

## MERTHYR TYDFIL COUNTY BOROUGH COUNCIL



# **STANDARDS COMMITTEE** **MEETING**

**5.00 PM MONDAY, 9TH JULY, 2012**

**COMMITTEE ROOM 4, CIVIC CENTRE**

This Agenda has been prepared by the Democratic Services Department. Any member of the public requiring information should contact the department on (01685) 725203 or email [democratic@merthyr.gov.uk](mailto:democratic@merthyr.gov.uk).

## **A G E N D A**

1. Apologies for absence
2. Declarations of Interest

Members of the Standards Committee are reminded of their personal responsibility to declare any personal and prejudicial interest in respect of matters contained in this agenda in accordance with the provisions of the Local Government Act 2000, the Council's Constitution and the Members Code of Conduct.

3. To reconsider previous Dispensations granted to Councillors during their 2008 - 2012 term of office

To consider a report from the Chief Executive.

**(Pages 1 - 8)**

4. Code of Conduct for Members and Co-opted Members - Request for Dispensation  
To consider a report from the Chief Executive. **(Pages 9 - 12)**
5. Code of Conduct for Members and Co-opted Members - Request for Dispensation  
To consider a report from the Chief Executive. **(Pages 13 - 16)**
6. Code of Conduct for Members and Co-opted Members - Request for Dispensation  
To consider a report from the Chief Executive. **(Pages 17 - 20)**
7. Code of Conduct for Members and Co-opted Members - Request for Dispensation  
To consider a report from the Chief Executive. **(Pages 21 - 24)**
8. Any other item deemed urgent by the Chair

**COMPOSITION:**

Professor Sir Mansel Aylward (Chair)  
R John Harvey (Vice-Chair)  
Mike J Harbinson, Elizabeth Martin-Jones, Peter Young, Yvonne Wood, Councillor Clive Jones, Councillor Clive Tovey and Councillor Paul Brown together with appropriate officers

# Agenda Item 3

MERTHYR TYDFIL COUNTY BOROUGH COUNCIL  
Civic Centre, Castle Street, Merthyr Tydfil, CF47 8AN

Main Tel: 01685 725000

www.merthyr.gov.uk

## **STANDARDS REPORT**



Date Written	28 <sup>th</sup> June 2012
Report Author	Carys Kennedy
Service Area	Democratic Services
Committee Division	Standards
Committee Date	9 <sup>th</sup> July 2012

*To: Chairman, Ladies and Gentlemen*

### **TO RECONSIDER PREVIOUS DISPENSATIONS GRANTED TO COUNCILLORS DURING THEIR 2008 - 2012 TERM OF OFFICE**

#### **PURPOSE OF REPORT:**

To reconsider previous dispensations granted to Councillors during their 2008 - 2012 term of office and re-affirm their or otherwise their validity for the 2012-2017 term of office.

#### **1.0 BACKGROUND**

- 1.1** The Standards Committee granted dispensations to Councillors, as outlined in Appendices 1 and 2, during their 2008 - 2012 term of office.
- 1.2** The Councillors outlined have been re-elected and their term of office will end in May 2017.
- 1.3** Members of the Standards Committee are reminded that the new Code of Conduct for Members of Merthyr Tydfil County Borough Council only provides that where Members have a personal and prejudicial interest in a matter (subject to certain exemptions some of which will now cover a number of dispensations granted previously) that Members must declare their interest and leave the meeting (subject again of course to having been granted a dispensation) where they can speak and vote. The half way house of being allowed to speak but not vote has been removed.

1.4 Members are, therefore, requested to consider the attached requests for dispensations on the basis that Members of the Council are now granted the right to speak and vote or alternatively not granted a dispensation at all.

