

MAIDSTONE BOROUGH COUNCIL

COUNCIL

28 SEPTEMBER 2022

REPORT OF THE DEMOCRATIC AND ELECTORAL SERVICES MANAGER

Report prepared by Debbie Snook

NON-ATTENDANCE AT COUNCIL MEETINGS

Issue for Decision

To approve the reason for absence for a Councillor who has been unable to attend Council meetings and is at risk of exceeding the six consecutive month requirement.

Recommendations Made

1. That the Council approve the reason of ill-health for non-attendance at Council meetings by Councillor Mrs. Ring.
2. That the approval of the reason for absence be reviewed at the ordinary meeting of the Council scheduled to be held in February 2023.

Reasons for Recommendations

Councillor Mrs. Ring has been absent from Council meetings since 21 May 2022. Should she be unable to attend a meeting prior to 21 November 2022, she would exceed the six consecutive months set out in the Local Government Act 1972. As the next scheduled ordinary meeting of the Council is in December 2022, a reason for absence needs to be approved at this meeting.

Section 85 of the Local Government Act 1972 states "...if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he 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."

Therefore, if a Councillor does not attend a meeting for six consecutive months, they automatically cease to be a Councillor unless the Council approves the reason for the non-attendance before the six-month period has elapsed.

As the reason for absence for Councillor Mrs. Ring is on the grounds of ill-health, the Council is recommended to approve this reason for absence to prevent Councillor Mrs. Ring from ceasing to be a member of the authority should she not be able to attend a meeting before 21 November 2022.

No reason for absence should be approved without a time limit and it is therefore recommended that the approval be reviewed at the ordinary meeting of the Council scheduled to be held in February 2023.

Alternatives Considered and Why Not Recommended

The Council could decide not to approve the reason for absence. However, should Councillor Mrs. Ring be unable to attend a meeting before 21 November 2022 she would cease to be a member of the authority.

The recommendations aim to manage the risk to Councillor Mrs. Ring of an extended period of absence from Council meetings.

Background Documents

None