



Standards Board - 7 April 2010

Request for Dispensations - Oundle Town Council

Summary

The Board is asked to consider requests for dispensations in respect of two Oundle Town Councillors.

Attachment(s)

None

1. Secondary legislation made under the Local Government Act 2000 empowers the Board to consider and, in certain specified circumstances grant, dispensations in respect of Members of East Northamptonshire Council and the Town and Parish Councils in East Northamptonshire. The Board is asked to consider requests from two Oundle Town Councillors in accordance with the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002.
2. The Regulations prescribe the circumstances in which a Standards Committee may grant dispensations locally to Members and co-opted Members of relevant Authorities in England. If a Member or co-opted Member acts in accordance with the grant of dispensation, his or her participation in the business which would otherwise be prohibited by the mandatory provisions of the Authority's Code of Conduct, is not a failure to comply with the Authority's code.
3. A request for a dispensation has been received on behalf of two new Councillors, Susan Oakes and Mark Ormrod, of Oundle Town Council in respect of the Queen Victoria Hall Charitable Trust. All Oundle Town Councillors are Trustees of the Queen Victoria Hall Charity by virtue of their office.
4. The Queen Victoria Hall Trust passed to Oundle Town Council on local government reorganisation in 1974 on the demise of the former Oundle Urban District Council. Responsibility for the Trust management rests with the Town Council and the Councillors are Trustees by virtue of their office for as long as they remain Councillors. All have an equal personal interest in the Charity, and as Trustees, they could have a personal financial liability in the unlikely event that the Council as the local authority were to resolve at any time not to defray the cost of the upkeep of the Hall. The other serving Town Councillors hold dispensations granted by the Board at its meetings on 9 July 2007 and 4 February 2009.
5. Following the Standards Committee (Further Provisions) (England) Regulations 2009 the grounds on which standards committees may grant dispensations to local authority members have changed. Unlike previously, the fact that dispensations have been granted to other members of the Council is now ignored for the purposes of the 50% rule. As a consequence the Board is now able to consider granting requests such as this resulting from the appointment of new Councillors where the remainder of the Council has existing dispensations.
6. Since the granting of dispensations is specific to an individual it is suggested that the dispensation should be time limited to their expected term of office or four years, whichever ever is less.
7. The Board is invited to consider and determine the request.

Implications:					
Corporate Outcomes or Other Policy/Priority/Strategy					
Good Quality of Life	<input type="checkbox"/>	Good Reputation	<input type="checkbox"/>		
Good Value for Money	<input type="checkbox"/>	High Quality Service Delivery	<input type="checkbox"/>		
Effective Partnership Working	<input type="checkbox"/>	Strong Community Leadership	<input type="checkbox"/>		
Effective Management	<input type="checkbox"/>	Knowledge of our Customers and Communities	<input type="checkbox"/>		
Employees and Members with the Right Knowledge, Skills and Behaviours					<input type="checkbox"/>
Other: Standards of Conduct in Public Life					<input checked="" type="checkbox"/>
Decision(s) would be outside the budget or policy framework and require full Council approval					<input type="checkbox"/>
Financial	There are no financial implications at this stage				<input checked="" type="checkbox"/>
	There will be financial implications – see paragraph				<input type="checkbox"/>
	There is provision within existing budget				<input type="checkbox"/>
	Decisions may give rise to additional expenditure at a later date				<input type="checkbox"/>
	Decisions may have potential for income generation				<input type="checkbox"/>
Risk Management	An assessment has been carried out and there are no material risks				<input checked="" type="checkbox"/>
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score -				<input type="checkbox"/>
Staff	There are no additional staffing implications				<input checked="" type="checkbox"/>
	Additional staff will be required – see paragraph				<input type="checkbox"/>
Equalities and Human Rights	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications				<input checked="" type="checkbox"/>
	There will be an impact on equality (see categories above) or human rights implications – see paragraph				<input type="checkbox"/>
Legal	Power: Local Government Act 2000; The Relevant Authorities(Standards Committees) (Dispensations) Regulations 2002				
	Other considerations:				
Background Papers: OTC Request					
Person Originating Report: Sharn Matthews, Monitoring Officer, 01832 742108, smatthews@east-northamptonshire.gov.uk					
Date: 30/3/10					
CFO		MO		CX	

(Committee Report Normal Rev. 21)