

**Wiltshire Council**

**Standards Dispensation Sub-Committee**

**19 January 2012**

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## **Review of a Dispensation Request**

### **Review 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. Two 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. Two councillors are trustees of the allotment trust, and another two (Councillor Grover and Councillor Watson) have 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 four of the seven members of Steeple Langford Parish Council have a personal and prejudicial interest in the Steeple Langford Allotments, representing 57% of the total membership of the parish council. The parish council is inquorate when considering matters relating to the allotments.

7. The Dispensation Sub-Committee considered Councillor Grover's request on 13 May 2011 and decided not to grant a dispensation on the grounds that it was not in the public interest to do so (copy of minutes attached).
8. Currently, two of the seven members of the parish council hold dispensations in relation to the consideration of council business concerning the Steeple Langford allotments.
9. On 4 January 2012 Councillor Grover informed the Monitoring Officer that he is no longer a trustee of the Steeple Langford Allotments and has requested that his application for a dispensation be reconsidered. He is, however, still an allotment holder and owner of a house adjacent to the allotments. His request is attached.

### **Criteria for Determination of Requests**

10. 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.
11. 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
12. 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.

**Ian Gibbons, Monitoring Officer**

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Date of report: 6 January 2012

Background Papers: None