

ITEM NO. 6

STANDARDS COMMITTEE

15TH JANUARY 2004

REVIEW OF THE DISPENSATION GRANTED TO THE MEMBERS OF ASH-CUM-RIDLEY PARISH COUNCIL WHO ARE RESIDENTS OF NEW ASH GREEN

ITEM FOR DECISION

The dispensation granted to certain members of Ash-cum-Ridley Parish Council on the 19th February 2003 is reviewed.

RECOMMENDATION

That the dispensation granted to Cllrs. Martin, Farmer, Brown, Clark, Jahed, Wright, Evans, Brammer, Clucas and Mason on the 19th February 2003 be rescinded following recommendations made by the Standards Board for England.

Introduction

(1) Members of Ash-cum-Ridley Parish Council had in the past been granted a dispensation under Section 97(i) of the Local Government Act 1972 to enable members of Ash-cum-Ridley Parish Council to take part in the consideration and discussion of and to vote on any question with respect to grants to the New Ash Green Village Association at meetings of the Parish Council even though such members had a pecuniary interest.

(2) A similar dispensation was later sought under the Relevant Authorities (Standards Committee)(Dispensations) Regulations 2002 to allow members of Ash-cum-Ridley to participate in the discussion and to vote on any question with respect to grants to the New Ash Green Village Association Limited and land in which the Association had an interest. The dispensation was granted on the 19th February 2003 to Cllrs. Martin, Farmer, Brown, Clark, Jahed, Wright, Evans, Brammer, Clucas and Mason of Ash-cum-Ridley Parish Council.

Recommendation and Advice from the Standards Board for England

(3) In the light of a recent investigation undertaken by the Standards Board for England the Board recommended that this committee review the dispensation granted on the 19th February to the members of Ash-cum-Ridley Parish Council who are residents of New Ash Green.

(4) The Standards Board for England's recommendation stated that the councillors, whose interest in New Ash Green Village Association Limited is solely due to their residency in the village, have no control or influence over the decisions of the Village Association. On the basis of this the Standards Board for England's view is that such an interest would be a personal interest for those members, but would not be considered to be prejudicial. This being the case, members do not have a prejudicial interest in New Ash Green Village Association Limited and

ITEM NO. 6

would not require a dispensation. Thus, the Parish council would be able to continue to conduct its business in relation to such matters. The position of the Ash-cum-Ridley councillors, who are members of New Ash Green Village Association Limited, is different. They have influence over the decisions it makes and would therefore need to consider the nature of their interest on an individual basis.

Recommendation

(5) Following the recommendation and advice given by the Standards Board for England this committee is requested to resolve that the dispensation granted on the 19th February 2003 to members of Ash-cum-Ridley Parish Council is rescinded from the date hereof.

Sources of Information

Standards Board for England

Contact Officer:

Christine Nuttall Ext. 7245

ROBIN HALES
CHIEF EXECUTIVE