

Jacqui Sinnott-Lacey Chief Operating Officer 52 Derby Street Ormskirk West Lancashire L39 2DF

Tuesday, 9 April 2024

TO: COUNCILLORS

Y GAGEN (CHAIRPERSON), D WESTLEY (VICE CHAIRPERSON), P BURNSIDE, V CUMMINS, A FENNELL, N FUREY, J HOWARD, J WITTER, WEBSTER AND GRANT

Dear Councillor,

A meeting of the STANDARDS COMMITTEE will be held in the CABINET/COMMITTEE ROOM, 52 DERBY STREET, ORMSKIRK L39 2DF on WEDNESDAY, 17 APRIL 2024 at 7.00 PM at which your attendance is requested.

Yours faithfully

Jacqui Sinnott-Lacey Chief Operating Officer

AGENDA (Open to the Public)

1. APOLOGIES

2. MEMBERSHIP OF THE COMMITTEE

To be apprised of any changes to the membership of the Committee in accordance with Council Procedure Rule 4. This rule should only apply to the Standards Committee in exceptional circumstances and if the nominated substitute has been appropriately trained.

3. DECLARATIONS OF INTEREST

If a Member requires advice on Declarations of Interest, he/she is advised to contact the Legal and Democratic Services Manager in advance of the meeting. (For the assistance of members a checklist for the use in considering their position on any particular item is

5 - 6

included at the end of this agenda sheet).

4. URGENT BUSINESS

Note: No other business is permitted unless, by reason of special circumstances, which shall be specified at the meeting, the Chairman is of the opinion that the item(s) should be considered as a matter of urgency.

5. PUBLIC SPEAKING

7 - 12

Residents of West Lancashire, on giving notice, may address the meeting to make representations on any item on the agenda except where the public and press are to be excluded during consideration of the item. The deadline for submission is 10 am on Friday 12 April 2024. A copy of the public speaking protocol and form to be completed is attached.

6. MINUTES

13 - 16

To receive as a correct record the minutes of the last meeting of the Committee held on Tuesday 5 March 2024.

7. DISPENSATION - WASPI (WOMEN AGAINST STATE PENSION INEQUALITY) MOTION

17 - 22

To consider the report of the Head of Legal & Democratic Services.

We can provide this document, upon request, on audiotape, in large print, in Braille and in other languages.

FIRE EVACUATION PROCEDURE: Please see attached sheet.

MOBILE PHONES: These should be switched off or to 'silent' at all meetings.

For further information, please contact:-Helen Peek on 01695 585168 Or email helen.peek@westlancs.gov.uk

FIRE EVACUATION PROCEDURE FOR: COUNCIL MEETINGS WHERE OFFICERS ARE PRESENT (52 DERBY STREET, ORMSKIRK)

PERSON IN CHARGE: Most Senior Officer Present

ZONE WARDEN: Member Services Officer / Lawyer

DOOR WARDEN(S) Usher / Caretaker

IF YOU DISCOVER A FIRE

1. Operate the nearest **FIRE CALL POINT** by breaking the glass.

2. Attack the fire with the extinguishers provided only if you have been trained and it is safe to do so. **Do not** take risks.

ON HEARING THE FIRE ALARM

- 1. Leave the building via the **NEAREST SAFE EXIT. Do not stop** to collect personal belongings.
- 2. Proceed to the **ASSEMBLY POINT** on the car park and report your presence to the **PERSON IN CHARGE.**
- 3. **Do NOT** return to the premises until authorised to do so by the PERSON IN **CHARGE.**

NOTES:

Officers are required to direct all visitors regarding these procedures i.e. exit routes and place of assembly.

The only persons not required to report to the Assembly Point are the Door Wardens.

CHECKLIST FOR PERSON IN CHARGE

- 1. Advise other interested parties present that you are the person in charge in the event of an evacuation.
- 2. Make yourself familiar with the location of the fire escape routes and informed any interested parties of the escape routes.
- 3. Make yourself familiar with the location of the assembly point and informed any interested parties of that location.
- 4. Make yourself familiar with the location of the fire alarm and detection control panel.
- 5. Ensure that the zone warden and door wardens are aware of their roles and responsibilities.
- 6. Arrange for a register of attendance to be completed (if considered appropriate / practicable).

