

---

## **STANDARDS COMMITTEE**

**10 AUGUST 2007**

Report of the Head of Civic, Democratic and Legal Services

### **APPLICATIONS TO THE STANDARDS COMMITTEE FOR A DISPENSATION BY MEMBERS OF BISHOPTHORPE PARISH COUNCIL**

#### **Summary**

1. This report sets out details of applications for dispensations received by Councillors Bruce, Jamison, Dale, Livesley, Dunn, Mellors, Green, Thornton, Harrison and Watkins of Bishopthorpe Parish Council in respect of their participation in the St Andrew's Reading Room charity.

#### **Background**

2. Section 81(4) of the Local Government Act 2000 states that participation by a Member in any business which is prohibited by the mandatory provisions (Prejudicial Interests) is not a failure to comply with the Authority's Code of Conduct if the Member has acted in accordance with the dispensation from the prohibition granted by the Authority's Standards Committee in accordance with regulations.
3. The relevant Authorities (Standards Committee) (Dispensation) Regulations 2002 state that a dispensation can be granted to individual Members when over 50% of the Council or a Committee would be prevented from taking part in a meeting because of prejudicial interests or when the political balance of the Council would be upset.
4. Annex 1 sets out the applications for dispensations received from Councillors Bruce, Jamison, Dale, Livesley, Dunn, Mellors, Green, Thornton, Harrison and Watkins of Bishopthorpe Parish Council in respect of their participation in the St Andrew's Reading Room charity. The regulations state that applications must be made in writing explaining why a dispensation is desirable.
5. The Standards Committee is required to consider applications and grant or otherwise a dispensation. In addition, the Standards Committee is required to ensure that the existence, duration and nature of any dispensation is recorded in writing and is kept with the Register of Interests. Members should note that such dispensations can be for no more than 4 years.

## **Consultation**

6. This is a matter for the Standards Committee. Further consultation is not required.

## **Options**

7. The Standards Committee can either grant or refuse the dispensation.

## **Analysis**

8. The information required for consideration is contained in the Annex attached.

## **Corporate Priorities**

9. Compliance with the Local Government Act 2000 contributes to the corporate priority of improving leadership at all levels to provide clear, consistent direction to the organisation.

## **Implications**

10. There are no specific Financial, HR, Equalities, Crime and Disorder, Information Technology, Property or Other implications of the applications. The Legal implications are as set out in this report.

## **Risk Management**

11. Compliance with the provisions of the Local Government Act 2000 ensure that decisions taken by both City of York Council and Parish Councils are robust and in accordance with the appropriate ethical governance framework.

## **Recommendations**

12. The Standards Committee are asked to consider the applications received and either agree to grant the dispensations or may choose not to do so.

Reason: To ensure that the decisions of Bishopthorpe Parish Council are in accordance with the provisions of the Local Government Act 2000.

## **Contact Details**

### **Author:**

Suzan Hemingway  
Head of Civic, Democratic &  
Legal Services  
Chief Executive's Department  
Tel No. 551004

### **Chief Officer Responsible for the report:**

Suzan Hemingway  
Head of Civic, Democratic & Legal Services

**Report Approved**

**Date** 24 May 2007

**Specialist Implications Officer(s)**

None

**Wards Affected:**

All

**For further information please contact the author of the report**

**Background Papers:**

None

**Annexes**

Annex 1 - The applications for dispensations from Councillors Bruce, Jamison, Dale, Livesley, Dunn, Mellors, Green, Thornton, Harrison and Watkins of Bishopthorpe Parish Council