

## Bath & North East Somerset Council

MEETING	<b>Council</b>	
MEETING DATE:	<b>24 March 2021</b>	
TITLE:	<b>Councillor attendance - 6 month rule dispensation</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> Appendix A - Councillors subject to further dispensation		

### **1 THE ISSUE**

1.1 A report to consider councillor attendance, as Covid restrictions are lifted.

### **2 RECOMMENDATION**

**The Council is asked to;**

2.1 To agree that the members listed in Appendix A (and/or announced at the meeting), who are unable to attend a council meeting for a period greater than six months, due to long covid or the higher risk of serious illness from Covid 19 for themselves or for their family members, receive a dispensation further to section 85(1) of the Local Government Act 1972 until 24 September 2022.

### **3 THE REPORT**

3.1 On the 7 May 2021 the power for Councils to hold meetings virtually in accordance with the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020 (the 'Regulations') ceased.

3.2 The Council then implemented contingency arrangements to enable Council decision making to continue as far as possible while minimising risk of transmission. This involved virtual 'informal' Council meetings to enable all

Councillors to take part, which then informed a quorate (socially distanced) meeting of Council to formally approve the decisions.

3.3 This system worked well, but one consequence is that attendance at the full virtual 'informal' Council meetings does not constitute an official attendance within the parameters of the Act.

3.4 The dispensation granted by Council on 7 May 2021 lasted until 7 November 2021. The 6 month grace period provided by the Act, before a member is disqualified, expires on the 6 May 2022. Although the government has lifted all Covid restrictions and no longer provides advice for those previously considered clinically extremely vulnerable there remains a small number of people at higher risk of serious illness from Covid 19. Due to the exceptional nature of the higher risk, this course of action is considered appropriate.

#### **4 STATUTORY CONSIDERATIONS**

4.2 Section 85(1) of the Local Government Act 1972 states that all councillors must attend a committee meeting of the council within a six month period unless the failure was due to a reason approved by the local authority.

4.3 Council is asked to resolve that special dispensation is granted to those members listed in Appendix A (and/or announced at the meeting) for any non-attendance at meetings of the Council until 24 September 2022.

#### **5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)**

5.1 None.

#### **6 RISK MANAGEMENT**

6.1 A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance and Covid risk assessments.

#### **7 EQUALITIES**

7.1 None

#### **8 CLIMATE CHANGE**

8.1 None

#### **9 OTHER OPTIONS CONSIDERED**

9.1 Failure to address this issue will result in Councillors being disqualified.

#### **10 CONSULTATION**

10.1 Group Leaders, Chief executive, S.151 Officer & Monitoring Officer

<b>Contact person</b>	Michael Hewitt, Interim Monitoring Officer <a href="mailto:Michael_Hewitt@bathnes.gov.uk">Michael_Hewitt@bathnes.gov.uk</a>
<b>Background papers</b>	None
<b>Please contact the report author if you need to access this report in an alternative format</b>	

Councillors subject to further dispensation

Councillor June Player  
Councillor Doug Deacon  
Councillor Sarah Bevan  
Councillor Chris Watt