

## **DISPENSATIONS TO TOWN AND PARISH COUNCILS**

**Report By: Democratic Services Manager**

### **Purpose**

1. To consider an application for a block dispensation received from Kington Town 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, amended by the Standards Committee (Further Provisions) (England) Order 2009, 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, **or** where the number of members that are prohibited from voting at a meeting would upset the political balance of the meeting to the extent that the outcome of voting would be prejudiced. The full Standards for England guidance is appended to this report.
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 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.

**KINGTON TOWN COUNCIL**

7. Kington Town Council has requested a block dispensation in relation to its councillors' roles as members of the Kington Recreation Ground Trust (a registered charity). All town councillors are automatically members of the Trust on acceptance of office. Individual councillors are not trustees; rather, the Town Council as a corporate body is the trustee. Issues relating to the management of this facility frequently arise on the agenda for the Town Council.
8. A block dispensation was granted on 17 February 2006 for four years in order to enable councillors to discuss the purchase or donation of items for the recreation ground. The granting of a block dispensation has eliminated the need to request a new dispensation every time there is a change of councillor.
9. The four year dispensation has now expired. The Town Council have requested that the Standards Committee considers a new block dispensation which would capture all current and future Councillors for a further period of four years.

**RECOMMENDATION**

- THAT**
- (a) the Standards Committee considers whether members of Kington Town Council require a dispensation in relation to their roles as members of the Kington Recreation Ground Trust;**
  - (b) the Standards Committee considers the relationship of this request with the current governance review of this Council**
  - (b) if the Committee decides that a dispensation is necessary, it considers the granting of a block dispensation to Kington Town Council in respect of the Kington Recreation Ground Trust for a further four year period.**

**BACKGROUND PAPERS**

- Letter from the Clerk to Kington Town Council dated 5 February 2010.