

Name of meeting: Council

Date: 13 December 2023

Title of report: Elected Member Attendance at Meetings

Purpose of report: To seek agreement from Council that the requirement for Cllr Donald Firth to attend a relevant number of qualifying Council meetings be relaxed until the end of the current municipal year.

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	Rachel Spencer Henshall: n/a
Is it also signed off by the Service Director for Finance?	Isabel Brittain: n/a
Is it also signed off by the Service Director for Legal Governance and Commissioning?	Julie Muscroft: 5.12.23
Cabinet member portfolio	Cllr Cathy Scott

Electoral wards affected: All

Ward councillors consulted: Not applicable

Public or private: Public

Has GDPR been considered? Yes

1. Summary

- 1.1** This report seeks agreement by members that for the period until the remainder of the 2023/2024 municipal year the provisions of section 85(1) Local Government Act 1972 shall not apply in respect of Cllr Donald Firth.

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** Council is asked to agree that the absence of Councillor Donald Firth from meetings of the authority which would ordinarily lead to his disqualification as a Councillor shall be authorised to 22 May 2024.

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 Financial Implications for the People Living or Working in Kirklees

Not applicable.

3.7 Other (eg Legal/Financial or Human Resources)

Not applicable.

4. Consultees and their opinions

Not applicable

5. Next steps and timelines

5.1 Cllr Firth will not face disqualification for any failure to attend sufficient council meetings until 22 May 2024.

6. Officer recommendations and reasons

6.1 Members are asked to agree that the absence of Councillor Firth from qualifying meetings of the authority which would ordinarily lead to his disqualification as a Councillor shall be authorised to 22 May 2024.

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