

REPORT OF THE
Chief Executive
PART I

1. APPROVAL OF MEMBER ABSENCE – SECTION 85 LOCAL GOVERNMENT ACT 1972

- 1.1. By virtue of Section 85 of The Local Government Act 1972 (the Act) a County Councillor ceases to be a Member of the County Council if he/she fails to attend a Meeting of the County Council, its Committees, Outside Body or Joint Committee to which they are appointed to represent the County Council, for a period of six consecutive months commencing on the date of the Member's last attendance, unless the period of absence is, for some reason, approved by the County Council prior to the expiry of that period.
- 1.2. The function of approval of absence pursuant to Section 85 of the Act is also delegated to the Conduct Advisory Panel.
- 1.3. The Covid-19 virus (coronavirus) pandemic has led to Government requirements in respect of social distancing and shielding measures, including reduction of unnecessary travel. In addition, it is possible that any County Councillors may at some stage contract the Covid-19 virus or be required/advised to self-isolate in accordance with Government guidance.
- 1.4. At this moment it is unclear to what extent and for how long County Council business will be affected by the Covid-19 virus, and what the individual impact of the virus on Members of the County Council might be in respect of illness in consequence of the virus, social distancing, self-isolation or shielding. It is likely that the holding of physical meetings will not be practical for some time. Although the County Council is introducing virtual meetings, participation in a virtual meeting will only count towards a Member's attendance record if they are an appointed member/representative of the committee, panel or outside body that is meeting. In consequence a number of Members of the County Council may, through no fault of their own, exceed the six-month non-attendance limit. Without approval for an extended absence in these circumstances, those County Councillors affected would cease to be Members of the County Council and vacate their office.
- 1.5. It is suggested therefore that approval of absence under Section 85 of the Act, for the reasons expressed in this report, be granted for any Member affected for a period expiring 31 December 2020. Should in any case this need to be extended a further report will be brought to the County Council or the Conduct Advisory Panel for consideration in due course.

RECOMMENDATIONS

It is recommended that the County Council approves an extended period of absence, pursuant to Section 85 of the Local Government Act 1972, to 30 September 2020, for any Member of the County Council who is unable to attend a Meeting of the County Council, its Committees, Outside Bodies or Joint Committees to which any such Member of the County Council has been appointed, as a result of illness, social distancing, self-isolation or shielding as a consequence of the Covid-19 virus.