

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Standards Committee

11 March 2009

AUTHOR/S: Chief Executive / Democratic Services Officer

BARRINGTON PARISH COUNCIL – REQUEST FOR DISPENSATION

Purpose

1. A recently co-opted member of Barrington Parish Council seeks a dispensation from the Standards Committee from any items concerning Barrington Green.

Background

2. Barrington Green, in the centre of the village, was designated as common land and established as a charity in the early twentieth century, of which the Parish Council was nominated as Custodian and sole Trustee of The Green Charity Barrington. The Charity, therefore, can exercise its power as Trustee only through the members of Barrington Parish Council.
 3. The Standards Committee, at its meeting of 3 October 2002, granted a four-year dispensation to the (then) six Parish Councillors in Barrington from any items concerning Barrington Green and noted that any new Barrington Parish Council members would need to apply for a dispensation. This dispensation was renewed on 7 June 2007 for a further four years.
 4. 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.
 5. The dispensation is sought by Parish Councillor David Whybrow, who was co-opted to Barrington Parish Council on 20 January 2009, and is requested for the duration of the elected period of the current Parish Council, which ends in May 2011.
 6. All requests to a Standards Committee for dispensations are granted at the Committee's discretion.
- #### Considerations
7. 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.

8. The Monitoring Officer, writing to the Parish Clerk in 2002, noted that, in point of fact, the individual Parish Councillors were not Trustees, but were members of the Trustee, and therefore should declare that "I am a member of the Trustee of the Green".

Options

9. Not to grant a dispensation would not leave the Charity unable to operate as all other members of the Parish Council have received a dispensation.

Implications

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

Consultations

11. None.

Effect on Annual Priorities and Corporate Objectives

12.	Affordable Homes	None
	Customer Service	None
	Northstowe and other growth areas	None
	Quality, Accessible Services	None
	Village Life	The Standards Committee has the power to grant a dispensation upon request from a parish council.
	Sustainability	None
	Partnership	None

Recommendations

13. To grant a dispensation until May 2011, the duration of the current Parish Council, to David Whybrow of Barrington Parish Council, with the reminder that he is still to declare an interest in any matters concerning Barrington Green as described above, and to declare that he has received a dispensation for that interest.

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

Relevant Authorities (Standards Committee)(Dispensations) Regulations 2002
 Letter from Barrington Parish Clerk 23 January 2009
 Letter from Monitoring Officer 22 May 2002
 Minutes of Standards Committee 3 October 2002, 7 June 2007
 Report to Standards Committee 7 June 2007

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