

DISPENSATIONS TO TOWN AND PARISH COUNCILS

Report By: Legal Practice Manager

Purpose

1. To consider an application for dispensation received from Much Cowarne Group 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 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 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.

7. Four members of Much Cowarne Parish Council have requested a dispensation in relation to their role as trustees of Burley Gate Village Hall, so that they can discuss a request from Burley Gate Village Hall for financial support from the parish council. The four members are:
- Martin Hoskins, Court Farm, Moreton Jeffries, Herefordshire
 - George Day, Starpit Cottage, Much Cowarne, Bromyard
 - Norma Duffy, North Lodge, Mill Lane, Much Cowarne, Bromyard
 - Rob Lett, Capon Cottage, Much Cowarne, Bromyard.

RECOMMENDATION

THAT the four members of Much Cowarne Group Parish Council named in the report be granted a dispensation in respect of Burley Gate Village Hall.

BACKGROUND PAPERS

- Letter from the Clerk to Much Cowarne Group Parish Council dated 28 October 2005.