## 2.0 EQUALITY IMPACT ASSESSMENT

2.1 It has been identified that an Equality Impact Assessment (EqIA) is not required for the purpose of this report.

## 3.0 RECOMMENDATION

3.1 That Members' instructions on the dispensations outlined in Appendices 1 and 2 are requested.

**GARETH CHAPMAN  
CHIEF EXECUTIVE**

<b>BACKGROUND PAPERS</b>		
<i>Title of Document(s)</i>	<i>Document(s) Date</i>	<i>Document Location</i>
Request for dispensation	1 <sup>st</sup> June 2012	Democratic Services

**APPENDIX A**

<b>NAME</b>	<b>DISPENSATION GRANTED</b>	<b>DATE OF DISPENSATION</b>
Councillor A Jones	Right to speak on any matter which may affect him as the General Secretary of the Merthyr Tydfil Association Football League except where any financial/funding matters are being discussed.	20 <sup>th</sup> June 2008
Councillor B Toomey	Right to speak and vote on any matters which may affect the South Wales Fire Authority	20 <sup>th</sup> June 2008
Councillor C J Barry	Right to speak and vote on any matter relating to Merthyr Tydfil Football Club except where any financial/funding matters are being discussed.	20 <sup>th</sup> June 2008
Councillor C Tovey	Right to speak but not vote on any matter relating to any Health and Health Agencies	20 <sup>th</sup> June 2008
Councillor C Jones	Right to speak and vote on any matter relating to Merthyr Tydfil Football Club except where financial/funding matters are being discussed.	20 <sup>th</sup> June 2008
Councillor C Jones	Right to speak and vote on any matter relating to Merthyr Tydfil Local Health Board except where any financial/funding matters are being discussed.	20 <sup>th</sup> June 2008

**APPENDIX A (Cont'd)**

NAME	DISPENSATION GRANTED	DATE OF DISPENSATION
Councillor L Elliott	Entitled to speak and vote on any matter relating to Merthyr Village Ltd and Local Development Plan	20 <sup>th</sup> June 2008
Councillor S P Brown	Entitled to speak and vote on any matter relating to Merthyr Village Ltd and the Local Development Plan.	20 <sup>th</sup> June 2008
Councillor S P Brown	Entitled to speak and vote on any matter which may affect the Planning Application for housing on Winchfawr Road, Heolgerrig.	20 <sup>th</sup> June 2008
Councillor G Jones	Entitled to speak and vote on any matter relating to housing matters except where any financial/funding matters are being discussed.	20 <sup>th</sup> June 2008
Councillor Richard Thomas	Entitled to speak and vote on any matter relating to the Planning Application at Ty Llwyd Farm, Quakers Yard, Treharris.	20 <sup>th</sup> June 2008
Councillor C J Barry	Entitled to speak and vote on any matters which affect the Cwm Taf Local Health Board but not when financial implications are being discussed.	21 <sup>st</sup> January 2011
Councillor C Jones	Entitled to speak on matters relating to Cwm Taf Crossroads for Carers and Merthyr and the Valley MIND (Mental Health Charity) but not vote	11 <sup>th</sup> February 2011

**APPENDIX A (Cont'd)**

<b>NAME</b>	<b>DISPENSATION GRANTED</b>	<b>DATE OF DISPENSATION</b>
Councillor S P Brown	Entitled to speak but not vote on any matter relating to all highway and traffic matters within Cyfarthfa Electoral division.	10 <sup>th</sup> July 2009
Councillor G Jones	Entitled to speak but not vote on any matter relating to the topic of "Sleeping Policemen/Speed Bumps" within the Bedlinog Electoral Division.	17 <sup>th</sup> November 2009
Councillor G Jones	Entitled to speak but not vote on any matter relating to the Co-op Fields in the village of Bedlinog.	19 <sup>th</sup> July 2010
Councillor Howard Barrett	Entitled to speak and vote on matters relating to the new Community School to replace Ysgol-y-Graig, Cefn Coed, Merthyr Tydfil	31 <sup>st</sup> March 2011
Councillor L Mytton	Entitled to speak and vote on matters relating to the new Community School to replace Ysgol-y-Graig, Cefn Coed, Merthyr Tydfil	31 <sup>st</sup> March 2011

