

REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 9 November 2021. Attendances:

Councillor Bennett (in the Chair)
Councillors Bowdler, Collier, Simmons and Tutt

1. Non Attendance at meetings

1.1 Section 85 of the Local Government Act 1972 provides that if a Member fails, throughout a period of six consecutive months to attend a meeting of the authority then they cease to be a member of the authority unless the failure was due to some reason approved by the Authority before the expiration of the period.

1.2 Councillor Pragnell has been unable to attend any meeting of the authority for a period in excess of three months due to ill health. The last meeting he attended was the County Council meeting on 23 July 2021 and he has sent apologies for absence for meetings since then. Councillor Pragnell is unlikely to be in a position to attend a meeting in the near future and has requested that the Council considers granting him a dispensation.

1.3 The Committee recommends the County Council to:

✧ approve the reason for Councillor Pragnell's non-attendance and grant a dispensation for Councillor Pragnell from attending meetings of the Council to allow Councillor Pragnell to remain qualified until such time as he is recovered and is able to attend a meeting of the Council

2. Vacation of Office – Failure to attend Meetings

2.1 Section 85 of the Local Government Act 1972 provides that if a Member fails, throughout a period of six consecutive months to attend a meeting of the authority then they cease to be a member of the authority unless the failure was due to some reason approved by the Authority before the expiration of the period.

2.2 Currently reports seeking a dispensation are considered by the Governance Committee which makes a recommendation to the County Council. The County Council is the body that grants any dispensation. Given that it might be necessary to consider the reasons for the non attendance and the possibility of a granting a dispensation at relatively short notice to avoid a councillor being disqualified, it is proposed that this matter be delegated to the Governance Committee which meets more frequently than full Council.

2.3 In order to facilitate timely consideration of requests for a dispensation in relation to councillor attendance at meetings in relation to section 85 of the Local Government Act 1972 it is proposed that the County Council delegate authority to the Governance Committee to approve the reason for a councillor's non-attendance and grant a dispensation from attending meetings of the Council until such time as the councillor is able to attend a meeting. The Governance Committee would consider each request and whether to exercise the proposed delegation.

2.4 The Committee recommends the County Council to:

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☆ 1) delegate authority to the Governance Committee to agree reasons for councillor non attendance at meetings and grant dispensation from the requirement for councillors to attend at meetings of the Council to allow them to remain qualified until such time as they are able to attend a meeting of the Council; and

2) to agree to the Constitution being amended accordingly.

9 November 2021

NICK BENNETT
(in the Chair)