

Lydiard Millicent Parish Council

Dispensation Policy

1. Introduction

1.1 At the Parish Council meeting held on 7 December 2023 it was agreed that the Parish Clerk may grant a dispensation to a Councillor who has a Disclosable Pecuniary Interest to participate in a discussion of a matter at a meeting and/or to participate in any vote on the matter if they consider that:

- 1.1.1 Without the dispensation, the number of 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 business.
- 1.1.2 Granting the dispensation is in the interest of persons living in the Council area or
- 1.1.3 It is otherwise appropriate to grant a dispensation.

1.2 When considering their decision, the Parish Clerk will take into account the following factors:

- 1.2.1 The nature of the Councillor's interest, e.g. is it substantial or remote?
- 1.2.2 The need to maintain public confidence in the conduct of the Council's business
- 1.2.3 The need for efficient and effective conduct of the Council's business
- 1.2.4 The Councillor's particular expertise or knowledge in the matter that may be useful in its consideration (e.g. the Councillor could be granted a dispensation to speak but not to vote)
- 1.2.5 The interest is common to the Councillor and a significant proportion of the inhabitants of the authority's area
- 1.2.6 Any other relevant circumstances.

1.3 For potential controversial dispensations the Parish Clerk will refer the granting of the dispensation to the Chairman of the meeting at which the issue is due to be discussed. The Parish Clerk will forward the request for dispensation to the Chairman and inform the Member requesting the dispensation that this is their decision.

2. Procedure

- 2.1 Any Councillor who wishes to apply for a dispensation must do so in writing. A Dispensation Request Form is attached to this procedure.
- 2.2 The written request must be made to the Parish Clerk as soon as possible before the meeting at which the dispensation is required.
- 2.3 Dispensation applications should not be made at the Council meeting at which the business itself is to be discussed unless the nature of the interest has only become apparent to the Councillor at that meeting. Where a dispensation request is being considered by a meeting of the Council, the Councillor making the request may participate and vote on the business of whether to grant the dispensation.

3. Terms of Dispensations

3.1 Dispensations may be granted:

- 3.1.1 for one or more meetings of the Council, or
- 3.1.2 for a period not exceeding four years

4. Notification and Disclosure of Decision:

- 4.1 The Parish Clerk will notify the Councillor as soon as possible of the decision taken.
- 4.2 A sample Dispensation Decision Notice is attached to this procedure.
- 4.3 Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

5. The Code of Conduct adopted by the Parish Council can be viewed under Governance/Policies and Procedures on the Parish Council website: www.lydiardmillicent-pc.gov.uk

Adopted by Lydiard Millicent Parish Council on 7 December 2023