

## Report of the Head of Democratic Services

Council - 30 September 2014

### DISPENSATION FOR COUNCILLOR LEAVE OF ABSENCE – COUNCILLOR W J F DAVIES

<b>Purpose:</b>	To seek dispensation in accordance with Section 85 of the Local Government Act 1972.
<b>Policy Framework:</b>	None.
<b>Reason for Decision:</b>	To comply with the Local Government Act 1972.
<b>Consultation:</b>	Legal and Finance.
<b>Recommendation:</b>	It is recommended that:  1) Councillor W J F Davies be granted dispensation not to attend meetings for the period up to 1 June 2015 in accordance with Section 85 of the Local Government Act 1972.
<b>Report Author:</b>	Huw Evans
<b>Legal Officer:</b>	Patrick Arran
<b>Finance Officer:</b>	Carl Billingsley
<b>Access to Services Officer:</b>	N/A

#### 1. Introduction

- 1.1 Councillor W J F Davies has notified the Authority that due to illness he may be absent from Council meetings for some time. This could result in him being in breach of the Local Government Act 1972 whereby failure to attend meetings of the Authority for a period of 6 consecutive months could result in him ceasing to be a member of the Authority.
- 1.2 In accordance with Section 85 of the Local Government Act 1972, Council at its meetings on 24 September 2013 and 18 February 2014, granted Councillor W J F Davies dispensation not to attend meetings. The latest dispensation covers the period up to 1 October 2014.
- 1.3 Councillor W J F Davies has requested that this period be extended to 1 June 2015.

## **2. Dispensation**

- 2.1 Such cessation would not however, apply if the Authority approves the reason before the expiry of the period of six months since his last attendance. Councillor W J F Davies last attended a meeting on 8 August 2013. The last meeting attended being the Local Authority (LA) Governor Panel.
- 2.2 Section 85 of the Local Government Act 1972 - "Vacation of Office by failure to attend Meetings" - allows an Authority to grant dispensation for such absence providing the dispensation is granted before the 6 month period of absence has expired. Dispensation is therefore sought from Council.

## **3. Electoral Division Duties**

- 3.1 Councillor W J F Davies' Electoral Division duties will be undertaken by his Murrumbidgee Electoral Division colleagues.

## **4. Financial Implications**

- 4.1 None.

## **5. Legal Implications**

- 5.1 None.

**Background papers:** None

**Appendices:** None.