

Disclosable Pecuniary Interests and Other Significant Interests.

The most important things to remember when making a declaration are:
a) that it is the individual member's duty to make the declaration and b) that the test is not whether the member actually has an Interest, but rather whether a reasonable person in possession of all the facts would consider that he did.

1) A Disclosable Pecuniary Interest means those interests of a description specified in regulations made by the Secretary of State (as amended from time to time) as set out below and where either it is:

- (a) your interest, or
- (b) an interest of your spouse or civil partner, a person with whom you are living as husband and wife, or a person with whom you are living as if you were civil partners and provided you are aware that the other person has the interest.

The Regulations set out the following:-

Employment, office, trade, profession or vocation - Any employment, office, trade, profession or vocation carried on for profit or gain.

Sponsorship -Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.

This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992(3).

Contracts Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—

- a) under which goods or services are to be provided or works are to be executed; and
- (b) which has not been fully discharged.

Land Any beneficial interest in land which is within the area of the relevant authority.

Licences Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.

Corporate tenancies Any tenancy where (to the Member's knowledge)—

- (a) the landlord is the relevant authority; and
- (b) the tenant is a body in which the relevant person has a beneficial interest.

Securities Any beneficial interest in securities of a body where—

(a) that body (to Member's knowledge) has a place of business or land in the area of the relevant authority; and

(b)

either—

(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or

(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.

2) An Other Significant Interest means an interest (other than a Disclosable Pecuniary Interest or an interest in an Authority Function) in any business of the Authority which:

(a) may reasonably be regarded as affecting the financial position of yourself and/or an Associated Person to a greater extent than the majority of:

i. other Council Tax payers, ratepayers or inhabitants of the Authority affected by the decision, or

ii. (in other cases) other Council Tax payers, ratepayers or inhabitants of the Authority's area, or

(b) relates to the determination of your application (whether made by you alone or jointly or on your behalf) for any approval, consent, licence, permission or registration or that of an Associated Person,

(c) and where, in either case, a member of the public with knowledge of the relevant facts would reasonably regard the interest as being so significant that it is likely to prejudice your judgment of the public interest.

3) Where you are present at a Meeting and have a Disclosable Pecuniary Interest or Other Significant Interest in any matter to be considered, or being considered, at the Meeting, you must:

- (a) disclose the Interest, and
- (b) explain the nature of that Interest at the commencement of that consideration or when the Interest becomes apparent (and unless you have been granted a dispensation)
 - i. not participate in any discussion of, or vote taken on, the matter at the Meeting, and
 - ii. withdraw from the Meeting room in accordance with the Authority's Procedure Rules whenever it becomes apparent that the business is being considered, and
 - iii. not seek improperly to influence a decision about that business.

4) Where you have an Other Significant Interest in any business of the Authority, you may attend a Meeting but only for the purpose of making representations, answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the Meeting for the same purpose. Having made your representations, given evidence or answered questions you must:

- (a) not participate in any discussion of, or vote taken on, the matter at the Meeting, and
- (b) withdraw from the Meeting room in accordance with the Authority's Procedure Rules.