

12. REQUEST FOR APPROVAL OF REASONS FOR MEMBER NON-ATTENDANCE AT MEETINGS

1. Purpose

To consider a request to approve medical reasons for being unable to attend face-to-face meetings of the Authority since 13th September 2024 for Andrew Hart. If approved this will waive the provisions of section 85 “Vacation of Office by Failure to Attend Meetings” of the Local Government Act 1972, which would otherwise have the effect of Andrew Hart ceasing to be a Member of the Authority on 27th March 2025.

2. Context

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, 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.”

2.2 Andrew Hart is appointed to the Authority by Staffordshire Moorlands District Council and he last attended a meeting on 13th September 2024 and has been unable to attend since due to medical reasons.

2.3 The Authority can only consider a reason to waive the legislative requirements prior to the expiry of the 6 month period. This cannot be approved retrospectively and consequently this meeting is the last opportunity for the Authority to consider an exemption to the attendance requirements.

3. Proposals

3.1 It is proposed that the Authority agrees to allow Andrew Hart’s absence due to medical reasons until the Annual Authority meeting in July 2025.

4. Recommendations

1. That having regard to the circumstances resulting in the absence of Andrew Hart from Authority meetings, the provisions of section 85(1) of the Local Government Act 1972 are waived until the Annual Authority meeting in July 2025.

5. Corporate Implications

a. Legal

The applicable legislative provisions are set out and explained in the report.

b. Financial

Although a Member will continue to receive their basic allowance while absent due to medical reasons, if agreed these proposals would not incur any further costs.

c. National Park Management Plan and Authority Plan

Our committee and decision making processes contribute to the Authority Plan Objective F, to have best practice governance arrangements in place. To meet this objective the Authority must comply with relevant legislation on appointments to the National Park Authority and its Committees.

d. 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 body by not having their representative physically present at meetings, there are no significant risks arising from approving the recommendation in these cases.

e. Net Zero

There are no issues raised in the report.

6. Background papers (not previously published)

None.

7. Appendices

None.

Report Author, Job Title and Publication Date

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