



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	EXTRAORDINARY FULL COUNCIL MEETING 20 JANUARY 2025
Subject	REQUEST FOR A DISPENSATION PURSUANT TO SECTION 85(1) OF THE LOCAL GOVERNMENT ACT 1972
Wards affected	Carterton North East
Accountable member	Councillor Andy Graham, Leader of the Council Email: <a href="mailto:Andy.Graham@westoxon.gov.uk">Andy.Graham@westoxon.gov.uk</a>
Accountable officer	Andrea McCaskie, Director of Governance (Monitoring Officer) Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Report author	Ana Prelici, Senior Democratic Services Officer Email: <a href="mailto:democratic.services@westoxon.gov.uk">democratic.services@westoxon.gov.uk</a>
Summary/Purpose	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.
Annexes	None
Recommendation(s)	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.
Corporate priorities	<ul style="list-style-type: none"><li>Working Together for West Oxfordshire</li></ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	Head of Democratic and Electoral Services, Leader of the Conservative Group

## **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 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)