

5 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 Mathon 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 Councillor N Alexander to be granted dispensation in place of former Councillor T. Rowberry in respect him serving as a Trustee for Bartestree Village Hall, a registered charity. Mr Rowberry was one of 11 parish Councillors who were granted dispensation by the Committee on 15 October 2004.

9. Mathon Parish Council has submitted a request for Councillors S Harte, S Thetford, R Thomas and N Walker to be granted dispensation because they serve as Trustees on Mathon Village Hall Management Committee, a registered charity. The Parish Council currently comprises only 6 Councillors and the request fulfils the criteria for a dispensation to be granted.

RECOMMENDATION

- THAT (a) that the requests for dispensation received from Bartestree with Lugwardine Group Parish Councillor and from Mathon Parish Council outlined above be granted; and**
- (b) consideration be given to any other requests for dispensation received prior to the meeting.**

BACKGROUND PAPERS

- Letter from Bartestree with Lugwardine Group Parish Council dated 21 May 2005 and letters from Mathon Parish Councillors dated 2, 4 and 12 April 2005.