IN THE EVENT OF A FIRE, OR THE FIRE ALARM BEING SOUNDED

- 1. Ensure that the room in which the meeting is being held is cleared of all persons.
- 2. Evacuate via the nearest safe Fire Exit and proceed to the **ASSEMBLY POINT** in the car park.
- 3. Delegate a person at the **ASSEMBLY POINT** who will proceed to **HOME CARE LINK** in order to ensure that a back-up call is made to the **FIRE BRIGADE**.
- 4. Delegate another person to ensure that **DOOR WARDENS** have been posted outside the relevant Fire Exit Doors.

- 5. Ensure that the **ZONE WARDEN** has reported to you on the results of his checks, **i.e.** that the rooms in use have been cleared of all persons.
- 6. If an Attendance Register has been taken, take a **ROLL CALL**.
- 7. Report the results of these checks to the Fire and Rescue Service on arrival and inform them of the location of the **FIRE ALARM CONTROL PANEL**.
- 8. Authorise return to the building only when it is cleared to do so by the **FIRE AND RESCUE SERVICE OFFICER IN CHARGE**. Inform the **DOOR WARDENS** to allow re-entry to the building.

NOTE:

The Fire Alarm system will automatically call the Fire Brigade. The purpose of the 999 back-up call is to meet a requirement of the Fire Precautions Act to supplement the automatic call.

CHECKLIST FOR ZONE WARDEN

- 1. Carry out a physical check of the rooms being used for the meeting, including adjacent toilets, kitchen.
- 2. Ensure that **ALL PERSONS**, both officers and members of the public are made aware of the **FIRE ALERT**.
- 3. Ensure that ALL PERSONS evacuate IMMEDIATELY, in accordance with the FIRE EVACUATION PROCEDURE.
- 4. Proceed to the **ASSEMBLY POINT** and report to the **PERSON IN CHARGE** that the rooms within your control have been cleared.
- 5. Assist the **PERSON IN CHARGE** to discharge their duties.

It is desirable that the **ZONE WARDEN** should be an **OFFICER** who is normally based in this building and is familiar with the layout of the rooms to be checked.

INSTRUCTIONS FOR DOOR WARDENS

- 1. Stand outside the **FIRE EXIT DOOR(S)**
- 2. Keep the **FIRE EXIT DOOR SHUT.**
- 3. Ensure that **NO PERSON**, whether staff or public enters the building until **YOU** are told by the **PERSON IN CHARGE** that it is safe to do so.
- 4. If anyone attempts to enter the premises, report this to the **PERSON IN CHARGE.**
- 5. Do not leave the door **UNATTENDED.**

Agenda Item 3

MEMBERS INTERESTS 2012

A Member with a disclosable pecuniary interest in any matter considered at a meeting must disclose the interest to the meeting at which they are present, except where it has been entered on the Register.

A Member with a non pecuniary or pecuniary interest in any business of the Council must disclose the existence and nature of that interest at commencement of consideration or when the interest becomes apparent.

Where sensitive information relating to an interest is not registered in the register, you must indicate that you have an interest, but need not disclose the sensitive information.

Please tick relevant boxes Notes

	General		
1.	I have a disclosable pecuniary interest.		You cannot speak or vote and must withdraw unless you have also ticked 5 below
2.	I have a non-pecuniary interest.		You may speak and vote
3.	I have a pecuniary interest because		
	it affects my financial position or the financial position of a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest		You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below
	or		
	it relates to the determining of any approval consent, licence, permission or registration in relation to me or a connected person or, a body described in 10.1(1)(i) and (ii) and the interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice my judgement of the public interest		You cannot speak or vote and must withdraw unless you have also ticked 5 or 6 below
4.	I have a disclosable pecuniary interest (Dispensation 20/09/16) or a pecuniary interest but it relates to the functions of my Council in respect of:		
(i)	Housing where I am a tenant of the Council, and those functions do not relate particularly to my tenancy or lease.		You may speak and vote
(ii)	school meals, or school transport and travelling expenses where I am a parent or guardian of a child in full time education, or are a parent governor of a school, and it does not relate particularly to the school which the child attends.		You may speak and vote
(iii)	Statutory sick pay where I am in receipt or entitled to receipt of such pay.		You may speak and vote
(iv)	An allowance, payment or indemnity given to Members		You may speak and vote
(v)	Any ceremonial honour given to Members		You may speak and vote
(vi)	Setting Council tax or a precept under the LGFA 1992		You may speak and vote
5.	A Standards Committee dispensation applies (relevant lines in the budget – Dispensation 15/09/20 – 14/09/24)		See the terms of the dispensation
6.	I have a pecuniary interest in the business but I can attend to make representations, answer questions or give evidence as the public are also allowed to attend the meeting for the same purpose		You may speak but must leave the room once you have finished and cannot vote

