

Request to Approve the Reason for Non-Attendance of a Member of the Council

Final Decision-Maker	Full Council
Portfolio Holder(s)	Councillor Jukes – Leader of the Council
Lead Director	Lee Colyer – Director of Finance, Policy and Development
Head of Service	Jane Clarke – Head of Policy and Governance
Lead Officer/Author	Mike McGeary – Democratic Services Officer
Classification	Non-exempt
Wards affected	Goudhurst and Lamberhurst

This report makes the following recommendations to the final decision-maker:

1. That, pursuant to Section 85(1) of the Local Government Act 1972, the Full Council approves the employment reason set out in the report in respect of Councillor Hastie's failure to attend meetings of the authority during the period 23 February 2017 to 21 February 2018.

This report relates to the following Five Year Plan Key Objectives:

- A Confident Borough

Timetable	
<i>Meeting</i>	<i>Date</i>
Discussion with Leader of the Council	13 July 2017
Council	26 July 2017

Request to Approve the Reason for Non-Attendance of a Member of the Council

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Councillor Hastie has been posted outside the UK for work-related reasons until the end of the year. Under the terms of his election to the Council if he fails to attend a meeting of the authority within any six month period, he will cease to remain an elected member, unless the Full Council has given its formal approval for the reason for non-attendance.
 - 1.2 The purpose of this report, therefore, is to seek Full Council approval for him to be absent beyond that six month period.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 Section 85(1) 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 their last attendance to attend any meeting of the authority they shall cease to be a member of the authority. The only exception to this is if their reason for non-attendance has been approved by the authority, before the expiry of that period.
 - 2.2 Councillor Hastie has been posted outside the UK for work-related reasons until the end of the year.
 - 2.3 His last attendance at a meeting of the Council was 22 February 2017, when he attended the Full Council meeting. This means that this is the last opportunity for the Full Council to approve the reason for Councillor Hastie's non-attendance at meetings.
-

3. AVAILABLE OPTIONS

- 3.1 The Full Council can either approve Councillor Hastie's request or decide that the reason for his non-attendance is insufficient.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is considered that work-related issues are a perfectly valid reason for approving Councillor Hastie's non-attendance. This is the first such request made by Councillor Hastie and there has been no suggestion that he will need to repeat this.
- 4.2 At the time of writing this report, it is known that Councillor Hastie will be returning to the UK at the end of this year, thus it seems reasonable to approve

his non-attendance until 21 February 2018. This date is suggested as it will be his first opportunity to attend a meeting of which he a member – i.e. the Full Council meeting on that date – although he might wish to attend any formal meeting before then, as a visiting member.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 N/A

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Councillor Hastie will be advised of the Full Council decision, which will also be published in the minutes of the meeting.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Legal including Human Rights Act	The legal authority for this decision lies within Section 85(1) of the Local Government Act 1972.	Keith Trowell, Senior Lawyer and Deputy Monitoring Officer 7 July 2017
Finance and other resources	There are no financial implications.	Report author
Staffing establishment	N/A	
Risk management	N/A	
Environment and sustainability	N/A	
Community safety	N/A	
Health and Safety	N/A	
Health and wellbeing	N/A	
Equalities	N/A	

8. REPORT APPENDICES

None

9. BACKGROUND PAPERS

None