

# Dispensations Sub-Committee

Date: Tuesday 10 September 2024  
Time: 10.00 am  
Venue: Committee Room 2, Shire Hall

## Membership

Councillor Jo Barker  
Councillor John Cooke  
Councillor Sarah Feeney  
Councillor Bill Gifford  
Councillor Bhagwant Singh Pandher  
Councillor Ian Shenton

Items on the agenda:

1. **Appointment of Chair**  
To appoint a Chair for the meeting.
2. **General**
  - (1) **Apologies**
  - (2) **Disclosures of Pecuniary and Non-Pecuniary Interests**
3. **Extension of Elected Member Dispensations to the Police and Crime Commissioner** 3 - 12

**Monica Fogarty**  
Chief Executive  
Warwickshire County Council  
Shire Hall, Warwick

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## Disclaimers

### Disclosures of Pecuniary and Non-Pecuniary Interests

Members are required to register their disclosable pecuniary interests within 28 days of their election of appointment to the Council. Any changes to matters registered or new matters that require to be registered must be notified to the Monitoring Officer as soon as practicable after they arise.

A member attending a meeting where a matter arises in which they have a disclosable pecuniary interest must (unless they have a dispensation):

- Declare the interest if they have not already registered it.
- Not participate in any discussion or vote.
- Leave the meeting room until the matter has been dealt with.
- Give written notice of any unregistered interest to the Monitoring Officer within 28 days of the meeting.

Non-pecuniary interests relevant to the agenda should be declared at the commencement of the meeting.

The public reports referred to are available on the Warwickshire Web  
<https://democracy.warwickshire.gov.uk/uuCoverPage.aspx?bcr=1>

## **Dispensations Sub-Committee**

**10 September 2024**

### **Extension of Elected Member Dispensations to the Police and Crime Commissioner**

#### **Recommendation**

That the dispensations set out in Appendix A of this report be granted to the Police and Crime Commissioner when attending the Council as a co-opted member for the purposes of Section 7 of the Policing and Crime Act 2017.

#### **1.0 Key Issues**

- 1.1 The Warwickshire Police and Crime Commissioner has formally requested to become a co-opted member of the full Council for the purpose of exercising his functions in relation to emergency services collaboration under the Policing and Crime Act 2017.
- 1.2 At the meeting of full Council on 23 July 2024, it was resolved that the Warwickshire Police and Crime Commissioner be reappointed as a co-opted member of the full Council for the purposes of Section 7 of the Policing and Crime Act 2017.
- 1.3 Accordingly, it is recommended that the Police and Crime Commissioner, as an elected representative, be granted the same dispensations as other elected county councillors to enable him to fulfil his role in relation to emergency services collaboration under Section 7 of the Policing and Crime Act 2017.
- 1.4 The dispensations set out in Appendix A are dispensations available to all elected county councillors, simply adapted to reflect the role of the Police and Crime Commissioner.

#### **2.0 Financial Implications**

- 2.1 None

#### **3.0 Environmental Implications**

- 3.1 None

#### 4.0 Timescales associated with the decision and next steps

The decision of the Sub-Committee will have immediate effect.

#### Appendices

- a) Dispensations for the Warwickshire Police and Crime Commissioner.
- b) Report to Council, 23 July 2024 - Police and Crime Commissioner Representation.
- c) Letter from the Warwickshire Police and Crime Commissioner dated 11 June 2024.

#### Background papers

None

	<b>Name</b>	<b>Contact Information</b>
Report Author	John Cole. Senior Democratic Services Officer	<a href="mailto:johncole@warwickshire.gov.uk">johncole@warwickshire.gov.uk</a> 01926 736118
Chief Fire Officer	Ben Brook	<a href="mailto:benbrook@warwickshire.gov.uk">benbrook@warwickshire.gov.uk</a>
Executive Director	Mark Ryder, Executive Director for Communities	<a href="mailto:markryder@warwickshire.gov.uk">markryder@warwickshire.gov.uk</a>
Portfolio Holder	Councillor Andy Crump, Portfolio Holder for Fire & Rescue and Community Safety	<a href="mailto:cllrcrump@warwickshire.gov.uk">cllrcrump@warwickshire.gov.uk</a>

The report was circulated to the following members prior to publication:

Local Member(s): N/A – this is a countywide report.

Other members: Councillor Andy Crump as well as the Chair and Party Spokespersons of the Resources and Fire and Rescue Overview and Scrutiny Committee

## **Dispensations for the Warwickshire Police and Crime Commissioner**

That the Warwickshire Police and Crime Commissioner (PCC) for the purpose of exercising his functions in relation to emergency services collaboration may:

- (a) In cases where the PCC is an elected member or co-opted member of another public authority, or whose spouse or partner is an elected or co-opted member of another public authority, and the PCC only has a Disclosable Pecuniary Interest in a matter by virtue of the fact that s/he or his/her spouse or partner is in receipt of an allowance from that other public authority then
  - i. 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 PCC may speak on the matter provided s/he immediately withdraws from the meeting room; and
  - ii. in relation to other matters affecting that other authority, the PCC may speak and vote.
- (b) Where the PCC only has a Disclosable Pecuniary Interest in a matter relating to the County Council or another authority by virtue of the fact that his or her spouse or partner is an employee of the County Council or that other authority, the PCC may speak and vote on all matters affecting the County Council or that other authority other than issues which would have a direct impact on the employment of the spouse or partner.