'disclosable pecuniary interest' (DPI) means an interest of a description specified below which is your interest, your spouse's or civil partner's or the interest of somebody who you are living with as a husband or wife, or as if you were civil partners and you are aware that that other person has the interest.

Interest

Prescribed description

Employment, office, trade, profession or vocation

Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship

Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by M in carrying out duties as a member, or towards the election expenses of M. Page 5

This includes any payment or financial benefit from a trade union within the meaning

of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts 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.

Land Any beneficial interest in land which is within the area of the relevant authority.

Licences Any licence (alone or jointly with others) to occupy land in the area of the relevant

authority for a month or longer.

Corporate tenancies Any tenancy where (to M's knowledge)—

(a) the landlord is the relevant authority; and

(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities Any beneficial interest in securities of a body where—

(a) that body (to M's knowledge) has a place of business or land in the area of the relevant authority; and

(b) either-

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

"body in which the relevant person has a beneficial interest" means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest; "director" includes a member of the committee of management of an industrial and provident society;

"land" excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income; "M" means a member of a relevant authority;

"member" includes a co-opted member; "relevant authority" means the authority of which M is a member;

"relevant period" means the period of 12 months ending with the day on which M gives notice to the Monitoring Officer of a DPI; "relevant person" means M or M's spouse or civil partner, a person with whom M is living as husband or wife or a person with whom M is living as if they were civil partners;

"securities" means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

'non pecuniary interest' means interests falling within the following descriptions:

- 10.1(1)(i) Any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) Any body (a) exercising functions of a public nature; (b) directed to charitable purposes; or (c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union), of which you are a member or in a position of general control or management;
 - (iii) Any easement, servitude, interest or right in or over land which does not carry with it a right for you (alone or jointly with another) to occupy the land or to receive income.
- 10.2(2) A decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a connected person to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward, as the case may be, affected by the decision.

'a connected person' means

- (a) a member of your family or any person with whom you have a close association, or
- (b) any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors;
- (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
- (d) any body of a type described in sub-paragraph 10.1(1)(i) or (ii).

'body exercising functions of a public nature' means

Regional and local development agencies, other government agencies, other Councils, public health bodies, council-owned companies exercising public functions, arms length management organisations carrying out housing functions on behalf of your authority, school governing bodies.

A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.

NB Section 21(13) of the LGA 2000 overrides any Code provisions to oblige an executive member to attend an overview and scrutiny meeting to answer questions.

PUBLIC SPEAKING - PROTOCOL

(For meetings of Cabinet, Overview & Scrutiny Committees, Audit & Governance Committee and Standards Committee)

1.0 Public Speaking

- 1.1 Residents of West Lancashire may, on giving notice, address any of the above meetings to make representations on any item on the agenda for those meetings, except where the public and press are to be excluded from the meeting during consideration of the item.
- 1.2 A Parish Council Representative may, on giving notice, address any of the above meetings to make representations on any item on the agenda for those meetings, except where the public and press are to be excluded from the meeting during consideration of the item.
- 1.3 The form attached as an Appendix to this Protocol should be used for submitting requests.

