

REDDITCH BOROUGH COUNCIL

**Audit, Governance and Standards Committee
2025**

24th July

LOCALISM ACT 2011 – STANDARDS REGIME – DISPENSATIONS

Relevant Portfolio Holder	Councillor Jane Spilsbury
Portfolio Holder Consulted	Yes
Relevant Head of Service	Claire Felton, Head of Legal, Democratic and Procurement Services
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Wards Affected	All
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	An effective and sustainable Council
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Committee is asked to RESOLVE that:-

- 1) (any Individual Member Dispensations (IMDs) and Outside Body Appointments dispensations requested by Members up to the point of the meeting, and as advised by the Monitoring Officer at the meeting, be granted under section 33 (2) of the Localism Act 2011, to allow those Member(s) to participate in and vote at Council and Committee meetings in the individual circumstances detailed;**
- 2) The Audit, Governance and Standards Committee grant a dispensation under Section 33 (2) of the Localism Act 2011 to allow Members to address Council and Committees in circumstances where a member of the public may elect to speak;**
- 3) subject to the caveat set out in paragraph 4.9 of this report in relation to setting the Council's Budget, the Audit, Governance and Standards Committee grants dispensations under Section 33 (2) of the Localism Act 2011 to allow all Members to participate in and vote at Council and Committee meetings when considering the setting of:**
 - a) the Budget;**
 - b) Council Tax;**
 - c) Members' Allowances; and**

**d) Non-Domestic Rates – Discretionary Rate Relief
Policy and Guidance affecting properties within the
Borough;**

- 4) it be noted that all dispensations granted by the Committee take effect on receipt of a written request from Members for such a dispensation and where Members may have a Disclosable Pecuniary Interest in the matter under consideration, which would otherwise preclude such participation and voting; and**
- 5) it be noted that the dispensations referred to at resolutions (1), (2) and (3) (new and re-granted dispensations) will remain valid until the first meeting of the Audit, Governance and Standards Committee following the next Borough Council Elections in May 2026.**

2. BACKGROUND

- 2.1 To consider the granting of any new Individual Member Dispensations (IMDs) requested by Members up to the point of the meeting, and which will be detailed by the Monitoring Officer at the meeting. To also consider granting General Dispensations and Outside Body Appointment Dispensations.**

3. FINANCIAL IMPLICATIONS

- 3.1 There are no specific financial implications.**

4. LEGAL IMPLICATIONS

- 4.1 Section 33 of the Localism Act 2011 provides that Dispensations can be granted in respect of Disclosable Pecuniary Interests (“DPIs”).**
- 4.2 Section 33 (1) requires that a Member must make a written request for a dispensation.**
- 4.3 Section 33 (3) provides that a dispensation must specify the period for which it has effect, and that period may not exceed 4 years.**

- 4.4. Under s31 (4) of the Localism Act 2011 a Member who has a DPI in a matter under consideration is not permitted to participate in the discussion or vote on the matter unless s/he has first obtained a dispensation under s33.
- 4.5 Section 33 (2) includes a number of situations where a dispensation can be considered, but should be granted “only if, after having regard to all relevant circumstances” the Committee considers that one of those situations applies.
- 4.6 The statutory grounds under s33 (2) for the granting of a dispensation are where the authority –
- “(a) considers that without the dispensation the number of persons prohibited by section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of the business,
 - (b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,
 - (c) considers that granting the dispensation is in the interests of persons living in the authority’s area,
 - (d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without them dispensation each member of the authority’s executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority’s executive, or
 - (e) considers that it is otherwise appropriate to grant a dispensation.”
- 4.7 The consideration of whether to grant a dispensation under s33 was previously delegated to the former Standards Committee. This function subsequently transferred to the Audit, Governance and Standards Committee. All dispensations granted are valid until the first meeting of

the Audit, Governance and Standards Committee following the next applicable Borough Council elections.

- 4.8 Dispensations, all of which require the advance approval of the Committee and a subsequent written request from the Member to the Monitoring Officer, currently fall within four categories:
- (i) General Dispensations
 - (ii) Council Tax Arrears
 - (iii) Individual Member Dispensations
 - (iv) Outside Body Appointment Dispensations
- 4.9 It should be noted that under Section 106 of the Local Government Finance Act 1992 there is a caveat that any Member who is 2 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.
- 4.10 The table below sets out the Individual Member Dispensations and Outside Body appointment dispensations that have been requested Members prior to the publication of the agenda for this meeting. Further requests for dispensations may be made after the publication of the agenda for this meeting and will be reported by the Monitoring Officer for Members' consideration. Subject to approval by the Audit, Governance and Standards Committee, these dispensations will apply until the next Borough Council elections in 2026 unless amended by the Committee prior to that date.

