

DISPENSATIONS SUB (STANDARDS) COMMITTEE

Friday, 18 September 2020

Minutes of the meeting of the Dispensations Sub (Standards) Committee held at the Guildhall EC2 at 11.15 am

Present

Members:

Henry Colthurst (Chairman)
Mary Durcan
Dan Large (Co-optee)
Alderman & Sheriff Professor Michael Mainelli

Officers:

Edward Wood	- Comptroller and City Solicitor's Department
Gemma Stokley	- Town Clerk's Department
Antoinette Duhaney	- Town Clerk's Department

1. APOLOGIES

There were no apologies.

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations.

3. DISPENSATION REQUESTS

The Sub Committee considered a report of the Town Clerk concerning two applications for a dispensation, the decisions on which are set out below.

Deputy John Tomlinson

The Sub-Committee granted a dispensation until the Ward elections in March 2021:

- to speak and vote on the setting of council tax
- to speak as a member of the public on planning applications
- to speak as a member of the public on licensing applications
- to speak on general housing matters (including car parking spaces and private storage spaces)
- to speak on fire safety matters affecting the Barbican Estate post Grenfell including those relating specifically to the Towers.

Reasons

The Sub Committee noted that matters 1-4 above could be granted by the Town Clerk under delegated authority and were only coming to Members for decision because of the request to speak on fire safety issues. Members were satisfied on all points that the granting of a dispensation was in the interests of

persons living in the authority's area and in accordance with the published policy.

Mark Bostock

The Sub Committee granted a dispensation until the proposed rescheduled Ward elections in March 2022 to speak (but not vote) on fire safety in general and specifically on fire safety improvement works at Frobisher Crescent.

Reasons

The Sub Committee was satisfied that the granting of a dispensation to speak was in the interests of persons living in the authority's area and in accordance with the published policy. However, Members considered that Mr Bostock would in any case be prevented from voting where his disclosable pecuniary interest was engaged by the application of section 618 of the Housing Act 1985 and Standing Order 44(2). It could not therefore be established that the granting of a dispensation to vote would be in the interests of persons living in the authority's area or otherwise appropriate under the statutory grounds.

Members agreed that the somewhat unsatisfactory situation provided another example to support an approach to repeal section 618 of the Housing Act 1985.

4. QUESTIONS ON MATTERS RELATING TO THE WORK OF THE SUB-COMMITTEE

There were no questions.

5. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

The Chairman noted that a number of existing dispensations were granted until March 2021 when the next elections of Common Councillors had originally been scheduled. Given the Court of Common Council's recent agreement in principle to defer such elections until 2022, he wondered whether it would make sense to notify all affected members and suggest that they apply for a further extension to such dispensations to align with the new election timetable. Following support from other Members the Town Clerk agreed to take the suggestion forward once the new election date had been confirmed.

The meeting closed at 11.33 am

Chairman

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