

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 Councillors Yvonne Bodger and Andrew Kerry.

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 Yvonne Bodger represents the Minster Ward and has not attended a Council meeting since 6 November 2019.
- 2.4 Councillor Andrew Kerry represents the Hartsholme Ward and has not attended a Council meeting since 21 January 2020 on grounds of ill health.
- 2.5 A decision has recently been taken to suspend meetings of the Council until further notice in response to the latest guidance associated with the Corona Virus. This means that it may not be possible for Councillor Bodger or Councillor Kerry to attend a meeting within their required six month period.
- 2.6 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.

3. Recommendation

- 3.1 To consider approval of a dispensation for Councillor Yvonne Bodger and Councillor Andrew Kerry from attending meetings of the Council in order to avoid both Councillors potentially 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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