2.0 Deadline for submission

2.1 The prescribed form should be received by Member Services by 10.00 am on the Friday of the week preceding the meeting. This can be submitted by e-mail to member.services@westlancs.gov.uk or by sending to:

Member Services
West Lancashire Borough Council
52 Derby Street
Ormskirk
West Lancashire
L39 2DF

- 2.2 Completed forms will be collated by Member Services and circulated via e-mail to relevant Members and officers and published on the Council website via Modgov. Only the name of the speaker (and representative) and details of the issue to be raised will be published.
- 2.3 Groups of persons with similar views should elect a spokesperson to speak on their behalf to avoid undue repetition of similar points. Spokespersons should identify in writing on whose behalf they are speaking.

3.0 Scope

- 3.1 Any matters raised must be relevant to an item on the agenda for the meeting.
- 3.2 The Head of Legal & Democratic Services may reject a submission if it:
 - (i) is defamatory, frivolous or offensive;
 - (ii) is substantially the same as representations which have already been submitted at a previous meeting; or
 - (iii) discloses or requires the disclosure of confidential or exempt information.

4.0 Number of items

- 4.1 A maximum of one form per resident will be accepted for each Agenda Item.
- 4.2 There will be a maximum of 10 speakers per meeting. Where there are more than 10 forms submitted by residents, the Legal & Democratic Services Manager will prioritise the list of those allowed to speak. This will be considered having regard to all relevant matters including:
 - a. The order in which forms were received.
 - b. If one resident has asked to speak on a number of items, priority will be given to other residents who also wish to speak
 - c. Whether a request has been submitted in relation to the same issue.

No amendments will be made to the list of speakers once it has been compiled (regardless of withdrawal of a request to speak).

4.3 All submissions received will be published on the Council's website and circulated to Members of the relevant body and officers for consideration.

5.0 At the Meeting

- 5.1 Speakers will be shown to their seats. At the commencement of consideration of each agenda item the Leader/Chairman will invite the speakers to make their representations. Speakers will have up to 3 minutes to address the meeting. The address must reflect the issue included on the prescribed form submitted in advance.
- 5.2 Members may discuss what the speaker/s have said, along with any other information/representations submitted under this protocol, when all speakers on that item have finished and will then make a decision. Speakers should not circulate any supporting documentation at the meeting and should not enter into a debate with Councillors.
- 5.4 If residents feel nervous or uncomfortable speaking in public, then they can ask someone else to do it for them, including a Parish or Borough Councillor representative. They can also bring an interpreter if they need one. They should be aware there may be others speaking as well.

(Note: If a Resident wishes to have their Borough Councillor speak on their behalf, the Borough Councillor is not a member of the body considering the item.)

5.5 Speakers may leave the meeting at any time, taking care not to disturb the meeting.

(Please see attached form.)



REQUEST FOR PUBLIC SPEAKING AT MEETINGS

MEETING & DATE					
NAME					
ADDRESS	ADDRESS				
	Post Code				
PHONE					
Email					
Please indica	ate if you will be in attendance at the	YES/NO*			
meeting	ate ii you wiii be iii atterraarioo at tire	*delete as applicable			
Please indica	ate if someone will be speaking on your behalf	YES/NO*			
at the meetin		*delete as applicable			
If someone is speaking on your behalf please provide their contact details:					
NAME					
PHONE					
Email					
Note: This page will not be published.					
		(P.T.O.)			

PLEASE PROVIDE DETAILS OF THE MATTER YOU WISH TO RAISE

Agenda Item	Number	
	Title	
Details		
		Dated

Completed forms to be submitted by 10.00am on the Friday of the week preceding the meeting to:-

Member Services, West Lancashire Borough Council, 52 Derby Street, Ormskirk, Lancashire, L39 2DF or

Email: <u>member.services@westlancs.gov.uk</u>

If you require any assistance regarding your attendance at a meeting (including access) or if you have any queries regarding your submission please contact Member Services on 01695 585065

Note: This page will be circulated to Members of the Committee and published.

Agenda Item 6

STANDARDS COMMITTEE HELD: Tuesday, 5 March 2024

Start: 7.00 pm Finish: 7.15 pm

PRESENT:

Councillor:

D Westley (Vice-Chair) (in the Chair)

Councillors: P Burnside V Cummins

A Fennell N Furey
J Howard J Witter
Webster G Dowling

Parish Councillor: A Grant

Officers: Claire Kelly, Principal Solicitor and Deputy Monitoring Officer

Jacky Denning, Democratic Services Manager

29 APOLOGIES

An apology for absence was received from the Chairman, Councillor Yvonne Gagen.

