

## Report of the Head of Democratic Services

Council - 30 January 2025



Cyngor **Abertawe**  
**Swansea** Council

# Dispensation for Councillor Leave of Absence – Councillor D Phillips

### Executive Summary

**Purpose of Report:**

To seek dispensation for Councillor leave of absence in accordance with Section 85 of the Local Government Act 1972.

**Recommendation(s).** It is recommended that:

- 1) Councillor D Phillips be granted dispensation not to attend meetings for the period up to and including 31 May 2025 in accordance with Section 85 of the Local Government Act 1972.

**Decision-Making Authority** [www.swansea.gov.uk/constitution](http://www.swansea.gov.uk/constitution):

Select from the list the constitutional basis [www.swansea.gov.uk/constitution](http://www.swansea.gov.uk/constitution) on which a decision is being sought (Please tick all that apply):

- |  |  |
|--|--|
| <input type="checkbox"/> Article 4 “The Council Meeting” | <input type="checkbox"/> Financial Procedure Rules         |
| <input type="checkbox"/> Scheme of Delegation            | <input type="checkbox"/> Land Transaction Procedure Rules  |
| <input type="checkbox"/> Terms of Reference              | <input checked="" type="checkbox"/> Other “Please Specify” |
| <input type="checkbox"/> Contract Procedure Rules        | <input type="checkbox"/> Not Applicable. Explain Why       |

Dispensation is sought under Section 85 of the Local Government Act 1972.

**Corporate Plan Wellbeing Objectives:**

Select which Wellbeing Objectives are relevant to this report (Please tick all that apply):

- |   |  |
|---|--|
| <input type="checkbox"/> Education & Skills               | <input type="checkbox"/> Tackling Poverty & Enabling Communities |
| <input type="checkbox"/> Economy & Infrastructure         | <input type="checkbox"/> Transformation & Financial Resilience   |
| <input type="checkbox"/> Nature Recovery & Climate Change | <input type="checkbox"/> All                                     |
| <input type="checkbox"/> Safeguarding                     | <input checked="" type="checkbox"/> Not Applicable               |

**Relevance to Corporate Plan Wellbeing Objectives:**

This report relates to an internal administrative issue which is not linked to the Corporate Plan Objectives.

**Reviewed and approved by:**

Access to Services, Finance, Legal, & Relevant Cabinet Member / Committee Chair.

**Report Author & Job Title:** Huw Evans, Head of Democratic Services.

- 1. Introduction**
2. Councillor D Phillips has notified the Authority that due to illness he may be absent from Council meetings for some time. This could result in a breach of Section 85 of the Local Government Act 1972 whereby failure to attend meetings of the Authority for a period of 6 consecutive months would mean that the Councillor would cease to be a member.
3. In accordance with Section 85 of the Local Government Act 1972, Councillor D Phillips has requested dispensation not to attend meetings for the period up to and including 31 May 2025.
4. Section 85 of the Act allows an Authority to approve a leave of absence, however, the approval must be granted before the expiry of the six-month period. Councillor D Phillips last attended a meeting on 5 September 2024. The last meeting attended being a meeting of Council.
5. Council must therefore consider the request for leave of absence before 4 March 2025.
6. Councillor D Phillips' Ward duties will be undertaken by Councillor Colleagues within the Castle Ward.
- 7. Stakeholder Participation**
8. The Labour Political Group Leader and Head of Democratic Services have been consulted.
- 9. Risk and Issues Assessment**
10. There are no risks associated with this report.
- 11. Integrated Assessment Implications**
12. The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure. Further information is available at [www.swansea.gov.uk/IIA](http://www.swansea.gov.uk/IIA)
13. An Integrated Impact Assessment (IIA) screening has been undertaken and no adverse implications have been noted.
- 14. Financial Implications**
15. There are no additional financial implications for the Council arising from the recommendations in this report.
- 16. Legal & Governance Implications**
17. There are no additional legal & governance implications for the Council arising from the recommendations in this report.

**Appendices:** None.

**Background Papers:** None.