

Report of: Assistant Chief Executive (Governance and HR)

Meeting of:	Date	Ward(s)
Council	15 September 2016	Caledonian

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 Rupert Perry and Councillor Gary Doolan have both been unable to attend meetings recently due to ill health and the purpose of this report is to propose that the council approve the continuing absences 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 Rupert Perry's non-attendance at meetings until the end of the municipal year on the grounds of continued ill health and that the Council's best wishes be conveyed to him.
- 2.2 To agree that in accordance with Section 85 of the Local Government Act 1972, Council approves Councillor Gary Doolan's non-attendance at meetings until the end of the municipal year on the grounds of continued ill health and that the Council's best wishes be conveyed to him.

3. Background

- 3.1 Councillor Rupert Perry and Councillor Gary Doolan have been unable to attend meetings recently on ill-health grounds. The last meeting Councillor Rupert Perry attended was Environment and Regeneration Scrutiny Committee on 24 May 2016. The last meeting

Councillor Doolan attended was Policy and Performance Scrutiny Committee on 4 July 2016. Under the circumstances, it is requested that Council approve their continuing absences for a period which exceeds 6 months.

- 3.2 The extension would not prevent either Councillor Perry or Councillor Doolan from returning to meetings at any time, if their health allowed, 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 Perry and Councillor Doolan from losing their seats whilst they are unwell.

4. Implications

4.1 Financial implications:

None.

4.2 Legal Implications:

The approval of Councillor Perry and Councillor Doolan's continuing absences is allowed under Section 85 of the Local Government Act 1972.

4.3 Environmental Implications:

None.

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."

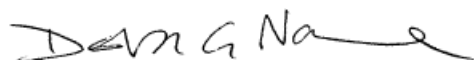
A Resident Impact Assessment has not been completed because there are no impacts; Councillor Perry's colleagues in Caledonian Ward and Councillor Doolan's colleagues in St. Peter's Ward will continue to cover his ward duties until his return.

5. Conclusion and reasons for recommendations

- 5.1 Owing to the continued ill health of Councilor Rupert Perry and Councillor Doolan it is requested that their non-attendance at meetings be approved until the end of the current municipal year.

Appendices: None.

Signed by:



16 August 2016

Assistant Chief Executive, Governance and HR Date

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