

CLLRS NOTES on DECLARATIONS OF INTEREST

What are pecuniary interests?

This is a financial interest. A person's pecuniary interests are their business interests (for example their employment, trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and assets including land and property).

What does having a disclosable pecuniary interest stop you doing?

If you are present at a meeting of your council and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not:

- participate in any discussion of the business at the meeting, or if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business, or
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

In certain circumstances you can request a dispensation from these prohibitions, see High Easter Parish Council Standing Orders section 13.

Where these prohibitions apply, do I also have to leave the room?

Where your councils standing orders require this, you must leave the room. High Easter Parish Councils Standing Orders item 13b, require Cllrs to leave the room.

What are personal interests

You have a personal interest in matter if that matter affects the well-being or financial position of you, your relatives or your friends more than it would affect other people in the authority's area. You should declare the nature and extent of your interest including enough detail to allow a member of the public to understand its nature. You may participate and vote in the normal way.

Personal and Prejudicial interests.

To decide whether a personal interest is prejudicial, members should apply the following test: "Would a member of the public with knowledge of the relevant facts reasonably regard my interest as so significant that it is likely to prejudice my judgement of the public interest?" If the answer is "yes", then you should treat your interest as "personal and prejudicial".

An alternative definition. Your personal interest will also be a prejudicial interest if **all** of the following conditions are met

- (1) The matter being discussed affects your financial position or that of any person with whom you have a personal interest.
- (2) Where a member of the public who knows the relevant facts would reasonably think your personal interest is so significant that it may prejudice your judgement.
- (3) It does not fall into one of the exempt categories (not applicable for UTT/20/1208/PIP).

What does having a personal and prejudicial interest stop you doing.

If you have a personal and prejudicial interest in any Council business then, unless you have a dispensation:

- You may attend a meeting for the purpose of making representations only.
- You must not participate or participate further in any discussion of the matter at the meeting.
- You must not participate in any vote or further vote taken on the matter at the meeting.