

Chelmondiston Parish Council

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Dispensation Policy Statement for **Disclosable Pecuniary Interests**

1. Introduction

Although not required under the Localism Act 2011, *The Suffolk Local Code of Conduct*, adopted by this Council, requires members to disclose **Disclosable Pecuniary Interests** and **Local Non Pecuniary Interests** in any matter being discussed at a meeting even if it has already been registered.

This policy sets out the general guidelines about the circumstances in which a **Dispensation** will be granted, which includes the requirement to use the appropriate form.

2. Preliminary

Under section 31(4), Localism Act 2011, a member who is present at a meeting of the Council (or Committee/Sub Committee/Joint Committee) who has a **Disclosable Pecuniary Interest (DPI)** in a matter to be considered, or being considered may NOT participate in the discussion or participate in any vote on the matter, unless a dispensation has been granted from the Council under s33 of the Act.

3. Types of Dispensations

The Council may grant one of the following dispensations:

- **partial dispensation** - allowing a member to make a representation before leaving the meeting and before the Council debate and vote
- **full dispensation** - allowing a member to take part in the debate and vote.

4. Relevant Period

Dispensations (under s33 of the Act) can be given for an item, meeting or period of up to 4 years (term of office).

5. Delegated Authority

If a member has a **DPI** in a matter on the agenda, they may apply in writing before the meeting, to the Clerk for a dispensation. This policy delegates authority for this to be determined by the Clerk, in consultation with the Chairman of the Council or the Chairman of a Committee (or Vice-Chairman if the Chairman is applying for the dispensation) so that a decision can be made before a meeting. Under this form of delegation the decision is the Clerk's, but he/she must take into account the views of the Chairman or the Vice-Chairman.

6. Grounds

Under s33 of the Localism Act 2012, a relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority:-

- 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 impeded 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,
- c) considers that granting the dispensation is in the interests of persons living in the authority's area
- d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive, or
- e) considers that it is otherwise appropriate to grant a dispensation.

7. Review of the policy

This policy was adopted by the Parish Council at its meeting on 1st July 2014 and will be reviewed when necessary or bi-annually.

Signed *David Cordle*
Chairman

Date *01/07/2014*...