

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 any member unable to attend meetings within a six month period.

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 A decision was taken in March 2020 to suspend meetings of the Council in response to the latest guidance at the time associated with the coronavirus. Meetings were held throughout March, April and May remotely, but by exception, meaning that there were very limited opportunities for Members to attend meetings.
- 2.4 More of the Council’s meetings were held remotely from June with the vast majority of originally scheduled meetings now taking place remotely through the platform of Zoom.
- 2.5 Support in the shape of training and technology has been provided to members to assist them with participating in meetings via Zoom. It is acknowledged, however, that there are potentially issues with accessibility or connectivity that can occur occasionally which may restrict a Member’s ability to attend meetings.
- 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.

2.7 Councillors Yvonne Bodger, Ronald Hills and Andrew Kerry are the members closest to not having attended a meeting in six months. It is therefore recommended, given the current circumstances, that they be granted with a dispensation should they not be in attendance at the meeting on 22 September 2020.

3. Recommendation

3.1 To consider approval of a dispensation for Councillors Yvonne Bodger, Ronald Hills and Andrew Kerry from attending meetings of the Council in order to avoid them potentially ceasing to be members 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

Lead Officer: Graham Watts, Democratic and Elections Manager
Telephone (01522) 873439