



## COUNCIL

Thursday 24 May 2018

### COUNCILLOR REQUEST FOR EXTENDED LEAVE OF ABSENCE (CL 13/18)

#### EXECUTIVE SUMMARY

1. The law 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, s/he shall, unless the failure was due to a reason approved by the Authority before the expiry of that period, cease to be a member of the Authority.
2. Due to ill health, unfortunately, Councillor Raymond Catchpole has been unable to attend any Council or Committee meetings since he attended the Planning Committee meeting on 18 January 2018. Councillor Catchpole has therefore made a formal request to the Council to approve the reason for his non-attendance prior to expiry of the six month period on 18 July 2018. This will enable him to remain in office.

Is the report Open or Exempt?	Open
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<b>Wards Affected:</b>	Wenhaston and Westleton
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<b>Cabinet Member</b>	Councillor Ray Herring, Leader of the Council
<b>Supporting Officer:</b>	Hilary Slater Monitoring Officer 01394 444336 Hilary.slater@eastssuffolk.gov.uk

## **1 INTRODUCTION**

- 1.1 Under Section 85 (1) of the Local Government Act 1972 ('the Act') 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, or as a representative of the Authority on an Outside Body, s/he 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.
- 1.2 Due to ill health, unfortunately, Councillor Raymond Catchpole has not been able to attend any Council or Committee meetings since the Planning Committee meeting held on 18 January 2018 and has therefore made a formal request to the Council to approve the reasons for his non-attendance prior to expiry of the six month period on 18 July 2018. This will enable him to remain in office.
- 1.3 Council can only consider approval of any reasons for non-attendance before the end of the relevant six month period, which will be 18 July 2018.
- 1.4 Councillor Catchpole was elected to the Council in May 2015 for Wenhaston and Westleton.

## **2 OTHER FACTORS TO CONSIDER**

- 2.1 Councillor Catchpole sits on the Planning Committee, as Vice Chairman, and also on the Enabling Communities Task Group and the Sizewell C Task Group.

## **3 FINANCIAL AND GOVERNANCE IMPLICATIONS**

- 3.1 Section 85(1) of the Local Government Act 1972 enables a local Authority to approve the reason(s) for non-attendance of a Member at any meeting of the Authority throughout a period of six consecutive months, provided that approval is given by the Authority before the expiry of the six month period.
- 3.2 If the approval of Council is not given at this meeting, there are no further qualifying meetings scheduled to be held before the expiry of the six month period since Councillor Catchpole last attended a meeting and so, in accordance with Section 85 (1) of the Local Government Act 1972, Councillor Catchpole would be disqualified from office as a Councillor.
- 3.3 Once the office is lost, through failure to attend for the six month period, the disqualification cannot be overcome by the Councillor subsequently resuming attendance, nor can retrospective approval of the Council be sought or given.
- 3.4 Consideration of this issue must be brought to Council at this time in the interest of sound governance and transparency. Having formally received Councillor Catchpole's request the Council is legally required to consider it.
- 3.5 There are no direct financial implications arising from this issue.

## **4 OTHER KEY ISSUES**

- 4.1 There are no other key issues.

**5 OTHER OPTIONS CONSIDERED**

- 5.1 None. Once a request has been received from a Councillor to extend their period of office beyond the six month period of non-attendance, Full Council is duty bound to consider the request.

**6 REASON FOR RECOMMENDATION**

- 6.1 To ensure compliance with the request from Councillor Catchpole to approve the reasons for his absence, and thereby extend his period of office in accordance with the relevant legislation.

**RECOMMENDATION**

1. That Full Council approves the request from Councillor Catchpole for an extension of office beyond the six month period of non-attendance by reason of his ill health.

**BACKGROUND PAPERS** - None