

DISPENSATION REQUEST

Name of Councillor	
Nature and description of interest for which dispensation sought:	
Period for which dispensation is sought. 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 Grounds on which the dispensation is sought.	
Please refer to grounds referred to in guidance. Please also provide supporting reasons as to why you consider the dispensation request should be granted. Are you seeking a dispensation to speak and vote on the particular matter? Are you seeking a dispensation to speak only on the particular matter	

Guidance on Dispensation Requests

A dispensation can be granted on the following grounds to enable a member to speak and/or vote where they would otherwise have a disclosable pecuniary interest: -

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)
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. That the Council considers that the dispensation is in the interests of persons living in the Council's area.
4. That without a dispensation no member of the Executive would be able to participate on the matter
5. That the Council considers that it is otherwise appropriate to grant a dispensation.

Generally it is the Standards Committee who will decide whether to grant a request for a dispensation. However, the Monitoring Officer has been granted delegated authority to grant a dispensation in the circumstances set out in 1,3 and 4 above.

It should be noted that the Monitoring Officer can only grant a dispensation in limited circumstances if it is for the reason set out in 3 above. In this case, the Monitoring Officer will only be able grant a dispensation for a member to be able to make a statement, give evidence or answer questions on a matter that he/she would otherwise have an interest. Should the member wish to also vote on a matter in these circumstances then the application must be made to the Standards Committee.

It is advisable to submit a dispensation request well in advance of the date of the meeting for which the dispensation is sought. If the dispensation request is to be made to the Standards Committee, it should be submitted not less than **10 clear days** prior to the date of the meeting to which the dispensation request relates.

Should the member wish to make the application to the Monitoring Officer then this should be made as soon as possible but preferably by giving **5 days** notice prior to the meeting.

The *Council's Standards Committee* has agreed the following criteria in determining whether to grant dispensation requests:-

1. Whether the nature of the member's interest is such that to allow them to participate would not damage public confidence in the conduct of the authorities business
2. Whether the interest is common to the member and a significant proportion of the general public; if this is the case a dispensation is more likely to be granted.
3. Is the participation of the member in the business that the interest relates to justified by a member's particular role or expertise?
4. Whether the interest is trivial or remote; if this is the case a dispensation is more likely to be granted.

A dispensation request must be made to the Monitoring Officer in writing or by email addressed to Tonya Meers, Monitoring Officer, Taunton Deane Borough Council, The Deane House, Belvedere Road, Taunton, TA1 1HA or email to t.meers@tauntondeane.gov.uk

Bias and Predetermination

You should note that there may be circumstances where you do not have a disclosable pecuniary interest but it would be inappropriate for you to speak and vote on any matter by reason that you may be biased if you were to do so – for example speaking and voting on a planning application relating to a close member of your family other than your spouse or partner. A dispensation cannot be granted in such circumstances to enable you to speak and vote.

Moreover it is extremely unlikely that a dispensation will be granted in respect of a disclosable pecuniary interest where circumstances of bias or predetermination may arise. For further information and clarification please contact the Monitoring Officer.