

COUNCIL

15 SEPTEMBER 2020

REPORT OF CHIEF EXECUTIVE

A.8 **COUNCILLOR OVERTON - NON-ATTENDANCE AT MEETINGS**

(Report prepared by Ian Ford)

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

In accordance with Article 2.06 of the Council's Constitution to inform Council that Councillor Overton has exceeded four months without attending a meeting of the Council or attending a meeting of a committee or sub-committee of the Council either as an appointed member of a committee/sub-committee or as a substitute member of a committee/sub-committee.

EXECUTIVE SUMMARY

The last meeting which Councillor Overton attended was that of the Community Leadership Overview and Scrutiny Committee on 7 October 2019.

If a Councillor does not attend any meeting of the Council (or any of its Committees or Sub-Committees) for a consecutive period of six months, Section 85 of Part V of the Local Government Act 1972 disqualifies them unless the Full Council approves the reason for non-attendance before the end of that period.

That six month period for Councillor Overton would therefore have expired on 6 April 2020.

Prior to that date Councillor Overton's GP certified that she was unwell and that this illness was at a level where she was unfit to work. Furthermore, this would be the case up until 30 April 2020 at the earliest.

On 3 April 2020, and in view of the implementation of the national lockdown in response to the Covid-19 pandemic, the Chief Executive used his powers under Schedule 2 [Responsibility for Council (Non-Executive) Functions] of Part 3 (Scheme of Delegated Powers) of the Constitution which authorises the Chief Executive (under General Matters Principle No.6) to deal with any matter on exceptional grounds of urgency, in such emergency situations to approve the reason for Councillor Overton's non-attendance over the previous, at that stage almost, six months. In making that decision the Chief Executive, having previously canvassed the view of Members, consulted the Chairman of the Council (Councillor Land).

Therefore, as a result of the Chief Executive's decision, Councillor Overton was not disqualified from office on 7 April 2020. Since that time Councillor Overton has still not attended a meeting.

Councillor Overton's GP has certified that she is still unwell and that this illness is still at a level where she is unfit to work. This will be the case up until 30 September 2020 at the earliest. Officers acknowledged the correspondence and provided associated advice including how to view and access remote meetings. No further contact has been received.

The current six month period for Councillor Overton will expire on 6 October 2020.

Council will be aware that it is a requirement under Article 2.06 of the Council's Constitution that if a Member exceeds four months without attending a meeting of the Council or attending a meeting of a committee or sub-committee of the Council either as an appointed member of a

committee/sub-committee or as a substitute member of a committee/sub-committee that shall be reported to the next Council meeting.

Therefore, in accordance with the said Article 2.06 I formally report that Councillor Nicola Overton has exceeded four months (since 6 April 2020) without attending a meeting of the Council or attending a meeting of a committee or sub-committee of the Council either as an appointed member of a committee/sub-committee or as a substitute member of a committee/sub-committee.

RECOMMENDATION(S)

That the contents of this report be **NOTED**.

IAN DAVIDSON
CHIEF EXECUTIVE

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**BACKGROUND PAPERS LIST FOR
REPORTS OF CHIEF EXECUTIVE**

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None.