
REQUEST FOR EXTENSION OF NON-ATTENDANCE - COUNCILLOR YORK

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

**Responsible Director - Paul Wildsmith,
Director of Neighbourhood Services and Resources**

SUMMARY REPORT

Purpose of the Report

1. To consider an application on behalf of Councillor York for an extension to the six-month period of his non-attendance 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 York has not attended any Council or Committee meetings since 1 September 2016, consequently under the above provisions he will cease to be a Member of the Council on 28 February 2017 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 9 below.

Reason

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

Paul Wildsmith
Director of Neighbourhood Services and Resources

Background Papers

Request by telephone from the Leader of the Conservative Group on 22 December, 2016.

Linda Todd: Extension 5807

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.
Sustainability	There are no issues in relation to Sustainability
Diversity	There are no issues relating to Diversity which this report needs to address
Wards Affected	Sadberge and Middleton St. George.
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 and Analysis

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 York has not attended any Council or Committee meetings since 1 September 2016 due to ill health, consequently under the above provisions he will cease to be a Member of the Council on 28 February 2017 unless the Council approves the reason for the failure to attend before that date.

Previous Requests to Council

8. Members may recall that similar applications to Council have been approved by Council. Each time a request has been approved Council has extended each of the Councillors' periods of non-attendance at meetings by a further six months.

Options

9. Council has the following options :-

- (a) Do not agree to the request and, unless Councillor York attends a meeting prior to 1 March 2017, he 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 he next attends a meeting at the Town Hall; or
 - (ii) Until the reason no longer applies; or
 - (iii) Until Councillor York's term of office has ended (May 2019)
- (c) Alternatively, a period of six months could be specified with a further review at that time.