**APPENDIX B**

NAME	DISPENSATION GRANTED	DATE OF DISPENSATION
All Councillors	Any Councillor who is nominated or appointed as the Local Authority School Governor on a School Governing Body shall after declaring their interest being allowed to speak and vote on any issue regarding the High School Review and Lifelong Learning Agenda.	20 <sup>th</sup> June 2008
All Councillors	Any Councillor who is nominated or appointed to a body as the Authority Representative shall, after declaring their interest, be allowed to speak and vote on any matter relating to that body or where that body has made representation except where financial/funding issues are being discussed where the Councillor will only have the right to speak (as granted by the Code) but not the right to vote.	20 <sup>th</sup> June 2008
All Councillors	Right to speak and vote on any matters relating to Communities First Programme that affects their electoral division except where any financial/funding matters are being discussed.	20 <sup>th</sup> June 2008
All Councillors	Right to speak and vote on any matter relating to the Local Development Plan where they would have had to declare an interest as a Council Representative on an Outside Body. The Dispensation did not cover "personal interest".	20 <sup>th</sup> June 2008



**APPENDIX B**

<b>NAME</b>	<b>DISPENSATION GRANTED</b>	<b>DATE OF DISPENSATION</b>
All Councillors	Entitled to speak and vote at any meeting when the Holistic Area Regeneration Plan for the County Borough to the Heads of the Valleys Programme is being discussed.	2 <sup>nd</sup> March 2009

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## **STANDARDS REPORT**



Date Written	27 <sup>th</sup> June 2012
Report Author	Carys Kennedy
Service Area	Democratic Services
Committee Division	Standards
Committee Date	9 <sup>th</sup> July 2012

*To: Chairman, Ladies and Gentlemen*

### **CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS REQUEST FOR DISPENSATION - COUNCILLOR ALAN JONES**

#### **PURPOSE OF REPORT:**

To consider an application from a Councillor who seeks dispensation to speak and vote on matters relating to the Heritage Trust and to any pursuant "interest" that may be deemed to arise thereunto, relating to any business conducted by the Authority or any of its Committees which comes before the Council, Cabinet or any of its Committees.

#### **1.0 BACKGROUND**

- 1.1 Attached, as Appendix 1, is a copy of a letter received from Councillor Allan Jones seeking dispensation to speak and vote on matters relating to the Heritage Trust and to any pursuant "interest" that may be deemed to arise thereunto.
- 1.2 Councillor Jones seeks dispensation in accordance with paragraphs 2 (d) (e) (f) of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 (hereinafter called "the Regulations").
- 1.3 Within the letter Councillor Jones has set out the reason why, in his opinion, he should be granted dispensation.

#### **2.0 EQUALITY IMPACT ASSESSMENT**

- 2.1 It has been identified that an Equality Impact Assessment (EqIA) is not required for the purpose of this report.

### 3.0 DECISION REQUIRED

- 3.1 The Committee is requested, in light of the facts presented in the report contained within the application, whether or not it is prepared to exercise its discretion under any of the sub sections of Regulation 2 of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 to grant the Councillor seeking dispensation an entitlement to speak and not vote or speak and vote at any meeting (where appropriate).

**GARETH CHAPMAN  
CHIEF EXECUTIVE**

<b>BACKGROUND PAPERS</b>		
<i>Title of Document(s)</i>	<i>Document(s) Date</i>	<i>Document Location</i>
Request for dispensation	1 <sup>st</sup> June 2012	Democratic Services

**Councillor Allan Jones**  
**28 Brynheulog Street, Penydarren, Merthyr Tydfil CF47 9UY**

**MERTHYR TYDFIL COUNTY BOROUGH COUNCIL**

Mr Gareth Chapman  
Chief Executive

Canolfan Ddinesig  
Stryd Y Castell  
Merthyr Tudful  
CF47 8AN



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**Dyddiad/Date :**

**1<sup>ST</sup> June 2012**

Ein Cyf/Our Ref. :  
Eich Cyf/Your Ref. :

