

Blaby District Council
Council

Date of Meeting	25 February 2025
Title of Report	Local Government Act 1972, Section 85(1) – Approval of Absence This is not a Key Decision and is not on the Forward Plan
Lead Member	Cllr. Terry Richardson - Leader of the Council
Report Author	Senior Democratic Services & Scrutiny Officer
Strategic Themes	All Themes: Enabling communities and supporting vulnerable residents; Enhancing and maintaining our natural and built environment; Growing and supporting our economy; Keeping you safe and healthy; Ambitious and well managed Council, valuing our people

1. What is this report about?

- 1.1 To seek approval of a waiver of the six-month attendance rule pursuant to section 85(1) Local Government Act 1972 for Cllr. Stuart Coar.

2. Recommendation(s) to Council

- 2.1 That Council approves the waiver of the six-month attendance rule provided for within section 85(1) Local Government Act 1972 for Cllr. Stuart Coar due to illness.
- 2.2 That the absence period be approved until the meeting of Council on 8 July 2025, to allow a further report to be considered, if required.

3. Reason for Decisions Recommended

- 3.1 The Council has the statutory power to consider such requests.

4. Matters to consider

- 4.1 Background

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.

Cllr. Stuart Coar has not been able to attend any Council meetings since the meeting of Council on 24 September 2024 due to illness. A formal request from the Conservative Group for an extension to this six-month rule to enable him to remain in office has been received.

The Authority can only consider approval of any reasons for non-attendance before the end of the relevant six-month period, which will be 24 March 2025.

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.

4.2 Proposal(s)

That Cllr. Stuart Coar's absence from Council meetings be approved until 8 July 2025.

4.3 Relevant Consultations

The Conservative Group.

4.4 Significant Issues

Legal Implications

If approval is not provided to waive the six-month attendance rule, the Councillor will cease to be a Member of the Authority once this period runs out.

4.5 In preparing this report, the author has considered issues related to Human Rights, Human Resources, Equalities, Public Health Inequalities and there are no areas of concern

5. Environmental impact

5.1 No Net Zero and Climate Impact Assessment (NZCIA) is required for this report.

6. What will it cost and are there opportunities for savings?

6.1 Not applicable.

7. What are the risks and how can they be reduced?

7.1 None.

8. Other options considered

8.1 None.

9. Appendix

9.1 None.

10. Background paper(s)

10.1 [Local Government Act 1972](#)

11. Report author's contact details

Sandeep Tiensa	Senior Democratic Services & Scrutiny Officer
sandeep.tiensa@blaby.gov.uk	0116 272 7640