

COUNCIL

21 JULY 2016

APPROVAL OF REASON FOR ABSENCE OF A COUNCILLOR FROM MEETINGS

Portfolio Holder: Councillor Alan Jarrett, Leader

Report from/Author: Perry Holmes, Chief Legal Officer

Summary

This report asks the Council to approve the reason for failure to attend meetings by Councillor Mike O'Brien due to ill health.

1. Budget and Policy Framework

1.1 The approval of reasons for the absence by a Councillor from meetings is a matter for the Council to determine.

2. Request to the Council to approve the reason for a Councillor to be absent from meetings

2.1 Councillor Mike O'Brien, who is one of the Councillors representing Rainham Central ward, is currently unable to attend meetings due to ill health. Section 85 of the Local Government Act 1972 says that if a member of a local authority fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the authority, he/she 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.

2.2 The last Council meeting attended by Councillor O'Brien was on 25 February 2016 and the last Committee he attended was the Appointments Committee on 10 March 2016. If he is unable to attend a meeting before 10 September 2016 Councillor O'Brien would cease to be a member of Medway Council, unless the Council approves the reason for his absence from meetings before the expiry of six months from the date of his last attendance.

2.3 At the request of the Leader of the Council, this report asks the Council to agree that Councillor Mike O'Brien should not cease to be a member of the Council, if as a consequence of his ill health, he is unable to attend any meeting of the authority before 10 September 2016.

3. Risk management

- 3.1 The Council is invited to consider this matter now to avoid the risk that Councillor O'Brien could lose his seat on the Council as the next Council meeting is not until 13 October 2016.

4. Financial and legal implications

- 4.1 There are no financial implications arising from this report.
- 4.2 The relevant legal implications and requirements are set out in detail in the body of the report.

5. Recommendation

- 5.1 To agree that Councillor Mike O'Brien should not cease to be a member of the Council, if as a consequence of his ill health, he is unable to attend any meeting of the authority before 10 September 2016.

Lead officer contact

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Appendices

None

Background papers

None