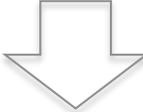


HOW “GENERAL” DISPENSATIONS WORK

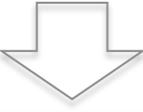
On election, a member registers their DPI's,* and can request a “general” dispensation to speak and vote on any matter which affects their constituents and in which they may have a DPI **except** for a matter which:

- (a) affects them uniquely or more than any of their constituents; or
- (b) insofar as regards a dispensation to vote only, falls within the restriction imposed by section 618 of the Housing Act 1985, for as long as that provision remains on the statute book.

* DPI = disclosable pecuniary interest. This includes a lease of property in the City



“General” dispensation to speak and vote is granted



Court and committee meetings
e.g. Planning and Transportation, Community and Children’s Services, Licensing, Barbican Residential Committee.

Where a matter is to be decided in a Court or committee meeting, and a member has an engaged DPI in the matter which is covered by the “general” dispensation, the member declares their interest, and speaks and votes, unless in their judgement that would not be appropriate e.g. if only a very small number of constituents are as equally affected by the matter as the member.

Where a matter is to be decided in a Court or committee meeting, and a member has an engaged DPI in the matter which is **not** covered by the “general” dispensation, the member declares their interest, and does not (speak or) vote.

WHY “GENERAL” DISPENSATIONS ARE NEEDED

- A "general" dispensation is not an "unlimited" dispensation. It excludes matters in which a member has a greater interest than any of their constituents, because in that case the statutory ground of being "in the interests of persons living in the authority's area" is not satisfied.
- A "general" dispensation covers matters in which a member has no greater interest than any of their constituents, because in that case the statutory ground is satisfied.
- The purpose of the law providing for dispensations to be granted is to enable a member to speak or vote for others, notwithstanding their own conflict of interest, in the interest of democracy.
- It is more important for a member to have a dispensation to vote than to speak, so they can represent their constituents in the making of the decision. Otherwise, the way would be open for members with no local knowledge, interest or mandate to make the decision.
- In a case where a member can rely on a "general" dispensation, but only a few constituents are equally affected, the member should be trusted to use their judgment (or "common sense") as to whether they do so, or whether they do not speak or vote.
- A system of specific dispensations applied for individually has proved to be unworkable, because members usually receive only a week's notice of the agenda, and dispensations sub-committee meetings cannot be convened within that time.
- Streamlining the process by granting “general” dispensations at the start of members’ terms will mean considerably less time is spent by both members and officers.
- The Corporation should lobby for the repeal of the outdated section 618.
- The public has signalled its wish for members to have "general" dispensations. **A public authority cannot ignore the public.**