

South Cambridgeshire Hall  
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11 August 2010

To: Chairman – Kathy English  
Vice-Chairman – Alan Hampton

Members of the Standards Committee:

Bob Bryant	Parish Member
Georgina Butcher	Independent Member
Nigel Cathcart	District Council Member, non-group
Michael Farrar	Parish Member
Roger Hall	District Council Member, Conservative Group
John House	Independent Member
Janet Lockwood	District Council Member, Liberal Democrat Group
Cicely Murfitt	District Council Member, non-group
Tony Orgee	District Council Member, Conservative Group
Raith Overhill	Independent Member
Mary Pilfold-Allan	Independent Member
Eric Revell	Independent Member
Alex Riley	District Council Member, Independent Group
Jim Stewart	District Council Member, Liberal Democrat Group
Chris Tomsett	Parish Member
James Williams	Independent Member

and to the Monitoring Officer , for information.

Dear Sir or Madam

You are invited to attend the next meeting of **STANDARDS COMMITTEE**, which will be held in the **MONKFIELD ROOM, FIRST FLOOR** at South Cambridgeshire Hall on **THURSDAY, 19 AUGUST 2010** at **11.00 a.m.**

Yours faithfully

**STEVE HAMPSON**

Acting Chief Executive

**The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.**

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**AGENDA**

**PAGES**

**PROCEDURAL ITEMS**

- 1. Apologies**  
To receive apologies for absence from committee members.

**2. Declarations of Interest**

**DISPENSATIONS**

- |           |   |                |
|-----------|---|----------------|
| <b>3.</b> | <b>CAXTON Parish Council: Requests for Dispensations</b>    | <b>1 - 12</b>  |
| <b>4.</b> | <b>GAMLINGAY Parish Council: Requests for Dispensations</b> | <b>13 - 30</b> |

## **GUIDANCE NOTES FOR VISITORS TO SOUTH CAMBRIDGESHIRE HALL**

While the District Council endeavours to ensure that visitors come to no harm when visiting South Cambridgeshire Hall, those visitors also have a responsibility to make sure that they do not risk their own or others' safety.

### **Security**

Members of the public attending meetings in non-public areas of the Council offices must report to Reception, sign in, and at all times wear the Visitor badges issued. Before leaving the building, such visitors must sign out and return their Visitor badges to Reception.

### **Emergency and Evacuation**

In the event of a fire, a continuous alarm will sound. Evacuate the building using the nearest escape route; from the Council Chamber or Mezzanine viewing gallery this would be via the staircase just outside the door. Go to the assembly point at the far side of the staff car park.

- **Do not** use the lifts to exit the building. If you are unable to negotiate stairs by yourself, the emergency staircase landings are provided with fire refuge areas, which afford protection for a minimum of 1.5 hours. Press the alarm button and wait for assistance from the Council fire wardens or the fire brigade.
- **Do not** re-enter the building until the officer in charge or the fire brigade confirms that it is safe to do so.

### **First Aid**

If someone feels unwell or needs first aid, please alert a member of staff.

### **Access for People with Disabilities**

The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you. All meeting rooms are accessible to wheelchair users. There are disabled toilet facilities on each floor of the building. Hearing loops and earphones are available from reception and can be used in all meeting rooms.

### **Toilets**

Public toilets are available on each floor of the building next to the lifts.

### **Recording of Business**

Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the executive (Cabinet), or any committee, sub-committee or other sub-group of the Council or the executive.

### **Banners, Placards and similar items**

No member of the public shall be allowed to bring into or display at any Council meeting any banner, placard, poster or other similar item. The Chairman may require any such item to be removed.

### **Disturbance by Public**

If a member of the public interrupts proceedings, the Chairman will warn the person concerned. If they continue to interrupt, the Chairman will order their removal from the meeting room. If there is a general disturbance in any part of the meeting room open to the public, the Chairman may call for that part to be cleared.

### **Smoking**

Since 1 July 2008, the Council has operated a new Smoke Free Policy. Visitors are not allowed to smoke at any time within the Council offices, or in the car park or other grounds forming part of those offices.

### **Food and Drink**

Vending machines and a water dispenser are available on the ground floor near the lifts at the front of the building. Visitors are not allowed to bring food or drink into the meeting room.

