

Report Title:	Member Attendance - Dispensation
Contains Confidential or Exempt Information	No - Part I
Cabinet Member:	Councillor Johnson, Leader of the Council
Meeting and Date:	Extraordinary Full Council – 29 June 2021
Responsible Officer(s):	Emma Duncan, Director of Law & Strategy and Monitoring Officer / Karen Shepherd, Head of Governance
Wards affected:	All

REPORT SUMMARY

Section 85 of the Local Government Act 1972 states that a Member of a local authority loses office if they do not attend a meeting (physically) at least once in any six-month period. This requirement was suspended by the April 2020 regulations brought in as a result of the global pandemic. However, the regulations expired on 6 May 2021 and were not capable of being extended due to the sunset clause in section 78(3) of the Coronavirus Act 2020.

Full Council has the power to agree a dispensation to continue the suspension of this requirement, which is proposed in light of the recent extension of social distancing requirements.

The Monitoring Officer will review the situation in September 2021 and, if social distancing requirements are still in place, consider bringing forward a proposal for a further dispensation.

1. DETAILS OF RECOMMENDATION(S)

RECOMMENDATION: That full Council notes the report and:

- i) **Agrees a dispensation until 31 August 2021 to remove the requirement that Members must attend a meeting (physically) at least once in any six-month period.**

2. REASON(S) FOR RECOMMENDATION(S) AND OPTIONS CONSIDERED

Options

Table 1: Options arising from this report

Option	Comments
To agree the requirement that Members attend a meeting (physically) at least once in any six-month period be suspended until 31 August 2021 This is the recommended option	The proposal is made in light of the extension of social distancing requirements.
To not agree the requirement that Members attend a meeting (physically)	

Option	Comments
at least once in any six-month period be suspended until 31 August 2021	

KEY IMPLICATIONS

2.1

Table 2: Key Implications

Outcome	Unmet	Met	Exceeded	Significantly Exceeded	Date of delivery
Dispensation in place	Dispensation not in place	Dispensation in place	n/a	n/a	29 June 2021

3. FINANCIAL DETAILS / VALUE FOR MONEY

3.1 There are no financial implications by virtue of the recommendation in this report.

4. LEGAL IMPLICATIONS

4.1 Section 85 of the Local Government Act 1972 states that a Member of a local authority loses office if they do not attend a meeting (physically) at least once in any six-month period. Full Council has the power to agree a dispensation.

5. RISK MANAGEMENT

5.1 No risks identified

6. POTENTIAL IMPACTS

6.1 Equalities. No impacts identified.

6.2 Climate change/sustainability. No impacts identified.

6.3 Data Protection/GDPR. No impacts identified.

7. CONSULTATION

7.1 Group Leaders have been consulted on the proposal to issue a dispensation.

8. TIMETABLE FOR IMPLEMENTATION

8.1 The full implementation stages are set out in table 3.

Table 3: Implementation timetable

Date	Details
29 June 2021	Full Council agree dispensation
31 August 2021	Dispensation ends

September 2021	Monitoring Officer review in light of any social distancing requirements.
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9. APPENDICES

9.1 None

10. BACKGROUND DOCUMENTS

10.1 None

11. CONSULTATION (MANDATORY)

Name of consultee	Post held	Date sent	Date returned
Cllr Johnson	Leader of the Council	17/6/21	17/6/21
Cllr Rayner	Deputy Leader of the Council, Corporate & Resident Services, Culture & Heritage, and Windsor	17/6/21	17/6/21
Duncan Sharkey	Chief Executive	17/6/21	18/6/21
Adele Taylor	Executive Director of Resources/S151 Officer	17/6/21	18/6/21
Andrew Durrant	Executive Director of Place	17/6/21	18/6/21
Kevin McDaniel	Executive Director of Children's Services	17/6/21	17/6/21
Hilary Hall	Executive Director of Adults, Health and Housing	17/6/21	17/6/21
Andrew Vallance	Head of Finance	17/6/21	17/6/21
Elaine Browne	Head of Law	17/6/21	
Nikki Craig	Head of HR, Corporate Projects, and IT	17/6/21	17/6/21
Louisa Dean	Communications	17/6/21	17/6/21

REPORT HISTORY

Decision type:	Urgency item?	To follow item?
Council decision	No	No

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