

TRAFFORD COUNCIL

Report to: Annual Council
Date: 24 May 2017
Report for: Decision
Report of: Director of Legal and Democratic Services

Report Title

EXTENSION OF SIX MONTH ATTENDANCE RULE

Summary

To consider a dispensation under the six month rule under the Local Government Act 1972 and to excuse the non-attendance of Councillor Matthew Sephton at Council meetings until the 30 July 2017.

Recommendation(s)

To approve a dispensation for Councillor Matthew Sephton from attending meetings of the council until the 30 July 2017 in order to avoid Councillor Sephton ceasing to be a member of the authority under Section 85 of the Local Government Act 1972.

Contact person for access to background papers and further information:

Name: Ian Cockill
Extension: 1387

Background Papers: None

1.0 Background

- 1.1 Section 85 (1) of the Local Government Act 1972 states that “if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.” Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions. This requirement can be waived and the time limit extended if any failure to attend was due to a reason approved by the Authority, in advance of the six month period expiring.
- 1.2 Councillor Matthew Sephton represents the Altrincham ward. Due to personal circumstances, Councillor Sephton has been prevented from undertaking normal duties and has not attended a meeting since 30 November 2016.
- 1.3 The Council is requested to approve an extension to the six month rule on the grounds that Councillor Sephton’s non-attendance throughout that period has been due to personal circumstances and has not been able to attend meetings. Council can only consider such a request where approval is given in relation to the reasons for non-attendance before the end of the relevant six month period, which will be on 31 May 2017.
- 1.4 Should any councillor lose office, through failure to attend for the six-month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time. If the Council decided not to approve an extension and as Councillor Sephton would be unable to attend another meeting, a casual vacancy would arise.
- 1.5 Under the circumstances, it is requested that Council approve an extension of the 6 month rule for Councillor Sephton. If minded to approve the request the extension of time will be effective until 30 July 2017.