
Elected Member Absence From Meetings

Decision to be taken by: Full Council on 17th September
2026

Lead director/officer: Kamal Adatia, Monitoring Officer

Useful information

- Ward(s) affected: Abbey
- Report author: Kamal Adatia / Kalvaran Sandhu
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- Report version number: 1

1. Summary

To consult with the Council to determine whether or not an approval is to be granted for the continued absence of Councillor Annette Byrne prior to the expiry of a period of six months since she last attended at Council, a Committee, Sub-Committee or as a representative of the Authority. If not granted, then on 22nd October 2026 the office of councillor will become vacant in accordance with section 85 of the Local Government Act 1972.

2. Recommended actions/decision

- 2.1 Approve the waiver of the six-month attendance rule provided for within Section 85(1) of the Local Government Act 1972 for Councillor Annette Byrne, due to illness.
- 2.2 Having regard to the extenuating circumstances arising from Councillor Byrne's illness, Members are asked to grant an extension of time for the further six months, to 21st April 2026 before section 85 is re-triggered.

3. Scrutiny / stakeholder engagement

None

4. Background and options with supporting evidence

- 4.1 The Local Government Act 1972 (Section 85) provides that, if a Member of a local authority, through a period of six consecutive months from the date of his/her last attendance, does not attend any meeting of the authority, he/she ceases to be a Member of the Authority. A 'meeting of the authority' in this case refers to a formal meeting, which would typically be open to the public, such as a Scrutiny or regulatory meeting.
- 4.2 If, however, the Member's non-attendance is due to some reason approved by the Authority before the expiry of the period, then such cessation does not take place.
- 4.3 Councillor Byrne's last attendance was at the Economic Development, Transport and Climate Emergency Scrutiny Commission on 22 April 2026. Having regard to the above legal provisions, Councillor Byrne will be disqualified unless she is able to attend a relevant meeting before 22nd October 2026.

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| 4.4 | Councillor Byrne's absence has been caused by medical conditions which have heavily restricted her strength and mobility. |
| 4.5 | When such circumstances have arisen in recent years for Councillors, Council approved an extension of non-attendance past the six months period stipulated in the Local Government Act 1972 (Section 85) with the position being reviewed prior to the expiry of the extension. |
| 4.6 | Given the uncertainty surrounding Councillor Byrne's recovery it is considered reasonable to approve an extension for one further six month cycle. |

5. Financial, legal, equalities, climate emergency and other implications

5.1 Financial implications

There are no direct financial implications associated with the recommendations in this report.

Signed: Stuart McAvoy - Head of Finance

Dated: 7th September 2026

5.2 Legal implications

Section 85(1) of the Local Government Act 1972 provides that where a Member fails throughout a period of six consecutive months to attend any meeting of the Authority, they cease to be a Member unless the failure was due to a reason approved by the Authority before the expiry of that period.

Councillor Byrne's last recorded attendance at a qualifying meeting was on 22 April 2026. In the absence of attendance at a qualifying meeting before 22 October 2026, and unless Council approves the reason for non-attendance before that date, her office would become vacant.

Council has discretion to determine whether the reasons for absence are sufficient and, if so, the period for which absence should be approved.

Signed: K Adatia

Dated: 26.08.2026

5.3 Equalities implications

There are no direct equalities implications arising from this report, as it concerns a procedural decision under Section 85 of the Local Government Act 1972; however, approving the waiver positively supports an elected member currently experiencing health and mobility challenges.

Signed: Equalities Officer, Surinder Singh, Ext 37 414
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Dated: 7 th September 2026

5.4 Climate Emergency implications

There are no climate emergency implications related to this decision
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Signed: Phil Ball, Sustainability Officer

Dated: 07.09.2026

5.5 Other implications (You will need to have considered other implications in preparing this report. Please indicate which ones apply?)

6. Background information and other papers:

None

7. Summary of appendices:

None

8. Is this a private report (If so, please indicate the reasons and state why it is not in the public interest to be dealt with publicly)?

N/A

9. Is this a “key decision”? If so, why?

No