

# **FERRYHILL TOWN COUNCIL**



## **POLICY**

### **GRANTING DISPENSATIONS**

## **INTRODUCTION**

Under Section 33 of the Localism Act 2011 the Town Council may determine requests from a Town Councillor for a dispensation.

A dispensation allows a Councillor to take part in Council business where, under Section 34 of the Localism Act 2011, this would otherwise be prohibited.

## **POLICY**

### **REQUESTING A DISPENSATION**

Any councillor who wishes to apply for a dispensation should submit a Dispensation Request Form to the Clerk before the meeting at which the Dispensation is required. A councillor may also make an application at the meeting itself, should the nature of the interest only become apparent to the Councillor at the meeting. A request for dispensation must be made on an individual basis.

### **PROCEDURE FOR CONSIDERATION OF REQUESTS FOR DISPENSATIONS**

Dispensations will be considered by the Town Council, or the Committee to which the request is made, under the relevant standing Agenda item and subject to the voting procedures as stated within the Council's Standing Orders.

Section 33(2) provides that a dispensation may be granted where the authority:

- (a) considers that without the dispensation the number of persons 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 the business,
- (b) considers 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,
- (c) considers that granting the dispensation is in the interests of persons living in the authority's areas,
- (d) considers that without the dispensation each member of the authority's Executive would be prohibited from participating in any particular business to be transacted by the authority's executive, or
- (e) considers that it is otherwise appropriate to grant a dispensation.

A dispensation under this Standing Order must specify the period for which it has effect and the period specified may not exceed four years/ the remaining term of office (if shorter)