### **Mobile Phones**

Visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings or are switched off altogether.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Standards Committee

August 2010

**AUTHOR/S:** Executive Director (Corporate Services) / Legal and Democratic Services  
Manager

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**CAXTON PARISH COUNCIL: REQUESTS FOR DISPENSATIONS****Purpose**

1. Caxton Parish Councillors Richard Bartram, Margaret Harrison, Kirsty Human and Nigel Pearson have applied formally for dispensations to enable them to remain in meetings and to discuss and vote on matters concerning Ermine Street, Caxton. This is not a key decision.

**Recommendations and Reasons**

2. That the Standards Committee grant dispensations until May 2014, the duration of the current Parish Council, to Caxton Parish Councillors Richard Bartram, Margaret Harrison, Kirsty Human and Nigel Pearson with the reminder that they are still to declare an interest in any matters concerning Ermine Street as described below, and to declare that they have received a dispensation for that interest.

**Background**

3. Under *The Standards Committee (Further Provisions) (England) Regulations 2009*, the Standards Committee may grant a dispensation to a member in the following circumstances:
  - (a) where the transaction of business of the authority would, but for the grant of any other dispensation in relation to that business, on each occasion on which the dispensation would apply, otherwise be impeded by, or as a result of, the mandatory provisions because
    - (i) the number of members of the authority prohibited from voting on the business of the authority at a meeting exceeds 50% of those members that, but for the granting of any dispensations relating to that business, would otherwise be entitled to vote on that business; or
    - (ii) the number of members prohibited from voting on the business of the authority at a meeting would, but for the granting of any dispensations relating to that business, upset the political balance of that meeting to such an extent as to prejudice the outcome of voting in that meeting;
  - (b) the member has submitted to the standards committee a written request for a dispensation explaining why it is desirable; and
  - (c) the standards committee concludes that having regard to the matters mentioned in sub-paragraph (a) above, the written request made pursuant to sub-paragraph (b) above, and to any other relevant circumstances of the case, it is appropriate to grant the dispensation.
4. Nothing in paragraph 3 above shall permit a dispensation to be granted
  - (a) in respect of participation in business of the authority conducted more than four years after the date on which the dispensation is granted; or
  - (b) where the effect of the mandatory provisions from which a dispensation is sought is that

- (i) a member is prohibited from voting on a matter at a meeting of an overview and scrutiny committee of an authority relating to a decision made by any body of which that person was a member at the time the decision was taken; or
- (ii) a member of the authority’s executive is prohibited from exercising functions which are the responsibility of the executive of the authority and which would otherwise be discharged by that member solely.

**Considerations**

- 5. The parish councillors have noted on their application forms that five of seven members of the Parish Council live on Ermine Street.

**Options**

- 6. Not to grant a dispensation could leave the Parish Council unable to discuss any matters relating to Ermine Street, which is the main thoroughfare in the village and the road upon which the majority of Caxton’s residents live.

**Implications**

7. Financial	None.
Legal	Parish Council members must still declare an interest in matters in which they have been granted a dispensation. As a matter of good practice, members should also state that they have been granted a dispensation, by stating that, “I declare an interest as a resident of Ermine Street, for which I have been granted a dispensation by the Standards Committee”.
Staffing	None.
Risk Management	None.
Equal Opportunities	None.
Climate Change	None.

**Consultations**

- 8. None.

**Effect on Strategic Aims**

- 9. Commitment to being a listening council, providing first class services accessible to all: The Standards Committee has previously granted similar dispensations in 2006 and again in 2009 in respect of the five members of the seven-member Eltisleigh Parish Council then resident at Caxton End, Eltisleigh, to enable the Parish Council to conduct business relating to Caxton End; and also in 2008 to the three members of the five-member Madingley Parish Council then resident at Dry Drayton Road, for the same reasons.
- 10. Commitment to providing a voice for rural life: The Standards Committee has the power to grant a dispensation upon request from a parish council.

