

DECISION TAKEN BY THE CHIEF EXECUTIVE

Decision title: Member dispensations for 6 months leave of absence.

Officer making decision: Duncan Sharkey, Chief Executive

Author Contact Details: David Clark, Monitoring Officer

Date of Decision: 8 March 2024

Details of decision:

The Chief Executive agree a six month leave of absence from Council duties for Councillor Helen Kay from 8 March 2024 under Section 85 of the Local Government Act 1972. This decision is made under the delegated authority given to him by Council and as set out in the Council's Constitution.

Reasons for proposed decision:

Section 85 of the Local Government Act 1972 states that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall cease to a member of the authority. The only exception is if their non-attendance has been approved by the authority before the expiry of the six-month period.

The Council's Constitution Part I - Scheme of Delegation to Officers, Section 5 – Specific Delegations, para 54 provides the Chief Executive with the following delegation:

Subject to no objection being raised by the Leader, Executive Member or Committee of the Council, to discharge any function of the Council, Leader, Executive and Lead Members not otherwise delegated to a Chief Officer, including elections, and civic and ceremonial functions of the Council.

The Chief Executive has now undertaken the necessary consultation to take the decision as set out in this report.

One request for dispensation has been received and is set out below. The request requires the Chief Executive to use his delegated authority as the matters cannot wait until the next scheduled meeting of the Council on 24 April 2024 to be considered. The decision will, however, be reported to that meeting.

Councillor Helen Kay

Councillor David Mansell, the Leader of the Green Party, has requested a six month leave of absence for Councillor Helen Kay on the grounds of ill health and a close family bereavement.

This decision cannot contain further information on this matter because of the disclosure of exempt information under the Local Government Act 1972 – Schedule 12A under the following categories:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.

During the period of absence any enquiries from residents and parish or town councils that the councillor represents will be covered by the other divisional member in the electoral division concerned, with further support offered by the relevant political group leader.

Alternative options considered and rejected:

Reserve consideration of this request to Full Council on 24 April 2024. However, for the Member's own well-being and to support their recovery it was deemed appropriate to avoid any further delay and to take this decision now.

All necessary parties have been consulted on this proposal as required under the Council's delegated authority and no objections have been raised.

The below has been completed:	Name(s)	Date
Relevant local Councillors consulted where decision directly affects their Division	Cllr Shane Collins	29.02.2024
Relevant Executive Lead Member(s) consulted (if applicable)	Cllr Bill Revans, Leader of Council plus all of Executive	29.02.2024
Opposition Spokesperson informed (if applicable)	All group leaders informed	29.02.2024
Chair of Committees informed (if applicable)	All Chairs	29.02.2024

Decision Maker

I am aware of the details of this decision, have considered the reasons, options, representations and consultation responses (where applicable) and give my approval / agreement to its implementation.

Signed: *DUNCAN SHARKEY*

Name: Duncan Sharkey

Post: Chief Executive

Date: 8 March 2024