

## DECLARATION OF INTEREST --- CHECKLIST FOR ASSISTANCE TO MEMBERS

Name: Councillor

Committee:

Date:

Item No:

Item Title:

**A Member with a personal interest must disclose the existence and nature of that interest.**

**A Member with a prejudicial interest must disclose the existence and nature of that interest, must withdraw, must not exercise executive functions in relation to the matter and must not seek to improperly influence a decision.**

*Please tick relevant boxes*

*Notes*

	<b>Overview and Scrutiny Committees <u>only</u></b>		
1.	I have a <b>personal interest</b> in the matter but it is <u>not</u> <b>prejudicial</b> .		<i>You may speak and vote.</i>
2.	I have a <b>personal interest</b> in the matter and it <u>is</u> <b>prejudicial</b> <u>and</u> financial.		<i>You cannot speak or vote and must withdraw unless you have also ticked 3 (a) (b) (c) (d) (e) (f) (g) or 7 below.</i>
3.	I regard myself as <u>not</u> having a <b>prejudicial interest*</b> in the matter as it relates to:-		
(a)	another <b>Relevant Authority</b> of which I am a Member;		<i>You may speak and vote</i>
(b)	another Public Authority in which I hold a position of general control or management;		<i>You may speak and vote</i>
(c)	A body to which I have been appointed or nominated by the Council as its representative;		<i>You may speak and vote</i>

*\* Please note you should not automatically regard yourself as not having a prejudicial interest in the circumstances described at (a) to (c). It may be inappropriate to take advantage of this exemption eg where there is a clear conflict of interest such as in commercial negotiations with a Parish Council or where the decision will affect the business of the body in question eg future closure or grants*

(d)	the Housing functions of the Council where I hold a tenancy or lease with the Council, and I do not have arrears of rent of more than 2 months and those functions do not relate particularly to my tenancy or lease.		<i>You may speak and vote</i>
(e)	the functions of the Council in respect of school meals, transport and travelling where I am a guardian or parent of a child in full time education and it does not relate particularly to the school which the child attends.		<i>You may speak and vote</i>
(f)	Statutory sick pay where I am in receipt of such pay from the Council.		<i>You may speak and vote</i>
(g)	Members Allowances		<i>You may speak and vote</i>
4.	I have a <b>personal interest</b> in the matter and it is <b>prejudicial</b> but <u>not</u> financial.		<i>You may speak and vote to the extent the Overview and Scrutiny Committee is not exercising the functions of the Council or Cabinet</i>
5.	I <u>must</u> regard myself as having a <b>personal and prejudicial interest</b> in the matter because it		

	relates to a decision made, or action taken, by another of the Council's Committees or Sub-Committees of which I am a Member and I have not attended the meeting to answer questions or give evidence.		<i>You cannot speak or vote and must withdraw.</i>
6.	I need not regard myself as having a <b>personal and prejudicial interest</b> in the matter because whilst it relates to a decision made, or action taken, by another of the Council's Committees or Sub-Committees of which I am a Member, I have only attended the meeting to answer questions or give evidence.		<i>You may answer questions and give evidence.</i>
7.	A Standards Committee dispensation applies.		<i>See the terms of the dispensation.</i>

**“Personal Interest”** means

The matter relates to your entries in the Register of Interests,  
or

A decision upon the matter might reasonably be regarded as affecting to a greater extent than other council tax payers, ratepayers or inhabitants of the Council's area, the well-being or financial position of yourself, a relative or a friend or :-

- (a) any employment or business carried on by such a person;
- (b) any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are Directors;
- (c) any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
- (d) any body listed under the definition of body below in which such persons hold a position of general control or management.

**“relative”** means a spouse, partner, parent, parent-in-law, son, daughter, step-son, step-daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the proceeding persons; and **“partner”** means a member of a couple who live together.

**“Prejudicial Interest”** means

The interest is one which a member of the public with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.

**“Relevant Authority”** See section 49 (6) of the Local Government Act 2000 e.g. County and Parish Councils.

**“Public Authority”** advice is awaited from DTLR, it would include a health trust, a health authority, the governing body of a school.

**“Body”** here means

- (a) a body to which you have been appointed or nominated by the Council as its representative;
- (b) a public authority or body exercising functions of a public nature;
- (c) a company, industrial and provident society, charity, or body directed to charitable purposes;
- (d) a body whose principal purpose includes the influence of public opinion or policy;
- (e) a trade union or professional association.

**A Member with a personal interest who has made an executive decision in relation to that matter must ensure any written statement of that decision records the existence and nature of that interest.**