Llinell Uniongyrchol/Direct Line :  
Gofynnwch am/Please Ask For :  
e-bost/e-mail :

**01685 388352**  
**Councillor Allan Jones**  
**allan.jones@merthyr.gov.uk**

Dear Mr Chapman

As I sit on the Planning and Regulatory Committee and am also a member of the Heritage Trust, I wish to formally make a request to the Standards Committee for dispensation to speak and vote on any heritage trust matters that may arise within the Planning Committee.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Allan Jones', with a long horizontal stroke extending to the right.

**Councillor Allan Jones**  
**Penydarren Ward**

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## **STANDARDS REPORT**



Date Written	27 <sup>th</sup> June 2012
Report Author	Carys Kennedy
Service Area	Democratic Services
Committee Division	Standards
Committee Date	9 <sup>th</sup> July 2012

*To: Chairman, Ladies and Gentlemen*

### **CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS REQUEST FOR DISPENSATION - COUNCILLOR GRAHAM DAVIES**

#### **PURPOSE OF REPORT:**

To consider an application from a Councillor who seeks dispensation to speak and vote on matters relating to the Town and Park Partnership Board, Heritage Trust and St Johns Ambulance and to any pursuant "interest" that may be deemed to arise thereunto, relating to any business conducted by the Authority or any of its committees which comes before the Council, Cabinet or any of its committees.

#### **1.0 BACKGROUND**

- 1.1 Attached, as Appendix 1, is a copy of a letter received from Councillor Graham Davies seeking dispensation to speak and vote on matters relating to the Town and Park Partnership Board, Heritage Trust and St John's Ambulance and to any pursuant "interest" that may be deemed to arise thereunto.
- 1.2 Councillor Davies seeks dispensation in accordance with paragraphs 2 (d) (e) (f) of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 (hereinafter called "the Regulations").
- 1.3 Within the letter Councillor Davies has set out the reasons why, in his opinion, he should be granted dispensation.

#### **2.0 EQUALITY IMPACT ASSESSMENT**

- 2.1 It has been identified that an Equality Impact Assessment (EqIA) is not required for the purpose of this report.

### 3.0 DECISION REQUIRED

- 3.1 The Committee is requested, in light of the facts presented in the report contained within the application, whether or not it is prepared to exercise its discretion under any of the sub sections of Regulation 2 of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 to grant the Councillor seeking dispensation an entitlement to speak and not vote or speak and vote at any meeting (where appropriate).

**GARETH CHAPMAN**  
**CHIEF EXECUTIVE**

<b>BACKGROUND PAPERS</b>		
<i>Title of Document(s)</i>	<i>Document(s) Date</i>	<i>Document Location</i>
Request for dispensation	20 <sup>th</sup> June 2012	Democratic Services



Kanva Vrka.  
Democratic Services office  
Merthyr Tydfil C.B.C.

Llys Penydarren  
Penydarren Park  
Merthyr Tydfil  
CF47 8TW.  
20<sup>th</sup> June 2012

Dear Madam.

## Declaration of Interest.

As a member of the Town and Park Partnership Board, President of the Heritage Trust, in addition to being a Council representative to the Trust, a committee member of the Cyfarthfa Museum and Heritage Group and a member of the St Johns Ambulance Council for Rhondda Cynon Taf and Merthyr Tydfil, I wish to apply for dispensation, if possible for matters, if they arise, on Council Agendas.

Yours sincerely  
Graham Dawid.

