

CONSTITUTION WORKING PARTY		
Report Title	DECLARATIONS OF INTERESTS	
Key Decision		Item No. 3
Ward		
Contributors	CHIEF EXECUTIVE	
Class	Part 1	Date: 23 OCTOBER 2006

Declaration of Interests

Members are asked to declare any personal interest they have in any item on the agenda.

Personal Interests

You must declare the existence and nature of any personal interest you have in a matter under discussion at any stage of the meeting when it is apparent that you have one.

A personal interest is one which either must be entered in the Register of Members' Interests, or one which might reasonably be regarded as affecting your interest more than other Council taxpayers or inhabitants of the area. Your interest includes those of your relatives, friends, employer, a firm if you are a partner, a company if you are a director, and any corporate body in which you have shares (or other beneficial interest) worth over £5,000.

Your interest also includes the interests of any of the following if you are a member of, or hold a position of management or control, in that body: a public body to which you have been nominated as a representative; another public body; a company, industrial and provident society, charity, a body whose principal purposes include the influence of public opinion or policy; trade union or professional association.

Prejudicial Interests

If you have a personal interest, you may take part in the discussion and vote unless your interest is also prejudicial. If your interest is prejudicial, then you must not speak on the matter. You must leave the room when it is being discussed and not seek to influence the decision in any way.

A prejudicial interest is one which a member of the public, with knowledge of the relevant facts, would reasonably regard as so significant and particular that it is likely to prejudice your judgement of the public interest, or affect you in the discharge of your responsibilities as a member.

Exemptions

There are a few exemptions to the general rule about prejudicial interests which allow you to take part in the discussion provided you have declared a personal

interest. They are:-

- membership of another relevant authority
- management/general control of another public authority,
- involvement in organisations as a Council nominee,
- decisions relating to housing functions where you are a tenant or leaseholder (provided the decision is not particular to the your tenancy or lease and you are not more than two months in arrears of rent);
- Council functions relating to statutory sick pay where you are in receipt of, or entitled to, such benefit; and
- decisions relating to members' allowances and expenses.

You must consider each case on its merits before seeking to rely on an exemption. The judgement as to whether you have a personal interest, and if so whether it is prejudicial, is a matter for you to decide. If in doubt please seek advice.

Remember - a personal interest - say and stay
- a prejudicial interest - wash and go