

Public Document Pack



Friday, 10 January 2025

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COUNCIL

You are summoned to an extraordinary meeting of the Council which will be held in Council Chamber, Council Offices, Woodgreen, Witney, Oxfordshire OX28 1NB on **Monday, 20 January 2025 at 1.45 pm.**



Giles Hughes
Chief Executive

To: Members of the Council

Councillors: Elizabeth Poskitt (Chair), Andrew Coles (Vice-Chair), Joy Aitman, Lidia Arciszewska, Thomas Ashby, Hugo Ashton, Mike Baggaley, Andrew Beaney, Michael Brooker, Adam Clements, David Cooper, Julian Cooper, Steve Cosier, Rachel Crouch, Jane Doughty, Genny Early, Duncan Enright, Roger Faulkner, Phil Godfrey, Andy Goodwin, Andy Graham, David Jackson, Edward James, Natalie King, Liz Leffman, Nick Leverton, Dan Levy, Andrew Lyon, Paul Marsh, Charlie Maynard, Martin McBride, Stuart McCarroll, Michele Mead, David Melvin, Rosie Pearson, Andrew Prosser, Nigel Ridpath, Carl Rylett, Geoff Saul, Sandra Simpson, Alaric Smith, Ruth Smith, Tim Sumner, Sarah Veasey, Liam Walker, Mark Walker, Adrian Walsh, Alex Wilson and Alistair Wray

Recording of Proceedings – The law allows the public proceedings of Council, Executive, and Committee Meetings to be recorded, which includes filming as well as audio-recording. Photography is also permitted. By participating in this meeting, you are consenting to be filmed.

As a matter of courtesy, if you intend to record any part of the proceedings please let the Democratic Services officers know prior to the start of the meeting.

West Oxfordshire District Council, Council Offices, Woodgreen, Witney, OX28 1NB
www.westoxon.gov.uk Tel: 01993 861000

AGENDA

1. **Apologies for Absence**
To receive any apologies for absence.
2. **Declarations of Interest**
To receive any declarations from Members of the Committee on any items to be considered at the meeting.
3. **Participation of the Public**
A member of the public, who is a registered elector in the District, may ask questions of the Chair of Council, any Member of the Executive or the Chair of any Committee, on any matter in relation to which the Council has powers or duties or which affects the District.

A member of the public is limited to asking one such question at any meeting of the Council, other than Annual Council. No more than one question can be asked on behalf of any organisation or body at any Council meeting.

Notice that the question is to be asked, together with a written copy of the question, must be provided to the Director of Governance, via email to democratic.services@westoxon.gov.uk, and is to be received no later than noon on the seventh working day before the day of the meeting.

The deadline for submissions for public participation to be received by Democratic Services was 12.00pm on Thursday 9 January.

No questions from the public will be allowed where the requisite notice has not been given.

4. **Request for a Dispensation Pursuant to Section 85(1) of the Local Government Act 1972**
(Pages 3 - 6)

Summary


To determine whether a dispensation for Councillor Martin McBride may be granted under the provision of Section 85(1) of the Local Government Act 1972.

Recommendation

That Full Council resolves to:

- I. Approve a dispensation for Councillor Martin McBride in accordance with Section 85(1) of the Local Government Act 1972, on the grounds of ill-health.

(END)

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>EXTRAORDINARY FULL COUNCIL MEETING 20 JANUARY 2025</p>
<p>Subject</p>	<p>REQUEST FOR A DISPENSATION PURSUANT TO SECTION 85(1) OF THE LOCAL GOVERNMENT ACT 1972</p>
<p>Wards affected</p>	<p>Carterton North East</p>
<p>Accountable member</p>	<p>Councillor Andy Graham, Leader of the Council Email: Andy.Graham@westoxon.gov.uk</p>
<p>Accountable officer</p>	<p>Andrea McCaskie, Director of Governance (Monitoring Officer) Email: democratic.services@westoxon.gov.uk</p>
<p>Report author</p>	<p>Ana Prelici, Senior Democratic Services Officer Email: democratic.services@westoxon.gov.uk</p>
<p>Summary/Purpose</p>	<p>To determine whether a dispensation for Councillor Martin McBride may be granted under the provision of Section 85(1) of the Local Government Act 1972.</p>
<p>Annexes</p>	<p>None</p>
<p>Recommendation(s)</p>	<p>That Full Council resolves to:</p> <ol style="list-style-type: none"> I. Approve a dispensation for Councillor Martin McBride in accordance with Section 85(1) of the Local Government Act 1972, on the grounds of ill-health.
<p>Corporate priorities</p>	<ul style="list-style-type: none"> • Working Together for West Oxfordshire
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	<p>Head of Democratic and Electoral Services, Leader of the Conservative Group</p>

1. EXECUTIVE SUMMARY

- 1.1 Councillors are required to attend at least one meeting within a rolling six-month period under Section 85(1) Local Government Act 1972 (vacation of office by failure to attend meetings).
- 1.2 Due to circumstances related to his health, Councillor Martin McBride has been unable to attend a meeting of the authority since 24 July 2024. This report proposes that that the Council grants a dispensation to Councillor McBride in accordance with Section 85(1) Local Government Act 1972.

2. BACKGROUND

- 2.1 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 his 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 the authority.'
- 2.2 Attendance is monitored and officers seek to work with Members where issues around attendance arise.
- 2.3 If there are reasonable mitigating circumstances preventing a Member from attending meetings for a rolling period longer than 6 months, the Council is able to grant a dispensation from the consequences of not being in attendance.
- 2.4 Councillor McBride's last recorded meeting attendance was at Full Council on 24 July 2024.
- 2.5 While Councillor McBride continues his recovery, granting a dispensation is considered appropriate.

3. ALTERNATIVE OPTIONS

- 3.1 Council could determine to not agree to a dispensation. This would then mean that Councillor McBride would cease to be a Councillor on 24 January 2025. Given the mitigating circumstances that have prevented Councillor McBride's attendance, this is not seen as an appropriate option and is not recommended.

4. FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from the report.

5. LEGAL IMPLICATIONS

- 5.1 There are no specific legal implications arising from the report.

6. RISK ASSESSMENT

- 6.1 There are none arising for the Council.

7. EQUALITIES IMPACT

- 7.1 There are no equalities impacts arising from this decision.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

8.1 There are no specific climate and ecological emergency implications.

9. BACKGROUND PAPERS

9.1 None

(END)

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