

WILTSHIRE COUNCIL

STANDARDS DISPENSATION SUB-COMMITTEE

Consideration of a Dispensation Request

Consideration of a Request for Dispensation from Councillor David Grover of Steeple Langford Parish Council

Introduction

1. On 8 March 2011 the Monitoring Officer received a request for a dispensation from Councillor Grover, a member of Steeple Langford Parish Council. Councillor Grover's completed Dispensation Request Form is attached
2. Councillor Grover is an allotment holder of allotments in the area of the parish council. He also owns a house adjacent to the allotments. He therefore has a personal and prejudicial interest in council agenda matters relating to the allotments.
3. There is a proposal to build affordable housing on some of the allotment site.
4. The Steeple Langford Allotments are managed by a charitable trust. Four of the Steeple Langford Parish Council members are trustees of the allotment trust and have personal and prejudicial interests arising from their position as trustees.
5. There are seven councillors on Steeple Langford Parish Council. Four of them are trustees of the allotment trust, and another one (Councillor Grover) has a personal and prejudicial interest in the allotments by virtue of being an allotment holder and living next to the site of the allotments.
6. This means that 5 of the 7 members of Steeple Langford Parish have a personal and prejudicial interest in the Steeple Langford Allotments, representing 71% of the total membership of the parish council. The parish council is inquorate when considering matters relating to the allotments.
7. Councillor Grover is requesting a dispensation to apply to future meetings of Steeple Langford Parish Council at which the allotments are considered.

Criteria for Determination of Requests

8. 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.
9. 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
10. In reaching a decision on a dispensation request the Dispensation Sub-Committee must:
 - a. have regard to guidance issued by Standards 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.

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Date of report: 11 January 2011

Background Papers: None