

STANDARDS DISPENSATION SUB-COMMITTEE

DRAFT MINUTES OF THE STANDARDS DISPENSATION SUB-COMMITTEE MEETING HELD ON 11 JANUARY 2011 AT COMMITTEE ROOM III, COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE.

Present:

Cllr Ernie Clark, Mr Gerry Robson and Miss Pam Turner

Also Present:

Nina Wilton, Deputy Monitoring Officer

1. Declarations of Interest

There were no declarations of interest

2. Consideration of a dispensation request - Councillor Christine Mitchell, Westbury Town Council

The Deputy Monitoring Officer introduced the report and explained that Councillor Mitchell sits on the Highways, Planning and Development Committee (HP&D Committee) of Westbury Town Council and also on the Management Committee of Leigh Park Community Association (LPCA). Councillor Mitchell wished to apply for a dispensation allowing her to speak and vote on planning application 10/0378/FUL. Westbury Town Council is a statutory consultee and considerations of planning applications by Westbury Town Council are delegated to their HP & D Committee. There are 9 members of the Westbury HP & D Committee, of whom 5 are also members of the LPCA Management Committee. If all of these members are determined to have a personal and prejudicial interest in planning application 10/0378/FUL, precluding them from speaking or voting on this application, the HP & D Committee would be inquorate.

The Deputy Monitoring Officer said that she had sought background information from the Westbury Town Clerk. That information was that LPCA's purpose is to support the development of a community centre in Leigh Park, and that this planning application, if successful, may generate Section 106 monies that could be used to assist with funding that development.

The Deputy Monitoring Officer explained the law and guidance relevant to this request, and reminded the sub-committee of the public interest in maintaining public confidence in the conduct of local authority business. She reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England.

The sub-committee considered this request in detail and agreed that Councillor Mitchell had a personal interest but were not persuaded that it amounted to a prejudicial interest.

They further considered that it was open to Westbury Town Council to refer this application to a full meeting of Westbury Town Council for consideration, so the failure to grant a dispensation would not have a significant adverse impact upon the conduct of the council's business.

Resolved:

Not to grant a dispensation as the sub-committee found no evidence that it was in the public interest to do so.

3. Consideration of a dispensation request - Councillor Sue Ezra, Westbury Town Council

The Deputy Monitoring Officer introduced the report and explained that Councillor Ezra sits on the Highways, Planning and Development Committee (HP&D Committee) of Westbury Town Council and also on the Management Committee of Leigh Park Community Association (LPCA). Councillor Ezra wished to apply for a dispensation allowing her to speak and vote on planning application 10/0378/FUL. Westbury Town Council is a statutory consultee and considerations of planning applications by Westbury Town Council are delegated to their HP & D Committee. There are 9 members of the Westbury HP & D Committee, of whom 5 are also members of the LPCA Management Committee. If all of these members are determined to have a personal and prejudicial interest in planning application 10/0378/FUL, precluding them from speaking or voting on this application, the HP & D Committee would be inquorate.

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The Deputy Monitoring Officer explained the law and guidance relevant to this request, and reminded the sub-committee of the public interest in maintaining public confidence in the conduct of local authority business. She reminded the

Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England.

The sub-committee considered this request in detail and agreed that Councillor Ezra had a personal interest but were not persuaded that it amounted to a prejudicial interest.

They further considered that it was open to Westbury Town Council to refer this application to a full meeting of Westbury Town Council for consideration, so the failure to grant a dispensation would not have a significant adverse impact upon the conduct of the council's business.

Resolved:

Not to grant a dispensation as the sub-committee found no evidence that it was in the public interest to do so.

4. **Consideration of a dispensation request - Councillor William Braid, Westbury Town Council**

The Deputy Monitoring Officer introduced the report and explained that Councillor Braid sits on the Highways, Planning and Development Committee (HP&D Committee) of Westbury Town Council and also on the Management Committee of Leigh Park Community Association (LPCA). Councillor Braid wished to apply for a dispensation allowing him to speak and vote on planning application 10/0378/FUL. Westbury Town Council is a statutory consultee and considerations of planning applications by Westbury Town Council are delegated to their HP & D Committee. There are 9 members of the Westbury HP & D Committee, of whom 5 are also members of the LPCA Management Committee. If all of these members are determined to have a personal and prejudicial interest in planning application 10/0378/FUL, precluding them from speaking or voting on this application, the HP & D Committee would be inquorate.

