

**SOUTH STAFFORDSHIRE COUNCIL**

**COUNCIL – 20 FEBRUARY 2024**

**APPROVAL OF ABSENCE**

**REPORT OF THE MONITORING OFFICER**

**PART A – SUMMARY REPORT**

**1. SUMMARY OF PROPOSALS**

- 1.1 Under Section 85 of the Local Government Act 1972 if a Councillor does not attend a relevant meeting of the authority for a period of 6 calendar months they automatically cease to be a Councillor unless the Council approves the reason for absence prior to the expiry of that period. This report seeks Council's authority to approve the absence for the Councillor detailed below.

**2. SUMMARY IMPACT ASSESSMENT**

POLICY/COMMUNITY IMPACT	Do these proposals contribute to specific Council Plan objectives?	
	N/A	
	Has an Equality Impact Assessment (EqIA) been completed?	
	N/A	
	Has a Data Protection Impact Assessment been completed?	
	N/A	
SCRUTINY POWERS APPLICABLE	No	The power to grant dispensations under section 85 is reserved to Council.
KEY DECISION	No	
TARGET COMPLETION/ DELIVERY DATE	05 September 2023	
FINANCIAL IMPACT	No	None
LEGAL ISSUES	Yes	Approval of Council is needed under Section 85 Local Government Act 1972.
OTHER IMPACTS, RISKS & OPPORTUNITIES	No	None
IMPACT ON SPECIFIC WARDS	No	

## **PART B – ADDITIONAL INFORMATION**

### 3. INFORMATION

- 3.1 Section 85 of the Local Government Act 1972 provides that if a Councillor does not attend a relevant meeting of the authority for a period of 6 calendar months, they automatically cease to be a Councillor unless the Council approves the reason for absence *prior* to the expiry of that period. The exact wording is stated below:

*Vacation of office by failure to attend meetings.*

*(1) Subject to subsections (2) and (3) below, 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.*

- 3.2 This report seeks Council's authority to approve the reason for absence for Councillor Kath Williams.; Councillor Mrs Williams has been unable to attend a meeting as a result of mobility issues caused by a long-term health condition.
- 3.3 Councillor Mrs Williams last attended a meeting on 26 September 2023. If the reason for absence is not approved, section 85 would apply prior to the next Council meeting (scheduled for 26 March 2024).
- 3.4 Councillor Mrs Williams has been able to undertake her ward representative role, dealing with matters from home but has been unable to attend any meetings.

### 4. IMPACT ASSESSMENT – ADDITIONAL INFORMATION

- 4.1 None identified.

### 5. PREVIOUS MINUTES

- 5.1 Not applicable.

### 6. BACKGROUND PAPERS

Section 85 Local Government Act 1972.

### **7. RECOMMENDATIONS**

- 7.1 That Council approves the reason of absence, namely that of mobility issues caused by a long-term health condition, for Councillor Kath Williams.

Report prepared by: Lorraine Fowkes, Corporate Director of Governance  
and Monitoring Officer