

DISPENSATION PANEL OF THE STANDARDS COMMITTEE

Minutes of the meeting held on 7 March 2019

PRESENT: Independent Members

Mr Michael Wilson(Chair)
Mr John Robert Jones (Vice-Chair)
Mr Keith Roberts

IN ATTENDANCE: Head of Function (Council Business)/Monitoring Officer
Solicitor (Corporate Governance) (MY)
Committee Officer (SC)

APOLOGIES: None

1 DECLARATION OF INTEREST

Mr John R Jones declared a personal interest in respect of Item 2, as he knew one of the applicants. On the advice of the Monitoring Officer, it was confirmed that, given the nature of the relationship and the context of the application, the interest was not prejudicial.

2 APPLICATION FOR DISPENSATION

A collective application for dispensation was sought by the following 8 members of Llaneilian Community Council: Councillors Ian Nicholas Evans, David Gerrard, Dafydd Griffiths, Helen Hughes, Thomas Elfyn Hughes, Glenys Jones, Thomas David Jones and Carol Whitaker. The application relates to prejudicial interests regarding educational provision in the Amlwch area. It was noted that 8 of the 11 Llaneilian Community Council members consider themselves to have a prejudicial interest.

The Panel, through its Chairman, had already agreed to consider an en bloc application by way of a paper exercise only. Neither the Clerk nor the applicants attended the meeting.

The Monitoring Officer reported that, as the context of each application relates to the Schools Modernisation Programme in the Amlwch catchment area, and the relevant statutory ground is the same in each case, all the applications for dispensations are being dealt with collectively.

A statutory formal consultation will begin in April, which will review the future of schools in the primary and secondary sector, including Sir Thomas Jones School in Amlwch. Llaneilian Community Council will be one of the consultees in the statutory consultation process. It was noted that potentially one or more of the schools under consideration may face closure, and as a result there could be an

impact on the children in the area and the staff who work in the schools. Following the consultation process, a report will be presented to the Executive for decision.

The Monitoring Officer highlighted that all the applications are different in terms of individual facts, which, with one exception, fall into two categories:

1. the potential impact of school closures/reorganisation on children related/connected to the applicants; or
2. the potential impact on some of the applicants' family members who are employed in the schools.

The Monitoring Officer reported that each member of the Community Council has a personal and prejudicial interest, therefore has to declare an interest and leave a meeting during discussion.

The Monitoring Officer advised the Panel to give particular consideration to the seventh applicant on the basis that the circumstances described did not fall into either category 1 or 2 above and, if there is a personal/prejudicial interest, it will be a "wellbeing" interest under the Code by virtue of the applicant's long period of employment as a teacher in Sir Thomas Jones School.

The Monitoring Officer referred to Paragraph 2(a), (f) and (i) of The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, and cited the circumstances in which a dispensation may be granted. She highlighted that should the Panel refuse to grant the dispensation, then the Community Council would not be able to participate in discussions and represent the community in the consultation process, as meetings would not be quorate.

The Panel expressed concern that there were gaps in some of the application forms received, and stressed the importance of ensuring that members/applicants are responsible for completing their own applications and should not be depending upon the Clerk to provide the additional information to the Panel. The Panel wished to highlight this concern, but was satisfied that it had sufficient information, thanks to the assistance of the Clerk, to make its decision. The Panel was also aware of the need to deal with this matter within a restricted timeframe and to ensure that decisions are taken in the best interests of the community.

Members of the Panel deliberated in private session. Following discussion, the Chair announced that the Dispensation Panel had **RESOLVED to grant an en bloc dispensation to Councillors Ian Nicholas Evans, David Gerrard, Dafydd Griffiths, Helen Hughes, Thomas Elfyn Hughes, Glenys Jones, Thomas David Jones, and Carol Whitaker to:-**

- **write to officers [and/or the Committee/Community Council] about the matter;**
- **speak to officers of the Community Council about the matter;**
- **speak at Committee meetings/Community Council meetings and answer any questions about the issue;**
- **remain in the room during any debate/vote on the issue;**
- **vote;**

- to attend and speak at public meetings and to speak and meet with third parties in connection with this consultation and the project generally;
- that the dispensation will endure until completion of the Schools Modernisation Process in the Amlwch area, or the term of this Community Council, whichever is later.

The dispensation is granted under Section 81(4) of the Local Government Act 2000 where no fewer than half of the Councillors (Community Council/Committees) by which the business is to be considered has an interest which relates to that business.

Action:

- The Monitoring Officer to write to the 8 members of Llanelian Community Council, confirming that they have been granted an en bloc dispensation permitting each member to write, speak and vote on all matters relating to the Schools Modernisation Programme; also, that they may remain in the room during any debate/voting on the matter.
- The Monitoring Officer to notify the Clerk of Llanelian Community Council confirming the Panel's decision and terms of the dispensation outlined above; also, the Monitoring Officer, on behalf of the Panel, to write to the Clerk to thank her for her work in connection with the above.
- The 8 members of the Llanelian Community Council to declare their personal and prejudicial interests when attending Committee/Community Council meetings.
- The Monitoring Officer to write to all Community Councils to highlight the need to fully complete application forms for dispensation (this to be included with reissue of the advice on obtaining dispensations).

The meeting concluded at 3.15 pm

**MR MICHAEL WILSON
CHAIR**