

Council**16 September 2015**

Is the final decision on the recommendations in this report to be made at this meeting?

Yes**Non-Attendance at Council Meetings**

Final Decision-Maker	Council
Lead Head of Service	Paul Riley, Head of Finance and Resources
Lead Officer and Report Author	Debbie Snook, Democratic Services Officer
Classification	Non-Exempt
Wards affected	N/A

This report makes the following recommendations to Council:

1. That the Council approve the reason of ill-health for non-attendance at Council meetings by Councillor Brian Mortimer.
2. That the approval of the reason for absence be reviewed at the next ordinary meeting of the Council scheduled to be held on 9 December 2015 if necessary.

This report relates to the following corporate priorities:

N/A

Timetable	
<i>Meeting</i>	<i>Date</i>
Council	16 September 2015

Non-Attendance at Council Meetings

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 To consider approving the reason for absence of a Councillor who has been unable to attend Council meetings and is at risk of exceeding the six consecutive month requirement.
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2. INTRODUCTION AND BACKGROUND

- 2.1 Councillor Brian Mortimer has been absent from Council meetings since 11 May 2015. Should he be unable to attend a meeting prior to 11 November 2015, he would exceed the six consecutive months set out in the Local Government Act 1972.
 - 2.2 Section 85 of the Local Government Act 1972 states "...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."
 - 2.3 Therefore, if a Councillor does not attend a meeting for six consecutive months they automatically cease to be a Councillor unless the Council approves the reason for non-attendance before the six month period has elapsed.
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3. AVAILABLE OPTIONS

- 3.1 As the reason for absence for Councillor B Mortimer is on the grounds of ill-health, the Council could approve this reason for absence in order to prevent Councillor B Mortimer from ceasing to be a member of the authority should he not be able to attend a meeting before 11 November 2015.
 - 3.2 No reason for absence should be approved without a time limit and the approval could be reviewed at the next ordinary meeting of the Council on 9 December 2015 if necessary.
 - 3.3 The Council could decide not to approve the reason for absence, but should Councillor B Mortimer be unable to attend a meeting before 11 November 2015 he would cease to be a member of the authority.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 The preferred option is that the Council approve the reason of ill-health for non-attendance at Council meetings by Councillor B Mortimer, and that the approval of the reason for absence be reviewed at the next ordinary meeting of the Council scheduled to be held on 9 December 2015 if

necessary. This will prevent Councillor B Mortimer from ceasing to be a member of the authority should he not attend a meeting before 11 November 2015.

5. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	N/A	
Risk Management	The report aims to manage the risk to Councillor B Mortimer of an extended period of absence from Council meetings leading to him ceasing to be a Councillor.	Head of Finance and Resources
Financial	N/A	
Staffing	N/A	
Legal	The legal implications are set out in the body of the report.	Deputy Head of Legal Partnership
Equality Impact Needs Assessment	N/A	
Environmental/Sustainable Development	N/A	
Community Safety	N/A	
Human Rights Act	N/A	
Procurement	N/A	
Asset Management	N/A	

6. REPORT APPENDICES AND BACKGROUND PAPERS

None
