

# COUNCIL

## Approval of a Period of Absence from Meetings by a Councillor

13 November 2024

### Report of the Monitoring Officer

#### PURPOSE OF REPORT

To ask Council to consider approving the reason for a Councillor's period of absence from meetings pursuant to Section 85(1) of the Local Government Act 1972.

**This report is public**

#### RECOMMENDATIONS

- (1) That Council notes that the Mayor, Councillor Abi Mills, has not been able to attend meetings of the Council since 29 May 2024 due to ill health.
- (2) That in accordance with Section 85(1) of the Local Government Act 1972, Council approves Councillor Abi Mills' ill health as the reason for her non-attendance at meetings of the authority for a period of up to six months from the date of this meeting (until 13 May 2025).
- (3) That Council extends its sympathy to Councillor Abil Mills and wishes her a speedy recovery.

#### 1.0 Background

- 1.1 As Members are aware, the Mayor Councillor Abl Mills has been unable to attend any meeting of Council for some time due to a diagnosis of breast cancer and an ongoing course of treatment.
- 1.2 Section 85 of the Local Government Act 1972 states that "if a member fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he 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."

#### 2.0 Proposal Details

- 2.1 Councillor Abil Mills last attended a Council meeting on 29 May 2024, a meeting of the Overview and Scrutiny Committee. The six month period referred to in Section 85(1) would therefore expire on the 29 November 2024,

and this meeting is therefore the last opportunity for Council to approve the reason for her absence before the six month deadline. It should be noted that Councillor Abi Mills is still dealing with all her ward work and fulfilling other Mayoral duties where she can.

- 2.2 Council is asked to consider passing a resolution under Section 85(1) of the Local Government Act 1972 to approve Councillor Abi Mills' ill health as the reason for non-attendance at meetings. It is hoped that Councillor Abi Mills will be well enough to attend meetings within three months and the full six months will not be necessary, however due to the nature of the treatment, that is uncertain, therefore a period of six months is requested.

### 3.0 Conclusion

- 3.1 Council is asked to consider passing a resolution to approve Councillor Abi Mills' ill health as the reason for her non-attendance at meetings. Without such a resolution, she would, as a matter of law, cease to be a member of the Council.

#### **CONCLUSION OF IMPACT ASSESSMENT**

**(including Health & Safety, Equality & Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)**

None.

#### **LEGAL IMPLICATIONS**

The legal implications are as set out in the report under Section 85 of the Local Government Act 1972.

#### **FINANCIAL IMPLICATIONS**

Members' allowances are payable during periods of approved non-attendance. When a member loses their seat due to non-attendance, it is extremely likely that a by-election would be called which would have a cost to the Council.

#### **OTHER RESOURCE IMPLICATIONS**

**Human Resources, Information Services, Property, Open Spaces:** None.

#### **SECTION 151 OFFICER'S COMMENTS**

The Section 151 Officer has been consulted and has no further comments.

#### **MONITORING OFFICER'S COMMENTS**

The report has been prepared on behalf of the Monitoring Officer.

#### **BACKGROUND PAPERS**

None.

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