

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 22 FEBRUARY 2016

ATTENDANCE

MEMBERS OF THE COMMITTEE

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

OTHERS PRESENT

Independent Person: T Morris

Upon consideration of the agenda for the Standards Committee meeting on 22 February 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 15 January 2016 were confirmed as a correct record and were signed by the Chairman.

2. APPLICATION FOR DISPENSATION 1

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

- 2.1 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

**CHAIRMAN'S
INITIALS**

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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 one of the categories of disclosable pecuniary interest is “*Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—*

(a) under which goods or services are to be provided or works are to be executed; and

(b) which has not been fully discharged.”

2.3 The Committee was advised that J R Barfoot had recently been awarded a contract to the value of £800 to print maps for the Rights Of Way section. Given the uncertainty around when a DPI may be engaged, J R Barfoot had requested that a dispensation be granted to allow him to participate in meetings and business of the Council concerning the Integrated Plan and Council’s budget.

2.4 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.

RESOLVED

2.5 The Committee UNANIMOUSLY AGREED:-

1. That a dispensation be granted pursuant to the Localism Act 2011 to allow J R Barfoot to participate, debate and vote at meetings of the Council relating to the Integrated Plan and Budget notwithstanding that he might have a disclosable pecuniary interest by virtue of Copyzone Limited having a contract with the County Council for printing rights of way maps.
2. That the dispensation mentioned in 1 above applies until the next County Council election.

3. APPLICATION FOR DISPENSATION 2

[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 is “*Any employment, office, trade, profession or vocation carried on for profit or gain.*” D E Lloyd is the Police & Crime Commissioner for Hertfordshire, a post for which he receives a salary. D E Lloyd had requested that a dispensation be granted to allow him to participate in meetings and business of the Council concerning the Integrated Plan and Council’s budget, notwithstanding that some of the Council’s budget and Integrated Plan relates to initiatives with the police.
- 3.3 The Committee considered and discussed 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. It was pointed out that the Monitoring Officer considered that the grounds set out in paragraph 5.1.5 could apply to the application which had been received as in the context of the County Council’s Integrated Plan and Budget the impact of D E Lloyd’s disclosable pecuniary interest was small.

RESOLVED

- 3.5 The Committee AGREED:-
1. That a dispensation is granted pursuant to the Localism Act 2011 to allow D E Lloyd to participate, debate and vote at meetings of the Council relating to the Integrated Plan and Budget notwithstanding that he might have a disclosable pecuniary interest by virtue of his position as Police & Crime Commissioner for Hertfordshire provided that the dispensation does not apply in instances where the business to be considered directly affects his financial position
 2. That the dispensation mentioned in 1 above applies until the next County Council election.

4. OTHER PART I BUSINESS

- 4.1 There was no other business.

**KATHRYN PETTITT
CHIEF LEGAL OFFICER**

CHAIRMAN _____

**CHAIRMAN’S
INITIALS**

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