**Background Papers:** the following background papers were used in the preparation of this report:

The Standards Committee (Further Provisions) (England) Regulations 2009  
 Agendas and Minutes of Standards Committee 10 May 2006, 8 November 2006, 20 February 2008, 17 June 2009

Dispensation Applications from Caxton Parish Councillors

**Contact Officer:** Holly Adams – Democratic Services Team Leader  
Telephone: (01954) 713030

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### Parish Council Member's Application for a Dispensation

To: Standards Committee, South Cambridgeshire District Council

Under Section 81 of the Local Government Act 2000, a member who has a prejudicial interest in a matter which is under consideration may not participate in the consideration of that matter by the Parish Council unless he / she has first obtained a dispensation from the Standards Committee of South Cambridgeshire District Council. The powers to grant a dispensation are governed by the Relevant Authorities (Standards Committee) (Dispensation) Regulations 2002. You may apply for a dispensation by completing this form and sending it to the Monitoring Officer of South Cambridgeshire District Council. Please do so as soon as you are aware of the possible conflict, before South Cambridgeshire District Council Standards Committee is due to meet and before the matter is due to be considered by the Parish Council. Please complete the attached form as fully as possible as the request for dispensation must be written and explain why the dispensation is desirable.

Please note that for Standards Committee to conclude that it is appropriate to grant a dispensation it must have regard to the reason for the request, the content of the written application and to all the other circumstances of the case.

***If you are granted a dispensation, please note that the Standards Committee must be notified if the circumstances under which it was granted change.***

Your Name and Parish Council / Meeting:

RICHARD BARTRAM / CAXTON

What is the matter which is shortly to be considered and in respect of which you seek a dispensation?

ALL MATTERS INVOLVING ERMINE ST., CAXTON, CAMBRIDGE

Is this matter to be considered by the Parish Council as a whole or by a sub-committee? If the latter please provide the name of the sub-committee.

WHOLE COUNCIL

What is the nature of your prejudicial interest?

I LIVE ON ERMINE ST., NO. 140

What is the date of the meeting at which this matter is to be considered?

The grounds for dispensation is that the number of Members of the body that are prohibited from participating in the business of the authority exceeds 50% of those Members that are entitled or required to so participate. Please provide details confirming this:

5 members of Caxton Parish Council live on Ermine St.

Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period not exceeding four calendar years.

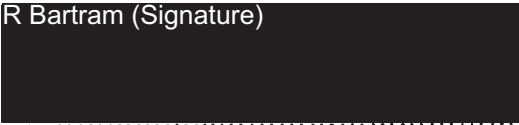
4 Years

Please set out below the reasons why you consider the Standards Committee should grant this dispensation:

Ermine St is the main thoroughfare in Caxton, and contains the most dwellings.

R Bartram (Signature)

Signed:

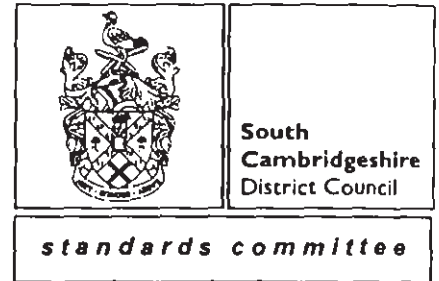


Date:

12th July 2010

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Please note that for Standards Committee to conclude that it is appropriate to grant a dispensation it must have regard to the reason for the request, the content of the written application and to all the other circumstances of the case.

***If you are granted a dispensation, please note that the Standards Committee must be notified if the circumstances under which it was granted change.***

Your Name and Parish Council / Meeting:

MARGARET PATRICIA HARRISON  
 CAXTON PARISH COUNCIL

What is the matter which is shortly to be considered and in respect of which you seek a dispensation?

ANY MATTERS RELATING TO BRMINE STREET

Is this matter to be considered by the Parish Council as a whole or by a sub-committee? If the latter please provide the name of the sub-committee.

PARISH COUNCIL AS A WHOLE

What is the nature of your prejudicial interest?

LIVING ON BRMINE STREET WHICH IS THE MAIN  
 AND CORE STREET OF CAXTON

What is the date of the meeting at which this matter is to be considered?

ANY MEETINGS DURING MY TERM OF OFFICE

The grounds for dispensation is that the number of Members of the body that are prohibited from participating in the business of the authority exceeds 50% of those Members that are entitled or required to so participate. Please provide details confirming this:

FIVE OF SEVEN COUNCILLORS LIVE ON GRMINE STREET

Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period not exceeding four calendar years.

FOUR CALENDAR YEARS

Please set out below the reasons why you consider the Standards Committee should grant this dispensation:

A LARGE AMOUNT OF THE COUNCIL'S BUSINESS CENTRES AROUND GRMINE STREET AND IT IS NECESSARY TO GIVE FAIR AND SYMPATHETIC CONSIDERATION TO THESE MATTERS

M Harrison (Signature)

Signed



Date: 23<sup>rd</sup> JULY 2010

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Please note that for Standards Committee to conclude that it is appropriate to grant a dispensation it must have regard to the reason for the request, the content of the written application and to all the other circumstances of the case.

