

## ITEM 3(a)(iii)

MILTON KEYNES COUNCIL

17 JANUARY 2018

Report submitted to Council on 22 November 2017

### **COUNCIL PROCEDURE RULE 19.5 AND CABINET PROCEDURE RULE 3**

#### 19.5 Conflicts of Interest

- (a) Members of the Council are under a duty to base their decision making on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public.
- (b) A Member has a potential conflict of interest where any business of the meeting relates to or is likely to affect the subject matter of:
  - (i) a disclosable pecuniary interest as described at Part 2 Paragraph A of the Members Code of Conduct and section 30(3) of the Localism Act 2011; or
  - (ii) personal interest as described at Part 2 Paragraph B of the Members Code of Conduct
- (c) A Member must:
  - (i) when prompted by the agenda item, at the commencement of that consideration or when the interest becomes apparent, disclose to the meeting the existence and nature of that interest;
  - (ii) not participate in any discussion of that matter at the meeting;
  - (iii) not vote on that matter at the meeting; and
  - (iv) leave the room whilst that matter is being debated.
- (d) Where a Member is present at the meeting where that member is to be called upon to make a decision in the public interest, and that Member considers they have fettered their discretion in some other way before leaving the room he or she may first exercise the ability to address the meeting as a Ward Member or member of the public in accordance with these Procedure Rules.

## **Cabinet Procedure Rules**

### **3 Conflicts of Interest**

- 3.1 Members of the Cabinet are under a duty to base their decision making on a consideration of the public interest, avoid conflict between personal interest and the public interest and resolve any conflict between the two, at once, and in favour of the public.
- 3.2 A Member has a potential conflict of interest where any business of the meeting relates to or is likely to affect the subject matter of:
- (a) a disclosable pecuniary interest as described at Part 2 Paragraph A of the Members Code of Conduct and section 30(3) of the Localism Act 2011; or
  - (b) personal interest as described at Part 2 Paragraph B of the Members Code of Conduct
- 3.3 A Member must:
- (a) when prompted by the agenda item, at the commencement of that consideration or when the interest becomes apparent, the Member must disclose to the meeting the existence and nature of that interest;
  - (b) not participate in any discussion of that matter at the meeting;
  - (c) not vote on that matter at the meeting; and
  - (d) must leave the room whilst that matter is being debate
- 3.4 Where a Member is present at the meeting where that member is to be called upon to make a decision in the public interest, and that Member considers they have fettered their discretion in some other way before leaving the room he or she may first exercise the ability to address the meeting as a Ward Member or member of the public in accordance with these Procedure Rules.