Merthyr Tydfil C.B.C.  
Dau Kern Llenbi No. 5282

20 JUN 2012

One copy to be passed to  
the Clerk

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## **STANDARDS REPORT**



Date Written	27 <sup>th</sup> June 2012
Report Author	Carys Kennedy
Service Area	Democratic Services
Committee Division	Standards
Committee Date	9 <sup>th</sup> July 2012

*To: Chairman, Ladies and Gentlemen*

### **CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS – REQUEST FOR DISPENSATION - COUNCILLOR RHONDA BRAITHWAITE**

#### **PURPOSE OF REPORT:**

To consider an application from a Councillor who seeks dispensation to speak and vote on matters relating to Communities First and to any pursuant “interest” that may be deemed to arise thereunto, relating to any business conducted by the Authority or any of its Committees which comes before the Council, Cabinet or any of its Committees.

#### **1.0 BACKGROUND**

- 1.1** Attached, as appendix 1, is a copy of a letter received from Councillor Rhonda Braithwaite seeking dispensation to speak and vote on matters relating to Communities First and to any pursuant “interest” that may be deemed to arise thereunto.
- 1.2** Councillor Braithwaite seeks dispensation in accordance with paragraphs 2 (d), (e), (f), (g), (h) and (l) of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 (hereinafter called “the Regulations”).
- 1.3** Within the letter Councillor Braithwaite has set out the reasons why, in her opinion, she should be granted dispensation.

#### **2.0 EQUALITY IMPACT ASSESSMENT**

- 2.1** It has been identified that an Equality Impact Assessment (EqIA) is not required for the purpose of this report.

### 3.0 DECISION REQUIRED

- 3.1 The Committee is requested, in light of the facts presented in the report contained within the application, whether or not it is prepared to exercise its discretion under any of the sub sections of Regulation 2 of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 to grant the Councillor seeking dispensation an entitlement to speak and not vote or speak and vote at any meeting (where appropriate).

**GARETH CHAPMAN**  
**CHIEF EXECUTIVE**

<b>BACKGROUND PAPERS</b>		
<i>Title of Document(s)</i>	<i>Document(s) Date</i>	<i>Document Location</i>
Request for dispensation	6 <sup>th</sup> June 2012	Democratic Services

Dear Ann

I'm writing to you regarding an application for dispensation. Prior to the Code of Conduct Training and the signing of our declaration in Council Chambers I declared an interest in Communities First. There are changes being made to Communities First and due to me being a Communities First Development Officer I thought it best for me to declare an interest. However, I feel with the knowledge I have of Communities First and the importance of it to the community that perhaps I could have some involvement in the meetings. I've provided the dispensations I feel may have a bearing on my position.

D The nature of the member's interest is such that the members 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 members 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 member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business.

I It appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed provided that written notification of the grant of the dispensation is given to the National Assembly for Wales within seven days in such manner as it may specify.

Take care

Rhonda

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## **STANDARDS REPORT**



Date Written	27 <sup>th</sup> June 2012
Report Author	Carys Kennedy
Service Area	Democratic Services
Committee Division	Standards
Committee Date	9 <sup>th</sup> July 2012

*To: Chairman, Ladies and Gentlemen*

### **CODE OF CONDUCT FOR MEMBERS AND CO-OPTED MEMBERS REQUEST FOR DISPENSATION - COUNCILLOR TONY CHAPLIN**

#### **PURPOSE OF REPORT:**

To consider an application from a Councillor who seeks dispensation to speak and vote on all housing related matters (with the exception of those pertaining to Wales and West Housing), Natural Heritage, Historic Environment, Ffos-y-Fran and also matters relating to the Countryside and 'Open Spaces' and to any pursuant "interest" that may be deemed to arise thereunto, relating to any business conducted by the Authority or any of its Committees which comes before the Council, Cabinet or any of its Committees.

#### **1.0 BACKGROUND**

- 1.1** Attached, as appendix 1, is a copy of a letter received from Councillor Tony Chaplin. Councillor Chaplin seeks dispensation to speak and vote on all housing related matters (with the exception of those pertaining to Wales and West Housing), Natural Heritage, Historic Environment, Ffos-y-Fran and also matters relating to the Countryside and 'Open Spaces' and to any pursuant "interest" that may be deemed to arise thereunto.
- 1.2** Councillor Chaplin seeks dispensation in accordance with paragraphs 2 (d) and (f) of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 (hereinafter called "the Regulations").
- 1.3** Within the letter Councillor Chaplin has set out the reasons why, in his opinion, he should be granted dispensation.

