



Full Council 25th January 2024

Report Title	Request for Dispensation for Attendance
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Question	Answer
Are there public sector equality duty implications?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	N/A

List of Appendices

None

1. Purpose of Report

- 1.1. To advise Councillors of a request for a dispensation to a Councillor who is currently unable to attend any Council meetings due to illness, and to ask them to endorse the request.

2. Executive Summary

- 1.1. Where Councillor fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the Council, then subject to certain exceptions, he/she ceases to become a Member of the Council unless the failure was due to some reason approved before the expiry of that period. Section 85 of the Local Government Act 1972

- 1.2. Council has the authority to grant a dispensation for attendance at Council meetings for Councillors in circumstances when it is likely that the Councillor may be absent for six consecutive months from the date of the last attendance pursuant to Section 85 of the Local Government Act 1972.

3. Recommendations

- 1.3. It is recommended that full Council
 - a) Grants a dispensation be granted for Councillor Christina Smith Haynes from attending meetings of the Council for a six-month period by reason of illness.
- 1.4. Reason for Recommendations – Pursuant to Section 85 of the Local Government Act 1972 where a Councillor fails to attend any meeting of the Council for six months, they cease to be a Member of the Council unless a dispensation has been granted by the Council.
- 1.5. Other Options Considered – Council could not approve the dispensation. This is not recommended as the reasons for it are considered reasonable and failure to grant would result in Councillor Christina Smith Haynes ceasing to be a member of North Northamptonshire Council.

4. Report Background

- 1.6. Pursuant to Section 85 of the Local Government Act 1972 where a Councillor fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the Council, then subject to certain exceptions, s/he ceases to become a Member of the Council unless the failure was due to some reason approved before the expiry of that period.
- 1.7. Council has the authority to grant a dispensation for attendance at Council meetings for Councillors if it is likely that the Councillor may be absent for six consecutive months from the date of their last attendance.
- 1.8. Councillor Christina Smith Haynes's most recent attendance at a Committee of the Council was at the EAP Active Communities on 4th August 2023. She has given apologies for all meetings at which she was expected since this date due to illness.
- 1.9. Councillor Christina Smith Haynes has also been unable to undertake ward business during this period, these have been covered by her fellow Burton and Broughton ward councillors, Councillor John Currall and Councillor Jan O'Hara

- 1.10. A dispensation will allow Councillor Christina Smith Haynes to attend Committees of the Council if she is able, and for her apologies to be given if she is not.
- 1.11. The circumstances given are considered sufficient to merit the grant of a dispensation from attendance.

5. Issues and Choices

- 1.12. The Council could decide not to grant the dispensation. However, to do so could result in Councillor Christina Smith Haynes's ceasing to be a member of North Northamptonshire Council.
- 1.13. The dispensation is a decision for full Council and is made pursuant to Section 85 of the Local Government Act 1972.

6. Next Steps

- 1.14. If approved the dispensation will be recorded for a period of six months from the date of the decision.

7. Implications (including financial implications)

1.15. Resources and Financial

- 1.15.1. There are no resources or financial implications arising from the proposals.

1.16. Legal and Governance

- 1.16.1. Section 85 of the Local Government Act 1972 states that where a Councillor fails to attend any meeting of the Council for six months, they cease to be a Member of the Authority unless a dispensation has been granted by the Authority concerned. The dispensation must be given before the expiry of the six-month period. In Councillor Christina Smith Haynes's case, this is 3 February 2024

1.17. Relevant Policies and Plans

- 1.17.1. Granting the dispensation will support delivery of the Council's Corporate Plan 2021 – 2025, the continued transformation agenda and other key strategies and plans that deliver the best outcomes for our residents.

1.18. **Risk**

1.18.1. There are no significant risks arising from the proposed recommendations in this report.

1.19. **Consultation**

1.19.1. None required, the exemption complies with a statutory process.

1.20. **Equality Implications**

1.20.1. There are no specific equality implications arising from this report.

1.21. **Climate Impact**

1.21.1. There are no specific climate impacts arising from this report.

1.22. **Community Impact**

1.22.1. There are no specific community impacts arising from this report.

1.23. **Crime and Disorder Impact**

1.23.1. There are no specific crime and disorder implications arising from this report.

8. Background Papers

1.24. None.