has an interest which relates to that business.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p> <p>(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.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p>
<p><b>STEP 5</b> Determine the application:-</p> <p>(i) Refuse</p>	<p>The applicant has requested a dispensation to attend meetings of the Town Council, to speak, vote, seek to influence and make oral representations on a matter relating to the co-option of additional councillors onto the Council.</p>

<p>(ii) Approve:-</p> <ul style="list-style-type: none"> <li>(a) attend</li> <li>(b) speak</li> <li>(c) vote</li> <li>(d) exercise Board Function</li> <li>(e) seek to influence</li> <li>(f) make written communications</li> <li>(g) make oral representations</li> </ul>	
<p><b>RECOMMENDATION:</b></p>	<p>In relation to Councillor Jackson it is suggested that it might damage public confidence if the councillor was granted a dispensation to speak and vote on all matters relating to the co-option of additional councillors. Therefore he should not be granted a dispensation under paragraph (d). However if further information is received regarding the quorum then the Sub-Committee might have to take a view of the situation based on ground (a).</p>



**POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST**

I,  
Councillor Rebecca Dykes  
of Crickhowell Town Council

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

How you wish to participate – please tick all relevant categories below:

<b>Attend a meeting</b>	<b>X</b>
<b>Speak at a meeting</b>	<b>X</b>
<b>Vote at a meeting</b>	<b>X</b>
<b>Seek to influence a decision on a matter</b>	<b>X</b>
<b>Make written representations</b>	<b>X</b>
<b>Make oral representations</b>	<b>X</b>
<b>Exercise Board functions (County Councillor only)</b>	

**SECTION 2**

- (A) Describe in the box below:
- i) the business in which you wish to participate;
  - ii) how your Council will deal with the matter;
  - iii) how many Members there are on your Council;
  - iv) what meetings will be held to consider it, when and where they will be held; and
  - v) those taking part.

- i) Discussions in respect of Salt Sites 072, 073 & 061 of the BBNPA LDP which are 3 fields, 2 in front and 1 behind my home.
- ii) Discuss and possible vote on whether these fields can be developed, 072 and 073 are also possible sites for a New Cemetery for the Council
- iii) 12 (8 at present as there are 4 Casual Vacancies)
- iv) Regular monthly meetings of the Crickhowell Town Council Planning and Full Council and Burial Board and Finance Meetings of which there are three a year.
- v) Town Councillors maybe County Councillor John Morris

**(B) If the business relates to or affects an organisation(s) please detail below:**

**Brecon Beacons National Park Planning**

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and Initially co opted then by appointment to town council through election process May 2012
  
- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

N/A

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

N/A

### **SECTION 3**

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

(e.4) The interest is common to the Member and a significant proportion of the general public; **The Three Fields detailed above surround my home, the relationship with the owner and owners family has not been amicable recently, many of the residents of Llangenny Lane and surrounding area are not happy with the owner and his agent putting the land forward as alternative sites when the BBNPA rejected them in the first round and as Town Councillor are looking to me to do something.**

**Crickhowell Town Council have also discussed purchasing the fields in front of my home for a Cemetery,**

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	- x
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community	(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	Speak only	



**POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST**

I, Councillor----- Vivian Peter Games\_\_\_\_\_ of  
\_\_\_\_\_ Crickhowell Town COUNCIL\_\_\_\_\_

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

How you wish to participate – please tick all relevant categories below:

Attend a meeting	X
Speak at a meeting	X
Vote at a meeting	X
Seek to influence a decision on a matter	X
Make written representations	X
Make oral representations	X
Exercise Board functions (County Councillor only)	

**SECTION 2**

- (A) Describe in the box below:
- i) the business in which you wish to participate;
  - ii) how your Council will deal with the matter;
  - iii) how many Members there are on your Council;
  - iv) what meetings will be held to consider it, when and where they will be held; and
  - v) those taking part.

