

MEETING:	STANDARDS COMMITTEE
DATE:	14 JANUARY 2010
TITLE OF REPORT:	APPLICATIONS FOR DISPENSATIONS RECEIVED FROM PARISH AND TOWN COUNCILS
REPORT BY:	DEMOCRATIC SERVICES OFFICER

Classification: Open

Purpose

1. To consider an application for a dispensation received from Dinedor Parish Council.

Recommendations

THAT

- (a) **the Standards Committee considers granting the three members of Dinedor Parish Council named in the report a dispensation in respect of Dinedor Village Hall**

Background

2. 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.
3. 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.
4. 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.

5. 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.
6. Three members of Dinedor Parish Council have requested a dispensation in relation to Dinedor Village Hall. They are:
 - Mr Anthony Owen - a holding trustee in respect of Dinedor Village Hall and member of the village hall management committee;
 - Ms Barbara Ferris - a charity trustee in respect of Dinedor Village Hall and member of the village hall management committee; and
 - Mr Duncan Green. The village hall management committee is required to appoint another holding trustee. The position has been advertised in the parish, and to date, only Mr Green has expressed an interest. Mr Green is also a member of Dinedor Parish Council. He is awaiting the outcome of the Standards Committee's decision before taking up the post, so that the parish council can continue to make decisions about village hall matters.
7. The dispensation will enable Mr Green to undertake both roles, and the Parish Council as a whole to continue to discuss village hall matters. The total membership of Dinedor Parish Council is five, and its quorum is three.

Financial Implications

8. None.

Appendix

Letter and application form from the Clerk to Dinedor Parish Council dated 11 November 2010.