

Bury St Edmunds Town Council
November 2023

Policy for dealing with Dispensations under s33 Localism Act 2011 ("the Act")

1. The Town Council delegates authority to the Council's Committees to consider and decide upon written applications for dispensations from the restrictions relating to disclosable pecuniary interests (DPI) contained in s31 (4) of the Act in the circumstances provided in s33 (2) (c) and (e) of the Act.
2. The Council delegates authority to the Clerk to consider and decide upon written applications for dispensations from the restrictions contained in s31 (4) of the Act in the circumstances provided in s33 (2) (a) of the Act.

3. **The Process for Making Requests**

Any councillor who wishes to apply for a dispensation must fully complete a Dispensation Request form (see attached) and submit it to the Clerk as soon as possible before the meeting and in any event no later than 4pm the day before the meeting for which the dispensation is required. The application will be decided upon by the Council or the Committee, as relevant, under a standing item on the agenda for their meeting. All requests for dispensation must be made on an individual basis.

If the application for a dispensation is for a period longer than a single meeting, the Clerk should formally notify the Councillor of Council's decision and reasons in writing at the earliest opportunity and in any event within 5 working days of the decision.

4. **Criteria for Determination of Requests**

In reaching a decision on a request for a dispensation Council will take into account:

- (a) the nature of the Councillor's DPI
- (b) the need to maintain public confidence in the conduct of the Council's business
- (c) the possible outcome of the proposed vote
- (d) the need for efficient and effective conduct of the Council's business
- (e) any other relevant circumstances.

5. **Terms of Dispensations**

Dispensations may be granted:

- (a) for one meeting; or
- (b) for a period not exceeding 4 years

The period for which any dispensation so granted has effect must be specified in the resolution.

6. **Disclosure of Dispensation**

Any Councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

The dispensation will be sent to the Monitoring Officer at West Suffolk Council and a copy of it will be kept with the Register of Councillors' Interests retained by the Council.

**Bury St Edmunds Town Council
DISPENSATION REQUEST FORM**

Please give full details of the following in support of your application for a dispensation having referred to Council's policy and your copy of 'Dispensations Guidance'.

Your name	
The business for which you require a dispensation (refer to agenda item number if appropriate)	
Details of your interest in that business	
Date of meeting of Council, a Committee or a Sub-Committee or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to participate, or participate further, in any discussion of that business by that body	Yes/No
Dispensation requested to participate in any vote, or further vote, taken on that business by that body	Yes/No
Full reasons why you consider a dispensation is necessary (use a continuation sheet if necessary)	

Signed: _____ Dated: _____

Please give your completed form to the Clerk. You will receive written notification of the Council's decision within 5 working days of the decision.