

STROUD DISTRICT COUNCIL

COUNCIL

17 FEBRUARY 2022

Report Title	DISPENSATION UNDER SECTION 85 LOCAL GOVERNMENT ACT 1972			
Purpose of Report	To approve the absence of Councillor David Mossman from Council meetings due to illness.			
Decision(s)	Council RESOLVES to authorise Councillor Mossman to be absent from all meetings of the Authority for a 6 month period with effect from 18 February 2022.			
Consultation and Feedback	Group Leaders			
Report Author	Stephen Taylor, Interim Monitoring Officer Email: Stephen.Taylor@stroud.gov.uk			
Options	The options are either to grant the dispensation or decline to do so.			
Background Papers	None			
Appendices	None			
Implications (further details at the end of the report)	Financial	Legal	Equality	Environmental
	No	Yes	No	No

1. REQUEST FOR DISPENSATION

- 1.1 Councillor David Mossman has asked for a six month dispensation from attendance at meetings of the Authority for the reason that he is in a vulnerable high risk group due to undergoing regular treatment and so is currently unable to attend meetings at all or with any regularity.
- 1.2 Section 85 of the Local Government Act 1972 provides that, *“if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.”*
- 1.3 Councillor Mossman last attended a meeting of the authority when he was present at the meeting of the Environment Committee on 9 September 2021. Section 85(2) of the 1972 Act deems attendance at a meeting of a committee or sub-committee or other council body to be attendance at a meeting of the authority.

1.4 Granting a dispensation does not preclude Councillor Mossman from attending a future meeting during that period should he feel able to do so.

2. IMPLICATIONS

2.1 Financial Implications

There are no significant implications within this category.

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2.2 Legal Implications

If Councillor Mossman is unable to attend any further meetings, he will cease to be a member unless Council authorises his absence.

Stephen Taylor, Monitoring Officer

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2.3 Equality Implications

An EIA is not required because there are not any specific changes to service delivery proposed within this decision.

2.4 Environmental Implications

There are no significant implications within this category.