

## ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	<b>Meeting:</b>	Standards Committee
2.	<b>Date:</b>	10 <sup>th</sup> September 2015
3.	<b>Title:</b>	Request for a dispensation from the Requirements of the Code of Conduct
4.	<b>Directorate:</b>	Resources & Transformation

### 5. Summary

- 5.1 The Committee is requested to consider requests for a dispensation from three Councillors at Ulley Parish Council.

### 6. Recommendations

- 6.1 That the Committee considers and determines the requests for a dispensation.
- 6.2 If a dispensation is granted, that the Committee decides the grounds for the grant, and the duration of the dispensation

### 7. Proposals and Details

- 7.1 Three Councillors from Ulley Parish Council have applied for a dispensation under the Localism Act 2011.
- 7.2 The circumstances are that the Parish Council own the Village Hall which is occupied by a charity called the Ulley Millennium Trust.
- 7.3 Two members of the Parish Council are trustees of the Millennium Trust and one Parish Councillor is a committee member of the trust.
- 7.4 As there are only five members of the Parish Council, when issues relating to the village hall or the Millennium Trust are discussed, the three members are required to declare an interest and the Council meeting becomes inquorate.
- 7.5 The Law
- 7.5.1 The Standards Committee may grant a dispensation under S33 of the Localism Act in the following circumstances.
- 7.5.2 That having regard to all the circumstances it

- a) Considers that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business, as to impede the transaction of the business.
- b) Considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business.
- c) Considers that granting the dispensation is in the interests of persons living in the area.
- d) If it is an authority to which Part 1A of the Local Government Act 2000 applied and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or
- e) Considers it is otherwise appropriate to grant a dispensation.

If the Committee were minded to grant a dispensation in this case, grounds 1,3 and 5 may be relevant and should be considered.

A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.

## **8. Finance**

None.

## **9. Risks and Uncertainties**

- 9.1 If the dispensation is not granted the Parish Council may be unable to fulfil its responsibilities as owner of the village hall

## **10. Policy and Performance Agenda Implications**

None.

## **11. Background Papers and Consultation**

11.1 Three applications for dispensations under the Localism Act 2011.

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