



**North Tyneside Council**

# Standards Sub-committee

Wednesday, 10 February 2021

**Tuesday, 16 February 2021 commencing at 10.00 am.** This meeting will be held virtually and live streamed via YouTube.

<b>Agenda Item</b>	<b>Page</b>
<p>1. <b>Apologies for Absence</b></p> <p>To receive apologies for absence from the meeting.</p>	
<p>2. <b>Appointment of Substitute Members</b></p> <p>To be notified of the appointment of any Substitute Members.</p>	
<p>3. <b>Declarations of Interest</b></p> <p>You are invited to declare any registerable and/or non-registerable interests in matters appearing on the agenda, and the nature of that interest.</p> <p>Please complete the Declarations of Interests card available at the meeting and return it to the Democratic Services Officer before leaving the meeting.</p> <p>You are also invited to disclose any dispensation from the requirement to declare any registerable and/or non-registerable interests that have been granted to you in respect of any matters appearing on the agenda.</p>	
<p>4. <b>Dispensations - Appointment to Outside Bodies</b></p> <p>To determine requests for dispensation received from Members in relation to their appointment to Outside Bodies by the Authority.</p>	<b>1 - 2</b>

**Circulation overleaf ...**

Members of the public are welcome to attend this virtual meeting and can find the link on the Council's website.

North Tyneside Council wants to make it easier for you to get hold of the information you need. We are able to provide our documents in alternative formats including Braille, audiotape, large print and alternative languages.

### **Members of the Standards Sub-committee**

Councillor Sean Brockbank  
Councillor Martin Rankin

Councillor Janet Hunter

# North Tyneside Council

## Report to Standards Sub-Committee

Date: 16 February 2021

### ITEM 3

Title: Dispensations –  
Appointments to  
Outside Bodies

---

**Report Author:** Stephen Ballantyne, Lawyer Specialist – Governance and Employment (Tel: 643 5329)

**Wards affected:** All

---

#### 1.1 Purpose:

To determine requests for dispensations from Members received in relation to their appointment to outside bodies by the Authority.

#### 1.2 Recommendation(s):

The Sub-Committee is recommended to determine the requests for dispensation.

#### 1.3 Information

- 1.3.1 At the beginning of each Municipal Year Members of the Council are appointed to various outside bodies by the Authority. These appointments are Registerable Personal Interests under the Authority's Code of Conduct for Members.
- 1.3.2 Those interests may be in relation to any item of business considered at an Authority meeting (including specifically in connection with an Authority budget setting meeting) mean that the criteria set out in paragraph 17 of the Code of Conduct may be satisfied requiring the Member to leave the meeting.
- 1.3.3 The Localism Act 2011 introduced a more generous regime of dispensations, to that which existed under the previous arrangements, for Members to speak and vote where they have an interest that is such that it prevents them from participating in an item of business.
- 1.3.4 Members may be given a dispensation either to speak but not vote, or to speak and vote, on several grounds, including that it would be in the interests of local people to allow a dispensation, or even that it is simply "appropriate to grant a dispensation".
- 1.3.5 Dispensations last for either 4 years or the date when the Member ceases to be the Authority's representative on the outside body, whichever is earlier.
- 1.3.6 Over recent months some appointments to Outside Bodies have changed. Members who have recently been appointed to an Outside Body have applied to seek dispensation from the requirements of the Code of Conduct, under Section 33(2)(e) of the Localism Act 2011 to enable them to speak and vote on any item of business to be considered at any Authority meeting in relation to the outside body to which they have been appointed. The letters from the Members seeking dispensation are attached at Appendix 1.

1.3.7 A dispensation can be granted in the following circumstances –

- (1) So many Members of the decision-making body have interests that require them not to take part in a matter that it would “impede the transaction of the business”. Effectively this means the decision-making body would be inquorate as a result;
- (2) Without a dispensation, no member of the Cabinet would be able to participate on the matter;
- (3) Without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the outcome of any vote on the matter;
- (4) the Council considers that a dispensation is in the interests of persons living in its area; and
- (5) the Council considers that it is otherwise appropriate to grant a dispensation.

1.3.8 The Sub-Committee should note that the Code of Conduct for Members includes pre-existing dispensations in relation to the matters listed below.

1.3.10 The pre-existing dispensations contained in the Code of Conduct for Members are:

- Housing
- School meals or transport
- Statutory sick pay
- An allowance, payment or indemnity given to Members
- Any ceremonial honour given to Members and
- Setting the Council Tax or precept.

1.3.12 As detailed above, the application for dispensation relates to the appointment by the Authority of the Member to an outside body. The Standards Sub-Committee has previously granted dispensations in these circumstances using grounds (4) and (5) detailed above in paragraph 1.3.8.

1.3.13 In these circumstances it would therefore be appropriate to grant the dispensations requested.

#### **1.4 Appendices:**

Appendix 1– Applications for dispensation.

#### **1.5 Contact officers:**

Stephen Ballantyne, Lawyer Specialist: Governance  
and Employment

(0191) 643 5329

#### **1.6 Background information:**

None.

