



Standards Committee

Agenda

Monday, 8th September, 2025
at 4.30 pm

in the

**Council Chamber, Town Hall, Saturday
Market Place, King's Lynn and available to
view on You Tube.**



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**STANDARDS COMMITTEE
AGENDA**

**DATE: STANDARDS COMMITTEE - MONDAY, 8TH
SEPTEMBER, 2025**

**VENUE: COUNCIL CHAMBER, TOWN HALL, SATURDAY
MARKET PLACE, KING'S LYNN PE30 5DQ**

TIME: 4.30 pm

1. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. MINUTES OF THE PREVIOUS MEETING (Pages 5 - 7)

To approve the minutes of the previous meeting held on the 16th July 2025.

3. DECLARATIONS OF INTEREST (Page 8)

4. URGENT BUSINESS

To consider any business which, by reason of special circumstances the Chair proposed to accept as urgent under Section 100(b)(4)(b) of the Local Government Act 1972.

5. MEMBERS PRESENT UNDER STANDING ORDER 34

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

6. CHAIR'S CORRESPONDENCE

7. DISPENSATIONS TO 'TWIN-HATTERS' (Pages 9 - 12)

8. DATE OF NEXT MEETING

To be scheduled.

To: Members of the Standards Committee

Councillors B Ayres, S Bearshaw, A Moore, J Osborne, S Ring, S Sandell
(Vice-Chair) and A Ware (Chair)

For Further information, please contact:

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King's Lynn PE30 1EX

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**STANDARDS COMMITTEE**

**Minutes from the Meeting of the Standards Committee held on Wednesday,
16th July, 2025 at 4.30 pm in the Council Chamber, Town Hall, Saturday
Market Place, King's Lynn PE30 5DQ**

PRESENT: Councillor A Ware (Chair)
Councillors B Ayres, S Bearshaw, A Moore and J Osborne

An apology for absence was received from Councillor S Ring and S Sandell

1 **APPOINTMENT OF VICE - CHAIR FOR THE MEETING**

RESOLVED: Councillor B Ayres was appointed Vice-Chair for the meeting.

2 **APOLOGIES OF ABSENCE**

Apologies of absence were received from Councillor S Ring and S Sandell.

3 **MINUTES OF THE PREVIOUS MEETING**

RESOLVED: The minutes from the meeting held on the 25th March 2025 and 7th May 2025 were agreed as a correct record.

4 **DECLARATIONS OF INTEREST**

There were none.

5 **URGENT BUSINESS**

There was no urgent business.

6 **MEMBERS PRESENT UNDER STANDING ORDER 34**

There were no members present under Standing Order 34.

7 **CHAIR'S CORRESPONDENCE**

There was none.

8 **REPORT ON 2024-2025 COMPLAINTS**

[Click here to view the recording of this item on YouTube.](#)

The Deputy Monitoring Officer presented the report.

The Chair invited questions and comments from the Committee.

Councillor Osborne referred to page 17, 2.1 and sought clarification on the discrepancy in the number of complaints against Borough Councillors

The Deputy Monitoring Officer confirmed the correct number of complaints against Borough Councillors were 7 for 2024-2025.

Councillor Bearshaw referred to page 18, 4.1 and commented out of 14 Parish Councillor complaints in which 4 were made about the same Councillor. He asked if this was an ongoing concern.

The Deputy Monitoring Officer explained it was difficult to step in with Parish Council's however the independent person would provide a view and recommend a proposal.

In response to a further question from Councillor Bearshaw, the Deputy Monitoring Officer explained complaints against Parish Councillors were sent to the Parish Clerk.

RESOLVED: To note the contents of this report together with Appendices A and B, in the interests of promoting high standards of conduct by Councillors and co-opted members.

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REPORT ON DISPENSATION

[Click here to view the recording of this item on YouTube.](#)

The Deputy Monitoring Officer presented the report.

The Chair invited questions and comments from the Committee.

Councillor Osborne thanked the Deputy Monitoring Officer for the further explanation and commented debates would be helped by the dispensation.

The Deputy Monitoring Officer explained the debate was still able to take place without the Members who had an interest in the room and points of principle were being raised.

Councillor Bearshaw referred to the example used in relation to Planning and the Deputy Monitoring Officer commented the point was noted however the rationale was Council Tax affected the majority of residents within the Borough.