30 MEMBERSHIP OF THE COMMITTEE

In accordance with Council Procedure Rule 4, the Committee noted the termination of Councillor Y Gagen, and the appointment of Councillor G Dowling for this meeting only, thereby giving effect to the wishes of the Political Groups.

31 DECLARATIONS OF INTEREST

There were no declarations of interests.

32 URGENT BUSINESS

There were no items of urgent business.

33 **PUBLIC SPEAKING**

There were no requests made under this heading.

34 MINUTES

RESOLVED: That the minutes of the meeting held on 19 September 2023, be

received as a correct record and signed by the Chairman, subject to reference to Councillor David Westley under minute 21, being amended to read 'Borough' Councillor, not 'Parish' Councillor.

35 PARISH/TOWN COUNCIL REPRESENTATIVES

Consideration was given to the report of the Head of Legal & Democratic Services, as contained on pages 7 – 12 of the Book of Reports, which sought approval for the appointment of a Parish Council Representative, (Application at Appendix 1) for

HELD: Tuesday, 5 March 2024 appointment to Standards Committee, and if supported; to request the extension of

the existing Parish Councillor Representative's Term of Appointment to coincide with the new appointment.

RESOLVED:

A. That it be noted that following consideration of two Nominees to fulfil two Vacant Parish/Town Council Representative Positions on Standards Committee, the appointment of Councillor Andrew Grant, as Parish/Town Council Representative on Standards Committee, for a term of three years, ending May 2026, was supported by Standards Committee 19 September 2023, and endorsed by Council 18 October 2023. The other Nominee was deemed unsuitable therefore it was agreed that Standards Committee would proceed with one appointed Parish Councillor Representative and one Vacancy, until such time that an application was received for the vacant position.

- B. That the Application (at Appendix 1) for appointment to the Vacant Position, be supported by Standards Committee, and the Minutes be submitted to Council for endorsement on 17 April 2024, to:
 - Appoint the Applicant Councillor Derrick Moss as Parish Council Ι. Representative for the term of three Years, ending May 2027, and;
 - 11. The term of appointment of the existing Parish/Town Council Representative, Councillor Andrew Grant, be extended, to co-inside with the newly appointed Parish/Town Council Representative, with both Terms ending May 2027.

COMPLAINTS STATISTICS REPORT 36

Consideration was given to the report of the Head of Legal and Democratic Services, as contained on pages 13 to 14 of the Book of Reports, which provided statistical information in relation to Standards Complaints.

RESOLVED: That it be noted that the Council has not received any formal complaints under the Members Code of Conduct between 19 September 2023 (the last meeting) and 5 March 2024.

GENERAL DISPENSATION TO ALL COUNCILLORS 37

Consideration was given to the report of the Head of Legal and Democratic Services, as contained on pages 15 to 22 of the Book of Reports, which sought approval to grant a dispensation to Members to allow them to continue to speak and vote at Council meetings in relation to relevant lines in the budget and specific functions of the Council.

RESOLVED:

A. That a dispensation be granted, until 13 September 2028, to all

STANDARDS COMMITTEE

Members who have disclosable pecuniary or pecuniary interests in relation to relevant lines in the budget to allow them to participate and vote in budget debates.

HELD: Tuesday, 5 March 2024

- B. That a dispensation in the following terms be granted until 13 September 2028 to all Members and Co-opted Members of the Borough Council and all Members of the Parish Councils in West Lancashire (insofar as it is applicable and within the Committee's powers):

 "Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a disclosable pecuniary or pecuniary interest that relates to the functions of the council in respect of:-
 - (i) housing where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease.
 - (ii) school meals, or school transport and travelling expenses where you are parent or guardian of a child in full time education, or are a parent governor of a school, and its does not relate particularly to the school which the child attends.
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or entitled to the receipt of, such pay.
 - (iv) an allowance, payment or indemnity given to members.
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992."

