

**STANDARDS COMMITTEE held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN at 2.00 pm on 21 APRIL 2004**

Present:- Mr S Brady – Chairman.
Councillors C A Cant and C D Down (Uttlesford Members) and
Councillor R M Merrion (Town and Parish Councils).

Officers in attendance:- M J Perry and M T Purkiss.

S26 APOLOGIES

Apologies were received from Councillors V J T Lelliott, R M Lemon and D James and Mr M Hall.

S27 DECLARATIONS OF INTEREST

Councillors C A Cant, C D Down and R A Merrion declared interests as Members of SSE.

S28 REQUESTS FOR DISPENSATIONS

Members were reminded of the circumstances where the Committee could grant dispensations permitting members of parish councils to take part in meetings notwithstanding the fact that they would be otherwise prevented from doing so by virtue of the Code of Conduct.

It was reported that Members of Broxted Parish Council had made requests for dispensations in the following terms:

“I am concerned that it might be construed that I have a personal interest in the proposed development at Stansted Airport which would bar me from taking part in any discussion concerning the airport.

I request that the Standards Committee grant me a dispensation since more than half of Broxted Parish Council is in a similar situation because their properties are blighted, and secondly, because the development would have such a serious impact on the village of Broxted. It is desirable that the village has a voice on the issue through its Parish Council”.

The Parish of Broxted was particularly affected by the Government White Paper on the Future of Aviation. All of the parish councillors would be affected if a second runway were built at the airport. The Head of Legal Services said that, arguably this did not create a prejudicial interest, as a prejudicial interest was one, which affected councillors to a greater extent than other members of the community they served. If all residents in the Parish were equally affected, then the interests of councillors would not be prejudicial within this definition.

However, apart from the physical implications of any future development, there might be issues surrounding the voluntary compensation scheme which

BAA were currently consulting on. Members of the Parish Council clearly wished to be able to debate all matters relating to the airport at Council meetings and did not wish to risk being reported to the Standards Board for England for doing so. They had therefore decided to apply to this Committee for dispensations to allow them to speak and vote on matters regarding the airport notwithstanding any potential prejudicial interest.

It was reported that the criteria for eligibility for dispensations was met in the case of all Council Members. The issues surrounding the airport were sensitive and of great public interest. It was considered that parish constituents might feel disenfranchised if their representatives were unable to discuss the airport at parish council meetings. Also, members of the parish council themselves felt strongly that they ought to have a voice on such an important issue which, whilst part of Government policy, had immense local impact.

Councillor Merrion said that it was likely that some other parish councils could be affected in a similar way and suggested that a letter be sent to all town and parish councils suggesting that they might wish to consider their position.

RESOLVED that

- 1 the principle of granting dispensation in this case be approved and Members of Broxted Parish Council receiving such dispensation be permitted to speak and vote at meetings where the proposed development of Stansted Airport is under consideration;
- 2 Councillor Bursam be permitted to attend and speak at meetings of Broxted Parish Council when issues relating to Stansted Airport are discussed.
- 3 Councillor Collinson be permitted to attend and speak at meetings of Broxted Parish Council when issues relating to Stansted Airport are discussed.
- 4 Councillor Clark be permitted to attend and speak at meetings of Broxted Parish Council when issues relating to Stansted Airport are discussed.
- 5 Councillor Kesterton be permitted to attend and speak at meetings of Broxted Parish Council when issues relating to Stansted Airport are discussed.
- 6 Councillor Oliveira be permitted to attend and speak at meetings of Broxted Parish Council when issues relating to Stansted Airport are discussed.
- 7 Councillor Perry be permitted to attend and speak at meetings of Broxted Parish Council when issues relating to Stansted Airport are discussed.

- 8 Councillor Rixson be permitted to attend and speak at meetings of Broxted Parish Council when issues relating to Stansted Airport are discussed.
- 9 The above dispensations to be valid until date of the next ordinary council election.
- 10 A letter be sent to all town and parish councils giving general guidance on interests and dispensations and informing them that, whilst the need was arguable, the members of one parish council had applied for and been granted dispensation in relation to the development at Stansted Airport and they might wish to consider their position.

The meeting ended at 2.30 pm.