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| <b>Report to:</b>                    | Council   | <b>Date of Meeting:</b>          | 19 September 2019 |
| <b>Subject:</b>                      | Local Government Act 1972 – Section 85 - Attendance at Meetings |                                  |                   |
| <b>Report of:</b>                    | Chief Legal and Democratic Officer                              | <b>Wards Affected:</b>           | St. Oswald        |
| <b>Portfolio:</b>                    | Cabinet Member - Regulatory, Compliance and Corporate Services  |                                  |                   |
| <b>Is this a Key Decision:</b>       | No  | <b>Included in Forward Plan:</b> | No                |
| <b>Exempt / Confidential Report:</b> | No  |                                  |                   |

### Summary:

This report requests authority to approve and authorise the absence of Councillor Paula Spencer 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 Paula Spencer due to ill health be authorised and approved for the period until the scheduled meeting of the Council to be held on 27 February 2020, pursuant to Section 85 of the Local Government Act 1972.

### Reasons for the Recommendation(s):

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

### Alternative Options Considered and Rejected: (including any Risk Implications)

None

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

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

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

### Implications of the Proposals:

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| <b>Resource Implications (Financial, IT, Staffing and Assets):</b> Not applicable                        |
| <b>Legal Implications:</b> The effect of the legislation is contained within the contents of the report. |
| <b>Equality Implications:</b> There are no equality implications.  |

**Contribution to the Council's Core Purpose:**

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| Protect the most vulnerable: Not applicable                    |
| Facilitate confident and resilient communities: Not applicable |
| Commission, broker and provide core services: Not applicable   |
| Place – leadership and influencer: Not applicable              |
| Drivers of change and reform: Not applicable                   |
| Facilitate sustainable economic prosperity: Not applicable     |
| Greater income for social investment: Not applicable           |
| Cleaner Greener: Not applicable                                |

**What consultations have taken place on the proposals and when?****(A) Internal Consultations**

The Head of Corporate Resources (FD5789/19) and the Chief Legal and Democratic Officer (LD4013/19) have been consulted and have no comments on the report

**(B) External Consultations** Not applicable**Implementation Date for the Decision**

Immediately following the Council meeting.

|                         |                             |
|-------------------------|-----------------------------|
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**Appendices:**

There are no appendices to this report

**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 Paula Spencer has not been able to attend any meetings for five months due to ill health and she will need further time to recuperate. She last attended a Council Meeting on 25 April 2019.
- 1.3 Members are requested to approve the absence of Councillor Paula Spencer 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 27 February 2020.