

OPEN

Council

11 December 2024

Approval of Absence from Council meetings

Report of: Acting Governance, Compliance and Monitoring Officer

Report Reference No: C/13/24-25

Ward(s) Affected: All

For Decision or Scrutiny: Decision

Purpose of Report

- 1 To seek approval from Council to extend the “six-month” rule with regard to Councillors’ attendance at meetings.

Executive Summary

- 2 If a Council member fails to attend a meeting of the authority in a period of six consecutive months, they cease to be a member of the authority, unless approval for the absence is approved by full Council. This report provides an opportunity for Council to approve any absence which might be required by the date of the Council meeting.

RECOMMENDATIONS

That, should the need arise, Council approve any Councillor’s absence from Council meetings for a period of over 6 months due to circumstances in which they find themselves unable to attend; such approval to apply until February Council meeting.

Background

- 3 Legislation states that, if a Council Member fails to attend council meetings throughout a period of six consecutive months, they shall cease

to become a member of the authority in question, unless such failure was due to some reason approved by the authority before the expiry of the six-month period.

Consultation and Engagement

4 Not applicable.

Reasons for Recommendations

5 The authority of the Council is required to ensure that an individual's membership of the authority does not inadvertently cease, in circumstances where they find themselves unable to attend a meeting for the period in question due to a reason beyond the individual's control.

Other Options Considered

6 To do nothing – an individual's membership of the local authority would cease, as no approval would be in place to extend the six-month attendance period.

Implications and Comments

Monitoring Officer/Legal

7 Section 85 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 shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority. If necessary, the authority may grant further approvals if the reason for non-attendance continues beyond the initially approved period.

Section 151 Officer/Finance

8 No implications have been identified.

Policy

9 There are no direct implications for policy

An open and enabling organisation
Ensure that there is transparency in all aspects of council decision making

Equality, Diversity and Inclusion

10 There are no direct implications for equality.

Human Resources

11 There are no direct implications for Human Resources.

Risk Management

12 There are no direct risk management implications.

Rural Communities

13 There are no direct implications for rural communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

14 There are no direct implications for children and young people.

Public Health

15 There are no direct implications for public health.

Climate Change

16 There are no direct implications for climate change.

Access to Information	
Contact Officer:	Brian Reed, Head of Democratic Services brian.reed@cheshireeast.gov.uk
Appendices:	None
Background Papers:	None