

## Non Attendance by Councillor For Six Months

### REPORT TO FULL COUNCIL



DATE	270917
PORTFOLIO	None
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### PURPOSE

1. To consider a reason for the potential failure of Councillor David Roper to attend any meetings of the Council for six consecutive months.

### RECOMMENDATION

2. (1) That the Council considers whether there is a reason for potential non-attendance for six consecutive months to avoid forfeiture of office by Councillor David Roper; and  
(2) That subject to a reason being approved, an extension be specified to the period of non-attendance allowed before which automatic forfeiture then applies.

### REASONS FOR RECOMMENDATION

3. To allow a Member's request to be considered regarding forfeiture of office, and for any time extension to be specified.

### SUMMARY OF KEY POINTS

4. Councillor David Roper has failed to attend any meeting relating to the discharge of Council functions since 17<sup>th</sup> May 2017 (Full Council).

The Local Government Act 1972 states that when a Council Member fails to attend any meeting for six consecutive months from the date of his last attendance, she ceases to be a member of the authority, unless the Council accepts a reason for the failure to attend before the six months period expires.

The Council can only consider a reason **before** the end of the 6 month period i.e. 17<sup>th</sup> November 2017, and so the report has been brought to the last available Full Council at the 27<sup>th</sup> September 2017 meeting.

5. Councillor David Roper has been contacted in the event that he will be unable to attend the 27<sup>th</sup> September 2017 Full Council meeting, or any other Council meeting before 17<sup>th</sup>

November 2017.

6. He has been requested to provide a reason for failure to attend for six months, in order to allow Full Council to consider this reason for failure to attend and to consider approval to avoid forfeiture of office automatically after six months. This information has been provided and has been enclosed as Appendix 1 to the report.

Full Council is also requested, in the event that the reason is approved, to specify an extension to the period of non- attendance allowed before automatic forfeiture then applies. Councillor has requested an extension to allow him to attend the next Full Council meeting, as set out I Appendix 1.

If a Member once loses his office through failure to attend for the six months period, the disqualification cannot be overcome by the Member subsequently resuming attendance.

Nevertheless the office becomes vacant only when the authority declares it to be vacant, which the authority must do, and a casual vacancy arises (LGA 1972 s.87).

#### **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

7. Extra costs may arise due to the need to hold a by election in that Ward, either when there aren't any other Borough elections currently planned or when the election is needed before the usual term of Office has ended.
8. In this case if disqualification occurred a by election would arise because Cllr David Roper's end of term would have been May 2020.

#### **POLICY IMPLICATIONS**

9. None arising from this report.

#### **DETAILS OF CONSULTATION**

10. Member Structures and Support Officer and Working Groups

#### **BACKGROUND PAPERS**

11. None.

#### **FURTHER INFORMATION**

**PLEASE CONTACT:  
Eric Dickinson Ext 7256**

**ALSO:**

Appendix 1- Reasons for absence from Cllr David Roper

I have been unwell and I now have a close family relative who has been hospitalised.

I request that the Council extends the deadline period of non-attendance at Council meetings from 17 November 2017 to the day after the next Full Council meeting (i.e. currently 23 November 2017).