

DISPENSATIONS SUB (STANDARDS) COMMITTEE

Tuesday, 21 August 2018

Minutes of the meeting of the Dispensations Sub (Standards) Committee held at the Guildhall EC2 at 2.45 pm

Present

Members:

Ann Holmes (Chairman)
Deputy Jamie Ingham Clark

Dan Large (Co-opted Member)
Alderman Professor Michael Mainelli

Officers:

Lorraine Brook - Town Clerk's Department
Michael Cogher - Comptroller & City Solicitor
Edward Wood - Comptroller & City Solicitor's Department

1. ELECTION OF A CHAIRMAN

Having been moved and seconded, Ann Holmes was duly elected as Chairman for the purposes of the Sub-Committee meeting.

RESOLVED:- That Ann Holmes be elected as Chairman of the Dispensations Sub (Standards) Committee.

2. SUB COMMITTEE TERMS OF REFERENCE

The Sub-Committee received its terms of reference.

RESOLVED:- That the terms of reference of the Dispensations Sub (Standards) Committee be received.

3. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE

There were none.

4. DISPENSATION REQUEST

The Sub-Committee considered a report of the Town Clerk relative to a request for a dispensation from Mr Oliver Sells, Common Councilman for the Ward of Farringdon Without and a member of the Planning and Transportation Committee. It was noted that Mr Sells had requested a dispensation to speak on a planning application for temporary structures at the Inner Temple which was currently expected to be considered by the Committee on 11th September 2018 but may, in due course, be considered at a later date. It was further noted that the request for a dispensation had arisen due to Mr Sells' disclosable pecuniary interest arising from his being a professional and residential tenant of the Inner Temple.

The Sub-Committee agreed that Mr Sells had a disclosable pecuniary interest in respect of the application to the Planning and Transportation Committee and considered whether, as per the request, Mr Sells' knowledge and experience of the Inner Temple area and therefore his potential contribution to the debate was sufficient to justify granting a dispensation in the interests of the members and residents of the Inner Temple.

In noting the grounds on which a dispensation could be granted by the authority (as set out under the Localism Act 2011), the Sub-Committee determined that Mr Sells' request for a dispensation to speak on the planning application for temporary structures at the Inner Temple (on 11th September 2018 or thereafter) should be refused as they were not satisfied that any of the statutory grounds had been established. It was felt that Mr Sells' knowledge and expertise in this area was not unique. It was also noted that other members of the Planning and Transportation Committee could be lobbied by Mr Sells with a view to them making known, during a debate on the application, the views of members and residents of Inner Temple.

RESOLVED:- That the request for a dispensation from Oliver Sells, to speak on a planning application for temporary structures at the Inner Temple (currently expected to be considered by the Planning and Transportation Committee on 11th September 2018 or at a later date), be refused.

5. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

At the Chairman's request, the following item of urgent business was considered:-

(i) Request for a dispensation – Mr Shravan Joshi

The Town Clerk tabled a written request for a dispensation from Mr Shravan Joshi, Common Councilman for the Ward of Bishopsgate and a member of the Board of Governors of the City of London Freemen's School, which had been received earlier that morning.

It was noted that Mr Joshi was the parent of two pupils at the City of London Freemen's School and therefore, given his contractual arrangement with the School, Mr Joshi had a disclosable pecuniary interest and could not, without a dispensation to speak and/or vote on any of the business considered by the Board of Governors, participate in the business of the Board.

The Sub-Committee considered Mr Joshi's written application and his grounds for seeking a dispensation to allow him to serve as a Governor (to speak/vote on all core strategic business), principally that (i) the Board will be left with a further vacancy and this may impact on its ability to transact its business; and (ii) it is common practice for parents to serve on school governing bodies in both independent and maintained schools and to withdraw from the business when a specific pecuniary interest arises, and therefore it is appropriate to grant a dispensation in the circumstances.

On the first point it was felt that, although there were some current vacancies on the Board, this was not sufficient to satisfy the relevant statutory ground. On the second point, it was noted that the City Corporation had chosen not to have parent governors on the Boards of its independent schools and, as a Common Council appointment, Mr Joshi's role as a Governor was different to that of a parent governor. The Sub-Committee acknowledged Mr Joshi's request to participate only in core strategic business and where no direct pecuniary interest arose. However, Members felt that it was not possible to easily determine in every case what business before the Board was or was not relevant to Mr Joshi's interest and on that basis, the request should be refused as it was not appropriate for him, in light of his disclosable pecuniary interest, to serve on the Board of Governors as a City Corporation Member.

RESOLVED:- That the request for a dispensation from Mr Shravan Joshi, Common Councilman for the Ward of Bishopsgate and a member of the Board of Governors of the City of London Freemen's School, to speak and vote on the business considered by the Board of Governors of the City of London Freemen's School (excluding matters where there is a direct pecuniary interest) until his term of appointment comes to an end, be refused.

The meeting closed at 3.10 pm

Chairman

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