

COUNCIL
THURSDAY 8 OCTOBER 2026

PART 1 – PUBLIC DOCUMENT

TITLE OF REPORT: NOTIFICATION OF OTHER BUSINESS – RESOLUTION TO EXTEND THE 6 MONTH RULE – SECTION 85 LOCAL GOVERNMENT ACT 1972

REPORT OF: Director - Governance

EXECUTIVE MEMBER: N/A

COUNCIL PRIORITY: Accessible Services; Thriving Communities; Responsible Growth, Sustainability.

1. EXECUTIVE SUMMARY
To consider an extension of the six-month rule for Councillor Lisa Nash, having regard to the circumstances for absence from meetings outlined in the report.
2. RECOMMENDATIONS
2.1. That Council approves an extension of the six-month rule for Councillor Lisa Nash, for the reasons outlined within the report, for an additional six-month period, until 21 May 2027.
3. REASONS FOR RECOMMENDATIONS
3.1. Section 85 of the Local Government Act 1972 states that <i>'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 reason approved by the authority before the expiry of that period, cease to be a member of the authority'</i> .
3.2. The recommendation at 2.1 is therefore required to enable Cllr Nash to continue to serve as a District Councillor.

4. ALTERNATIVE OPTIONS CONSIDERED

- 4.1. Cllr Nash is a member of the Licensing and Regulation Committee, which has a scheduled meeting on Monday 19 October 2026. However, there is uncertainty given the current circumstances that Cllr Nash will be in attendance for that meeting.
- 4.2. The alternative option would be to not agree to the extension which would create a vacancy within the Knebworth ward.

5. CONSULTATION WITH RELEVANT MEMBERS AND EXTERNAL ORGANISATIONS

- 5.1. There is no duty to consult on this matter and therefore no consultation with Members or external organisations has taken place.

- 5.2. The matter has been discussed with the Chair of the Council who has agreed the item be considered as a matter of urgency.

6. FORWARD PLAN

- 6.1 This report does not contain a recommendation on a key Executive decision and has therefore not been referred to in the Forward Plan.

7. BACKGROUND

- 7.1. Councillor Lisa Nash has been unable to attend meetings since the Annual Council meeting on 21 May 2026 due to difficult personal circumstances that have prevented her from attending evening meetings. As a result, the statutory six-month period will expire on 21 November 2026, unless an extension is approved, resulting in her disqualification as a District Councillor.
- 7.2. Within the Modern.Gov system there is an automatic notification generated at 4 months non-attendance, which was after the agenda had been published for the Full Council meeting on Thursday 8 October.
- 7.3. Subsequent discussions between the Member and the Group Leader indicated that Cllr Nash would not be in attendance for the Council meeting on 8 October and that attendance was uncertain given the difficult personal circumstances for the imminent foreseeable future.
- 7.4. It is only Council that can approve an extension of the six-month rule. The next scheduled Full Council meeting on the 10 December 2026 would be too late to consider this extension.
- 7.5. Therefore, having been consulted on the matter, the Chair of the Council agreed the necessity to consider this as an urgent item of business.

8. RELEVANT CONSIDERATIONS

- 8.1. The information relevant to the decision has been detailed throughout the report. Should Council be minded to grant an extension for an additional six months it would not prevent Cllr Nash returning to meetings at any time, should personal circumstances allow.

9. LEGAL IMPLICATIONS

- 9.1. Council is required to determine this matter as per Paragraph 1.2.1 of the Council's Constitution:

'The Council is comprised of fifty one Councillors each elected for a four-year period. Elections are held every four years. Each Councillor is democratically accountable to the residents of their electoral ward as well as all of those who live in the District of North Hertfordshire. The overriding duty of Councillors is to the whole community, but they have a special duty to their constituents, including those that did not vote for them. Councillors who do not attend at least one Council or Committee meeting in a six month period cease to be a Councillor, unless their absence is approved by Full Council within that period.'

- 9.2. Section 85 (1) 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 reason approved by the authority before the expiry of that period, cease to be a member of the authority'*.
- 9.3. Section 85 (2) of the Local Government Act 1972 provides guidance as to attendance at a meeting: *'Attendance as a member at a meeting of any committee or sub-committee of the authority, or at a meeting of any joint committee, joint board or other body by whom for the time being any of the functions of the authority are being discharged, or who were appointed to advise the authority on any matter relating to the discharge of their functions, and attendance as representative of the authority at a meeting of any body of persons, shall be deemed for the purposes of subsection (1) above to be attendance at a meeting of the authority'*.
- 9.4. This report is being considered under Agenda Item 3 'Notification of Other Business' and as such the Chair of the Council must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency.

10. FINANCIAL IMPLICATIONS

- 10.1 There are no financial implications arising from the report.

11. RISK IMPLICATIONS

- 11.1. Good Risk Management supports and enhances the decision-making process, increasing the likelihood of the Council meeting its objectives and enabling it to respond quickly and effectively to change. When taking decisions, risks and opportunities must be considered.
- 11.2. There are no risk implications arising from the report.

12. EQUALITIES IMPLICATIONS

- 12.1. In line with the Public Sector Equality Duty, public bodies must, in the exercise of their functions, give due regard to the need to eliminate discrimination, harassment, victimisation, to advance equality of opportunity and foster good relations between those who share a protected characteristic and those who do not.
- 12.2. Cllr Nash is keen to resume her duties as a District Councillor at the earliest opportunity. Approval of the six-month extension to a term of office will allow for Cllr Nash to continue in the role as District Councillor when personal circumstances allow.

13. SOCIAL VALUE IMPLICATIONS

- 13.1. The Social Value Act and "go local" requirements do not apply to this report.

14. ENVIRONMENTAL IMPLICATIONS

- 14.1. There are no known Environmental impacts or requirements that apply to this report.

15. HUMAN RESOURCE IMPLICATIONS

- 15.1 The Service Director – Governance, alongside the Committee, Member and Scrutiny Team, monitors attendance and notifies Group Leaders when a Member has not attended a meeting for 4 consecutive months.

16. APPENDICES

- 16.1 None.

17. CONTACT OFFICERS

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18. BACKGROUND PAPERS

- 18.1 None.