

APPLICATIONS FOR DISPENSATIONS**Report of the Assistant Director for Legal & Democratic Governance****1. INTRODUCTION AND PURPOSE OF REPORT**

- 1.1 The report details a number of applications for dispensations under Section 33 of the Localism Act.
- 1.2 Section 31 of the Localism Act 2011 provides that a member of a relevant authority with a disclosable pecuniary interest may not (a) participate, or participate further, in any discussion at a meeting, or (b) participate in any vote, or further vote, taken on the matter at the meeting.
- 1.3 However, Section 33 of the Localism Act 2011 provides that a relevant authority may, on a written request made to the proper officer of the authority by a member of the authority, grant a dispensation relieving the member from either or both of the restrictions in section 31 in cases described in the dispensation.
- 1.4 The Standards Committee gave approval to the granting of a dispensation to councillors that were also members of the Stockport Mayoral Development Corporation (MDC) at its meeting on 18 November 2019. Specifically, this was to Councillors Elise Wilson, Mark Hunter and Mike Hurleston.
- 1.5 The report details further requests for dispensations to enable continuity for those members that remain members of the MDC, and to further refresh the scope of the dispensation to include those members who have subsequently become members of the MDC since the original dispensation was granted.

2. BACKGROUND AND UPDATE

- 2.1 The Stockport Mayoral Development Corporation was formally established on 9 September 2019.
- 2.2 Councillors Anna Charles-Jones, Mark Hunter and David Meller have been appointed as Members of the Board of the Stockport Mayoral Development Corporation. Councillors Gary Lawson and Matt Wynne are both recognised as 'Observers' of the Board but do not take part in decision-making and therefore excluded from the scope of the request of this dispensation.
- 2.3 Board members do not receive remuneration, but depending on the circumstances, they could be viewed as having a declarable interest in relation to matters relevant to the Mayoral Development Corporation when these arise before meetings of the Council which may preclude them from participating in the proceedings.
- 2.4 Dispensations are therefore sought in order to allow them to remain in the room, be able to speak at any meeting they are attending as a member (or as a substitute), and be able to vote on any matters relating to the Mayoral Development Corporation.
- 2.5 Under the Localism Act 2011, the Standards Committee are permitted to grant dispensations where:-

- a) So many members of the decision-making body have disclosable pecuniary interests in a matter that it would "impede the transaction of the business";
- b) Without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
- c) The authority considers that the dispensation is in the interests of persons living in the authority's area;
- d) Without a dispensation, no member of the Executive would be able to participate on this matter; or
- e) The authority considers that it is otherwise appropriate to grant a dispensation

2.6 A dispensation for Councillor Mark Hunter would allow him to continue to take part in Council business, particularly at Cabinet and the Council Meeting, where he might otherwise be excluded due to the interest. Furthermore, in his role as Leader of the Council it is highly likely that the subject of the Mayoral Development Corporation will arise either through the Mayoral Development Corporation business plan, development strategies or performance reporting to Cabinet and scrutiny committees and increasingly as aspects of the delivery plan come to fruition

2.7 A dispensation for Councillor Hunter is likely to be considered to be in the interests of efficient decision-making and accountability to allow him to undertake the full range of his duties as Leader of the Council in the Council Meeting, Cabinet and at Scrutiny Committees.

2.8 Dispensations for Councillors Charles-Jones and Meller would allow them to continue to take part in Council business at meetings where they might otherwise be excluded due to the interest. Dispensations for these councillors are likely to be considered to be in the interests of efficient decision-making and accountability to allow them to undertake their duties and represent their constituents' interests during the Council meetings.

2.9 A dispensation can be granted in respect of a particular meeting or for a period not exceeding four years. In this case the dispensations are requested until December 2028 and should extend to cover all councillors that are appointed to the board of the Mayoral Development Corporation, either currently or in the future, until the date that the dispensation requires renewal.

3. CONCLUSIONS AND RECOMMENDATIONS

3.1 The Standards Committee is requested to consider the applications and determine whether the dispensations should be granted.

BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Vicki Bates on telephone number 0161 474 3219 or alternatively email vicki.bates@stockport.gov.uk.