

**DARLINGTON BOROUGH COUNCIL**

**DISPENSATION – SECTION 33 OF THE LOCALISM ACT, 2011**

On 7 February 2022, the Chief Executive and the Monitoring Officer, considering the number of Councillors whose interests may be potentially affected by particular aspects of the local plan agreed to grant a general dispensation, in respect of any disclosable pecuniary interests or other interests that may be affected, to allow full participation in regard to consideration and decision making about the adoption Local Plan, at the Cabinet meeting on 8 February 2022, the Special Council meeting on 17 February 2022, and subsequent meetings concerned about the adoption of the Local Plan held in 2022.

Having regard to all relevant circumstances the dispensation has been granted to all Councillors:

For the meeting of Cabinet - under grounds (a), (c), (d) and (e) of Section 33(2) of the Localism Act, 2011; and

For the meeting of Special Council - under grounds (a), (b), (c) and (e) of Section 33(2) of the Localism Act, 2011;

All members will be impacted to a greater or lesser extent by the draft local plan, and their participation in decision making will be important.

The Local Plan a matter of public interest, and something about which all members need to express a view and make decisions.

Allowing members to participate, in these circumstances, is not likely to damage public confidence in the conduct of the Councils business.

In all these circumstances, the Chief Executive and the Monitoring Officer agree that the grant of a dispensation in the terms set out above to members is appropriate.

Date: 7 February 2022

Signed:



Ian Williams  
Chief Executive



Luke Swinhoe  
Monitoring Officer

Notes

Section 33(2) of the Localism Act, 2011:

(2) A relevant authority may grant a dispensation under this section only if, after having had regard to all relevant circumstances, the authority—

(a) considers 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 the transaction of the business,

(b) considers that without the dispensation the representation of different political groups on the body transacting any particular business would be so upset as to alter the likely outcome of any vote relating to the business,

(c) considers that granting the dispensation is in the interests of persons living in the authority's area,

(d) if it is an authority to which Part 1A of the Local Government Act 2000 applies and is operating executive arrangements, considers 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) considers that it is otherwise appropriate to grant a dispensation.