***If you are granted a dispensation, please note that the Standards Committee must be notified if the circumstances under which it was granted change.***

Your Name and Parish Council / Meeting:

KIRSTY HUMAN, CAXTON PARISH COUNCIL

What is the matter which is shortly to be considered and in respect of which you seek a dispensation?

ALL MATTERS -  
~~PLANNING APPLICATIONS ON~~ ERMINE STREET

Is this matter to be considered by the Parish Council as a whole or by a sub-committee? If the latter please provide the name of the sub-committee.

WHOLE PARISH COUNCIL

What is the nature of your prejudicial interest?

I LIVE ON ERMINE STREET

What is the date of the meeting at which this matter is to be considered?

ALL MEETINGS DURING MY TERM OF OFFICE

The grounds for dispensation is that the number of Members of the body that are prohibited from participating in the business of the authority exceeds 50% of those Members that are entitled or required to so participate. Please provide details confirming this:

OVER 50% OF COUNCIL LIVE ON ERMINE STREET

Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period not exceeding four calendar years.

FOR MY TERM OF OFFICE TO MAY 2014

Please set out below the reasons why you consider the Standards Committee should grant this dispensation:

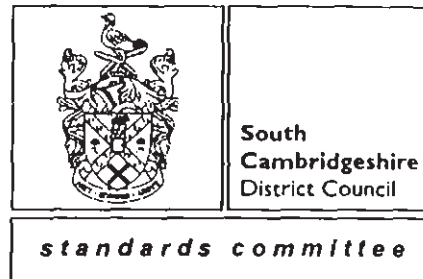
AS A PARISH COUNCIL WITH MANY PARISH COUNCILLORS LIVING ON ERMINE STREET IT WOULD BE IMPOSSIBLE TO MAKE ~~PLANNING~~ DECISIONS IF WE HAD TO DECLARE AN INTEREST AND ABSTAIN FROM ANY APPLICATIONS ON THAT ROAD. MATTERS

K Human (Signature)

Signed: ..... Date: 26/7/2010

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### Parish Council Member's Application for a Dispensation

To: Standards Committee, South Cambridgeshire District Council

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Please note that for Standards Committee to conclude that it is appropriate to grant a dispensation it must have regard to the reason for the request, the content of the written application and to all the other circumstances of the case.

***If you are granted a dispensation, please note that the Standards Committee must be notified if the circumstances under which it was granted change.***

Your Name and Parish Council / Meeting:

NIGEL H.A. PEARSON      AXTON P.C.

What is the matter which is shortly to be considered and in respect of which you seek a dispensation?

ERMINE STREET in which a significant proportion of the village live and is a bus street.

Is this matter to be considered by the Parish Council as a whole or by a sub-committee? If the latter please provide the name of the sub-committee.

P.C.

What is the nature of your prejudicial interest?

None, other than we live in the same street and that the standard regulations have been drawn up too tightly

What is the date of the meeting at which this matter is to be considered?

The grounds for dispensation is that the number of Members of the body that are prohibited from participating in the business of the authority exceeds 50% of those Members that are entitled or required to so participate. Please provide details confirming this:

Do you seek a dispensation just for the one meeting or for a longer period? If longer, please state a period not exceeding four calendar years.

Please set out below the reasons why you consider the Standards Committee should grant this dispensation:

Signed: ..... Date: .....



**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Standards Committee

August 2010

**AUTHOR/S:** Executive Director (Corporate Services) / Legal and Democratic Services  
Manager

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**GAMLINGAY PARISH COUNCIL: REQUESTS FOR DISPENSATIONS****Purpose**

1. Councillors Peter Dolling, David Finnigan, Lewis Girdwood, Maggy Halliday, Jason Nicholas, David Sadler and Ian Simpson, of Gamlingay Parish Council, have applied formally for dispensations to enable them to remain in meetings and vote on matters concerning the Community Centre's financial affairs or which relate to regulatory issues such as planning permission, licensing or contracts. This is not a key decision, but has been brought to this extraordinary meeting of the Standards Committee due to the time constraints described below at paragraph 6, which would prevent this issue being considered at the Standards Committee meeting scheduled for 15 September 2010.

