

TITLE OF REPORT: Grant of Dispensations

REPORT OF: Mike Barker, Strategic Director, Corporate Services and Governance

Purpose of the Report

1. To ask Audit and Standards Committee to grant a dispensation to all councillors:
 - who may have a prejudicial interest in any matter arising from consideration of reports dealing with outside bodies of which they are a member through appointment by the Council;
 - who may have a prejudicial interest in any matter arising from consideration, at Cabinet or Council, of reports dealing with:
 - the budget, including council tax precepts;
 - fees and charges;
 - capital and revenue monitoring; and
 - the medium term financial strategy.

Background

2. In accordance with the Localism Act 2011 (“the Act”) and the Council’s Code of Conduct for Members, councillors who have a registrable or non-registrable interest in a matter arising at a meeting which is ‘prejudicial’, must declare the interest, not participate in a debate or vote, and leave the room while the matter is discussed.
3. The Act allows councils to grant dispensations for a specified period of time, not exceeding four years, in circumstances where:
 - (i) without the dispensation the number of persons prohibited would be so great a proportion so as to impede the transaction of the business;
 - (ii) without the dispensation the representation of different political groups on the body transacting business would be so upset as to alter the likely outcome of any vote;
 - (iii) without the dispensation all of the Executive would be prohibited from participating;
 - (iv) the granting of a dispensation is in the interests of persons living in the Authority; and
 - (v) it is otherwise appropriate to grant a dispensation.
4. On 31 May 2012 the Council delegated power to grant dispensations on grounds (i) to (iii) above to the Monitoring Officer. Power to grant under grounds (iv) to (v) was delegated to this Committee.

5. The Committee has previously granted dispensations to all councillors:
- who are appointed by the Council as members of a Board (or any other governing committee) of an outside body, from the need to leave a meeting, and desist from voting, when that meeting is considering business relating to the outside body; except when the business concerns a contract or agreement, with financial implications, directly between the Council and the outside body, or the giving of monetary grants to or from the outside body. In this context 'meeting' means a meeting of Cabinet, Council, Overview and Scrutiny Committees or the Health and Wellbeing Board, but to no other committee meetings of the Council. The interest will still need to be declared to the meeting.
 - to enable them to participate fully in Cabinet and Council meetings (and any related pre-meetings or discussions) when considering reports dealing with:
 - the budget, including council tax precepts;
 - fees and charges;
 - capital and revenue monitoring; and
 - the medium term financial plan.

Proposal

6. The above dispensations were approved for a period of four years until 17 June 2022. It is considered appropriate to renew the dispensations set out in paragraph 5 under ground (iv) and/or ground (v) for a further period of four years from 17 June 2022.

Recommendation

7. The Committee is recommended to extend the dispensations set out in paragraph 5 for a four year period from 17 June 2022.

For the following reason:

To allow all Councillors to participate in making decisions in the best interests of the people of Gateshead.

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