

North East Derbyshire District Council

Standards Committee

10th December 2025

Requests for Dispensations

Report of the Assistant Director

Classification: This report is public

Report By: Sarah Sternberg, Assistant Director of Governance and Monitoring Officer.

Contact Officer: Sarah Sternberg, Assistant Director of Governance and Monitoring Officer.

PURPOSE / SUMMARY

Councillors Gillott, Clegg and Christine Smith have requested dispensations in relation to their Disclosable Pecuniary Interests (DPIs) resulting from their membership of the Rykneld Homes Ltd Board. The DPI would prevent the Councillors from taking part in the discussion of the HRA budget at the Council meeting on 26th January 2026.

RECOMMENDATIONS

1. That Members consider the applications received and determine whether a dispensation should be given.

IMPLICATIONS

Finance and Risk: Yes ☐ No ☒

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☒ No ☐

Details:

As in the report.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £125,000 <input type="checkbox"/> Capital - £310,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none">Completed EIA stage 1 to be appended if not required to do a stage 2	Not applicable as this is an application.
Stage 2 full assessment undertaken <ul style="list-style-type: none">Completed EIA stage 2 needs to be appended to the report	No, not applicable
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Standards Committee on 10 th December 2025. Wider consultation not appropriate.

Links to Council Plan priorities;

- **A great place that cares for the environment**
- **A great place to live well**
- **A great place to work**
- **A great place to access good public services**

This is about the ethical framework and compliance with it so indirectly it goes to all the above.

REPORT DETAILS

1 Background *(reasons for bringing the report)*

- 1.1 The functions of the Standards Committee include: Granting dispensations to allow Councillors and co-opted members to take part in meetings where they have a disclosable pecuniary interest.
- 1.2 Three requests have been received for dispensations in relation to DPIs held. All three requests are from Members who are also Directors on the Rykneld Homes Ltd Board. All three Members were appointed to the Board by the Council. All three Members receive a Board Director's payment and therefore have a Disclosable Pecuniary Interest or DPI which means they cannot participate in the HRA decision. The fourth Member of the Rykneld Board has not requested a dispensation.
- 1.3 At Council on the 26th of January 2026, Members will receive details of the Council's budget for approval. This will include the HRA which is mainly delivered by Rykneld Homes Ltd (Rykneld). The DPI means that in accordance with the law and Constitutional requirements the Board Members should leave the Chamber before the debate and vote takes place.
- 1.4 One of the grounds for granting a dispensation is:

That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the likely outcome of any vote on the matter.

This is the situation in relation to the consideration of the HRA.

The political balance is as follows if all Members are present:

Labour 27
Conservative 16
NE Derbyshire Independents 6
Independents 3
Reform 1

With the Combined Opposition being 26

If 4 Board Members declare their DPIs and leave the numbers would be:

Labour 24
Conservative 15
NE Derbyshire Independents 6
Independents 3
Reform 1

With the Combined Opposition being 25

- 1.5 The requests from the three Councillors for the dispensations are included at Appendix 1.

2. Details of Proposal or Information

- 2.1 It is for Members to decide on the basis of the information before them whether or not to grant these dispensations.
- 2.2 If granted, I will write to confirm and request that each of the three Members makes the position clear at the Council meeting when declarations are requested.

3 Reasons for Recommendation

- 3.1 The request for dispensations has been received and needs determining.

4 Alternative Options and Reasons for Rejection

- 4.1 The Standards Committee must decide whether to grant the dispensations as requested.

DOCUMENT INFORMATION

Appendix No	Title
1	The three applications for dispensations
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	
None	

Appendix 1

Councillor Kevin Gillott

Request for dispensation

Further to our recent conversation, I would wish to request that the Standard's Committee once again grant me a dispensation in accordance with the provisions of the Localism Act 2011 for an item that is likely to be considered and voted upon at the 26th January 2026 meeting of full council. There reasons for this request are:

Nature of interest

I have a Disclosable Pecuniary Interest, as declared in my register of interests, due to my membership of the Rykneld Homes Board. I gain no personal benefit from the decision to be taken by council

Meeting at which the decision will be taken

The full council meeting scheduled for 26th January 2026 and in every January for the rest of this municipality term.

Decision being taken at the full council meeting

Discussion and vote on the HRA budget and the rent increase for council owned properties.

Length of time period requested

To avoid the need to have to apply every year I would ask that on this occasion the dispensation lasts until 1st May 2028 or until I cease to be a Member of the Rykneld Board, whichever is the earlier.

Grounds for the request

All four council appointed members of the Rykneld Board are appointed to represent the council and three of those four members are from the council's majority group. If those three members were prohibited from participating in the full council HRA budget setting agenda item, given the current political balance of the council, the effect would be so great as to affect the outcome of any vote (S33(2)(b) Localism Act 2011).

Councillor Kathy Clegg

Councillor Christine Smith

As a member of Rykneld Board, I am emailing to ask for a Dispensation to apply to myself for the Council Budget meeting on 26/1/26.

Also I'd like this to continue until the end of this term of office