

**South Lakeland District Council**  
**Council**

**Tuesday, 15 December 2020**

**Request for Authorised Absence from Council and  
Council Committee Meetings  
Councillor D Khan**

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<b>Portfolio:</b>	Cllr Philip Dixon - Portfolio Holder for Customer and Commercial Services and People
<b>Report from:</b>	Linda Fisher – Monitoring Officer
<b>Report Author:</b>	Cat Brumwell – Case Management Officer
<b>Wards:</b>	Grange;
<b>Forward Plan:</b>	Not applicable

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**1.0 Expected Outcome**

- 1.1 That Council considers a request from Councillor D Khan for his absence from Council and Committee meetings to be authorised by the Council in accordance with section 85 (1) of the Local Government Act 1972.

**2.0 Recommendation**

- 2.1 It is recommended that the Council, in accordance with section 85 (1) of the Local Government Act 1972, authorises Councillor Khan's absence from Council and Committee meetings until and including 27 July 2021 for the reasons set out in this report.**

**3.0 Background and Proposals**

- 3.1 Section 85 (1) of the Local Government Act 1972 requires elected Members to have attended a qualifying meeting (generally a Council, Committee or Sub-Committee meeting) within 6 months of their last qualifying attendance. The Act makes provision for leave of absence to be granted if approved by the Authority prior to the expiration of the six month period.
- 3.2 Councillor Dave Khan is the elected member for Grange Ward. The reason for Cllr Khan's absence is due to caring for a family member who is ill and he is currently not able to attend a Council or Committee period within 6 months of his last attendance at Council on 28 July 2020.
- 3.3 Consequently, Councillor Khan has requested that, under section 85 (1) of the Local Government Act 1972, Council approves a leave of absence up to and including 27 July 2021.
- 3.4 It is anticipated that Cllr Khan's colleagues within the Grange area will be able to deal with any matters that residents within the Grange ward may wish to raise without the need to make any formal arrangements for temporary cover.

#### **4.0 Consultation**

- 4.1 The Leader of the Council has been consulted and is supportive of the proposal and agrees that, due to the circumstances, and the time constraints concerned, this matter should be considered at this meeting of Council.
- 4.2 The Chairman of the Council has been consulted.

#### **5.0 Alternative Options**

- 5.1 Council could decide not to approve the leave of absence. In essence, if the Council meeting on 15 December decides not to approve the leave of absence, Cllr Khan would cease to be a member of the authority in accordance with the relevant legislation should he fail throughout a period of six consecutive months from the date of his last attendance (28 June 2020) to attend any meeting of the authority.

#### **6.0 Links to Council Priorities**

- 6.1 Not applicable.

#### **7.0 Implications**

##### **Financial, Resources and Procurement**

- 7.1 There are no financial implications associated with this report.

##### **Human Resources**

- 7.2 There are no human resources implications arising out of this report.

##### **Legal**

- 7.3 The legal implications are set out earlier in this report.

##### **Health, Social, Economic and Environmental**

- 7.4 Have you completed a Health, Social, Economic and Environmental Impact Assessment? No
- 7.5 If you have not completed an Impact Assessment, please explain your reasons: *It is considered that this report has a neutral health, social, economic and environmental impact.*
- 7.6 Summary of health, social, economic and environmental impacts: *It is considered that this report has a neutral health, social, economic and environmental impact.*

##### **Equality and Diversity**

- 7.7 Have you completed an Equality Impact Analysis? No
- 7.8 If you have not completed an Impact Assessment, please explain your reasons: *It is considered that this report has a neutral equality and diversity impact.*
- 7.9 Summary of equality and diversity impacts: *It is considered that this report has a neutral equality and diversity impact.*

## Risk

Risk	Consequence	Controls required
Council could decide not to approve the leave of absence. In essence, if the Council meeting on 15 December decides not to approve the leave of absence.	Cllr Khan would cease to be a member of the authority in accordance with the relevant legislation should he fail throughout a period of six consecutive months from the date of his last attendance (28 June 2020) to attend any meeting of the authority.	Council could grant the leave of absence requested.

## Contact Officers

Cat Brumwell – Case Management Officer, 01539 793 441,  
[cat.brumwell@southlakeland.gov.uk](mailto:cat.brumwell@southlakeland.gov.uk)

## Appendices Attached to this Report

Not applicable.

## Background Documents Available

None.

## Tracking Information

Signed off by	Date sent	Date Signed off
Legal Services	25/11/2020	25/11/2020
Section 151 Officer	29/11/2020	29/11/2020
Monitoring Officer	25/11/2020	25/11/2020
CMT	26/11/2020	27/11/2020

Circulated to	Date sent
Lead Specialist	N/A
Human Resources Lead Specialist	N/A
Communications Team	N/A
Leader	25/11/2020
Committee Chairman	N/A
Portfolio Holder	26/11/2020
Ward Councillor(s)	N/A
Committee	N/A
Executive (Cabinet)	N/A
Council	N/A