

Committee: Dispensations Sub (Standards) Committee	Date: 18 November 2019
Subject: Requests for a Dispensation under the Corporation's approved Dispensations Policy	Public
Report of: Report of Town Clerk	For Decision
Report authors: Gemma Stokley Antoinette Duhaney	

Summary

This report set out details of three Members (Mark Bostock, Susan Pearson, Brian Mooney) who have requested a dispensation to speak and or vote on any matter which affects their constituents and in which they may have a "pecuniary interest," except for matters which:

- (a) affect them uniquely or more so than any of their constituents; and
- (b) insofar as regards a dispensation to vote only, falls within the restriction imposed by section 618 of the Housing Act 1985 for as long as that provision remains on the statute book;

It also provides details of a request from Adrian Bastow to speak and vote on matters relating to the proposed extension of the City of London School for Girls onto the Grade II listed areas of the Barbican Estate.

Recommendation

The Sub-Committee is asked to determine the applications for a dispensation as detailed below.

Main Report

Background

1. Four Members have submitted requests for a dispensation. The Standards Committee has requested that all such applications are accompanied by a covering report. These applications are submitted under the new dispensations policy that came into force on 1 March 2019 (appendix 1). The statutory grounds for granting a dispensation under the Localism Act 2011, and the factors that your Sub-Committee should take into account when considering these applications, are set out and explained in that document.

The applications

2. The full applications for dispensations are appended to this report. The applications from Mark Bostock (appendix 2), Susan Pearson (appendix 3), and Deputy Brian Mooney (appendix 4) were previously considered by the Dispensations Sub-Committee on 3 July 2019 and the minutes of the Sub-Committee are attached as appendix 5. However, the applicants listed above were dissatisfied with the Sub-Committee's decision and requested that their applications be reconsidered.
3. These applications were subsequently resubmitted to the Sub-Committee on 04.09.19 and at this meeting, it was agreed that these applications be deferred (minutes attached as appendix 6) pending the outcome of a review of the Dispensations Policy by the Standards Committee. (The minutes of the Standards Committee's meeting on 04.10.19 are attached as appendix 7). In the light of the Standards Committee's deliberations, these applications have been resubmitted on the revised dispensations application form
4. An application has also been submitted by Adrian Bastow (appendix 8)
5. This covering report does not seek to include all of the information included within the applications but provides a summary of the dispensation sought by each applicant.

Mark Bostock

6. In summary, Mark Bostock confirms that he has the following "disclosable pecuniary interests" for the purpose of the Localism Act 2011 and that these interests have been published in his register of interests:
 - (a) a long lease that he and his wife hold in a flat at 815 Frobisher Crescent in the Barbican Estate; and
7. Mark Bostock has confirmed that the dispensation request is to speak and vote for the remainder of his term of office (which ends in March 2021) on any matter which affects his constituents and in which he may have a "pecuniary interest", except for a matter which:
 - (a) affects him uniquely or more than any of his constituents; and
 - (b) insofar as regards a dispensation to vote only, falls within the restriction imposed by section 618 of the Housing Act 1985 for as long as that provision remains on the statute book;
8. Mr Bostock makes this request on the grounds that the grant of this dispensation is in "the interest of persons living in the authority's area."

Specific considerations

9. Mark Bostock is a Common Councillor for Cripplegate Ward and a Member of a number of committees including the Markets Committee, the Planning and Transportation Committee, the Barbican Residential Committee and Hampstead Heath, Highgate Wood and Queen's Park Committee.
10. The Planning and Transportation Committee is a Ward Committee consisting of four Alderman nominated by the Court of Alderman and up to 31 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward. There are two representatives for Cripplegate Ward. The quorum for that Committee is any nine Members.

Susan Pearson

11. In summary, Susan Pearson confirms that she has a "disclosable pecuniary interest" for the purpose of the Localism Act 2011 consisting of a long lease that she holds in a flat at 21 Hatfield House, Golden Lane Estate, London EC1Y 0ST and that this has been published in her register of interests:
12. Ms Pearson has confirmed that the dispensation request is to speak and vote for the remainder of her term of office (which ends in March 2021) on any matter which affects her constituents and in which she may have a "pecuniary interest", except for a matter which:
 - (a) affects her uniquely or more than any of her constituents; and
 - (b) insofar as regards a dispensation to vote only, falls within the restriction imposed by section 618 of the Housing Act 1985 for as long as that provision remains on the statute book;
13. Ms Pearson makes this request on the grounds that the grant of this dispensation is in "the interest of persons living in the authority's area."

