COMMITTEE REPORT

Subject:	*Dispensations Policy Review*
Committee:	*Full Council*
Item Number:	*19*
Date:	*9 November 2026*
Author:	*Andrew Hunt, Corporate Manager*
Report status:	*Decision*
Confidential / Exempt:	*No*

1.Report Summary

1.1 The purpose of this report is to ask the Committee to approve the revised Dispensations Policy at Appendix A.

The policy is referred to and should be followed in accordance with the Council's Standing Orders.

1.2 This report provides the background, options, financial implications, legal and governance considerations, risks, and recommended course of action to support informed decision-making.

1.3 A councillor who has a disclosable pecuniary interest in a matter must not take part in the discussion or vote on it unless they have been granted a dispensation. The Dispensations Policy sets out how councillors apply for a dispensation and how requests are decided. It was last reviewed in 2020.

1.4 On 5 October 2026 The Governance, Policy & HR Committee considered a review of the Standing Orders, including Standing Order 13 (Code of Conduct and Dispensations), for recommendation to Full Council. The policy needs to be updated to match those changes.

2. Recommendations

It is recommended that the Committee:

2.1 Approves the revised Dispensations Policy.

3. Background

3.1 Under section 31 of the Localism Act 2011, a councillor who has a disclosable pecuniary interest in a matter must not take part in any discussion of it, or vote on it, at a meeting unless they have a dispensation. Doing so without reasonable excuse is a criminal offence under section 34. Section 33 allows the Council to grant a dispensation on a written request, for up to four years, on the grounds set out in that section.

3.2 A pecuniary interest is an interest relating to a councillor's financial affairs, or those of their spouse or partner, where the matter under consideration could reasonably be regarded as affecting their financial position.

3.3 The Policy and Resources Committee agreed the policy on 15 July 2013, delegating decisions on dispensations to the City Clerk. It was reviewed in 2019 without change and republished as Version 2 (CP007) on 7 September 2020, with a review date of September 2023. The post of City Clerk is now the Chief Executive Officer, who is the Council's Proper Officer.

3.4 On 5 October 2026 the Governance, Policy & HR Committee considered a review of the Standing Orders and Scheme of Delegation against the National Association of Local Councils (NALC) Model Standing Orders 2025, for recommendation to Full Council.

3.5 Standing Order 5k keeps a standard agenda item at every meeting to note dispensations agreed by the Proper Officer and to decide any further requests made at the meeting. Standing Order 3t requires the minutes to record any dispensation granted.

4. Proposal

4.1 It is proposed that the Council approves the revised policy at Appendix A. The changes are marked in the appendix (deleted text struck through in red, new text in blue) and listed in its Key Amendments table. The main changes are:

4.1.1 the policy refers to the Chief Executive Officer, acting as Proper Officer under Standing Order 13, instead of the City Clerk and the 2013 committee decision;

4.1.2 gender-neutral language is used throughout;

4.1.3 requests must be made at least two working days before the meeting and include the information Standing Order 13f requires;

4.1.4 the grounds for granting a dispensation match Standing Order 13, so the political balance ground (section 33(2)(b) of the Localism Act 2011) is removed from the policy and the request form;

4.1.5 a dispensation can cover another interest that the Code of Conduct requires a councillor to withdraw for, not only a disclosable pecuniary interest (Standing Orders 13c and 13f);

4.1.6 requests the Chief Executive Officer considers potentially controversial are referred to the meeting, which decides them under the standard agenda item (Standing Order 5k), instead of to the Chair;

4.1.7 the minutes will record any dispensation granted (Standing Order 3t); and

4.1.8 the policy is moved to the Council's current policy template, with the request form, decision notice and flowchart updated to match.

4.2 The proposal is brought forward because the current policy no longer matches the Standing Orders on the deadline for requests, who decides them or the grounds for granting them, and it still names the City Clerk.

4.3 Once approved, councillors and officers will have one consistent set of rules for dispensations, and each decision will be made by an officer or meeting that has the authority to make it.

