

Division(s): N/A

## **COUNCIL – 14 SEPTEMBER 2021**

### **DISPENSATION FROM ATTENDING MEETINGS**

Report by Director of Law & Governance

#### **RECOMMENDATION**

**Council is RECOMMENDED to:**

- (a) approve a dispensation for Cllr Alison Rooke from the statutory requirement to attend a meeting of the Council within a six month period from the last noted attendance;**
- (b) approve that the dispensation last up to and including 30 April 2022.**

#### **Executive Summary**

1. Under the Local Government Act 1972 Section 85 (1), councillors who do not attend a meeting of the Council during a six month period will cease to be a member of the Council unless the Council has approved a dispensation before the expiry of that period.
2. Council is asked to grant such a dispensation to Cllr Alison Rooke who, for reason of ill-health, is unlikely to be able to attend a meeting of the Council prior to April 2022. Cllr Rooke's last attendance was at Annual Council on 18 May 2021 and would otherwise need to attend again before 18 November 2021. If the dispensation is granted, up to the 30 April 2022, then if a further extension is necessary beyond that date, a further decision of Council would be necessary before that date.

#### **Legal Implications**

3. Under the Local Government Act 1972 Section 85 (1), if a member of the Council fails throughout a six month period from the date of their last attendance at any meeting of the council to attend another such meeting, they shall, unless the failure is approved by the authority before the expiry of that period, cease to be a member of the authority.
4. As such, Full Council has the discretion to approve a dispensation, based on the circumstances of the case, such that the councillor may not cease to be a member of the Council for failing to attend a meeting in that period.
5. The Monitoring Officer has received formal notification from Cllr Rooke, and her Group Leader, Cllr Liz Leffman, seeking Full Council's approval to grant such a dispensation due to ill-health. The Monitoring Officer is satisfied that, having regard to the circumstances, the Council would be justified in granting the dispensation.

## **Financial Implications**

6. There are no financial implications arising from this report.

**ANITA BRADLEY**

Director of Law & Governance

Contact officer: Glenn Watson, Principal Governance Officer, 07776 997946.

September 2021