

Name of meeting: Council

Date: 8 July 2020

Title of report: Elected Member Attendance at Meetings

Purpose of report: To seek agreement from Council that the requirement for an Elected Member to attend a relevant number of qualifying Council meetings be relaxed for a period until 7 May 2021.

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| Key Decision - Is it likely to result in spending or saving £250k or more, or to have a significant effect on two or more electoral wards? | No |
| Key Decision - Is it in the <u>Council's Forward Plan (key decisions and private reports)</u> ? | No |
| The Decision - Is it eligible for call in by Scrutiny? | No |
| Date signed off by <u>Strategic Director</u> & name | Jacqui Gedman – 23 rd June 2020 |
| Is it also signed off by the Service Director for Finance? | Eamonn Croston – 23 rd June 2020 |
| Is it also signed off by the Service Director for Legal Governance and Commissioning? | Julie Muscroft – 22 nd June 2020 |
| Cabinet member <u>portfolio</u> | Cllr Shabir Pandor /Cllr Graham Turner |

Electoral wards affected: All

Ward councillors consulted: Group Leaders

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- 1.1** This report seeks agreement by members that for the period until 7 May 2021 the provisions of section 85(1) Local Government Act 1972 shall not apply. This is as a result of the Coronavirus pandemic and the difficulty that some members may have in attending qualifying meetings during this period.

2. Information required to take a decision

- 2.1** Section 85 (1) of the Local Government Act 1972 makes provision in relation to Elected Member attendance at meetings. It provides that if a Member fails to attend a qualifying meeting for a period of 6 consecutive months from the date of their last attendance, they shall cease to be a Member of the authority unless, before the expiry of that period the authority has approved such non-attendance.
- 2.2** At Council Procedure Rule 25 - Failure to Attend Meetings it provides as follows:
- (1) In accordance with the Local Government Act 1972, if a Councillor attends no meetings of the Authority for six months the Chief Executive will tell the Council (unless the Member has been granted leave of absence by the Council). The Council will consider whether the absence was caused by some reason approved by them. If they are not satisfied about the cause of the failure, the Member will cease to be a Member of the Council.
- (2) For the purpose of this Rule a meeting of the Authority shall include:
- * the Council, Cabinet or any Committee, Sub-Committee or Panel; or
 - * any Joint Committee or Joint Board which has Council functions delegated to it;
 - * any other body at which the Member represents the Council.
- 2.3** As a result of the Coronavirus pandemic, physical meetings of committees, sub-committees and Full Council have been cancelled which may mean in many circumstances that some Members of Council may not be able to attend a qualifying meeting within the six-month period through no fault of their own.
- 2.4** Council is therefore asked to agree that the absence of a Councillor from meetings of the authority which would ordinarily lead to their disqualification as a Councillor shall be authorised to 7 May 2021 in order that any Members not having the opportunity to attend a qualifying meeting prior to and during the period of the Pandemic are not at risk of inadvertent disqualification.

3. Implications for the Council

3.1 Working with People

Not applicable.

3.2 Working with Partners

Not applicable.

3.3 Place Based Working

Not applicable.

3.4 Climate Change and Air Quality

Not applicable.

3.5 Improving outcomes for children

Not applicable.

3.6 Other (eg Legal/Financial or Human Resources)

Not applicable.

4. Consultees and their opinions

Not applicable

5. Next steps and timelines

5.1 Members will not face disqualification for failure to attend sufficient council meetings during the current pandemic.

6. Officer recommendations and reasons

6.1 Members are asked to agree that the absence of a Councillor from qualifying meetings of the authority which would ordinarily lead to their disqualification as a Councillor shall be authorised to 7 May 2021 in order that any Members not having the opportunity to attend a qualifying meeting prior to and during the period of the Pandemic are not at risk of inadvertent disqualification.

7. Cabinet Portfolio Holder's recommendations

Not applicable

8. Contact officer

Julie Muscroft – Service Director – Legal, Governance & Commissioning
Telephone: 01484 221000
Email: julie.muscroft@kirklees.gov.uk

9. Background Papers and History of Decisions

Not applicable.

10. Service Director responsible

Julie Muscroft – Service Director – Legal, Governance & Commissioning