

A meeting of the above Committee will be held in the Town Hall, Royal Leamington Spa on Tuesday 25 February 2020, at 6.00pm.

Membership:

Councillor M Noone (Chairman)

Vacancy (Vice-Chairman)

Councillor L Bartlett

Councillor R Margrave

Councillor A Dearing

Councillor T Morris

Councillor J Dearing

Councillor N Murphy

Councillor K Dickson

Councillor J Weber

Councillor C Gifford

Although not a member of the Committee, Mr Tomkinson, the Council's Independent Person for Standards matters, normally attends.

Emergency Procedure

At the commencement of the meeting, the emergency procedure for the Town Hall will be announced.

Agenda

1. Apologies & Substitutes

- (a) to receive apologies for absence from any Councillor who is unable to attend; and
- (b) to receive the name of any Councillor who is to act as a substitute, notice of which has been given to the Chief Executive, together with the name of the Councillor for whom they are acting.

2. Appointment of Vice-Chairman

To appoint the Vice-Chairman of the Committee for the ensuing municipal year.

3. Declarations of Interest

Members to declare the existence and nature of interests in items on the agenda in accordance with the adopted Code of Conduct.

Declarations should be entered on the form to be circulated with the attendance sheet and declared during this item. However, the existence and nature of any interest that subsequently becomes apparent during the course of the meeting must be disclosed immediately. If the interest is not registered, Members must notify the Monitoring Officer of the interest within 28 days.

Members are also reminded of the need to declare predetermination on any matter.

If Members are unsure about whether or not they have an interest, or about its nature, they are strongly advised to seek advice from officers prior to the meeting.

4. **Minutes**

To confirm the minutes of the meeting held on 4 June 2019. **(Page 1 - 1)**

5. **Dispensation for Councillors**

To consider a report from the Deputy Chief Executive and Monitoring Officer.
(Pages 1 – 4)

Published Monday 17 February 2020

General Enquiries: Please contact Warwick District Council, Riverside House, Milverton Hill, Royal Leamington Spa, Warwickshire, CV32 5HZ.

Telephone: 01926 456114

E-Mail: committee@warwickdc.gov.uk

For enquiries about specific reports, please contact the officers named in the reports.

You can e-mail the members of the Committee at

standardscommittee@warwickdc.gov.uk

Details of all the Council's committees, councillors and agenda papers are available via our website www.warwickdc.gov.uk/committees

Please note that the majority of the meetings are held on the first floor of the Town Hall. If you feel that this may restrict you attending this meeting, please telephone (01926) 456114 prior to the meeting, so that we can assist you and make any necessary arrangements to help you to attend the meeting.

The agenda is available in large print on request,
prior to the meeting, by telephoning (01926)
456114

Standards Committee

Minutes of the meeting held on Tuesday 4 June 2019 at the Town Hall, Royal Leamington Spa at 7.00pm.

Present: Councillor Noone (Chairman); Councillors; Bartlett, A Dearing, J Dearing, K Dickson, C Gifford, Morris, Murphy, Sanghera and Weber.

Also Present:

Independent Persons: Mr R Meacham and Mr R Tomkinson.

Officers: Mrs L Dury (Principal Committee Services Officer); Mr G Leach (Democratic Services Manager & Deputy Monitoring Officer) and Mr A Jones (Deputy Chief Executive & Monitoring Officer).

5. **Apologies and Substitutes**

- (a) Apologies for absence were received from Councillor Margrave.
- (b) There were no substitutes for the meeting.

6. **Declarations of Interest**

There were no declarations of interest made.

7. **Minutes**

The minutes of the meeting held on 12 February 2019 were taken as read and signed by the Chairman as a correct record.

It was agreed that the minutes of the meeting held on 20 May 2019 could also be considered for approval. The minutes of the meeting held on 20 May 2019 were taken as read and signed by the Chairman as a correct record.

8. **Appointment of Independent Person**

The Democratic Services Manager & Deputy Monitoring Officer explained that the Council was seeking approval to advertise to appoint a third Independent Person to supplement the role of the two current Independent Persons so that there would be continuity of cover when one of the existing role holders decided to leave. As a matter of course, appointments to this role were made every four years.

Resolved that the advertisement for the appointment of a third Independent Person for the Council be approved.

