

**COUNCIL**  
**15 September 2022**

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**REQUEST FOR AN EXTENSION OF NON-ATTENDANCE**  
**- COUNCILLOR LISTER**

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**Responsible Cabinet Member - Councillor Jonathan Dulston**  
**Leader of the Council**

**Responsible Director – Elizabeth Davison**  
**Group Director of Operations**

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**SUMMARY REPORT**

**Purpose of the Report**

1. To consider an application on behalf of Councillor Lister for an extension to the six-month period of her non-attendance at meetings due to ill health.

**Summary**

2. Section 85 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 his/her last attendance, to attend any meeting of the authority, he/she 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.
3. Councillor Lister has not attended any Council or Committee meetings since 16 March, 2022 and will cease to be a Member of the Council from midnight this evening (15 September 2022), unless Council approves the reason for the non-attendance.

**Recommendation**

4. Members are asked to consider the options in paragraph 8 below.

**Reason**

5. To ensure compliance with a request from a Member under Section 85 of the Local Government Act 1972.

**Elizabeth Davison**  
**Group Director of Operations**

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## Background Papers

Shirley Wright Ext 5998

S17 Crime and Disorder	There are no issues in relation to Crime and Disorder.
Health and Well Being	There are no issues in relation to Health and Wellbeing.
Carbon Impact	There are no issues in relation to Carbon Impact
Diversity	There are no issues relating to Diversity which this report needs to address
Wards Affected	Cockerton Ward
Groups Affected	There is no impact on any particular group.
Budget and Policy Framework	This report does not recommend any change to the Budget or Policy Framework.
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
Council Plan	This report does not have any impact on the Council Plan
Efficiency	This report does not have any direct impact on efficiency.
Impact on Looked After Children and Care Leavers	This report does not impact on Looked After Children or Care Leavers

## MAIN REPORT

### Information and Analysis

5. Section 85 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 his/her last attendance, to attend any meeting of the authority, he/she 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.
6. Councillor Lister has not attended any Council or Committee meetings since 16 March 2022, due to ill health, consequently under the above provisions she will cease to be a Member of the Council from midnight this evening (15 September 2022) unless Council approves the reason for the failure to attend.

### **Previous Requests to Council**

7. Members may recall that similar applications to Council have been approved by Council. Each time a request has been approved Council has extended each of the Councillors' periods of non-attendance at meetings by a further six months.

### **Options**

8. Council has the following options :-
  - (a) Do not agree to the request (Councillor Lister will therefore cease to be Member of the Council from midnight this evening)
  - (b) Agree to the request and, if so, approve the failure to attend by reason of illness and indicate the period for which it will run, before review:-
    - (i) until she next attends a meeting at the Town Hall; or
    - (ii) until the reason no longer applies; or
    - (iii) until Councillor Lister's term of office has ended (May 2023)
  - (c) Alternatively, a period of six months could be specified with a further review at that time.