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30 May 2012

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

Members of the Standards Committee:

Diane Best	Independent Member
Rick Bristow	Parish Council Member
Nigel Cathcart	District Council Member, non-group
Roger Hall	District Council Member, Conservative Group
John House	Independent Member
Janet Lockwood	District Council Member, Liberal Democrat Group
Simon Martin	Parish Council Member
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, Conservative Group
Jim Stewart	District Council Member, Liberal Democrat Group
James Williams	Independent Member

and to I Dewar (County Executive Officer, Cambridgeshire & Peterborough Association of Local Councils (CAPALC)), for information.

Dear Sir or Madam

You are invited to attend the next meeting of **STANDARDS COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **MONDAY, 11 JUNE 2012 at 10.00 a.m.**

Yours faithfully  
**JEAN HUNTER**  
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**  
Apologies have been received from Mr John House.
- 2. Declarations of Interest**

## **DECISION ITEMS**

### **3. SHUDY CAMPS Parish Council: Requests for Dispensations**

**1 - 4**

#### **OUR VISION**

South Cambridgeshire will continue to be the best place to live and work in the country. Our district will demonstrate impressive and sustainable economic growth. Our residents will have a superb quality of life in an exceptionally beautiful, rural and green environment. The Council will be recognised as consistently innovative and a high performer with a track record of delivering value for money by focussing on the priorities, needs and aspirations of our residents, parishes and businesses.

#### **OUR VALUES**

We will demonstrate our corporate values in all our actions. These are:

- Trust
- Mutual respect
- A commitment to improving services
- Customer service

## **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. Infra-red hearing assistance systems are available in the Council Chamber and viewing gallery. To use these, you must sit in sight of the infra-red transmitter and wear a 'neck loop', which can be used with a hearing aid switched to the 'T' position. If your hearing aid does not have the 'T' position facility then earphones are also available and can be used independently. You can obtain both neck loops and earphones from Reception.

### **Toilets**

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

### **Recording of Business and Use of Mobile Phones**

The Council is committed to openness and transparency. The Council and all its committees, sub-committees or any other sub-group of the Council or the Executive have the ability to formally suspend Standing Order 21.4 (prohibition of recording of business) upon request to enable the recording of business, including any audio / visual or photographic recording in any format.

Use of social media during meetings is permitted to bring Council issues to a wider audience. To minimise disturbance to others attending the meeting, all attendees and visitors are asked to make sure that their phones and other mobile devices are set on silent / vibrate mode during meetings.

### **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 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.

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

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**REPORT TO:** Standards Committee

11 June 2012

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

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**SHUDY CAMPS PARISH COUNCIL: REQUEST FOR DISPENSATION****Purpose**

1. Councillors Anthony Broscomb, Mark Howell, Roger Lemon, of Shudy Camps Parish Council, have applied formally for dispensations to enable them to remain in meetings and comment on matters relating to planning application S/0914/12 (erection of a dwelling & garage & new vehicular access) as they live in adjacent properties. This is not a key decision, but has been brought to this meeting of the Standards Committee due to the matters described below at paragraph 5.

**Recommendations and Reasons**

2. That the Standards Committee consider whether or not to grant dispensations until 1 July 2012, to Shudy Camps Parish Councillors Anthony Broscomb, Mark Howell and Roger Lemon, with the reminder that they are still to declare an interest in any matters concerning planning application S/0914/12 as described below, and to declare that they have received a dispensation for that interest.

**Background**

3. There are five members of Shudy Camps Parish Council and three of the members live in properties adjacent to the development site. Without a dispensation, the Parish Council would not be quorate and therefore unable to comment on the application.
4. 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.

5. Nothing in paragraph 4 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.
6. The Standards Committee, on 14 November 2007, granted dispensations from this same interest to three of the five councillors on Shudy Camps Parish Council when the Parish Council was being consulted about an earlier development on this site.
7. As of 1 September 2007, Shudy Camps Parish Council adopted the Local Authorities (Model Code of Conduct) Order 2007, including Paragraph 12(2), which would enable members with a prejudicial interest to remain in the meeting room during discussion of the planning application, "for the purpose of making representations, answering questions or giving evidence relating to the business", provided that the public were also able to attend the meeting for the same purpose.
8. Determination of the application would not be by the Parish Council, but by the District Council as the local planning authority, of which the Parish Council is a consultee.

**Considerations**

9. Dispensations granted by the Standards Committee will cease to have effect upon the expected commencement of the Localism Act 2011 on 1 July 2012, at which time the new categories of interests will become law. The Standards Committee newsletter of March 2012 has advised all parish councils with current dispensations that they will need to reconsider their interests and whether they still need dispensations, then re-apply to the Standards Committee for dispensations under the new regime if required.

**Options**

10. Not to grant a dispensation would not prevent the Parish Council from discussing the planning application under the terms of Paragraph 12(2); however, members with a prejudicial interest would not be entitled to vote, should a vote be required to determine the Parish Council's recommendation to the District Council Planning Committee.

**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 owner of the adjacent property, 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. Mrs Elizabeth Gladman, Clerk to Shudy Camps Parish Council.

**Effect on Strategic Aims**

- 13. Commitment to being a listening council, providing first class services accessible to all: The Standards Committee has already granted three identical dispensations to the members of Shudy Camps Parish Council.
- 14. 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 14 November 2007
- Dispensation Applications from Shudy Camps Parish Councillors

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