

COUNCIL

10 OCTOBER 2019

APPROVAL OF REASON FOR ABSENCE OF A COUNCILLOR FROM MEETINGS

Report from: Perry Holmes, Chief Legal Officer

Author: Julie Keith, Head of Democratic Services

Summary

This report asks the Council to approve the reason for failure to attend meetings by Councillor Trevor Clarke owing 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 Trevor Clarke, who is one of the Councillors representing Rochester South and Horsted ward, is currently unable to attend meetings owing 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 meeting attended by Councillor Clarke was on 22 May 2019 (Annual Council). If he is unable to attend a meeting on or before 22 November 2019 Councillor Clarke 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 Clarke 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 for any period of six consecutive months or longer.

3. Risk management

- 3.1 The Council is invited to consider this matter now to avoid the risk that Councillor Clarke could lose his seat on the Council as the next Council meeting is not until 23 January 2020.

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 The Council is asked to agree that Councillor Trevor Clarke 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 for any period of six consecutive months or longer.

Lead officer contact

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Appendices

None

Background papers

None