

COUNCIL

Wednesday, 18 April 2018

COUNCILLOR REQUEST FOR EXTENDED LEAVE OF ABSENCE (REP1869)

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 of any meeting of the authority, they 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 that Authority.
2. Councillor June Ford has not been able to attend any Council or Committee meetings since she attended the Full Council meeting on Wednesday, 15 November 2017. On behalf of Councillor Ford, a formal request is being made to the Council for approval of an extended leave of absence, in order that she is not disqualified by virtue of non-attendance within a six month period.

Is the report Open or Exempt?	Open
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Wards Affected:	Kirkley Ward
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Cabinet Member:	Councillor Mark Bee Leader of the Council
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Supporting Officer:	Nicola Wotton Democratic Services Manager 01502 523241 nicola.wotton@eastsoffolk.gov.uk
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1 INTRODUCTION

- 1.1 Section 85 of the Local Government Act 1972 ('the Act') 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 any meeting of the authority, they 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 that Authority.
- 1.2 Councillor June Ford has not attended any Council or Committee meetings since Full Council on 15 November 2017.
- 1.3 Council can only consider the approval of any reasons for non attendance before the end of the relevant six month period, which will be 15 May 2018. The next scheduled Full Council meeting after the six month period is on 16 May 2018, so this issue needs to be determined at the Council meeting on 18 April 2018.
- 1.4 Councillor Ford was elected to the District Council in May 2011 for the Kirkley Ward. Councillor Ford had been unable to attend meetings of the Council whilst being on the waiting list for a routine operation. Since having her operation in early 2018, she has been recovering at home. As a result, Councillor Ford has been unable to fulfil her responsibilities as a Ward Member, however her District Council Ward duties are being picked up by the other two Ward Councillors for Kirkley (Councillors P Byatt and M Pitchers).
- 1.5 Councillor Barker, as the Leader of the Waveney Labour Group on Waveney District Council, has submitted the request for Councillor Ford to be granted an extended leave of absence beyond the usual six month rule, to give her the opportunity to recover full and resume her District Councillor duties.

2 OTHER FACTORS TO CONSIDER

- 2.1 Currently, Councillor Ford's apologies are being submitted for all Full Council meetings. Councillor Ford does not currently sit on any of the Council's Committees.
- 2.2 Should Councillor Ford recover sufficiently, there would be nothing to prevent her from resuming her Ward duties and / or attending meetings before the expiry of any approved extended time period or within the intervening period.

3 HOW DOES THIS RELATE TO EAST SUFFOLK BUSINESS PLAN?

- 3.1 A Councillor's work in the local community is important and feeds directly into the successful achievements of the entire East Suffolk Business Plan.

4 FINANCIAL AND GOVERNANCE IMPLICATIONS

- 4.1 Consideration of this issue is being brought to Council at this time, in the interest of sound governance and transparency. Any approved extended leave of absence would provide Councillor Ford with an opportunity to recover from her operation and resume her Council duties. Having formally received the request of behalf of Councillor Ford, the Council is legally required to consider it.
- 4.2 Once any Councillor loses office, 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.

- 4.3 It is proposed that the time limit for non-attendance at Council meetings by Councillor Ford should be extended for six months, to allow Councillor Ford plenty of time to recover.
- 4.4 Councillor Ford is entitled to receive Basic Allowance payments in accordance with the Members Allowance Scheme. This annual allowance is paid on a monthly basis to all District Councillors and would continue until a Councillor ceases to hold office.

5 OTHER KEY ISSUES

- 5.1 Decisions are implemented in accordance with the Council's Constitution and statutory legislation. Members carry out an important community leadership role and in considering the issues before them, help build a stronger, healthier and just society.

6 CONSULTATION

- 6.1 Consultation has been taken with Councillor Ford, Councillor Bee (Leader of the Council) and Councillor Barker (Leader of the Labour Group).

7 OTHER OPTIONS CONSIDERED

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

8 REASON FOR RECOMMENDATION

- 8.1 To ensure compliance with the request made on behalf of Councillor June Ford, in line with the relevant legislation.

RECOMMENDATION

That Councillor Ford's request for an extended leave of absence be approved for 6 months, until 18 October 2018.

APPENDICES – None

BACKGROUND PAPERS – None