

DISPENSATIONS TO TOWN AND PARISH COUNCILS

Report By: Head of Legal and Democratic Services

Purpose

1. To consider two applications for dispensations received from:
 - Bridstow Parish Council
 - Colwall Parish Council; and
 - Yarkhill Parish Council.

Financial Implications

2. None

Background

3. Under the Code of Conduct, town and parish councillors are prohibited from participating in matters in which they have a prejudicial interest. In the normal course of events this would not prejudice the proper working of their councils. There are instances, however, when the number of councillors who would be prohibited from participating will impede the transaction of business.
4. The Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 give Standards Committees the power to grant dispensations in circumstances where the number of councillors that are prohibited from participating in the business of the council exceeds 50% of those who are entitled or required to participate.
5. In each case, the councillor must request the dispensation in writing, setting out why the dispensation is desirable. The Standards Committee must then decide whether, in all the circumstances, it is appropriate to grant the dispensation.
6. The 2002 regulations also specify two circumstances where a dispensation may not be granted; first, in respect of participation in business conducted more than 4 years after the date on which the dispensation was granted; and, secondly in relation to prejudicial interests concerning attendance at a scrutiny committee meeting which is scrutinising the activity of any other committee to which the member belongs, or for executive members in relation to their own portfolios.

Bridstow Parish Council

7. On 21 April 2006, the Standards Committee granted all seven members of Bridstow Parish Council a dispensation in relation to Bridstow Village Hall, on the basis that the Parish Council is the Custodian Trustee of the Hall. The dispensation will expire on 21 April 2010. Following the May 2007 Elections, two members who were granted a dispensation are no longer Parish Councillors. They are Mr. Paul Stevens and Mrs. Joan Robertshaw. Mr. Clive Beddows has joined the Parish Council, and the dispensation request is in relation to him.

Colwall Parish Council

8. All fifteen members of Colwall Parish Council have requested a dispensation for the maximum period of four years, in relation to the Parish Council's position as Trustee of the Walwyn Meadow Trust. The Trust land consists of Colwall Library, a children's play area and a grassed amenities area. The dispensation would enable them to discuss maintenance and improvements matters relating to the land. Their quorum for full Council is five, and for the Village Amenities Committee, four. The members are:

Mrs N. Carless	Mr. N. Bowring
Mr. J. Mills	Mr. J. Cooney
Mr. P. Browning	Mrs. E. Hayes
Mrs. H. Stace	Dr. T. Hunt
Mr. S. Hockett	Mr. W. Leaper
Mr. N. Abbotts	Mr. J. Morris
Mr B. Ashton	Mrs G. Prideau-Jackson
Mr J. Beard	

Yarkhill Parish Council

9. Three out of six members of Yarkhill Parish Council are Trustees of Yarkhill Village Hall. On 20 October 2006, the Standards Committee granted two of these members, namely Jim Rawsthorne and Terry Godsall, a dispensation to enable them to discuss hall matters. Following the May 2007 elections, a new member, Robert Aspey, requires a dispensation for the same reason. Their quorum is three.

RECOMMENDATION

THAT the Committee grants:

- (a) the member of Bridstow Parish Council named in the report, a dispensation in respect of Bridstow Village Hall;**
- (b) the fifteen members of Colwall Parish Council named in the report, a dispensation in respect of the Walwyn Meadow Trust;**

- (c) **the member of Yarkhill Parish Council named in the report, a dispensation in relation to Yarkhill Village Hall**

BACKGROUND PAPERS

- Letter from the Clerk to Bridstow Parish Council dated 23 July 2007
- Application from the Clerk to Colwall Parish Council dated 26 July 2007
- Application from the Clerk to Yarkhill Parish Council dated 20 July 2007