The Deputy Monitoring Officer highlighted to the Committee the dispensation was until the next election date not just for 2025 to 2026.

RESOLVED: The Standards Committee were requested to:

1. To issue dispensations to all Members for the following matters relating to Council

Tax, until the next ordinary date of elections:

i. To participate and vote on the Budget and the setting of Council Tax, including

where the interest is as the owner of an additional property or as beneficiary of

Council Tax Support.

ii. To participate and vote on any Council Tax discount, levy or premium on

dwelling occupied periodically (second homes) and empty & unfurnished

properties, including where the interest is as the owner of an additional property.

iii. To participate and vote on the Council Tax Support scheme for working age

people, including where the interest is as a claimant of Council Tax Support.

iv. To participate and vote on the scheme of Business Rates discretionary reliefs

including where the interest is as a business rate payer in the Borough.

v. To participate and vote on the scheme of Council Tax discretionary reliefs,

including where the interest is as a beneficiary of the relief in the Borough.

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DATE OF NEXT MEETING

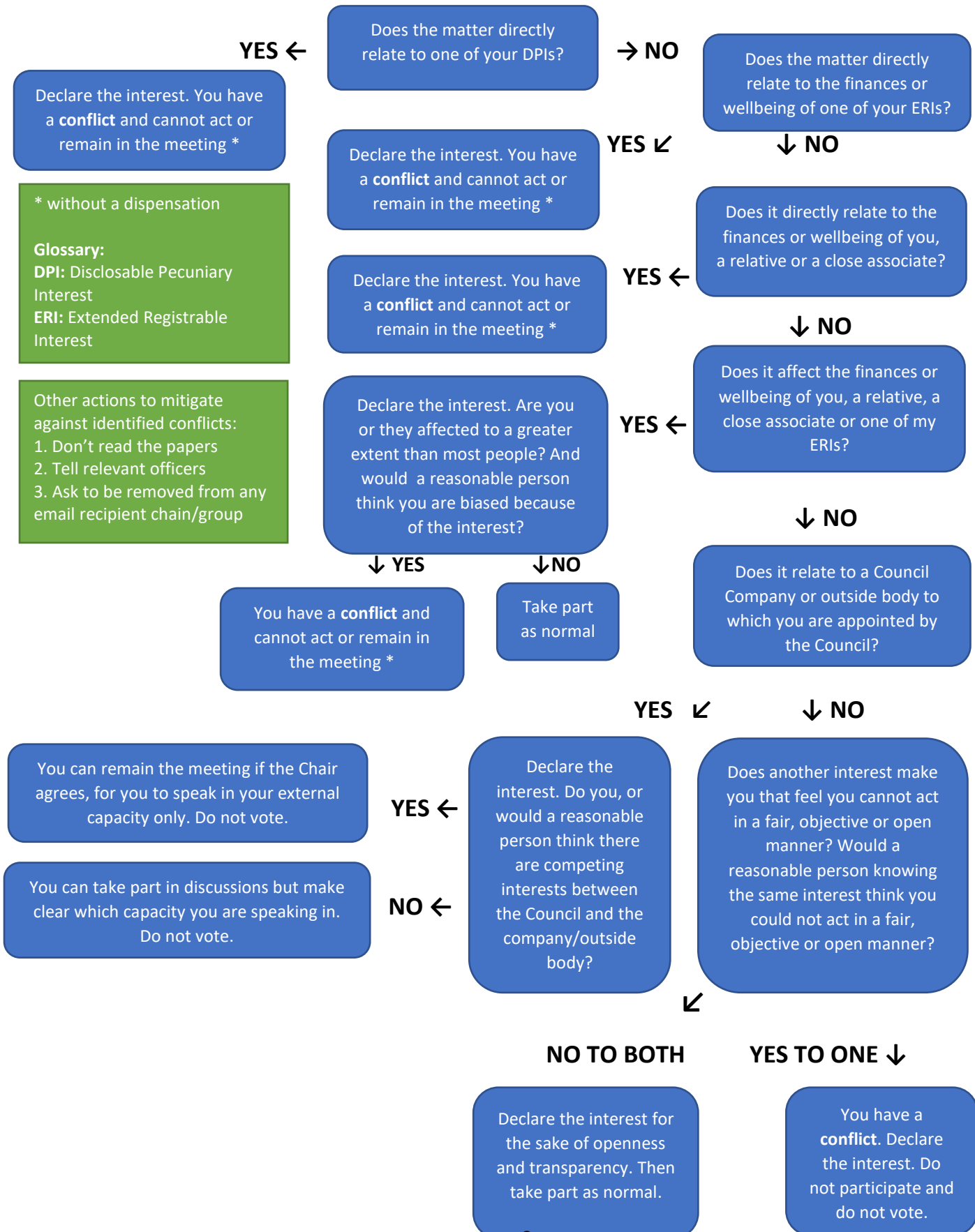
The next meeting was to be scheduled when required.

