

OTHER AUTHORITIES' CONSTITUTIONAL PROVISIONS – FOR REFERENCE ONLY

Luton Borough Council:

Members Code of Conduct

“4. if a Member has disclosed a Disclosable Pecuniary Interest whether or not the same has been registered the Member may not, unless he/she has obtained a Dispensation:-

- (a) participate, or participate further, in any discussion of the matter or vote at the Meeting; or*
- (b) remain in the Meeting room whilst the matter is being debated or participate in any vote taken on the matter at the Meeting.*

F Effect of Prejudicial Interests on participation

1 Subject to paragraph 2 to this Part F to Part 2 to this Code, where a Member has a Prejudicial Interest in any business of the Authority:-

- (a) the Member must withdraw from the room or chamber where a Meeting considering the business is being held:-
 - (i) in a case where (ii) below applies, immediately after making representations, answering questions or giving evidence; and*
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at the Meeting, unless the Member has obtained a dispensation;**
- (b) the Member must not exercise functions in relation to that business; and*
- (c) the Member must not seek improperly to influence a decision about that business.*

2 Where a Member has a Prejudicial Interest in any business of the Authority, the Member may attend a Meeting (including a Meeting of the Overview and Scrutiny Board or of a Committee or Sub-Committee thereof) 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, whether or not under a statutory right or otherwise.”

Standing Orders:

“22.2 A Member of the Council with a Disclosable Pecuniary Interest in a matter within the meaning of the Council's Code of Conduct for Members and who attends a meeting at which the matter is considered must, subject to Standing Order 22.4 :-

- (1) withdraw from the room or chamber where the meeting is being held unless (s)he has obtained a dispensation from the Standards Committee;*
- (2) not exercise Executive Functions in relation to that matter; and*
- (3) not improperly influence a decision about that matter.*

For the avoidance of doubt any Member with a Disclosable Pecuniary Interest may not participate in any debate or vote on the matter in question unless a dispensation has been granted allowing them to do so.”

Northampton Borough Council:

Members’ Code of Conduct:

“10.2 Whether the Disclosable Pecuniary Interest is registered or not, you must not, unless you have obtained a dispensation from the Authority’s Monitoring Officer or the Standards Committee:

- (i) participate, or participate further, in any discussion of the matter at the meeting (except to make representations, give evidence or answer questions prior to any debate on the matter); or*
- (ii) remain in the meeting room whilst the matter is being debated; or*
- (iii) participate in any vote taken on the matter*

10.3 If you have declared a Personal Interest (as defined in paragraph 12.1 below) to the meeting you may take part in any debate on the matter under consideration and vote upon it.”

Council Procedure Rules:

“27. INTERESTS

Any Member who has a personal interest defined by any relevant code of conduct whether national or local in any matter shall forthwith disclose that interest but may remain, speak and vote unless the interest is a disclosable pecuniary interest as prescribed by any such code, in which case they may address the committee in accordance with any public speaking rights that apply and then shall withdraw from the room.”

Sunderland City Council:

Members Code of Conduct:

“14. When you attend a meeting of the Council or Cabinet, or one of their committees or sub-committees, and you are aware that you have a Disclosable Pecuniary Interest in any matter to be considered, or being considered at that meeting, you may not (unless you have a relevant dispensation granted under section 33 of the Localism Act 2011) :

- a) participate (or further participate) in any discussion of the matter at the meeting; or*
- b) participate in any vote (or further vote) taken on the matter at the meeting.”*

Council Procedure Rules:

“21. Declarations of Interest and Withdrawal from Meetings

A member must withdraw from the meeting room (including from the public gallery) during the whole of the consideration of any item of business in which he or she has a Disclosable Pecuniary Interest, except where permitted to remain as a result of a dispensation.”