- i) Discussions in respect of Salt Sites 072, 073 & 061 of the BBNPA LDP which are 3 fields, 1 in front and 2 behind my home.
- ii) Discuss and possible vote on whether these fields can be developed, 072 and 073 are also possible sites for a New Cemetery for the Council
- iii) 12 (8 at present as there are 4 Casual Vacancies)
- iv) Regular monthly meetings of the Crickhowell Town Council Planning and Full Council and Burial Board and Finance Meetings of which there are three a year.
- v) Town Councillors maybe County Councillor John Morris

**(B) If the business relates to or affects an organisation(s) please detail below:**

**Brecon Beacons National Park Planning**

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and Initially co opted then by appointment to town council through election process May 2012
- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

**Access committee of BBNP nominated by the Town Council**

**E & F**

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

**N/A**

### **SECTION 3**

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

(e.4) The interest is common to the Member and a significant proportion of the general public; **The Three Fields detailed above surround my home, the relationship with the owner and owners family has not been amicable recently, many of the residents of Llangenny Lane and surrounding area are not happy with the owner and his agent putting the land forward as alternative sites when the BBNPA rejected them in the first round and as Town Councillor are looking to me to do something.**

**Crickhowell Town Council have also discussing purchasing the fields in front of my home for a Cemetery,**

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	- x
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	- x
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community	(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	Speak only	





**POWY STANDARDS COMMITTEE  
COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH  
PREJUDICIAL INTEREST**

21 AUG 2012

I, Councillor EDWARD NARBOROUGH  
of RHAYADER TOWN COUNCIL

Hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

Indicate how you wish to participate by placing a tick in the right hand column against the relevant category below

Attend a meeting	<input checked="" type="checkbox"/>
Speak at a meeting	<input checked="" type="checkbox"/>
Vote at a meeting	<input checked="" type="checkbox"/>
Seek to influence a decision on a matter	<input checked="" type="checkbox"/>
Make written representations	<input checked="" type="checkbox"/>
Make oral representations	<input checked="" type="checkbox"/>
Exercise Board functions (County Councillor only)	<input type="checkbox"/>

**SECTION 2**

Describe in the box below the business in which you wish to participate including details of how your Council will deal with the matter, what meetings will be held to consider it, when and where they will be held and those taking part.

Allotments ren by Rhayader town  
Council at the weirglodd.  
Rhayader town Council monthly  
meeting.

### SECTION 3

Detail the **PREJUDICIAL** interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

*Plot holder, in the above mentioned allotments.  
I am an elected town councillor.*

### SECTION 4

Set out the **GROUND(S)** upon which you rely by placing a tick in the right hand column against the relevant category/ies below.

(a) No fewer than half of the Members of the relevant Authority or of a committee of the Authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	
(b) No fewer than half of the Members of a leader and cabinet executive of the relevant Authority by which the business is to be considered has an interest which relates to that business and either Paragraph (d) or (e) also applies;	
(c) In the case of a County or County Borough Council, the inability of the Member to participate would upset the political balance of the relevant Authority or of the committee of the Authority by which the business is to be considered to such an extent that the outcome would be likely to be affected.	
(d) The nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant Authority's business;	✓
(e) The interest is common to the Member and a significant proportion of the general public;	✓
(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	✓
(g) The business to which the interest relates is to be considered by an Overview and Scrutiny Committee of the relevant Authority and the Member's interest is not a pecuniary interest.	✓
(h) The business which is to be considered relates to the finances or property of a voluntary organisation of whose Management Committee or Board the Member is a Member otherwise than as a representative of the relevant Authority and the Member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or	

(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.

**SECTION 5**

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

As an elected councillor and a plot holder I wish to represent the interests of fellow plot holders as tenants of Rhyader Town Council, which in declaring an interest precludes me from doing so.

**Applicant's home address:** \_\_\_\_\_

\_\_\_\_\_  
RHYADER  
POWYS LDB SDG

**Applicant's telephone number:** 01597 8... \_\_\_\_\_

**Applicant's fax number:** \_\_\_\_\_

**Applicant's E Mail address:** \_\_\_\_\_@... .uk

**SIGNED:** \_\_\_\_\_

**DATED:** 18.11.12 \_\_\_\_\_

**This form fully completed, signed and dated should be returned to**

**POWY STANDARDS COMMITTEE  
COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH  
PREJUDICIAL INTEREST**

I, Councillor ELIZABETH LEE PRICE  
of RHAYADER & CWMDAUDDWR TOWN COUNCIL  
Hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

Indicate how you wish to participate by placing a tick in the right hand column against the relevant category below

Attend a meeting	✓
Speak at a meeting	✓
Vote at a meeting	✓
Seek to influence a decision on a matter	
Make written representations	
Make oral representations	✓
Exercise Board functions (County Councillor only)	

**SECTION 2**

Describe in the box below the business in which you wish to participate including details of how your Council will deal with the matter, what meetings will be held to consider it, when and where they will be held and those taking part.

