

Essex County Council

Meeting of the Council - 7 December 2021

Urgent Business: Approval of reason for non-attendance at this meeting

1. As a result of the discovery of the omicron variant of the coronavirus causing covid-19, the group leaders have agreed that they will arrange for 9/15 of their members to attend the meeting. This enables us to achieve 2m social distancing and comply with advice from the Director of Public Health.
2. Members who are not attending as a result of this agreement will be present via zoom. Unfortunately a recent court case involving Hertfordshire County Council made it clear that attending the meeting via zoom does not count as attending the meeting for the purpose of section 85 of the Local Government Act 1972 (often known as the six month rule).
3. We do not believe that attendance at this meeting via zoom currently impacts on any member of the County Council since anyone potentially at risk under the 'six month rule' has been given individual advice and will be physically present.
4. The six month 'clock' is re-started every time a member attends any meeting of the council or of any of its committees or of an outside body where the member is the officially appointed ECC representative. Any issue which did arise could be dealt with at the February 2022 meeting.
5. That said, we cannot be absolutely certain that this will not cause an issue to anyone, and it would be unfair if a member attending this meeting virtually via zoom lost their seat under the six-month rule because they had complied with this request.
6. It is therefore proposed to in effect disapply the six month rule to prevent the risk of any member losing their seat as a result of attending this meeting via zoom.
7. Members who attend the 7 December meeting via zoom will be included in the minutes as present remotely.

Recommended that

For the purposes of section 85(1) of the Local Government Act 1972 the Council approves the following as a reason for a Member's non-attendance of the council meeting on 7 December 2021:

The Member took part in the meeting via zoom as a result of the public health request for a reduced attendance in the council chamber for that meeting.