

Standards Committee

Request for Member Dispensation – Wroxton Parish Council

8 July 2010

Report of Head of Legal and Democratic Services / Monitoring Officer

PURPOSE OF REPORT

To consider a request from seven members of Wroxton Parish Council for dispensations to enable them to participate in meetings of the Parish Council when all matters relating to the proposed Sports Pavilion and Community Hall in Wroxton and the proposed Village Hall in Balscote, are considered despite having a personal and prejudicial interest.

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 Wroxton in May 2014, be granted to the present Wroxton Parish Councillors (namely Barry Allen, David Edicott, Robert Jesson, David McNaught, Michael Roberts, Carl Nicholson and Michael Whelan) to enable them to participate in meetings of the Parish Council when matters relating to the proposed Sports Pavilion and Community Hall in Wroxton and the proposed Village Hall in Balscote 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 Cherwell District Council's Standards Committee discretion to grant dispensation to Members of the particular authority that are prohibited from participating in the matter if 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 Wroxton Parish Council is Trustee of the proposed Community Hall and Sports Pavilion which is to be built on the village playing field, Horley Path Road, Wroxton. It follows therefore that, technically at least, all of the Parish Councillors have a personal and prejudicial interest and should not therefore participate in any Parish Council meetings when the proposed new hall is discussed, unless they have received dispensation from the Standards Committee.
- 1.3 The second part of the request relates to an area of land at Balscote which is located in Wroxton Parish. The Parish Council is Custodian Trustee of the land on which it is proposed to build a new village hall; planning permission has been granted. Again a dispensation is sought to enable the Parish Council to consider matters relating to the new village hall. This should ensure that all of the Parish Councillors meet their obligations under the Code of Conduct.
- 1.4 The Standards Committee granted dispensations covering the two matters referred to above to all of the then Members of Wroxton Parish Council at its meeting on 25 July 2006. Dispensations were subsequently granted to two co-opted Members of the Parish Council on 3 July 2008. The dispensations covered the period through to the Parish Council election in May 2010.
- 1.5 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 each has countersigned the dispensation request.

Conclusion

- 1.6 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 the proposed Sports Pavilion and Community Hall in Wroxton and the proposed Village Hall in Balscote.

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 recommendations.

Implications

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, Wroxton Parish Council will be unable to take decisions relating to these matters.

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

Wards Affected

Wroxton

Document Information

Appendix No	Title
None	
Background Papers	
Letter from the Clerk to Wroxton Parish Council	
Report Author	Natasha Clark, Senior Democratic and Scrutiny Officer
Contact Information	01295 221589 natasha.clark@cherwell-dc.gov.uk