

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

	Overview and Scrutiny Committees <u>only</u>		
1.	I have a personal interest in the matter but it is <u>not</u> prejudicial .		<i>You may speak and vote.</i>
2.	I have a personal interest in the matter and it <u>is</u> prejudicial <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 prejudicial interest* in the matter as it relates to:-		
(a)	another Relevant Authority 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 personal interest in the matter and it is prejudicial 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 personal and prejudicial interest 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 personal and prejudicial interest 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.