



Andover Town Council

To **consider** dispensation requests for Councillors who are allotment holders.

Item No. **9**

Produced for: Full Council

By: Town Clerk.

Date of Report: 10 May 2023

Standing Orders (Clause 13 b + c) require that Councillors with interests leave the room whilst discussion or voting takes place in relation to something they have an interest in.

Dispensations can be granted to allow Councillors to remain in the room, participate in discussion and also to vote if Council thinks this is appropriate.

The Town Council have two members which hold tenancies for allotments in the Town.

Council should consider if dispensations can be granted in both cases to:

- 1. Remain in the room.**
- 2. Participate in Discussion**
- 3. Take part in voting.**

Cllr E Reynolds' and Cllr H Neate's forms are below:

Andover Town Council

Dispensation Guidelines

1. Purpose of Dispensations

Under certain circumstances, Councillors may be granted a dispensation allowing them to participate in Council business where this would otherwise be prohibited because of a Disclosable Pecuniary Interest (DPI).

S31(4) of the Localism Act 2011 provides for dispensations allowing the Councillor to

- a) participate, or participate further, in any discussion of the matter at the meeting(s); and / or
- b) participate, or participate further, in any vote taken on the matter at the meeting(s).

2. Process for making requests

Any Councillor who wishes to apply for a dispensation must complete a Dispensation Request Form and submit it to the Town Clerk prior to the meeting for which the dispensation is required.

3. Consideration by the Town Council

The Town Council may grant a dispensation to a Councillor who has a DPI to participate in any discussion of a matter at a meeting and / or to participate in any vote on the matter if they consider that:

- a) so many members of the decision-making body have disclosable pecuniary interests that it would impede the transaction of the business; or
- b) the Town Council considers that the dispensation is in the interests of persons living within the Town; or
- c) it is otherwise appropriate to grant a dispensation.

By virtue of S33(4) of the Localism Act 2011 a member is free to participate and vote at a meeting on the question of granting him/herself a dispensation which relieves him/her of the restrictions that apply to the matter in which he/she holds a DPI.

4. Terms of Dispensations

Dispensations may be granted for:

- a) one meeting; or
- b) a period not exceeding 4 years.

If dispensation is being requested for more than one meeting, it would be appropriate that the expiry of such a dispensation coincides with the next election of Councillors, provided this period does not exceed 4 years.

5. Disclosure of Decision

Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

A copy of the dispensation will be kept with the Register of Councillors' Interests.

NOTE: As per Standing Orders section 13, Council need to approve the Dispensation if the interest is a DPI.

If the interest is a non-Disclosable PI, or a code of conduct interest, then the Proper Officer will decide whether to grant a dispensation and their decision is final. (13e.)



Andover Town Council Dispensation Request Form

Name	Cllr Ted Reynolds
The business for which you require a dispensation (refer to agenda item number, if appropriate)	General Discussions on Allotments business, rules, regulations and spending on allotment maintenance.
Details of your interest in that business	<ul style="list-style-type: none"> Plot Holder at The Drove allotment Site. Member of The Drove Association.
Date of meeting or <u>time period</u> (up to 4 years) for which dispensation is sought	Meetings commencing from May 2023 until April 2027.
Dispensation requested to participate in any <u>discussion</u> of that business	Yes / No
Dispensation requested to participate in any <u>vote</u> taken on that business	Yes / No (Except for discussions regarding cost of plot rental)
Full reasons why you consider a dispensation is necessary	<p>I have detailed knowledge of the issues affecting the allotments sites, and how they are run and managed. I do not benefit personally from Council spending or decisions made with regards to maintenance at the allotment sites, nor from the rules or regulations enforcement.</p> <p>I consider that only discussions regarding plot rental prices may affect me personally and create a conflict of interest.</p>

Signed: Dated:

Please return your completed form to the Town Clerk in advance of the meeting for which you are applying for dispensation.



Andover Town Council Dispensation Request Form

Name	Cllr Heather Neate
The business for which you require a dispensation (refer to agenda item number, if appropriate)	General Discussions on Allotments business, rules, regulations and spending on allotment maintenance.
Details of your interest in that business	<ul style="list-style-type: none">Plot Holder at Ox Drove allotment Site.
Date of meeting or <u>time period</u> (up to 4 years) for which dispensation is sought	Meetings commencing from May 2023 until April 2027.
Dispensation requested to participate in any <u>discussion</u> of that business	Yes / No
Dispensation requested to participate in any <u>vote</u> taken on that business	Yes / No (Except for discussions regarding cost of plot rental)
Full reasons why you consider a dispensation is necessary	<p>I have detailed knowledge of the issues affecting the allotments sites, and how they are run and managed. I do not benefit personally from Council spending or decisions made with regards to maintenance at the allotment sites, nor from the rules or regulations enforcement.</p> <p>I consider that only discussions regarding plot rental prices may affect me personally and create a conflict of interest.</p>

Signed: Dated:

Please return your completed form to the Town Clerk in advance of the meeting for which you are applying for dispensation.