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## County Council

23 July 2024

### Police and Crime Commissioner Representation

#### Recommendation

That the Warwickshire Police and Crime Commissioner be reappointed as a co-opted member of the full Council for the purposes of Section 7 Policing and Crime Act 2017

#### 1. Executive Summary

- 1.1 The Policing and Crime Act 2017 ('the Act') places a statutory duty on Police and Crime Commissioners and other blue light emergency services to keep collaboration opportunities under review and to collaborate where this would improve the efficiency or effectiveness of emergency services.
- 1.2 Section 7 Policing and Crime Act 2017 ("the 2017 Act") enables a Police and Crime Commissioner (PCC) to seek representation on the Fire and Rescue Authority.
- 1.3 Warwickshire County Council, by a decision of full Council on 19 March 2019, invited the Warwickshire PCC to become a co-opted member of the full Council for the purpose of exercising his functions in relation to emergency services collaboration under the 2017 Act. His appointment was for the remainder of his then term to May 2021. Following the Warwickshire PCC's subsequent re-election, the full Council made a decision on 28 September 2021 to re-appoint the Warwickshire PCC as a co-opted member of the full Council for the remainder of his further term until May 2024 when the co-option lapsed.
- 1.4 By letter of 11 June 2024 (attached at Appendix 1) the Warwickshire PCC formally requested that he be re-appointed to the full Council as a co-opted member so that he may attend, speak and vote on matters to the extent that the business of the Council meeting relates to the functions of the Council as a fire and rescue authority including in respect of any overlapping police/fire and rescue matters. The request has been made on the same grounds as were previously approved by the Council in 2019 and 2021 and for the same period, namely for the remainder of his term of office to May 2028.
- 1.5 The Council is obliged to consider the request and, if granted, the PCC would become a co-opted member of the Council with rights to speak and vote on

matters relating to fire and rescue services. If the Council does not wish to grant the request it must give reasons.

- 1.6 As a co-opted member of the Council the PCC would be subject to the Council's member Code of Conduct in the same way as any other elected member. The only difference is that in the event of a complaint being made against the PCC the complaint must be referred to the Police and Crime Panel (PCP) before the Council can take action. If the Panel make a report or recommendation to the PCC it may also make a report back to the Council.
- 1.7 If the Council agrees the recommendation above a Dispensations Sub Committee would be invited to sit to enable the Police and Crime Commissioner to receive the same dispensations under the Member Code of Conduct as other elected members. This would allow him to fulfil his role under the legislative regime.

## 2. Financial Implications

- 2.1 None.

## 3. Environmental Implications

- 3.1 None.

## 4. Timescales associated with the decision and next steps

- 4.1 As a Council decision, this would have immediate effect.

## Appendices

Appendix 1 – Letter from the Warwickshire PCC dated 11 June 2024

## Background Papers

None

	<b>Name</b>	<b>Contact Information</b>
Report Author	Deborah Moseley	deborahmoseley@warwickshire.gov.uk Tel: 01926 418136
Chief Fire Officer	Ben Brook	benbrook@warwickshire.gov.uk Tel: 01926 412058
Executive Director	Mark Ryder Executive Director Communities	markryder@warwickshire.gov.uk Tel: 01926 412705
Portfolio Holder	Councillor Andy Crump Portfolio Holder for Fire & Rescue and Community Safety	cllrcrump@warwickshire.gov.uk Tel: 01926 815745



The report was circulated to the following members prior to publication:

Local Member(s): N/A – This is a countywide report.

Other members: The Chair and Party Spokes of the Resources and Fire and Rescue Overview and Scrutiny Committee

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**Philip Secombe  
Police and Crime  
Commissioner  
for Warwickshire**

11 June 2024

Councillor Peter Butlin  
Deputy Leader; Warwickshire County Council

Dear Peter,

**Subject – Re-appointment request pursuant to s.7 of the Policing and Crime Act 2017**

I refer to the decision made by the Council on 28 September 2021 that I should be invited to become a co-opted member of the Council for the purposes of s.7 of the Policing and Crime Act 2017. Whilst the period of my co-option ended at the end of my previous term of office, I would like to continue the arrangements that were in place for my new term of office.

Consequently, I formally request, pursuant to s.7 of the Act, that I am re-appointed to the Council as a co-opted member so that I may attend, speak and vote on matters to the extent that the business of the Council meeting relates to the functions of the Council as a fire and rescue authority including in respect of any overlapping police / fire and rescue matters.

As you know, the Policing and Crime Act 2017 ('the Act') places a statutory duty on Police and Crime Commissioners and other blue light emergency services to keep collaboration opportunities under review and to collaborate where this would improve the efficiency or effectiveness of emergency services.

I am keen for us to continue to explore how opportunities for joint working between the police and fire and rescue services may be of benefit to the citizens of Warwickshire. As part of my continued commitment to explore new ways of collaboration that result in more efficient or effective working, I continue to chair the Warwickshire BlueLight Joint Advisory Collaboration Board that comprises strategic decision makers from Warwickshire Police, Warwickshire Fire and Rescue Service, Warwickshire County Council, West Midlands Ambulance Service and the Coventry and Warwickshire Partnership Trust.

I understand that my representation on the Council is subject to the consent of the Council and that my request will be given due consideration at the Council meeting dated 23 July 2024.

Office of the Police and Crime Commissioner  
Warwickshire Police HQ, Leek Wootton, Warwick CV35 7QB

✉ [opcc@warwickshire.police.uk](mailto:opcc@warwickshire.police.uk) ☎ 01926 733523

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Yours sincerely,

A handwritten signature in black ink, appearing to read 'Philip', written in a cursive style.

Philip Seccombe TD

**Police and Crime Commissioner**

cc. Monica Fogarty, Chief Executive; Warwickshire County Council  
Andy Davies; Chair of the Police and Crime Panel