

Title: **Application for Dispensations - Westbury Town Council**

Reporting Officer: **Nicola Mathiason – Head of Legal and Democratic Services**

Purpose

To consider an application under Section 81(4) of the Local Government Act 2000 for members of Westbury Town Council to be granted a dispensation to participate and vote on matters connected with the Westbury Town Bypass.

Background

The Committee received a report concerning the methodology for granting dispensations at its meeting on 26 April 2006 and a further report on granting dispensations at its meeting on 7th June 2006. A copy of the reports are attached.

Information

The Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002 empower Standards Committees to issue dispensations to Town Councillors in certain circumstances.

A written application is required providing the reasons why the grant of the dispensation is desirable. An application for dispensation has been received from the following members of Westbury Town Council: -

1. Councillor Marion Clegg
2. Councillor John Clegg

Councillor Mrs Clegg and Councillor Mr Clegg have confirmed that they have a prejudicial interest.

3. Councillor Michael Pearce

Councillor Pearce has also requested that he is considered for dispensation by the Committee. Councillor Pearce lives on a road which would be crossed by the proposed bypass and states that he could, therefore, be regarded as having a prejudicial interest.

A meeting of the Town Council will consider the application for the Westbury Bypass and the above Councillors wish to be granted a dispensation to speak and vote on the matter. A copy of the applications are attached.

Under the Regulations, a dispensation can only be granted if over 50% of those entitled to participate in the relevant business would be prevented from taking part because, under the Code of Conduct, they would have a prejudicial interest.

Should this requirement be met, the Standards Committee must then have regard to the content of the applications and all other circumstances of the case when considering whether it is appropriate to grant a dispensation.

There are 16 members of the Town Council. At the time of writing this report an application for dispensation has been received from 3 of those members.

The Committee will be advised at the meeting on 1st March if further applications for dispensation have been received.

Recommendation

To consider the applications received for dispensation.