

Request for a Dispensation Form Part 1 – Members Application

TO: MONITORING OFFICER / DEPUTY MONITORING OFFICER

I (name of Member)

.....

wish to apply for a dispensation from the requirement not to participate in or vote in respect of a matter at a meeting of the Council because of a Disclosable Pecuniary Interest (**DPI**).

Please specify title of the meeting and date

Meeting Title.....Date.....

Please specify your DPI and how it relates to taking part:

**Please Specify why a Dispensation should be granted:
(This should be for one or more of the reasons set out in Appendix B)**

SIGNEDDATED.....

Note: This form enables you as a Member to seek a dispensation from the restriction from participating and voting in meetings when you have a Disclosable Pecuniary Interest under the Localism Act 2011 (These are defined in Appendix A).

There are four grounds, set out in Appendix B, under which a dispensation can be granted. Please note that dispensations under grounds (a) and (b) can be decided by the Monitoring Officer, with a right of appeal to the Councillor Conduct Committee. Grounds (c) and (d) will be considered by the Councillor Conduct Committee, after consultation with the Independent Persons.

Request for a Dispensation Form

Part 2 - Decision of Monitoring Officer

The Monitoring Officer (or in his / her absence the Deputy Monitoring Officer) **AGREES / DISAGREES** that a dispensation on behalf of the Council is appropriate after having had due regard to the four grounds for a dispensation and all relevant circumstances because:-

PARTICULARS OF HOW GROUND(S) 1- 5 ARE SATISFIED / NOT SATISFIED:

The Monitoring Officer / Deputy Monitoring Officer **GRANTS / REFUSES / HAS REFERRED TO Councillor Conduct Committee** the requested dispensation.

PERIOD OF DISPENSATION:

(The dispensation must be for a fixed time period not exceeding 4 years or till re-election whichever is shorter though will normally cover only a specific matter or meeting)

CHANGE OF CIRCUMSTANCES

Please note this Dispensation only applies for the circumstances as disclosed to the Monitoring Officer – if your circumstances change please let the Monitoring Officer know immediate as it may affect any Dispensation granted.

SIGNED

DATED

APPENDIX A

Disclosable Pecuniary Interests under section 30(3) of the Localism Act 2011 are those held by you or your spouse / partner, civil partner, family members or persons with whom you have a close personal relationship as follows:

Employment, office, trade, profession or vocation - Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship - Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by you in carrying out duties as a member, or towards your election expenses.

This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

Contracts - Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority

(a) under which goods or services are to be provided or works are to be executed; and (b) which has not been fully discharged.

Land - Any beneficial interest in land which is within the area of the relevant authority.

Licences - Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate tenancies - Any tenancy where (to your knowledge)

(a) the landlord is the relevant authority; and
(b) the tenant is a body in which the relevant person has a beneficial interest.

Securities - Any beneficial interest in securities of a body where

(a) that body (to your knowledge) has a place of business or land in the area of the relevant authority; and

(b) either

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

Appendix B

Grounds for Granting a Dispensation

A dispensation may be granted in the following circumstances:

- (a) Where members of the decision making body have disclosable pecuniary interests in a matter that would “impede the transaction of the business”
- (b) That without the dispensation, the representation of different political groups on the body conducting the business would be so upset as to alter the outcome of any vote on the matter
- (c) That the authority considers that the dispensation is in the interest of persons living in the authority’s area
- (d) That the authority considers that it is otherwise appropriate to grant a dispensation.

Any grant of dispensation must specify how long it will last, up to a maximum of 4 years.

Standard Exemptions

The following standard exemptions in relation to the granting of dispensations, in relation to members’ allowances, business rates, plus housing matters and rents have been agreed by the Councillor Conduct Committee:

- (i) An allowance, payment or indemnity given to members or any ceremonial honour given to members.
- (ii) Setting a local scheme for the payment of business rates, including eligibility for rebates and reductions, for the purposes of the Local Government Finance Act 2012 as amended from time to time and any superseding legislation.
- (iii) Housing matters and rents (provided that those functions do not relate particularly to the members tenancy or lease).