

Report of: Acting Director of Law and Governance

Meeting of:	Date	Ward(s)
Council	9 July 2020	Barnsbury

Delete as appropriate	Exempt	Non-exempt
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Subject: RESOLUTION TO EXTEND 6 MONTH RULE – SECTION 85 LOCAL GOVERNMENT ACT 1972**1. Synopsis**

- 1.1 Section 85 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 shall cease to be a member of the authority. The only exception is if their non-attendance has been approved by the authority before the expiry of the six month period.
- 1.2 Councillor Mouna Hamitouche MBE, has been unable to attend meetings recently due to ill health and the purpose of this report is to propose that the council approve her continuing absence for a period which exceeds 6 months.

2. Recommendations

- 2.1 To agree that, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor Mouna Hamitouch MBE's non-attendance at meetings until the end of the 2020/21 municipal year on the grounds of continued ill health and that the Council's best wishes be conveyed to her.

3. Background

- 3.1 Councillor Mouna Hamitouche MBE has been unable to attend meetings recently on ill-health grounds. The last meeting Councillor Hamitouche attended was the Housing Scrutiny Committee meeting on 20 January 2020. Under the circumstances, it is requested that Council approve her continuing absence for a period which exceeds 6 months.
- 3.2 The extension would not prevent Councillor Hamitouche from returning to meetings at any time, if her health allows, but would give flexibility and prevent further recourse to the Council before the end of the municipal year.
- 3.3 The extension is allowed under Section 85 of the Local Government 1972 and is necessary to prevent Councillor Hamitouche from losing her seat whilst she is unwell.

4. Implications

4.1 Financial implications:

There are no financial implications arising from this decision.

4.2 Legal Implications:

The approval of Councillor Hamitouche's continuing absence is allowed under Section 85 of the Local Government Act 1972.

4.3 Environmental Implications and contribution to achieving a net zero carbon Islington by 2030:

There are no environmental implications arising from this decision.

4.4 Resident Impact Assessment:

The council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment has not been completed. There are no impacts on residents; Councillor Hamitouche's colleagues in Barnsbury Ward will continue to cover her ward duties until her return.

5. Conclusion and reasons for recommendations

- 5.1 Owing to the continued ill health of Councillor Hamitouche MBE, it is requested that her non-attendance at meetings be approved until the end of the current municipal year.

Background papers: None

Appendices: None.

Signed by:



19 June 2020

Acting Director of Law and Governance

Date

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