The meeting closed at 4.49 pm

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



STANDARDS COMMITTEE REPORT

REPORT TO:	Standards Committee		
MEETING DATE	8 September 2025		
TITLE:	Dispensations to 'Twin-Hatters'		
REPORT AUTHOR:	Monitoring Officer		
OPEN/EXEMPT		WILL BE SUBJECT TO A FUTURE CABINET REPORT:	No

REPORT SUMMARY

PURPOSE OF REPORT:
<p>To recommend that Standards Committee grant a general dispensation to Borough Council Members that are also Members of Norfolk County Council ('Twin-Hatters') from both the requirements of section 31 (4) of the Localism Act 2011, and also the requirements within the Councillor's Code of Conduct in relation to managing interests, on decisions relating to Local Government Reorganisation (LGR), including approval of the final submission to the Ministry of Housing, Communities and Local Government (MHCLG).</p>
KEY ISSUES:
<p>Twin-Hatters receive Members Allowances from both Borough and County Councils. Members Allowances from the 'other' Council, when acting in the alternative Council, can be considered a disclosable pecuniary interest under the legislation and Code of Conduct. There are differing views on this in the sector. The correct interpretation has not yet been determined by a Court.</p> <p>The legislation and this Council's Constitution enables dispensations to be provided to Members from the requirements on managing disclosable pecuniary interests and other interests, which include requiring Members to leave the room and not participate or vote in the matter in which the interest is engaged. The purpose of the dispensation is to remove these restrictions. Without this dispensation, the criminal offences set out at section 34 of the Localism Act 2011 could be engaged.</p> <p>Dispensations in this context only engage issues of interests, and conflicts of those interests. There is no dispensation that can be provided on being biased or predetermined, both of which would make a decision challengeable on public law grounds. The dispensations proposed by this report would mean that Twin-Hatters could stay in the room, participate and vote in the item at hand, without engaging the potential criminal sanctions within the Localism Act 2011 and other sanctions under the Code of Conduct about failing to manage interests. Twin-Hatter are still, however, required to comply with legal obligations on bias and predetermination. Twin-Hatters are advised to seek the advice of the Monitoring Officer on these matters.</p>
RECOMMENDATIONS:
<ol style="list-style-type: none"> 1. To grant a general dispensation to Borough Council Members that are also Members of Norfolk County Council ('Twin-Hatters') from both the requirements of section 31 (4) of the Localism Act 2011, and also the requirements within the Councillor's Code of Conduct in relation to managing interests, on decisions relating to Local Government Reorganisation (LGR), including approval of the final submission to the Ministry of Housing, Communities and Local Government (MHCLG).

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| 2. The duration of this general dispensation shall have effect for a maximum of four years or until the vesting of a new unitary authority, whichever is sooner. |
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REASONS FOR RECOMMENDATIONS:

To provide assurance to Borough Council Members that they will not be subject to sanctions, including potential criminal offences, for participating or voting in decisions on Local Government Reorganisation as a result of their interests as a Borough Councillor and County Councillor being in conflict.
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1. **Background**