38 INDEPENDENT PERSON PROTOCOL

Consideration was given to the report of the Head of Legal and Democratic Services, as contained on pages 23 to 26 of the Book of Reports, which sought to review the Independent Person Protocol (at Appendix 1).

Comments and questions was raised in respect of the following:

- The appointment process of the Independent Persons
- The meaning, context and origin of the wording "offer **authoritative** and impartial advice"

RESOLVED: That the Independent Person Protocol, attached at Appendix 1 to the report, be approved.

39 WORK PROGRAMME

RESOLVED: That the work programme be noted.

STANDARDS COMMITTEE	HELD:	Tuesday, 5 March	2024

40 l	DATE	OF	NEXT	MEETING
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RESOLVED:	That the next Standards Committee be held on 17 September 2024, at 7:00pm.

Agenda Item 7



STANDARDS COMMITTEE: 17 April 2024

Report of: Head of Legal and Democratic Services

Contact for further information: Jacky Denning (Extn. 5384)

(E-mail: Jacky.Dennng@westlancs.gov.uk)

SUBJECT: DISPENSATION - WASPI (WOMEN AGAINST STATE PENSION

INEQUALITY) MOTION

Wards affected: Borough wide.

1.0 PURPOSE OF THE REPORT

1.1 To seek approval to grant a dispensation to members to allow them to continue to speak and vote at the Council meeting on 17 April 2024 in relation to a Motion included on the agenda for the meeting entitled 'WASPI (Women Against State Pension Inequality)'.

2.0 RECOMMENDATIONS

2.1 That in accordance with Section 33 of the Localism Act a dispensation in the following terms be granted to all members of the Borough Council (insofar as it is applicable and within the Committee's powers):

"Subject to you disclosing the interest at the meeting, you may attend a meeting and vote on a matter where you have a disclosable pecuniary or pecuniary interest that relates to item 12 (a) 'WASPI (Women Against State Pension Inequality) - Motion from Councillor Melissa Parlour on behalf of the Labour Group'"

3.0 BACKGROUND

3.1 The Localism Act 2011 introduced a new standards regime including the declaration of disclosable pecuniary interests. The Act also included the introduction of a new criminal offence for not declaring a disclosable pecuniary interest. The Act requires that a member who has a disclosable pecuniary interest must not participate or vote at a meeting at which the relevant interests apply. The Council also has a Code of Conduct which applies similar provisions in relation to pecuniary interests (as defined in the Code). Dispensations may be granted under the Act, under specific circumstances, to allow members who have a disclosable pecuniary interest to still participate and vote at meetings.

3.2 Council has delegated authority to the Standards Committee to grant dispensations.

4.0 DISPENSATIONS - STATUTORY POSITION

- 4.1 Section 33 of the Localism Act enables the Council to grant dispensations in any of the following circumstances:
 - (a) that without the dispensation the number of persons prohibited from participating in the business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
 - (b) that without the dispensation the representation of the different political groups on the body transacting the business would be so upset as to alter the outcome of any vote relating to the business;
 - (c) that granting the dispensation is in the interests of persons living in the authority's area;
 - (d) in the case of an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers without the dispensation each member of the authority's executive would be prohibited by section 31(4) (restrictions on participation and voting) from participating in any particular business to be transacted by the authority's executive, or
 - (e) that it is otherwise appropriate to grant a dispensation
- 4.2 A dispensation under this section must specify the period for which it has effect, and the period specified must not exceed four years.
- 4.3 Although some members of the Standards Committee may have a pecuniary interest in respect of the WASPI Motion, Section 33(4) also states that Section 31(4) (restrictions on participation and voting) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under Section 33.
- 4.4 A request has been received under sections 33 (a), (b), (c) & (e) of the Localism Act, as set out above in paragraph 4.1. Whilst it is open to any member to apply for a dispensation in accordance with the criteria set out above, it is proposed to regard all members as so applying unless they specifically request otherwise.
- 4.5 Accordingly, it is recommended that the dispensation be granted to ensure openness and transparency whilst maximising full and balanced member involvement in the interests of local democracy in accordance with Section 33(a), (b),(c) and (e) of the Localism Act 2011.

