

Title: **Methodology For Granting Dispensations**

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### **Purpose**

To set out the position with regard to the granting of dispensations.

### **Background**

Members will be aware that the Code of Conduct states that if Members have a prejudicial interest in a matter that is being considered by the Council or its Committees that they should take no part in the consideration of the matter and should leave the meeting. The only exception to this is if they have obtained a dispensation from the Standards Committee. If a Member acts in accordance with this dispensation they will not be in breach of the Code of Conduct and therefore can take part in the meeting.

The Standards Committee may only grant a dispensation if:

1. It has received a written request for a dispensation from a Member explaining why such a dispensation should be granted; and
2. Without the grant of the dispensation the Council or its Committees would not be able to conduct its business either:
  - (a) because more than 50% of the Members entitled to take part in the meeting would not be able to do so, or
  - (b) the political balance of the Council or its Committees would be upset.

In deciding whether to grant a dispensation the Standards Committee would need to take into account 1 and 2 above and all the other circumstances of the particular case.

It is to be noted that there are two circumstances where dispensations cannot be granted:

1. Where the Code of Conduct prevents a Member from taking part at a meeting of an Overview and Scrutiny Committee where that Committee is considering a decision taken by another of the Council's Committees on which the Member sits, or