

**MINUTES OF AN EXTRA-ORDINARY MEETING OF STAPELEY & DISTRICT PARISH COUNCIL,
HELD ON 22 NOVEMBER 2012
AT BROAD LANE METHODIST CHAPEL, BROAD LANE, STAPELEY**

PRESENT: Councillor S Gwinn-Freemantle Chairman
Councillor S Clough Councillor J Hillman
Councillor K Nord

APOLOGIES: Councillors J Davenport, M Docker, M Galt, P Groves,
M Malbon and R Samra

191 DECLARATION OF INTERESTS

Members were invited to declare any disclosable pecuniary interest or non-pecuniary interest which they had in any item of business on the agenda, the nature of that interest, and in respect of disclosable interests, to leave the meeting prior to the discussion of that item.

No declarations were made.

192 PUBLIC QUESTION TIME

There were no members of the public in attendance.

193 DISPENSATIONS AND SETTING A PRECEPT

193.1 On 11 November, the Clerk had issued a briefing note to Members advising them of the new requirements in respect of declarations of disclosable pecuniary interests (DPI) particularly when setting the budget and requesting a precept.

Each parish councillor who either owned or rented land in the council's area, or who otherwise had a beneficial interest in land in the Parish Council's area, would have a disclosable pecuniary interest. A criminal offence may be committed where a Member with a DPI participated or voted at a meeting.

Dispensations which used to be a matter for the Borough Council were now a matter for individual local councils to consider internally. A dispensation allowed Members who had such an interest to participate in meetings.

S.33 of the Localism Act 2011 permitted a local council to grant a dispensation to a Member or co-opted Member to allow them to participate in a discussion or to vote on a matter in which they had a DPI. Requests must be made in writing to the Council's Proper Officer (ie the Clerk) and may be granted by the full Council, or this function could be delegated to a committee or the Clerk (S.101 of the Local Government Act 1972).

When a dispensation was granted it must specify the period for which it has effect and cannot exceed 4 years.

A dispensation may be granted if, having regard to all the relevant circumstances, the Parish Council considered that:

- (a) 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; or
- (b) Granting the dispensation is in the interests of persons living in the council's area; or
- (c) It is otherwise appropriate to grant a dispensation.

Members had been invited to submit their written requests for a dispensation to the Clerk, to enable the Parish Council (a) to discuss the issue of dispensations; and (b) to discuss the budget proposals.

193.2 Procedure for Dealing with Dispensation Requests

The first matter which the Parish Council now considered was the procedure for dealing with written requests (as outlined in 193.1 above).

- RESOLVED:** (a) That all written requests for a dispensation be submitted to the Clerk;
- (b) That the Clerk report all written requests to the first available Parish Council meeting; and
- (c) That the Parish Council consider all Members' written requests for a dispensation and make a determination as to whether they should be granted.

193.3 Receipt of Written Requests for Dispensation

The following Members had each submitted a request for a dispensation to allow them to participate and vote in respect of the budget proposals for 2013-2014.

Councillor S Clough
Councillor M Docker
Councillor S Gwinn-Freemantle
Councillor K Nord

It was noted that Councillors J Hillman and P Groves were exempt from the requirement for a dispensation by virtue of the fact that they did not live within the parish and had no personal or business interests in the parish which amounted to a DPI.

- RESOLVED:** (a) That the written requests for dispensation from Councillors Clough, Docker, Gwinn-Freemantle and Nord be approved;
- (b) That it be noted that their reason for submitted the request was on the basis 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; and
- (c) That it be noted that Councillors Hillman and Groves were exempt from the requirement to request a dispensation on the grounds that they did not live within the parish and had no personal or business interests in the parish which amounted to a disclosable pecuniary interest.

194 PUBLIC QUESTION TIME

There were no members of the public in attendance.

.....Chairman