
REQUEST FOR AN EXTENSION OF NON-ATTENDANCE

Responsible Cabinet Member – Councillor Bill Dixon, Leader of the Council

Responsible Director - Paul Wildsmith, Director of Resources

SUMMARY REPORT

Purpose of the Report

1. To consider an extension to the six-month period of the non-attendance of Councillor Hutchinson at meetings due to ill health.

Summary

2. 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/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.
3. Councillor Hutchinson has not attended any Council or Committee meetings since 16 May, 2013. Consequently under the above provisions she will cease to be a Member of the Council on 15 November, 2013, unless the Council approves the reason for the failure to attend before that date.

Recommendation

4. Members are asked to consider the options in paragraph 10 below.

Reasons

5. To ensure compliance with a request under Section 85 of the Local Government Act 1972

**Paul Wildsmith
Director of Resources**

Background Papers

There were no other papers used in the compilation of this report other than those referred to.

Linda Todd : Extension 2354

S17 Crime and Disorder	There are no issues in relation to Crime and Disorder.
Health and Well Being	There are no issues in relation to Health and Wellbeing.
Carbon Impact	There are no carbon impact implications in this report.
Diversity	There are no issues relating to Diversity which this report needs to address.
Wards Affected	Haughton North
Groups Affected	There is no impact on any particular group.
Budget and Policy Framework	This report does not recommend any change to the Budget or Policy Framework.
Key Decision	This is not a key decision.
Urgent Decision	This is not an urgent decision.
One Darlington: Perfectly Placed	This report does not adversely impact on the Strategy.
Efficiency	This report does not have any direct impact on efficiency.

MAIN REPORT

Information

6. 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/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.
7. Councillor Hutchinson has not attended any Council or Committee meetings since 16 May, 2013 due to ill health, consequently under the above provisions she will cease to be a Member of the Council on 15 November 2013 unless the Council approves the reason for the failure to attend before that date.
8. Councillor Hutchinson has been ill since early June and whilst she hopes to be well enough to return to Council duties in October, Council is asked to consider an extension under the six-month rule should there be any change in her return date.

Previous Requests to Council

9. Members may recall that similar applications have been made to Council by current and former Members when they have been ill. Council agreed to these requests and extended each of the Councillors' periods of non-attendance at meetings by a further six months.

Options

10. Council has the following options :-
 - (a) Do not agree to the request and, unless Councillor Hutchinson attends a meeting prior to 15 November, 2013, she will cease to be a Member of the Council.
 - (b) Agree to the request and, if so, approve the failure to attend by reason of illness and indicate the period for which it will run, before review:-
 - (i) Until she next attends a meeting at the Town Hall; or
 - (ii) Until the reason no longer applies.
 - (c) Alternatively, a period of six months could be specified with a further review at that time.