

**MANCHESTER CITY COUNCIL
REPORT FOR RESOLUTION**

COMMITTEE: Standards Committee

DATE: 15 January 2007

SUBJECT: Granting of Dispensation

REPORT OF: The City Solicitor

PURPOSE OF REPORT:

To consider dispensation applications from members of the Executive, Standing Consultative Panel and Personnel Committee to participate in any further consideration of proposals and decisions regarding indemnities for members and officers.

RECOMMENDATIONS:

1. That the Standards Committee considers whether or not to grant a dispensation to members to enable them to participate in the consideration of and/or vote in respect of any issues arising out of the granting of indemnities for members and officers between 15 January 2007 and 20 December 2008.
2. To require the City Solicitor to ensure that the existence, duration and nature of any dispensation is recorded in writing and this record is kept with the Register of interests established and maintained under section 81(1) of the Local Government Act 2000.

FINANCIAL CONSEQUENCES FOR REVENUE BUDGET:

None at present

FINANCIAL CONSEQUENCES FOR CAPITAL BUDGET:

None

WARDS AFFECTED:

All

IMPLICATIONS FOR:

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

BACKGROUND DOCUMENTS:

The Relevant Authorities (Standards Committee) Dispensations Regulations 2002.
Report to Standards Committee on 18 December 2006

CONTACT OFFICERS:

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Background

1. On 18 December 2006, members of the Standards Committee considered applications for dispensation to attend meetings in connection with the granting of an indemnity to officers and members of the Council under the provisions of the Local Authorities (Indemnities for Members and Officers) Order 2004. The Standards Committee resolved to grant dispensation to the Councillors whose applications for dispensation were received prior to the commencement of the meeting of Standards Committee on 18 December 2006. The terms of the dispensation were that the named Councillors could fully participate in any decision regarding the granting of the above indemnities and any matters arising out of the granting of them for a period of two years from 20 December 2006.
2. At their meetings on 20 December 2006 the Executive resolved to approve the granting of indemnities for members and the Personnel Committee resolved to approve the granting of indemnities for officers in the terms set out in the reports of the City Solicitor to those meetings. The Executive and the Personnel Committee also authorised the City Treasurer to take steps to secure insurance to cover the Council's liability under the respective indemnities, in so far as in his opinion such insurance cover would be financially practicable.
3. Following the meeting of the Standards Committee on 18 December 2006 the City Solicitor has received applications for dispensation from Councillors who did not apply by the deadline on the last occasion but who have expressed an interest in participating in the consideration of and/or voting in respect of any future proposals arising out of the granting of indemnities for members and officers.

Granting of Dispensations

4. As noted in the report to the Standards Committee on 18 December 2006 the Relevant Authorities (Standards Committee) Dispensations Regulations 2002 provide that the Standards Committee may grant dispensations to members if half of the members entitled or required to participate in the business of the Council would not otherwise be able to participate.

5. It is considered that all members of the Council have a personal and prejudicial interest in the matter of indemnities for members and officers. In accordance with the Council's Code of Conduct a member with a personal and prejudicial interest in a matter cannot speak or vote at a meeting considering that matter unless he or she has first obtained a dispensation from the Standards Committee.
6. Dispensations must not be granted as a matter of course, the Standards Committee must be satisfied in the light of all the circumstances of the case that it is appropriate to grant a dispensation.
7. In accordance with the Council's Dispensations Procedure members seeking a dispensation are required to complete an application form and return it to the Standards Committee via the Monitoring Officer.
8. At the time of issue, 3 applications have been received from members who wish to participate in the consideration of and/or vote in respect of any issues (should any such issues arise at a future meeting) arising out of the granting of indemnities for members and officers. If any further applications are received by the deadline of 4 pm on Friday 12 January 2007 they will be reported to the Standards Committee.
9. The Standards Committee is asked, having regard to the above and to all the other circumstances of the case, to approve these applications and grant dispensations to members to speak and vote in respect of any issues arising out of the granting of indemnities for members and officers between 15 January 2007 and 20 December 2008.
10. The Standards Committee is also asked to authorise the City Solicitor to ensure that the existence, duration and nature of the dispensation is recorded in writing and kept in the Register of Interests established and maintained under Section 81(1) of the Local Government Act 2000.