



SUMMONS

MEETING OF THE COUNCIL

Wednesday 28 September 2016

Council Chamber - Civic Centre

You are hereby summoned to a meeting of the Dacorum Borough Council in the County of Hertfordshire to be held in the Council Chamber - Civic Centre on Wednesday 28 September 2016 at 7.30 pm to transact the business set out below.

**SALLY MARSHALL
CHIEF EXECUTIVE**

TO ALL MEMBERS OF THE COUNCIL

Contact: Jim Doyle

ext 2222

AGENDA

1. MINUTES (Pages 6 - 18)

To confirm the minutes of the meeting of the Council on 13 July 2016.

2. DECLARATIONS OF INTEREST

To receive any declarations of interest

3. PUBLIC PARTICIPATION

To consider questions (if any) by members of the public of which the appropriate notice has been given to the Solicitor to the Council.

4. ANNOUNCEMENTS

To receive announcements and business brought forward by the Mayor, Leader, and Members of the Cabinet or the Chief Executive.

4.1 By the Mayor:

4.2 By the Chief Executive:

4.3 By the Group Leaders: Any apologies for absence

4.4 Council Leader and Members of the Cabinet:

Councillor Williams	Leader of the Council
Councillor Harden	Residents & Corporate Services
Councillor G Sutton	Planning and Regeneration
Councillor Marshall	Environmental, Sustainability and Regulatory Services
Councillor Elliot	Finance & Resources
Councillor Mrs Griffiths	Housing

5. QUESTIONS

To consider questions (if any) by members of the Council of which the appropriate notice has been given to the Solicitor to the Council.

6. NOTICE OF MOTION

To consider the following motion from Councillor Harden, Portfolio Holder for Residents & Corporate Services given in accordance with Standing Orders:

That a special meeting of the Council be convened on 26 October 2016 in order for the Council in pursuance of the powers conferred upon them by statute to admit to being an Honorary Freeman of the Borough of Dacorum (the most honourable distinction which it is their privilege to bestow) double Olympic gold medal winning gymnast Max Whitlock for his outstanding sporting achievement and the example set to the youth of the Borough of Dacorum.

7. WAIVER OF 6 MONTH COUNCILLOR ATTENDANCE RULE (SECTION 85 LOCAL GOVERNMENT ACT 1972).

WAIVER OF 6 MONTH COUNCILLOR ATTENDANCE RULE (SECTION 85 LOCAL GOVERNMENT ACT 1972).

Section 85 (1) of the Local Government Act 1972 requires a member of a Local Authority to attend at least one meeting of that Authority within a six month consecutive period, in order to avoid being disqualified as a Councillor. This requirement can be waived and the time limit extended if any failure to attend was due to a reason approved by the Authority, in advance of the six month period expiring.

Unfortunately, due to a serious illness and extended hospital admission Councillor Julian Ashbourn, Berkhamsted West Ward, has not been able to attend any Council or Committee meetings since the Council Meeting on 20 April 2016. A formal request has therefore been made for an extension to the six month rule to be approved in his respect.

Section 85 (1) of the Local Government Act 1972 states that "if a member of a Local Authority fails, throughout a period of six consecutive months from the date of their last attendance, to attend any meeting of the Authority they will, unless the failure was due to some good reason approved by the Authority before the expiry of that period, cease to be a member of the Authority." Attendance can be at any committee or sub-committee, or any joint committee, joint board or other body where the functions of the Authority are discharged or who were appointed to advise the Authority on any matter relating to the discharge of their functions.

Councillor Ashbourn has not been able to attend any Council or Committee meetings since the Council meeting on 20 April 2016, due to a serious illness and extended hospital admission. The Monitoring Officer has received a request for the Council to consider approving an extension to the usual six month attendance rule enabling him to remain in office until he is able to resume normal duties.

Council can only consider approval of any reasons for non-attendance before the end of the relevant six month period, which will be 20 October 2016. Councillor Ashbourn has confirmed that he will not be able to attend Council meetings for the foreseeable future and so this request has been submitted to approve an extension of the usual six month rule.

Councillor Ashbourn was elected to the Council in May 2015 and represents Berkhamsted West ward. In addition to full Council he also serves as a member of Finance & Resources, and Strategic Planning and Regeneration, Overview and Scrutiny Committees.

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.

This is the final Council meeting at which approval could be sought for an extension of the time limit. If approval to any extension is not therefore agreed at this meeting Councillor Ashbourn would, under Section 85 (1) of the Local Government Act 1972 be disqualified after 20 October 2016 from office as a councillor.

Once any councillor loses office, through failure to attend for the six month period, the disqualification cannot be overcome by the councillor subsequently resuming attendance nor can retrospective approval of the Council be sought for an extension in time.

The Council is asked to approve Councillor Ashbourn's non-attendance at meetings of the authority due to ill health for a six month period up to 20 April 2017 pursuant to Section 85 (1) of the Local Government Act 1972.

8. BUSINESS FROM THE LAST COUNCIL MEETING

To consider any business referred from the previous meeting

9. CABINET REFERRALS (Pages 19 - 22)

To consider the following referrals from Cabinet:

Minute No:	Date	Title
7.1 CA/077/16	26 July 2016	Medium Term Financial Strategy
7.2 CA/079/16	26 July 2016	Affordable Housing Supplementary Planning Document: Clarification Statement

10. OVERVIEW AND SCRUTINY REFERRALS

None

11. CHANGES TO COMMITTEE MEMBERSHIP

To consider any proposals for changes to committee membership

12. CHANGE TO COMMITTEE DATES

To consider any proposals for changes to committee dates