

Dispensation Decision

Cambridgeshire County Council

Date dispensation request considered by Monitoring Officer	25 November 2022
Name of councillor requesting dispensation	All Members of Cambridgeshire County Council
Dispensation Granted: Yes/No	Yes
The business for which the dispensation has been given (if appropriate)	Cambridgeshire County Council Full Council meeting – 13 December 2022. Agenda item 6 Independent Remuneration Panel – Mini Review of Members’ Allowances
Reasons for the decision: <i>(If granted, also specify on what grounds the decision was made) - see extract from Localism Act below</i>	<p>Item 6 concerns the scheme of allowances for elected members of Cambridgeshire County Council and as such determination of changes to that scheme will directly impact upon the allowances received by elected members for their work undertaken in their role as Councillor and as such this may preclude them from participating in the debate. The legislation governing such schemes of allowances requires that they be approved by a vote at Full Council.</p> <p>In the circumstances the Monitoring Officer considers that, pursuant to 11.3(e) of the Code of Conduct, it would be appropriate to grant a dispensation to all elected members in order that they may take part in the debate on the scheme of allowances in compliance with the legislative obligation.</p> <p>Accordingly, pursuant to S.33(2) (a) & (c) of the Localism Act 2012, the monitoring officer has exercised her discretion to grant a dispensation to all elected members of Cambridgeshire County Council to enable their participation in this debate.</p>
Length of dispensation	One day – 13 December 2022

Signed: **Fiona McMillan**
Dated: **25/11/2022**

Monitoring Officer – Cambridgeshire County Council

Extract from Localism Act 2011

33 Dispensations from section 31(4)

- (1) A relevant authority may, on a written request made to the proper officer of the authority by a member or co-opted member of the authority, grant a dispensation relieving the member or co-opted member from either or both of the restrictions in section 31(4) in cases described in the dispensation.
- (2) A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority—
 - (a) considers that without the dispensation the number of persons prohibited by section 31(4) 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) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) 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.
- (3) A dispensation under this section must specify the period for which it has effect, and the period specified may not exceed four years.
- (4) Section 31(4) does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under this section.