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**Report to:** Council

**Date of Meeting:** 6 September 2012

**Subject:** Local Government Act 1972 – Section 85 - Attendance at Meetings

**Report of:** Director of Corporate Commissioning      **Wards Affected:** All

**Is this a Key Decision?** No

**Is it included in the Forward Plan?** No

**Exempt/Confidential** No

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### **Purpose/Summary**

This report requests authority to approve and authorise the absence of Councillor Hands from attendance at Council and Committee Meetings pursuant to Section 85 of the Local Government Act 1972 due to his current ill health.

### **Recommendation(s)**

That the current absence from all Council and Committee Meetings of Councillor Hands due to ill health be authorised and approved for a further six month period pursuant to the provisions of Section 85 of the Local Government Act 1972

### **How does the decision contribute to the Council's Corporate Objectives?**

	<b><u>Corporate Objective</u></b>	<b><u>Positive Impact</u></b>	<b><u>Neutral Impact</u></b>	<b><u>Negative Impact</u></b>
1	Creating a Learning Community		√	
2	Jobs and Prosperity		√	
3	Environmental Sustainability		√	
4	Health and Well-Being		√	
5	Children and Young People		√	
6	Creating Safe Communities		√	
7	Creating Inclusive Communities		√	
8	Improving the Quality of Council Services and Strengthening Local Democracy		√	

### **Reasons for the Recommendation:**

To comply with the provisions of Section 85 of the Local Government Act 1972

**What will it cost and how will it be financed?**

**(A) Revenue Costs** – Not applicable

**(B) Capital Costs** – Not applicable

**Implications:**

The following implications of this proposal have been considered and where there are specific implications, these are set out below:

<b>Legal</b> – The effect of the legislation is contained within the contents of the report.	
<b>Human Resources</b> – Not applicable	
<b>Equality</b>	
1. No Equality Implication	<input checked="" type="checkbox"/>
2. Equality Implications identified and mitigated	<input type="checkbox"/>
3. Equality Implication identified and risk remains	<input type="checkbox"/>

**Impact on Service Delivery:**

None

**What consultations have taken place on the proposals and when?**

The Head of Corporate Finance (FD1769/2012) and Head of Corporate Legal Services (LD 1095/12) have been consulted and any comments have been incorporated into the report.

**Are there any other options available for consideration?**

No

**Implementation Date for the Decision**

With immediate effect following the Council meeting

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**Background Papers:**

There are no background papers available for inspection.

## **1. Introduction/Background**

- 1.1 Section 85 of the Local Government Act 1972 provides that if an Elected Member fails to attend any Council or Committee Meeting for a period of six months he or she ceases to be an Elected Member, unless the absence was approved by the Council before the expiry of the six month period.
- 1.2 Unfortunately Councillor Hands has not been well enough to attend any meeting for several months due to ill health. He last attended a Council Meeting on 15 May 2012.
- 1.3 Members are requested to approve his absence from all Council or Committee Meetings for a further six months period from the date of this meeting until 5 March 2013.