I wish to participate in all matters relating to the allotments in Rhayader. I wish to form part of a Rhayader Town Council - Sub-Committee of the allotments, and take part in all matters concerning the allotments.

### SECTION 3

Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

My husband has a plot on the Rhayader allotments.

### SECTION 4

Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.

(a) No fewer than half of the Members of the relevant Authority or of a committee of the Authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	
(b) No fewer than half of the Members of a leader and cabinet executive of the relevant Authority by which the business is to be considered has an interest which relates to that business and either Paragraph (d) or (e) also applies;	
(c) In the case of a County or County Borough Council, the inability of the Member to participate would upset the political balance of the relevant Authority or of the committee of the Authority by which the business is to be considered to such an extent that the outcome would be likely to be affected.	
(d) The nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant Authority's business;	✓
(e) The interest is common to the Member and a significant proportion of the general public;	✓
(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	✓
(g) The business to which the interest relates is to be considered by an Overview and Scrutiny Committee of the relevant Authority and the Member's interest is not a pecuniary interest.	AAA
(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	



**POWY STANDARDS COMMITTEE  
COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH  
PREJUDICIAL INTEREST**

I, Councillor GILLIAN MARGARET WILLIAMS  
of 1. CASTLE ROAD RHAYADER, Powys COUNCIL

Hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

Indicate how you wish to participate by placing a tick in the right hand column against the relevant category below

Attend a meeting	✓
Speak at a meeting	✓
Vote at a meeting	✓
Seek to influence a decision on a matter	
Make written representations	
Make oral representations	✓
Exercise Board functions (County Councillor only)	

**SECTION 2**

Describe in the box below the business in which you wish to participate including details of how your Council will deal with the matter, what meetings will be held to consider it, when and where they will be held and those taking part.

*I wish to participate in all matters arising when the allotments are discussed.  
I am a plot holder of an allotment.*

### SECTION 3

Detail the **PREJUDICIAL** interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

I am a plot holder

### SECTION 4

Set out the **GROUND(S)** upon which you rely by placing a tick in the right hand column against the relevant category/ies below.

(a) No fewer than half of the Members of the relevant Authority or of a committee of the Authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	
(b) No fewer than half of the Members of a leader and cabinet executive of the relevant Authority by which the business is to be considered has an interest which relates to that business and either Paragraph (d) or (e) also applies;	
(c) In the case of a County or County Borough Council, the inability of the Member to participate would upset the political balance of the relevant Authority or of the committee of the Authority by which the business is to be considered to such an extent that the outcome would be likely to be affected.	
(d) The nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant Authority's business;	✓
(e) The interest is common to the Member and a significant proportion of the general public;	✓
(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	✓
(g) The business to which the interest relates is to be considered by an Overview and Scrutiny Committee of the relevant Authority and the Member's interest is not a pecuniary interest.	✓
(h) The business which is to be considered relates to the finances or property of a voluntary organisation of whose Management Committee or Board the Member is a Member otherwise than as a representative of the relevant Authority and the Member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or	



(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.

**SECTION 5**

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

*I wish to participate when the allotment are discussed*

**Applicant's home address:** \_\_\_\_\_

*Rhayader, Powys*  
\_\_\_\_\_  
*LD6 5BA*  
\_\_\_\_\_

**Applicant's telephone number:** \_\_\_\_\_

**Applicant's fax number:** \_\_\_\_\_

**Applicant's E Mail address:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**DATED:** *20<sup>th</sup> August 2012*

