

**Teignbridge District Council  
Governance Committee  
Thursday 2<sup>nd</sup> October 2025  
Part i**

**Application for Dispensations – Devolution and Local Government Reorganisation**

**Purpose of Report**

To consider granting dispensations to Members of the Council to enable them to take part in matters relating to Devolution and/or Local Government Reorganisation.

**Recommendation(s)**

The Committee RESOLVES to:

- (1) Approve the granting of dispensations to the dual-hatted Devon County and Teignbridge District Council Members, and those Councillors who are also Members of Parliament, outlined in this report to enable them to discuss and vote on any matter relating to Devolution or Local Government Reorganisation in Devon. Such dispensations to take effect immediately.
- (2) Approve the granting of dispensations to District Council members who are employed by or are a spouse/partner of an employee of another District or County Council in Devon to enable them to discuss and vote on any matter relating to devolution or local government re-organisation in Devon. Such dispensations to take effect immediately.
- (3) That the dispensations are approved on the basis that granting the dispensations is in the interests of persons living in the authority's area.
- (4) That the dispensations are granted until the next District Council elections, or until such time as the District Council ceases to exist, whichever event comes first.

**Financial Implications**

No direct financial implications arise from this report.

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**Legal Implications**

Legal implications and relevant legislation are covered in within the report and detailed in 6.1

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**Risk Assessment**

Covered in 6.2

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## **Environmental/ Climate Change Implications**

No direct environmental or climate change implications arise from this report.

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## **Report Author**

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## **Executive Member**

Councillor John Parrott – Executive Member for Finance and Corporate.

### **1. Introduction/Background**

The Governance Committee's terms of reference details that it is the responsibility of the Committee to consider dispensations requests, where these are not dealt with by the Monitoring Officer under delegated powers.

For reference, those delegated powers relate to the Monitoring Officer being able to determine written applications for dispensations in consultation with the Chair of the Governance Committee and/or an Independent Person where it is not reasonably possible to convene a meeting of this Committee in time to consider the application.

### **2. Local Government Re-organisation**

Members will be aware of the Government's White Paper and proposal for Local Government Re-organisation and Devolution in Devon. Local Authorities have until the 28<sup>th</sup> November 2025 to submit final proposals to the Ministry of Housing and Communities and Local Government.

It is expected that both the Executive and Full Council will consider the issue and proposals over the coming weeks before the final submission. Following this, it is expected that the Council will also have to take a number of decisions in the coming years depending on the outcomes of the proposals.

### **3. Localism Act 2011**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of Members of the Council. Under Section 31 of the Act, if a Member is present at a meeting of the authority and has a disclosable pecuniary interest in any matter that is to be considered, the Member may not participate in any discussion on the matter nor participate in any vote on the matter (subject to section 33).

Section 33 of the Localism Act 2011 states that 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.

#### **4. Teignbridge District Council's Code of Conduct**

The Council's Code of Conduct builds on the Localism Act stating that where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests, you must: (a) disclose the interest; (b) not participate in any discussion or vote on the matter; and (c) not remain in the room unless you have been granted a dispensation.

Where a matter arises at a meeting which directly relates to one of your "other registerable interests" (other personal interests and memberships of other bodies), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting, but otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

#### **5. Teignbridge District Councillors**

Teignbridge District Council has 47 Members. At the time of this Committee meeting, 5 Members were also Members of Devon County Council and one Member who is a Member of Parliament.

Such dual-hatted members, and on the basis they would declare an interest by virtue of being dual hatters, would have to not take part in any discussion or vote on Local Government Reorganisation and Devolution or apply to the Monitoring Officer for dispensations ahead of each and every meeting over the coming years to enable them to take part in the discussions and debate.

The Committee is asked to agree a dispensation in relation to any matter relating to Devolution or Local Government Reorganisation in Devon. The dispensations would be granted until the next District Council elections, or until such time as the District Council ceases to exist, whichever event comes first.

In addition, Members who are either employees of another District or County Council in Devon or a spouse/partner of such an employee may also need to apply to the Monitoring Officer for dispensations to enable them to take part in the discussions and debate. In this

instance, they too would be seeking dispensations in relation any matter relating to Devolution or Local Government Reorganisation in Devon, for a period up until the next election, to enable them to represent the views of their residents

Therefore, the Committee is asked to grant dispensations to enable Members to take part in discussions and vote on the matter of Local Government Reorganisation and Devolution on the basis that a dispensation is in the interests of persons living in the authority's area.

## **6. Implications, Risk Management and Climate Change Impact**

### **6.1 Legal**

The granting of dispensations is outlined in Section 33 of the Localism Act 2011. The Governance Committee's Terms of Reference were approved by Full Council on 29<sup>th</sup> July 2025.

Members who do not disclose an interest in an item and continue to speak and vote on an item commits a criminal offense under Section 34 of the Localism Act 2011 and risks breaching the Council's Code of Conduct.

### **6.2 Risk Management**

The Council's Risk Register details relevant risks including: Breach of the Code of Conduct by Members (CP11) and that Statutory Requirements are not met (ST06).

Members should be aware that an Audit of interests and declarations of interests is part of the Council's Internal Audit Plan for 2025/26.

## **7. Alternative Options**

The Committee could not grant dispensations to those Elected Members, and they would potentially not be able to discuss or vote on matters relating to Local Government Reorganisation and Devolution.

## **8. Conclusion**

The Committee is asked to grant dispensations to enable Members to take part in discussions and vote on the matter of Local Government Reorganisation and Devolution on the basis that a dispensation is in the interests of persons living in the authority's area.