

STANDARDS COMMITTEE



| | |
|----------------------------|---|
| Report subject | Dispensations granted January 2024 to March 2024 |
| Meeting date | 16 April 2024 |
| Status | Public Report |
| Executive summary | To advise the Standards Committee of the dispensations granted to Councillors by the Monitoring Officer during the period 1 January 2024 to 31 March 2024 |
| Recommendations | It is RECOMMENDED that: Standards Committee notes the dispensations granted by the Monitoring Officer during the period 1 January 2024 to 31 March 2024 |
| Reason for recommendations | To support a robust ethical governance framework, the Standards Committee should be informed of decisions made in respect of Councillors and the application of the Councillor Code of Conduct. |

| | |
|----------------------|---------------------------------|
| Portfolio Holder(s): | Not applicable |
| Corporate Director | Graham Farrant, Chief Executive |
| Report Authors | Janie Berry, Monitoring Officer |
| Wards | Not applicable |
| Classification | For Information |

Children's Services Overview and Scrutiny Committee

- Following receipt of a written request, the Monitoring Officer granted dispensations to Councillor Dove and Councillor Bull, Chair and Vice Chair of the Children's Services Overview and Scrutiny Committee respectively, to enable them to participate in meetings of the Children's Services Overview and Scrutiny on 3 January 2024, 23 January 2024 and to Councillor K Salmon who was in attendance as a substitute on 19 March 2024.
- Children's Services Overview and Scrutiny Committee – 3 January 2024

| | Name | Dispensation requested in writing | Status | Duration |
|----|-----------|-----------------------------------|--------|--|
| 1 | Cllr Dove | Yes | Agreed | This meeting only. Debate in respect of the Safety Valve and EHCP's |
| 2. | Cllr Bull | Yes | Agreed | This meeting only. Debate in respect of the Safety Valve and EHCP's |

- Children's Services Overview and Scrutiny Committee – 23 January 2024

| | Name | Dispensation requested in writing | Status | Duration |
|---|-----------|-----------------------------------|--------|---|
| 1 | Cllr Dove | Yes | Agreed | This meeting only. Debate in respect of the Safety Valve and |

| | Name | Dispensation requested in writing | Status | Duration |
|----|-------------|--|---------------|--|
| | | | | EHCP's |
| 2. | Cllr Bull | Yes | Agreed | This meeting only Debate in respect of the Safety Valve and EHCP's |

4 Children's Services Overview and Scrutiny Committee – 19 March 2024

| | Name | Dispensation requested in writing | Status | Duration |
|---|---------------|--|---------------|--|
| 1 | Cllr K Salmon | Yes | Agreed | This meeting only. Safety Valve update from the Portfolio Holder and EHCP's, Special Educational Needs |

Cabinet – 7 February 2024

- 5 A dispensation was granted to the Leader of the Council and all Members of Cabinet to enable them to consider the Budget 2024/2025 and the Medium Term Financial Plan which includes the Council Tax setting.

Council 20 February 2024 and 27 February 2024 (adjourned meeting)

- 6 A dispensation was granted to all BCP Councillors to enable them to consider and debate the Safety Valve (agenda item 6). A dispensation was granted to all BCP Councillors to enable them to consider the Budget 2024/2025 and the Medium Term Financial Plan which includes the Council Tax setting (agenda item 11).

Options Appraisal

- 7 As this report details the retrospective granting of dispensations there are no other options for the Standards Committee to consider.

Summary of financial implications

- 8 None directly arising from this report.

Summary of legal implications

- 9 In certain circumstances Councillors may be granted a dispensation which enables them to take part in Council business where this would otherwise be prohibited. A request for a dispensation must be made in writing and set out the reasons for the dispensation.
- 10 Provided Councillors act within the terms of their dispensation there is deemed to be no breach of the Code of Conduct or the law.
- 11 Section 31(4) of the Localism Act 2011 states that dispensations may allow the Councillor:
 - (a) to participate, or participate further, in any discussion of the matter at the meeting(s); and/or
 - (b) to participate in any vote, or further vote, taken on the matter at the meeting(s).
- 12 Section 33 of the Localism Act 2011 sets out the circumstances when a dispensation may be considered and granted. If a dispensation is granted, the Councillor may remain in the room where the meeting considering the business is being held and may also vote.
- 13 If a Councillor participates in a meeting where he/she has a Disclosable Pecuniary Interest and he/she does not have a dispensation, they may be committing a criminal offence under s34 Localism Act 2011.

Summary of human resources implications

- 14 None directly arising from this report

Summary of sustainability impact

- 15 None directly arising from this report

Summary of public health implications

- 16 None directly arising from this report

Summary of equality implications

- 17 None directly arising from this report

Summary of risk assessment

- 18 None directly arising from this report

Background papers

BCP Council - Constitution

BCP Council – Councillor Code of Conduct

Agenda, Reports and Minutes for Children's Services Overview and Scrutiny Committee meetings referred to in this report

Agenda, Reports and Minutes for Council referred to in this report

Appendices

There are no appendices to this report.