

Borough Council of  
**King's Lynn &  
West Norfolk**



# **STANDARDS COMMITTEE**

## **AGENDA**

**FRIDAY 8 FEBRUARY 2013  
at 10.00 am**

Meeting Rooms 1 and 2  
Ground Floor  
King's Court  
Chapel Street  
King's Lynn  
Norfolk PE30 1EX



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Borough Council of  
**King's Lynn &  
West Norfolk**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX  
Telephone: 01553 616377  
Fax: 01553 691663

29 January 2013

Dear Member

**Standards Committee**

You are hereby invited to attend a meeting of the above Committee to be held on **Friday 8 February 2013**, in **Meeting Rooms 1 and 2, Ground Floor, King's Court, Chapel Street, King's Lynn** at **10.00 am** to discuss the business shown below.

Yours sincerely

Chief Executive

**AGENDA**

**1 APOLOGIES**

To receive any apologies for absence.

**2 PREVIOUS MINUTES**

To approve the Minutes of the following meetings (previously circulated):

Full Standards Committee

17 May 2012.

**3 DECLARATIONS OF INTEREST**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the Member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

**4 INTRODUCTION OF INDEPENDENT PERSON TO THE STANDARDS COMMITTEE**

The Chairman to invite the Independent Person to introduce himself to the Standards Committee.

**5 INTRODUCTION OF THE TWO NON-VOTING PARISH REPRESENTATIVES TO THE STANDARDS COMMITTEE**

The Chairman to invite the two non-voting Parish Representatives to introduce themselves to the Standards Committee.

**6 APPLICATION FOR A DISPENSATION**

To receive a report from the Monitoring Officer (pages 1 to 3).

**7 DATE OF NEXT MEETING OF THE FULL STANDARDS COMMITTEE**

To be agreed.

To: Councillors B Ayres, Mrs Z Christopher, R Bird, D Johnson,  
Mrs K Mellish, A Tyler, T Wright

Mr J Stringer (Independent Person), Mr A J Maiden (Non-Voting Parish Representative), Mr R Seppings (Non-Voting Parish Representative)

N Leader, Legal Services Manager/Monitoring Officer

Contact:

Wendy Vincent, Democratic Services Officer, (01553) 616377 or  
[wendy.vincent@west-norfolk.gov.uk](mailto:wendy.vincent@west-norfolk.gov.uk)

**REPORT TO STANDARDS COMMITTEE**

Date of meeting: 8 February 2013

**Summary**

This report recommends a general dispensation to be granted to all Members on matters that may affect so many Councillors so as to impede the transaction of Council business.

**Recommendation**

A general dispensation is granted to all Members of the Council to speak and vote on matters set out in paragraphs 3.3.1 to 3.3.5 of this report for a period of four years from the date of this decision.

**1. Introduction**

1.1 The Standards Committee has the power to grant dispensations.

**2. Background**

2.1 The Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 introduced disclosable pecuniary interests and new rules on dispensations as part of the new standards arrangements.

2.2 Members who have a disclosable pecuniary interest in a matter under debate may not speak or vote and must leave the room where they have a disclosable pecuniary interest unless they have obtained a dispensation.

2.3 The Council has delegated powers to the Standards Committee to grant dispensations.

2.5 Parish and Town Councils are now responsible for granting their own dispensations.

**3. General Dispensations**

3.1 Section 31(4) of the Localism Act provides that a member who has a disclosable pecuniary interest in any matter to be considered at a meeting may not participate in any discussion, or vote on the matter. However, by virtue of section 33, an authority may, on a written request by a member, grant a dispensation relieving the member from either or both of the restrictions in Section 31(4).

3.2 Section 33(2) provides that a dispensation may be granted where the authority:

- (a) considers that without the dispensation the number of persons prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business;
- (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
- (c) considers that granting the dispensation is in the interests of persons living in the authority's areas;
- (d) considers that without the dispensation each member of the authority's executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or
- (e) considers that it is otherwise appropriate to grant a dispensation.

3.3 Under the previous regime, the model code of conduct specifically stated that members would not have a prejudicial interest in circumstances that potentially affected the majority of Councillors, such as council tax setting. There are no similar provisions under the Localism Act and consequently, if the majority of members had an interest in these matters then it would impede the business of the Council. There are some matters where it can be anticipated that the number of members with a disclosable pecuniary interest will be such as to impede the Council's business and it is therefore recommended that a general dispensation is granted to all members to speak and vote where they would otherwise have a disclosable pecuniary interest on the grounds that it is appropriate to grant a dispensation to allow all members to participate fully in the following matters:

3.3.1 Housing: where the Councillor (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the Councillor's particular tenancy or lease;

3.3.2 Housing Benefit: where the Councillor (or spouse or partner) receives housing benefit;

3.3.3 An allowance, travelling expense, payment or indemnity for Councillors;

3.3.4 Setting the Council Tax or a Precept; and

3.3.5 Decisions in relation to Council Tax Benefit.

3.4 Members' allowances are included in this general dispensation for the avoidance of doubt and for completeness.

3.5 It is recommended that the general dispensation applies for the maximum permitted period of **four years** from the date of this decision.

**4. Risk management**

The failure to grant a general dispensation may mean so many members may have a Disclosable Pecuniary Interest that it would impede the business of the Council

**5. Financial implications**

5.1 There are no financial implications arising from this report.

**6. Legal implications**

6.1 The Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 introduced Disclosable Pecuniary Interests and new rules relating to dispensations.

6.2 The Council has delegated powers to the Standards Committee to grant dispensations.

**Lead officer contact:**

Nicola Leader, Monitoring Officer

Tel: (01553) 616270 Email: [Nicola.leader@west-norfolk.gov.uk](mailto:Nicola.leader@west-norfolk.gov.uk)