

Part A

Report to: Council

Date of meeting: Tuesday, 15 March 2022

Report author: Democratic Services Manager

Title: Member Attendance Rule – Waiver and Extension of Time Limit

1.0 Summary

- 1.1 This report seeks Council's agreement regarding a waiver of the six-month attendance rule and extension of the time limit for Councillor Crout for the reasons set out in the report.

2.0 Risks

2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
Member does not attend a meeting for over six months and no extension is requested.	If approval is not granted to the member, their term of office will cease at the expiry of six months from their last attendance. A vacancy would be declared and a by-election required to cover the remaining term of office.	Officers monitor members attendance and seek approval from Council for an extension to the non-attendance period if required.	Treat	3x2 = 6

3.0 Recommendations

- 3.1 that Councillor Crout be granted a waiver of the six-month attendance rule, in accordance with Section 85 (1) of the Local Government Act 1972, and an extension of the time limit to 9 May 2022 be approved.

Further information:

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Report approved by: Donna Nolan, Managing Director

4.0 Detailed proposal

- 4.1 Members are required to attend at least one meeting of the authority in a six-month period. Section 85 of the Local Government Act 1972 provides that where a council member fails throughout a period of six consecutive months to attend any meeting, subject to certain exceptions, they cease to be a member of the authority. However, it is possible for a council to approve the member's non-attendance for a specified period or until their term of office expires, provided that the approval is given prior to the expiry of the six-month rule.
- 4.2 It is considered good practice for the local authority to consider the circumstances of a member's absence from attendance at meetings when the six-month period is approaching.
- 4.3 Democratic Services monitors members' attendance and contacts the relevant councillor and their group leader if they are nearing a period of non-attendance of more than four months to remind them of their obligation under the Act.
- 4.4 The Democratic Services Manager contacted Councillor Keith Crout on Thursday 3 March as his last attendance at a formal council meeting was at Council on 18 October 2021. Councillor Crout has advised that he has been unable to attend any meetings since that date due to ill health. He has recently undergone surgery and is still recovering. The period of six-months since his last attendance is due to expire on 18 April 2022.
- 4.5 Council is asked to consider granting an extension to 9 May 2022, which is the date Councillor Crout's current term of office is due to expire. Councillor Crout has indicated that he does not intend standing at the forthcoming local elections.

5.0 Implications**5.1 Financial**

- 5.1.1 The Shared Director of Finance comments that there are no financial implications.

5.2 **Legal Issues** (Monitoring Officer)

5.2.1 The Group Head of Democracy and Governance comments that the legal issues are set out in the body of the report.

5.3 **Equalities, Human Rights and Data Protection**

5.3.1 No direct implications as a result of this report.

5.4 **Staffing**

5.4.1 No direct implications as a result of this report.

5.5 **Accommodation**

5.5.1 No direct implications as a result of this report.

5.6 **Community Safety/Crime and Disorder**

5.6.1 No direct implications as a result of this report.

5.7 **Sustainability**

5.7.1 No direct implications as a result of this report.

Appendices

None

Background papers

No papers were used in the preparation of this report.