Specific considerations

14. Susan Pearson is a Common Councillor for Cripplegate Ward and a Member of a number of committees including the Planning and Transportation Committee, the Finance Committee, the Community and Children's Services Committee and the Barbican Residential Committee.
15. The Community and Children's Services Committee is a Ward Committee consisting of two Alderman nominated by the Court of Alderman and up to 33 Commoners representing each Ward (two representatives for the Wards with six or more Members regardless of whether the Ward has sides) or Side of Ward. Those Wards having 200 or more residents (based on the Ward List) are able to nominate a maximum of two representatives. There are also a limited number of Members co-opted by the Committee (e.g. the two parent governors required by law). There are two representatives for the Ward of Cripplegate. The quorum for that Committee is any nine Members [N.B. - the co-opted Members only count as part of the quorum for matters relating to Education Functions].

Deputy Brian Mooney

- 16 In summary, Brian Mooney confirms that he has a "disclosable pecuniary interest" for the purpose of the Localism Act 2011 consisting of two flats in Queen's Quay, Upper Thames Street, London EC4. This interest has been published in his register of interests.
- 17 Deputy Mooney has confirmed that the dispensation request is to speak and vote for the remainder of his term of office (which ends in March 2021) on any matter which affects his constituents and in which he may have a "pecuniary interest", except for a matter which:
- (a) affects him uniquely or more than any of his constituents; and
- 18 insofar as regards a dispensation to vote only, falls within the restriction imposed by section 618 of the Housing Act 1985 for as long as that provision remains on the statute book;
- 19 Deputy Mooney makes this request on the grounds that the grant of this dispensation is in "the interest of persons living in the authority's area".

Specific considerations

- 20 Brian Mooney is Deputy Member of Queenhithe Ward and a Member of a number of committees including the Markets Committee, the Planning and Transportation Committee and the Port Health and Environmental Services Committee.

Adrian Bastow

- 21 In summary, Adrian Bastow confirms that he does not have a "disclosable pecuniary interest" for the purpose of the Localism Act 2011 as a lessee. Due to location of the property, the proposals are unlikely to affect his enjoyment of the property nor the Barbican Estate in general.
- 22 Mr Bastow has confirmed that the dispensation request is to speak and vote for the period up to any decisions being made by the Planning & Transportation Committee on matters relating to the proposed extension of the City of London School for Girls onto the Grade II listed areas of the Barbican Estate, at the request of resident electors.
- 23 Mr Bastow makes this request on the grounds that the grant of this dispensation is in "the interest of persons living in the authority's area." He states that residents have urged Ward Members to oppose the incursion onto the Grade II listed areas of the Barbican Estate. Given that existing and former members of the Board of Governors of the City of London School for Girls are permitted to speak and vote on this matter, Mr Bastow states that in the interests of good governance, there should be a level playing field for all members in respect of voting.

Specific considerations

- 24 Mr Bastow is a Member for Aldersgate Ward and a Member of a number of committees including Planning and Transportation and Port Health and Environmental Services Committees.

Conclusion

- 25 A summary of current dispensations awarded since May 2017 by the Standards Committee, Dispensations Sub (Standards) Committee and under Standing Orders 41(a) and (b) is attached as appendix 8.
- 26 The Sub-Committee is asked to determine these applications in accordance with the new policy on the granting of dispensations that came into force on 1 March 2019.

Appendices

1. Dispensation policy
2. Mark Bostock application
3. Susan Pearson application
4. Brian Mooney application
5. Minutes from 03.07.19 Dispensations Sub-Committee meeting
6. Minutes from 04.09.19 Dispensations Sub-Committee meeting
7. Minutes from 04.10.19 Standards Committee meeting
8. Adrian Bastow application
9. Current dispensations

Contacts:

Gemma Stokley
Senior Committee and Member Services Officer
020 7332 3414
gemma.stokley@cityoflondon.gov.uk

Antoinette Duhaney
Committee and Member Services Officer
020 7332 1408
antoinette.duhaney@cityoflondon.gov.uk