5.0 SUSTAINABILITY IMPLICATIONS

5.1 There are no significant sustainability impacts associated with this report and in particular no significant impact on crime and disorder.

6.0 HEALTH & WELLBEING IMPLICATIONS

6.1 There are no health and wellbeing implications arising from this report.

7.0 FINANCIAL AND RESOURCE IMPLICATIONS

7.1 There are no resource implications arising from this report. A record of dispensations granted is kept with the Register of Members Interests and maintained by the Monitoring Officer.

8.0 RISK ASSESSMENT

8.1 Section 31 of the Localism Act 2011 and the Code of Conduct set out what a member must do if he or she has a disclosable pecuniary or pecuniary interest in a matter which is to be considered at a meeting. Dispensations under Section 33 of the Act permits members to speak and vote to avoid breaching the Act and Code of Conduct in appropriate circumstances.

9.0 HEALTH & WELLBEING IMPLICATIONS

9.1 There are no health and wellbeing implications arising from this report.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees and stakeholders, however there is a direct impact on elected members. Therefore an Equality Impact Assessment (EIA) is attached as Appendix 1 to this report.

Appendices

Appendix 1 EIA

Equality Impact Assessment Form



Directorate: Legal and Democratic Services	Member Services:
Completed by: Democratic Services Manager	Date: 9 April 2024
Subject Title: Dispensations	
1. DESCRIPTION	
Is a policy or strategy being produced or revised:	No*
Is a service being designed, redesigned or cutback:	No*
Is a commissioning plan or contract specification being developed:	No*
Is a budget being set or funding allocated:	No*
Is a programme or project being planned:	No*
Are recommendations being presented to senior managers and/or Councillors:	Yes
Does the activity contribute to meeting our duties under the Equality Act 2010 and Public Sector Equality Duty (Eliminating unlawful discrimination/harassment, advancing equality of opportunity, fostering good relations):	No*
Details of the matter under consideration:	Dispensations for Borough Members
If you answered Yes to any of the above go straight If you answered No to all the above please complete	
2. RELEVANCE	
Does the work being carried out impact on service users, staff or Councillors (stakeholders):	Yes
If Yes , provide details of how this impacts on service users, staff or Councillors (stakeholders): If you answered Yes go to Section 3	
If you answered No to both Sections 1 and 2 provide details of why there is no impact on these three groups: You do not need to complete the rest of this form.	
3. EVIDENCE COLLECTION	
Who does the work being carried out impact on, i.e. who is/are the stakeholder(s)?	Members as part of their responsibilities under the Members' Code of Conduct
If the work being carried out relates to a universal service, who needs or uses it most? (Is there any particular group affected more than others)?	N/A
Which of the protected characteristics are most relevant to the work being carried out?	*delete as appropriate

Age Gender Disability Race and Culture Sexual Orientation Religion or Belief Gender Reassignment Marriage and Civil Partnership Pregnancy and Maternity	No*
4. DATA ANALYSIS	
In relation to the work being carried out, and the service/function in question, who is actually or currently using the service and why?	Members, as part of their decision-making responsibilities and requirements under the Members Code of Conduct.
What will the impact of the work being carried out be on usage/the stakeholders?	No disadvantage perceived.
What are people's views about the services? Are some customers more satisfied than others, and if so what are the reasons? Can these be affected by the proposals?	N/A
What sources of data including consultation results have you used to analyse the impact of the work being carried out on users/stakeholders with protected characteristics?	
If any further data/consultation is needed and is to be gathered, please specify:	
5. IMPACT OF DECISIONS	
In what way will the changes impact on people with particular protected characteristics (either positively or negatively or in terms of disproportionate impact)?	N/A
6. CONSIDERING THE IMPACT	
If there is a negative impact what action can be taken to mitigate it? (If it is not possible or desirable to take actions to reduce the impact, explain why this is the case (e.g. legislative or financial drivers etc.).	Dispensations allow Members to participate more fully in debate and decision making
What actions do you plan to take to address any other issues above?	No actions planned.
7. MONITORING AND REVIEWING	
When will this assessment be reviewed and who will review it?	Dispensations are granted and monitored by the Monitoring Officer (Head of Legal & Democratic Services)