- 1.1. The Localism Act 2011 requires each member of the Council to disclose to the Monitoring Officer their “disclosable pecuniary interests” (DPI’s), as defined in the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012.
- 1.2. Under the Localism Act, a member who has a DPI in an item of business is prohibited from participating in discussion and prohibited from voting on the matter unless a dispensation has been granted (s.33 of the Localism Act). The Council’s Code of Conduct provides for further categories of interest in addition to DPIs and sets out that Councillors must leave the room when DPIs and other interests are engaged.
- 1.3. Twin-Hatters receive Members Allowances from both the Borough and County Council. Members Allowances from the ‘other’ Council, when acting in the alternative Council, can be considered a disclosable pecuniary interest under the legislation and Code of Conduct. There are differing views on this interpretation in the sector. The correct interpretation has not yet been determined by a Court.
- 1.4. It should be emphasised that the interests above arise not only in respect of Members themselves, but also their spouse/civil partner/co-habitee.
- 1.5. The granting of dispensations is delegated from Full Council to Standards Committee, (see paragraph E.14 of the Committee’s Terms of Reference).
- 1.6. Notwithstanding any grant of the recommended dispensations, Members are still required to comply with legal obligations on not acting when they are biased or predetermined.
- 1.7. Members may still choose to voluntarily remove themselves for any item that a general dispensation has been granted for, should they elect to do so.
- 1.8. The Borough Council has 10 Councillors who are Twin Hatters.
- 1.9. In February 2025, the Government issued the English Devolution White Paper which outlined the Government’s vision for simpler local government structures. All Councils in Norfolk are putting forward proposals to MHCLG on how local government reorganisation should be implemented in Norfolk. This affects all district level Councils in Norfolk along with Norfolk County Council.

- 1.10. It has been proposed in the local government sector that the fact of receiving Member Allowances from the 'other' Council, which could be classed as a DPI, is engaged in relation to decisions on LGR as they affect all Councils.

2. Proposal and reasons for granting general dispensations

- 2.1. Under s.33 of the Localism Act 2011:

A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority—

(a) considers that without the dispensation the number of persons prohibited by section 31(4) 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 area,

(d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) 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.

- 2.2 It is proposed that Twin-Hatters being able to remain in the room on a subject matter of such significance as LGR, without being at risk of committing a criminal offence, is in the interests of persons living in the area, i.e. each Twin-Hatter's electorate, and is a sufficient enough reason in itself to be appropriate to grant a dispensation.
- 2.3 Granting a dispensation is not a mandatory requirement; it is discretionary. Another option is to not grant a general dispensation. The impact of this would be that each Twin-Hatter would be required to determine whether they wished to seek an individual dispensation under the Code of Conduct and the legislation, which would need to include an assessment of the risk of being subject to sanctions, including a potential criminal offence, if they did not. It is considered that this would be disproportionate to be handling potentially ten separate requests rather than providing one general dispensation. Additionally, Norfolk County Council have provided a reciprocal general dispensation to their Members. It is considered to be appropriate and in the public interest to have consistency for Twin-Hatters on this matter.

3. Issues for the Panel to Consider

- 3.1 Twin-Hatters receive Members Allowances from both Borough and County Councils. Members Allowances from the 'other' Council, when acting in the alternative Council,

can be considered a disclosable pecuniary interest under the legislation and Code of Conduct. There are differing views on this in the sector. The correct interpretation has not yet been determined by a Court.

- 3.2 The legislation and this Council's Constitution enables dispensations to be provided to Members from the requirements on managing disclosable pecuniary interests and other interests, which include requiring Members to leave the room and not participate or vote in the matter in which the interest is engaged. The purpose of the dispensation is to remove these restrictions. Without this dispensation, the criminal offences set out at section 34 of the Localism Act 2011 could be engaged.
- 3.3 Dispensations in this context only engage issues of interests, and conflicts of those interests. There is no dispensation that can be provided on being biased or predetermined, both of which would make a decision challengeable on public law grounds. The dispensations proposed by this report would mean that Twin-Hatters could stay in the room, participate and vote in the item at hand, without engaging the potential criminal sanctions within the Localism Act 2011 and other sanctions under the Code of Conduct about failing to manage interests. Twin-Hatter are still, however, required to comply with legal obligations on bias and predetermination. Twin-Hatters are advised to seek the advice on the Monitoring Officer on these matters.

4. Financial Implications

There are no specific financial implications arising out of this report or recommendation.

5. Any other Implications/Risks

Risk of legal challenge on failure to manage conflicts of interest, including criminal offences against Twin Hatters, is mitigated by this general dispensation.

6. Equal Opportunity Considerations

None

7. Environmental Considerations

None

8. Background Papers

None