

Committee:	Standards Committee
Date:	23 January 2017
Title:	Applications for dispensation
Author:	Monitoring Officer
Action:	To decide upon the application

Background

1. I enclose an application from Councillor Dilwyn Morgan, member for Y Bala on Gwynedd Council, in connection with the catchment area of Ysgol y Berwyn, Y Bala.
2. The councillor has noted two interests on his form. The fact that he is a governor would not of itself preclude him from taking part in discussions. The Code of Conduct specifically allows members appointed by the Council as governors to take part apart from situations where applications for permissions (e.g. planning) are discussed. However the fact that he has a grandson at one of the schools in question does constitute a prejudicial interest and consequently he cannot take part.
3. The Standards Committee may grant a dispensation of the situation comes within one (or more) of those listed in the relevant regulations (see notes oneth back of the form).

The Committee's Previous Decisions

4. The Committee has developed guidelines for itself, to be considered in deciding on applications relating to school reorganisation, which are that:

“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.”

5. The Committee has however allowed dispensations in such situations in order to allow members to take part in local discussions. In its meeting on 26 January 2015 a dispensation was granted to a member with a similar prejudicial interest in the following terms:

“RESOLVED to approve the application for dispensation for the Councillor to speak, but not to vote in meetings under the auspices of the Council...which are held in the area, but that he may not speak, or be present or vote in a meeting of the Council, Cabinet or any of his committees, and that he is required to clearly state that he has been granted dispensation in every meeting he participates in, explaining the exact nature of the restraints on him, and that this is noted in the minutes of such meetings.”

The Ombudsman's Guidelines

6. The Ombudsman's Guidelines on the Code of Conduct note the following in relation to granting dispensations in general:

"The standards committee will need to balance the public interest in preventing members with prejudicial interests from taking part in decisions, against the public interest in decisions being taken by a reasonably representative group of members of the authority."

7. Any further information received in relation to the applications will be presented at the meeting.

Recommendation

8. The Committee is requested to consider and decide upon the applications.