

## **Report to Council**

**Subject:** Non-attendance by a Councillor for six months

**Date:** 16 July 2014

**Author:** Service Manager: Elections and Members' Services

### **1. Purpose of the Report**

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

### **2. Background**

- 2.1 Councillor Fox has been unable to attend any meetings relating to the discharge of the Council's functions in recent months due to the illness of a close family member. Councillor Fox attended Cabinet on 13 February 2014 and Council on 3 March 2014.
- 2.2 Section 85(1) of the Local Government Act 1972 states that when a Councillor does not attend any council meeting for six consecutive months, she ceases to be a member of the authority unless the Council accepts the reason for her non-attendance. In addition, section 85(2A) provides that where a member of the executive does not attend any meeting of the Executive for six consecutive months, she ceases to be a member of the authority unless the Council accepts the reason for her 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 her 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 Fox has been unable to attend Council and Executive meetings due to the illness of a close family member. If the Council does not approve this as a reason for non-attendance and she is not able to attend any further

meetings of the Executive before 12 August 2014 or meetings of Council (or its Committees) before 2 September 2014, she will automatically cease to be a member of the Council.

### **3. Proposal**

It is proposed that Council accepts the illness of a close family member as the reason for non-attendance of Councilor Fox to avoid forfeiture of office.

### **4. Resource Implications**

None arising from this report.

### **5. Recommendation**

**It is recommended** that Council accepts the illness of a close family member as the reason for non-attendance of Councilor Fox to avoid forfeiture of office