

DISPENSATIONS TO TOWN AND PARISH COUNCILS

Report By: County Secretary and Solicitor

Ward Affected

Old Gore

Purpose

1. To consider applications for dispensations received from Bartestree with Lugwardine Group Parish Council and from Dinedor 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, where 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 gives 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 that are entitled or required to so participate.
5. In each case, the councillor requesting the dispensation must request it in writing, setting out why the dispensation is desirable.
6. The Standards Committee must then decide whether, in all the circumstances, it is appropriate to grant the dispensation.
7. The Regulations set out a number of exceptions where, even though the criterion above is met, a dispensation may not be granted for town or parish councils. This is where the business of the council for which the dispensation is granted is more than 4 years after the date on which the dispensation is granted.
8. A request has been received from Bartestree with Lugwardine Group Parish Council for the following Councillors to be granted dispensation because they serve as Trustees for Bartestree Village Hall, a registered charity:- R. Lawley; R. Rolfe; T. Rowberry; R. Salmond; N. Shore; K. Watkins; J. Williams; R. Williams; M. Wilson and A.Wood. The Parish Council currently comprises 11 Councillors and the request therefore fulfils the criteria outlined above for a dispensation to be granted.

9. Dinedor Parish Council has submitted a request for Councillors P. Greenow and E. A Owen to be granted dispensation because they serve as Trustees on Dinedor Village Hall Management Committee, a registered charity. The Parish Council currently comprises only 4 Councillors and the request does not fulfil the criteria for a dispensation to be granted.

RECOMMENDATION

- THAT (a) that the Bartestree with Lugwardine Group Parish Councillors listed above be granted a dispensation in respect of Bartestree Village Hall; and**
- (b) that the request for a dispensation from Dinedor Parish Council be refused**

BACKGROUND PAPERS

- Letter from Bartestree with Lugwardine Group Parish Council dated 28th July, 2004 and letter from Dinedor Parish Council dated 30th August, 2004.