

Law and Governance
Town Hall, Upper Street, London N1 2UD

Report of: Director of Law and Governance and Monitoring Officer

Meeting of: Council

Date: 11 July 2024

Ward(s): Hillrise and Bunhill

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 his last attendance, to attend any meeting of the authority, they 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.’
- 1.2. Councillors Michelline Safi-Ngongo and Troy Gallagher have been unable to attend meetings recently and the purpose of this report is to propose that the Council approve their continuing absence for a period, which may exceed 6 months, due to ill health and a bereavement.

2. Recommendations

- 2.1. To agree that, in accordance with Section 85 of the Local Government Act 1972, Council approves Councillors Michelline Safi-Ngongo and Troy Gallagher’s non-attendance at meetings until the end of the calendar year on the grounds of continued ill health and following a bereavement and that the Council’s best wishes be conveyed to them.

3. Background

- 3.1. Councillor Michelline Safi-Ngongo has been unable to attend meetings recently on ill-health grounds. The last meeting Councillor Safi-Ngongo attended was Executive on 14 March 2024. Councillor Troy Gallagher has been unable to attend meetings recently due to a bereavement. The last meeting Councillor Gallagher attended was Council on 29 February 2024.
- 3.2. As the next ordinary meeting of the Council is on 19 September 2024, this 11 July 2024 Council meeting is the last opportunity for the Council to approve Councillors Michelline Safi-Ngongo and Troy Gallagher's continuing absence within the 6-month period.
- 3.3. The extension would not prevent Councillors Michelline Safi-Ngongo and Troy Gallagher from returning to meetings at any time, but would give flexibility and prevent further recourse to the Council before the end of the calendar year.
- 3.4. The extension is allowed under Section 85 of the Local Government 1972 and is necessary to prevent Councillors Michelline Safi-Ngongo and Troy Gallagher from losing their seats whilst they are unwell and going through a bereavement.

4. Implications

4.1. Financial Implications

- 4.1.1. None

4.2. Legal Implications

- 4.2.1. The approval of Councillors Michelline Safi-Ngongo and Troy Gallagher's continuing absences 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

- 4.3.1. None

4.4. Equalities Impact Assessment

- 4.4.1. 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.

4.4.2. An Equalities Impact Assessment is not required in relation to this report.

5. Conclusion and reasons for recommendations

5.1. Owing to the continued ill health of Councillor Michelline Safi-Ngongo it is requested that their non-attendance at meetings be approved until the end of the current calendar year.

5.2. Owing to a bereavement of Councillor Troy Gallagher it is requested that their non-attendance at meetings be approved until the end of the current calendar year.

Appendices: None

Final report clearance:

Authorised by:

Director of Law and Governance

Date: 3 July 2024

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