

<b>Meeting</b>	<b>Standards Committee</b>
<b>Date</b>	<b>5 July 2010</b>
<b>Subject</b>	<b>Applications for dispensations</b>
<b>Author</b>	<b>Monitoring Officer</b>
<b>Action</b>	<b>To decide on the application</b>

## **Background**

1. The Ysgol Eifionydd catchment area is the next to be considered under the Council primary school reorganisation programme. I wrote to all the members within the catchment area asking them to consider whether or not they had a personal interest and whether they wished to apply for a dispensation (**Appendix 1**).
2. I am aware of one application although full details are not available at the time of writing. That application and any further applications received, will be presented at the committee meeting.

## **Primary Schools Reorganisation**

3. Members will recall that the basis of the strategy for the reorganisation of the county's primary schools is to review the future of primary schools within specific catchment areas. The process of reviewing catchment areas will give detailed consideration to the options for the catchment area and will do so in an inclusive method by bringing together a review panel. It is intended for the review panel to include each local elected member, school head teachers and chairs of governors, church representatives and the portfolio leader. Following the review process, the portfolio leader will then draw up proposals for each catchment area in turn and she will be supported in this work by a county advisory panel, namely six members of the Children and Young People Scrutiny Committee.

## **The Regulations and Guidelines**

4. The Standards Committee may grant a dispensation to a member to take part in discussions and/or vote even if he/she has a prejudicial interest. The circumstances in which dispensation can be granted are set out in Appendix 2.
5. The Committee has set itself guidelines after considering similar applications in the past:

*“a father/mother, grandfather/grandmother, grandson/granddaughter, husband or wife, children, brother or sister would amount to too close a connection to allow dispensation in terms of a specific school, since it would be difficult for the public to gain confidence in the way a decision would be reached.”*

## **Recommendation**

6. The Standards Committee is asked to consider the applications received.

**Circumstances in which dispensations may be granted**

2. The standards committee of a relevant authority may grant dispensations under section 81(4) of the Act where -

- (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.