

STANDARDS DISPENSATION SUB-COMMITTEE

DRAFT MINUTES OF THE STANDARDS DISPENSATION SUB-COMMITTEE MEETING HELD ON 27 JULY 2010 AT COMMITTEE ROOM VIII, COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE.

Present:

Mr Michael Cronin, Cllr Ian McLennan and Mr Keith Wallace

Also Present:

Ian Gibbons and Roger Wiltshire

1. Election of Chairman

Mr Michael Cronin, as Independent Member, was confirmed as the Chairman.

2. Declarations of Interest

Councillor Ian McLennan said that he knew Councillor Maurice John Martin however he did not have a close association and therefore felt that there was no personal or prejudicial interest.

3. Background

The Monitoring Officer explained that these were four similar applications from members of Landford Parish Council in respect of any consideration by the Parish Council of planning application 10/9523, an application for determination by the New Forest National Park Authority as the local planning authority. The application is for change of use of a house in the parish to a new school for children aged 2-16 and 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.

He explained that the Parish Council had a membership of six, four of whom had requested dispensations on the basis that they considered that they had a prejudicial interest in the application for the reasons outlined in the report. As the quorum was 3 this would result in the committee becoming inquorate. He advised the committee to look at each application on its own merits having

regard to guidance from Standards for England on dispensations and the Standards Committee criteria, in particular the nature of the member's prejudicial interest and the need to maintain public confidence in the conduct of the Council's business.

4. **Consideration of a dispensation request by Cllr Mark Coleman, Landford Parish Council**

The Monitoring Officer introduced the report and said that Councillor Coleman considered that he had a personal and prejudicial interest in the planning application as his wife is employed by both the New Forest School and the Nomansland Pre-School and one of his children attends Nomansland Pre-School and two attend New Forest School. The site of the proposed new school referred to in the planning application is also approximately 120 meters from Councillor Coleman's residence.

The sub-committee considered the application and agreed that Councillor Coleman did have a personal and prejudicial interest and that the legal requirements for a dispensation were met. However, having regard to Standards for England advice on dispensations the sub-committee were of the unanimous view that it was inappropriate to grant a dispensation as they felt that to do so might undermine public confidence in local decision-making because of the nature of his interest, which concerned his wife's financial position.

Resolved

Not to grant a dispensation in relation to Landford Parish Council's consideration of planning application 10/9523 as Councillor Coleman's prejudicial interest related to his wife's financial position and public confidence would be likely to be undermined if a dispensation were to be granted in these circumstances.

5. **Consideration of a dispensation request by Cllr Maurice Martin, Landford Parish Council**

The Monitoring Officer introduced the report and said that Councillor Martin considered himself to have a personal and prejudicial interest in this application as he lives 3 houses' distance away from the proposed site of the new school, and has objected to the application.

The sub-committee considered the application and agreed that Councillor Martin did have a personal and prejudicial interest and that the legal requirements for a dispensation were met. However, having regard to Standards for England advice on dispensations, the sub-committee were of the

unanimous view that it was inappropriate to grant the dispensation. They felt that public confidence in local decision making would be likely to be undermined, given the nature of Councillor Martin's interest which concerned the potential effect of the application on his property.

Resolved

Not to grant a dispensation in relation to Landford Parish Council's consideration of planning application 10/9523, as Councillor Martin's prejudicial interest was of a financial nature arising as a result of the potential effect of the application on the value of his property and that public confidence would be likely to be undermined if a dispensation were to be granted under these circumstances.

6. **Consideration of a dispensation request by Cllr Sylvia Pender, Landford Parish Council**

The Monitoring Officer introduced the report and said that Councillor Pender considered herself to have a personal and prejudicial interest in this application as she is a governor of New Forest School and has two children who attend New Forest School.

The sub-committee considered the application and agreed that Councillor Pender did have a personal and prejudicial interest and that the legal requirements for a dispensation were met. Having noted that Councillor Pender's prejudicial was not of a personal financial nature, the sub-committee unanimously

Resolved

To grant a dispensation to Councillor Pender to speak and vote on any matter relating to planning application 10/9523 being considered at a meeting of Landford Parish Council's Planning Committee.

7. **Consideration of a dispensation request by Cllr Alan Westmore, Landford Parish Council**

The Monitoring Officer introduced the report and said that Councillor Westmore considers himself to have a personal and prejudicial interest in the application as he is a governor of New Forest School. He has two children who attend New Forest School. He is paid to maintain the school grounds, and his wife is an employee of New Forest School. He also rents the field to the rear of the application site which is rented from the immediate neighbour of the application site.

The sub-committee considered the application and agreed that Councillor Westmore did have a personal and prejudicial interest and that the legal requirements for a dispensation were met. However, having regard to Standards for England advice on dispensations the sub-committee were of the unanimous view that it was inappropriate to grant a dispensation as they felt that public confidence in local decision-making would be likely to be undermined, given the personal financial nature of Councillor Westmore's prejudicial interest.

Resolved

Not to grant a dispensation in relation to Landford Parish Council's consideration of planning application 10/9523, as Councillor Westmore's prejudicial interest was of a personal financial nature and public confidence was likely to be undermined if a dispensation were to be granted in these circumstances.

(Duration of meeting: 2.00 - 2.55 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line 01225 718371, e-mail pam.denton@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115