

SUBJECT:	<i>Local Government Act 1972 – Section 85 Attendance Dispensation</i>
REPORT OF:	<i>Bob Smith, Chief Executive</i>
RESPONSIBLE OFFICER	<i>Joanna Swift, Head of Legal and Democratic Services</i>
REPORT AUTHOR	<i>Mat Bloxham, Senior Democratic and Electoral Services Officer</i>
WARD/S AFFECTED	<i>Ridgeway</i>

1. Purpose of Report

To enable Council to consider granting a dispensation to Councillor Derek Lacey for attendance requirements on the grounds of ill-health.

RECOMMENDATION

- 1. That Council consider exercising its powers under Section 85(1) of the Local Government Act 1972, and grant a dispensation to the attendance requirements for elected members in recognition of Councillor Derek Lacey's ill- health.**
- 2. Council is asked to specify the duration of the dispensation**

2. Reasons for Recommendations

To enable Council to consider exercising their discretion to grant a dispensation in respect of statutory attendance requirements.

3. Content of Report

Due to ill-health, Councillor Derek Lacey has been unable to attend a meeting of the authority or of an outside body since 17 May 2017. Section 85 of the Local Government Act 1972 states that if a Councillor fails over a period of six consecutive months from the date of their last attendance to attend any meeting of the Authority they shall cease to be a Councillor, unless the failure was due to some reason approved by the authority before the expiry of that period.

Therefore, if Councillor Derek Lacey fails to attend a meeting of the authority due to take place before 17 November 2017, or any meeting of an outside body to which he has been appointed as the Council's representative, he will cease to be a Councillor unless the Council grants a dispensation.

The Council meeting on 17 October provides the only opportunity to grant a dispensation before the disqualification date. Councillor Lacey is currently recovering from an operation and Members are asked to consider granting a dispensation on the grounds of ill-health, as well as the length of any such dispensation. For example a dispensation for 3 Council cycles would mean that Councillor Lacey would have up to, and including, the Council meeting on 16 May 2018 to attend a meeting. This would enable the Council to review this matter again at the Council meeting on 16 May 2018, if required.

4. Consultation

Not Applicable.

5. Corporate Implications

None.

5. Next Steps

If the Council is minded to approve a dispensation, Councillor Lacey would be notified accordingly.

Background Papers:	Local Government Act 1972
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