

## REPORT TO COUNCIL

<b>Open</b>				
Lead Member Councillor A Beales Email: cllr.Alistair.Beales@West-Norfolk.gov.uk				
Lead Officer: Rebecca Parker E-mail: rebecca.parker@west-norfolk.gov.uk			Other Officers consulted: Chief Executive, Monitoring Officer and Deputy Monitoring Officer	
Financial Implications NO	Policy/Personnel Implications NO	Statutory Implications YES	Equality Impact Assessment req'd NO	Risk Management Implications NO

Date of Meeting: 26<sup>th</sup> March 2026

### WAIVER OF SIX-MONTH COUNCILLOR ATTENDANCE RULE

At the Full Council meeting on 27<sup>th</sup> November 2025, Full Council approved the waiver of the six-month attendance rule for Councillor Don Tyler, due to ill health.

The six month period expires on 26<sup>th</sup> May 2026. A further request has been made to extend this period for a further six months.

#### **RECOMMENDED:**

**1. That Council consider the request to extend the waiver to the six-month attendance rule, for a further six months, provided for within Section 85(1) of the Local Government Act for Councillor Don Tyler due to illness.**

**2. If approved the permitted non-attendance time period for the second six-month period, would expire on 26<sup>th</sup> November 2026.**

### **1. Background and Key Issues**

- 1.1 Section 85 (1) of the Local Government Act 1972 requires a member of a Local Authority to attend at least one meeting of that Authority within a six-month consecutive period, in order to avoid being disqualified as a Councillor. This 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.
- 1.2 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 good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.”

- 1.3 Due to ill health Councillor Don Tyler has not been able to attend any Council meetings since the meeting of Council on 17<sup>th</sup> July 2025.
- 1.4 At the Full Council meeting on 27<sup>th</sup> November 2025, Council approved the waiver of the six-month rule for the period up to 26<sup>th</sup> May 2026.
- 1.5 A request has been made to extend this period for a further six months to the period 26<sup>th</sup> November 2026.
- 1.6 Section 85 (1) of the Local Government Act 1972 enables a Local Authority to approve the reason(s) for non-attendance of a Member at any meeting of the Authority throughout a period of six consecutive months, provided that approval is given by the Authority before the expiry of the six-month period. 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 the Authority be sought for an extension in time.

## **2. Alternative Options considered**

- 2.1 Members may consider granting a waiver over a different time period other than an additional six months.
- 2.2 If the Council were not to approve the reason for absence, a vacancy would then arise on expiry of the initial six-month period of absence, 26<sup>th</sup> May 2026.

## **3. Financial Implication**

- 3.1 Councillors that have been granted an extended period of absence will continue to receive their allowance unless otherwise requested.

## **4. Statutory Implication**

- 4.1 If approval is not provided to waive the six-month attendance rule then Councillor Tyler will cease to be a Member of the Authority after 26<sup>th</sup> May 2026

## **5. Background Documents**

Local Government Act 1972