

Delegated Decision Report

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| Subject: | Grant of Dispensations to Members |
| Decision to be taken by: | Surjit Tour – Director of Law and Governance and Monitoring Officer, in consultation with the Chair of the Ethical Standards and Member Development Committee |
| Lead Director: | Surjit Tour |
| Date of Decision: | 5 January 2022 |
| Lead Officer: | Surjit Tour |

1 Recommendations

- 1.1 That, in consultation with the Chair of the Ethical Standards and Member Development Committee, general dispensations be granted to all members of the Council under Section 33 of the Localism Act 2011, for a period of 4 years from the date of approval, in respect of the following:-
- a. housing, where the member is a tenant of the authority; provided that those functions do not relate particularly to that member's tenancy or lease;
 - b. school meals or school transport and travelling expenses, where the member is a parent or guardian of a child in full time education, or is a parent governor of a school, unless it relates particularly to the school which the child attends;
 - c. an allowance, payment, pension or indemnity given to members;
 - d. any ceremonial honour given to members;
 - e. setting a council tax reduction scheme for the purposes of the Local Government Finance Act 2012 (and/or all other relevant legislation);



- f. setting council tax or a precept under the Local Government Finance Act 1992 (and/or all other relevant legislation);
- g. setting a local scheme for the payment of business rates including eligibility for rebates and reductions for the purpose of the Finance Act 2012 (and/or all other relevant legislation).

2 Reasons for Recommendations

- 2.1 Approval is sought to grant dispensations under section 33 of the Localism Act 2011 (the Act) to enable the effective and efficient running of Council business.

3 How does this deliver objectives of the Corporate Plan?

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|  |  | Dispensations help ensure effective and timely decision making which underpins the Corporate Plan. |
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4 Context and Key Issues

- 4.1 The dispensations and authorisations set out in the recommendations are the same as those previously approved by Council and are due to expire in January 2022. The dispensations are generic dispensations deemed necessary to ensure efficient and effective decision-making by the Council and can only be approved for a four year period under the Act.

5 Alternative Options

- 5.1 The matter is set out in the Scheme of Delegation to Officers and the Director of Law and Governance and Monitoring Officer is authorised to grant the dispensations under Section 33 of the Localism Act 2011.



The dispensations have previously been approved by Full Council, in the absence of a delegation to a Director.

The Ethical Standards and Member Development Committee Terms of Reference includes reference to the granting of dispensations, the Chair of the Ethical Standards Committee has therefore been consulted on the matter.

6 Implications

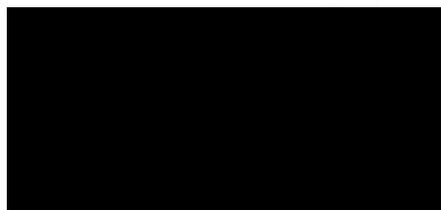
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| Resources: | There are no resource implications arising from this report. |
| Legal and Governance: | <p>Under section 33(2) of the Localism Act 2011, a dispensation may be granted in the following circumstances:</p> <ul style="list-style-type: none"> (a) that so many members of the decision-making body have disclosable pecuniary interests in a matter that it would “impede” the transaction of the business of that body. [In practice, this means the decision-making body would be inquorate as a result]. (b) that without the dispensation the representation of different political groups on the body transacting the business would be such as to alter the outcome of the vote on that particular matter. (c) that the authority considers that the dispensation is in the interests of persons living in the authority’s area. (d) that without a dispensation no member of the Executive would be able to participate in a particular matter. (e) that the Council considers that it is “otherwise appropriate” to grant a dispensation. This is a particularly wide provision as to some extent is (c) above. <p>In each case when a dispensation is granted it must specify how long it is to last for – but cannot exceed a maximum of four years and the Council must consider dispensation</p> |



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| | requests “after having had regard to all relevant circumstances”. |
| Risk: | The dispensations are deemed necessary to ensure efficient and effective decision-making by the Council. Certain decisions would be impeded if the necessary dispensations are not in place. |
| Equality: | There are no direct equality implications arising from this report. |
| Health and Wellbeing: | There are no direct health and wellbeing implications arising from this report. |
| Social Value | There are no direct social value implications arising from this report. |

In accordance with the authority delegated to Chief Officers to act on matters within the authority delegated to them under Part 3 of the Council’s Constitution, I intend to take the action(s) recommended above.

I do not have an interest to declare in this matter



Surjit Tour

Director of Law and Governance and Monitoring Officer

Date 5 January 2022

I confirm that I have been consulted on the above proposals and have no objection to their proceeding.



Councillor Allcock



Date 5 January 2022

7. Appendices

None

8. Background Papers

None

