

**Newbury Town Council****Public Report****Report to Extraordinary Meeting of Newbury Town Council, Friday 12 May 2017****Agenda Item No 5:****Resolution to extend 6 month rule- section 85 of the Local Government Act 1972****Background**

Section 85 of the Local Government Act 1972 states that “if a Member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some good reason approved by the authority before the expiry of that period, cease to be a member of the authority.” Attendance can be at any committee or sub-committee, or at any joint committee, joint board or other body where the functions of the authority are discharged or who were appointed to advise the authority on any matter relating to the discharge of their functions.

Councillor Andrew Steel has been unable to attend meetings recently due to work commitments and challenges. The last meeting he attended was a Planning and Highways Committee on 14 November 2016. Recently he has started in new employment which has required a spell of induction training this week. As a consequence of this, he sent apologies for the 2 meetings this week, Planning and Highways Committee on 8 May and Full Council on 12 May.

Councillor Steel has informed his Group Leader that he wishes to remain an active member of the Council and to continue to serve on the Council’s Planning and Highways Committee. His new employer has confirmed that he is prepared to facilitate this. Under the circumstances, it is requested that Council approves an extension of the 6 month rule for Councillor Steel until the 30 June 2017.

These matters did not become apparent until 8 May, by which stage the agenda publication date for Planning and Highways Committee and for Full Council on 10 May had both passed, which prevented this decision being taken at either of these meetings. In the circumstances, the Town Mayor convened an Extraordinary Meeting of the Council on 12 May in order to allow Council to consider the matter before the 6 month period expired on 13 May 2017.

**Financial and Legal implications**

If the Council does not extend the 6 month period Councillor Steel will cease to be a Member of the Town Council and the consequent vacancy would require a bye-election. The estimated cost of such a stand-alone election (notice would not be in time to run a bye-election in tandem with the General Election on 8 June) would be in the region of £6,000. The result of such a bye-election would not have a significant impact on the political balance of the Council, regardless of the result.

**Recommendation(s)**

**To resolve** to approve an extension of the 6 month rule for Councillor Andrew Steel until the 30 June 2017.

**Signed:** Hugh Peacocke  
Chief Executive Officer

9 May 2017