

# Request for a Dispensation Form Part 1 – Members Application

**TO: THE PROPER OFFICER**

I (name of Member)

.....

wish to apply for a Dispensation from the requirement not to participate in and / or vote in respect of a matter at a meeting of the Council because of a Disclosable Pecuniary Interest (**DPI**) (see Appendix A for details of DPIs).

**Please Specify title of the meeting, date and the matter in respect of which the dispensation is sought.**

**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)**

**SIGNED .....DATED.....**

**Note**  
This form enables you as a Member to seek a Dispensation from the Restriction from Participating and Voting in Meetings when a Member has a Discloseable Pecuniary Interest under the Localism Act 2011 (These are defined in Appendix A)

There are five Grounds under which the Standards Committee can grant a Dispensation set out in Appendix B.

# **Request for a Dispensation Form**

## **Part 2 - Decision of the Standards Committee**

The Standards Committee **has/has not resolved** that a dispensation on behalf of the Council is appropriate after having had due regard to the five grounds for a dispensation and all relevant circumstances because:-

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

The Standards Committee has resolved to **GRANT / REFUSE** the requested dispensation (any decision to grant will be published on the Council's website within 7 days of the decision).

### **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 Proper Officer – if your circumstances change please let the Proper Officer know immediate as it may affect any Dispensation granted.

**SIGNED**

**DATED**

## APPENDIX A

### Disclosable Pecuniary Interests under the Localism Act 2011 are those held by you or your spouse / partner as follows:

Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>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 M in carrying out duties as a member, or towards the election expenses of M.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the <a href="#">Trade Union and Labour Relations (Consolidation) Act 1992</a>.</p>
Contracts	<p>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—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
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	<p>Any tenancy where (to M's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to M's knowledge) has</p>

	<p>a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(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.</p>
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In the above—

“the Act” means the [Localism Act 2011](#);

“body in which the relevant person has a beneficial interest” means a firm in which the relevant person is a partner or a body corporate of which the relevant person is a director, or in the securities of which the relevant person has a beneficial interest;

“director” includes a member of the committee of management of [a registered society within the meaning given by [section 1\(1\)](#) of the Co-operative and Community Benefit Societies Act 2014, other than a society registered as a credit union];

“land” excludes an easement, servitude, interest or right in or over land which does not carry with it a right for the relevant person (alone or jointly with another) to occupy the land or to receive income;

“M” means a member of a relevant authority;

“member” includes a co-opted member;

“relevant authority” means the authority of which M is a member;

“relevant period” means the period of 12 months ending with the day on which M gives a notification for the purposes of [section 30\(1\)](#) or [section 31\(7\)](#), as the case may be, of the Act;

“relevant person” means M or any other person referred to in [section 30\(3\)\(b\)](#) of the Act;

“securities” means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the [Financial Services and Markets Act 2000](#) and other securities of any description, other than money deposited with a building society.

## Appendix B

### Grounds for Granting a Dispensation

1. 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 impede the transaction of the business,
2. 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,
3. that granting the dispensation is in the interests of persons living in the authority's area,
4. that without the dispensation each member of the authority's Cabinet would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's Cabinet, or
5. that it is otherwise appropriate to grant a dispensation.