4.4 Action is needed now so that the policy takes effect at the same time as the revised Standing Orders, avoiding a period in which the two conflict.

5. Financial Position

5.1 The policy is administered within existing officer time, so no budget provision or funding is needed and there are no ongoing costs.

6. Legal and Governance Considerations

6.1 Section 33 of the Localism Act 2011 allows the Council to grant dispensations. Section 101 of the Local Government Act 1972 allows the Council to delegate this to an officer, which Standing Order 13e does by giving the decision to the Proper Officer. A decision cannot be delegated to an individual councillor, which is why referred requests go to the meeting.

6.2 A dispensation must state the period for which it has effect, which may not be more than four years (section 33(3)). The policy keeps this requirement.

6.3 The Governance, Policy & HR Committee has delegated authority to approve Council policies under paragraph 6b(i) of the Scheme of Delegation, in accordance with the Policy and Procedure Management Policy, so the policy has been identified as a Type 2? Policy which does not need to go to Full Council. However, it does depend on Full Council adopting the revised Standing Orders, which is why recommendation 2.1 links its start date to that decision.

6.4 Standing Order numbering may change when Full Council adopts the final version, for example if Standing Order 13g is removed and later paragraphs are re-lettered. Recommendation 2.2 allows the cross-references to be corrected without a further report.

7. Implications

Implication Area	Impact	Comments / Mitigation
Financial	None	The policy is administered within existing officer time and no budget provision is needed.
Legal	Low	The policy follows sections 31 to 34 of the Localism Act 2011 and Standing Order 13. Bringing it into line reduces the risk of a dispensation being granted by the wrong person or on a ground the Standing Orders do not allow.

Implication Area	Impact	Comments / Mitigation
Risk	Medium	If the policy and the Standing Orders conflict, a councillor could take part in business relying on a dispensation that was not validly granted. Taking part with a disclosable pecuniary interest without a valid dispensation can be a criminal offence. Mitigated by approving the policy to take effect with the revised Standing Orders and telling councillors about the new deadline when it is published.
Personnel	None	Decisions stay with the Chief Executive Officer as Proper Officer, as now. No change to staffing or workload.
Environmental Impact	None	The policy governs meeting procedure and has no environmental effect.
Equalities Impact Statement	Low	Gender-neutral language makes the policy more inclusive. The policy applies equally to all councillors and no adverse impact on people with protected characteristics has been identified, so an Equality Impact Assessment is not needed.
Community / Public Impact	Low	Clear deadlines and the recording of dispensations in the minutes support transparency about how councillors' interests are handled.
Procurement / Contractual	None	No procurement or contracts are involved.
Property / Asset	None	No effect on Council buildings, land or equipment.
Data Protection	Low	Request forms and decision notices contain councillors' names and details of their interests. They are held and retained under the Council's data protection and retention arrangements, as now, and copies go to Wiltshire Council's Monitoring Officer for the register of interests. The processing does not change, so a Data Protection Impact Assessment is not needed.

8. Appendices / Background Papers

8.1 Appendix A – Dispensations Policy (CON_PO_003, Version 3)

SALISBURY CITY COUNCIL

Dispensations Policy

Policy Number	Version	Owner	Date Reviewed	Date Cllrs Reviewed	Date Published	Review Due	Review Team
CON_PO_003	3		X October 2026				
CP007	2	CSM	7 Sept 2020		7 Sept 2020	Sept 2023	Dem
CP007	1	CSM	15 July 2013		15 July 2013	8 July 2020	Dem Reviewed in 2019, no changes

Distribution	
Internal:	All SCC Staff
External:	Website / Councillors / Partners

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1. Key Amendments

1.1. Version 3 updates the policy to match the Council's revised Standing Orders and the NALC Model Standing Orders 2025. The policy moves to the current template as CON_PO_003, replaces 'City Clerk' with 'Chief Executive Officer' and uses gender-neutral language throughout. Requests must now be made two working days before the meeting and are decided by the Chief Executive Officer as Proper Officer. Controversial requests go to the meeting rather than the Chair. Dispensations can now cover other interests under the Code of Conduct, and the grounds match Standing Order 13, with the political balance ground removed. The minutes will record any dispensation granted, and the forms and flowchart have been updated to match.

