

**Divisions affected – N/A**

**COUNCIL**  
**16 APRIL 2024**

**DISPENSATION FROM ATTENDING MEETINGS**

**Report of the Director of Law & Governance and Monitoring Officer**

**RECOMMENDATION**

1. **The Council is RECOMMENDED**
  - a) To grant a dispensation to Cllr Yvonne Constance from the statutory requirement to attend a meeting of the Council within a six-month period from the last noted attendance due to illness.
  - b) To approve that the dispensation last up to and including 30 November 2024

**Background**

2. Full Council has the discretion to approve a dispensation, based on the circumstances of the case, which means that the councillor does not cease to be a member of the Council for failing to attend a meeting during a six-month period.
3. Meetings of the authority include meetings of full Council along with committees and sub-committees of which the councillor is a member. In certain circumstances attendance by a Councillor in person as an observer at a meeting where that meeting is undertaking functions of the County Council would also be a qualifying attendance in compliance with Section 85(2) of the Local Government Act 1972
4. Councillor Yvonne Constance who represents the Shrivenham Division has been unable to attend meetings due to illness. The last meeting that she attended was full Council on 7 November 2023.
5. The Monitoring Officer has been contacted by Cllr Constance's Group Leader, Cllr Eddie Reeves, seeking Full Council's approval to grant a dispensation until 30 November 2024. It is anticipated that Cllr Constance may be able to return to Council duties before that date and will be well enough to attend in person Council and committee meetings.
6. If the dispensation is not granted by Council, Cllr Constance will automatically cease to be a member of the Council on 6 May 2024 unless she attends a qualifying meeting in person before that date.

## **Financial implications**

7. There are no direct financial implications arising from this report

*Comments checked by: Lorna Baxter, Executive Director Resources and Section 151 Officer*

## **Legal implications**

8. Section 85(1) of the Local Government Act 1972 provides 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 the authority'.
9. The Monitoring Officer is satisfied that the granting of a dispensation is a reasonable and appropriate use of those powers, having regard to the circumstances, and the Council would be justified in granting the dispensation until 30 November 2024.

*Comments checked by: Anita Bradley, Director of Law & Governance and Monitoring Officer*

## **Equality and inclusion implications**

10. There are no direct equality and inclusion implications arising from this report

## **Sustainability implications**

11. There are no direct sustainability implications arising from this report

## **Risk management**

12. There are no direct risk management implications arising from this report

**Anita Bradley**

**Director of Law & Governance and Monitoring Officer**

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April 2024