

DARLINGTON BOROUGH COUNCIL

DISPENSATION – SECTION 33 OF THE LOCALISM ACT, 2011

On 20th July, 2017, the Monitoring Officer, considering the number of Councillors who serve on school governing bodies, work in schools, or have spouses, partners or civil partners or family members who work in schools, granted a general dispensation, in respect of any disclosable pecuniary interests occasioned thereby, to allow full participation in a motion concerning the government funding cuts to schools, at the Council meeting on 20th July 2017.

Having regard to all relevant circumstances the dispensation was granted under grounds (c) and (e) of Section 33(2) of the Localism Act, 2011;

- (a) that without the dispensation the number of persons prohibited by Section 31(4) from participating in any particular business would be so great a proportion of the body transacting the business as to impede transaction of the business;
- (b) that without the dispensation, the representation of different political group on the body transacting the business would be so upset as to alter the likely outcome of any vote relating to the business;
- (c) that granting the dispensation is in the interests of persons living in the Authority's area;
- (d) (in the case of an authority operating executive arrangements) that it is considered that without the dispensation each member of the authority's executive would be prohibited by section 31(4) from participating in any particular business to be transacted by the authority's executive; or
- (e) that it is otherwise appropriate to grant a dispensation.

In the motion to be debated, central government rather than Council that is the primary decision maker. The motion is to that extent, either an expression of a view of Council, rather than a decision about schools funding that is being made by the Council.

The participation of Members who are involved with schools, either from service on governing bodies or from their employment in schools or from knowledge gained from spouses, partners or civil partners or family members is likely to be helpful to members in considering the motion.

The subject matter of the motion is a matter of public interest, both nationally and locally.

Allowing members to participate, in these circumstances and by virtue of this dispensation, is not in my view likely to damage public confidence in the conduct of the Councils business.

In all these circumstances, it is my view that it is right to grant a dispensation in the terms set out above.

Date: 20th July 2017

Signed:

A handwritten signature in black ink, appearing to read 'Luke Swinhoe'. The signature is written in a cursive style with a large initial 'L'.

Luke Swinhoe
Monitoring Officer