



STANDARDS COMMITTEE – 23RD MAY 2007

SUBJECT: APPLICATION FOR DISPENSATION

REPORT BY: MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To consider an application for dispensation in relation to a Task and Finish Group on community centres.

2. LINKS TO STRATEGY

- 2.1 The authority acting through this committee has an obligation to maintain high standards of probity and conduct throughout the authority and the community councils within the county borough area.

3. THE REPORT

- 3.1 The Council's Education for Life Scrutiny Committee has set up a Task and Finish Group comprising nine members of the Scrutiny Committee with the following terms of reference:-

"To review the operation and support for community centres and make recommendations in respect of:-

- Anomalies between community centres
- Usage levels and charging
- Financial support (including external funding)
- Property condition and arrangements for health and safety
- Management arrangements (including support and training)
- Maximising usage of all community buildings"

- 3.2 Each scrutiny committee of the authority will during the course of a year review certain specific areas of the Council's business using Task and Finish Groups. The group is not a decision-making body ; neither is the scrutiny committee. Any formal decision to put into effect recommendations of the Task and Finish Group will be taken by the Council's Cabinet and possibly by the full Council.
- 3.3 The review concentrates on 41 community centres throughout the county borough area but will also look at a further 12 independent centres who receive no support and the relationship with those centres five of which are owned by Caerphilly County Borough Council. Many members of the authority will be members of the management committee of one or more community centres and so would declare an interest in that capacity, the nature of the interest would be such that the member would speak but not vote at the meeting.
- 3.4 The issues being looked at and the likely recommendations coming from the work of the Task and Finish Group would be very unlikely to be of personal benefit to the individual member and even if it were it would probably be a benefit that would be shared by a significant

proportion of the community in any event. It is the fact of being a member of the management committee that would require a councillor to declare an interest.

- 3.5 The work of the Task and Finish Group is wide-ranging and produce a benefit for those community areas having a community centre and for that reason it is appropriate for this committee to consider granting a dispensation:-
- (a) for those members on the Task and Finish Group who have declared an interest;
 - (b) to any substitutes or other members of the Task and Finish Group declaring an interest;
 - (c) for councillors of the authority generally when considering the recommendations of the Task and Finish Group.
- 3.6 Members are asked to consider all the grounds for dispensation but this case appears to fall under grounds (iv), (v), (vi) and (vii):-
- (iv) 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;
 - (v) the interest is common to the member and a significant proportion of the general public;
 - (vi) the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;
 - (vii) 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.
- 3.7 The following members of the Task and Finish Group have declared an interest in relation to their membership of a community centre management committee:-
- Councillor P. Bevan
Councillor A. Collins
Councillor W. David
Councillor R.T. Davies
Councillor S. Lewis
Councillor J. Pritchard
- 3.8 Members will therefore need to decide:-
- (a) should a dispensation to speak and vote be granted in respect of the members of the Task and Finish Group who have declared interests (along with any other substitutes falling within that category) on all or any of the grounds listed above;
 - (b) whether to extend the dispensation to speak and vote to any members of Caerphilly County Borough Council declaring an interest because of membership of the management committee of a community centre, when considering recommendations from the Task and Finish Group/Scrutiny Committee, on any or all of the grounds above.

4. FINANCIAL IMPLICATIONS

- 4.1 None.

5. PERSONNEL IMPLICATIONS

5.1 None

6. CONSULTATIONS

6.1 There are no consultation responses that have not been reflected in the recommendations to this report.

7. RECOMMENDATIONS

7.1 That members consider:-

- (a) the application for dispensation from the named members above;
- (b) that members consider extending the benefit of any such dispensation to any other member of Caerphilly County Borough Council declaring an interest because of membership of a community centre management committee.

8. REASONS FOR THE RECOMMENDATIONS

8.1 In order to comply with legislation and the terms of reference of this committee.

9. STATUTORY POWER

9.1 Local Government Act 2000 and Standards Committees (Grant of Dispensation) (Wales) Regulations 2001. This is a Council function delegated to this committee.

Author: Ian G. Medicott, Monitoring Officer/Corporate Solicitor Ext. 4294
medlii@caerphilly.gov.uk (Ref: 9174)

Consultees: Chair - Standards Committee, Cabinet Member for Policy and Resources, Scrutiny
Research Officer

Background Papers:

There are no background papers other than published documents. Reference is made to the (public) Register of Members' Interests held by the Monitoring Officer.