
STANDARDS COMMITTEE

MINUTES of the Meeting held in the Council Chamber, Swale House, East Street, Sittingbourne on Wednesday 10th August 2005 from 7.00 p.m. to 7.39 p.m.

PRESENT: Councillor Brenda Hammond (Vice-Chairman), Councillors Jackie Constable, Cindy Davis, John Morris and David Simmons.

ALSO IN ATTENDANCE: Messrs Osborne (Chairman), Long and Rogers (Independent Members) and Councillor T Parry (Parish Council Representative).

OFFICERS PRESENT: Miss Waltham and Mr Radford.

229 **APPLICATION FOR DISPENSATION FROM GRAVENEY & GOODNESTONE PARISH COUNCIL**

The Director of Corporate Services, Governance and Scrutiny, in his capacity as Monitoring Officer, explained to Members that this was the first dispensation request received by Swale Borough Council (SBC). He explained that the role of the Standards Committee on receipt of such a request was to decide whether to grant the dispensation to Members and Co-opted Members of relevant authorities, in this case the relevant authority being Graveney & Goodnestone Parish Council. The purpose of a dispensation was to allow a Member or Members, to participate in any business usually prohibited by mandatory provisions of the Model Code of Conduct.

Members were informed that dispensations could only be granted if half the Members required to participate in the business; in this case the seven Members of the Parish Council, would be unable to comply with the authority's Code of Conduct. The Parish Council had submitted a written request for a dispensation for each of the seven Members, in compliance with regulations. He also informed Members that a dispensation could cover a period of no longer than four years.

In summary, the Director of Corporate Services, Governance and Scrutiny, requested Members to consider the following three issues arising from the application for dispensation from Graveney & Goodnestone Parish Council for their Members to speak and vote on the planning application for the London Array Wind Farm:-

1. The Parish Council was an official consultee as part of the planning process and, as such, had an important role to play in contributing to the debate on the planning application. The process would recognise the closeness of their interests, but in light of the potential for judicial review, it was important that procedural matters regarding prejudicial interests, were dealt with appropriately.
2. All seven Members of Graveney & Goodnestone Parish Council sought dispensation. In consideration of the reasons stated in their request, the existence of a prejudicial interest was clear.
3. The development proposal covered a large area and fell within a small Parish. Without the dispensation there was a concern that those living within the Parish would not have a 'local voice' during the planning consultation period.

The Director of Corporate Services, Governance and Scrutiny, requested that Members consider a time period for the dispensation, in light of the fact that the construction would take place over four years, and whether or not they included supplementary and other related applications in the dispensation.

A Member asked if the dispensation was to be granted to the seven Members as a group, or as individuals. The Director of Corporate Services, Governance and Scrutiny expressed the view that the grant had to be to the seven individuals and that Members request notification to the Monitoring Officer in the event that the Membership of the Parish Council changed.

Members discussed previous case history regarding dispensation and also the importance of enabling Parish Councillors to act as a voice for their communities.

RESOLVED (1) That the following Members of Graveney & Goodnestone Parish Council be granted a dispensation to allow them to comment on the planning application for an Off-Shore Wind Farm and Sub-Station located within the parish boundary at Cleve Hill, Graveney:-

Councillor Andrew Bowles, Councillor Alexander Jennings, Councillor Roger Josty, Councillor Terence Robinson, Councillor Clare Boggia, Councillor Damion Flood and Councillor Alan Stewart.

(2) That the dispensation allows for comment on the above application, and any other linked, additional or supplementary planning application concerning the Off-Shore Wind Farm or ancillary matters.

(3) That the dispensation be granted for the maximum period of four years.

(4) That the Parish Council notify the Monitoring Officer of any change in Membership during those four years.

Chairman

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