

DECISION NOTICE

Subject	Approval of Cllr M Gibbons non-attendance at meetings.
Status of Decision	Decision by the Chief Executive under Article 14.20.5 of the Constitution. Article 14.20.5 allows the Chief Executive to take decisions in relation to any of the Council's functions in cases of emergency.
Decision Maker	Kersten England, Chief Executive
Material Considered as part of the Decision-making process	<p>Section 85 of the Local Government Act 1972 disqualifies a Member if s/he fails to attend a meeting throughout a period of 6 consecutive months, unless a reason for non-attendance is approved by the Council before the expiry of the period.</p> <p>Cllr Gibbons has sent to the Chief Executive a written request that he be granted a dispensation from the 6 month rule as his current personal circumstances prevent him from attending any meetings.</p> <p>Under normal circumstances Cllr Gibbons' request would be considered by Full Council who would decide whether to approve his reason for non-attendance.</p> <p>The last meeting attended by Cllr Gibbons was on 4th November meaning that he must attend a meeting before 4th May to avoid disqualification. Due to this current circumstances he cannot attend any meetings due to take place before 4th May. There are no meetings of Council scheduled until after 4th May and so a dispensation cannot be requested from Full Council in time to prevent him from becoming disqualified. This makes the decision urgent, meaning that the Chief Executive may take the decision under Article 14.20.5.</p> <p>The reasons for non-attendance relate to Cllr Gibbons' personal circumstances and have been disclosed to the Chief Executive and the City Solicitor.</p> <p>To ensure that Cllr Gibbons inability to attend meetings does not leave him at risk of disqualification under Section 85, the Chief Executive has exercised the power under Article 14.20.5 of the Council's Constitution and granted Cllr Gibbons a dispensation from the 6 months rule. Normally, Full Council approval would be required for this decision but Article 14.20.5 of the Constitution allows the Chief Executive to take the decision due to its urgent nature.</p> <p>This decision will be published on the Council website.</p> <p>This decision will expire on 30th June 2021 when the situation will be reviewed.</p>

Decision	To grant Cllr M Gibbons a dispensation from the 6 month rule under Section 85 Local Government Act 1972 and approve his non-attendance at meetings. This decision will expire on 30 th June 2021 when the situation will be reviewed.
Brief Summary of Rationale for Decision	To ensure that Cllr Gibbons is not disqualified as a Member under Section 85 Local Government Act 1972 due to non-attendance at meetings.
Key Features and Risk Analysis	Without this decision, Cllr Gibbons may be disqualified as a Member.
Alternative Options	Not applicable.

Signed



Kersten England, Chief Executive

Dated: 17 March 2021