SHDC MONITORING OFFICER GUIDANCE TO COUNCILLORS

DISPENSATIONS

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This policy will be reviewed on an annual basis

Date of next review – September 2027

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Brixton Parish Council Dispensations

SHDC Monitoring Officer Guidance to Councillors

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If you have a Disclosable Pecuniary Interest, Other Registerable Interest, or a Non-Registerable interest in a matter to be discussed at any meeting of the Council or its decision-making bodies, then unless you have a dispensation you must leave the room and may not take part in the discussion and vote on the matter. Guidance Note No1 provides more information about declaring interest.

The following guidance explains how you can apply for a dispensation and what will be considered in deciding whether your request should be granted.

1. **If you need a dispensation, make your request sooner rather than later.**

You should make your dispensation request well in advance of the date of the meeting for which the dispensation is sought and, in any event, other than in exceptional circumstances, the dispensation request should be made not less than 3 clear working days prior to the date of the meeting to which the dispensation request relates.

2. **Requests for a dispensation must be made to the Monitoring Officer in writing or by e-mail and preferably using the form at Appendix A.**

Using the form ensures that the Monitoring Officer has all of the information that is needed to decide whether your request should be granted.

3. **A dispensation can be granted to you on the following grounds**:

3.1. That so many members of the Council have disclosable pecuniary interests in a matter that it would impede the transaction of the business (i.e. it would otherwise be inquorate).

3.2. That without the dispensation, the representation of different political groups on the Council would be so upset as to alter the outcome of any vote on the matter.

3.3 That the dispensation is in the interests of persons living in the Council's area.

3.4. That without a dispensation no member of the Executive would be able to participate on the matter.

3.5 That it is otherwise appropriate to grant a dispensation.

4. **The Monitoring Officer will consider the request.**

Your request will be assessed using the following criteria:

4.1 Whether the nature of your interest is such that to allow you to participate would not damage public confidence in the conduct of the Council's business.

4.2. Whether your interest is common to you and a significant proportion of the general public; if this is the case a dispensation is more likely to be granted.

4.3. Is your participation justified by your particular role or expertise?

4.4. Is your interest trivial or remote; if this is the case a dispensation is more likely to be granted.

5. **A dispensation may be granted:**

5.1 for one or more meetings; or

5.2 for a period not exceeding 4 years.

6. **A dispensation may allow you to:**

6.1. speak only; or

6.2. speak and to vote; and/or

6.3. remain in the room at any meeting of the Council.

7. If you are granted a dispensation, then **you must declare the nature and existence of the dispensation** before the start of the business to which it relates.

8. A copy of the dispensation will be kept with the Register of Councillors' Interests

OPENNESS **INTEGRITY** **ACCOUNTABILITY**

Appendix A

Request for Dispensation

Your name	
Your Council	
Nature and description of interest for which dispensation sought	
Period for which dispensation is sought (1)	
Grounds on which the dispensation is sought (refer to grounds set out in the attached guidance). Please provide supporting reasons as to why you consider the dispensation request should be granted.	

Please state whether you are seeking a dispensation **to speak and to vote** or **to speak only** on the matter.	
Signed	**Dated**

(1) Note:

- **This may be for a maximum period of 4 years**
- **Where a dispensation is sought for a particular meeting, please specify date of meeting.**

Monitoring Officer Decision	Approved		Refused	
Reasons				
Signed	Dated			