

**POWY STANDARDS COMMITTEE
COMMUNITY SUB-COMMITTEE**

**APPLICATION FOR DISPENSATION BY MEMBER WITH
PREJUDICIAL INTEREST**

I, Councillor Philip Swancott of Beguildy Community Council

Hereby apply to the Powys Standards Committee/Community Sub-Committee for a Dispensation to participate, as described in Section 1 below, in that business of the Council described in Section 2 below notwithstanding that I have the Prejudicial Interest(s) detailed in Section 3 below.

I make this application on the ground(s) set out in Section 4 below which I submit apply because of the reasons detailed in Section 5 below.

SECTION 1

Indicate how you wish to participate by placing a tick in the right hand column against the relevant category below

Attend a meeting	Yes
Speak at a meeting	Yes
Vote at a meeting	Yes
Seek to influence a decision on a matter	Yes
Make written representations	No
Make oral representations	No
Exercise Board functions (County Councillor only)	N/A

SECTION 2

Describe in the box below the business in which you wish to participate including details of how your Council will deal with the matter, what meetings will be held to consider it, when and where they will be held and those taking part.

Planning Application Bryngydfa Wind Farm Limited – Decision Item concerning the erection of 12 wind turbines and associated infrastructure.

Access Routes Study (Powys Wind Farms) – Discussion Item

Both items to be on the Agenda of the May 12th Community Council Meeting and possibly future meetings. Meetings will be held in Knucklas Community Centre, any subsequent meetings will alternate between Knucklas Community Centre and Felindre Village Hall.

SECTION 3

Detail the PREJUDICIAL interest(s) you have in the business referred to in Section 2 above. Please refer to the attached Guidance Notes and include the relevant category reference e.g C.4 if the matter concerns a good friend of yours who stands to benefit as a result of a decision on the matter.

In previous meetings when the Bryngydfa application has been discussed I have declared a prejudicial interest on the grounds of close personal association. This was because of my relationship to one of the directors of the Bryngydfa company, my father and the mother of the director concerned were first cousins. I am also friendly with the other directors. This I believed was covered in section 5 of the Code, C(i).

Given the recent problems that the Community Council had experienced with regard to Code of Conduct issues (of which Powys County Council are aware) I decided that to avoid any future challenges I would do this despite feeling that the presence of a prejudicial interest was borderline and due to the most part to local lack of confidence in the workings of the Community Council. This resulted in my feeling I would almost inevitably fail the public perception test.

I would like to point out though that as a local farmer who has spent all his life in the valley I am friendly with the vast majority of the local residents and have connections with very many of them.

SECTION 4

Set out the GROUND(S) upon which you rely by placing a tick in the right hand column against the relevant category/ies below.

(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.	Yes

SECTION 5

Detail in full the reasons why you submit the grounds selected in Section 4 apply in the case of your application and justify the grant of the dispensation you seek

I have been prompted to apply for a dispensation as I have been approached by residents of the Beguildy Ward of the Community Council. This Ward has already lost the representation of three Councillors who have had to declare an interest in the Bryngydfa matter, two are directors of the Company and the other has a close friendship with one of those directors. Local residents feel that there will be no one from their Ward to present their views at the Council meeting. Whilst I appreciate Members from the Knucklas Ward could be approached those who have spoken to me are reluctant to do this and would prefer to be able to speak to a Member from their own Ward.

The Bryngydfa development is situated at the far point of the Beguildy Community area, some miles from the Knucklas Ward at the opposite end.

I have no direct connection with wind energy developments myself and have no current plans to do so.

I feel that the granting of a dispensation for me to take full part in the above items would enable me to represent residents of the Beguildy Ward.

Applicant's home address: _

The Lawn Farmhouse, Dutlas, Knighton, LD7 1RH

Applicant's telephone number: 01547 510241

Applicant's fax number: _____ None _____

Applicant's E Mail address: philipswancott@hotmail.co.uk

SIGNED: _____

DATED: _____ 20th April 2009 _____

This form fully completed, signed and dated should be returned to Mrs Elizabeth Patterson, Committee Clerk, Legal, Scrutiny and Democratic Services, County Hall, Llandrindod Wells, Powys, LD1 5LG. Tel No. 01597 826980 Fax No. 01597 826220 E Mail. Elizabeth.patterson@powys.gov.uk