

AGENDA ITEM No. 5

PEAK DISTRICT NATIONAL PARK AUTHORITY

URGENT BUSINESS ITEMS SUB-COMMITTEE

20 JANUARY 2012

CORPORATE RESOURCES

PART A

1. MEMBER LEAVE OF ABSENCE REQUEST (A.111/JS)

Purpose of the report

1. To consider a request to a leave of absence for a member of the Authority who, due to long term illness, has been unable to attend meetings of the Authority during the past 6 months.

Recommendation

2. **To approve, in accordance with section 85 of the Local Government Act 1972, an extended leave of absence for Councillor Barbara Beeley, up to 31 March 2012 to allow her time to recover following a long period of ill health.**

How does this contribute to our policies and legal obligations?

3. Our committee and decision making processes contribute to Corporate Objective 11 "be a well run public body with proportionate and effective ways of working, delivering excellent customer service and living our values". To meet this objective the Authority must comply with relevant legislation and guidance issued by the Secretary of State on appointments to the National Park Authority and its Committees.

This report has been prepared in accordance with section 85 of the Local Government Act 1972 which, under Section 8 of Schedule 7 in the Environment Act 1995, is applicable to a National Park Authority.

Background

4. Section 85 of the Local Government Act 1972 (which also applies to national park authorities) 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, he 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."
5. Due to long term illness, Councillor Barbara Beeley, a member of the Authority appointed by Oldham Metropolitan Borough Council, has been unable to attend a meeting of the Authority since 22 July 2011. The provisions in the Local Government Act mean that unless the Authority grants her an extended leave of absence she will cease to be a Member on 22 January 2011.
6. As the appointing Authority, we have contacted Oldham Council to advise them of this situation and seek their guidance on whether they wish us to ask the Authority to consider approving an extended leave of absence. On 6 January the Chief Executive of the Council wrote to the Chair of the Authority confirming that, as Councillor Beeley

is expected to return to her duties by 29 February, they would like extended leave be granted. A copy of the letter is attached in Appendix1.

7. As the function is not delegated to the Chief Executive, this kind of request would normally be considered at a meeting of the full Authority. However in this case we are unable to take it to Authority, as the next meeting of the Authority is not until 3 February almost two weeks after the date Councillor Beeley would cease to be a Member. As extended leave cannot be approved retrospectively the Urgent Business Items Sub-Committee is asked to consider the request on behalf of the Authority. The decision of the Sub-Committee will be reported to the Authority on 3 February.

Proposal

8. In light of the representation received from Oldham Council the Sub-Committee are asked to grant an extended leave of absence for Councillor Beeley. In approving a request it is usual to include a review date in the resolution so, although the Council anticipate that Councillor Beeley will have resumed her duties by 29 February, it is recommended that the Sub-Committee grant leave until 30 March which is the first scheduled Authority meeting after that date. This will allow the full Authority to review the situation should Councillor Beeley be unable to resume her duties.

Are there any corporate implications members should be concerned about?

9. **Financial:**
Although a member will continue to receive their basic allowance while absent due to illness, if agreed these proposals would not incur any further costs.
10. **Risk Management:** Although there would be risks around a long term reduction in the number of Members available to carry out their duties, and there may be risks for the appointing Authority by not having their representative present at meetings, there are no significant risks arising from granting an extended leave of absence in this case.
11. **Sustainability:** There are no issues to highlight.
12. **Background papers:** None

Appendices -

Appendix 1: Letter from Chief Executive of Oldham Council to Chair of Authority dated 6 January 2012

Report Author, Job Title and Publication Date

Jason Spencer, Democratic Services Manager, 12 January 2012.