

Councillor Request for Approval of Absence

Governance Committee – 30 January 2024

Report of: Monitoring Officer

Status: For Decision

Also considered by: N/A

Key Decision: No

Executive Summary: This report provides details regarding a request from a Councillor for an extended leave of absence from meetings pursuant to Section 85(1) of the Local Government Act 1972.

Portfolio Holder: N/A

Contact Officer: Philip Magee, Ext. 7305

Recommendation to Governance Committee:

That the Council, in accordance with Section 85 of the Local Government Act 1972, approves Councillor Skinner's non-attendance at meetings the meeting of Council on 14 November 2023 and the expected meeting of Council on 16 July 2024.

Reason for recommendation:

To allow Councillor Skinner to continue his humanitarian work without giving rise to a vacancy in the Council.

Introduction and Background

- 1 Section 85(1) of the Local Government Act 1972 states that "if a member of a local authority fails throughout a period of six consecutive months from the date of [their] last attendance to attend any meeting of the authority, [they] shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of that authority."
- 2 This attendance must be in-person.
- 3 Section 85(1) of the Act provides that an authority may grant dispensation for such absence, provided that the 6 month period of absence has not expired.

- 4 Councillor Skinner submitted a request for leave of absence from attendance at Council meetings on 11 November 2023. The reason he gave for this was his work providing humanitarian aid overseas. This work is ongoing.
- 5 Councillor Skinner last attended a Council meeting on 14 November 2023, at a meeting of Full Council.
- 6 Under the circumstances it is requested that Council approve a dispensation of the 6 month rule for this Councillor until the next expected meeting of Full Council on 16 July 2024.
- 7 This dispensation would not prevent Councillor Skinner from returning to meetings at any time before this date should he decide to do so.
- 8 Councillor Skinner's ward duties would continue to be undertaken by his ward colleagues.
- 9 Should Members not approve the reason for absence, a vacancy would arise on the expiry of the six month period of absence.

Other options Considered and/or rejected

- 10 Members may not approve the dispensation. Should Councillor Skinner not attend a Council meeting before 14 May 2024, he would cease to be a Member, and a casual vacancy would arise.

Key Implications

Financial

None.

Legal Implications and Risk Assessment Statement

The proposal in this report is governed by Section 85 of the Local Government Act 1972.

Equality Assessment

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.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

11 Members are asked to consider a dispensation, allowing the Councillor to be absent from meeting for more than 6 consecutive months, to perform humanitarian work overseas.

Appendices

None

Background Papers

None

Martin Goodman

Monitoring Officer