



COUNCIL – 27TH SEPTEMBER 2023

SUBJECT: WAIVER OF 6 MONTH COUNCILLOR ATTENDANCE RULE

REPORT BY: HEAD OF LEGAL SERVICES AND MONITORING OFFICER

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1. PURPOSE OF REPORT

- 1.1 To seek Council approval for a request received for an extension to the six months Councillor Attendance Rule from Councillor Dianne Price in accordance with the relevant legislation.

2. SUMMARY

- 2.1 Due to poor health and ongoing medical treatment Councillor Dianne Price has been unable to attend a Council meeting since the 8th of June 2023 and on medical advice is unable to attend any further meetings for several months.
- 2.2 A request has been received by the Monitoring Officer for Council to consider approving an extension to the usual six month attendance rule to enable Councillor Price to remain in office until she is able to resume normal duties when she returns to good health.

3. RECOMMENDATIONS

- 3.1 That the current absence from all council and committee meetings of Councillor Dianne Price due to her ill-health be authorised and approved for a further period of six months ending on 8th June 2024, or until she resumes attendance if that is sooner, in accordance with section 85 of the Local Government Act 1972.

4. REASONS FOR THE RECOMMENDATIONS

- 4.1 To allow Councillor Dianne Price to remain in office until her health allows her to be able to resume normal duties.

5. THE REPORT

- 5.1 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 reason approved by the authority before the expiry of that period, cease to be a member of the authority”.

- 5.2 For the purposes of section 85(1), attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the authority on any matter relating to the discharge of their functions.
- 5.3 Councillor Price has not been able to attend any council meetings since attending the Voluntary Sector Liaison Committee on 8th June 2023 due to poor health and ongoing medical treatment. Councillor Price has received medical advice that she is not fit to attend any Council meetings for several months.
- 5.4 Council can only consider approval of any reasons for non-attendance before the end of the relevant six month period which will end on 8th December 2023. Given the medical advice received by Councillor Price this report has been submitted to Council seeking approval for an extension of the usual six month rule.
- 5.5 Councillor Price is a long serving member, former Mayor and ward member for Bargoed. In addition to council, Councillor Price serves as a member of Democratic Services Committee, the Voluntary Sector Liaison Committee/Sub-Committee and the Standards Committee.

5.6 **Conclusion**

Council is asked to consider the request to extend the six month rule for Councillor Price as outlined above.

6. **ASSUMPTIONS**

- 6.1 There are no assumptions contained in this report.

7. **SUMMARY OF INTEGRATED IMPACT ASSESSMENT**

- 7.1 As this report is a statutory function of Council relating to an individual councillor there is no requirement for an Integrated Impact Assessment to be completed.

8. **FINANCIAL IMPLICATIONS**

- 8.1 If the absence period is not extended beyond 6 months or Councillor Price does not attend a meeting prior to 8th December a by-election will need to be called for which there will be a financial cost.

9. **PERSONNEL IMPLICATIONS**

- 9.1 If the extension is not approved Councillor Price, would under Section 85 (1) of the Local Government Act be disqualified on the 8th of December 2023 from the office of

councillor.

- 9.2 Once any councillor loses 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 Council be sought for an extension in time.

10. CONSULTATIONS

- 10.1 Any consultation responses have been reflected within the body of the report.

11. STATUTORY POWER

- 11.1 Local Government Act 1972

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