

**HUNTINGDONSHIRE DISTRICT COUNCIL**

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

**Meeting/Date:** Council – 13th December 2017

**Report by:** Managing Director

**Ward affected:** Yaxley and Farcet

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**Executive Summary:**

The purpose of this report is to consider an extension of the 6 month rule for Councillor B Hyland on the grounds of ill-health.

**Recommendation:**

**that, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor B Hyland'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. The next scheduled Council meeting is after the expiration of this period.

## **2. WHY IS THIS REPORT NECESSARY/BACKGROUND**

- 2.1 Councillor B Hyland has been unable to attend meetings recently on ill-health grounds. The last meeting he attended was Council on 26th July 2017. Councillor Hyland is currently still receiving treatment following an emergency operation in September 2017. Under the circumstances, it is requested that Council approve an extension of the 6 month rule for Councillor Hyland until the end of the Municipal Year and the Council's best wishes be conveyed to him. This would not prevent Councillor Hyland 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 in May 2018.

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

- 3.1 Councillor B Hyland's District Ward duties will continue to be undertaken by his Yaxley and Farcet 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 B Hyland, 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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