

Our ref: MAM/CV/mm

Ask for: Michelle Morris

Date: 21 October 2022

Peredur Owen Griffiths MS  
Chair of Finance Committee  
Senedd Cymru

By email only:  
SeneddFinance@senedd.wales

Dear Peredur

During your recent scrutiny of our Annual Report & Accounts and our Estimate for 2023-24, we agreed to provide further detail about the interaction of the suspension of local authority members and the provision that a member who fails to attend a meeting for six months ceases to be a member.

The relevant provision in the Local Government Act 1972, under which a member of a local authority who fails to attend a meeting of their authority throughout a period of six consecutive months ceases to be a member of the authority, does not apply to a member who has been suspended from office. This is because section 85(3A) of the 1972 Act states that '*any period during which a member of a local authority is suspended or partially suspended under... the Local Government Act 2000 shall be disregarded for the purposes of calculating the period of six months...*'.

I hope that this clarification is helpful.

I would also like to provide a brief update on the Code of Conduct case where leave to appeal has been sought. This was to have been considered this month, as mentioned during the Committee scrutiny, but the applicant has now asked the court to delay its consideration of the application. We have not yet heard when the hearing will now take place.

Yours sincerely



**Michelle Morris**  
Public Services Ombudsman