**This form fully completed, signed and dated should be returned to**

Application by	Councillors G.M. Williams, E.L. Price, E. Narborough.
Council	Rhayader Town Council
Involvement With	(i) Matters relating to Weirglodd Allotments, Rhayader.
Business To Be Considered	Land; Management / Operation of the Allotments site; and General Matters
<b>Background</b>	<p>The Town Council has an Allotments Sub-Committee of 5 councillors. Three of those councillors have applied for a dispensation as 2 are plot holders and 1 has a husband who is a plot holder.</p> <p>The Sub-Committee does not have any delegated powers and decisions including the setting of fees for the rental of plots are taken by the full Council itself of 14 Councillors.</p> <p>The applicants are seeking a dispensation to:</p> <ul style="list-style-type: none"> <li>(i) Attend a meeting</li> <li>(ii) Speak at a meeting</li> <li>(iii) Vote at a meeting</li> <li>(iv) Seek to influence a decision on a matter</li> <li>(v) Make written representations</li> <li>(vi) Make oral representations</li> </ul>
<b>STEP 1</b> Personal Interest(s) under paragraph 10 of the Code.	<p>The 3 councillors have a personal interest in relation to matters relating to the allotments under paragraphs 10(2)(c)(i)(aa) of the Code:</p> <p>“You must regard yourself as having a personal interest in any business of your authority if a decision upon it might reasonably be regarded as affecting 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 to a greater extent than the majority of in the case of any 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”</p>
<b>STEP 2</b> Exemptions under paragraph 12 (2) & (3) of the Code.	<p>None of the exemptions in Paragraph 12(2) would apply in relation to the personal interests.</p> <p>In relation to non-financial matters the Sub-Committee similarly needs to consider the application as detailed in step 3 below.</p>
<b>STEP 3</b> Application of “public perception” test under paragraph 12 (1) of the Code.	<p><b><u>Financial and Non-Financial.</u></b></p> <p>In applying the Paragraph 12(1) test in relation to financial and non-financial type business involving the allotments it is suggested that the Sub-Committee approach the issue in this way i.e. to ask itself:</p> <p>“Is it reasonable to suppose that the public perception would regard the Councillor’s personal interest, as so significant that whenever a proposal regarding the allotments was discussed at</p>

	<p>the Town Council the potential conflict of interest would be so significant as to be likely to prejudice his / her judgement of the public interest in performing his / her role as a Town Councillor?”</p> <p>It is difficult to conclude that the Sub-Committee would answer this question otherwise than in the affirmative i.e. that a prejudicial interest would exist in this situation, unless the business under discussion involving the allotments is of such a nature that it would be categorised as trivial, insignificant or uncontentious.</p>
<p><b>STEP 4</b> Ground(s) on which dispensation could be granted</p>	<p>The Sub-Committee is required to consider a dispensation in relation to matters concerning the allotments other than business which would be of such a nature that it would be categorised as trivial, insignificant or uncontentious.</p> <p>In relation to the personal interests the ground which could be considered would be grounds (d) and (f), namely:</p> <p style="padding-left: 40px;">(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.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p> <p style="padding-left: 40px;">(f) the participation of the member in the business to which the interest relates is justified by the Member’s particular role or expertise.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p>
<p><b>STEP 5</b> Determine the application:-</p> <p>(i) Refuse</p> <p>(ii) Approve:-</p> <p style="padding-left: 20px;">(a) attend</p> <p style="padding-left: 20px;">(b) speak</p> <p style="padding-left: 20px;">(c) vote</p> <p style="padding-left: 20px;">(d) exercise Board Function</p> <p style="padding-left: 20px;">(e) seek to influence</p> <p style="padding-left: 20px;">(f) make written communications</p> <p style="padding-left: 20px;">(g) make oral representations</p>	<p>The applicants have requested a dispensation to attend meetings of the Town Council, to speak, vote, make written and oral representations on matters relating to Rhayader allotments.</p> <p>In relation to non-financial matters relating to Rhayader allotments the Sub-Committee is requested to consider a dispensation under grounds (d) and (f) of the 2001 Regulations which would result in the Councillors being eligible to speak and / or vote on such non-financial matters which were not otherwise categorised as trivial, insignificant or uncontentious</p> <p>In the event of the Sub-Committee granting a dispensation it would also need to consider whether that dispensation should be limited to exclude the regulatory type matters set out in Paragraph 12(3) of the Code.</p> <p>The Sub-Committee is reminded that at a previous meeting it was decided in another case not to grant a dispensation in respect of regulatory type matters.</p>
<p><b>RECOMMENDATION:</b></p>	<p>In relation to financial matters such as the cost of renting a plot</p>

these matters are determined by the Council itself and the Sub-Committee might consider that it would damage public confidence if councillors who were plot holders / had relatives with plots were allowed to speak and vote on matters relating to financial matters which directly affect them. The Sub-Committee in the past has not granted such a dispensation and it is suggested that the Sub-Committee should continue this practice.

