

# Public Forum

Value and Ethics Sub-Committee

30 January 2023



## 1. Members of the V&E Sub-Committee

### Questions

Name	Title
Suzanne Audrey	Dispensations
Joanna Booth	Dispensations

### Statements

Name	Title
Suzanne Audrey	Dispensations



**Background.** I can understand that councillors who are tenants or landlords may wish to contribute to discussions and votes about housing policy. As far as I can tell, they already do (there is a cabinet lead for housing, and various policies relating to housing have been approved at various council meetings). However, please see my statement expressing concerns about the proposals in the report on dispensations.

**Question 1.** Please can you explain why this dispensation is required now, and why it has not been necessary in previous debates and decisions in Full Council, Cabinet or any Committee of the Council concerning housing policy?

**Response**

**Q1 – As explained in the report a number of councillors were unable to participate in a recent debate at Full Council relating to private sector housing and this was an issue raised in the debate. Therefore to enable all councillors to participate in similar debates in the future, a dispensation is recommended.**

**Question 2.** What are the risks of implementing the dispensation proposals in this report, and why have they not been included?

**Response.**

**Q2 – No specific risks have been identified from the proposals in the report.**

**Responses provided by Tim O’Gara – Director Legal and Democratic Services**

Hi Democratic Services,

I have the following questions below for public forum for the Values and Ethics Committee. It meets on 30 January. I will be attending.

Thank you,  
Joanna

----

**My questions are as follows:**

1) If only the Values and Ethics subcommittee can order dispensation for participation, then is it appropriate for the monitoring officer to provide that dispensation in secret and with no public knowledge to anyone?

**Response**

**The MO does not currently have the ability to grant any dispensations – this is a matter currently reserved to the V&E Subcommittee. The report provides a delegation to the MO to grant urgent dispensations and any such decisions will be reported to the next meeting of the V&E Subcommittee.**

2) Can a member have a private register of interests with items on it that members of the public cannot view? This goes against the Localism act.

**Response**

**The MO maintains a register of sensitive interests as required under s.32 of the Localism Act 2011. This register is not publicly available as it contains sensitive personal information, such as the home addresses of councillors.**

Thank you,  
Joanna

-----

**Joanna Booth**  
**Journalist**

Thank you,  
Joanna

-----  
**Joanna Booth**  
**Journalist**

## Suzanne Audrey. Statement to Values and Ethics Sub-committee, 30 January 2023.

### Dispensations

I am concerned about the proposal for dispensations.

It was clear from the Council meeting at which the golden motion on housing was discussed, that some members were upset at not being allowed to vote. However, it was also clear that neither (a) nor (b) below applied to that vote, and the motion was approved without a problem.

The Council may grant a dispensation if, after having regard to all relevant circumstances, the Council

- (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,

I can see no indication in the current report to The Values and Ethics Sub-committee that any risks were considered, or any potential unintended consequences. Yet it is proposed to give dispensation for a period of 4 years to ALL Members of the Council in respect of ANY MATTER UNDER CONSIDERATION by Full Council, Cabinet or any Committee of the Council concerning housing policy that may relate to ANY DISCLOSABLE PECUNIARY INTEREST in land that ANY MEMBER OF THE COUNCIL has as an owner, landlord or tenant of public or privately owned property.

It is also proposed to delegate authority to the Monitoring Officer, in consultation with the Chair of the Value and Ethics Sub-committee, to determine ANY OTHER urgent applications for dispensations where it is not reasonably practicable to convene a meeting of the Value and Ethics Sub-committee. But who decides what is urgent? Meanwhile, there are a number of ways to convene meetings of a committee, including online, that suggest this dispensation is not necessary or advisable.

It seems likely that the Chair of the Values and Ethics Committee may feel they should defer to the 'expertise' of the Monitoring Officer. But, unfortunately, you may be aware of concerns that the monitoring officer is not always impartial. This was highlighted, for example, when the monitoring officer sent an email to all councillors which appeared to instruct them to abstain rather than vote against the Mayor's budget. [['Outrage' as councillors advised not to oppose mayor's budget \(bristol247.com\)](https://www.bristol247.com)]

The current report on dispensation appears to have been rushed. But why? I urge the Values and Ethics Committee to ask for a more detailed report which includes the risks of this proposal, and to consider whether the current proposal gives excessive powers to the monitoring officer. It appears to have arisen as a 'knee-jerk' reaction to an issue that occurred during one Full Council meeting, but which did not impede the transaction of business or the likely outcome of the vote.