

SUBJECT:	EXTENSION OF SIX MONTH ATTENDANCE RULE
DIRECTORATE:	CHIEF EXECUTIVE AND TOWN CLERK
REPORT AUTHOR:	CAROLYN WHEATER, CITY SOLICITOR

1. Purpose of Report

- 1.1 To consider a dispensation under the six month rule under the Local Government Act 1972 and to excuse the non-attendance of Councillor Gill Clayton-Hewson.

2. Background

- 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 their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.”
- 2.2 Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions. This requirement can be waived and the time limit extended if any failure to attend was due to a reason approved by the Authority, in advance of the six month period expiring.
- 2.3 Councillor Gill Clayton-Hewson represents the Boultham Ward. Due to personal circumstances, Councillor Clayton-Hewson has been prevented from undertaking normal duties and has not attended a meeting since 5 December 2017.
- 2.4 The Council is requested to approve an extension to the six month rule on the grounds that Councillor Clayton-Hewson’s non-attendance throughout that period has been due to personal circumstances and, as a consequence, has not been able to attend meetings.
- 2.5 Should any member lose office through failure to attend for the six month period, the disqualification cannot be overcome by the member subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time. If the Council decided not to approve an extension and as Councillor Clayton-Hewson would be unable to attend another meeting, a casual vacancy would arise.

3. Recommendation

- 3.1 To approve a dispensation for Councillor Clayton-Hewson from attending meetings of the Council in order to avoid Councillor Clayton-Hewson ceasing to be a member of the authority under Section 85 of the Local Government Act 1972.

Is this a key decision? No

Do the exempt information categories apply? No

Does Rule 15 of the Scrutiny Procedure Rules (call-in and urgency) apply? No

How many appendices does the report contain? None

List of Background Papers: None

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