

22 May 2025

KEY DECISION? YES/NO

**GRANTING A DISPENSATION FROM PROVISIONS
OF THE MEMBER CODE OF CONDUCT**

SUMMARY AND RECOMMENDATION:

SUMMARY:

The Committee has the power to grant dispensations to Members from requirements relating to declarations of interest, and the consequences of those declarations are set out in the Member Code of Conduct.

This Report seeks a dispensation from such requirements for Councillor Alex Crawford, who is both a Member of Hampshire County Council and a Member of Rushmoor Borough Council, to enable him to vote on Local Government Reorganisation (LGR) and Devolution matters.

RECOMMENDATION:

That the Committee grant a dispensation for Councillor Alex Crawford to enable him to take part in decision-making on any matter relating to Local Government Reorganisation or Devolution.

1. INTRODUCTION

1.1 The Council has a Members' Code of Conduct that sets out the standards of behaviour expected of Members in undertaking their role and that includes a requirement for declarations of interests in relation to decision-making. Councillors are required to make a declaration of interest in certain circumstances as set out in the Members' Code of Conduct, within the Constitution.

1.2 The Committee's role includes the grant of dispensations to Members for the requirements relating to interests set out in the Code.

2. DECLARABLE INTERESTS UNDER THE CODE OF CONDUCT

2.1 Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the authority. The Code of Conduct in Appendix B sets out the requirement

to declare both “Disclosable Pecuniary Interests” (as described in Table 1 of the Code of Conduct) and “Other Registrable Interests” (as described in Table 2 of the Code of Conduct).

2.2 Table 1 of the Code explains that a Disclosable Pecuniary Interest includes any “employment, office, trade, profession or vocation carried on for profit or gain.”

3. NON-PARTICIPATION IN CASE OF DISCLOSABLE PECUNIARY INTEREST

3.1 Where a matter arises at a meeting which directly relates to a Member’s Disclosable Pecuniary Interest, the Member must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless the Member has been granted a dispensation.

3.2 Under the Code of Conduct, dispensation may be granted in limited circumstances, to enable a Member to participate and vote on a matter in which they have a disclosable pecuniary interest.

4. DUAL RESPONSIBILITY AND MEMBER ALLOWANCES

4.1 Councillor Crawford is both a Hampshire County Council Member and a Rushmoor Borough Council Member.

4.2 Councillor Crawford receives a Member allowance from Hampshire County Council and Rushmoor Borough Council. Whilst it can be argued that receiving an allowance is not technically for profit or gain; to err on the side of caution, it is recommended to grant a dispensation to Councillor Crawford to allow him to participate in meetings.

4.3 Councillor Crawford will need to determine prior to any vote or decision on LGR and Devolution whether there is a potential conflict of interest depending on the facts and circumstances, and potentially seek further advice from the Monitoring Officer.

5 RECOMMENDATION:

5.1 That the Committee grant a dispensation for Councillor Alex Crawford to enable him to take part in decision-making on any matter relating to Local Government Reorganisation or Devolution.

CONTACT DETAILS:

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