

Committee: Standards Committee	Date: 29 January 2019
Subject: Policy and Guidance, etc on Dispensations under the Localism Act 2011	Public
Report of: Joint Report of Town Clerk and Comptroller & City Solicitor	For Decision
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Summary

In July 2018, the Town Clerk authorised the establishment of a Dispensations (Standards) Working Party under the urgency provisions of Standing Order No. 41(a). The Working Party has since met regularly to consider dispensation policy and associated issues.

This report sets out the final details of the Working Party's draft future policy and guidance on dispensations, and revisions to the dispensation request application form.

The aim of the Working Party has been to provide members with an enhanced level of requisite information about disclosable pecuniary interests, and a better understanding of the regulations around such interests and dispensations, and thereby increase clarity on the matter and confidence both for Members and the general public that the City of London Corporation is taking decisions on them in a consistent way.

Members are now asked to consider and comment on these matters and the documentation set out in this report and to approve the contents of the draft future policy and guidance on dispensations and revisions to the dispensation request application form, for formal adoption from February 2019.

Recommendation

It is recommended that Members approve the draft policy and guidance and the dispensation request application form, set out in appendices 1 and 2.

Main Report

Background

1. In July 2018, the Town Clerk authorised the establishment of a Dispensations (Standards) Working Party under the urgency provisions of Standing Order No. 41(a) and with the following membership drawn from the Standards Committee :- Oliver Lodge (Chairman of the Standards Committee), Ann Holmes (Deputy Chairman of the Standards Committee), Deputy Jamie Ingham Clark, Deputy Edward Lord and Mark Greenburgh (Co-opted Member of the Standards Committee).
2. The Working Party has since met regularly to consider dispensation policy and associated issues, with the original objective being to report its findings to the Standards Committee in October 2018.
3. The Standards Committee considered the findings and recommendations of the Working Party at its meeting in October 2018 as planned, in the form of a joint report of the Town Clerk and the Comptroller and City Solicitor setting out a draft future policy and guidance on dispensations under the Localism Act 2011, revisions to the dispensation request form and proposed alterations to the terms of reference of the Dispensations Sub (Standards) Committee.
4. Detailed discussion took place at this meeting on the draft policy and guidance and associated other documentation, during which there were a number of comments made by Committee members. It was agreed that these comments be referred to the Dispensations Working Party for its consideration as part of the finalisation of the draft documents.
5. Consideration, at this stage, also turned to how best to ensure that all Members had the opportunity to consider and comment on the draft documentation prior to implementation and, after discussion, it was agreed that a public meeting of the Standards Committee should be convened with all members of the Court invited to attend.
6. The all Member (including Co-opted Members) Standards Committee meeting took place in November 2018 and generated much debate – so much so, that the Chairman of the Standards Committee, as part of the process of fully understanding concerns, arranged a series of workshops for Members (including co-opted Members) throughout December 2018 to further discuss the documentation. These workshops were facilitated by members of the Standards Committee. The specific aims of the workshops were:
 - For the Committee to gain a better and more detailed understanding of concerns about specific aspects of the Policy and application form;

- To dispel any remaining misconceptions concerning the intentions and the process;
 - To identify areas in which the Policy can be enhanced/amended/clarified.
7. The draft documentation was then also the subject of two motions and much debate at the December 2018 Court of Common Council meeting. One of the motions was amended and carried with the substantive motion being a request from the Court that the Standards Committee “should, as part of the current review of its policy and guidance on dispensations, adopt a position where Members would generally be granted a dispensation to speak (but not vote) on all matters concerning their Ward where they have an engaged disclosable pecuniary interest other than when that disclosable pecuniary interest would be directly and materially impacted by a matter to be determined at a meeting of the Court or one of its committees or sub-committees, subject of course to the proper exercise of the statutory discretion in each case”. The second motion was not carried.
 8. The Standards Committee has noted the points raised in all forms since their last meeting in October 2018 (by the Court of Common Council, via email and at the various workshops that took place towards the end of 2018) and a further meeting of the Dispensations (Standards) Working Party was convened on 9 January 2019 to take these into account in the finalising of the Policy and associated documents.

Proposals

9. A proposed policy and guidance has therefore been considered in great detail and this is attached as **appendix 1**. In summary, this document explains the general policy on the granting of dispensations, including when it might be necessary to apply for one, the process for this, statutory grounds for granting a dispensation, agreed additional factors to be taken into account in deciding whether one or more of the statutory grounds are satisfied, and other related matters.
10. Significant revisions have been made to the current dispensation request form, cross referencing with the policy and guidance document, and this is attached as **appendix 2**. The revisions aim to provide appropriate advice on matters that should be taken account of by the applicant and capture the relevant and necessary information that is required for a decision on the request to be made.

Conclusion

11. The proposed policy and guidance and associated documents seek to provide Members with an enhanced level of requisite information about disclosable pecuniary interests, and a better understanding of the

regulations around such interests and dispensations, and thereby increase clarity and confidence both for Members and the general public that the City of London Corporation is taking decisions on them in a consistent way. Members are now asked to approve the policy and guidance and application form.

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