

DISPENSATIONS SUB (STANDARDS) COMMITTEE

Wednesday, 4 September 2019

Minutes of the meeting of the Dispensations Sub (Standards) Committee held at the Guildhall EC2 at 2.30 pm

Present

Members:

Caroline Addy (Chairman)
Judith Barnes (Co-opted)

Mary Durcan
Vivienne Littlechild

Officers:

Edward Wood	-	Comptroller and City Solicitor's Department
Michael Cogher	-	Comptroller and City Solicitor
Antoinette Duhaney	-	Town Clerk's Department

1. APOLOGIES

No apologies for absence were received.

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

There were no declarations of interest.

3. DISPENSATION REQUESTS

The Sub Committee proceeded to consider the dispensation requests submitted by Mark Bostock, Susan Pearson, Jason Pritchard, Brian Mooney and Joyce Nash. The Chairman drew the Sub-Committee's attention to the agenda supplement which included the correct version of Mark Bostock's dispensation request. The Sub-Committee also noted that with the exception of Joyce Nash, all of the above requests were previously considered by the Sub-Committee on 03.07.19. However, all four applicants had resubmitted their requests.

The Sub-Committee considered the merits of each application in turn and in respect of the applications from Mark Bostock, Susan Pearson, Jason Pritchard and Brian Mooney, the Sub-Committee considered the reasons given by the Sub-Committee when these four applications were previously considered on 03.07.19 Appendix 6 (pages 35-41). The Sub-Committee referred to the statutory grounds for granting a dispensation (pages 11-12) and also had due regard to Appendix 3 (pages 21-22) of the dispensations policy - Factors to be taken into consideration.

Mark Bostock, Susan Pearson, Jason Pritchard, Brian Mooney

Members had mixed views on whether the Sub-Committee's earlier decision in respect of the above four applicants should be followed. However, given the current review of the dispensations policy, Members were unanimous in their view that these applications should be deferred pending the outcome of the

review and decisions taken by the Standards Committee at its meeting on 4th October 2019.

RESOLVED – That the applications from Mark Bostock, Susan Pearson, Jason Pritchard and Brian Mooney be deferred pending the outcome of the current review and decisions taken by the Standards Committee on 4th October 2019. A meeting of the Sub-committee will then be convened at the earliest opportunity thereafter to consider these applications.

Joyce Nash

Details of dispensation sought

To speak and vote on matters relating to the expansion of the City of London School for Girls onto the Grade II listed areas of the Barbican Estate at the request of resident electors for the period up to the final decisions made by the Planning & Transportation Committee (as discussion could take place on some of the Committees of which Ms Nash is a Member).

Details of dispensation granted

A dispensation was granted to speak and vote on matters relating to the expansion of the City of London School for Girls for the period until final decisions are made by the Planning & Transportation Committee or for the remainder of the current term of office ending in March 2021, whichever is sooner.

Reasons

Under the Localism Act 2011 the Sub-Committee may grant a dispensation only if, after having had regard to all relevant circumstances, it considers that one of the statutory grounds is satisfied. Members were of the unanimous view that statutory ground (c) (that granting the dispensation is in the interests of persons living in the authority's area) and statutory ground (e) (that it is otherwise appropriate to grant a dispensation) were satisfied in this case.

The Sub-Committee noted the guiding principle in paragraph 5 of the dispensations policy, that Members should generally be granted a dispensation to speak (but not vote) on all matters concerning their Ward where they have an engaged disclosable pecuniary interest (DPI), other than when that interest would be directly and materially impacted.

Members were satisfied that Ms Nash should be allowed to speak as she had a widely held interest which was common to a significant number of Barbican residents and that she was less affected than many other Barbican residents who lived closer to the City of London School for Girls.

The Sub-Committee then went on to consider whether, in accordance with Appendix 3 of the dispensations policy, there were exceptional circumstances that would justify the granting of a dispensation to vote in this instance, and decided that there were. Members accepted that this was a major project and that any potential impact on the Barbican Estate was of wider public interest. It was also relevant that the City of London Corporation was acting as both applicant and local planning authority in this matter, and that Members who sat

on the Board of Governors of the City of London School for Girls would not have a DPI arising from their role and would not be prohibited from speaking or voting on matters relating to the proposed expansion.

In relation to other factors to be taken into account under Appendix 3 of the dispensations policy, it was accepted that the application from Ms Nash was appropriately focussed, which enabled the Sub-Committee to properly exercise its statutory discretion. In addition, it was noted that she had considerable personal knowledge of the issues, which would assist the decision making process. There were not considered to be any previous dispensation decisions that had been made in equivalent circumstances.

It was also noted that Ms Nash was a tenant of the City of London Corporation rather than the owner of her property and that she was not a serving Member of the Planning & Transportation Committee, Barbican Residential Committee or the Board of Governors of the City of London School for Girls.

The Sub-Committee acknowledged that a dispensation may not be granted for more than four years and that therefore a time restriction must be placed on the dispensation so that it was not open ended; it was felt that a dispensation for the period until final decisions are made by the Planning & Transportation Committee, or for the remainder of the current term of office ending in March 2021, whichever is sooner, was appropriate.

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

There were no further matters raised.

5. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT

There was no urgent business.

The meeting closed at 3.48 pm

Chairman

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