In relation to non-financial business it is suggested that it would not damage public confidence if the councillors were granted a dispensation to speak and vote on all matters relating to Rhayader allotments. Therefore they should be granted a dispensation under paragraphs (d) and (f).

The dispensation would not apply to any regulatory type matters i.e. planning or licensing matters.

**POWY STANDARDS COMMITTEE  
COMMUNITY SUB-COMMITTEE**

11 JUL 2012

**APPLICATION FOR DISPENSATION BY MEMBER WITH  
PREJUDICIAL INTEREST**

I, Councillor M. MORGAN LLOYD  
of RHAYADER TOWN COUNCIL

Hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

**SECTION 1**

Indicate how you wish to participate by placing a tick in the right hand column against the relevant category below

Attend a meeting	✓
Speak at a meeting	✓
Vote at a meeting	✓
Seek to influence a decision on a matter	
Make written representations	
Make oral representations	
Exercise Board functions (County Councillor only)	

**SECTION 2**

Describe in the box below the business in which you wish to participate including details of how your Council will deal with the matter, what meetings will be held to consider it, when and where they will be held and those taking part.

<p>Improvement of Rhayader Town Cemetery Liaise with Powys C/C</p> <p>meetings will be held at Rhayader Town Council Chamber and on site at Rhayader Town Cemetery.</p> <p>Taking Part - Town Councillors and Powy c/c officials</p>
--

### SECTION 3

Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

As a Funeral Director I use the Cemetery

### SECTION 4

Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.

(a) No fewer than half of the Members of the relevant Authority or of a committee of the Authority (as the case may be) by which the business is to be considered has an interest which relates to that business;	
(b) No fewer than half of the Members of a leader and cabinet executive of the relevant Authority by which the business is to be considered has an interest which relates to that business and either Paragraph (d) or (e) also applies;	
(c) In the case of a County or County Borough Council, the inability of the Member to participate would upset the political balance of the relevant Authority or of the committee of the Authority by which the business is to be considered to such an extent that the outcome would be likely to be affected.	
(d) The nature of the Member's interest is such that the Member's participation in the business to which the interest relates would not damage public confidence in the conduct of the relevant Authority's business;	
(e) The interest is common to the Member and a significant proportion of the general public;	
(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	✓
(g) The business to which the interest relates is to be considered by an Overview and Scrutiny Committee of the relevant Authority and the Member's interest is not a pecuniary interest.	
(h) The business which is to be considered relates to the finances or property of a voluntary organisation of whose Management Committee or Board the Member is a Member otherwise than as a representative of the relevant Authority and the Member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business; or	

(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.

**SECTION 5**

**Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek**

My knowledge of Rhayader Town Cemetery would be beneficial to Rhayader Town Council and Powys County Council.

**Applicant's home address:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Applicant's telephone number:** \_\_\_\_\_

