



City of Westminster

Full Council Report

Date:	13 November 2024
Classification:	For General Release
Title:	Dispensation of Absence
Wards Affected:	N/A
Financial Summary:	There are no financial implications
Report of:	Executive Director of Corporate Services

1. Executive Summary

- 1.1 The purpose of this report is to enable Full Council to consider a dispensation of the 6-month rule for Councillor Concia Albert on the grounds of parental leave.

2. Recommendations

- 2.1 That Full Council approve a dispensation for Councillor Concia Albert from the statutory requirement to attend a meeting of the Council until the 31 March 2025 on the grounds of parental leave.

3. Background Information

- 3.1 Section 85(1) 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, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of that authority.”
- 3.2 Section 85(1) of the Act therefore provides that an authority may grant dispensation for such absence providing the dispensation is granted before the 6-month period of absence has expired.
- 3.3 Councillor Albert’s last attendance at a Council meeting was on 22 July 2024 at a meeting of the Northwest London Joint Health Overview and Scrutiny Committee meeting. Therefore, it is requested that Council approve a dispensation of the 6-month rule for Councillor Albert until the 31 March 2025. By agreeing to this request, it would not prevent the Councillor from returning to meetings at any time before this date should she decide to do so.

- 3.4 The councillors' ward duties, during any Council approved period will be undertaken by her ward colleagues.
- 3.5 Were the Council not to approve the reason for absence, a vacancy would then arise on expiry of the six-month period of absence.

4. Legal Implications

- 4.1 Section 85 of the Local Government Act 1972 ('LGA') 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 be a member of the authority.
- 4.2 The only exception is if their non-attendance has been approved by the authority before the expiry of that period. Attendance can be at any committee or sub-committee, or at any joint committee, joint board or other body where the functions of the authority are discharged. Section 85(1) of the LGA allows an authority to grant dispensation for such absence providing the dispensation is granted before the 6-month period of absence has expired.

5. Financial Implications

- 5.1 There are no additional financial implications arising from this report

If you have any queries about this Report or wish to inspect any of the Background Papers please contact Tristan Fieldsend: 07812 760 335

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BACKGROUND PAPERS

- None