

# CARDIFF COUNCIL STANDARDS AND ETHICS COMMITTEE

## Form for Application for Dispensation

### Member Application for Dispensation in respect of a Personal and Prejudicial Interest under the Member Code of Conduct

#### Note

Under the Member Code of Conduct, a member who has a personal and prejudicial interest in any business of the Council will be prohibited from participating in that business, *unless* the Standards and Ethics Committee has given the Member a dispensation which allows him/her to participate in the matter.

You may apply for a dispensation by completing this form and sending it to the Monitoring Officer as soon as you realise you need a dispensation for a particular matter.

The Standards and Ethics Committee is responsible for determining applications in accordance with the Regulations<sup>1</sup> prescribing the circumstances in which the Committee may grant a dispensation (set out in Section 3 of this Form), and the Committee's [Policy on Dispensations](#).

Commented [AK1]: Insert link

1.	Member's name and Council:	
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<sup>1</sup> The Standards Committees (Grant of Dispensations) (Wales) Regulations 2001, as amended

2.	<p>What is the matter of business being considered by the Council?</p>   <p>Where will the above matter be considered? e.g. Cabinet, full Council, a particular Committee meeting or other (please specify)</p>   <p>What is the nature of your personal and prejudicial interest in that business (in respect of which you seek a dispensation)?</p>          <p>Please be as clear as possible in explaining your interest.</p>	
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<p>3. The Standards Committee (Grant of Dispensations)(Wales) Regulations 2001 prescribe the circumstances in which the Standards &amp; Ethics Committee may grant a dispensation. The grounds for granting a dispensation are set out below. Please tell us on which of the following grounds you believe that a dispensation should be granted in this case?</p> <p>Please tick the appropriate box(es) and tell us why you believe it applies in your case.</p>		
	<u>Statutory grounds for dispensation:</u>	<u>Brief explanation:</u>
(a)	no fewer than half of the members of the Council or of a committee of the Council (as the case may be) by which the business is to be considered has an interest which relates to that business;	

	(b)	no fewer than half of the members of a leader and cabinet executive of the relevant authority by which the business is to be considered has an interest which relates to that business and either paragraph (d) or (e) below also applies;	
	(c)	in the case of a County or County Borough Council, where the inability of the member to participate would upset the political balance of the Council or of the committee of the Council by which the business is to be considered to such an extent that the outcome would be likely to be affected;	
	(d)	the nature of the member's interest is such that the member's participation in the business to which the interest relates would not damage public confidence in the conduct of the Council's business;	
	(e)	the interest is common to the member and a significant proportion of the general public;	
	(f)	the participation of the member in the business to which the interest relates is justified by the member's particular role or expertise;	

	(g)	the business to which the interest relates is to be considered by an overview and scrutiny committee of the relevant authority and the member's interest is not a pecuniary interest;	
	(h)	the business which is to be considered relates to the finances or property of a voluntary organisation of whose management committee or board the member is a member otherwise than as a representative of the relevant authority and the member has no other interest in that business provided that any dispensation shall not extend to participation in any vote with respect to that business;	
	(i)	it appears to the committee to be in the interests of the inhabitants of the area of the relevant authority that the disability should be removed;	
	(j)	it appears to the committee to be otherwise appropriate to grant a dispensation.	

Commented [AK2]: Deleted by SI 2016/85

Commented [AK3]: Additional ground inserted by SI 2016/85



7.	<p>Please note that the information you provide in this form may be published with the Committee's papers (pursuant to the Access to Information provisions set out in Part VA of the Local Government Act 1972). If you wish to ask for any of the information you have provided to be made exempt from publication, please use this space to tell us which information you would like us to exempt and the reasons to support this (We will consider your request and confirm whether or not we can exempt your information.)</p>
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**8. DECLARATION**

I request a dispensation in respect of the above matter.

**I confirm that the information provided on this form is true to the best of my knowledge.**

Signed: .....

Date: .....

Print Name: .....