Requests for dispensations submitted before this meeting:

Councillor(s)	Relevant DPI	Reason for dispensation
Councillor Bill Hartnett	The Redditch LGBTQ Support Services and PRIDE Committee (Other Registerable Interest - ORI)	To talk and discuss issues regarding LGBTQ community and PRIDE issues (not including funding for the

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Councillor(s)	Relevant DPI	Reason for dispensation
		LGBTQ Support Services and Pride Committee)
Councillor Bill Hartnett	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the WMTemps Partnership Board	To participate in discussions and decisions in respect of the WMTemps Partnership Board.
Councillor Bill Hartnett	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Redditch Town's Fund Board.	To participate in discussions and decisions concerning town centre regeneration and economic development, including in respect of the Town's Fund Board.
Councillor Bill Hartnett	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Local Government Association Assembly	To participate in discussions and decisions in respect of the Local Government Association Assembly
Councillor Bill Hartnett	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on West Midlands Combined Authority Housing and Land Delivery Board.	To participate in discussions and decisions in respect of the Local West Midlands Combined Authority Housing and Land Delivery Board.
Councillor Bill Hartnett	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on PATROL	To participate in discussions and decisions in respect of PATROL Traffic Penalty Tribunal (<i>Civil Parking Enforcement</i>).

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Councillor(s)	Relevant DPI	Reason for dispensation
	Traffic Penalty Tribunal (<i>Civil Parking Enforcement</i>)	
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Local Government Association	To participate in discussions and decisions in respect of the Local Government Association.
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Assembly of the District Councils' Network	To participate in discussions and decisions in respect of the District Councils' Network.
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Redditch Partnership (Local Strategic Partnership including Redditch District Collaborative)	To participate in discussions and decisions concerning town centre regeneration and economic development in respect of the Redditch Partnership (Local Strategic Partnership including Redditch District Collaborative)
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Redditch Partnership Business Leaders Group	To participate in discussions and decisions concerning town centre regeneration and economic development, including in respect of the Redditch Partnership Business Leaders Group.
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Redditch BID Limited	To participate in discussions and decisions concerning town centre regeneration and economic development, including in respect of the Redditch BID.

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Councillor(s)	Relevant DPI	Reason for dispensation
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Waste Management Board	To participate in discussions and decisions in respect of the Waste Management Board.
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the West Midlands Combined Authority (WMCA) Board	To participate in discussions and decisions concerning town centre regeneration and economic development, including in respect of the WMCA.
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the West Midlands Combined Authority – Economic Growth Board	To participate in discussions and decisions concerning town centre regeneration and economic development, including in respect of the West Midlands Combined Authority – Economic Growth Board.
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Worcestershire Local Enterprise Partnership (LEP)	To participate in discussions and decisions concerning town centre regeneration and economic development, including in respect of the Worcestershire Local Enterprise Partnership (LEP).
Councillor Sharon Harvey	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Worcestershire Armed Forces Covenant Partnership	To participate in discussions and decisions in respect of the Worcestershire Armed Forces Covenant Partnership

Table of individual member dispensations granted previously (25 July 2024):

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Councillor(s)	Relevant DPI	Reason for dispensation
Councillor Joe Baker	The Redditch LGBTQ Support Services and PRIDE Committee (Other Registerable Interest - ORI)	To talk and discuss issues regarding LGBTQ community and PRIDE issues (not including funding for the LGBTQ Support Services and Pride Committee)
Councillor Joe Baker	The Council's representative, as an Outside Body appointment, on the Redditch Partnership Business Leaders' Group	To participate in the debate and vote on issues relating to economic development and local businesses.
Councillor Claire Davies	An employee of UCAS (Universities and Colleges Admission Service)	To enable participation in discussions around post-16 education.
Councillor Bill Hartnett	Outside Body appointment and Other Registerable Interest (ORI) as the Council's representative on the Redditch Town's Fund Board	To participate in discussions and decisions concerning town centre regeneration and economic development, including in respect of the Town's Fund Board.

4.11 In relation to Independent Member Dispensations, Officers have contacted all Members to ask whether they wish to seek to add any dispensations.

4.12 The Local Government Association (LGA) Model Code of Conduct was considered at the Audit, Standards and Governance Committee in April 2022. It was recommended by the Committee that the Council adopt the new Model Code, subject to a few amendments. The new Model Code of Conduct was subsequently presented at the Council meeting held in May 2022 with Members agreeing to adopt the LGA Model Code of Conduct incorporating those changes suggested by Members. As a result of this adoption Members are now required to complete an 'Other Registerable Interests' (ORI) form to declare any ORIs and

Members may wish to request Individual Member Dispensations in relation to these ORIs.

5. OTHER - IMPLICATIONS

Relevant Strategic Purpose

- 5.1 The issues detailed in this report help to ensure that there is an effective and sustainable Council.

Climate Change Implications

- 5.2 There are no specific climate change implications.

Equalities and Diversity Implications

- 5.3 There are no specific equalities and diversity implications.

6. RISK MANAGEMENT

- 6.1 The granting of dispensations by the Committee will, subject to receipt of a written request from Members for such a dispensation, clarify, for the avoidance of any doubt, Members' ability to participate in and vote at Council and Committee meetings on certain matters as part of the Council's decision-making process, where such Members have a DPI which would otherwise preclude them from so participating / voting.

7. APPENDICES and BACKGROUND PAPERS

- Section 33 of the Localism Act 2011.
- Section 106 of the Local Government Finance Act 1992.
- Various reports to the former Standards Committee and Audit, Governance and Standards Committee.