## **2.0 EQUALITY IMPACT ASSESSMENT**

**2.1** It has been identified that an Equality Impact Assessment (EqIA) is not required for the purpose of this report.

## **3.0 DECISION REQUIRED**

**3.1** The Committee is requested, in light of the facts presented in the report contained within the application, whether or not it is prepared to exercise its discretion under any of the sub sections of Regulation 2 of the Standards Committee (Grant of Dispensation) (Wales) Regulations 2001 to grant the Councillor seeking dispensation an entitlement to speak and not vote or vote and speak at any meeting (where appropriate).

**GARETH CHAPMAN  
CHIEF EXECUTIVE**

<b>BACKGROUND PAPERS</b>		
<i>Title of Document(s)</i>	<i>Document(s) Date</i>	<i>Document Location</i>
Request for dispensation	23 <sup>rd</sup> May 2012	Democratic Services



# Cyfarthfa Ward Councillor

Cllr Tony Chaplin  
10 Andrews Close, Heolgerrig, Merthyr Tydfil, CF48 1SS



Labour Llafur

Tel No 01685 370081 Email To be allocated

Date: 23<sup>rd</sup> May 2012

The Standards Committee  
Merthyr Tydfil CBC

FAO Ann Taylor  
Democratic Services

Subject: **Application for Dispensation at all meetings of Merthyr Tydfil County Borough Council**

1. I seek a dispensation to speak and vote on all housing related matters except those pertaining to Wales and West Housing, where my daughter Alison Chaplin is employed as a community development project officer. I believe that this dispensation meets criteria (d)
2. A dispensation is also sought in respect of the natural heritage of Merthyr Tydfil :- criteria (f). I am the Council's Biodiversity Champion, Chair of the Biodiversity Partnership and a member of Merthyr Initiative Group. It's aims and objectives are listed as Appendix 1.
3. A further dispensation is sought in respect of the historic environment of Merthyr Tydfil:- criteria (f). Prior to to my election as a Councillor, I was a member of the Merthyr Tydfil Heritage Trust and have now been nominated to represent the Council with other Councillor's on that body. See also Appendix 1. Membership of Merthyr Initiative Group.
4. A dispensation is sought in respect of my continued membership as a 'lay person' and company nominee on the Ffos-y-Fran Liaison Committee again under criteria (f). I was a rule 6 participant at the Ffos-y-Fran Public Inquiry, agreed a number of conditions of common ground with the applicant and sought and obtained improvements on biodiversity with them.
5. I am currently the Vice Chair of the Merthyr Tydfil Local Access Forum which advises both CCW and Merthyr Tydfil CBC on access to the countryside. I am unsure whether a dispensation is required on this area of interest perhaps criteria (d) would apply. I am now the Council's Open Spaces Champion and now it's nominated representative on the LAF.

Thank you for your consideration of these dispensation requests.

Yours sincerely

Tony Chaplin

## **MERTHYR INITIATIVE GROUP:**

### **AIMS AND OBJECTIVES**

Merthyr Initiative Group aims to rescue, conserve and promote areas and items of historic, archaeological and natural history value in Merthyr and beyond, for the improvement of quality of life for present and future generations. It aims to ensure that any use proposed for such areas and/or item is such as would not damage their intrinsic Individual or collective value.

To achieve this M.I.G. intend to:

- Work with and maximise involvement of the local communities in the spirit of Local Agenda 21;
- Promote awareness of biodiversity and sustainability;
- Provide examples of the sustainable use of the countryside, and it opportunities to create employment
- Encourage educational, leisure and recreational usage of such resources by all Age groups in present and future generations.