

<b>MIDDLESBROUGH COUNCIL</b>	
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<b>Report of:</b>	Director of Legal and Corporate Services (Monitoring Officer) Charlotte Benjamin
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<b>Relevant Executive Member:</b>	Mayor, Chris Cooke
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<b>Submitted to:</b>	Standards Committee
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<b>Date:</b>	15 June 2026
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<b>Title:</b>	Localism Act 2011 – General Dispensation
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<b>Report for:</b>	Decision
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<b>Status:</b>	Public
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<b>Council Plan priority:</b>	Delivering Best Value
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<b>Key decision:</b>	No
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<b>Why:</b>	Not applicable
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<b>Subject to call in?</b>	No
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<b>Why:</b>	It is not an Executive Report
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<b>Proposed decision(s)</b>
Standards Committee:  NOTE the report.

<b>Executive summary</b>
<p>Councillor J Rush, having been elected following a by-election held on 4 December 2025, applied for a general dispensation in respect of matters that may affect so many Councillors that the Council or Committee would be inquorate. All Middlesbrough Councillors elected since 2023 have applied for, and been granted a general dispensation, either by Full Council, Standards Committee or the Monitoring Officer, in accordance with the provisions contained in the Constitution.</p> <p>The request for the dispensation was authorised by the Monitoring Officer under delegated authority. In line with the Constitution, paragraph 10.15.2, the matter is now reported to Standards Committee for information.</p>

**1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions**

- 1.1 This report notes that a general dispensation has been granted by the Monitoring Officer to those Members who have applied for a dispensation in respect of matters that may affect so many Councillors that the Council or a Committee would be inquorate.
- 1.2 Requests for dispensations may be granted by the Standards Committee or Full Council. Where the matter is urgent, the Monitoring Officer may grant a dispensation and report it to the next available Standards Committee.

Our ambitions	Summary of how this report will support delivery of these ambitions and the underpinning aims
<b>A successful and ambitious town</b>	This report will contribute towards the Council Plan ambition to deliver best value by ensuring robust and effective corporate governance.
<b>A healthy Place</b>	
<b>Safe and resilient communities</b>	
<b>Delivering best value</b>	

**2. Recommendations**

- 2.1 That the Standards Committee

NOTE the report.

**3. Rationale for the recommended decision(s)**

- 3.1 If the majority of Members of the decision-making body have a disclosable pecuniary interest and the political balance would be affected, it could impact on the outcome of a decision.

**4. Background and relevant information**

- 4.1 As part of the standards arrangements, the Localism Act 2011 and Regulations made thereunder, introduced the concept of disclosable pecuniary interests and also new rules in respect of dispensations.
- 4.2 Councillor J Rush was elected following a by-election held on 4 December 2025 and applied in writing to the Monitoring Officer for a dispensation. All other Councillors appointed since May 2023 have been granted the general dispensation.
- 4.3 The request for the dispensation was authorised by the Monitoring Officer under delegated authority. In line with the Constitution, paragraph 10.15.2, the matter is now reported to Standards Committee for information.

4.4 It is a criminal offence for a member to fail to register a disclosable pecuniary interest or to speak and/or vote where they have disclosable pecuniary interest unless they have obtained a dispensation. Under the old standards regime, the Code of Conduct specifically stated that members would not have a prejudicial interest in circumstances that potentially affected the majority of Councillors, such as members' allowances. There are no similar provisions under the new rules and members are therefore at risk of committing a criminal offence if they participate in matters in which they have a disclosable pecuniary interest and no dispensation has been granted. If the majority of members had an interest in these matters then it would impede the business of the Council.

4.5 In order to protect members, the new regime does include provision for the granting of dispensations. However, the legislation specifically states that before a dispensation can be granted, a member must apply in writing to the Monitoring Officer seeking a dispensation. It is therefore recommended that a general dispensation is granted to all of those members who have applied in writing for a dispensation to allow them to speak and vote where they would otherwise have had a disclosable pecuniary interest. This would be on the grounds that it is in the public interest and appropriate to grant a dispensation to those members to participate fully in the following matters:

- Housing; where the member (or spouse or partner) holds a tenancy or lease with the Council as long as the matter does not relate to the member's particular tenancy or lease;
- Housing Benefit; where the member (or spouse or partner) receives Housing Benefit;
- Statutory sick pay; if a Councillor receives this or is entitled to receive it;
- An allowance, travelling expense, payment or indemnity for Councillors;
- Any ceremonial honour given to members;

4.6 Dispensations can be granted in the following circumstances:

- Where so many members of the decision making body have a disclosable pecuniary interest that the political balance would be affected;
- It is in the interests of the inhabitants that a dispensation be granted, or;
- It is appropriate to grant a dispensation.

4.7 The general dispensation applies for the maximum period 4 years from the date it was granted.

## **5. Ward Member Engagement if relevant and appropriate**

5.1 Not applicable.

## **6. Other potential alternative(s) and why these have not been recommended**

6.1 Do nothing. If a dispensation was not granted, and so many members of the decision making body had a disclosable pecuniary interest that the political balance would be affected, it could impact the outcome of a decision.

## 7. Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including Social Value)	There are no financial implications arising from the recommendations in this report.
Procurement	There are no procurement implications arising from the recommendations in this report.
Legal	It is a criminal offence for a member to fail to register a disclosable pecuniary interest or to speak and/or vote where they have disclosable pecuniary interest unless they have obtained a dispensation.
Risk	If the majority of members had an interest in certain matters such as those outlined at paragraph 4.4, then it would impede the business of the Council if they were not allowed to take part in the decision-making process.
Human Rights, Public Sector Equality Duty and Community Cohesion	No protected groups are affected by the decision.
Reducing Poverty	Not applicable.
Climate Change / Environmental	Not applicable.
Children and Young People Cared for by the Authority and Care Leavers	Not applicable.
Data Protection	Not applicable.

## Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline

## Appendices

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## Background papers

Body	Report title	Date

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