



COUNCIL MEETING

16 JULY 2020

LOCAL GOVERNMENT ACT 1972 – SECTION 85

Sheena Ramsey, Chief Executive

Mike Barker, Strategic Director, Corporate Services and Governance

Background

1. The Cabinet on 24 March 2020 received an update on changes to the calendar of meetings resulting from the COVID pandemic. This considered ways to minimise the need for attendance at meetings. These included a reduced number of meetings and the use of virtual meetings.
2. Although meetings have continued to be held, the opportunities to attend meetings of Council bodies for some members have been reduced significantly depending on the committees and OSCs to which they were appointed.
3. Section 85 of the Local Government Act 1972 provides that if a member of a local authority fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, he/she 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.
4. It is suggested that for the purposes of Section 85(1) of the Act, the impact of the COVID pandemic on the calendar of meetings and consequently the limited opportunities for some councillors to attend meetings be regarded as a reason for the failure of councillors to attend meetings.

Recommendation

5. It is recommended that:
 - (i) for the purposes of Section 85(1) of the Local Government Act 1972, the Council agree that the impact of the COVID pandemic on the calendar of meetings and consequently the limited opportunities for some councillors to attend meetings be regarded as a reason for the failure of councillors to attend meetings;
 - (ii) that having regard to the circumstances that the requirement for members to attend a meeting of the Council or a sub-committee be waived until 30 November 2020; and
 - (iii) that the situation be reviewed by the Council at its November meeting.