

Report of	Monitoring Officer	Author	Andrew Weavers
Title	Approval of Non-attendance		☎ 282213
Wards affected	N/A		

1. Executive Summary

- 1.1 As a result of the discovery of the Omicron variant of the coronavirus causing covid 19 the Group Leaders agreed that fifty percent of their members would attend the 20 December 2022 Full Council. The other fifty percent would be able to be present via zoom. This report requests Full Council to authorise attendance for the purposes of the Local Government Act 1972 for those Members who attended the meeting remotely.

2. Recommended Decision

- 2.1 For the purposes of section 85(1) of the Local Government Act 1972 Council approves the following reason for a Member's non-attendance at the Full Council meeting on 20 December 2021:

The Member took part in the meeting via zoom as a result of a public health request for a reduced attendance in the Moot Hall for that meeting.

3. Reason for Recommended Decision

- 3.1 To authorise non- attendance of those Members who joined the Full Council meeting of 22 December 2021 for the purposes of section 85(1) of the Local Government Act 1972.

4. Alternative Options

- 4.1 No alternative options are proposed.

5. Background Information

- 5.1 As a result of the discovery of the omicron variant of the coronavirus causing covid-19, the Group Leaders agreed that they would arrange for fifty per cent of their members to attend the Full Council meeting in the Moot Hall. This enabled the meeting to achieve 2 metre social distancing in the room and comply with the latest advice from Government.
- 5.2 Members who did not attend as a result of this arrangement were present via zoom. Unfortunately, a recent court case involving Hertfordshire County Council made it clear that attending a meeting via zoom does not count as attending the meeting for the purpose of section 85 of the Local Government Act 1972 (often known as the six-month rule).
- 5.3 The six month 'clock' is re-started every time a Member attends any meeting of the Full Council or of any of its committees or of an outside body where the Member is the officially appointed Borough Council representative.

- 5.4 It would be unfair for those Members who attended the 20 December 2021 meeting virtually via zoom to be caught by the six-month rule because they had complied with the request for a reduced attendance.
- 5.5 Accordingly it is proposed to in effect disapply the six month rule to prevent any Member being caught by the rule as a result of attending the 20 December 2021 meeting via zoom. The rule will not be disapplied to those members who did not attend the meeting either in person or by Zoom.
- 5.6 Those Members who attended the 20 December 2021 meeting via zoom will be included in the minutes as being present remotely.

6. Standard References

- 6.1 There are no particular references to the Strategic Plan; consultation or publicity considerations or financial; community safety; health and safety, risk management or environment and sustainability implications.