

The **DISPENSATIONS SUB-COMMITTEE OF THE AUDIT AND STANDARDS COMMITTEE** met at **WARWICK** on **25 SEPTEMBER 2012**

Present

County Councillors

Tim Naylor
Bob Stevens (Chair)
David Johnston

Officers of Warwickshire County Council

Martyn Harris, Democratic Services Officer
Jane Pollard, Corporate Legal Services Manager

1. General

Appointment of Chair

It was moved by Councillor Naylor and seconded by Councillor Johnston that Councillor Stevens be elected Chair of the Sub-Committee.

(1) Apologies for absence

There were no apologies for absence

(2) Members' Disclosures of Personal and Prejudicial Interests

There were no declarations of interest.

2. Applications for Dispensations

The Sub-Committee considered a report that set out a number of proposed dispensations to be granted for Members of the County Council, which would allow those Members to speak and vote in relation to a matter in which they have a disclosable pecuniary interest under the new regulations.

The Sub-Committee noted that there were three proposed dispensations under consideration:

- A blanket dispensation to be applicable to all Members regarding school meals, school transport, Members' Allowances or expenses, and the setting of Council Tax or a precept (this dispensation had been automatic under the previous legislation).
- A dispensation for those Members who are also Members of another public authority, such as a District or Borough Council, or a Police Authority, allowing them to speak on such matters
- A dispensation for those Members whose spouse or partner was a member of a public authority, which would allow the Member to speak on such matters.

The Sub-Committee noted that the third dispensation had been raised in relation to a small number of Councillors whose partners were District Councillors within Warwickshire. The Sub-Committee noted that under the new regulations, a Member's declarable pecuniary interests included those of a spouse or partner, and as such would prevent a Member speaking or voting on such matters.

In response to a question from Councillor Naylor, Jane Pollard confirmed that the dispensation relating to school meals and transport applies in general, and that if a Member was making a decision relating to a particular school, which that Member had an interest in, the dispensation would not apply, and the Member would not be able to speak or vote on that matter.

In response to a question from Councillor Stevens, Jane Pollard confirmed that the dispensations Sub-Committee would meet on an ad-hoc basis, if and when there was an application for a dispensation from an Elected Member. The Sub-Committee also noted that it was likely that the Sub-Committee would have to meet following County Council and District/Borough Council elections in future.

It was resolved:

- (1) That the Sub-committee grants dispensations for four years to all county councillors allowing them to both speak and vote in relation to the following functions of the county council
 - a) school meals or school transport and travelling expenses, where you or your partner are a parent or guardian of a child in full time education, unless it relates particularly to the school which the child attends;
 - b) the provision of any allowance, payment, pension, indemnity or other financial benefit given to members;
 - c) setting council tax or a precept

- (2) That the sub-committee grants the following dispensations for four years to county councillors who are elected members or co-opted members of another public authority and who have a disclosable pecuniary interest in a matter **only by virtue of the fact** that s/he is in receipt of an allowance from that other authority
 - a) Where the issue is a matter of dispute between the county council and the other authority and the matter would affect the financial position of that other authority the county councillor may speak on the matter provided s/he immediately withdraws from the meeting room
 - b) In relation to other matters affecting that other authority the county councillor may speak and vote.

- (3) That the sub-committee grants the following dispensations for four years to Councillor Sarah Boad, Councillor Isobel Seccombe and Councillor Jerry Roodhouse in respect of circumstances where he/she has a disclosable pecuniary interest in a matter relating to another authority **only by virtue of the fact** that his or her spouse is an elected member of that other authority and in receipt of an allowance from that other authority
- a) Where the issue is a matter of dispute between the county council and the other authority and the matter would affect the financial position of that other authority the county councillor may speak on the matter provided s/he immediately withdraws from the meeting room
 - b) In relation to other matters affecting that other authority the county councillor may speak and vote.

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Chair of the Committee

The Committee rose at 9.45am