

**BIRMINGHAM CITY COUNCIL****PUBLIC REPORT**

<b>Report to:</b>	<b>COUNCIL BUSINESS MANAGEMENT COMMITTEE</b>
<b>Report of:</b>	<b>City Solicitor</b>
<b>Date of Decision:</b>	<b>22 March 2016</b>
<b>SUBJECT:</b>	<b>DISQUALIFICATION OF A COUNCILLOR</b>
<b>Ward:</b>	<b>BOURNVILLE</b>

<b>1. Purpose of report:</b>
1.1 To note that Councillor Walkling in accordance with section 85 of the Local Government Act 1972 should be disqualified as the local Councillor for the Bournville Ward.

<b>2. Recommendations :</b>
2.1 To note that in accordance with section 85(i) of the Local Government Act 1972, Councillor Walking should be disqualified from the date of this Report as local Councillor for the Bournville Ward and that the Chief Executive should be requested in accordance with section 85(i) of the Local Government Act 1972 to formally write to Councillor Walkling to confirm this.

<b>Lead Contact Officer(s):</b>	Stuart Evans Acting City Solicitor
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### **3. Relevant background:**

- 3.1 Section 85(i) of the Local Government Act 1972 states “if a member of a Local Authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the Authority, he 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 Council.
- 3.2 The City Solicitor has been advised that Councillor Walkling has not attended any Council meetings for a period of 6 months prior to the date of this report without any dispensation being granted by the Council for such non-attendance. Enquiries have been made and the non-attendance and lack of dispensation has been confirmed. In accordance with section 85(i) of the Local Government Act 1972 Councillor Walkling must be disqualified.
- 3.3 I have also spoken with Robert Connelly who has confirmed that no ward by-election would be necessary following such disqualification as Councillor Walkling term of office expires in May.

### **Signatures of approval to submit the report to Committee:**

Stuart Evans – Acting City Solicitor:

Dated: 09 March 2016.