



DISCLOSABLE PECUNIARY INTERESTS-DISPENSATIONS-POLICY

Reviewed by LPC 18 September 2023 (No Amendments)

Section 33 of the Localism Act 2011 permits a Parish Council to grant a dispensation to a member or co-opted member to allow him/her to participate in a discussion or to vote on a matter in which he/she has a disclosable pecuniary interest (DPI).

(Standing orders adopted 16 July 2018 section 13. Points bide)

- Unless he/she has been granted a dispensation, a Councillor or non Councillor with voting rights shall withdraw from a meeting when it is considering a matter in which he/she has a disclosable pecuniary interest. He/she may return to the meeting after the subject has been discussed.
- Dispensation requests shall be in writing and submitted to the Clerk as soon as possible before the meeting, or failing that, at the start of the meeting for which the dispensation is required.
- A decision as to whether to grant a dispensation shall be made by the Clerk, or by a meeting of the Council, or committee or sub-committee for which the dispensation is required if submitted at the said meeting. That decision is final.

A DPI dispensation may be granted only if, after having had regard to all relevant circumstances it is considered that:

- Without the dispensation, the number of members, or co-opted members 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; or
- Granting the dispensation is in the interests of persons living in the authority's area; or
- It is otherwise appropriate to grant a dispensation.

The DPI dispensation must specify the period for which it has effect, and that period may not exceed four years.

Note that the restriction on taking part or voting does not apply in relation to anything done for the purpose of deciding whether to grant a dispensation under section 33 of the Localism Act 2011.

The full Council agreed on the 21st January 2013 that a standing item should be placed on all full Council, committee, sub-committee, joint committee and joint sub-committee agendas to cover dispensations. This allows a member to request dispensation if he/she has only become aware of a DPI just before or during the meeting. (Standing order 13 points d&e applies).

Notes:

Disclosable Pecuniary Interests (DPI) in matters Considered at meetings.

Section 31 of the Localism Act 2011 sets out what a member must do if he/she has (and is aware that he/she has) a disclosable pecuniary interest(DPI)

1. **Section 31 applies** in a matter which is to be considered or is being considered at a meeting at which the member with DPI is present.
2. **Section 31 says** that if a member, or co-opted member is present at a meeting of the authority, or at a meeting of any committee, sub committee ,joint committee or joint sub-committee of the authority, and is aware that he/she has a pecuniary interest in any matter to be considered or being considered at the meeting, and that the interest is not in the register of members' interests, he/she must disclose that interest to the meeting.
3. **Section 31 applies** to elected Councillors, and to Councillors who have been co-opted onto the full Council. Also **Section 31 applies** to any co-opted members of committees, sub-committees, joint committees and joint sub-committees who are not Councillors but who are allowed (by law) to vote on certain decisions.
4. In the case of a sensitive interest, **section 32(3) of the Act, requires** the fact of there being a disclosable pecuniary interest to be declared, but does not require that details of the interest itself be given.