

SLOUGH BOROUGH COUNCIL

REPORT TO: Council **DATE:** 18th May 2017
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WARD(S): All

PART I **FOR DECISION**

LOCALISM ACT 2011 - DISPENSATIONS

1. **Purpose of Report**

That a general dispensation is granted to all Members to be present, speak and vote where they would otherwise have a Disclosable Pecuniary Interest (DPI).

2. **Recommendation**

The Council is requested to resolve that the grant of general dispensations, as set out in paragraph 5.1 of the report, be approved.

3. **Slough Joint Wellbeing Strategy Priorities**

The report indirectly supports all of the strategic priorities and cross cutting themes by maintaining strong governance across the Council.

The Code of Conduct forms the basis of the conduct regime for Members and aims to ensure that ethical behaviour and governance of the highest order is maintained as this contributes to open, transparent and fair decision making.

4. **Other Implications**

The Constitution meets the Council's requirements and incorporates all necessary legal requirements.

5. **Supporting Information**

5.1 In order to protect Members it is recommended that a general dispensation is granted to all Members to be present, speak and vote where they would otherwise have a DPI on the grounds that it is appropriate to grant a dispensation to allow all Members to participate fully in the following matters:

(a) Housing: where the member (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not only relate to the member's particular tenancy or lease*.

- (b) school meals or school transport and travelling expenses where the member is a parent or guardian of a child in full time education, or is a parent governor of a school, provided that the matter does not only relate to the particular school which the child attends;
- (c) Housing Benefit: where the member (or spouse or partner) directly receives housing benefit in relation to their own circumstances
- (d) Allowances, travelling expenses, payments or indemnity for members; [looked as though it could be one payment to one]
- (e) Setting the Council Tax or a Precept; and
- (f) Decisions in relation to Council Tax Benefit.

*Any general housing related dispensations afforded to members will not negate the need for members to declare a personal or prejudicial interest; particularly where the member or spouse holds a tenancy or lease with the Council and a matter requiring a decision may/will impact their own Council tenancy.

For example in cases where the matter particularly affected their local neighbourhood and was considered to affect their own tenancy more than other people in the Authority's area, the Member should consider whether it is appropriate to participate in the decision making process.

For the avoidance of doubt and to ensure adherence to the member code of conduct, members should seek guidance from the Council's Monitoring Officer.

Members' allowances are included in this general dispensation for the avoidance of doubt and for completeness even though they are not a DPI.

It is recommended that the Council considers granting general dispensations each year at its annual meeting.

Dispensations for Council Tax relate to Members' DPIs, and do not affect a Member's obligation under Section 106 of the Local Government Finance Act 1992 to declare and not vote if they are two months or more in arrears with their Council Tax when voting on setting the Council's budget.

6. **Comments of other Committees**

None.

7. **Conclusion**

The Council is required to have dispensations in place in order to allow all Members to participate fully in matters as set out in the report.

8. **Background Papers**

A full copy of the Constitution can be accessed on the Council's website.