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Chairman and Members of the
Council

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Date: 15 October 2024

cc. All other recipients of the Council
agenda

Dear Councillor,

COUNCIL - 16 OCTOBER 2024

Please find attached the following reports which were marked "to follow" on the agenda for the above meeting:

- (B) Urgent Item - Member Non-Attendance Waiver and Extension to Six-Month Time Limit (Pages 2 - 5)

Please bring these papers with you to the meeting next Wednesday

Agenda Item 13b

East Herts Council Report

Council

Date of Meeting: 16 October 2024

Report by: Councillor Ben Crystall, Leader of the Council

Report title: Member Non-Attendance Waiver and Extension to Six-Month Time Limit.

Ward(s) affected: Braughing & Standon

Summary

The report seeks Council's agreement regarding a waiver of the six-month attendance rules for Councillor Frankie Woolf under section 85 of the Local Government Act 1972, where a Member would otherwise become disqualified for reasons of non-attendance at qualifying meetings. This is due to her currently being overseas, connected to her ongoing military commitments.

RECOMMENDATION FOR COUNCIL:

- (a) That Councillor Frankie Woolf 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 the meeting of Council scheduled for 26 February 2025.**

1.0 Proposal(s)

- 1.1 That Council approve a dispensation for absence from meetings of the Council for Councillor Woolf until 26 February 2025.

2.0 Background

- 2.1 Section 85(1) 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 or her last attendance to attend any meeting of the authority, he or 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 that authority.
- 2.2 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.
- 2.3 Democratic Services monitors Members' attendance at meetings and contacts the relevant Group Leader if a Member in their group is nearing a period of non-attendance of more than four months to remind them of their obligation under the Act.
- 2.4 Councillor Woolf last attended a meeting on 15 May 2024. Councillor Deering, as the Group Leader of the Conservative Group, has advised that Cllr Woolf has been required to go overseas due to her ongoing military commitments. The period of six months since her last attendance is due to expire on 15 November 2024.
- 2.5 It is anticipated that the situation will ease with time and Council is therefore asked to extend the time-limit to the scheduled Council meeting on 26 February 2025 to allow Councillor Woolf additional time return and attending meetings. If she is still unable to attend meetings by 26 February 2025, the decision will be reviewed at that meeting.

3.0 Reason(s)

- 3.1 To avoid the vacation of office of Councillor Woolf, in view of circumstances around her military commitments.

4.0 Options

- 4.1 Not to provide dispensation from attendance. This option is not recommended because the Member concerned is not able to attend due to circumstances outside of her control.

5.0 Risks

- 5.1 None.

6.0 Implications/Consultations

- 6.1 The Leader and Member subject of the report were consulted.

Community Safety

No

Data Protection

No

Equalities

The request and recommendation as set out within this report are compliant with the provisions of the Equality Act 2010.

Supporting members in being able to take extended absence due to periods of extended ill-health will have a positive impact on the general equality duty with regards to the protected characteristics under the Act.

Environmental Sustainability

No

Financial

No

Health and Safety

No

Human Resources

No

Human Rights

No

Legal

Yes, as indicated above. Section 85(1) of the Local Government Act 1972 allows an authority to grant Members dispensation for absences providing the dispensation is granted before the 6-month period of absence has expired.

Specific Wards

Yes, the Wards of the Councillor referred to above.

7.0 Background papers, appendices and other relevant material

7.1 No background papers.

Contact Member

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