

Cheshire East Council

Date of Meeting: 20th October 2016

Report of: Head of Governance and Democratic Services

Subject: Approval of absence from Council meetings

1. Report Summary

- 1.1. This report seeks the approval of Council in respect of Councillor David Newton's absence from Council meetings for a period over six months, due to reasons of ill-health.

2. Recommendation

- 2.1. Council is asked to approve Councillor David Newton's absence from Council meetings for a period of over six months, due to reasons of ill-health; such approval to apply until the day after the conclusion of the Annual General Meeting of Council in 2017.

3. Background

- 3.1. Councillor David Newton has been absent from all Council meetings for over four months due to reasons of ill health.
- 3.2. Legislation states that, if a Council Member fails to attend Council meetings throughout a period of six consecutive months, he or she shall cease to be a member of the authority in question, unless such failure was due to some reason approved by the authority before the expiry of the six month period.
- 3.3. This report asks Council to formally approve Councillor Newton's absence from all Council meetings due to reasons of ill health, and to agree that such approval will continue to have effect until the day after the conclusion of the Annual General Meeting of Council in 2017. This will ensure that Councillor Newton's membership of the Council will continue for an appropriate period of time if he finds himself unable to attend Council meetings due to ill health for a period of over six months.

3.4. Legal Implications

3.4.1. 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 his last attendance, to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority. If necessary, the authority may grant further approvals if the reason for non-attendance continues beyond the initially approved period.

3.4.2. The authority of Council is required in order to ensure that an individual's membership of the authority doesn't inadvertently cease, in circumstances where they find themselves unable to attend a meeting for the period in question due to a reason beyond the individual's control.

4. Contact Information

Contact details for this report are as follows:-

Name: Brian Reed
Designation: Head of Governance and Democratic Services
Tel. No.: 01270 686670
Email: brian.reed@cheshireeast.gov.uk