

WYRE FOREST DISTRICT COUNCIL

ETHICS AND STANDARDS COMMITTEE

23RD FEBRUARY 2011

Applications for Dispensation

OPEN	
DIRECTOR:	Monitoring Officer
CONTACT OFFICER:	Caroline Newlands, Ext. 2738
APPENDICES	Appendix 1 : Chart showing political balance of the Council

1. PURPOSE OF REPORT

- 1.1 To consider applications for a dispensation from Members of the Council who are Council representatives on the Community Housing Board to enable them to participate in the budget debate at Council.
- 1.2 To consider an application for a dispensation from both Members of the Liberal Democratic Party to enable them to participate in the budget debate at Council.

2. RECOMMENDATION

- 2.1. **That the Ethics and Standards Committee considers whether or not to grant a dispensation to the Members who have applied to enable them to participate in the consideration of and/or vote in respect of any issues arising out of the budget debate at Council.**
- 2.2 **The Monitoring Officer to ensure that the existence, duration and nature of any dispensation is recorded in writing and this record is kept with the Register of Interests established and maintained under Section 81(1) of the Local Government Act 2000.**

3. BACKGROUND

- 3.1 In the proposed budget amendments that will be considered at Council on 23rd February 2011 the Labour Group will be presenting proposals that relate directly to the Community Housing Group.
- 3.2 At Annual Council in May 2010 six Members were duly appointed to represent the Council on the Community Housing Board. All these Members would, under the Code of Conduct be required to declare a prejudicial interest and leave the meeting during debate of the budget amendments unless they requested and were granted a dispensation from the Ethics and Standards Committee.
- 3.3 The 2 members of the Liberal Democrat Party are related through marriage and one of them is employed by the Community Housing Group. Again, under the Code of Conduct they would both be required to declare a prejudicial interest and leave the meeting during debate of the budget amendments from the Labour Group unless

they requested and were granted a dispensation from the Ethics and Standards Committee.

4. KEY ISSUES

- 4.1 The Standards Committee (Further Provisions) (England) Regulations 2009 enable Standards Committees to grant dispensations where either (a) more than 50% of the members who would otherwise be entitled to vote at a meeting were prohibited from voting or (b) the number of members prohibited from voting at a meeting would upset the political balance of the meeting. The latter would ensure that the legal requirement for political balance could continue to be met.
- 4.2 Dispensations can be granted for a single meeting or a series of meetings but cannot last for more than four years.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from this report.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 The decision of the Ethics and Standards Committee must be recorded in writing and must be kept with the register of interests established and maintained under Section 81(1) of the Local Government Act 2000.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 The report has been screened for any policy implications in respect of equalities groups and there are no major issues.

8. RISK MANAGEMENT

- 8.1 There are no significant risk management issues arising from this report.

9. CONCLUSION

- 9.1 Dispensations should not be granted as a matter of course and the Standards Committee must be satisfied in the in the light of all the circumstances of the case that it is appropriate to grant a dispensation.

10. CONSULTEES

- 10.1 Chairman/Vice-Chairman of the Ethics and Standards Committee.

11. BACKGROUND PAPERS

- 11.1 Dispensations Guidance, Standards for England
- 11.2 Standards Committee (Further Provisions) (England) Regulations 2009

Political Balance of Wyre Forest District Council

Conservative Party	23
Independent Community and Health Concern Party	7
Liberal Party	5
Labour Party	4
Liberal Democrat Party	2
Independent	1
TOTAL	42