

Report for:	Full Council 24 November 2014	Item number	6 ii
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Title:	Attendance at meetings of an authority by a member
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Report authorised by :	Chief Executive
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Lead Officer:	Clifford Hart, Democratic Services Manager Tel: 0208 489 2920
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Ward(s) affected: N/A	Report for Key/Non Key Decision: N/A
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1. Describe the issue under consideration

- 1.1** To seek approval of Full Council that a member who has been unable to attend Council Committee meetings due to ill health shall continue to be a member provided she attends a Committee meeting within 9 months of the last meeting she attended.

1.2 Cabinet Member Introduction

N/A

2. Recommendations

- 3.1** That it is noted that Councillor Denise Marshall has been unable to attend Council Committee meetings due to ill health and the last meeting Cllr Marshall attended was on 3 July 2014.
- 3.2** That on the basis of the continued ill health of Cllr Marshall the Council agree that Cllr Marshall will continue to be a member of this Council even if Cllr Marshall does not attend a meeting of this local authority (as defined in



section 85(2) of the Local Government Act 1972) by 2 January 2015 and that the Council agrees that Cllr Marshall has until 2 April 2015 to attend a meeting of the authority (as defined in section 85(2) Local Government Act 1972) failing which she will cease to be a member.

4.0 Background

- 4.1 The Chief Executive was notified in November 2014 that due to ill health Councillor Denise Marshall has not been able to attend any meetings of the authority, as a councilor, since 3 July 2014. She has been in regular contact with the Party Whip Cllr McShane during this period.
- 4.2 Section 85 Local Government Act 1972 provides that subject to certain requirements that a member ceases to be a member of the authority if he/she fails to attend a meeting of a local authority throughout a period of 6 months beginning with his/her last attendance at a meeting unless the failure was due to some reason approved by the authority before the expiry of the 6 months. Therefore if Councillor Marshall fails to attend a meeting of the authority by 2 January 2015 she ceases to be a member of the authority unless the Council agrees in advance of 2 January 2015 to extend that period due to her continued ill health. If the authority (Full Council) agrees this in advance of the expiry of this six month period then automatic vacation would not occur.
- 4.3 Section 85(2) Local Government Act 1972 defines what is meant by a meeting of the authority and includes full Council and all committees and subcommittees of the authority. Section 85(2) Local Government Act 1972 states
“(2) Attendance as a member at a meeting of any committee or sub-committee of the authority, or at a meeting of any joint committee, joint board or other body by whom for the time being any of the functions of the authority are being discharged, or who were appointed to advise the authority on any matter relating to the discharge of their functions, and attendance as representative of the authority at a meeting of any body of persons, shall be deemed for the purposes of subsection (1) above to be attendance at a meeting of the authority.”

3. Comments of the Chief Financial Officer and Financial Implications

N/A

4. Comments of the Asst Director Corporate Governance and Monitoring Officer

- 4.1 The legal provisions and implications are set out in the body of this report.

1. Local Government Act 1972 & Council Constitution (Access to Information) Act 1985

Background papers

The following papers have been used in the preparation of this report and can be inspected at River Park House, 225 High Road Wood Green, London, N22 8HQ by contacting Clifford Hart on 020 8489 2920:

Local Government Act 1972 & The Council's Constitution.