

Ward: Buckingham

## Councillor Debbie Kennard – extension of six month attendance rule

### Report by the Director for Communities

#### 1.0 Summary

- 1.1 Councillor Debbie Kennard last attended a formal meeting of the Council on 21 May 2015, due to ongoing ill health Councillor Kennard is unable to attend to official duties.
- 1.2 Formal approval of Councillor Kennard's absence over the six month rule is sought on her behalf from Council.

#### 2.0 Background

- 2.1 Councillor Kennard last attended a formal meeting of Council on 21 May 2015, (the Annual Meeting of the Council); her attendance is recorded in the minutes. The Leader announced at the Council meeting on 23 July the serious nature of Councillor Kennard's illness and her attendance for tests at Harefield Hospital.
- 2.2 Councillor Kennard carries out her District Councillor duties with endeavour and commitment, she is also an elected member of West Sussex County Council. Her ward duties have been covered by the other Buckingham Ward Councillor, Councillor Emma Evans.
- 2.3 Councillor Kennard's six month attendance would be calculated from 21 May, which is 20 November 2015.

#### 3.0 Proposals

- 3.1 Council is invited to consider approving Councillor Kennard's absence from Official duties and attendance at meetings for a period of up to six months, to May 2016, which is the end of her current 4 year term of office.
- 3.2 If Council does not officially approve Councillor Kennard's absence then the vacancy will be declared on 20 November 2015.

#### 4.0 Legal

- 4.1 The Local Government Act 1972, Section 85 requires that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his

last attendance to attend any meeting of the authority, he 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 the authority’.

- 4.2 Calculation of Councillor Kennard’s six month attendance is from full Council on 21 May to 20 November 2015.

## **5.0 Financial implications**

- 5.1 There are no additional costs to approving Councillor Kennard’s continuing absence.
- 5.2 In principle where a casual vacancy occurs within six months of the date on which a councillor would have retired (9 May for Councillor Kennard) the vacancy can be filled at the next scheduled district election, these are due on 5 May 2016.

## **6.0 Recommendation**

- 6.1 That Councillor Kennard’s continuing absence is approved by Council,
- 6.2 That Councillor Kennard’s absence be approved up to the end of her current term of office as a Councillor in May 2016

## **Local Government Act 1972**

### **Background Papers:**

Minutes of the Annual Council meeting on 21 May 2015

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## Schedule of Other Matters

### **1.0 Council Priority**

1.1 This report does not link to any Corporate Priority

### **2.0 Specific Action Plans**

2.1 None

### **3.0 Sustainability Issues**

3.1 Matter considered.

### **4.0 Equality Issues**

4.1 Matter considered and included within the report

### **5.0 Community Safety Issues (Section 17)**

5.1 Matter considered, no issues identified

### **6.0 Human Rights Issues**

6.1 Matter considered

### **7.0 Reputation**

7.1 Council will need to consider any reputational damage of not extending the six month rule for Councillor Kennard due to her ill-health and convalescence.

### **8.0 Consultations**

8.1 Director for Communities, Leader of the Council, Returning Officer

### **9.0 Risk Assessment**

9.1 Should Council not agree to extend the six month attendance rule then Council will need to consider the resulting vacancy in Buckingham Ward; Councillor Kennard's term of office ends in May 2016. This is covered in paragraph 5.2.

### **10.0 Health & Safety Issues**

10.1 Matter considered, no issues identified.

### **11.0 Procurement Strategy**

11.1 Matter considered, no issues identified

### **12.0 Partnership Working**

12.1 Matter considered, no issues identified