**Recommendations and Reasons**

2. That the Standards Committee grant dispensations until May 2014, the duration of the current Parish Council, to Gamlingay Parish Councillors Peter Dolling, David Finnigan, Lewis Girdwood, Maggy Halliday, Jason Nicholas, David Sadler and Ian Simpson, with the reminder that they are still to declare an interest in any matters concerning Gamlingay Community Centre as described below, and to declare that they have received a dispensation for that interest.

**Background**

3. Under *The Standards Committee (Further Provisions) (England) Regulations 2009*, the Standards Committee may grant a dispensation to a member in the following circumstances:
  - (a) where the transaction of business of the authority would, but for the grant of any other dispensation in relation to that business, on each occasion on which the dispensation would apply, otherwise be impeded by, or as a result of, the mandatory provisions because
    - (i) the number of members of the authority prohibited from voting on the business of the authority at a meeting exceeds 50% of those members that, but for the granting of any dispensations relating to that business, would otherwise be entitled to vote on that business; or
    - (ii) the number of members prohibited from voting on the business of the authority at a meeting would, but for the granting of any dispensations relating to that business, upset the political balance of that meeting to such an extent as to prejudice the outcome of voting in that meeting;
  - (b) the member has submitted to the standards committee a written request for a dispensation explaining why it is desirable; and
  - (c) the standards committee concludes that having regard to the matters mentioned in sub-paragraph (a) above, the written request made pursuant to sub-paragraph (b) above, and to any other relevant circumstances of the case, it is appropriate to grant the dispensation.

4. Nothing in paragraph 3 above shall permit a dispensation to be granted
  - (a) in respect of participation in business of the authority conducted more than four years after the date on which the dispensation is granted; or
  - (b) where the effect of the mandatory provisions from which a dispensation is sought is that
    - (i) a member is prohibited from voting on a matter at a meeting of an overview and scrutiny committee of an authority relating to a decision made by any body of which that person was a member at the time the decision was taken; or
    - (ii) a member of the authority's executive is prohibited from exercising functions which are the responsibility of the executive of the authority and which would otherwise be discharged by that member solely.
5. The parish councillors have noted on their application forms that, "The Parish Council is seeking to enhance community facilities within the village with a major refurbishment project for the Community Centre, transforming it into an Eco-Hub. This will involve financial input from the Parish Council, grant applications to external bodies and potentially borrowing money. Planning applications for the Hub will be considered by the Parish Council planning committee and its Finance committee will consider the impact of spending. Members need clarification that they are all entitled to discuss and vote on all issues pertaining to the Community Centre / Hub." The Parish Clerk has advised that the Community Centre is a standing agenda item at all full council meetings.
6. The Parish Clerk has further advised that there will be major grant decisions on 1 September 2010 and a special meeting of the Parish Council on 3 September 2010 at which point the Parish Council must decide whether or not the contractors will be asked to commence work immediately. The project is behind schedule and the tender price is only valid until the second week of September. Several of the Parish Councillors who currently hold dispensations will be on holiday at this time, and the Parish Council seeks to ensure that at least 50% of the Parish Council will have the necessary dispensations to enable the authority to debate and determine the matter.

### **Considerations**

7. The Deputy Monitoring Officer advised the Parish Council prior to the December 2009 Standards Committee meeting that, as the parish council as a whole is the holding / custodian trustee, all councillors would have a personal interest in the community centre but it is likely that they would have a prejudicial interest only in matters concerning the financial affairs of the centre or which involve any regulatory issue such as planning permission, licensing, or contracts. The Parish Council has been further advised that, while holding a position of authority on the management committee increases the chance of the public perception being that the councillor has a prejudicial interest, it does not mean that those councillors who are just trustees and not members of the management committee do not also have a prejudicial interest. For this reason, the Deputy Monitoring Officer recommended that all members of the Parish Council apply for dispensations.
8. The Standards Committee, at its meeting of 9 December 2009, having heard that there were two vacancies then on Gamlingay Parish Council, granted dispensations to the ten current members of Gamlingay Parish Council, and advised the Parish Council that any newly-elected or co-opted members to the two vacancies should apply for similar dispensations upon election or co-option. At the meeting of 10 March 2010, the Standards Committee granted identical dispensations to the two

newly co-opted members of Gamlingay Parish Council. At the meeting of 16 June 2010, a dispensation was granted to a member who had been recently co-opted.