Page Number	Key Amendment	Date Made
Whole Document	Moved to the Council's current policy template: renamed 'Dispensations Policy' and renumbered CON_PO_003 (previously CP007); new version table, contents page, Key Amendments, Associated Policies or Procedures and Review Procedure sections; sections renumbered; associated policies and legislation listed	October 2026
Whole Document	Job title 'City Clerk' replaced with 'Chief Executive Officer' ('CEO' in the flowchart)	October 2026
Whole Document	Gender-neutral language used throughout (for example, 'he' and 'his' replaced), in line with the Council's revised Standing Orders and NALC's Model Standing Orders	October 2026
4	Section 2: reference to the 2013 Policy and Resources Committee decision replaced with Standing Order 13; the Chief Executive Officer acts as Proper Officer; dispensations can also cover other interests under the Code of Conduct	October 2026
4, 6	Grounds for granting a dispensation now match Standing Order 13: political balance ground removed from section 2 and the request form	October 2026
4	Section 2: potentially controversial requests are referred to the meeting, which decides them under the standard dispensations agenda item (Standing Order 5k), rather than to the Chair	October 2026
4–5	Section 3: requests must be made at least two working days before the meeting (Standing Order 13d) and include the information required by Standing Order 13f	October 2026
5	Section 5: minutes to record any dispensation granted (Standing Order 3t)	October 2026
6–9	Request form and decision notice updated to match: submission deadline, 'Refer to meeting' and 'Referred to meeting' options, and wording corrections	October 2026
Whole Document	Minor wording, punctuation and typographical corrections	October 2026

2. Introduction to the Procedure for the Granting of Dispensations by the Chief Executive Officer

2.1. In accordance with Standing Order 13, the Chief Executive Officer, as the Council's Proper Officer, may grant a dispensation to a councillor who has a Disclosable Pecuniary Interest, or another interest for which the Council's Code of Conduct requires them to withdraw, to participate in any discussion of a matter at a meeting and/or to participate in any vote on the matter if the Chief Executive Officer considers that:

2.1.1. Without the dispensation, the number of members prohibited from participating in any particular business would be so great a proportion of the body transacting the business as to impede the transaction of business.

2.1.2. Granting the dispensation is in the interests of persons living in the Council's area, or

2.1.3. It is otherwise appropriate to grant a dispensation.

2.2. When making a decision, the Chief Executive Officer will take into account the following factors:

2.2.1. The nature of the councillor's interest, e.g. is it substantial or remote?

2.2.2. The need to maintain public confidence in the conduct of the council's business.

2.2.3. The need for efficient and effective conduct of the council's business.

2.2.4. The councillor's particular expertise or knowledge in the matter that may be useful in its consideration (e.g. the councillor could be granted a dispensation to speak but not to vote).

2.2.5. The interest is common to the councillor and a significant proportion of the inhabitants of the authority's area.

2.2.6. Any other relevant circumstances.

2.3. For potentially controversial dispensations, the Chief Executive Officer will refer the request to the meeting at which the issue is due to be discussed, which will decide whether to grant it under the standard dispensations item on the agenda (Standing Order 5k). The Chief Executive Officer will forward the request for dispensation to the Chair of that meeting and inform the councillor requesting the dispensation that the meeting will decide.

3. Procedure

3.1. Any councillor who wishes to apply for a dispensation must do so in writing. The Dispensation Request Form is attached to the procedure. The request must describe the interest, say whether the dispensation is needed to take part in the discussion only or in the discussion and the vote, give the date of the meeting or the period (up to four years) it should cover, and explain why it is needed (Standing Order 13f).