Requests from Dispensations have been received from the following members:

1. Norma Redfearn, Elected Mayor
2. Councillor Paul Richardson
3. Councillor Carl Johnson

This page is intentionally left blank

The Monitoring Officer  
North Tyneside Council  
Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

9 February 2021

Dear Sir

**Application to Standards Sub-Committee for Dispensation  
Appointment to Outside Bodies**

I have recently been appointed by the Authority to the following Outside Body(ies).  
This/these appointments are registerable personal interest(s). I have registered this/these  
appointment(s) on my Register of Interests.

Outside Bodies (Exercising Executive Functions):

Association of North East Councils Ltd

Accordingly it is likely that with regard to this/these appointment(s) in relation to any item of  
business considered at an Authority meeting (including specifically in connection with an  
Authority budget setting meeting), that the criteria set out in paragraph 17 of the Code of  
Conduct may be satisfied requiring me to leave the meeting.

This is because my interest may be such that a member of the public knowing the relevant  
facts would reasonably think it is so significant that it is likely to prejudice my judgement of  
the public interest. However, as mentioned above the Authority has appointed me to  
this/these outside bodies.

I therefore apply for dispensation in accordance with Section 33(2)(e) of the Localism Act 2011 to enable me to attend speak and vote on any item of business to be considered at any Authority meeting, on the basis that it is appropriate that:

- a) without the dispensation the number of persons prohibited 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) 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) granting the dispensation is in the interests of persons living in the authority's area;
- d) without the dispensation each member of the Authority's Cabinet would be prohibited from participating in any particular business to be transacted by the Authority's Cabinet, or
- e) it is otherwise appropriate to grant a dispensation.

If you require any further information from me with respect to this request for dispensation please do not hesitate to contact me.

Yours faithfully

Mrs Norma Redfearn, Elected Mayor



North Tyneside Council  
Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

The Monitoring Officer  
North Tyneside Council  
Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

9 February 2021

Dear Sir

**Application to Standards Sub-Committee for Dispensation  
Appointment to Outside Bodies**

I have recently been appointed by the Authority to the following Outside Body(ies).  
This/these appointments are registerable personal interest(s). I have registered this/these  
appointment(s) on my Register of Interests.

Outside Bodies (Exercising Executive Functions):

Cumbria, Northumberland and Tyne and Wear NHS Foundation Trust Council  
of Governors

Accordingly, it is likely that with regard to this/these appointment(s) in relation to any item of  
business considered at an Authority meeting (including specifically in connection with an  
Authority budget setting meeting), that the criteria set out in paragraph 17 of the Code of  
Conduct may be satisfied requiring me to leave the meeting.

This is because my interest may be such that a member of the public knowing the relevant  
facts would reasonably think it is so significant that it is likely to prejudice my judgement of  
the public interest. However, as mentioned above the Authority has appointed me to  
this/these outside bodies.

I therefore apply for dispensation in accordance with Section 33(2)(e) of the Localism Act 2011 to enable me to attend speak and vote on any item of business to be considered at any Authority meeting, on the basis that it is appropriate that:

- a) without the dispensation the number of persons prohibited 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) 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) granting the dispensation is in the interests of persons living in the authority's area;
- d) without the dispensation each member of the Authority's Cabinet would be prohibited from participating in any particular business to be transacted by the Authority's Cabinet, or
- e) it is otherwise appropriate to grant a dispensation.

If you require any further information from me with respect to this request for dispensation please do not hesitate to contact me.

Yours faithfully

Councillor Paul Richardson

North Tyneside Council  
Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

The Monitoring Officer  
North Tyneside Council  
Quadrant  
The Silverlink North  
Cobalt Business Park  
North Tyneside  
NE27 0BY

9 February 2021

Dear Sir

**Application to Standards Sub-Committee for Dispensation  
Appointment to Outside Bodies**

I have recently been appointed by the Authority to the following Outside Body. This appointment is a registerable personal interest(s). I have registered this appointment on my Register of Interests.

Outside Bodies (Exercising Executive Functions):

Northumbria Regional Flood and Coastal Committee (Substitute)

Accordingly, it is likely that with regard to this/these appointment(s) in relation to any item of business considered at an Authority meeting (including specifically in connection with an Authority budget setting meeting), that the criteria set out in paragraph 17 of the Code of Conduct may be satisfied requiring me to leave the meeting.

This is because my interest may be such that a member of the public knowing the relevant facts would reasonably think it is so significant that it is likely to prejudice my judgement of the public interest. However, as mentioned above the Authority has appointed me to this/these outside bodies.

I therefore apply for dispensation in accordance with Section 33(2)(e) of the Localism Act 2011 to enable me to attend speak and vote on any item of business to be considered at any Authority meeting, on the basis that it is appropriate that:

- a) without the dispensation the number of persons prohibited 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) 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) granting the dispensation is in the interests of persons living in the authority's area;
- d) without the dispensation each member of the Authority's Cabinet would be prohibited from participating in any particular business to be transacted by the Authority's Cabinet, or
- e) it is otherwise appropriate to grant a dispensation.

If you require any further information from me with respect to this request for dispensation please do not hesitate to contact me.

Yours faithfully

Councillor Carl Johnson