

NOTICE OF DECISION

TRIBUNAL REFERENCE NUMBER: APW/001/2026-027/AT
APPELLANT: Councillor William Alan Dennison
RELEVANT AUTHORITIES: Pembrokeshire County Council

1. Following a decision by the Standards Committee of the Pembrokeshire County Council (“the Standards Committee”) on the 26 May 2026 that the Applicant breached the Code of Conduct of the relevant authority and the Notice of Decision which was emailed and received on 2 June 2026, the Applicant has made an application for permission to appeal under Regulation 10(8) of the Local Government Investigations (Functions of Monitoring Officers and Standards Committees) (Wales) Regulations 2001 (the regulations).
2. The application was sent in writing to the Adjudication Panel for Wales (APW) on the 22 June 2026. The application was received within the 21-day period during which applications for permission to appeal must be received and was in time.
3. The Application provided documents consisting of the APW05 form with supporting documentation and included the Standards Committee decision letter. The Tribunal made a request for further information of the Applicant and Monitoring Officer on the 23 June 2026. The further documents were submitted on the 23 June 2026. The Tribunal also made a request for further documents of the Public Services Ombudsman for Wales (PSOW) on the 03 July 2026. The further documents were submitted on the 07 July 2026.
4. I have made my decision on the basis of the following evidence:
 - i. The completed APW05 form dated 22 June 2026 from the Applicant seeking permission to appeal including the continuation sheet and supporting documents; a copy of the supporting documents provided to the Standards Committee for their consideration.

- ii. The Notice of Decision from the Standards Committee sent to the Appellant on 2 June 2026.
 - iii. The report of the PSOW dated 30 January 2026 and Appendices.
- 5. The application for permission to appeal identifies seven grounds of appeal. I am required to consider whether the grounds have a reasonable prospect of success. I will take the Appellant's case at its highest (this means assuming his version of key disputed facts is correct for the purposes of considering his application), unless it is conclusively disproved, is entirely unsupported by reasonable argument or the evidence before me or can reasonably be viewed as fanciful allegations.
- 6. If any grounds of appeal are found to have no reasonable prospect of success, those grounds will not proceed to be considered by the Appeal Tribunal. I am required to give reasons if I find a ground of appeal has no reasonable prospect of success. The threshold is low to obtain permission to appeal – even if I take the view the ground is unlikely to succeed, unless I find there is no reasonable prospect of success, I will allow the ground to be considered by an Appeal Tribunal. Where there is a dispute about the fact-finding undertaken by a Standards Committee, I will consider the decision of that committee to decide whether the criticisms made have no reasonable prospect of success.
- 7. If any ground does have a reasonable prospect of success, I am required to arrange for an Appeal Tribunal to be convened to hear the appeal.
- 8. Each ground is considered individually and I set out below my decision and where a ground has no reasonable prospect of success, the reasons for that conclusion:
 - a) The first ground is that the request to call in the planning application was entirely written and conceptualised by Councillor Terry Davies, the Local Member and the Applicant acted as a physical conduit by signing the request because Councillor Davies was dealing with a family emergency. It is submitted that there was no personal exercise of power by the Applicant. The main plank of the Applicant's contention is that he signed the request form "pp Cllr Terry Davies" and did not therefore have any personal ownership of the contents of the document.

I have read the decision of the Standards Committee and I have read the report of the PSOW and supporting documentation.

I note that the PSOW's report of the Applicant's interview recorded that the referral request had been completed by the Applicant: "...on behalf of the Local Member". He said the Local Member had asked him to fill in the form because "...it was a long winded thing and he would have had to spend hours and hours and hours researching...the information that he needed to put in on behalf of the constituent...I was not going to burden him with everything at that particular time because that's why he asked me to do it."

The Standards Committee has stated in its decision at paragraph 33, having considered the Applicant's submission that by signing the form 'pp' the Local Member the request belonged to the Local Member. The decision stated [para 33]: "*The Committee considered this point and found that on the balance of probabilities, any Member of the public with knowledge of the facts would have determined that the Member had drafted and submitted the referral request as an advocate for the planning application made by Mr Bridges, and in any event, the Member was required to give consideration to whether they had a personal interest in all matters (paragraph 10(1) of the Code).*"

On the basis of the Applicant's own evidence to the PSOW on interview and comments to officers of the Council, the conclusion reached by the Standards Committee is a reasonable one and is based on evidence presented to them in support of the referral. I conclude that it is within the range of reasonable decisions available to the Committee and does not demonstrate an arguable error of law on their part. This ground therefore has no reasonable prospect of success.

This ground of appeal has no reasonable prospect of success.

- b) The second ground is that the Standards Committee approached consideration of the question of whether a close personal association was demonstrated between the Applicant and the planning applicant, applying the test subjectively based on historical ties rather than evaluating the exact nature of the administrative "pp" action. It was submitted that since the loan made by the Applicant was fully repaid and his directorship of the planning applicant's company dissolved, prior to the submission of the referral request: "there was no active financial or close personal conflict of interest remaining that could warp a purely administrative act."

The Standards Committee in reaching their decision considered a number of threads relating to the Applicant's personal interest in the matter before the Planning Delegation Committee. The Standards Committee's reasons for their conclusions relating to the question of the existence of a close personal association are set out in paragraphs 19 – 33 of the decision and identify the evidential basis for the conclusions.