3.2. The written request must be made to the Chief Executive Officer at least two working days before the meeting at which the dispensation is required (Standing Order 13d).

3.3. Dispensation applications should not be made at the council meeting at which the business itself is to be discussed unless the nature of the interest has only become apparent to the councillor at that meeting. Where a dispensation request is being considered by a meeting of the council, the councillor making the request may participate and vote on the business of whether to grant the dispensation.

4. Terms of Dispensations

4.1. Dispensations may be granted:

4.1.1. for one or more meetings of the council, or
4.1.2. for a period not exceeding four years.

4.2. In either case, the dispensation must specify the period for which it has effect.

5. Notification and Disclosure of Decision

5.1. The Chief Executive Officer will notify the councillor as soon as possible of the decision taken.
5.2. A sample dispensation decision notice is attached to this procedure.
5.3. Any councillor who has been granted a dispensation must declare the nature and existence of the dispensation before the commencement of any business to which it relates.
5.4. Any dispensation granted will be recorded in the minutes of the meeting (Standing Order 3t).
5.5. A copy of any dispensation granted will be forwarded to the Monitoring Officer of Wiltshire Council and kept with the Register of Councillors' Interests.
5.6. There is a flowchart attached to this procedure for guidance.

Salisbury City Council

Councillor's Request for Dispensation to be granted by the Chief Executive Officer

Councillors seeking dispensations under Section 33 of the Localism Act 2011 may do so using this Form, returned to the Chief Executive Officer at least two working days before the meeting.

The matter for which dispensation is sought (refer to agenda item number, date of meeting etc if appropriate)	
Details of your interest in that matter	
Date of meeting or time period (up to 4 years) for which dispensation is sought	
Dispensation requested to: participate, or participate further, in any discussion of that matter	Yes / No
Dispensation requested to: participate in any vote, or further vote, taken on that matter	Yes / No
REASON(S) FOR DISPENSATION 33(2)(a): without the dispensation the number of persons unable to participate in the transaction of business would be so great as to impede the transaction of the business	Yes / No
~~33(2)(b):~~ ~~without the dispensation the representation from different political groups of the Council transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business~~	~~Yes / No~~
33(2)(c): the dispensation is in the interests of persons living in the council's area	Yes/No

33(2)(e): that it is otherwise appropriate to grant a dispensation	Yes / No

Details of reason why you are requesting a dispensation:	
Name:	
Signature:	
Date:	

DECISION:	
Dispensation given:	YES / NO / Refer to meeting
Length of Dispensation:	
Date:	
Signed:	Chief Executive Officer

