

Minutes



To: All Members of the Standards Committee, Chief Executive, Chief Officers

From: Legal, Democratic & Statutory Services
Ask for: Elaine Shell
Ext: 25565

STANDARDS COMMITTEE 15 JANUARY 2016

ATTENDANCE

MEMBERS OF THE PANEL

R H Beeching (Vice-Chairman), N Bell, M Cowan (substituting for D T F Scudder), D J Hewitt (Chairman), A Plancey

OTHERS PRESENT

Independent Person: T Morris

Upon consideration of the agenda for the Standards Committee meeting on 15 January 2016 as circulated, copy annexed, conclusions were reached and are recorded below:

Note: No conflicts of interest were declared by any member of the Committee in relation to the matters on which decisions were reached at this meeting.

PART I ('OPEN') BUSINESS

1. MINUTES

- 1.1 The Minutes of the Committee meeting held on 29 June 2015 were confirmed as a correct record subject to the Independent Person, Terry Morris, being shown as in attendance. The Minutes, as amended, were signed by the Chairman.

CHAIRMAN'S INITIALS

.....

2. GENERAL DISPENSATIONS

[Officer Contact: Kathryn Pettitt, Chief Legal Officer Tel: 01992 555527)]

- 2.1 The Committee was reminded that the Localism Act 2011 ('the Act') had introduced the concept of Disclosable Pecuniary Interests ('DPIs') and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 had defined those interests that would constitute DPIs under the 2011 Act. In accordance with the Act, Members were required to disclose any matter which fell within the categories of disclosable pecuniary interest if it applied to themselves or their partner and it was a criminal offence for Members to fail to register a DPI or to speak and / or vote where they had a DPI unless they had obtained a dispensation. The County Council had delegated the power to the Standards Committee to grant dispensations in respect of DPIs.
- 2.2 Members noted that the categories of disclosable pecuniary interest included '*any employment, office, trade, profession or vocation carried on for profit or gain*'. The Committee was advised that some Members of the Council had partners who were employed by the Council or by a body/organisation affected by the Council's Integrated Plan and budget. The Committee was invited to consider whether to grant dispensations to allow Members of the Council to participate and vote on the Council's Integrated Plan and setting the Council Tax or a precept under the Local Government Act 1992, notwithstanding that their Partner was an employee of the Authority or of any other body or organisation who was affected by the Authority's budget, provided that the dispensations did not apply in instances where the business to be considered directly affected the financial position of the Member concerned or his/her Partner.
- 2.3 The Committee considered the proposal, noting the grounds set out in the Act for which dispensations may be granted [set out in full at paragraph 5.1 of the report]. Members considered the ground set out at paragraph 5.1.5, '*it is otherwise appropriate to grant a dispensation*', applied.
- 2.4 The Committee also noted that the Act provided that dispensations could be granted for a period of up to 4 years.

RESOLVED

The Committee UNANIMOUSLY AGREED:-

- 2.5 1. That dispensations be granted pursuant to the Localism Act 2011 to allow Members to participate in debate and vote on the Council's Integrated Plan and setting the council tax or a precept under the Local Government Act 1992 (as amended from time to time or any superseding legislation) notwithstanding that their Partner is an employee of the Authority or of any other body or organisation who is affected by the Authority's budget provided that the dispensation does not apply in instances where the business to be considered directly affects the financial position of the

**CHAIRMAN'S
INITIALS**

.....

member concerned or his/her Partner.

[‘Partner’ has the meaning set out in paragraph 4.1 of the report].

2. That the dispensations mentioned in 1 above apply for 4 years from the date that the dispensation is granted.
3. That the Chief Legal Officer be authorised to grant dispensations in relation to the matters set out in 1 above.

3. APPLICATION FOR DISPENSATION

[Officer Contact: Kathryn Pettitt, Chief Legal Officer Tel: 01992 555527]

- 3.1 The Committee noted that the Localism Act 2011 (‘the Act’) had introduced the concept of Disclosable Pecuniary Interests (‘DPIs’) and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 had defined those interests that would constitute DPIs under the 2011 Act. In accordance with the Act, Members were required to disclose any matter which fell within the categories of disclosable pecuniary interest if it applied to themselves or their partner and it was a criminal offence for Members to fail to register a DPI or to speak and / or vote where they had a DPI unless they had obtained a dispensation. The County Council had delegated the power to the Standards Committee to grant dispensations in respect of DPIs.
- 3.2 One of the categories of disclosable pecuniary interests was ‘*Any beneficial interest in land which is within the area of the relevant authority*’. Members were advised that Robert Gordon had included in the register of Members’ Interests as a disclosable pecuniary interest land lying south of Tilekiln Farm, Standon Road, Little Hadham (HD394474). This interest arose by virtue of his wife’s beneficial freehold interest in the premises of her former veterinary practice and contiguous land. The land was in the vicinity of the A120 Little Hadham by-pass; given the uncertainty around when a DPI may be engaged, Robert Gordon had requested that a dispensation be granted to allow him to participate in meetings and business of the Council where this DPI might be engaged, provided that the business did not directly affect his DPI.
- 3.3 The Committee considered this request, noting the grounds set out in the Act for which dispensation may be granted [set out in full at paragraph 5.1 of the report]. Members considered the grounds set out at paragraph 5.1.3, ‘*the grant of the dispensation would be in the interests of the persons living in the authority’s area*’, and at 5.1.5, ‘*it is otherwise appropriate to grant a dispensation*’, applied.
- 3.4 The Committee also noted that the Act provided that dispensations could be granted for a period of up to 4 years.

RESOLVED

3.5 The Committee UNANIMOUSLY AGREED:-

1. That a dispensation is granted pursuant to the Localism Act 2011 to allow R.I.N Gordon to participate, debate and vote in business in which he has a disclosable pecuniary interest by virtue of his wife having a beneficial freehold interest in the premises of her former veterinary practice and contiguous land lying south of Tilekiln Farm, Standon Road, Little Hadham (title number HD394474) provided that the dispensation does not apply in instances where the business to be considered directly affects the financial position of R.I.N Gordon or his wife.
2. That the dispensation mentioned in 1 above applies for 4 years from the date hereof.

4. OTHER PART I BUSINESS

4.1 There was no other business.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN _____

**CHAIRMAN'S
INITIALS**

.....