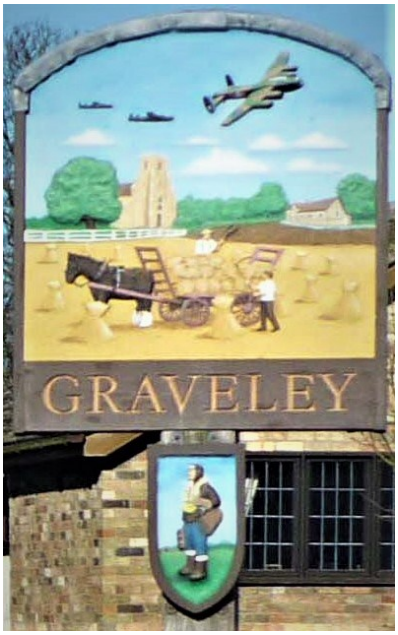


Disclosable Pecuniary Interest Dispensation Procedure

Document Configuration Management & Control

Version	Description	Originated	Approved	Minute Ref
Version 1	Annual Review	02/11/22	07/05/2024	24/25-39.1
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Disclosable Pecuniary Interest Dispensations Procedure

Introduction

The Code of Conduct is recommended by South Cambridgeshire District Council (SCDC).

All members of the Council have completed the Declarations of Disclosable Pecuniary Interests and copies were sent to the SCDC Monitoring Officer who is mandated to publish a copy on the SCDC Website. Declarations are also available to the public through the Parish Council Website.

All meetings of Council and its standing committees have a standing agenda item to enable members to declare Disclosable Pecuniary Interests. Under the Localism Act 2011 ("the Act"), a Member who has a Disclosable Pecuniary Interest in a matter under consideration, may not participate in considering that matter without first obtaining a dispensation from the Parish Council (defined as a 'relevant authority' under Section 33 of the Act).

Purpose and Effect of Dispensations

Councillors granted a dispensation can take part in Council business where this would otherwise be prohibited because they have a Disclosable Pecuniary Interest. Provided Councillors act within the terms of their dispensation, there is no breach of the Code of Conduct or the law.

Dispensations may allow the Councillor to participate in any:

(a) discussion of the matter and
(b) vote taken on the matter.

If a Councillor participates in a meeting where they have a Disclosable Pecuniary Interest without a dispensation, they may be committing a criminal offence under Section 34 of the Act.

Procedure for Making Requests

Any Councillor applying for a dispensation must seek one from the Clerk as soon as possible before the meeting. A request form ensuring that all the information is provided is attached.

Consideration by the Proper Officer

The Parish Council has resolved to delegate the power to grant dispensations to the Clerk.

A dispensation may be granted to participate in any discussion and any vote if it is considered that:

(a) so many Members of the Council/Committee have Disclosable Pecuniary Interests that the meeting would be inquorate) or

(b) without the dispensation the representation of different political groups would be so upset as to alter the likely outcome of any particular vote or
(c) the dispensation is in the interests of persons living in the area or
(d) it is otherwise appropriate to grant a dispensation.

The Clerk should formally notify the Councillor of their decision and reasons in writing at the earliest opportunity.

Criteria for Determination of Requests

The following are examples of criteria that may be appropriate in determining a request for a dispensation, but the Clerk will determine the factors they consider relevant:

(a) the nature of the Councillor's pecuniary interest, e.g. is it trivial or remote?
(b) the need to maintain public confidence in the conduct of business;
(c) in certain circumstances, the possible outcome of the proposed vote;
(d) the need for efficient and effective conduct of business;
(e) the Member has a particular expertise or knowledge that may be useful (e.g. a Member could be allowed to speak, but not vote);
(f) the interest is common to the Member and a significant proportion of the general public;
(g) any other relevant considerations.

Terms of Dispensations

Dispensations may be granted –
(a) to participate in any discussion of the matter and/or
(b) to participate in any vote on the matter
(c) for one meeting or
(d) for a limited period not exceeding 4 years.

Disclosure of Decision

Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before any business to which it relates. A copy of the dispensation will be kept with the Register of Councillors' Interests.

DISPENSATION REQUEST FORM

Please give full details of the following in support of your application for a dispensation. If you need any help completing this form, please contact the Clerk.

Your name	
The council business/matter for which you require a dispensation (refer to agenda item number if appropriate)	
Details of your interest in that council business/matter	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to participate, or participate further, in any discussion of that council business/matter by that body	Yes / No
Dispensation requested to participate in any vote, or further vote, taken on that council business/matter by that body	Yes / No
REASON(S) FOR DISPENSATION 33 a) without the dispensation the number of persons unable to participate in the transaction of council business/matter would be so great as to impede the transaction of the council business/matter	
33b) without the dispensation the representation of different political groups would be affected to alter the likely outcome of any vote	
33c) the dispensation is in the interests of persons living in the authority's area	
33e) that it is otherwise appropriate to grant a dispensation Reason:	

Signed: _____ Dated: _____

DECISION:

Dispensation Given: YES / NO LENGTH OF DISPENSATION: .....

Date: ..... Minute Number: .....

Signed: ..... Clerk to the Council