



Standards Board – 27 June 2011

Urgent Item - Request for Dispensations – Dual hatted members of East Northamptonshire Council

Purpose of report

The board is asked to consider requests for dispensations in respect of 22 members of East Northamptonshire Council.

Attachment(s)

None

1.0 Background to legislation

- 1.1 Secondary legislation made under the Local Government Act 2000 empowers the board to consider and, in certain specified circumstances grant, dispensations in respect of members of East Northamptonshire Council and the town and parish councils in East Northamptonshire. The board is asked to consider requests from 22 members of East Northamptonshire Council in accordance with the Relevant Authorities (Standards Committee) (Dispensations) Regulations 2002.
- 1.2 The regulations prescribe the circumstances in which a standards committee may grant dispensations locally to members and co-opted members of relevant authorities in England. If a member or co-opted member acts in accordance with the grant of dispensation, his or her participation in the business which would otherwise be prohibited by the mandatory provisions of the authority's code of conduct, is not a failure to comply with the authority's code.

2.0 Background to the dispensation request

- 2.1 Discussions have been taking place since 2009 between East Northamptonshire Council and Oundle, Irthlingborough, Thrapston, Higham Ferrers, Rushden and Raunds Town Councils about the transfer of public toilets to their ownership and responsibility.
- 2.2 Funding to pay for the public toilets has only been agreed in the budget to cover the period up until 31 July 2011. In addition, no provision was put into the 2011/12 capital budget to cover the one-off settlement payments of £15,900 offered to each town council as financial support towards the future maintenance liabilities of the public toilets. If the Policy and Resources Committee decide to fund the public toilets for an additional period whilst negotiations continue and wish to alter the budget to cover the settlement payments, a recommendation will be made to council (as the decision would be outside the budget framework).

3.0 Dispensation request

- 3.1 22 dual hatted members of East Northamptonshire Council have applied for a dispensation for one year in relation to the decisions regarding public toilets. There is a potential prejudicial interest as decisions may be made which would affect the finances of the town councils of which they are also members.
- 3.2 The council consists of 40 elected members. 22 members would have to declare an interest at a full council meeting. This meets the 50% rule.
- 3.3 The following members of East Northamptonshire Council have requested a

dispensation:
 Cllr Peter Baden
 Cllr Tony Boto
 Cllr John Farrar
 Cllr Richard Gell
 Cllr Marika Hillson
 Cllr Marian Hollomon
 Cllr Sylvia Hughes
 Cllr Barbara Jenney
 Cllr David Jenney
 Cllr Richard Lewis
 Cllr Andrew Mercer
 Cllr Gill Mercer
 Cllr Bob Nightingale
 Cllr Steven North
 Cllr Sarah Peacock
 Cllr Ron Pinnock
 Cllr David Read
 Cllr Anna Sauntson
 Cllr Robin Underwood
 Cllr Peter Wathen
 Cllr Clive Wood
 Cllr Pam Whiting

4.0 Equality and Diversity Implications

4.1 There are no equality and diversity implications arising from the proposals.

5.0 Legal Implications

5.1 There are no legal implications arising from the proposals. However it is suggested that the dispensation notification letter states that the dispensation would only be relevant to the current standards regime and that all current dispensations will have to be reviewed when the Localism Bill is passed.

6.0 Risk Management

6.1 There are no significant risks to East Northamptonshire Council arising from consideration of the dispensation request as it meets the criteria laid down in legislation.

7.0 Financial Implications

7.1 There are no financial implications arising from the proposals.

8.0 Corporate Outcomes

8.1 Consideration of the request will help deliver the following corporate outcome:

- Strong Community Leadership (as will enable councillors to fulfil wider community roles)

10.0 Recommendation

10.1 The board is invited to consider and determine the request.

Legal	Power: Local Government Act 2000; The Relevant Authorities (Standards Committees) (Dispensations) Regulations 2002
	Other considerations:

Background Papers: None					
Person Originating Report: Sharn Matthews, Monitoring Officer					
Date: 27 June 2011					
CFO		MO		CX	

(Committee Report Normal Rev. 22)