



Full Council

13 April 2026

Subject: Dispensation for Councillor Non-Attendance – Councillor Liz Clews

Report by:

Monitoring Officer

Contact Officer:

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Purpose / Summary:

To consider a further dispensation under the Local Government Act 1972 to approve the non-attendance of Councillor Liz Clews at a meeting within a six-month period.

RECOMMENDATION(S):

Council is asked, having considered the circumstances of non-attendance, to consider whether or not to approve the reason(s) for Councillor Liz Clews non-attendance at meetings ("Dispensation"). If the Dispensation is given, under Section 85(1) of the Local Government Act 1972 Councillor Liz Clews shall continue to be a Member of the Council (up until 12 November 2026).

That where the Dispensation is given, the matter be brought back to full Council before 12 November 2026.

IMPLICATIONS

Legal:

The requirement to attend qualifying meetings and the consequence of non-attendance is set out in Section 85 of the Local Government Act 1972. Failure to attend a qualifying meeting within the stipulated six-month period means that the Council is required to forthwith declare the office to be vacant (section 86 Local Government Act 1972) unless the failure was due to a reason approved by Full Council.

For qualification purposes, attendance can be at any committee or sub-committee of the authority, or a meeting of any joint committee, joint board or other body who for the time being any of the functions of the authority are being discharged, or who were appointed to advise the authority on any matter relating to the discharge of its functions, and attendance as representative of the authority at a meeting of any body of persons.

There is no specific provision within Section 85 of the Act regarding any matter that the Council must take into account when considering approval of a reason. There is no mechanism in the Local Government Act 1972 to pre-approve absence and it is generally considered that if the Council approves a reason for non-attendance, the six-month attendance requirement recommences for the next following 6 month period.

Financial :

No additional financial costs in granting the dispensation

Allowances continue to be payable in a Member's absence. Allowances stop being payable when a Member resigns, loses offices, or chooses to forgo them.

In the event of a councillor ceasing to be a Member of the Council, the basic allowance of £ 7346.71 per annum will not be payable whilst the office remains vacant.

The Council would bear the costs of conducting a by-election with an estimated cost of £10,000

This would be met from existing resources.

Staffing :

N/A

Equality and Diversity including Human Rights :

The council must, in exercising its functions, have due regard to the need to eliminate discrimination, harassment and victimisation; to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not; and to foster good relations between such groups, in accordance with section 149 of the Equality Act 2010.

In particular, the council must have due regard to the need to remove or minimise disadvantages experienced by persons with protected characteristics, take steps to meet their different needs, including the specific needs of disabled people, and encourage their participation in public life. The council must also have due regard to the need to tackle prejudice and promote understanding.

An Equalities Impact Assessment is not required in relation to this report.

Data Protection Implications :

None

Climate Related Risks and Opportunities:

None

Section 17 Crime and Disorder Considerations:

None

Health Implications:

None

Title and Location of any Background Papers used in the preparation of this report :

Report to Council in September 2025

[Agenda for Council on Monday, 8th September, 2025, 7.00 pm | West Lindsey District Council](#)

Risk Assessment :

n/a

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Background and Introduction

- 1.1 Section 85 (1) of the Local Government Act 1972 provides that if a member of a Local Authority fails to attend at least one meeting of that Authority within a six-month consecutive period, the member shall cease to be a member of the authority.
- 1.2 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 their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some reason approved by the Authority (a dispensation) before the expiry of that period, cease to be a member of the Authority.”
- 1.3 Attendance can be as a member at a meeting of any committee or sub-committee of the authority, or at a meeting of any joint committee, joint board or other body by whom for the time being any of the functions of the authority are being discharged, or who were appointed to advise the authority on any matter relating to the discharge of their functions, and attendance as representative of the authority at a meeting of any body of persons.
- 1.4 The Council must consider whether or not to approve a reason to grant relief from the application of the Section 85 six-month rule.
- 1.5 There are no examples of reasons to be given, however the Council as a public body is required to act reasonably in its decision making.

2 Request Received

- 2.1 Council approved a dispensation for Councillor Clews at its meeting on 8 November up until 12 May 2026. At that time Councillor Clews had not been able to attend any Council or Committee meetings, since the Annual Council Meeting held on 12 May 2025.
- 2.2 Unfortunately, due to ongoing illness Councillor Liz Clews, Scotter and Blyton Ward Member, has still not been able to attend any Council or Committee meetings, since the Annual Council Meeting held on 12 May 2025. Council approved a reason for the absence on 8 September 2025 but a further period of 6 months will expire on 12 May 2026.
- 2.3 The Leader has received a request for the Council to consider approving a further extension to the usual six-month attendance rule enabling Councillor Clews to remain in office. Information provided by the family is at Appendix 1 and is exempt.

3. Legal Position

- 3.1 Council can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which will be 12 May 2026.
- 3.2 Once any councillor loses office, through failure to attend for the six-month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time. Therefore this matter must be considered prior to 12 May 2026.
- 3.3 Should the Council approve the reason for absence, the six-month attendance requirement recommences from the point that the previous six-month period expires. Therefore, in the event that Councillor Clews does not attend a qualifying meeting between now and 12 May 2026, the dispensation would commence from that date, meaning that Councillor Clews would continue to be a Councillor until at least 12 November 2026.
- 3.4 Should Councillor Clews attend a qualifying meeting before 12 May 2026, the dispensation would fall and the six-month rule would reapply from the date of that attendance.
- 3.5 If the Council decided not to approve the dispensation, subject to continued non-attendance, the Authority would be required to declare a vacancy on 13 May 2026, and Councillor Clews would cease to be a member of the authority.
- 3.6 The Council must consider whether there are reason(s) to grant relief from the application of the Section 85 six-month rule.
- 3.7 The council as a public body must not make a decision that is so unreasonable that no authority would have made it. The Council should take into account relevant considerations and not consider irrelevant matters.

4 Recommendation

- 4.1 Council is asked, having considered the circumstances of non-attendance, to consider whether or not to approve the reason(s) for Councillor Liz Clews non-attendance at meetings (“Dispensation”). If the Dispensation is given, under Section 85(1) of the Local Government Act 1972 Councillor Liz Clews shall continue to be a Member of the Council (up until 12 November 2026).

That where the Dispensation is given, the matter be brought back to full Council before 12 November 2026.