

SUBJECT:	PLANNING COMMITTEE DISPENSATION
REPORT BY:	DIRECTOR OF RESOURCES
LEAD OFFICER:	CAROLYN WHEATER – ASSISTANT DIRECTOR (LEGAL AND CORPORATE SUPPORT SERVICES)

1. Purpose of Report

- 1.1 To propose the granting of a dispensation for members of the Planning Committee in accordance with the Ethics and Engagement Committee's terms of reference.

2. Background

- 2.1 The Localism Act 2011 and the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 made significant changes to the interests which members were required to register and declare in relation to Council business.
- 2.2 As part of the Member Code of Conduct adopted by the Council, the Standards Committee assumed the powers to grant dispensations to members for the following reasons:
- (1) that so many members of the decision making body have Disclosable Pecuniary Interests in a matter that it would "impede the transaction of the business". In practice this means that the decision making body would be inquorate as a result.
 - (2) That 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.
 - (3) That the authority considers that the dispensation is in the interests of persons living in the authority's area
 - (4) That, without a dispensation, no member of the Executive would be able to participate on the matter, or
 - (5) That the authority considers that it is otherwise appropriate to grant a dispensation.

3. Proposed Dispensation

- 3.1 A planning application was anticipated in relation to a tank memorial in the south of the city, which was likely to be considered by the Planning Committee. As the application was being significantly supported by persons with a close association to Lincoln's civic party, a large number of Planning Committee members were likely to have personal and pecuniary interests in the matter which would preclude

them from considering the item.

3.2 This matter was raised at a meeting of the Planning Committee, at which members supported an application for a dispensation for Planning Committee members and substitutes.

3.3 If members were minded to grant such a dispensation, it is recommended that the dispensation should be granted as being in the interests of persons living in the authority's area, whose elected representatives would be unable to take part in the consideration of a matter of importance to the city as a result of their previous contribution towards the civic life of the city.

4. Finance Implications

4.1 There are no direct financial implications arising from this report.

5. Legal Implications

5.1 As established within the report, any dispensations must be granted in accordance with the provision of the Council's Member Code of Conduct, and the relevant primary and secondary legislation.

6. Recommendations

6.1 It is recommended that the Ethics and Engagement Committee agree a dispensation for all members and substitute members of the Planning Committee for a period of one year in relation to planning applications for a tank memorial on Tritton Road.