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01 February 2025

To: All Members of the Standards Committee

Dear Member,

Standards Committee - Tuesday, 4th February, 2025

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

- 8. MEMBERS ALLOWANCES SCHEME FOR 2025-2026 (PAGES 1 - 40)**
- 9. REVISION OF THE LIST OF DOCUMENTS IN THE POLICY FRAMEWORK (PAGES 41 - 122)**

Yours sincerely

Ayshe Simsek, Democratic Services and Scrutiny Manager

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**Report for:** Standards Committee 4<sup>th</sup> February 2025

**Title:** Members Allowances Scheme for 2025-2026

**Report authorised by :** Assistant Director of Legal and Governance Fiona Alderman

**Lead Officer:** Ayshe Simsek - Democratic Services and Scrutiny Manager

**Ward(s) affected:** N/A

**Report for Key/  
Non-Key Decision:** Non key decision

**1. Describe the issue under consideration.**

- 1.1 Each year before 31<sup>st</sup> March, full Council is required by the Local Authorities (Members Allowances) (England) Regulations 2003 to adopt a Members Allowances Scheme for the following financial year.

**2. Cabinet Member Introduction**

N/A

**3. Recommendations**

- 3.1 To consider the current Member's Allowance Scheme and key findings of the remuneration of Councillors in London 2023 attached at Appendix 1 and put forward any comments on recommended changes for consideration at the March meeting of Standards Committee.

**4. Reasons for decision**

- 4.1 The Council has a legal duty to approve a Members Allowances Scheme before the end of each year to cover the following year. The Council can amend a scheme any time during the year but can only revoke a scheme with effect from the beginning of the year. The scheme must make provision for basic allowances and, if they are to be paid, special responsibility, dependents' carers, travelling and subsistence and co-optees allowances.

**5. Alternative options considered.**

- 5.1 No alternative options were considered as there is a duty to adopt a members' allowance scheme annually.

## 6. Background information

- 6.1 This report asks Standards Committee to consider the scheme proposed for 2025/26 municipal year and recommend the final scheme for approval by full Council on the 24 of March 2025, in accordance with Article 14.03 of the Council's Constitution.
- 6.2 Before it can adopt a Members Allowances Scheme the Council has a duty to consider the recommendations of an Independent Remuneration Panel in relation to the payment of Members Allowances. As of the 1 of February 2025, there had been no further update to the report of the Independent Remuneration Panel and the 2023 report continues to be appended for consideration.
- 6.3 The Local Authorities (Members Allowances) (England) Regulations 2003 allow London Boroughs to use an Independent Remuneration Panel set up for the purpose of making recommendations across London. London Councils set up a panel for this purpose in 2001 and its most recent report was published on 5<sup>th</sup> of January 2024 following a detailed review, with recommendations on the remuneration of Councillors in London.
- 6.4 The 2023 report was considered by the Standards Committee in January 2024 and they noted that it highlighted the increasing challenges and complex role of councillors and how in London this is becoming more seismic with inclusion of national and international changes are directly impacting communities. The report reiterated the wide-ranging responsibilities of local councillors, the time commitment needed and ensuring that the role remained attractive to local residents that have skills, knowledge of the communities and who also reflected the demographics of the borough. The report made some strong recommendations for changes to the basic allowance of councillors, and to the SRA for the Leader and Mayors of Councils. The report recommendations were supported by research, which has been compiled from canvassing members and holding focus groups with the public to provide Councils with some assurance that the recommendations have been tested and to limit the anxiety around reputational risk.
- 6.5 The report argued strongly that the salaries for councillors are considerably lower than those in Scotland, Wales and Northern Ireland and workers in London. The Panel are recommending that the basic allowance should be **£15,960** and the approach and calculations are listed at paragraph 7.9 of the attached report. The Panel had included comments from their research and focus groups to help to provide assurance on how this may not be negatively perceived. The Panel also want to convene later in the year to understand how London Councils have taken this recommendation forward. The issue with this, is that many London Councils will be at the end of the budget setting process when the report was published and difficult to add significant increases to the Member budget allocation. The Panel strongly recommend that all authorities implement the recommendations on the next year. They advise that members allowances make up a small percentage of around 0.4- 0.5% of the Council's general fund net budget.

