

Council Report

Ward(s) affected: All

Council Report

Report of Strategic Services Director

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Councillor Chris Blow

Executive Summary

Under the provisions of Section 85(1) of the Local Government Act 1972, if a councillor fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they 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.

Unfortunately, following a fall and injury sustained from it, Councillor Chris Blow has been unable to attend any meetings since 21 October 2021. To avoid Councillor Blow ceasing to be a councillor should he be unable to resume attendance at meetings before 21 April 2022, the Council is asked to agree the reason for his non-attendance.

Recommendation to Council

The Council is asked to agree that the reason for Councillor Chris Blow's failure to attend any meeting of the Council or any of its committees, since 21 October 2021 was due to his ill health, and that, if necessary, the matter be reviewed again by the Council at its meeting on 11 October 2022.

Reason for Recommendation:

To comply with the requirements of Section 85 of the Local Government Act 1972.

Is the report (or part of it) exempt from publication? No

1. Purpose of Report

- 1.1 To inform the Council of Councillor Chris Blow's continued absence from any meeting over the past five and a half months, and to ask the Council to agree the reason for his absence so that he may continue in office after six months' absence.

2. Background

- 2.1 Section 85 of the Local Government Act 1972 provides that if a councillor fails to attend any meeting of the Council (this includes committee and sub-committee meetings, and also Joint Committee meetings) throughout a period of six consecutive calendar months from the date of his last attendance, he ceases to be a councillor

unless the failure was due to some reason approved by the Council before the expiry of that period.

- 2.2 Councillor Blow last attended a meeting on 21 October 2021 (Guildford Joint Committee).
- 2.3 Councillors will be aware that Councillor Chris Blow suffered a serious head injury following a fall in October 2021. The Leader of the Residents for Guildford and Villages Group has informed the Democratic Services and Elections Manager that it is possible that Councillor Blow may not be able to attend any meeting before 21 April 2022, and that Councillor Blow is now recovering from a further operation.

3. Financial Implications

- 3.1 There are no financial implications arising from this matter.

4. Legal Implications

- 4.1 The legal implications are as stated in paragraph 2.1 above. In order to ensure that Councillor Blow remains in office as a councillor, the Council must agree a reason for his failure to attend any meetings before the expiry of six months since his last attendance.

5. Human Resource Implications

- 5.1 There are no human resource implications arising from this matter.

6. Equality and Diversity Implications

- 6.1 The Council has a statutory duty under section 149 of the Equality Act 2010 which provides that a public authority must, in exercise of its functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation.
- 6.2 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report.

7. Climate Change/Sustainability Implications

- 7.1 No climate change/sustainability implications arise from this report.

8. Conclusion

- 8.1 In order to ensure that Councillor Blow remains in office as a councillor, the Council must agree a reason for his failure to attend any meetings since 21 October 2021. His continuing ill health is clearly the reason for that failure.
- 8.2 If the Council is happy to accept this reason and to note that he is unlikely to be able to attend any further meetings for the foreseeable future, we shall bring a further report to Council in October 2022 in order to review the situation again.

9 Background Papers

None

10 Appendices

None