



Report author: Adil Iftakhar – Clerk

Report to Full Council

Date: 24/04/2024

Decision Required: Yes

Subject: Non-attendance by councillors for six months

Does the report contain information which has been identified as confidential?

Yes No

If yes, please specify the reason that the report is confidential below:

N/A

1 Purpose of this report

1.1 To note the non-attendance of Councillor Harjinder Singh Gahir, Councillor Hassan Javed, Councillor Muhammed Nasser Javed, Councillor Gurcharan Singh and Councillor Kawaljit Kaur to attend any meeting of the parish council for six consecutive months and declare a public notice for casual vacancy as a result of the disqualification of the above-mentioned parish councillors.

2 Recommendation/s

2.1 Parish Council is asked to note the contents of this report and approve the declaration of a public notice for casual vacancy as a result of Councillor Harjinder Singh Gahir, Councillor Hassan Javed, Councillor Muhammed Nasser Javed, Councillor Gurcharan Singh and Councillor Kawaljit Kaur becoming disqualified due to non-attendance of meetings for six consecutive months.

3 Summary of key points

3.1 Councillor Hassan Javed has failed to attend any meeting relating to the discharge of council's functions since 19th May 2023.

Councillor Kawaljit Kaur has failed to attend any meeting relating to the discharge of council's functions since 30th June 2023.

Councillor Harjinder Singh Gahir, Councillor Gurcharan Singh and Councillor Muhammed Nasser Javed have failed to attend any meeting relating to the discharge of council's functions since 9th October 2023.

3.2 The Local Government Act 1972 states that when a Council Member fails to attend any meeting for six consecutive months from the date of his last attendance, she/he ceases to be a member of the authority, unless the Council accepts a reason for the failure to attend before the six months period expires.

No reason for failure to attend for six months has been provided by any members, to allow council to consider a reason for failure to attend and to consider approval to avoid forfeiture of office automatically after six months. The council can only consider a reason before the end of the 6-month period.

3.3 If a member once loses his office through failure to attend for the six months period, the disqualification cannot be overcome by the Member subsequently resuming attendance. Nevertheless, the office becomes vacant only when the authority declares it to be vacant, which the authority must do, and a casual vacancy arises (LGA 1972 s.87)

4 Financial Implications and Budget Provisions

4.1 Extra costs may arise due to the need to hold a by election in the parish. S87(2) of the Local Government Act 1972 requires a local authority (Parish Council) to give public notice of casual vacancies to ensure transparency and attract more candidates.

5 Policy Implications

5.1 None arising for this report; however, it is advisable the council adopt a co-option procedure/policy as soon as it can do so.

6 Background Papers

6.1 None.

Further Information

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