

HUNTINGDONSHIRE DISTRICT COUNCIL

Title/Subject Matter: Resolution to Extend 6 Month Rule – Section 85 Local Government Act 1972

Meeting/Date: Council – 11 November 2015

Report by: Managing Director

Ward(s) affected: St Neots Eynesbury

Executive Summary:

The purpose of this report is to consider an extension of the 6 month rule for Councillor S M Van De Kerkhove on the grounds of ill-health.

Recommendation:

that, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor S M Van De Kerkhove's non-attendance at meetings until the end of the Municipal Year on the grounds of continued ill-health and the Council's best wishes be conveyed to him.

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1. WHAT IS THIS REPORT ABOUT/PURPOSE?

- 1.1 Section 85 of the Local Government Act 1972 states that if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall, cease to a member of the authority. The only exception is if their non-attendance has been approved by the authority before the expiry of that period. Attendance can be at any committee or sub-committee, or at any joint committee, joint board or other body where the functions of the authority are discharged or who were appointed to advise the authority on any matter relating to the discharge of their functions. Section 85 of the Act allows an authority to grant dispensation for such absence providing the dispensation is granted before the 6 month period of absence has expired.

2. WHY IS THIS REPORT NECESSARY/BACKGROUND

- 2.1 Councillor S M Van De Kerkhove has been unable to attend meetings recently on ill-health grounds. The last meeting he attended was Annual Council on 20th May 2015. Councillor Van De Kerkhove is currently still receiving treatment in hospital. Under the circumstances, it is requested that Council approve an extension of the 6 month rule for Councillor Van De Kerkhove until the end of the Municipal Year and the Council's best wishes be conveyed to him. This would not prevent Councillor Van De Kerkhove from returning to meetings at any time, if his health allowed, but would give flexibility and prevent further recourse to the Council before the scheduled District Council elections.

3. KEY IMPACTS/RISKS? HOW WILL THEY BE ADDRESSED?

- 3.1 Councillor S M Van De Kerkhove's District Ward duties will continue to be undertaken by his Eynesbury Ward colleagues.

4. LEGAL IMPLICATIONS

- 4.1 None

5. RESOURCE IMPLICATIONS

- 5.1 None

6 REASONS FOR THE RECOMMENDED DECISIONS

- 6.1 Owing to the continued ill-health of Councillor Van De Kerkhove, it is requested that his non-attendance at meetings be approved until the end of the Municipal Year.

BACKGROUND PAPERS

Local Government Act 1972
Attendance Records – Huntingdonshire District Council

CONTACT OFFICER

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