

STANDARDS COMMITTEE REPORT

REPORT TO:	Standards Committee		
DATE:	14 th October 2026		
TITLE:	Dispensation for Members Participating in Community Governance Review		
REPORT AUTHOR:	James Arrandale, Deputy Monitoring Officer		
OPEN/EXEMPT	Open	WILL BE SUBJECT TO A FUTURE CABINET REPORT:	~~Yes~~ /No

REPORT SUMMARY/COVER PAGE

PURPOSE OF REPORT/SUMMARY:
To recommend that the Standards Committee grant dispensations to Borough Councillors who represent areas subject to a Community Governance Review (CGR), enabling them to participate in discussion and voting on matters relating to that review notwithstanding any relevant interests arising from their role as a Borough, Town or Parish Councillor.
KEY ISSUES:
Members representing an area affected by a CGR may have local knowledge and a representative role that is directly relevant to the review. At the same time, interests must be declared and managed transparently. The Council's Constitution authorises the Standards Committee to grant dispensations and to determine applications under the Localism Act 2011 or other requirements within the Member Code of Conduct.
RECOMMENDATIONS:
- To grant a dispensation to Borough Councillors who are also Members of Town or Parish Councils affected by a Community Governance Review. - The dispensation shall permit those Members to remain in the meeting, participate in debate and vote on matters relating to the relevant Community Governance Review. - The dispensation shall remain in force for the duration of the relevant Community Governance Review or until otherwise determined by the Standards Committee.
REASONS FOR RECOMMENDATIONS:
To enable elected Members to represent their communities fully during the Community Governance Review process whilst ensuring interests are managed transparently and in accordance with the Localism Act 2011 and the Member Code of Conduct.

REPORT DETAIL

1. Background

1.1 The Council is undertaking Community Governance Reviews within the Borough.

1.2 Community Governance Reviews consider governance arrangements for local communities, including parish boundaries, parish councils and related electoral arrangements. The Electoral Arrangements Committee has responsibility for overseeing Community Governance Reviews and making recommendations to Full Council.

1.3 It is recognised practice that dispensations may be granted to Members representing areas subject to a Community Governance Review to enable them to participate in the review process.

1.4 The granting of dispensations is delegated to the Standards Committee under the Constitution. The Committee has authority both to grant dispensations and determine applications under the Localism Act 2011 and the Member Code of Conduct.

2. Proposal and reasons for grant general dispensations

2.1 Section 33 of the Localism Act 2011 allows a relevant authority to grant a dispensation where, having regard to all relevant circumstances, it considers it appropriate to do so.

2.2 It is considered appropriate to grant a dispensation in this instance because:

- Members have been elected to represent communities directly affected by the review.
- Their participation will assist informed decision-making.
- The communities affected should continue to benefit from representation throughout the review process.
- Refusing a dispensation may unnecessarily restrict Member participation where local knowledge would be valuable.

2.3 Any dispensation granted would relate solely to interests arising from membership of an affected Town or Parish Council and would not provide any dispensation in respect of bias or predetermination. Members must continue to comply with all relevant legal obligations in this regard.

3. Issues for the Panel to Consider

3.1 Members of the unparished area are affected by a Community Governance Review and may have interests arising from their role. Those interests may require management under the Councillor Code of Conduct and, depending on the circumstances, may restrict a Member's ability to participate in debate or voting unless a dispensation is granted. The Standards Committee has delegated

authority to determine applications for dispensations under the Localism Act 2011 and the Council's Constitution.

3.2 The Committee should consider whether granting a dispensation would be in the interests of persons living within the area affected by the Community Governance Review. The Members concerned have been elected to represent local communities and may be well placed to contribute local knowledge and understanding of community governance arrangements. Granting a dispensation would enable those Members to continue to represent their residents throughout the review process.

3.3 The Committee should consider whether the proposed dispensation is proportionate and appropriately limited. In determining the application, Members may wish to consider:

- whether the dispensation should permit both speaking and voting, or speaking only;
- whether the dispensation should apply to all stages of the Community Governance Review process or only specified meetings;
- whether any additional conditions should be attached to the dispensation; and
- the duration of the dispensation.

3.4 The Committee should also be aware that a dispensation only relates to the management of interests. It does not remove a Member's obligation to act fairly and lawfully, nor does it provide protection where a Member is biased or predetermined. Members granted a dispensation must continue to comply with all relevant provisions of the Member Code of Conduct and public law principles governing decision-making.

3.5 The Committee may also wish to take into account that it is common practice to grant dispensations to Members who represent areas that are the subject of a Community Governance Review in order to facilitate their participation in the review process. This approach helps ensure that local communities continue to be represented whilst maintaining transparency through the formal dispensation process.

3.6 Finally, the Committee should consider whether the reasons advanced in support of the application satisfy one or more of the grounds contained within section 33 of the Localism Act 2011. In this case, it is considered that granting the dispensation would be in the interests of persons living in the authority's area and would enable effective democratic representation during consideration of Community Governance Review matters

4. Financial Implications

There are no specific financial implications arising from the recommendation of this report.

5. Any other Implications/Risks

Granting a dispensation provides clarity for Members regarding participation in Community Governance Review matters and reduces the risk of uncertainty regarding the management of interests.

6. Equal Opportunity Considerations

None.

7. Environmental Considerations

None.

8. Background Papers

Localism Act 2011
Borough Council Constitution
Standards Committee Terms of Reference