

General Purposes Committee

10 June 2026

Part 1 - Public

Matters Taken Under Delegated Powers



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Cabinet Member	n/a
Responsible Officer	Adrian Stanfield, Monitoring Officer
Report Author	Adrian Stanfield, Monitoring Officer

Request for dispensation – Cllr Dennis King

1 Summary and Purpose of Report

1.1 This report asks Members to consider a request for a dispensation under section 33 of the Localism Act 2011 to enable Councillor Dennis King to participate in meetings of the Council (including Housing and Planning Scrutiny Select Committee and full Council) where the Local Plan is under consideration and in meetings of the Planning Committee where any applications for development in respect of the site identified as T01 (land north east of Tonbridge) in the draft Local Plan are considered.

2 Corporate Strategy Priority Area

- 2.1 Efficient services for all our residents, maintaining an effective council.
- 2.2 This report contributes to the above priority by setting out a request for a dispensation, which if granted would allow Cllr King to participate as local ward member in meetings of the Council relating to a site in his ward that has been allocated for development in the draft local plan.

3 Recommendations

3.1 Members are requested to consider Councillor King's request for a dispensation. If approved, it is suggested that the dispensation remain in effect until the next scheduled Borough Council elections.

4 Introduction and Background

4.1 Members will be familiar with the requirements of the Localism Act 2011 and supporting regulations concerning Disclosable Pecuniary Interests (DPI). In addition to the requirement to disclose to the Monitoring Officer the existence of any DPI, Members must also comply with specified requirements where they are

present at a meeting of the Council and have a DPI in any matter to be considered, or being considered at the meeting. Specifically, a Member must not

- (1) participate, or participate further, in any discussion of the matter at the meeting, or
 - (2) participate in any vote, or further vote, taken on the matter at the meeting
- 4.2 The Council's adopted Code of Conduct imposes identical requirements in relation to Members with an Other Significant Interest (OSI). The Code further requires that Members with a DPI/ OSI in a matter under consideration must withdraw from the meeting room whenever it becomes apparent that the business is being considered and not seek to improperly seek to influence a decision about that business.
- 4.3 Under section 33 of the Localism Act, the Council may, on receipt of a written request to the Monitoring Officer, grant a dispensation to councillors and co-opted members relieving them from restrictions on participating, or participating further, or voting or further voting in meetings where consideration is being given to an item of business in which they have a Disclosable Pecuniary Interest.
- 4.4 The Borough Council may grant a dispensation only if, having regard to all relevant circumstances, it considers that
- (a) without the dispensation the number of persons 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 the business; or
 - (b) 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; or
 - (c) granting the dispensation is in the interests of persons living in the Authority's area; or
 - (d) without the dispensation each member of the Authority's executive would be prohibited from participating in any particular business to be transacted by the Authority's executive; or
 - (e) it is otherwise appropriate to grant a dispensation.
- 4.5 A dispensation must specify the period for which it has effect, and the period specified may not exceed four years.
- 4.6 Under the Council's constitution, dispensations under paragraphs (a) and (d) above may be granted by the Monitoring Officer, in consultation with the Chair and Vice-Chair of the Joint Standards Committee and the Independent Persons.

Dispensations under paragraphs (b), (c) and (e) may only be granted by the General Purposes Committee, in consultation with the Independent Persons. The present request does not fall within paragraphs (a) or (d) and the matter is therefore referred to the General Purposes Committee for consideration.

5 Proposal

5.1 The grounds for Councillor King's request for the dispensation are set out in his letter at **Annex 1**.

6 Other Options

6.1 The Committee could refuse the request from Cllr King for a dispensation.

7 Financial and Value for Money Considerations

7.1 None arising from this report.

8 Risk Assessment

8.1 If approved, the dispensation would allow Cllr King to participate in meetings of the Council without being at risk of contravening the Localism Act 2011 and supporting regulations.

9 Legal Implications

9.1 As set out above.

10 Consultation and Communications

10.1 Consultation will take place with the 2 Independent Persons (David Mercier and Paul Cummins) in advance of the meeting of the Committee.

11 Implementation

11.1 If agreed, the dispensation would be applicable with immediate effect.

12 Cross Cutting Issues

12.1 Climate Change and Biodiversity

12.1.1 Adaptation and resilience have not been considered.

12.1.2 Climate change advice has not been sought in the preparation of the options and recommendations in this report.

12.2 Equalities and Diversity

12.2.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Background Papers	None
Annexes	Annex 1 – letter from Cllr King