


Agenda Item No:	15	
Committee:	Full Council	
Date:	19th May 2025	
Report Title:	Resolution to extend 6-month rule – Section 85 Local Government Act 1972	

COVER SHEET

1 Purpose / Summary

- 1.1 This report requests that Council pass a resolution under s.85 of the Local Government Act 1972 (“the 1972 Act”) authorising Councillor Harris’ continued absence from meetings for period of 3 months from 19th May 2025.

2 Key Issues

- 2.1 Section 85(1) of the Local Government Act 1972 specifies that ‘if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance (“the 6 month requirement”) 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’.
- 2.2 Councillor Harris last attended a relevant meeting on 16th December 2024 and must therefore attend a further meeting prior to 15th June 2025. However, due to an unexpected change in personal circumstances, it is anticipated that it will not be possible for Councillor Harris to attend a further relevant meeting within the required timeframe. Consequently, without a resolution under s.85 of the Local Government Act 1972, the 6-month requirement will come into force with effect from 16th June 2025 and automatically disqualify Councillor Harris as a District Councillor.

3 Recommendations

- 3.1 That, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor Harris’ non-attendance at meetings for a period of 3 months commencing on 19th May 2025 and ceasing on 19th August 2025 unless a further resolution is passed.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Cllr Boden – Leader of the Council
Report Originator(s)	Carol Pilson - Corporate Director and Monitoring Officer cpilson@fenland.gov.uk Amy Brown – Head of Legal and Governance amybrown@fenland.gov.uk
Contact Officer(s)	Elaine Cooper, Team Leader, Elections, Land Charges and Member Services
Background Papers	Local Government Act 1972

1 INTRODUCTION AND CONTEXT

- 1.1 Councillor Harris last attended a meeting of Council on 16th December 2024. He must attend another relevant meeting prior to 16th June 2025 to avoid automatic disqualification as a District Councillor. However, due to a unexpected change in Councillor Harris' circumstances, it is envisaged that it will not be possible for him to attend a meeting within that timescale. This Report therefore requests Council to consider whether to exercise their discretion under s.85 of the Local Government Act 1972 in relation to Councillor Harris.

2 REASONS FOR RECOMMENDATIONS

- 2.1 Councillor Harris last attended a relevant meeting on 16th December 2024 and therefore must attend another relevant meeting prior to 16th June 2025.
- 2.2 Councillor Harris has suffered the bereavement of 2 close family members within the 2 weeks preceding the compilation of this report on 7th May 2025. Consequently, Councillor Harris has various arrangements to make and will need time to grieve his losses.
- 2.3 The only meetings that Councillor Harris could currently attend prior to 16th June 2025 are on 12th and 19th May 2025 which is considered too soon based on the unexpected circumstances he now finds himself in.
- 2.4 Only Full Council can pass a Resolution under s.85 of the Local Government Act 1972, if a resolution is not therefore passed at the 12th May 2025 meeting, Councillor Harris will automatically be disqualified as a District Councillor.
- 2.5 Passing the resolution would not of course prevent Councillor Harris from returning to meetings at any time should he feel able to do so.

3 CONSULTATION

- 3.1 There are no formal consultation requirements connected with the proposed changes however feedback has been sought from key stakeholders to include group Leaders and officer colleagues.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 The only alternative option available to Council is for the resolution not to be passed. This would result in the automatic disqualification of Councillor Harris should he remain unable to attend a relevant meeting prior to the expiry of the 6-month period. There are only 2 meetings that he could attend both of which are in the next 2 weeks which in the circumstances would be extremely difficult if not impossible for him.

5 IMPLICATIONS

5.1 Legal Implications

- 5.2 The legal implications are as set out in this Report.

5.3 Financial Implications

- 5.4 There are no specific financial implications connected with the recommendation.

5.5 Equality Implications

- 5.6 There are no specific equality implications connected with the recommendation.