

## WILTSHIRE COUNCIL

### STANDARDS DISPENSATION SUB-COMMITTEE

11 May 2010

---

#### Consideration of a Dispensation Request (C)

#### Consideration of a Request for Dispensation from Councillor Roderick Eaton of Wiltshire Council

##### Introduction

1. On 11<sup>th</sup> April 2010 the Monitoring Officer received a request for dispensation from Councillor Roderick Eaton, a member of Wiltshire Council and Melksham Town Council. Councillor Eaton's completed Dispensation Request Form is attached at **Appendix A**.
2. As a member of Wiltshire Council Councillor Eaton sits on the Melksham Area Board. His request for dispensation relates to future funding or non-financial support applications made by Melksham Town Council to the Melksham Area Board, who are the decision making body in this matter.
3. Councillor Eaton is concerned that his membership of Melksham Town Council and Wiltshire Council may give rise to a personal interest and prejudicial interest in these matters, as clarified in his e-mail (**Appendix B**).
4. Four of the six voting members of Melksham Area Board are also members of Melksham Town Council. The Area Board requires 3 voting members in order to be quorate.
5. Councillor Eaton has requested a dispensation to apply to all future meetings of the Melksham Area Board in respect of the consideration of grant and non-financial support applications from Melksham Town Council.

##### 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 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**

---

Report Author: Nina Wilton, Head of Governance

Tel: 01225 713078

Date of report: 29<sup>th</sup> April 2010

**Background Papers**

None