

BRECKLAND COUNCIL

STANDARDS COMMITTEE – 12 JULY, 2007

REPORT OF THE OPERATIONS MANAGER (CABINET) **(Author: Susan Allen – Standards Officer)**

APPLICATION FOR DISPENSATION – SCARNING PARISH COUNCIL

Summary: The Committee is asked to consider an application for a dispensation from Scarning Parish Council.

1. INTRODUCTION/BACKGROUND

- 1.1 Regulations came into force on 18th March, 2002 entitled The Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 (S.I. 2002 No. 339).
- 1.2 These Regulations prescribe the circumstances in which the Standards Committee may grant dispensations to Breckland members and parish and town councillors in the Breckland area. If a member acts in accordance with the grant of such a dispensation, any participation in business prohibited by the mandatory provisions of the Model Codes of Conduct is not a failure to comply with the authority's Code. These Regulations refer to the circumstance where a member, or more usually a number of members, finds they are in a position where they have to declare a prejudicial interest under the Code of Conduct and leave the room. In the circumstances described in the Regulations, those members might be able to obtain a dispensation (i.e. permission) from a Standards Committee to stay in the meeting after declaring the interest and either just speak, or speak and vote according to any dispensation granted.
- 1.3 The Regulations state that the Standards Committee can only grant dispensations in two circumstances:
 - a) if more than half of the members entitled or required to participate in the business of the authority would not otherwise be able to, or
 - b) the authority would not be able to comply with political balance principles.

2. KEY DECISION

- 2.1 This is not a key decision.

3. COUNCIL PRIORITIES

- 3.1 The matter raised in this report falls within the following Council priorities:
 - A well planned place to live which encourages vibrant communities

4. APPLICATION FOR DISPENSATION

- 4.1 Scarning Parish Council consists of nine councillors.
- 4.2 The Clerk to the Parish Council has sent a letter requesting a dispensation in respect of the Former Highway Surveyors Land and the Scarning Fuel Allotment Charity.
- 4.3 The nine parish councillors, namely Mrs. W. Brown, Mr. N. Eagle, Mr. S. Faulker, Mr. A. Glister, Mrs. H. Hudson, Miss J. Magrath, Mr. M. Steward, Mr. C. Farnham and Mr. P. Wadsworth, are all trustees of these organisations and as such would have to declare an interest.
- 4.4 As the councillors would be required to declare both a personal and prejudicial interest and leave the room when any matters concerning the Former Highway Surveyors Land

and the Scarning Fuel Allotment Charity were before the parish council, it is necessary for a dispensation to be requested.

5. OPTIONS AVAILABLE

- 5.1 To grant a dispensation to Scarning Parish Council.
- 5.2 To refuse to grant a dispensation to Scarning Parish Council.

6. REASONS FOR RECOMMENDATION(S)

- 6.1 To ensure the smooth running of Scarning Parish Council in connection with the Former Highway Surveyors Land and the Scarning Fuel Allotment Charity.

7. RECOMMENDATION(S)

- 7.1 It is recommended that the Committee grants a dispensation until the end of May 2011 to the named parish councillors of Scarning Parish Council to allow them to speak and vote on any matters relating to the Former Highway Surveyors Land and the Scarning Fuel Allotment Charity.