

WILTSHIRE COUNCIL

STANDARDS DISPENSATION SUB-COMMITTEE

16 November 2010

Consideration of a Dispensation Request

Consideration of a Request for Dispensation from Councillor John Knight of Wiltshire Council

Introduction

1. On 14 September 2010, the Monitoring Officer received a request for dispensation from Councillor John Knight, a member of Trowbridge Town Council and Wiltshire Council. Councillor Knight's completed Dispensation Request Form is attached at **Appendix A**.
2. As a member of Wiltshire Council, Councillor Knight sits on the Trowbridge Area Board. His request for dispensation relates to any grant applications and community asset transfer applications made by Trowbridge Town Council which are to be considered by the Trowbridge Area Board.
3. There are nine voting members of Trowbridge Area Board, six of whom are members both of Trowbridge Town Council and of Wiltshire Council. Membership of Trowbridge Town Council means that these six members, representing 67% of the membership of the Area Board, have a personal and prejudicial interest in any grant application made by Trowbridge Town Council for determination by the Area Board.
4. The existence of a personal and prejudicial interest described above precludes 67% of the members of the Area Board from voting on grant applications made by Trowbridge Town Council, rendering the Area Board inquorate.
5. Councillor Knight is requesting a dispensation to apply to future meetings of the Trowbridge Area Board in respect of the consideration of grant applications and asset transfer applications from Trowbridge Town Council. The next meeting of the Area Board is on 18 November 2010.

Criteria for Determination of Requests

6. Under Section 17(1)(a)(i) of The Standards Committee (Further Provisions) (England) Regulations 2009 (**enclosed**), the Dispensation Sub-Committee may grant a dispensation where the transaction of the Council's business would otherwise be impeded by, or as a result of, the

Code of Conduct because more than 50% of the members who would be entitled to vote at a meeting are prohibited from voting.

7. The Dispensation Sub-Committee may grant a dispensation:
 - a. for one item of business
 - b. for a period not exceeding 4 years
 - c. allowing the member to participate in the meeting and vote
 - d. allowing the member to speak but not vote

8. In reaching a decision on a dispensation request the Dispensation Sub-Committee must:
 - a. have regard to guidance issued by the Standards Board for England (**enclosed**);
 - b. disregard any dispensations that have already been granted to other members of the same body; and
 - c. take into account:
 - i. the nature of the member's prejudicial interest;
 - ii. the need to maintain public confidence in the conduct of the Council's business;
 - iii. the impact on the outcome of the proposed vote;
 - iv. the need for efficient and effective conduct of the Council's business;
 - v. any other relevant circumstances.

9. The Dispensation Sub-Committee is therefore requested to determine this request for a dispensation.

Ian Gibbons, Monitoring Officer

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Date of report: 6 October 2010

Background Papers

None