

REDDITCH BOROUGH COUNCIL

RECORD OF DECISION TAKEN UNDER URGENCY PROCEDURES

SUBJECT: Localism Act 2011 – Standards Regime - Dispensations

BRIEF STATEMENT OF SUBJECT MATTER:

Section 33 of the Localism Act 2011 provides that Dispensations can be granted in respect of Disclosable Pecuniary Interests (“DPIs”). In addition, Section 33 (3) provides that a dispensation must specify the period for which it has affect and that period may not exceed four years.

The Audit, Governance and Standards Committee previously approved dispensations for all Members in respect of enabling all Members to debate and vote on the Council’s budget and Council Tax at a meeting held on 29th July 2019. The dispensations applied until the next Borough elections, which were then anticipated as due to take place in May 2020, but which were subsequently postponed to May 2021 due to the Covid-19 pandemic. The proposals detailed in this report will ensure that, for the avoidance of any doubt, Members have the dispensations needed to participate in the debate and vote on the Council’s budget and Council Tax resolutions.

It should be noted that under Section 106 of the Local Government Finance Act 1992 there is a caveat that any Member who is two months (or more) in arrears with their Council Tax payments cannot participate in any Council meeting concerning the budget. In the event that any Members are affected by the provisions of section 106, the statutory rule that they be barred from taking part in the budget decisions would prevail.

DECISION:

RESOLVED that

- 1) subject to the caveat set out above in relation to setting the Council’s Budget, Council grants dispensations under Section 33 (2) of the Localism Act 2011 to allow all Members to participate in and vote at Council when considering the setting of:**
 - a) the Budget;**
 - b) Council Tax; and**
- 2) it be noted that any new or re-granted dispensations will remain valid until the first meeting of the Audit, Governance and Standards Committee following the next Borough Council Elections in 2021.**

(Council decision)

GROUND FOR URGENCY:

The Executive Committee is due to consider and make recommendations in respect of the Medium Term Financial Plan 2021/22 to 2023/24 at a meeting on 16th February and Council is due to debate and vote on the budget and Council Tax resolutions at a meeting on 22nd February 2021. This decision is required urgently to enable the debate and votes to occur at these meetings.

DECISION APPROVED BY:

(Deputy) **CHIEF EXECUTIVE**

ACTING SECTION 151 OFFICER

(if financial implications)

.....
(Signature) (Sue Hanley / Kevin Dicks - (D)CX)

.....
(Signature) (Chris Forrester)

Date: February 2021

PROPOSED ACTION SUPPORTED <i>(amend as appropriate)</i>				
..... (Signature) (Signature) (Signature) (Signature) (Signature)
<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>	<i>(Block Capitals)</i>
MAYOR *	PF HOLDER	LEADER / LABOUR Group	LEADER / LDR CONSERVATIVE Group	CHAIR O&S Committee
Date:	Date:	Date:	Date:	Date:

Notes:

* In addition to the Executive decision above regarding the matter under consideration, the Mayor is signing to agree both that the Executive decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. This is to ensure that the call-in procedures as set out in Part 8 of the Constitution shall not apply where an Executive decision being taken is urgent.