- 6.6 With regards to Leader, Cabinet Members the report details how these are in reality full time positions. There is further information in section 9 of the attached report on the Leader SRA and the responsibility of the role in comparison to other public roles and other roles with financial responsibilities.
- 6.7 The report addressed the issue of councillor retention and reflected on the removal of the right of councillors to access the local government pension scheme which has had an impact on recruitment of councillors. The rationale for this decision in 2014 is not clear. England is at odds with the Scotland, Wales and Northern Ireland where councillors still access the local government pension scheme.
- 6.8 Although the IRP 2023 makes recommendations, it is for each individual Council to decide the level of remuneration and for which roles. As a reminder in March 2024, the Standards Committee considered the 2023 report and did not put forward recommended changes to the SRA's.
- 6.9 The independent review of Members Allowance commissioned by the Standards Committee in 2019/20 indicated that the Members Basic Allowance percentage increase be index linked to the local government officer pay percentage increase, capped at 2% to be reduced if a lesser percentage is agreed. In March 2024, there had been a local government officer pay percentage increase award and the Standards Committee recommended, and Council agreed, a 2% increase in the basic allowance and saw this as a reasonable adjustment for the increase in volume of casework, increased communications through emails and taking account that Councillor colleagues were spending on additional resources to maintain increased volume of work and had families themselves to support.
- 6.10 To note that in March 2024, the Committee discussed that going forward, there should be a regularisation of increases to the Basic Allowance to link with the local government pay increase, capped at 2% but noted the legal requirement to consider the Members' Allowance Scheme on an annual basis. In November 2024, there was a local government pay award of an increase of £1290 on all NJC pay points 2 – 43 and an increase of 2.5 % on all pay points above the maximum of the pay spine but graded below deputy chief officer. Therefore, if the Committee were minded considering a 2 % increase in the basic allowance, this would be as follows:
- $$£11,701/100 \times 2 = £234.02(\text{rounded to } £234) \text{ with new basic Allowance as } £11,935.$$
- $$£234 \times 57 = £13,338 \text{ additional budget cost.}$$
- 6.11 There has been discussion with the Chair of Standards about having a light touch consideration of the SRAs in 2025/2026, keeping within the allocated budget envelope and prior to the forthcoming local elections in 2026. There would need to be a wider consultation with members if any changes were proposed and reasoning provided. There is provision in the 2003 legislation for the Council to

amend the Member's Allowance scheme any time during the year and changes would not need to be completed by March 2024.

**7. Contribution to strategic outcomes**

- 7.1 Members of the Council are directly responsible for the setting and oversight of all strategic priorities.

**8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)**

**8.1 Finance**

The cost of the scheme unchanged is within the allocated budget envelope. The cost of increasing the basic allowance £13,338 would need to be met within the budget envelope for Democratic services.

**8.2 Head of Legal and Governance**

The proposed Members' Allowance Scheme complies with the relevant provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003; the Local Government and Housing Act 1989 and the Local Government Act 2000.

In addition, there are separate provisions, namely sections 3 and 5 of the Local Government Act 1972 for the payment of allowances to the Mayor and the Deputy Mayor.

**8.3 Equality**

The decision to approve allowances to members does not have a direct impact on the equality duty of the council, other than that the scheme includes provision for payment for parent/carers allowances to facilitate the attendance of parents and carers at meetings and in relation to carrying out the general responsibilities of councillors.

**9. Use of Appendices**

Appendix 1: Members Allowances Scheme 2024/25

Appendix 2: The Remuneration of Councillors in London 2023– report of the Independent Panel

**10. Local Government (Access to Information) Act 1985**

Haringey Review of Member Allowances 2019/20

# **Part 6**

## **Members' Allowances Scheme**

### **1. SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES**

1.01 Made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and in force for the municipal year 1 April 2024 to 31 March 2025 ).

### **2. BASIC ALLOWANCE**

2.01 Each Councillor will be entitled to receive the sum of £11,701 by way of Basic Allowance.

2.02 If a Councillor does not serve as such for the whole 12-month period or becomes suspended or partially suspended, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor. This principle also applies to education representatives on scrutiny bodies and employee and employer representatives on the Combined Pensions Committee and Board (co-optees).

### **3. INCLUDED EXPENSES**

3.01 Travel Expenses.

The Basic Allowance includes all travel within the M25. Councillors are not entitled to any form of concession or special permit as Councillors for parking in the Borough.

### **4. MAYORAL ALLOWANCES**

4.01 The additional allowances for the Mayor and Deputy Mayor are:

- (a) The Mayor is entitled to an additional allowance of £16,965.
- (b) The Deputy Mayor is entitled to an additional allowance of £4,238.

