

Appendix 7

The Granting of Dispensations

1. Dispensations may be granted in the following circumstances:

1.1 That so many members of the decision making body have DPIs or NPIs in a matter that it would “impede the transaction of the business”. In practice this means that the decision making body would be inquorate as a result.

In such cases the power to grant any dispensation rests with the Monitoring Officer (s.33(2)(a) of the Localism Act 2011)

1.2 That, without the dispensation, the representation of different political groups on the body transacting the business would be so upset as to alter the likely outcome of any vote relating to the business.

In such cases the power to grant any dispensation rests with the Standards Sub-Committee for Granting Dispensations (s.33(2)(b) of the Localism Act 2011)

1.3 That granting the dispensation is in the interests of persons living in the authority’s area

In such cases the power to grant any dispensation rests with the Standards Sub-Committee for Granting Dispensations (s.33(2)(c) of the Localism Act 2011)

1.4 That without a dispensation, no Member of the Cabinet would be able to participate on the matter to be transacted by Cabinet. In practice this means that Cabinet would be inquorate.

In such cases the power to grant any dispensation rests with the Monitoring Officer. (s.33(2)(d) of the Localism Act 2011)

1.5 That the authority considers that it is otherwise appropriate to grant a dispensation

In such cases the power to grant any dispensation rests with the Standards Sub-Committee for Granting Dispensations (s.33(2)(e) of the Localism Act 2011)

- 2 Any grant of a dispensation will specify how long it lasts for, up to a maximum of 4 years
- 3 Following any decision by the Monitoring Officer under 1.1 or 1.4 above, there will be a right of appeal to the Standards Sub-Committee for Granting Dispensations.
- 4 The Monitoring Officer will keep a register of all dispensation requests, recording the decision, the member any dispensation is given to, when it starts and when it ends.