

GUIDANCE AS TO THE DECLARATION OF INTERESTS AT MEETINGS

General

The Standards Committee draw your attention to the Code of Conduct which states that Members are responsible for deciding whether they have an interest that should be declared at a meeting¹.

You must normally declare the existence and nature of any interest either at the start of the meeting, before the item is considered, or as soon as the interest becomes apparent. If the same interest arises at subsequent meetings, you must make a declaration on each and every occasion.

If there is doubt, the advice is to err on the side of caution and declare an interest. Ideally, you should advise the Town Clerk in advance of a meeting if you have an interest in any of the matters to be considered.

Personal Interests

You will have a personal interest in a matter if it:

- relates to an interest you must register in accordance with the Code of Conduct. You must declare the interest at the meeting even though it has already been registered unless the interest relates to a gift or hospitality which was registered more than three years ago; or,
- affects the well-being or finances of a relevant person (ie. yourself, your family, a close associate and/or some other connected people and organisations) more than the majority of inhabitants of the Ward(s) affected.

Provided a personal interest is not also prejudicial, you may take part in the discussion of the matter, and vote. If the interest relates to membership of another public body you only need to declare it if you intend to speak.

Prejudicial Interests

You will additionally have a prejudicial interest if:

- the matter has financial implications for a relevant person (see above) or relates to a regulatory matter, such as licensing or planning, affecting them; and
- a reasonable member of the public with knowledge of the facts would believe the interest likely to harm or impair your ability to judge the public interest; and
- no exemption or dispensation applies.

If you have a prejudicial interest you must:

- not debate or vote on the matter; and
- leave the meeting room either before the matter is discussed or as soon as the interest becomes apparent – except that you can stay to make representations, answers questions or give evidence, provided that the public can attend for the same purpose. Once you have done so you must leave.

Further information

The above guidance is a summary of the law only. Members are asked to refer to the Code of Conduct and the guidance for Members produced by Standards for England and the City Corporation for a fuller explanation of the relevant provisions. If required, further advice can be obtained from the Town Clerk, the Comptroller & City Solicitor (Monitoring Officer) and their staff.

¹ “Meeting” includes any meeting of the Court of Aldermen, Court of Common Council, Committees, Sub Committees, Joint Committees, Joint Sub Committees, Boards of Governors, or Area Committees, but excludes informal meetings.