

ASSEMBLY

22 February 2012

Title: Councillor Louise Couling – non attendance at designated meetings	
Report of: Stella Manzie, Chief Executive	
Open	For Information
Wards Affected: Goresbrook	Key Decision: No
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Accountable Divisional Director: Tasnim Shawkat, Divisional Director, Legal & Democratic Services	
Accountable Director:	Stella Manzie, Chief Executive
Summary Councillor Couling has not attended a designated Council meeting since the Assembly on 12 January 2011. Section 85 of the Local Government Act 1972 provides that if a Member fails throughout a period of six consecutive calendar months from the date of their last attendance to attend any meeting of the authority, they cease to be a Member of the Council with immediate effect, unless the failure was due to some reason approved by the Assembly before the expiration of the period. This provision is set out in the Council's Constitution.	
Recommendation The Assembly is asked to consider in the light of the long period of absence whether it is appropriate to allow a further period of dispensation to Councillor Couling.	
Reasons To accord with legislative requirements.	

1. Introduction and background

- 1.1 I initially reported to the Annual Assembly in May 2011 and then subsequently to the meeting in September 2011 that Councillor Couling was experiencing poor health including a period of hospitalisation, with a diagnosis that she would remain incapacitated for the foreseeable future. As a result the Assembly granted initially a dispensation for a period of four months and then subsequently for a further period of five months, on the basis of reviewing the position at this meeting.

2. Proposal

- 2.1 Councillor Couling still remains in poor health and that there is little likelihood of her being able to resume her councillor duties in the foreseeable future. In view of this and having regard to the terms of the legislation, it is necessary to consider whether a further period of dispensation should be granted

3. Options appraisal

- 3.1 If it is decided not to grant a further period of dispensation then Councillor Couling will cease to be a Member of the Council and a vacancy will be created in the Goresbrook ward, with the potential for a subsequent by election at a future date.

4. Consultation

- 4.1 Not applicable for this report

5. Financial Implications

Implications completed by: David Abbott, Principal Accountant / Tracie Evans, Corporate Director of Finance and Resources.

- 5.1 Although no provision is made to fund a potential by-election it is anticipated that the overall costs can be met from within existing budget provisions.

6. Legal Implications

Implications completed by: Tasnim Shawkat, Divisional Director, Legal and Democratic Services.

- 6.1 Section 85 of the Local Government Act 1972 makes provision for the vacation of elected office through failure to attend Council and other designated meetings.

7. Other Implications

- 7.1 Not applicable for this report

Background Papers Used in the Preparation of the Report:

- Local Government Act 1972

List of appendices:

None