
NORTH ROAD WARD CASUAL VACANCY

Responsible Director – Ada Burns, Chief Executive and Returning Officer

SUMMARY REPORT

Purpose of the Report

1. To declare a casual vacancy for a Councillor for the North Road Ward.

Summary

2. This report outlines the requirement for the Council to declare a casual vacancy in office for a Member for the North Road Ward.

Recommendation

3. That it be noted that the Council is declaring a casual vacancy for a Member in the North Road Ward.

Reason

4. To meet legislative requirements.

**Ada Burns
Chief Executive and Returning Officer**

Background Papers

Telephone Message to Councillor Jones on 25th September, 2008
Letter to Councillor Jones dated 26th September, 2008 (hand delivered).

Linda Todd : Extension 2354

S17 Crime and Disorder	This report has no implications for crime and disorder.
Health and Well Being	There are no issues which this report needs to address.
Sustainability	There are no issues which this report needs to address.
Diversity	There are no issues which this report needs to address.
Wards Affected	North Road Ward
Groups Affected	Electorate of North Road Ward
Budget and Policy Framework	This report does not affect the budget or policy framework.
Key Decision	This is not a key decision.
Urgent Decision	This is an urgent decision.
One Darlington: Perfectly Placed	The report but does not impact on the delivery of the Sustainable Community Strategy.

MAIN REPORT

Background

5. Section 85 of the Local Government Act 1972 provides 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 local authority before the expiry of that period, cease to be a Member of the authority.

Information and Analysis

6. Councillor Stephen Jones was first elected to the Council as a Member for the North Road Ward on 5th May, 2003.
7. The last meeting attended by Councillor Jones was the Planning Applications Committee on 2nd April, 2008.
8. The Council has not approved a reason for Councillor Jones' non attendance prior to the expiry of his six months absence from meetings. There has been no contact from Councillor Jones.
9. Councillor Jones therefore ceased to be a Member of the Council on 1st October, 2008. Under Section 86 of the Local Government Act 1972, where a Member of a local authority ceases to be a Member by reason of failure to attend meetings of the authority, the Council 'shall forthwith declare his office to be vacant'.
10. Section 89 of the Local Government Act 1972, provides that where a casual vacancy is declared the Returning Officer will make arrangements for the election to that vacancy to be held in accordance with the statutory timetable.

Conclusion

11. In accordance with legislative requirements, the Council must declare a casual vacancy if a Member fails to attend meetings. This report therefore details the reasons for the declaration of a vacancy in the North Road Ward.