

Dear Members

Standards Committee

A meeting of the Standards Committee will be held on **Monday 6 October 2025** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown at the top of each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.



Head of Law and Governance

STANDARDS COMMITTEE

6 OCTOBER 2025

Chair - Councillor A R McNaughton

AGENDA

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HEAD OF LAW AND GOVERNANCE

Membership

Chair - Councillor A R McNaughton

P W Jones

A J Sandiford

A R McNaughton

M J Winnington

J T Rose

Agenda Item 2(a)

Dispensations

Committee: Standards Committee

Date of Meeting: 6 October 2025

Report of: Head of Law and Governance

1 Purpose of Report

- 1.1 To consider the granting of dispensations to councillors to allow them to vote in decisions relating to local government reorganisation.

2 Recommendations

- 2.1 Approve the granting of dispensations to the dual-hatted County and Borough Council members to enable them to debate and vote on any matter relating to devolution or local government reorganisation in Staffordshire.
- 2.2 Approve the granting of dispensations to Borough Council members who are employed by, or are a spouse/partner of an employee of, another Council in Staffordshire to enable them to debate and vote on any matter relating to devolution or local government reorganisation in Staffordshire.
- 2.3 That the dispensations are granted until the next ordinary Borough Council elections.

Reasons for Recommendations

- 2.4 Enabling all members to take part in the debate on devolution and local government reorganisation is in the interests of persons living in the Borough.

3 Key Issues

- 3.1 The Councils Code of Conduct for Members requires a member to declare an interest at meetings where a matter arises that affects (a) their own financial interests or well-being, or (b) the financial interest or wellbeing of a relative or close associate or (c) the financial interest or wellbeing of any other body of which they are a member.
- 3.2 Members are then restricted from speaking and voting on the matter if it affects those interests to a greater extent that the majority of other inhabitants in the area and a reasonable member of the public knowing all the facts would believe that it would affect their view of the wider public interest. The restriction does not apply if a dispensation is granted.

- 3.3 The Council has a number of members who are “dual-hatted”, meaning that they are members of both the Borough Council and the County Council. This could arguably restrict some members from taking part in discussions on local government reorganisation going forward.
- 3.4 Authority to grant dispensations is delegated to the Standards Committee under Part 2, Article 9.6(f) of the Constitution.

4 Relationship to Corporate Priorities

- 4.1 Priority 4: Ensuring full democratic representation for communities on this issue supports the priority of being an Effective Council achieving good governance across the Council.

5 Report Detail

- 5.1 The Councils Code of Conduct for Members (“the Code”) places obligations upon councillors to uphold good standards of behaviour, including ensuring integrity and objectivity in decision making. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends, and must act and take decisions impartially, fairly and on merit, without discrimination or bias.
- 5.2 To support these principles, the Code requires members to declare personal interests and to restrict their involvement in decisions where their interest could be considered to prejudice their judgment of the public interest.
- 5.3 There are occasions where Councils may find it acceptable for members to take part in decisions in which they may be considered to have a “prejudicial” interest. In such cases, a dispensation may be granted. The circumstances that may support a dispensation are that, having regard to all the circumstances, the council:
- (a) considers that 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) 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) considers that without the dispensation each member of the authority's executive would be prohibited 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.

- 5.4 On 16 December 2024, the government published its English Devolution White Paper. On 5 February 2025, the Minister of State for Local Government and English Devolution wrote to all councils in two-tier areas and neighbouring small unitaries with a statutory invitation to develop proposals for unitary local government in their areas. Councils were invited to submit interim plans for reorganisation by 21 March 2025, in collaboration with other councils in the area. Full proposals for reorganisation will need to be submitted by Staffordshire Councils by 28 November 2025.
- 5.5 Membership of another local authority is classed as an “Other Registrable Interest” under Appendix B of the Code. Under paragraphs 6 and 8 of that Appendix, Members would be prevented from debating and voting on any matters affecting that other local authority unless it would be reasonable to believe that the interest would not affect the members judgment of the wider public interest. Alternatively, the Council can grant those members a dispensation to enable them to take part.
- 5.6 Similarly, paragraph 8 of the Code would prevent Members from taking part in debates on matters that affect the financial interests or well-being of a relative or close associate, unless they are granted a dispensation.
- 5.7 The Council has a number of members who are “dual-hatted”, meaning that they are members of both the Borough Council and the County Council. There may also be members who are either employed by another Staffordshire authority or have a relative or close associate who is employed by a Staffordshire authority.
- 5.8 The proposals for local government reorganisation and devolution, are likely to affect every local authority in Staffordshire. In arriving at the final proposals, Council members are likely to be asked to take part in meetings that discuss and vote on those proposals.
- 5.9 The debates concerning these matters go to the heart of future democratic representation in Staffordshire. It is therefore considered reasonable to allow all members to be able to represent their electors views by taking part in those debates. It is also considered that membership of another public body is a public rather than a private interest and it would not, therefore, offend the principles of integrity and objectivity to allow elected members to take part.
- 5.10 It is arguable whether a reasonable member of the public would view membership of another council as likely to prejudice a members consideration of the wider public interest. However, a number of councils are adding certainty to the situation by granting formal dispensations to allow them to participate.
- 5.11 Authority to grant dispensations has been delegated to the Standards Committee under Part 2, Article 9.6(f) of the Constitution. It is advised that Committee could consider granting a dispensation on the basis that enabling all members to take part in the debate on devolution and local government reorganisation is in the interests of persons living in the Borough.

6 Implications

6.1 Financial

None

6.2 Legal

As set out in the report

6.3 Human Resources

None

6.4 Risk Management

None

6.5 Equalities and Diversity

None

6.6 Health

None

6.7 Climate Change

None

7 Appendices

Appendix 1: None

8 Previous Consideration

None

9 Background Papers

None

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Ward Interest: N/A

Report Track: Standards 6 October 2025 (Only)

Key Decision: N/A