

ASHFORD BOROUGH COUNCIL
REPORT OF THE MONITORING OFFICER
STANDARDS COMMITTEE
30th June 2010

**KENARDINGTON PARISH COUNCIL –
APPLICATIONS FOR DISPENSATION**

1.BACKGROUND

1.1 The Clerk to Kenardington Parish Council has informed the Monitoring Officer, that Kenardington Parish Council has been requested by the Planning dept of Ashford Borough Council to consider putting forward three sites as potential sites for a Local Needs Housing Scheme in the Village.

1.2 A number of provisional sites have been identified by the Clerk and a representative of Action for Communities in Rural Kent. It is proposed that the Parish Council will meet to consider which of the sites should be put forward as the three potential sites.

1.3 It appears however, that four Kenardington Councillors will have a Prejudicial Interest in the provisional sites, by virtue of the proximity of the sites to their own properties or in the case of Councillor Ashby because he owns two of the provisional sites.

1.4 There are five Councillors at the Parish Council and the quorum for a meeting is three. Therefore more than 50% of the Council's members would be unable to participate and the business of the Parish Council would be impeded as they would be unable to formulate a response to the request from Ashford Borough Council's planning dept.

1.5 Three of the Parish Councillors (applications attached hereto) wish to be granted dispensations to speak and vote on this matter, since they believe the input of the Parish Council is essential in arriving at the best site for the Local Needs Housing.

1.6 The relevant Parish Council meeting was to have already taken place, but the matter has been adjourned to a future date to follow the Standards Committee decisions on dispensations.

2. THE REGULATIONS.

2.1 The Standards Committee (Further provisions) (England) Regulations 2009 provide (amongst other things) that a Standards Committee may grant a dispensation to a Member, where more than 50% of the Members who would be entitled to vote at a

meeting are prohibited from voting due to the mandatory provisions of the Code of Conduct (ie not being able to vote due to a Prejudicial Interest).

2.2 If the Standards Committee concludes that, having regard to these matters, and to all the other circumstances of the case, it is appropriate to grant the dispensations, then they may grant them.

2.3 The Committee may however, feel that due to the nature of the interest of Cllr Ashby (as owner of two of the provisional sites), that he should be granted a dispensation to speak, but not to vote.

3. RECOMMENDED.

That

- (i) Councillors Cocking and Hedley be granted dispensation to enable them to speak and vote,
- (ii) Councillor Ashby be granted dispensation to enable him to speak, but not vote

at meetings of the Kenardington Parish Council, when matters relating to the formulation of the Parish Council's response to suggest three potential sites for a Local Needs Housing site are being discussed, notwithstanding that they have prejudicial interests therein by virtue of the proximity of their private properties or their ownership of potential sites, such dispensations to expire when the Parish Council's response has been formulated and submitted to the Borough Council.

T W Mortimer
Monitoring Officer
Ashford Borough Council.
REF:CDM 16/6/10.

For any further information contact:
Colin Mawston
01233 330215
Colin.mawston@ashford.co.uk

Local Needs Housing Kenardington - Message (HTML)

File Edit View Insert Format Tools Actions Help

Reply Reply to All Forward

You replied on 15/06/2010 13:26.

From: [REDACTED] Sent: Tue 15/06/2010 12:33

To: Colin Mawston

Cc: Appledore & Kenardington Parish Council

Subject: Local Needs Housing Kenardington

Attachments: (no subject) (4 KB)

Dear Mr Mawston

I am re-sending the statement as I did not fully complete it before - my apologies.

I, Councillor Vicky Cocking of Kenardington Parish Council hereby apply to the Ashford Borough Council Standards Committee for a dispensation to speak and vote at a meeting of the Kenardington Parish Council, when the Parish Council considers the selection of three potential sites for local needs housing, notwithstanding that I have a Prejudicial Interest in one of the possible potential sites.

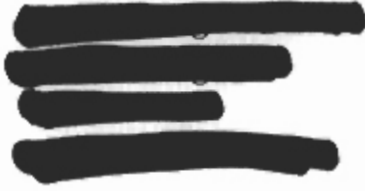
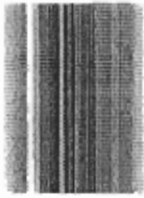
The nature of my Prejudicial Interest is that one of the possible sites is close to a property part owned by myself.

The ground on which I apply for dispensation is that more than 50% of the members of the Council who would be entitled to vote at a meeting are prohibited from voting

Kind regards

V J Cocking

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The Standards Committee

Ashford Borough Council

Dear Sirs

I, Councillor Keith Ashby chairman of Kenardington Parish Council hereby apply to the Ashford Borough Council Standards Committee for a dispensation to speak and vote at a meeting of the Kenardington Parish Council, when the Parish Council considers the selection of three potential sites for local needs housing, notwithstanding that I have a Prejudicial Interest in two of the possible potential sites.

The nature of my Prejudicial Interest is that two of the possible sites is property is owned by myself.

The ground on which I apply for dispensation is that more than 50% of the members of the Council who would be entitled to vote at a meeting are prohibited from voting

Yours sincerely



Keith. P. Ashby

Colin Mawston

From: Brenda Hedley [REDACTED]
Sent: 08 June 2010 14:11
To: Colin Mawston
Subject: Kenardington Parish Council

Dear Sir

I, Councillor Brenda Hedley of Kenardington Parish Council hereby apply to the Ashford Borough Council Standards Committee for a dispensation to speak and vote at a meeting of the Kenardington Parish Council, when the Parish Council considers the selection of three potential sites for local needs housing, notwithstanding that I have a Prejudicial Interest in one of the possible potential sites.

The nature of my Prejudicial Interest is that one of the possible sites is opposite and another on land neighbouring property owned by myself.

The ground on which I apply for dispensation is that more than 50% of the members of the Council who would be entitled to vote at a meeting are prohibited from voting.

Yours faithfully

Councillor Brenda Hedley