

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Standards Committee

14 November 2007

AUTHOR/S: Chief Executive / Democratic Services Officer

SHUDY CAMPS PARISH COUNCIL: REQUESTS FOR DISPENSATIONS

Purpose

1. Three of the five members of Shudy Camps Parish Council seek a dispensation from the Standards Committee from any items concerning a planning application for barn conversion and residential development at Carters Farm, Main Street, Shudy Camps. A fourth member of the Parish Council is the applicant, and the fifth Parish Council member does not have any prejudicial interest. This is not a key decision and has not been published in the Forward Plan.

Background

2. Under the *Relevant Authorities (Standards Committee)(Dispensations) Regulations 2002*, a standards committee can grant a dispensation to a member if:
 - (a) the transaction of business of the authority would, on each occasion on which the dispensation would apply, otherwise be impeded by, or as a result of, the mandatory provisions because:
 - (i) the numbers of members of the authority that are prohibited from participating in the business of the authority exceeds 50 per cent of those members that are entitled or required to participate; or
 - (ii) the authority is not able to comply with any duty which applies under section 15(4) of the Local Government and Housing Act 1989;
 - (b) the member has submitted to the standards committee a written request for a dispensation explaining why it is desirable.
3. The dispensation is sought by Parish Councillors Juliet Battong, Anthony R Broscomb and Roger W Lemon (applications attached), and is requested for all meetings at which the specific planning application is on the agenda, starting from the date the application is received until such date as the application has been determined.
4. All requests to a Standards Committee for dispensations are granted at the Committee's discretion.

Considerations

5. 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. The maximum time for which a dispensation may be granted is four years.
6. 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.

7. 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 statutory consultee.

Options

8. 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

9.	Financial	None
	Legal	None
	Staffing	None
	Risk Management	None
	Equal Opportunities	None

Consultations

10. None.

Effect on Annual Priorities and Corporate Objectives

11.	Affordable Homes	None
	Customer Service	None
	Northstowe and other growth areas	None
	Quality, Accessible Services	None
	Village Life	The Parish Councillors state that the planning application is for a significant development in their village and that they believe that the electors in Shudy Camps will wish to express their views on the application at a meeting of the Parish Council, in order for the Parish Council to take these views into account in reaching a decision on the planning application.
	Sustainability	None
	Partnership	None

Recommendation

12. To determine whether or not to grant dispensations to Shudy Camps Parish Councillors Juliet Battong, Anthony R Broscob and Roger W Lemon for all meetings at which the Carters Farm, Main Street, Shudy Camps planning application is on the agenda, for a period of no more than four years.

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

Relevant Authorities (Standards Committee)(Dispensations) Regulations 2002
 Dispensation Applications from Shudy Camps Parish Councillors October 2007

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