

WILTSHIRE COUNCIL

STANDARDS DISPENSATION SUB-COMMITTEE

17 June 2010

Consideration of a Dispensation Request

Consideration of a Request for Dispensation from Councillor Andrew Davis of Wiltshire Council and Warminster Town Council

Introduction

1. On 8th June 2010 the Monitoring Officer received a request for dispensation from Councillor Andrew Davis, a member of Wiltshire Council and Warminster Town Council. Councillor Davis' completed Dispensation Request Form is attached at **Appendix A**.
2. As a member of Wiltshire Council Councillor Davis sits on the Warminster Area Board. His request for dispensation relates to future grant applications made by Warminster Town Council to the Warminster Area Board, who are the decision making body in this matter.
3. Councillor Davis is concerned that his membership of Warminster Town Council and Wiltshire Council may give rise to a personal interest and prejudicial interest in these matters.
4. Three of the five voting members of Warminster Area Board are also members of Trowbridge Town Council. This represents 60% of the Area Board membership.
5. Councillor Davis has requested a dispensation to apply to all future meetings of the Warminster Area Board in respect of the consideration of grant applications from Warminster 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

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Date of report: 8th June 2010

Background Papers

None