(The meeting ended at 7.04 pm)

CHAIRMAN
25 February 2020



Title	Dispensation for Councillors
For further information about this report please contact	Andrew Jones Deputy Chief Executive & Monitoring Officer andrew.jones@warwickdc.gov.uk
Wards of the District directly affected	Leamington wards
Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?	No
Date and meeting when issue was last considered and relevant minute number	N/A
Background Papers	Localism Act 2011 and Warwick District Code of Conduct for members

Contrary to the policy framework:	No
Contrary to the budgetary framework:	No
Key Decision?	No
Included within the Forward Plan? (If yes include reference number)	No
Equality & Sustainability Impact Assessment Undertaken	No

Officer/Councillor Approval	Date	Name
Deputy Chief Executive & Monitoring Officer	17 th February 2020	Andrew Jones
CMT		
Section 151 Officer		
Portfolio Holder(s)		
Consultation & Community Engagement		
Final Decision?		Yes
Suggested next steps (if not final decision please set out below)		
N/A		

1. **SUMMARY**

- 1.1 The proposals set out in this report will protect members from inadvertent breaches of the requirements related to Disclosable Pecuniary Interests ensuring that the Council can conduct its business.

2. **RECOMMENDATION**

- 2.1 That the Committee grants dispensations to Councillors Boad and Gifford until elections for the Council in May 2023, allowing them to both speak and vote in relation to the following matter of the District Council:

- (i) To take part in any discussions and decisions concerning the future of Leamington Town Hall.

3. **REASONS FOR THE RECOMMENDATION**

- 3.1 Within the Council's Constitution, the Standards Committee is responsible for considering and determining requests for dispensation from requirements of the adopted Members' Code of Conduct.
- 3.2 Dispensations can be granted (in certain circumstances) for up to four years allowing a member to speak and or vote where they have a disclosable pecuniary interest. The application must be made in writing to the proper officer. A copy of the application is included at Appendix B to this report.
- 3.3 It is officers' view that it is reasonable and proportionate to allow Councillors Boad and Gifford to partake of discussions and decisions in this matter as failure to grant dispensations would deprive the Councillors' electorate an informed "voice".

4. **POLICY FRAMEWORK**

- 4.1 **Policy Framework** – The report proposes no changes to the Council's Policy Framework.
- 4.2 **Fit for the Future** – The report enables the Council to work effectively and enhances the Council value of honesty and openness.

5. **BUDGETARY FRAMEWORK**

- 5.1 There is no direct impact on either the Budgetary Framework or Budget of the Council arising from this report.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 No alternative options were considered as the request from the Councillors is considered to be reasonable and proportionate.

Dispensation

You may make an application for a dispensation allowing you to speak and/or vote in relation to a matter in which you have a disclosable pecuniary interest by writing to the Chief Executive. You should set out your disclosable pecuniary interest and the reasons why you believe you should be allowed to speak and /or vote in relation to the matter. The Chief Executive will refer your application to the Standards Committee for consideration.

Terms of Reference

To grant dispensations from either or both of the restrictions in section 31(4) Localism Act 2011 i.e. restrictions on participation and voting in relation to matters in which a member has a disclosable pecuniary interest, if in all the circumstances it considers:

- (a) 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) 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) 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, 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) that it is otherwise appropriate to grant a dispensation.

From: Alan Boad <Alan.Boad@warwickdc.gov.uk>

Sent: 12 February 2020 14:13

To: Andrew Jones <Andrew.Jones@warwickdc.gov.uk>

Subject: To seek dispensation for Cllrs Alan Boad and Bill Gifford on issues affecting Leamington Town Hall

Andy,

Both Bill and I are members of Royal Leamington Spa Town Council, and as such are not allowed to take part in any discussions or decisions involving the future use of the town hall, as the Town Council is a tenant, renting the Mayor's Parlour, office and meeting room, be it within the Creative Quarter CDPR proposals or if excluded from the scope of the Creative Quarter any other proposals that may come forward.

Both Bill and I are seeking dispensation from the District Council to enable us to take part in any discussions and decisions concerning the future of the Town Hall building.

The logic for this is that as the Town Council only rents a small proportion of the building, that is insignificant, in the context of the space available, and to exclude Cllrs Alan Boad and Bill Gifford from taking part in any discussions and decisions concerning the future of the whole building seems to be disproportionate, given that they are also District Councillors from Leamington Spa wards.

Councillor Alan Boad is also a member of the Creative Quarter members group on the District Council and is currently excluded from the meeting whenever a discussion on the future of the town hall is raised, this is clearly detrimental to being involved in the overall Creative Quarter project.

Councillors Alan Boad and Bill Gifford are currently also declaring interests as District Councillors and cannot take part in discussions and decisions in that forum too.

We hope that the Standards Board can agree to granting our request.

Regards

Alan Boad and Bill Gifford