

DECLARATIONS OF INTEREST – General Guidance

Alongside the register of interests, the local code also requires the declaration of interests at meetings of the council. Members can use the register as a trigger to decide which of their interests need to be declared at meetings.

Members have to decide first whether or not they have a personal interest in the matter under discussion. They will then have to decide whether that personal interest is also prejudicial. The old distinction between 'pecuniary' and 'non-pecuniary' interests is no longer relevant.

A personal interest is an interest that affects the member more than most other people in the area. People in the area include those who live, work or have property in the area of the council. Members will also have a personal interest if their partner, relative or a close friend, or an organisation that they or the member works for, is affected more than other people in the area.

If they do have a personal interest, they must declare it and say what that interest is before any meeting where the issue is to be discussed or as soon as it comes to light. However, they can still take part in the meeting and vote unless the personal interest is also a prejudicial interest.

A prejudicial interest is a matter of judgement for each member. What members have to do is ask themselves whether a member of the public – if he or she knew all the facts – would think that the member's interest was so important that their decision would be affected by it. If a member has a prejudicial interest then they must declare what that interest is (if they have not already done so) and withdraw from the meeting (by leaving the room).

A member may regard himself as not having a prejudicial interest in a matter if that matter relates to:-

- *another relevant Authority of which he is a member*
- *another public Authority in which he holds a position of general control or management*
- *a body to which he has been appointed or nominated by the Authority as its representative*
- *any functions of the Authority in respect of an allowance or payment under sections 173 to 173a and 175 to 176 of the Local Government Act 1972 or section 18 of the Local Government & Housing Act 1989*

However, members of more than one authority should make clear that any views expressed at any meeting are provisional and may change at a meeting of another authority.

Subject to regulations being made, the local standards committee may grant members a dispensation to take part in a meeting even though they have an interest.

Please refer to Part Two of the Code of Members' Conduct for detailed guidance.