**Applicant's fax number:** \_\_\_\_\_

**Applicant's E Mail address:** \_\_\_\_\_

**SIGNED:** \_\_\_\_\_

**DATED:** 9th July 2012

**This form fully completed, signed and dated should be returned to**

Application by	Councillor M. Lloyd
Council	Rhayader Town Council
Involvement With	(i) Matters relating to Rhayader Cemetery
Business To Be Considered	Land; Management / Operation of the Cemetery site; and General Matters
<b>Background</b>	<p>Councillor Lloyd owns a funeral business based in Rhayader and Llandrindod Wells. Rhayader Cemetery is one of the main cemeteries used by the business.</p> <p>The land for Rhayader Cemetery is built on rock and the availability of plots where rock is not close to the surface and where double depth plots are available are reducing quickly. There is some additional land which could be utilised for single depth burials only but this is not suitable for the demands of customers.</p> <p>The County Council which owns the land is therefore proposing undertaking works to the available land to increase the availability of double depth plots. However the project is currently delayed due to ongoing discussions regarding the granting of permissions for access to the site.</p> <p>The Town Council has indicated that it wishes Councillor Lloyd to be involved in this project due to his knowledge and experience of using the cemetery in meetings with County Council officers both with the Town Council and on site. The Town Council also would wish to have available to them Councillor Lloyd's knowledge and experience to advise the Council when they are discussing this matter.</p> <p>The applicant is seeking a dispensation to:</p> <ul style="list-style-type: none"> <li>(i) Attend a meeting</li> <li>(ii) Speak at a meeting</li> <li>(iii) Vote at Meetings</li> </ul>
<b>STEP 1</b> Personal Interest(s) under paragraph 10 of the Code.	<p>Councillor Lloyd has a personal interest in relation to matters relating to his business under paragraphs 10(2)(a)(i) and 10(2)(c)(i)(aa) and 10(2)(c)(ii)(aa) of the Code:</p> <p>“You must regard yourself as having a personal interest in any business of your authority if it relates to, or is likely to affect any employment or business carried on by you.”</p> <p>“(iaa) You must regard yourself as having a personal interest in any business of your authority if a decision upon it might reasonably be regarded as affecting 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 to a greater extent than the majority of in the case of any 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.”</p>



	<p>“(iiaa) You must regard yourself as having a personal interest in any business of your authority if a decision upon it might reasonably be regarded as affecting any employment or business carried out by persons as described in 10(2)(c)(i), to a greater extent than the majority of in the case of any 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.”</p>
<p><b>STEP 2</b> Exemptions under paragraph 12 (2) &amp; (3) of the Code.</p>	<p>In relation to Councillor Lloyd and his business, only the exemption in Paragraph 12(2)(c) would apply in relation to the personal interests if the Town Council provided funding towards the cemetery. However the Council’s Environmental Health Section has confirmed that the County Council receives no financial contribution towards the Cemetery from the Town Council.</p> <p>The above exemption does not apply if the business relates to the determination of an approval, consent, licence, permission or registration.</p> <p>In relation to financial and non-financial matters the Sub-Committee similarly needs to consider the application as detailed in step 3 below.</p>
<p><b>STEP 3</b> Application of “public perception” test under paragraph 12 (1) of the Code.</p>	<p><b><u>Financial and Non-Financial.</u></b></p> <p>In applying the Paragraph 12(1) test in relation to financial and non-financial type business involving the Cemetery it is suggested that the Sub-Committee approach the issue in this way i.e. to ask itself:</p> <p>“Is it reasonable to suppose that the public perception would regard the Councillor’s personal interest, as so significant that whenever a proposal regarding the cemetery was discussed at the Town Council the potential conflict of interest would be so significant as to be likely to prejudice his / her judgement of the public interest in performing his / her role as a Town Councillor?”</p> <p>It is difficult to conclude that the Sub-Committee would answer this question otherwise than in the affirmative i.e. that a prejudicial interest would exist in this situation, unless the business under discussion involving the organisation(s) is of such a nature that it would be categorised as trivial, insignificant or uncontentious.</p>
<p><b>STEP 4</b> Ground(s) on which dispensation could be granted</p>	<p>The Sub-Committee is required to consider a dispensation in relation to financial and non-financial matters concerning the Cemetery other than business which would be of such a nature that it would be categorised as trivial, insignificant or uncontentious.</p>

	<p>In relation to the Councillor's business the ground which could be considered for matters not relating directly to his business would be grounds (d) and (f), namely:</p> <p>(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.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p> <p>(f) the participation of the member in the business to which the interest relates is justified by the Member's particular role or expertise.</p> <p>This ground enables the grant of dispensation to speak and vote or to speak only.</p>
<p><b>STEP 5</b> Determine the application:-</p> <p>(i) Refuse</p> <p>(ii) Approve:-</p> <p>(a) attend</p> <p>(b) speak</p> <p>(c) vote</p> <p>(d) exercise Board Function</p> <p>(e) seek to influence</p> <p>(f) make written communications</p> <p>(g) make oral representations</p>	<p>The applicant has requested a dispensation to attend meetings of the Town Council, to speak, vote, on a matter relating to Rhayader Cemetery.</p> <p>However in relation to financial and non-financial matters relating to Rhayader Cemetery the Sub-Committee is requested to consider a dispensation under grounds (d) and (f) of the 2001 Regulations which would result in the Councillor being eligible to speak and / or vote on such matters which were not otherwise categorised as trivial, insignificant or uncontentious</p> <p>In the event of the Sub-Committee granting a dispensation it would also need to consider whether that dispensation should be limited to exclude the regulatory type matters set out in Paragraph 12(3) of the Code.</p> <p>The Sub-Committee is reminded that at a previous meeting it was decided in another case not to grant a dispensation in respect of regulatory type matters.</p>
<p><b>RECOMMENDATION:</b></p>	<p>In relation to Councillor Lloyd's business it is suggested that it would not damage public confidence if Councillor Lloyd were granted a dispensation to speak and vote on all matters relating to Rhayader Cemetery. Therefore he should be granted a dispensation under paragraphs (d) and (f).</p> <p>The dispensation would not apply to any regulatory type matters i.e. planning or licensing matters.</p>