### **5. SPECIAL RESPONSIBILITY ALLOWANCES**

5.01 For the period 1 April 2024 to 31 March 2025, Haringey Council will allocate Special Responsibility Allowances in six bands, to Councillors who take on certain additional roles, in accordance with Table A below. If a Councillor does not serve as such for the whole period or becomes suspended or partially suspended, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor and had the special responsibilities .

**Table A**

Band	Position	Special Allowance	Total Allowance (including Basic Allowance)
Band 4	•Leader	£33,926	£45,627
Band 3B	9 or fewer x Cabinet Members	£25,443	£37,144
Band 3A	• Chair of Overview and Scrutiny Committee	£23,134	£34,835
Band 2B	<ul style="list-style-type: none"> <li>•Chief Whip</li> <li>•Chair of Strategic Planning and Planning Sub Committee</li> <li>•Chair of Alexandra Palace and Park Board</li> <li>•Leader of the Principal Opposition</li> </ul>	£16, 965	£28,666
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee	£15, 421	£27,122
Band 1B	<ul style="list-style-type: none"> <li>•Chair of Combined Pensions Committee and Board</li> <li>•Chair of General Purposes Committee and Vice Chair of Appointments Panel and the Vice Chair of Disciplinary, Grievance and Dismissal Panel</li> <li>•Chair of Standards Committee</li> <li>• Chair of Audit Committee</li> <li>•Chair of Licensing Committee and Licensing Sub Committee</li> </ul>	£8, 482	£20, 183



	<ul style="list-style-type: none"> <li>• Deputy Leader of the Principal Opposition</li> <li>• Chief Whip of the Principal Opposition</li> </ul>		

## 6. MULTIPLE RESPONSIBILITIES

6.01 Where a Councillor holds more than one post of special responsibility, he/she may only receive one Special Responsibility Allowance. Where a Councillor holds more than one post of special responsibility and the posts have Special Responsibility Allowances of different monetary values, the Councillor would receive the higher one. For the purposes of this paragraph, the Mayor and Deputy Mayor count as posts of special responsibility.

## 7. CO-OPTES' ALLOWANCES

7.01 Each education representative on scrutiny bodies, and each employee and employer representative on the Combined Pensions Committee and Board, is entitled to an allowance of £154 per meeting attended, to a maximum of £616. No allowances are payable to others who are not elected Councillors.

## 8. BABYSITTING AND DEPENDANTS ALLOWANCE

8.01 Councillors and non-elected members can claim this allowance based on the following:

- (a) That reimbursement be made at the London Living Wage. The period of payment should include the time of the meeting, together with reasonable travelling time of the member, plus any necessary travelling expenses of the carer to and from their home.

- (b) Children over the age of 16 must not be claimed for, unless suffering from an illness or disability making constant care essential.

## 9. TRAVELLING AND SUBSISTENCE ALLOWANCE

9.01 Councillors can claim this allowance for attending approved meetings, training and conferences etc. only to the extent that it involves travel outside the M25. Claims must be based on the following:

- (a) The mileage rate for travel by private car is 34.6 pence per mile. An extra 3 pence per mile is payable for each passenger for whom a travelling allowance would otherwise be payable. The cost of tolls, ferries and parking charges can be claimed.

- (b) The mileage rate for travel by solo motor cycle is :

Not exceeding	150 cc	8.5 pence per mile
Over	150 cc but not over 500 cc	12.3 pence per mile
Over	500 cc	16.5 pence per mile

- (c) On public transport only the ordinary or cheaper fare can be claimed where more than one class is available.

- (d) The cost of a taxi, including a reasonable tip, can be claimed only in case of urgency or where public transport is not practicable or reasonably available.

- (e) The maximum rates for subsistence allowance on approved duties are as follows:

For an absence of more than 4 hours before 11.00	£4.92
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For an absence of more than 4 hours including lunchtime between 12.00 and 14.00	£6.77
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For an absence of more than 4 hours including the period 15.00 to 18.00	£2.67
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For an absence of more than 4 hours ending after 19.00	£8.38
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## 10. CLAIMS AND PAYMENTS

10.01 Where a Councillor is also a Councillor of another authority, that Councillor may not receive allowances from more than one authority in respect of the same duties.

