

# Standards Committee

## Request for Member Dispensation – Barford St John and St Michael Parish Council

8 July 2010

### Report of Head of Legal and Democratic Services / Monitoring Officer

#### PURPOSE OF REPORT

To consider a request from the seven members of Barford St John and St Michael Parish Council for dispensations to enable them to participate in meetings of the Parish Council when matters relating to Barford St Michael Village Hall are considered, despite having personal and prejudicial interests.

This report is public

#### Recommendations

The meeting is recommended:

- (1) To approve that dispensations, limited to a period expiring on the date of the next Parish Council elections for Barford St John and St Michael in May 2014, be granted to the present Barford St John and St Michael Parish Councillors (namely Rodney Silvester, Tracey Bullard, Sandi Turner, Robin George Woolgrove, Peter Leslie Eden, Sarah Louise Best and Lisa Jane Styles) to enable them to participate in meetings of the Parish Council when matters relating to Barford St Michael Village Hall are considered.
- (2) To approve that the dispensation mentioned in (1) above also be given to any new Parish Councillors joining the Parish Council in the meantime, subject to the Parish Clerk providing the relevant details to the Monitoring Officer.

#### Executive Summary

##### **Introduction**

- 1.1 The Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002 give the Committee discretion to grant dispensation to Members of the District Council or Parish Councils in the District to participate in specific matters of business despite having a prejudicial interest, provided the

number of Members of the particular authority that are prohibited from participating in the matter is more than 50% of those Members entitled or required to participate, or if the authority is unable to apply the rules of political proportionality (applicable to the District Council only).

## Proposals

- 1.2 Barford St John and St Michael Parish Council is the sole Custodian Trustee of Barford St Michael. The Parish Council has in this respect, to make decisions on the running and on the income and expenditure alongside the Village Hall Management Committee. The Parish Council Councillors therefore have a prejudicial interest by virtue of the fact that they act as Custodian Trustees.
- 1.3 The Standards Committee granted dispensations to all of the then Members of Barford St John and St Michael Parish Council at its meeting on 2 April 2008. The dispensations covered the period through to the Parish Council election in May 2010.
- 1.4 The Regulations require that dispensation is given personally to individual councillors rather than to a Council and that each affected Councillor is required to submit a written request to the Standards Committee. The Parish Clerk has set out details of the seven Parish Councillors in her letter and has arranged for each of the Parish Councillors to countersign the formal letters of request. These are expected to be submitted before the Committee meeting.

## Conclusion

1.5 It is clearly in the public interest to grant the request for dispensation. Dispensations can however only be granted for a maximum of four years. The next Parish Council election is in May 2014. In the meantime it will be necessary for dispensation to be granted to anyone becoming a Parish Councillor at a by-election or through co-option. The recommendations have therefore been worded accordingly.

## **Key Issues for Consideration/Reasons for Decision and Options**

3.1 Unless dispensation is granted in this case, the Parish Council will be unable to properly consider matters relating to Barford St Michael Village Hall.

The following options have been identified. The approach in the recommendations is believed to be the best way forward

**Option One** To agree the recommendations as set out.

**Option Two** To amend the recommendation.

## Implications

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**Financial:** There are no specific financial implications associated with the granting of dispensation.

Comments checked by Denise Westlake, Service Accountant, 01295 221982

**Legal:** The Standards Committee has a responsibility to carry out its responsibilities in accordance with the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002.

Comments checked by Liz Howlett, Head of Legal and Democratic Services, 01295 221686

**Risk Management:** Without the dispensation, Barford St John and St Michael Parish Council will be unable to take decisions relating to this matter.

Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566

## Wards Affected

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## Document Information

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Appendix No	Title
None	
<b>Background Papers</b>	
Letter from the clerk to Barford St John and St Michael Parish Council	
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