

# Public Document Pack

**Gareth Owens LL.B Barrister/Bargyfreithiwr**  
Head of Legal and Democratic Services  
Pennaeth Gwasanaethau Cyfreithiol a Democraataidd



To: ALL MEMBERS OF THE COUNCIL

CS/NG

4 December 2013

Nicola Gittins on 01352 702345  
nicola.gittins@flintshire.gov.uk

Dear Sir / Madam

A meeting of the **FLINTSHIRE COUNTY COUNCIL** will be held in the **COUNCIL CHAMBER, COUNTY HALL, MOLD CH7 6NA** on **TUESDAY, 10TH DECEMBER, 2013** at **11.45 AM** to consider the following items.

Yours faithfully

Democracy & Governance Manager

## **AGENDA**

- 1 **APOLOGIES FOR ABSENCE**
- 2 **DECLARATIONS OF INTEREST**  
To receive any declarations of interests from Members.
- 3 **SECTION 85 OF THE LOCAL GOVERNMENT ACT 1972** (Pages 1 - 2)  
Report of Head of Legal and Democratic Services -

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The Council welcomes correspondence in Welsh or English  
Mae'r Cyngor yn croesawau gohebiaeth yn y Cymraeg neu'r Saesneg

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## FLINTSHIRE COUNTY COUNCIL

**REPORT TO:** FLINTSHIRE COUNTY COUNCIL

**DATE:** 10 DECEMBER 2013

**REPORT BY:** HEAD OF LEGAL & DEMOCRATIC SERVICES

**SUBJECT:** SECTION 85 OF THE LOCAL GOVERNMENT  
ACT 1972

### **1.00 PURPOSE OF REPORT**

1.01 To approve the reason for Councillor Ted Evans' failure to attend meetings for 6 months.

### **2.00 BACKGROUND**

2.01 Section 85 of the Local Government Act 1972 provides that if a Member fails to attend any meetings for 6 consecutive months he shall cease to be a member of the authority unless the reason for that failure is approved before the end of the period.

2.02 Councillor Ted Evans last attended a meeting of the authority when he attended the Council meeting on the 25 June 2013. Since then Councillor Evans has suffered ill-health and is currently hospitalised and unable to attend meetings.

### **3.00 CONSIDERATIONS**

3.01 The purpose of the statutory provision is to give the Council the choice of whether to approve a Member's failure to attend meetings. If the failure is with good reason the Council can approve the absence, and if it is not then a by-election will be held to ensure that the residents are properly represented.

3.02 The only reason Councillor Evans has not attended meetings is due to his protracted period of ill-health. It is not considered appropriate in a public report to give details of this ill-health but some information has previously been provided to Members through Member Services.

### **4.00 RECOMMENDATIONS**

4.01 For Council to approve Councillor Evans' failure to attend meetings due to his ill-health.

**5.00 FINANCIAL IMPLICATIONS**

5.01 None as a result of this report.

**6.00 ANTI POVERTY IMPACT**

6.01 None as a result of this report.

**7.00 ENVIRONMENTAL IMPACT**

7.01 None as a result of this report.

**8.00 EQUALITIES IMPACT**

8.01 None as a result of this report.

**9.00 PERSONNEL IMPLICATIONS**

9.01 None as a result of this report.

**10.00 CONSULTATION REQUIRED**

10.01 None as a result of this report.

**11.00 CONSULTATION UNDERTAKEN**

11.01 With the Council Chair and Council Leader.

**12.00 APPENDICES**

12.01 None

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985  
BACKGROUND DOCUMENTS**

None

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