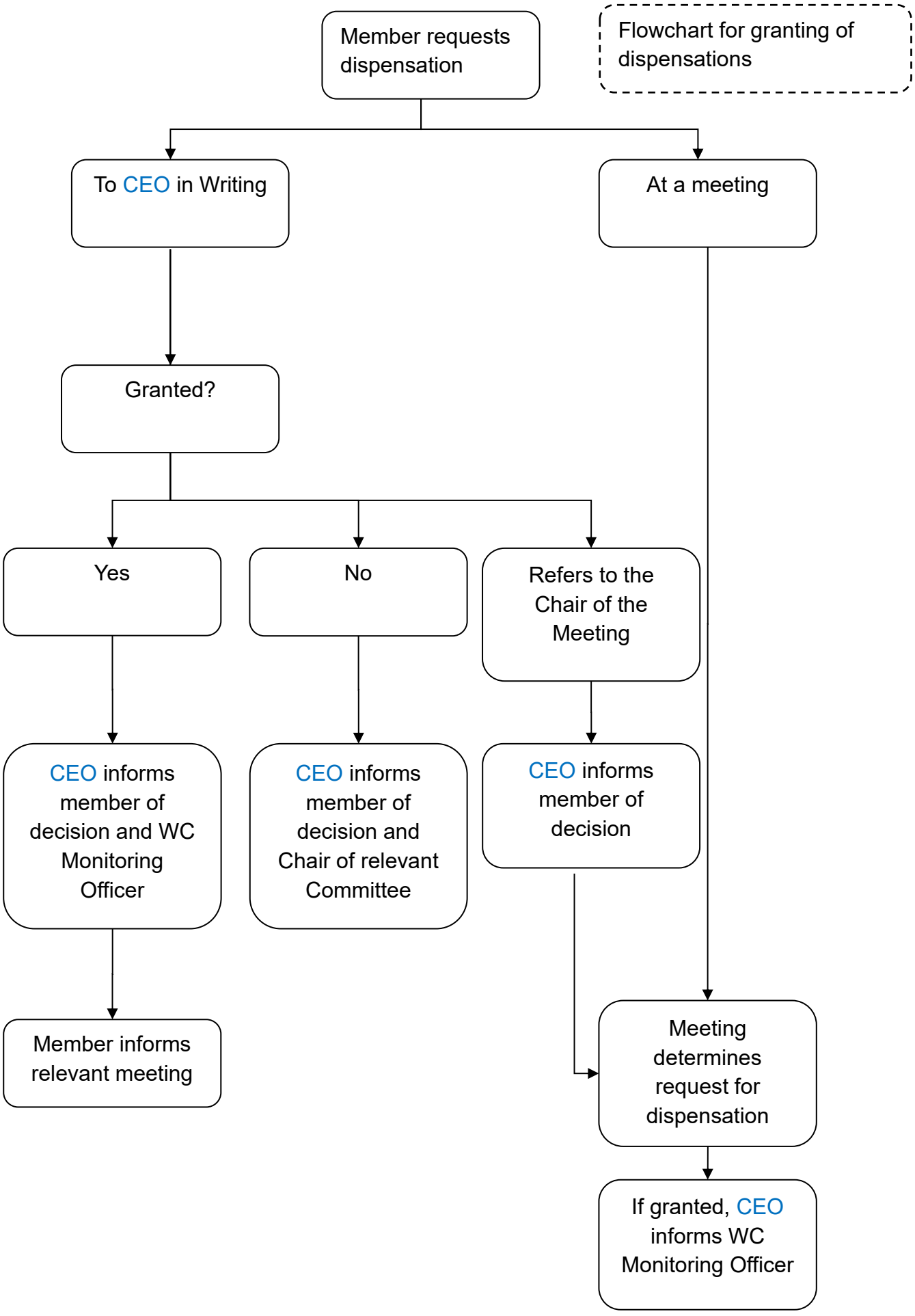
Dispensation Decision Notice

Salisbury City Council

Date Dispensation Request Considered	
Name of Councillor requesting dispensation	
Dispensation Granted	Yes / No / Referred to meeting (give name of meeting)
Reasons for the Decision (if granted, also specify on what ground the decision was made, if the dispensation is in the interests of persons living in the City area)	
The business of the Council for which the dispensation is being given (if appropriate)	
Length of Dispensation	
Signed	
Date	

Councillors are reminded that once they have been granted a dispensation they must declare the nature and existence of the dispensation before the commencement of any business to which it relates.

A copy of this dispensation decision notice will be forwarded to the Monitoring Officer of Wiltshire Council and kept with the Register of Councillors' Interests.


Flowchart for granting of dispensations
Member requests dispensation
To CEO in Writing
At a meeting
Granted?
Yes
No
Refers to the Chair of the Meeting
CEO informs member of decision and WC Monitoring Officer
CEO informs member of decision and Chair of relevant Committee
CEO informs member of decision
Member informs relevant meeting
Meeting determines request for dispensation
If granted, CEO informs WC Monitoring Officer

6. Associated Policies or Procedures

6.1. Salisbury City Council Standing Orders – Standing Order 13 (Code of Conduct and Dispensations)

6.2. The Council's Code of Conduct

6.3. Localism Act 2011, sections 31 and 33

7. Review Procedure

Date of Next Review	
Department	
Officer with Responsibility	
Committee for Approval	