

Wiltshire Council

Annual Council

10 May 2016

Extended Leave of Absence – Councillor Helen Osborn

Purpose of Report

1. To ask Council to consider a request from Councillor Helen Osborn for an extension of office beyond the six month period of non-attendance due to ill health.

Main considerations of the Council

2. Under Section 85 (1) of the Local Government Act 1972, if a member of a local Authority fails throughout a period of six consecutive months, from the date of his or her last attendance to attend any meeting of the authority or as a representative of the authority on an outside body, he or she 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.

Background

3. As members will be aware, Councillor Helen Osborn, who represents Trowbridge Lambrook Division, is presently recovering from surgery and at the time of writing this report remains in hospital. Councillor Helen Osborn has also suffered the recent loss of her husband, the late Wiltshire Councillor Jeff Osborn.
4. Councillor Helen Osborn has not been able to attend any Council or Committee meetings since the Trowbridge CATG meeting on 14 December 2015 and has requested Council to approve an extension to the usual six month rule to enable her to remain in office.
5. Council can only consider approval of any reasons for non-attendance before the end of the relevant six month period, which would be 13 June 2016. This Annual Council meeting would be the last opportunity for Council to consider such a request before the expiry of the relevant six month period.
6. Subject to membership changes made at this meeting, Councillor Helen Osborn currently serves as a full member of the Children's Select Committee, the Safeguarding Children and Young People Panel and Trowbridge Area Board. Councillor Helen Osborn also serves as a substitute member on the Audit Committee, Health Select Committee and Overview and Scrutiny Management Committee. Councillor Helen Osborn also represents the Council

on the Trowbridge Local Youth Network and the Wiltshire Victoria County History Committee.

7. Councillor John Knight is looking after the needs of Councillor Helen Osborn's division in her absence with this having been agreed with their respective Group Leaders. This also applies to being able to act on matters of planning call-in following agreement with the Chairman of the Western Area Planning Committee.

Safeguarding Implications

8. Not applicable.

Public Health Implications

9. Not applicable.

Equalities Impact

10. Not applicable.

Environment and Climate Change considerations

11. Not applicable.

Risk Assessment

12. Not applicable.

Financial Implications

13. Not applicable.

Procurement Implications

14. None

Legal implications

15. Section 85(1) of the Local Government Act 1972 enables a local authority to approve the reason(s) for non-attendance of a Member at any meeting of the authority throughout a period of six consecutive months, provided that approval is given by the authority before the expiry of the six month period.
16. If the approval of Council is not given at this meeting and given that Councillor Helen Osborn is not well enough to resume her duties as a member of the Council before the expiry of the six month period, Councillor Helen Osborn would be disqualified from office as a Councillor. Council is unable to grant retrospective approval.

Proposals

- (a) That Council approves the request from Councillor Helen Osborn for an extension beyond the six month period of non-attendance on the grounds of ill health.**
- (b) That such an extension be granted until the end of October 2016 which would allow for any request for a further extension being considered by Council at its meeting on 18 October 2016. In the event of that meeting either being cancelled or postponed, such an extension to remain in place until after the next available meeting of the Council.**

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Background Papers

None