

**DARLINGTON BOROUGH COUNCIL**

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

A report about the Review of Polling Districts, Polling Places and Polling stations, is to be considered by the Council meeting on 25 January 2024.

A number of councillors serve on the management committee of a community association/organisation, school governing body, parish council or charity or similar body or are employed by such a body.

The report includes proposals to use a number of venues owned or operated by bodies of this type as a polling place (for which the council pays a fee).

Venues operated by local community organisations can be appropriate locations for polling places. Members who serve on these bodies ought not to be excluded from participation on decisions about the suitability of venues as polling places.

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

I have had regard all relevant circumstances and to Section 33(2) of the Localism Act 2011; and consider in particular grounds 33(2) (c) and (e) apply (see explanatory note below).

It is my view that it is right to grant a dispensation in the terms set out below.

To the extent that councillors have an interest in a venue that is proposed to be used as a polling place, a general dispensation is granted, in respect of any disclosable pecuniary interests occasioned thereby, to allow full participation on the report to be discussed at the Council meeting of 25 January 2024.

Signed:



Luke Swinhoe  
Monitoring Officer

Date: 25<sup>th</sup> January 2024

### Explanatory Note

#### 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.