9. Councillor Simpson was one of the members granted a four-year dispensation from this interest on 9 December 2009, but resigned from the Parish Council in January 2010, and now seeks a new dispensation following his re-election in May 2010.

**Options**

10. Not to grant a dispensation could leave the Parish Council unable to discuss any regulatory matters relating to Gamlingay Community Centre, as members' holidays and the recent changes in the composition of the Parish Council could mean that more than 50% of the Parish Council would not be covered by a dispensation and therefore unable to participate.

**Implications**

11.	Financial	None.
	Legal	Parish Council members must still declare an interest in matters in which they have been granted a dispensation. As a matter of good practice, members should also state that they have been granted a dispensation, by stating that, "I declare an interest as a member of the holding / custodian trust for Gamlingay Community Centre, for which I have been granted a dispensation by the Standards Committee".
	Staffing	None.
	Risk Management	None.
	Equal Opportunities	None.
	Climate Change	None.

**Consultations**

12. Ms L Bacon, Gamlingay Parish Clerk.

**Effect on Strategic Aims**

13. Commitment to being a listening council, providing first class services accessible to all: The Standards Committee has already granted thirteen dispensations to the members of Gamlingay Parish Council, and these further requests have been made based on the Committee's own advice that any new elected or co-opted members apply for a similar dispensation upon election or co-option.
14. Commitment to making South Cambridgeshire a place in which residents can feel proud to live: Gamlingay Community Centre is a village amenity for which the Parish Council, as the holding / custodian trust, has responsibility.
15. Commitment to providing a voice for rural life: The Standards Committee has the power to grant a dispensation upon request from a parish council.

**Background Papers:** the following background papers were used in the preparation of this report:

The Standards Committee (Further Provisions) (England) Regulations 2009  
 Agendas and Minutes of Standards Committee 3 October 2002, 7 June 2007, 11 March 2009, 17 June 2009, 9 September 2009, 9 December 2009, 10 March 2010, 16 June 2010

Letter from Gamlingay Parish Council, 16 November 2009  
Dispensation Applications from Gamlingay Parish Councillors

**Contact Officer:** Holly Adams – Democratic Services Team Leader  
Telephone: (01954) 713030

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Your Name and Parish Council / Meeting:

x *Peter Dolling* Gamlingay Parish Council

What is the matter which is shortly to be considered and in respect of which you seek a dispensation?

Gamlingay Community Centre – various issues regarding a major refurbishment programme.

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Four calendar years with immediate effect.

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X Signed  
P Dolling (Signature)

Date: 03/06/10

South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne  
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## Parish Council Member's Application for a Dispensation

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Your Name and Parish Council / Meeting:

x DAVID  
FINNIGAN, Gamlingay Parish Council

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X Signed



Date: 6-8-2010



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Your Name and Parish Council / Meeting:

x LEWIS  
 GIRDWOOD Gamlingay Parish Council

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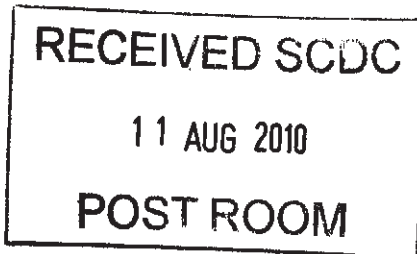
L Girdwood (Signature)

X Signe

Date: 13/7/2010

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 Cambourne Business Park  
 Cambourne  
 Cambridge  
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Your Name and Parish Council / Meeting:

x *Maggie*  
*HALLIDAY*

Gamlingay Parish Council

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X Signed



Date: .....

7.8.10

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Your Name and Parish Council / Meeting:

x JASON NICHOLAS Gamlingay Parish Council

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J Nicholas (Signature)

X Signed



Date: 13/7/10

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Your Name and Parish Council / Meeting:

x D. SADLER . Gamlingay Parish Council

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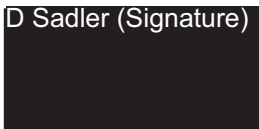
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X Signed

D Sadler (Signature)



Date: 8/06/2010



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Your Name and Parish Council / Meeting:

 **IAN SIMPSON**  
 Gamlingay Parish Council

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Simpson (Signature)

X S

Date:

8/10/20