



Member Report

Exemption from Attendance at Meetings

Report to: Borough Council

Report from: Managing Director (Head of Paid Service)

Portfolio: Leader of the Council

Report Date: 14 November 2024

Decision Type: Committee

Council Priority

HEADLINE POSITION

1.0 Summary of report

1.1 The report requests Members to authorise Councillor Graham Jeffery's absence from the Council due to reasons of ill health.

2.0 Recommendation

It is recommended that:

- a) Councillor Graham Jeffery's absence due to illness be regarded as a valid reason for absence from the Council;
- b) Members authorise Councillor Jeffery's absence in accordance with Section 85 of the Local Government Act 1972 for a further period of six months terminating on 14 July 2025; and
- c) Members and Officers of the Authority send their best wishes to Councillor Jeffery and wish him well with the treatment of his condition.

DETAILED PROPOSALS

3.0 What are the objectives of the report and how do they link to the Council's priorities

- 3.1 Members may be aware that, due to ill health, Councillor Jeffery has been unable to attend Council or Committee meetings in recent times. Unfortunately, Councillor Jeffery has been diagnosed with a lung condition, which means he has received medical advice to avoid, where possible, large gatherings and/or premises that use recirculated air/air conditioning. This is due to issues with his immune system and, hence, susceptibility to other illness.
- 3.2 Although the condition cannot be cured, it can hopefully be managed. Councillor Jeffery is currently receiving treatment and is able to maintain his ward work. He would be able to attend meetings remotely were this legally possible but, as

Members will recall, the legislation which provided for remote attendance during the Covid pandemic was temporary and not made permanent. However, it is possible that this position may change in the future.

- 3.3 In general terms, section 85(1) of the Local Government Act 1972 provides that if a member of a local authority fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, he/she will cease to be a member of that authority, unless the failure was due to some reason approved by the authority before the expiry of that period.
- 3.4 In Councillor Jeffery's case, he was last able to attend a meeting on 15 July 2024 and it seems quite likely that he will be unable to attend any meetings prior to 14 January 2025, when the 6 month period will have been reached.
- 3.5 Given the circumstances and the fact that Councillor Jeffery's inability to attend meetings is outside of his control, but he is still able to manage with his ward work and other responsibilities, it is recommended that the Borough Council grant an exemption in terms of his attendance at meetings for a period of an additional 6 months, expiring on 14 July 2025 at which point the position can be reviewed.

4.0 What options have been considered

- 4.1 Councillor Jeffery has considered his position and is still able undertake the responsibilities of his role with the exception of in person meetings at this time.
- 4.2 Authorisation of the absence rests with Borough Council, therefore Council has the option to not approve the recommendation set out in the report.

5.0 Impact Assessment

- 5.1 **Climate Emergency** – None – save that if the recommendation is not approved, a by-election may potentially be required, which would result in some degree of environmental impact.
- 5.2 **Health and Safety** – N/A
- 5.3 **Social Value** – N/A
- 5.4 **Legal** – The legal considerations are set out within the report.
- 5.5 **Financial** – If the recommendations are not approved, a casual vacancy may arise which will result in the need to fund the costs associated with a by-election.
- 5.6 **Human Resources** – There are no general implications for equality and diversity but approving the recommendation will allow a period of recovery from illness.
- 5.7 **Equality and Diversity** – N/A

6.0 Implementation Plan

6.1 Timetable for Implementing Decision: The decision to authorise absence will take immediate effect and remain effective until 14 July 2025 at which point it may be reviewed.

6.2 Lead Officer Governance Director and Monitoring Officer.

6.3 Reporting Progress – The position will be reviewed before the expiry of the exemption.

6.4 Communications Plan – The decision will be a matter of public record through the Borough Council minutes.

7.0 Consultation and Engagement

7.1 Consultation has taken place with the Monitoring Officer who has recommended that this report be progressed for consideration by the Borough Council.

7.2 Councillor Jeffery has been consulted and confirmed that he is happy for information about his condition to be contained within a public report.

8.0 Appendices and Background Papers

8.1 None

9.0 Contact Officer

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