

REPORT TO:		Standards Committee	
DATE:		30 January 2017	
REPORT AUTHOR:		Ben Caulfield, Overview and Scrutiny Officer	
TITLE OF REPORT:		Grant of Dispensation	
EXEMPT REPORT (Local Government Act 1972, Schedule 12A)	No	Not applicable	
KEY DECISION:	No	If yes, date of publication:	

1. Purpose of Report

- 1.1 To seek the granting of a dispensation to Councillor Glen Harrison

2. Recommendations

- 2.1 That Standards Committee considers the request from Councillor Glen Harrison to grant a dispensation to speak and vote on the issues set out in section 3 of this report at an Extraordinary Meeting of the Communities and Wellbeing Overview and Scrutiny Committee on 7th February 2017, and any other meeting of the Communities and Wellbeing Overview and Scrutiny Committee, or meeting of Council, at which the same topic is on the agenda.

3. Reasons for Recommendations and Background

- 3.1 The Members' Code of Conduct outlines how members must act in their capacity as a member. The code contains requirements in respect of members' disclosable pecuniary interests. These interests must be registered by members and must be declared at any meeting of Cabinet, Council or a Committee at which they arise. The code states that members cannot speak or vote on any matter in respect of which they have a disclosable pecuniary interest and that they must leave the room while the item is discussed. The categories of disclosable pecuniary interest include a members trade, profession or employment.

- 3.2 In line with this procedure, Cllr Glenn Harrison has registered his employment by Mersey Care NHS Foundation Trust (Formally Calderstones Partnership NHS Trust in the register of member's interests.

- 3.3 NHS England is formally consulting on proposals to close Calderstones (Mersey Care Whalley), England's last long-stay learning disability hospital. This is part of the consultation for the proposed redesign of learning disability and autistic spectrum disorder services in the North West.
- 3.4 The Communities and Wellbeing Overview and Scrutiny Committee have called an extraordinary meeting to review the consultation and provide a formal response to the proposals. Representatives from NHS England have been invited to attend the meeting.
- 3.5 Due to his employment, Councillor Glen Harrison has extensive knowledge of this topic and the Committee feels that his input into the meeting is vital in order to carry out a thorough scrutiny review. However, because of his employment, he has a disclosable pecuniary interest in the matter which would prevent him from speaking, voting or being present when the item is discussed.
- 3.6 The Council's Constitution allows for dispensations to be granted by Standards Committee if:
1. The number of members prohibited from taking part in the relevant business would be so great as to impede the transaction of the business; or
 2. The number of members prohibited from taking part in the relevant business would be so great as to affect the likely outcome of the vote; or
 3. The grant of the dispensation is in the interests of the people living in the Borough:
or
 4. Without the dispensation every member of the Cabinet would be prohibited from taking part in the relevant business; or
 5. It is otherwise appropriate to grant a dispensation.
- 3.7 Councillor Glen Harrison has applied for a dispensation to speak and vote on this topic at a meeting of the Communities and Wellbeing Overview and Scrutiny Committee on 10th February 2017, and any other meeting of the Communities and Wellbeing Overview and Scrutiny Committee, or meeting of Council, at which matters relating to the closure of Calderstones (Now Mersey Care Whalley) is discussed.
- 3.8 The application is attached in appendix 1.
- 3.9 Members should note the Communities and Wellbeing Overview and Scrutiny Committee have no decision making powers, but can make recommendations to Cabinet, Council, other committees or Council departments and external organisations.

4. Alternative Options considered and Reasons for Rejection

4.1 Standards Committee can choose to grant Councillor Harrison a dispensation to speak, speak and vote, or to grant no dispensation. Granting no dispensation may hinder an effective scrutiny review being carried out.

5. Consultations

5.1 Not applicable

6. Implications

Financial implications (including any future financial commitments for the Council)	Not applicable – none arising directly from this report.
Legal and human rights implications	These are discussed in section 3 of this report
Assessment of risk	Not applicable
Equality and diversity implications <i>A Customer First Analysis should be completed in relation to policy decisions and should be attached as an appendix to the report.</i>	Not applicable

**7. Local Government (Access to Information) Act 1985:
List of Background Papers**