

# DRAFT

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

## SPECIAL GOVERNANCE AND ETHICS COMMITTEE

### MINUTES OF THE VIRTUAL MEETING HELD ON WEDNESDAY, 17 FEBRUARY 2016

**Councillors Present:** Steve Ardagh-Walter, Jeff Beck (Vice-Chairman), Graham Bridgman, James Cole, Lee Dillon, Rick Jones, Anthony Pick and Quentin Webb (Chairman)

**Also Present:** Moira Fraser (Democratic and Electoral Services Manager)

**Apologies for inability to attend the meeting:** Chris Bridges

**Councillors Absent:** Barry Dickens

#### PART I

#### 35 Declarations of Interest

Councillor Lee Dillon declared an interest in Agenda Item 3, and reported that, as he had an other interest he would not be taking part in the discussion or voting on this item.

#### 36 Request for a Dispensation

*(Councillor Lee Dillon declared an other interest in Agenda item 3 by virtue of the fact that he was employed by the same organisation as Councillor Franks.. As his interest was personal and prejudicial he took no part in the debate or voting on the matter).*

The Committee considered a report (Agenda Item 3) which pertained to an application for a dispensation from Councillor Marcus Franks to speak and vote at Council and Executive meetings where the 2016/17 budget was being discussed.

The Monitoring Officer noted that the Councillor's interest arose as a result of his employment with a body whose funding might be affected by decisions of the Council. Councillor Franks had a good deal of knowledge and experience in this area and his participation might assist the Council in its decision making but Members needed to determine whether his proximity to his employer was such that members of the public would consider the public interest would not be served. The granting or otherwise of a dispensation would not impact on the quorum for Executive or Council.

All three Independent Persons (IPs) were consulted. Lindsey Appleton stated that Councillor Franks, "as Community Investment Co-ordinator would be too close to this subject and I feel he potentially has a conflict of interest. His proximity to the employer and indeed, the role he has there, is such that he could not be deemed impartial and therefore the public interest would not be served. I acknowledge he may have good knowledge and experience but feel public perception may be that a conflict exists. I would therefore be minded to not grant a dispensation.'

James Rees commented that the community would benefit from Councillor Franks' input into the discussion and therefore he should be permitted to speak but not vote at Council and Executive meetings where the 2016/17 budget was discussed.

Mike Wall was of the view that Councillor Franks should be able to speak but not vote at Council and Executive meetings where the 2016/17 budget was discussed.

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Councillor Anthony Pick stated that he felt that a dispensation should be granted to Councillor Franks to speak and vote at Council and Executive meetings where the 2016/17 budget was being discussed.

Councillors Jeff Beck and Graham Bridgman stated that a dispensation should be granted. They stated that provided that he declared an interest by virtue of his employment with Sovereign Housing, Councillor Franks should be able to speak at any meeting of the Executive or Council on any aspect of the 2016/17 budget. However he should not be able to vote at any meeting of the Executive or Council where the vote pertained only to a specific 2016/17 budget item relating in whole or in part to a housing association or housing associations generally including the Neighbourhood Warden Scheme. Provided that he declared an interest by virtue of his employment with Sovereign Housing, Councillor Franks should be able to vote at any meeting of the Executive or Council where the vote pertained to the 2016/17 budget in its entirety; or a specific 2016/17 budget item that did not relate in whole or in part to a housing association or housing associations generally. They agreed that the dispensations should be granted for all discussions on the 2016/17 budget.

Councillors James Cole, Steve Ardagh-Walter and Quentin Webb agreed that a dispensation should be granted but that the dispensation should be to speak but not vote in view of public perception. They concurred that the dispensation should pertain to any discussions on the 2016/17 budget.

Councillor Rick Jones also agreed that a dispensation should be granted but that it should be to speak but not vote at any meeting of Executive and Council, when the 2016/17 budget was featured on the agenda and that this condition should be applied to discussions about the budget in totality as well as individual budget lines.

### **RESOLVED that:**

- 1. a dispensation should be granted.**
- 2. the dispensation will permit Councillor Franks to speak but not vote on items pertaining to discussions on the 2016/7 budget.**
- 3. the dispensation be granted for all Council and Executive meetings where the 2016/17 budget is discussed.**

*(This was a virtual meeting)*

**CHAIRMAN** .....

**Date of Signature** .....