

Report to Council

23 July 2024

Subject:	Extension to Six Month Attendance
Director:	Monitoring Officer, Assistant Director Legal & Assurance – Mike Jones Mike_Jones1@sandwell.gov.uk
Contact Officer:	Suky Suthi-Nagra Democratic and Member Services Manager Suky_SuthiNagra@sandwell.gov.uk

1 Recommendations

For the reasons set out in the report, it recommended that Full Council -

- 1.1 Having regard to the circumstances of the absence of Councillor Ashraf from council and committees meetings, consideration be given to the waiving of the requirements of s.85 of the Local Government Act 1972 and to approve an extension of the six-month rule for Councillor Ashraf with effect from 20 August 2024 expiring at 20 February 2025.

2 Reasons for Recommendations

- 2.1 An extension of the six-month attendance rule is sought to excuse the non-attendance of Councillor Ashraf for a further period due to ill-health.

3 How does this deliver objectives of the Corporate Plan?

- 3.1 This is a statutory matter for consideration by Full Council that is not directly linked to the delivery of the corporate plan.



4 Context and Key Issues

- 4.1 Councillor Ashraf is currently suffering from ill-health. A formal request has been received for a further extension to the application six-month rule for non-attendance due to ill-health and ongoing recovery. The request seeks Full Council agreement to extend the application of the rule. Full 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 20 August 2024.
- 4.2 It is requested that Council approve a further extension of the six-month rule for Councillor Ashraf and that Council's best wishes be conveyed to Councillor Ashraf for a speedy recovery. If approved, the extension of time would be effective until 20 February 2025. This does not, of course, prevent Councillor Ashraf from returning to meetings at any time if his health improves sufficiently.

5 Alternative Options

- 5.1 There are no alternative options. A formal request has been received and the Council is required to consider it.

6 Implications

Resources:	There are no specific resource implications arising from the contents of this report.
Legal and Governance:	<p>S.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 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'.</p> <p>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.</p>



	<p>The 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.</p> <p>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.</p>
Risk:	If the Council decided not to approve an extension a casual vacancy would arise.
Equality:	There are no equality implications arising from the contents of this report.
Health and Wellbeing:	There are no health and wellbeing implications arising from the contents of this report.
Climate Change:	There are no Climate Change implications arising from the contents of this report.
Corporate Parenting	There are no Corporate Parenting implications arising from the contents of this report.

