

**To: Annual Council
18 May 2022**

**Absence from Council Meetings of Councillor Mrs McKenzie
Executive Director: Delivery– Democratic and Registration Services**

1 Purpose of Report

- 1.1 The Council is asked to consider whether it wishes to exercise its powers under Section 85 of the Local Government Act 1972 to approve Councillor Mrs McKenzie's absence from meetings as a result of her ill health now remote provisions have ended.

2 Recommendations

- 2.1 **That the current position in respect of Councillor Mrs McKenzie is noted.**
- 2.2 **That the Council considers whether it wishes to exercise its powers to approve her absence from meetings as a result of her ill health, and if it does,**
- 2.3 **That, pursuant to section 85 of the Local Government Act 1972, the Council resolves to approve Councillor Mrs McKenzie's failure to attend Council by reason of her ill health and this will be reviewed before 30 November 2022.**

3 Reasons for Recommendations

- 3.1 To ensure that the Council is aware of the current position in respect of Councillor Mrs McKenzie's attendance.

4 Alternative Options Considered

- 4.1 No alternative options available.

5 Supporting Information

- 5.1 Under the provisions of Section 85 of the Local Government Act 1972 the law expressly provides that a Councillor who fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, ceases to be a Member of the authority unless failure to attend was due to some reason approved by the authority before the expiry of that period.
- 5.2 At the Council meeting held on 24 November 2021 it was agreed that the suspension of this six-month councillor attendance rule would be extended to the next Annual Council meeting scheduled for 18 May 2022.
- 5.3 Councillor Mrs McKenzie is currently unwell and as a result of her ill health will be unable to attend meetings of the authority. The Council can therefore approve the reason for absence so that Councillor Mrs McKenzie retains her seat while her health improves.
- 5.4 In this case, it is proposed that if the Council considers it appropriate to do so, approval is given now so that Councillor Mrs McKenzie is reassured there is no requirement to return to local authority meetings before she is well enough to do so.

6 Consultation and Other Considerations

Legal Advice

- 6.1 The statutory basis for recommendation 2.3 is included in the body of the report.

Financial Advice

- 6.2 There are no financial implications arising from this report.

Equalities Impact Assessment

- 6.3 Not relevant to this report.

Strategic Risk Management Issues

- 6.4 The continued absence of a Ward Councillor could adversely affect constituency representation in the ward. Councillor Mrs McKenzie is a Ward Member for College Town, which is a two Member ward, which mitigates the risk, at least in the short term.

Climate Change Implications

- 6.5 The recommendations in Section 2 are not expected to have any significant impact on emissions of CO₂.

Health & Wellbeing Considerations

- 6.6 The Council has previously considered such attendance exemptions towards the end of a six-month period from the date of an individual's last attendance at a meeting. This could cause individuals unnecessary distress and concern at the thought of being disqualified from their role on the authority and persuade them to return to public life before they are in good health. This report has been brought forward in order to protect the individual's health and wellbeing.

Background Papers

None

Contact for further information

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