

## WILTSHIRE COUNCIL

### STANDARDS DISPENSATION SUB-COMMITTEE

17 June 2010

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#### Consideration of a Dispensation Request

#### Consideration of a Request for Dispensation from Councillor Sylvia Lin Foon Pender of Landford Parish Council

##### Introduction

1. On 12<sup>th</sup> July 2010 the Monitoring Officer received a request for dispensation from Councillor Sylvia Pender, a member of Landford Parish Council. Councillor Pender's completed Dispensation Request Form is attached at **Appendix A**.
2. Councillor Pender's request for dispensation relates to any consideration by Landford Parish Council of planning application 10/9523, an application by the New Forest National Park Authority.
3. Councillor Pender considers herself to have a personal and prejudicial interest in this application. The application is for change of use of a house in the parish to a new school for children aged 2-16. This could be considered to be likely to have an impact on the existing schools serving the parish – New Forest School and Nomansland Pre-School.
4. Councillor Pender is a governor of New Forest School and has two children who attend New Forest School.
5. Four of the six members of Landford Parish Council have personal and prejudicial interests in the planning application. This represents 66% of the membership of Landford Parish Council who would be unable to participate in consideration of this item without a dispensation enabling them to do so.

##### 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: 12<sup>th</sup> July 2010

**Background Papers**

None