The ground indicates a disagreement by the applicant with the Standards Committee's conclusions but does not identify an arguable error of law on their part. I conclude that this ground has no reasonable prospect of success.

This ground of appeal has no reasonable prospect of success.

- c) The third ground is that the request to call-in the planning item was entirely written and conceptualized by Cllr Davies in his letter to Head of Planning on 18th Nov 2024. It is submitted that this negates the argument that the Applicant submitted the request as an advocate because he was not given authority to submit the request until almost a month later.

Despite the submissions to the contrary, the Standards Committee concluded that the Applicant completed the request for referral to the Planning Committee form and drafted the representations within the form. The form included submissions setting out the reasons why the application should be considered by the Planning Committee rather than by the officers. It is not in dispute that the Local Member had also written to the Chief Planning Officer regarding the request. It remains a fact as found by the Standards Committee, based on the evidence presented to them, that the form was completed by the Applicant.

The ground is a disagreement with the conclusions of the Standards Committee and does not present an arguable error of law. The ground has no reasonable prospect of success.

This ground of appeal has no reasonable prospect of success.

- d) The fourth ground is that the Applicant was not bound to leave the public gallery whilst the request was considered by the Planning Delegation Panel because the PSOW guidance and caselaw protects a councillor's right to engage in political expressions and attend public forums.

It is not in dispute that the Applicant did not remove himself from the public gallery during consideration of the business in question and the issue was considered by the Standards Committee at paragraph 37.2 of their decision. The decision stated [para 37.2]: *"Upon it becoming apparent planning application 24/0470/PA was being considered, the Member failed to declare his interest and withdraw from the meeting place. It was accepted that the Member sat in the public gallery and not the main Chamber, however, in reaching its conclusion, the Committee gave particular consideration to paragraphs 3.45 and 3.46 [324] of the published Guidance from the Public Services Ombudsman for Wales on the Code, which highlighted as a key point that where a Member has a prejudicial interest in a matter being discussed at a meeting, the Member must, having declared their personal interest, leave the room, chamber or place where the meeting is being held, and that the Member was not permitted to remain in the public gallery to*

observe the discussion as their very presence could influence the decision, or be perceived by a reasonable member of the public as doing so.”

The decision reflects that the Standards Committee appropriately took into consideration the submissions of the Applicant in relation to his attendance as a member of the public and also the guidance provided by the PSOW which sets out the relevant approach in unequivocal terms.

I conclude that the ground is not arguable and has no reasonable prospect of success.

This ground of appeal has no reasonable prospect of success.

- e) The fifth ground is that at no time, either verbally or in writing did the Monitoring Officer dispute the Applicant’s comment it was she who had mentioned prejudicial interest was a grey area.

Whilst it may be the case that the Monitoring Officer stated that the question of the definition of a prejudicial interest may be a grey area, it does not detract from the fact that the Monitoring Officer concluded that in the Applicant’s position, there was a personal and prejudicial conflict and that he should withdraw the application. The Monitoring Officer made her position clear in an email to the Applicant dated 24 February 2025.

This ground is not clearly made out: I cannot identify from it the alleged error of law which it is submitted was made by the Standards Committee in its conclusions.

I conclude that the ground has no reasonable prospect of success.

- f) The sixth ground is that the suggested breach of completing the referral request form is impossible given no advice has been mentioned by the monitoring officer regarding the form completion. It is submitted that the Head of Planning, the Chief Planning Officer and Assistant Chief Executive had all had sight of the request form and had authorized its acceptance.

When considering the alleged breaches of the Code of Conduct, the Standards Committee considered whether the breaches arose from an isolated incident. They concluded that there were “*two distinct acts*” [para 58]. The first was the making of representations and submitting the referral request form and the second attending the Planning delegation Panel meeting.

The documentary evidence identifies that the Applicant sought confirmation from the Planning Department that the Referral Request form had been properly completed when it was submitted by him. He signed the form “*pp Cllr Terry Davies*” and has maintained throughout that the contents of the

document was not his own. The form included a warning that it could only be completed by a person without a personal or prejudicial interest in the matter.

The factual finding of the Standards Committee, based on the evidence presented to it was that the Applicant was the author of the representations in the document and submitted the document to the Local Authority. On the basis of that conclusion, it was not unreasonable to conclude that the completion and submission of the form without a declaration of interest was a breach of the Code of Conduct.

I conclude that this ground does not identify an arguable error of law on the part of the Standards Committee and has no reasonable prospect of success.

This ground of appeal has no reasonable prospect of success.

- g) The seventh ground is that the sanction of suspension for four months is excessive.

The decision letter sets out the reasons for the conclusion and explains how the Standards Committee approached the question of sanction for the identified breaches of the Code of Conduct. Whilst it can be said that it is generally arguable that a sanction imposed was too harsh or too lenient, in this case, given the findings of four separate breaches and the Standards Committee's reasoned decision making leading to the conclusion, I am satisfied that the ground does not have a reasonable prospect of success. Furthermore, if the Appeal Tribunal considered the ground, it may choose to recommend that the sanction be reconsidered by the Standards Committee, the tribunal has the ability to recommend a reduction or increase in the period of suspension.

9. Since I have concluded that there are no reasonable prospects of success for any of the grounds of application, it is not necessary to convene an Appeals Tribunal in this case.

Signed: Judge Meleri Tudur

Date: 28 July 2026