

**Report of the Monitoring Officer****Application for dispensation****1. Summary**

- 1.1 Bishopthorpe Parish Councillors are seeking a dispensation from the Code of Conduct allowing them to participate in decisions relating to the Village Hall.

**2. Background**

- 2.1 Councillors are obliged to register interests in any body directed to charitable purposes of which the Councillor is a member or in a position of general control or management. If any business of the authority relates to or is likely to affect that body then the Councillor has a personal interest in that business which must be declared.
- 2.2 Where a member of the public with knowledge of the relevant facts would consider the interest to be so significant that it is likely to prejudice the Councillor's view of the public interest then the interest will be considered to be prejudicial. This though only applies where the business would affect the financial position of the body or relates to a regulatory matter.
- 2.3 The effect of an interest being prejudicial is that the Councillor must normally withdraw from the meeting while the business is being discussed. The Standards Committee has the power though to grant dispensations allowing Councillors to participate in discussing such business if more than half the Councillors would have to withdraw or if the political balance of the meeting would be upset. Such a dispensation may be given for a specific meeting or for a period of up to four years.
- 2.4 Bishopthorpe Parish Councillors act as trustees to the St. Andrew's Reading Room Charity. The Charity is responsible for the village hall, which is in turn managed by the Parish Council. There will undoubtedly be a need for Parish Councillors to declare their interest in the charity whenever the Village Hall is discussed and, if the discussions affect finances then the interest may well be prejudicial. This would mean that none of the Councillors would be able to participate in decision making. For that reason, four years ago the Committee granted Bishopthorpe Parish Councillors a dispensation allowing them to participate in discussions relating to the Village Hall notwithstanding their status as

charity trustees. This dispensation has now expired and the ten Parish Councillors have made a formal written request for it to be renewed.

2.5 A copy of the application for dispensation is attached to this report at annex one.

### 3. Recommendations

3.1 That the Standards Committee grants the dispensation sought by the named Parish Councillors.

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	<b>Report Approved</b>	<i>Tick</i>	<b>Date</b>	15/6/2011

#### Background papers

None

#### Annex

Application for dispensation