



STANDARDS COMMITTEE – 23RD NOVEMBER 2023

SUBJECT: APPLICATIONS FOR DISPENSATION - INFORMATION ITEM

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING OFFICER

1. PURPOSE OF REPORT

- 1.1 To advise Members of the decision of the Chair Mr Peter Brunt and Independent Member Ms Lisa Jay of the Standards Committee in relation to an application for dispensation to speak at a meeting made by Town Councillor George Edwards-Etheridge.

2. SUMMARY

- 2.1 To ask Members to note the decision of the Chair and Independent Member of the Standards Committee regarding the application for dispensation set out below in accordance with the terms of reference of the Standards Committee.

3. RECOMMENDATIONS

- 3.1 The Standards Committee is asked to note the dispensation granted.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 The Authority acting through this Committee has an obligation to maintain high standards and probity and conduct throughout the Council and the Community Councils within the County Borough area and can grant dispensations to enable elected members to speak at committees where they would otherwise be prevented.

5. THE REPORT

- 5.1 On 28th June 2023 Town Councillor George Edwards-Etheridge applied to the Standards Committee for a dispensation to enable him to participate in a meeting of the Blackwood Town Council on 17th July 2023 to answer any questions from his fellow town councillors regarding the future of the toilets at Blackwood bus station.
- 5.2 The application was made under the following ground of the Standards Committee (Grant of Dispensation) (Wales) Regulation 2001:-

(vi) The participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;

Background

- 5.3 Until now, Councillor Edwards-Etheridge has always declared a personal and prejudicial interest and withdrawn from a meeting when the matter has been discussed by the town council. His interests are that he is chair of the local taxi drivers association who run the toilets at the bus station and that he is the owner of a café located at the bus station.
- 5.4 A special meeting of Blackwood Town Council was scheduled for 17th July 2023 to discuss the future of the toilets and would be discussing a number of options, including that the town council employing a toilet assistant; to enter a contract with a private company or perhaps make a payment to the taxi association for them to employ an assistant. The toilets have been beset with a number of problems over the years including regular spates of vandalism resulting in damage and filth so that the taxi association is considering withdrawing its support, leaving the bus station without any proper public toilet facilities.
- 5.5 In accordance with the Terms of Reference of the Standards Committee an urgent meeting was arranged for 10th July 2023 with the Chair and Independent Member to consider the application. The Council's Head of Legal Services was also in attendance.

Decision

- 5.6 The Standards Committee members decided to grant the dispensation on the ground that *the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise.*
- 5.7 It was felt that as Councillor Edwards-Etheridge had detailed knowledge of the running of the toilets he would be able to answer any questions from fellow town councillors at the special meeting of council on 17th July so that the town council will be better able to make a decision on the future of the toilets. However the Standards Committee members decided that Councillor Edwards-Etheridge must withdraw from the meeting immediately after he has answered any questions of the members and he must not take part in any subsequent debate of the issue or vote. He must declare that he has a personal and prejudicial interest in the bus station toilets item at the beginning of the meeting on the 17th July, but that he has a dispensation from the Standards Committee of Caerphilly CBC to remain in the meeting to answer any questions from the town councillors before leaving the meeting.
- 5.8 Councillor Edwards-Etheridge will be able to rely on the dispensation for any further meetings that discuss the toilets after 17th July for the rest of 2023.
- 5.9 Councillor Edwards-Etheridge was informed of the decision by the Head of Legal Services and Monitoring Officer.

6. ASSUMPTIONS

- 6.1 No assumptions are necessary within this report.

7. SUMMARY OF INTEGRATED IMPACT ASSESSMENT

- 7.1 The application for a dispensation was a procedural matter set out in legislation and therefore an Integrated Impact Assessment was not required.

8. FINANCIAL IMPLICATIONS

- 8.1 There are no personnel implications arising from this report.

9. PERSONNEL IMPLICATIONS

- 9.1 There are no personnel implications arising from this report.

10. CONSULTATIONS

- 10.1 The application followed the process set out in the Standards Committee's Terms of Reference and as such there was no requirement to consult.

11. STATUTORY POWER

- 11.1 Standards Committee (Grant of Dispensation) (Wales) Regulation 2001

Author: Lisa Lane Head of Democratic Services and Deputy Monitoring Officer
Consultees: Robert Tranter Head of Legal Services and Monitoring Officer
Christina Harray – Chief Executive
Dave Street – Deputy Chief Executive
Richard Edmunds – Corporate Director Education and Corporate Services
Mark S. Williams – Corporate Director Economy and Environment
Steve Harris – Head of Finance and Section 151 Officer