

Report to: Standards Committee



Date of Meeting 20 November 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A

---

## Applications for Dispensations

### Report summary:

To consider applications for dispensations from Members of this Council to enable them to take part in matters relating to devolution and/or local government reorganisation. The Committee considered and approved a number of applications for dispensations for LGR/devolution in early 2025. Since then, there have been the County Council elections. The Monitoring Officer has therefore received applications from members appointed to the County Council in that election. This report therefore invites the Committee to approve granting dispensations to members of the County Council as outlined in this report, such dispensation to last until the next District Council elections or Local Government Reorganisation (vesting date), whichever is the sooner.

### Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

### Recommendation:

That the Standards Committee:-

1. Approve the granting of dispensations to dual-hatted County and District Council members to enable them to discuss and vote on any matter relating to devolution or local government reorganisation in Devon. Such dispensations to take effect from the date of the meeting.
2. That the dispensations are approved on the basis that granting the dispensations is in the interests of persons living in the authority's area.
3. That the dispensations are granted until the next District Council elections or until the date of vesting for a new Unitary Council, whichever is the sooner.

### Reason for recommendation:

To enable members of Council who are dual hatted members to be involved in the very important debate regarding devolution and Local Government Re-organisation in Devon which will have significant impacts for the residents that those members serve.

Officer: melanie.wellman@eastdevon.gov.uk

---

Portfolio(s) (check which apply):

- ☐ Assets and Economy
- ☒ Communications and Democracy
- ☒ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism

- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☐ Finance
- ☐ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Medium Risk; Given that Members are elected to act in the public interest and the interests arise due to their connection with another public body rather than in relation to their own personal interests and in relation to employees, TUPE would apply in any event, the risk of granting the dispensation is considered to be low.

**Links to background information** None

**Link to** [Council Plan](#)

Priorities (check which apply)

- ☐ Better homes and communities for all
- ☐ A greener East Devon
- ☐ A resilient economy
- ☒ Quality Services

---

## Report in full

1. In May 2022, the Council adopted a Member Code of Conduct based on the LGA Model Code of Conduct. The Code requires the registration of pecuniary interests and 'Other Registerable Interests' which are prescribed. In terms of declaring interests, a member has to declare and leave a meeting during the discussion and vote (unless there is a dispensation) where they have a disclosable pecuniary interest or where something directly relates to the finances or well-being of one of their Other Registerable Interests or where something affects the finances or well-being of one of their Other Registerable Interests and it is affected more than most and a reasonable person would think their judgment would be clouded.
2. The Government has issued proposals in relation to devolution and local government reorganisation which impacts upon Devon. The Council has a number of members who are dual-hatted members of Devon County Council.
3. The following dual-hatted members have applied to the Monitoring Officer for dispensations to enable them to take part in the discussions and debate. They are seeking dispensations in relation to any matter relating to devolution or local government reorganisation in Devon, for a period up until the next election or Local Government Reorganisation, to enable them to represent the views of their residents:-
  - a. Cllr Nick Hookway
  - b. Cllr Paul Hayward
  - c. Cllr Paul Arnott (not intended to be used in relation to the current creation of alternative plans for LGR in Devon)
4. The dual-hatted members have been elected to this Council to represent the views of their constituents and as the biggest local government issue affecting Devon at the current time,

if they are excluded from being involved in the discussion and vote, then they are potentially being denied the opportunity to represent the views of those constituents.

5. On this basis, the committee may consider it appropriate to grant dispensations to enable them to be involved in the discussion and vote in matters affecting another local authority in Devon.
  6. There are five categories of dispensation, three of which can be granted by the Standards Committee and two by the Monitoring Officer (MO). These are detailed below;
    - (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 (MO),
    - (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 (MO),
    - (c) considers that granting the dispensation is in the interests of persons living in the authority's area (Standards),
    - (d) if it is an authority [...] operating executive arrangements, 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 (Standards), or
    - (e) considers that it is otherwise appropriate to grant a dispensation (Standards).
  7. (a) and (b) are not relevant as the small number of members applying for dispensations will not lead to the Council becoming inquorate or the political balance being significantly affected. That leaves (c) and (e) and in light of the fact that this is likely to be the biggest local government issue affecting residents in Devon, the Committee may consider it justifiable to say that it is in the interests of persons living in the Council's area for those members to take part and therefore (c) is justified.
  8. The dispensations must be for a specified term and the members have asked for them to be granted up until the next District Council elections or Local Government reorganisation (vesting date), whichever is the sooner.
  9. The Committee are invited to consider the applications and decide whether or not to approve the granting of dispensations to the members outlined in the report.
- 

### **Financial implications:**

There are no financial implications directly arising from this report.

### **Legal implications:**

The legal implications are set out in the body of the report.