

HUNTINGDONSHIRE DISTRICT COUNCIL

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

Meeting/Date: Council – 21st December 2016

Report by: Managing Director

Ward(s) affected: St Neots Eaton Ford

Executive Summary:

The purpose of this report is to enable the Council to consider an extension of the 6 month rule for Councillor David Harty on the grounds of his ill-health.

Recommendation:

that, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor David Harty'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 David Harty has been unable to attend meetings recently on ill-health grounds. The last meeting he attended was Council on 27th July 2016. Under the circumstances, it is requested that Council approve an extension of the 6 month rule for Councillor Harty until the end of the Municipal Year and the Council's best wishes be conveyed to him. This would not prevent Councillor Harty 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 David Harty's District Ward duties will continue to be undertaken by his Eaton Ford Ward colleague.

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 Harty, 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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