# POWYS STANDARDS COMMITTEE / COMMUNITY SUB-COMMITTEE

## APPLICATION FOR DISPENSATION BY MEMBER WITH PREJUDICIAL INTEREST

I, Councillor Gareth William Ratcliffe

of Powys County Council

hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

### SECTION 1

How you wish to participate – please tick all relevant categories below:

Attend a meeting	
Speak at a meeting	X
Vote at a meeting	
Seek to influence a decision on a matter	
Make written representations	
Make oral representations	
Exercise Board functions (County Councillor only)	

### SECTION 2

(A) Describe in the box below:

- i) the business in which you wish to participate;
- ii) how your Council will deal with the matter;
- iii) how many Members there are on your Council;
- iv) what meetings will be held to consider it, when and where they will be held; and
- v) those taking part.

School modernisation programme in so far as relation to the Gwernyfed Catchment and the provision of a new primary school in Hay on Wye.

(B) If the business relates to or affects an organisation(s) please detail below:

- how were you appointed to that organisation (i.e. by appointment by the Town or Community Council or by other means), and

- what is the nature of the business:
  - A Funding
  - B Planning – applications, building improvement/changes
  - C Licences – liquor/entertainment
  - D Land
  - E Management/operation of the organisation
  - F General matters

Not Applicable

**(C) Is the organisation a registered charity? If so, are you a Trustee of the charity?**

Former Trustee of Hay and District sports and community association (HDSCA)

### **SECTION 3**

**Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes (Attached) and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.**

**A developer has approached Powys County Council with a proposal that in return for a council conveying existing school site in Hay on Wye to them in return they will build a new school on a site currently owned and controlled by HDSCA. It would be the developer's intention to develop the existing school site as a supermarket.**

**My interest arises from the fact I am a former trustee of HDSCA and my father in-law is the chair of HDSCA. I also own and run a take-away business in Hay on Wye and it clearly may be affected if a supermarket is built in Hay**

## SECTION 4

**Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.**

Eligible Applicant	Ground		
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	-
County Councillors only	(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;	Speak and Vote Speak only	-
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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;	Speak and Vote Speak only	X
County Councillors and Town and Community Councillors	(e) The interest is common to the Member and a significant proportion of the general public;	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(f) The participation of the Member in the business to which the interest relates is justified by the Member's particular role or expertise;	Speak and Vote Speak only	X
County Councillors only	(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.	Speak and Vote Speak only	-
County Councillors and Town and Community Councillors	(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	Speak only	
County Councillors and Town and Community Councillors	(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.	Speak and Vote Speak only	-

## SECTION 5

Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek

I am the elected member for Hay on Wye on Powys County Council and my electorate would expect me to represent their views at meetings. I have a considerable knowledge on this matter both as local member and as a former member of HDSCA.

I am applying for a dispensation to speak and not vote and expect if a dispensation is granted I will speak then leave the room.

Applicant's home address:	<b>14 Warren Close Hay on Wye Hereford HR3 5EL</b>
Applicant's telephone number:	<b>07974353121</b>
Applicant's fax number:	
Applicant's E Mail address:	

SIGNED: \_\_\_\_\_  
\_\_\_\_\_

DATED: \_\_\_\_\_

**This form fully completed, signed and dated should be returned to:**

**Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG.**

**Tel No: 01597 826980  
Fax No: 01597 826220**

**E-Mail: [Elizabeth.patterson@powys.gov.uk](mailto:Elizabeth.patterson@powys.gov.uk)**

**From whom further information and advice may be obtained.**