



Report of:	Meeting	Date
Councillor Michael Vincent, Leader of the Council and Rebecca Huddleston, Chief Executive	Council	30 November 2023

Dispensation for non-attendance at council meetings: Councillor Andrea Kay

1. Purpose of report

1.1 To approve a dispensation to enable Councillor Andrea Kay to continue to act as a councillor for a specified period of time without having to attend meetings.

2. Corporate priorities

2.1 To prevent Councillor Kay from being disqualified as a councillor.

3. Recommendation

3.1 That Councillor Andrea Kay be granted dispensation to continue to act as a councillor without attending meetings until the Annual Meeting of Council on 16 May 2024.

4. Background

4.1 Members will be aware that Councillor Andrea Kay has suffered from ill health in recent months and has been unable to attend any meeting since a meeting of Full Council on 6 July 2023. In order to continue to be a councillor, she will need to be granted dispensation at this meeting to avoid breaching the provisions of Section 85 (1) of the Local Government Act 1972. This section 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 will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of that Authority."

5. Key issues and proposals

5.1 Councillor Andrea Kay has been unable to attend meetings in recent months owing to adverse health. As a result, she has delegated particular

ward duties to neighbouring ward councillors (Councillors Amos and Rendell), who have supported and helped her during this time.

5.2 It is therefore proposed that the Council accepts that there have been valid reasons for her non-attendance at meetings and passes the necessary resolution to grant her dispensation to continue as a councillor until 16 May 2024. Hopefully Councillor Kay will be able to attend meetings again before this date. If she has not been able to do so, any extension to the dispensation for Councillor Kay will be subject to further approval at the time, in accordance with paragraph 4.1.

6. Alternative options considered and rejected

6.1 That the Council refuses Councillor Andrea Kay dispensation to continue to act as a councillor without attending meetings until the Annual Meeting of Council on 16 May 2024, in which case she will cease to be a councillor with effect from 6 January 2024.

Financial, Legal and Climate Change implications	
Finance	Councillor Andrea Kay will continue to be eligible to receive Basic Allowance payments in accordance with the Council’s Members Allowances Scheme, for which there is already budget provision.
Legal	The legal issues associated with this report are detailed in paragraph 4.1 of this report.
Climate Change	None arising directly from this report.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
health and safety	x

risks/implications	✓ / x
asset management	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a ‘privacy impact assessment (PIA)’ is also required. If the decision(s) recommended in this report will result in the collection and

processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

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List of background papers:		
name of document	date	where available for inspection
None.		

List of appendices

None.