

REPORT OF THE CITY SOLICITOR

TO
Council

ON
20 July 2022

**TITLE: SECTION 85 LOCAL GOVERNMENT ACT 1972
- REQUEST FOR LEAVE OF ABSENCE**

RECOMMENDATIONS:

That, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor Karen Garrido's non-attendance at meetings until 30 September 2022 on medical grounds and the Council's best wishes be conveyed to her.

EXECUTIVE SUMMARY:

Section 85 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, cease to a member of the authority. The only exception is if their non-attendance has been approved by Council before the expiry of that period.

This report requests that Council approve a leave of absence until 30 September 2022 for Councillor Karen Garrido on medical grounds.

BACKGROUND DOCUMENTS:

Local Government Act 1972
Attendance Records - Salford City Council

KEY DECISION: NO

DETAILS:

Section 85 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, cease to a member of the authority. 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, or who were appointed to advise the authority on any matter relating to the discharge of their functions. Section 85 of the Act allows an authority to grant dispensation for such absence providing the dispensation is granted before the 6 month period of absence has expired.

Councillor Karen Garrido has been unable to attend meetings recently for medical reasons. On 16 March 2022 Council approved a leave of absence for her until 31 July 2022. Unfortunately for health reasons she is unlikely to be in a position to attend any meetings before that date, and as a consequence Council is asked to approve a further extension of the 6 month rule for Councillor Garrido until 30 September 2022. This would not prevent Councillor Garrido from returning to meetings at any time before that date if her health allowed.

KEY COUNCIL POLICIES: n/a

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS: n/a

ASSESSMENT OF RISK:

Councillor Garrido's ward duties will continue to be undertaken by her Worsley and Westwood Park colleagues.

LEGAL IMPLICATIONS Supplied by: Iolanda Puzio, City Solicitor

FINANCIAL IMPLICATIONS: n/a

PROCUREMENT IMPLICATIONS: n/a

HR IMPLICATIONS: n/a

CLIMATE CHANGE IMPLICATIONS: n/a

OTHER DIRECTORATES CONSULTED: n/a

CONTACT OFFICER: Michael Relph, Senior Democratic Services Officer

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WARDS TO WHICH REPORT RELATES: Worsley and Westwood Park