

## **COUNCIL**

<b>DATE</b>	17 <sup>th</sup> March 2022
<b>REPORT OF</b>	The Chief Executive
<b>SUBJECT</b>	Dispensation – Section 85 of the Local Government Act 1972
<b>STATUS</b>	Open
<b>FORWARD PLAN REF NO.</b>	Not applicable

### **CONTRIBUTION TO OUR AIMS**

Good governance arrangements contribute directly to the achievement of the Council's strategic aims.

### **EXECUTIVE SUMMARY**

A report recommending the provision of a special dispensation under Section 85 of the Local Government Act 1972.

### **RECOMMENDATIONS**

That Council grants a special dispensation to Councillor Brian Robinson, in accordance with Section 85 of the Local Government Act 1972, for health reasons.

### **REASONS FOR DECISION**

The granting of a dispensation in accordance with Section 85 of the Local Government Act 1972 is a matter reserved to full Council, taking into account the individual circumstances of the Elected Member in question.

#### **1. BACKGROUND AND ISSUES**

- 1.1 In accordance with Section 85 of the Local Government Act 1972, any member, who, for six months, fails to attend any meeting of the Authority, ceases to be a member unless within that period his/her absence is approved by the Authority. The six month period starts to run from the date of the councillor's last attendance and a special dispensation must be granted by the Council before the expiry of the six month period, in order to avoid disqualification from office.
- 1.2 Councillor Robinson last attended a "qualifying" meeting of the authority on the 18<sup>th</sup> November, 2021.
- 1.3 Members will be aware of the legitimate health reasons for Councillor Robinson's absence from meetings of the Council. In the circumstances and, in order to avoid disqualification from office, it is recommended that Members approve Councillor Robinson's continued absence.

#### **2. RISKS AND OPPORTUNITIES**

There may be reputational risks for the Council in failing to agree a dispensation in a timely manner.

### **3. OTHER OPTIONS CONSIDERED**

Not applicable.

### **4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS**

These matters are reported to the Council as required by the Constitution and to support the continued good governance of the Council.

### **5. FINANCIAL CONSIDERATIONS**

There are no financial considerations to be taken into account as a result of the recommendations within this report.

### **6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS**

There are no implications for children and young people arising from the recommendations within this report.

### **7. CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS**

There are no climate change or environmental implications arising from the recommendations within this report.

### **8. CONSULTATION WITH SCRUTINY**

Not applicable.

### **9. FINANCIAL IMPLICATIONS**

There are no direct financial implications arising from the recommendations in this report.

### **10. LEGAL IMPLICATIONS**

As set out in the main body of the report.

### **11. HUMAN RESOURCES IMPLICATIONS**

There are no direct human resources implications arising from the recommendations in this report.

### **12. WARD IMPLICATIONS**

Sidney Sussex Ward.

### **13. BACKGROUND PAPERS**

None.

**14. CONTACT OFFICER(S)**

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