The Deputy Monitoring Officer said that she had sought background information from the Westbury Town Clerk. That information was that LPCA's purpose is to support the development of a community centre in Leigh Park, and that this planning application, if successful, may generate Section 106 monies that could be used to assist with funding that development.

The Deputy Monitoring Officer explained the law and guidance relevant to this request, and reminded the sub-committee of the public interest in maintaining public confidence in the conduct of local authority business. She reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England.

The sub-committee considered this request in detail and agreed that Councillor Braid had a personal interest but were not persuaded that it amounted to a prejudicial interest.

They further considered that it was open to Westbury Town Council to refer this application to a full meeting of Westbury Town Council for consideration, so the failure to grant a dispensation would not have a significant adverse impact upon the conduct of the council's business.

Resolved:

Not to grant a dispensation as the sub-committee found no evidence that it was in the public interest to do so.

5. **Consideration of a dispensation request - Councillor David Windess, Westbury Town Council**

The Deputy Monitoring Officer introduced the report and explained that Councillor Windess sits on the Highways, Planning and Development Committee (HP&D Committee) of Westbury Town Council and also on the Management Committee of Leigh Park Community Association (LPCA). Councillor Windess wished to apply for a dispensation allowing him to speak and vote on planning application 10/0378/FUL. Westbury Town Council is a statutory consultee and considerations of planning applications by Westbury Town Council are delegated to their HP & D Committee. There are 9 members of the Westbury HP & D Committee, of whom 5 are also members of the LPCA Management Committee. If all of these members are determined to have a personal and prejudicial interest in planning application 10/0378/FUL, precluding them from speaking or voting on this application, the HP & D Committee would be inquorate.

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The Deputy Monitoring Officer explained the law and guidance relevant to this request, and reminded the sub-committee of the public interest in maintaining public confidence in the conduct of local authority business. She reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England.

The sub-committee considered this request in detail and agreed that Councillor Windess had a personal interest but were not persuaded that it amounted to a prejudicial interest.

They further considered that it was open to Westbury Town Council to refer this application to a full meeting of Westbury Town Council for consideration, so the failure to grant a dispensation would not have a significant adverse impact upon the conduct of the council's business.

Resolved:

Not to grant a dispensation as the sub-committee found no evidence that it was in the public interest to do so.

6. **Consideration of a dispensation request - Councillor Russell Hawker, Westbury Town Council**

The Deputy Monitoring Officer introduced the report and explained that Councillor Hawker sits on the Highways, Planning and Development Committee (HP&D Committee) of Westbury Town Council and also on the Management Committee of Leigh Park Community Association (LPCA). Councillor Hawker wished to apply for a dispensation allowing him to speak and vote on planning application 10/0378/FUL. Westbury Town Council is a statutory consultee and considerations of planning applications by Westbury Town Council are delegated to their HP & D Committee. There are 9 members of the Westbury HP & D Committee, of whom 5 are also members of the LPCA Management Committee. If all of these members are determined to have a personal and prejudicial interest in planning application 10/0378/FUL, precluding them from speaking or voting on this application, the HP & D Committee would be inquorate.

The Deputy Monitoring Officer said that she had sought background information from the Westbury Town Clerk. That information was that LPCA's purpose is to support the development of a community centre in Leigh Park, and that this planning application, if successful, may generate Section 106 monies that could be used to assist with funding that development.

The Deputy Monitoring Officer explained the law and guidance relevant to this request, and reminded the sub-committee of the public interest in maintaining public confidence in the conduct of local authority business. She reminded the Sub-Committee that, in reaching a decision, they must have regard to guidance from Standards for England.

The sub-committee considered this request in detail and agreed that Councillor Hawker had a personal interest but were not persuaded that it amounted to a prejudicial interest.

They further considered that it was open to Westbury Town Council to refer this application to a full meeting of Westbury Town Council for consideration, so the failure to grant a dispensation would not have a significant adverse impact upon the conduct of the council's business.

Resolved:

Not to grant a dispensation as the sub-committee found no evidence that it was in the public interest to do so.

7. **Additional information**

(Duration of meeting: 2.45pm – 3.25pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line 01225 718371, e-mail pam.denton@wiltshire.gov.uk

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