

REPORT OF THE CITY SOLICITOR

TO
Council

ON
15 March 2023

**TITLE: SECTION 85 LOCAL GOVERNMENT ACT 1972
- REQUEST FOR ABSENCE OF LEAVE**

RECOMMENDATIONS:

That, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor Stephen Coen's non-attendance at meetings until 4 May 2023 on medical grounds and the Council's best wishes be conveyed to him.

EXECUTIVE SUMMARY:

The purpose of this report is to consider an extension of the 6 month rule for Councillor Stephen Coen on medical grounds.

BACKGROUND DOCUMENTS:

Local Government Act 1972
Attendance Records - Salford City Council

KEY DECISION: NO

DETAILS:

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 their last attendance to attend any meeting of the authority, they shall, cease to be a member of the authority. The only exception is if their non-attendance has been approved by the authority before the expiry of that period. 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. Section 85 of the Act allows an authority to grant dispensation for such absence providing the dispensation is granted before the 6 month period of absence has expired. The next scheduled Council meeting is after the expiration of this period.

Councillor Stephen Coen has been unable to attend meetings recently for medical reasons. The last meeting he attended was full Council on 19 October 2022. He is currently awaiting medical treatment following which there will be a period of recovery. Under the circumstances, it is requested that Council approve an extension of the 6 month rule for Councillor Coen until 4 May 2023. This would not prevent Councillor Coen from returning to meetings at any time if his health allowed. Councillor Coen's term of office expires on 4 May 2023 and he is not standing in the forthcoming local elections

KEY COUNCIL POLICIES: n/a

EQUALITY IMPACT ASSESSMENT AND IMPLICATIONS: n/a

ASSESSMENT OF RISK:

Councillor Coen's ward duties will continue to be undertaken by his Blackfriars and Trinity colleagues.

LEGAL IMPLICATIONS Supplied by: Iolanda Puzio, City Solicitor

FINANCIAL IMPLICATIONS: n/a

PROCUREMENT IMPLICATIONS: n/a

HR IMPLICATIONS: n/a

CLIMATE CHANGE IMPLICATIONS: n/a

OTHER DIRECTORATES CONSULTED: n/a

CONTACT OFFICER: Michael Relph, Senior Democratic Services Officer

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WARDS TO WHICH REPORT RELATES: Blackfriars and Trinity