

	Full Council 14 September 2026
	Report from the Corporate Director, Finance & Resources
Resolution to approve reason for non-attendance at meetings	

Wards Affected:	N/A
Key or Non-Key Decision:	Council
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Open
No. of Appendices:	None
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Amira Nassr, Deputy Director, Democratic & Corporate Governance 020 8937 5436 amira.nassr@brent.gov.uk

1.0 Purpose of the Report

- 1.1 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.
- 1.2 This requirement can be waived if any failure to attend was due to a reason approved by the Authority in advance of the six month period expiring.
- 1.3 This report asks the Council to consider and approve, pursuant to Section 85 of the Local Government Act 1972, a reason for the non-attendance of the councillor identified in this report at meetings of the Council, Cabinet, and committees or sub-committees of the Council, where that non-attendance arises from significant family health and wellbeing circumstances.

2.0 Recommendations

- 2.1 To approve, in accordance with Section 85 of the Local Government Act 1972, the reason set out at paragraph 3.3 in respect of Councillor Mahmood's non-attendance at meetings until the Council's Annual Meeting in May 2027.

3.0 Detail

Contribution to the Borough Plan and Strategic Priorities

- 3.1 The waiver being sought is supportive of good governance and contributes to the delivery of all the strategic priorities within the Borough Plan by supporting the Council's activity and representational role of councillors.

Background

- 3.2 Section 85 of the Local Government Act 1972 (section 85) provides 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, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority. Attendance as a member at a meeting of any committee, sub-committee, joint committee, joint board or other body which is discharging functions of the authority or which is appointed to advise the authority also counts, as does attendance as representative of the authority at a meeting of any body of persons.
- 3.3 Council is asked to approve, in relation to Councillor Mahmood, that where failure to attend a relevant meeting prior to the Council's Annual Meeting in May 2027 is due to the circumstances described in paragraph 3.3, such failure to attend shall be treated as a reason approved by the Council for the purposes of Section 85 of the Local Government Act 1972.
- 3.4 Councillor Mahmood is unable to attend meetings due to significant family health and wellbeing circumstances which require their ongoing support and presence.
- 3.5 Councillor Mahmood has continued to fulfil his duties as a ward councillor and supporting residents and dealing with ward matters. His current six-month attendance period does not expire until February 2027. However, given the ongoing family health and wellbeing circumstances outlined above, it is anticipated that he may require additional flexibility beyond that date and therefore it is considered appropriate to seek Council's approval in advance.
- 3.6 If Council does not approve the reason for non-attendance and Councillor Mahmood does not attend a qualifying meeting before the expiry of the six-month period, he would cease to be a member of the Council pursuant to Section 85 of the Local Government Act 1972. 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 Council be sought for an extension in time.

This would result in a vacancy arising in the ward and would reduce representation for residents until such time as the vacancy was filled in accordance with the relevant electoral provisions. The purpose of this report is

therefore to enable Councillor Mahmood to continue serving his constituents whilst providing ongoing support in relation to exceptional family health and wellbeing circumstances

- 3.7 In light of these exceptional circumstances and recognising Councillor Mahmood's continuing commitment to his role and his intention to return to full attendance at meetings when circumstances allow, Council is requested to approve this reason for non-attendance for the purposes of Section 85 of the Local Government Act 1972 until the Council's Annual Meeting in May 2027.

4.0 Financial Considerations

- 4.1 None.

5.0 Legal Considerations

- 5.1 These are contained in the body of the report.

6.0 Equity, Diversity & Inclusion (EDI) Considerations

- 6.1 Under section 149 of the Equality Act 2010, the council has a duty when exercising its functions to have “due regard” to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not. This is the public sector equality duty. The protected characteristics are age, disability, gender reassignment, marriage or civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 6.2 No equalities implications arise directly from this report, although approval of the reason for non-attendance set out in this report will ensure that a councillor is not disqualified from office as a consequence of exceptional family health and wellbeing circumstances which have prevented attendance at relevant meetings.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 Group Leaders and relevant ward members have been advised.

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 None.

9.0 Climate Change and Environmental Considerations

- 9.1 None

10.0 Communication Considerations

- 10.1 None

Report sign off:

Minesh Patel

Corporate Director Finance &
Resources