
22nd July 2020

Joint Standards Committee

Report of the Monitoring Officer

Dispensation of the Six Month Rule for City of York Councillors and Attendance at Meetings

Summary

To confirm a dispensation granted to all City of York Councillors who, by reason of the COVID 19 lockdown, have been unable to attend a constitutionally prescribed meeting within a six month period.

Background

Section 85 of the Local Government Act 1972, requires all Elected Members to attend at least one constitutionally prescribed meeting within a six month period. Failure to comply with this requirement will result in the Elected Member automatically ceasing to be an Elected Member.

Directly as a result of the COVID 19 lockdown, Government has issued changes to legislation to allow for remote meetings in place of meetings requiring physical attendance. In response, the Council issued its changes to Standing Orders which are now fully operational. However, despite making significant progress, it has thus far not been possible to deliver the full suite of meetings. This is not a dissimilar position to our neighbouring councils.

However whilst government issued amendments to the s85 provisions in Wales, it did not apply those amendments to any of the English Councils.

Implications

Financial

Not applicable to this report.

Human Resources (HR)

Not applicable to this report.

Equalities

These steps are required to ensure that no elected member is placed at a disadvantage as a result of the temporary changes to the mechanism for delivery of meetings

Legal

As detailed within the report.

Crime and Disorder, Information Technology and Property

Not applicable to this report.

Recommendations

That a dispensation is granted to all City of York Councillors so that they are exempt from the provisions of Section 85 Local Government Act 1972 pending the Annual Meeting in May 2021.

A dispensation is required as it has not been possible to deliver the full suite of constitutionally prescribed meetings under the Remote Meetings Guidance.

Author & Chief Officer responsible for the report:

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Report ✓ **Date** 13/07/20
Approved

Specialist Implications Officer(s):

Wards Affected: *List wards or tick box to indicate all* **All** **X**

For further information please contact the author of the report

Background Papers:

- **Constitution**
- **Local Government Act 1972**