
Report to: Council

Date of Meeting: 20 April 2017

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

Report of: Head of Regulation and Compliance **Wards Affected:** All

Is this a Key Decision? No **Is it included in the Forward Plan?** No

Exempt/Confidential No

Purpose/Summary

This report requests authority to approve and authorise the absence of Councillor Kevin Cluskey from attendance at Council and Committee Meetings pursuant to Section 85 of the Local Government Act 1972.

Recommendation(s)

That the current absence from all Council and Committee Meetings of Councillor Kevin Cluskey due to ill health be authorised and approved for the period until the scheduled meeting of the Council to be held on 16 November 2017, pursuant to Section 85 of the Local Government Act 1972.

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

	<u>Corporate Objective</u>	<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
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:

Legal – The effect of the legislation is contained within the contents of the report.	
Human Resources – Not applicable	
Equality	
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 Resources (FD4604/17) has been consulted and has no comments on the report.

The Head of Regulation and Compliance (LD 3887/17) 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 Kevin Cluskey has not been able to attend any meeting for three months due to ill health and he will need further time to recuperate. He last attended a Council Meeting on 9 January 2017.
- 1.3 Members are requested to approve the absence of Councillor Kevin Cluskey from all Council or Committee Meetings for the period from the date of this meeting until the scheduled meeting of the Council to be held on 16 November 2017.