

Council

Subject: Approval of Councillor Absence – Local Government Act 1972

Date: 19 June 2012

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1. Purpose of the Report

For Council to consider whether to approve a reason for the non-attendance of Councillor Spencer.

2. Background

2.1 Councillor Spencer has been unable, due to illness, to attend any meeting relating to the discharge of the Council's functions since 21 December 2011.

2.2 Section 85 of the Local Government Act 1972 states that when a Councillor does not attend any council meeting for six consecutive months, he ceases to be a member of the authority unless the Council accepts the reason for his non-attendance.

2.3 The Council can only consider a reason before the end of the 6 month period. If the six month period expires the Councillor will automatically cease to be a member and if a Councillor loses his office through non-attendance for the six month period, this cannot simply be overcome by his subsequently resuming attendance.

2.4 The office does not become vacant automatically and becomes vacant only when the authority declares it to be vacant. Once the Council declares it to be vacant, a casual vacancy arises.

2.5 Councillor Spencer has been unable to attend Council meetings due to illness. If he is not able to attend any further meetings before 21 June 2012, he will automatically cease to be a member of the Council.

3. Recommendation

3.1 It is therefore **recommended** that the Council consider whether approve a reason for non-attendance of Councillor Spencer to avoid forfeiture of office.