

**SECTION 85 LOCAL GOVERNMENT ACT 1972 –  
RECOMMENDATION TO EXTEND SIX MONTH RULE**

**To:** Full Council

**Date:** 21st July 2015

**From:** The Monitoring Officer

**Purpose:** To seek approval, for the purposes of Section 85 of the Local Government Act 1972, for the absence of Councillor Philip Read from any meeting of the Authority from 22nd July 2015 for six months on the grounds of his serious ill health.

**Recommendation:** Council is recommended to:

- i) note that Councillor Philip Read has not been able to attend meetings of the Council due to ill-health since his attendance at a meeting of full Council on 25th March 2014;
- ii) note that Council agreed, at its meeting on 22nd July 2014, to approve Councillor Read's non-attendance at meetings of the Council due to ill-health up to 22nd January 2015 pursuant to Section 85 of the Local Government Act 1972;
- iii) note that Council agreed, at its meeting on 16th December 2014, to approve Councillor Read's non-attendance at meetings of the Council due to ill-health up to 22nd July 2015 pursuant to Section 85 of the Local Government Act 1972; and
- iv) approve Councillor Read's continued non-attendance at meetings of the Council due to ill-health up to 22nd January 2016 pursuant to Section 85 of the Local Government Act 1972.

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## 1. BACKGROUND

- 1.1 Under Section 85(1) of the Local Government Act 1972 if a Member fails throughout a period of six consecutive months from the date of his/her last attendance to attend any meeting of the Council or as a representative of the Council on an Outside Body he/she shall, unless the failure was due to some reason approved by the Council before the expiry of that period, cease to be a member of the Authority.
- 1.2 Due to ill-health Councillor Philip Read has not been able to attend any Council or Committee meetings since his attendance at full Council on 25th March 2014.
- 1.3 Council agreed, at its meeting on 22nd July 2014, to approve Councillor Read's non-attendance at meetings of the Council due to ill-health up to 22nd January 2015 pursuant to Section 85 of the Local Government Act 1972.
- 1.4 Council also agreed, at its meeting on 16th December 2014, to approve Councillor Read's non-attendance at meetings of the Council due to ill-health up to 22nd July 2015 pursuant to Section 85 of the Local Government Act 1972.
- 1.5 Councillor Read is still receiving treatment for his illness and it is not clear whether he will be well enough, as his health can vary greatly on a day to day basis, to attend meetings from 22nd July 2015. As the next meeting of Council takes place after this date, a request is being put forward to Council to approve an extension to the usual six month rule to enable Councillor Read to remain in office. If this request is not approved Councillor Read will cease to be a member of the Council.
- 1.6 Councillor Read is anticipating attending Council on 21st July 2015. If Councillor Read is in attendance, the Chairman with the consent of the meeting will simply withdraw this report.
- 1.7 Council is therefore asked to give approval to Councillor Read's non-attendance by reason of ill-health. This will be reviewed in six months' time, if Councillor Read remains absent.

Source Documents	Location
Local Government Act 1972	<a href="http://www.legislation.gov.uk/ukpga/1972/70/section/85">http://www.legislation.gov.uk/ukpga/1972/70/section/85</a>