- 10.02 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.
- 10.03 The Co-optees' Allowance must be claimed by, and will be paid at, the end of the municipal year, subject to paragraphs 2.02 above and 10.05 below.
- 10.04 All claims for Travelling and Subsistence Allowance and Babysitting and Dependants Allowance must be made within two months of the relevant meeting or the costs being incurred by the Councillor or non-elected member, subject to paragraph 10.05 below.
- 10.05 If any Allowance under paragraphs 10.03 or 10.04 is not claimed within the prescribed time limit, the Democratic Services Manager shall have a discretion to make the payment nonetheless.
- 10.06 Any Councillor or non-elected member may elect to forego his/her entitlement to all or part of any allowance by giving written notice at any time to the Democratic Services Manager.

## **11 MATERNITY, ADOPTION, SHARED PARENTAL, PATERNITY AND SICKNESS PAY**

- 11.01 Subject to this paragraph 11, all Members shall continue to receive their Basic Allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave, as long as they remain a Councillor. This includes Members becoming parents through surrogacy arrangements.
- 11.02 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave for a six month period. Extension of this period of leave will require prior 2 months' written notice to be given to the Political Leader of the respective political group. If the extended leave is agreed by that Political Leader, a report will be compiled to seek executive approval from before the point of the 6 months' leave expiry, for the extension of this leave. The Council (or Leader in case of Cabinet Members) may, depending on the circumstances, appoint a replacement to cover the period of absence who will be entitled to the SRA pro rata for the period of the temporary appointment.
- 11.03 The Democratic and Scrutiny Services Manager will write to the Member to confirm the continuation of allowances and until what date they will continue.

11.04 Leave arrangements are unaffected by the number of children born from a single pregnancy or placed as part of a single adoption.

### **Maternity Leave**

11.05 A Member is entitled to take up to 52 weeks' maternity leave starting no earlier than the 11th week before the expected week of childbirth, except following a premature birth, and no later than the day following the actual date of birth.

11.06 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take maternity leave in writing no later than 4 weeks before the date they wish the period of maternity leave to start and:

- i) Confirm the expected week of childbirth; ii) Provide a copy of the MATB1 (available from a doctor or midwife); iii) Confirm the date on which the Member intends her maternity leave to start.

### **Adoption Leave**

11.07 A Member is entitled to take up to 52 weeks of adoption leave starting no earlier than 14 days before the child is expected to be placed and no later than the expected placement date, or if the child is adopted from overseas, no later than 28 days after the date on which the child enters Great Britain,

11.08 The Member must notify the Democratic Services and Scrutiny Manager in the case of a UK adoption of their intention to take adoption leave in writing no more than seven days after the date on which the Member is notified of having been matched with the child for adoption or, where that is not reasonably practicable, as soon as is reasonably practicable thereafter. In the case of an overseas adoption, the Member must notify the Democratic Services and Scrutiny Manager of their intention to take adoption leave in writing, no more than 28 days after s/he received the official notification and:

- i) Confirm the date the child is expected to be placed with him/her for adoption (UK Adoption) or the date on which the Member received an official notification and the date on which the child is expected to enter Great Britain (overseas adoption); ii) Provide a copy of the matching certificate/official notification. The matching certificate must be issued by the adoption agency that matched the Member to the child and must contain the name and address of the agency, the date on which the Member was notified that s/he had been matched to the child, and the date on which the agency expects to place the child with the Member.; (iii) in the case of an overseas adoption, the date of entry of the child into Great Britain iv) Confirm the date which the Member has chosen his/her adoption leave to start.

### **Shared Parental Leave**

11.09 A Member is entitled to Shared Parental Leave if they are :-

- (i) the mother, or expectant mother, of a child, or the father of the child, or at the date of the child's birth the spouse, civil partner or partner of the mother/expectant mother, and at the date of birth the mother and the father/spouse/civil partner/partner share the main caring responsibility for the child; or
- (ii) the adopter of a child, or at the date that the child is placed for adoption the person who is the spouse, civil partner or partner of the adopter, and at the date of the placement of the child for adoption the adopter and the spouse/civil partner/partner share the main caring responsibility for the child. Where two people have been matched jointly, the adopter is whoever has elected to be the child's adopter.

11.10 A Member may share up to 50 weeks' leave if the mother/ adopter curtails their maternity/adoption leave before using their full entitlement of 52 weeks. The number of weeks available as Shared Parental Leave will be reduced by the number of weeks maternity or adoption leave that has already been taken by the mother or adopter.

11.11 Shared Parental Leave can be taken as one continuous block or in multiples of complete weeks, but must end no later than one year after the birth/placement for adoption of the child.

11.12 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take shared parental leave in writing no later than 8 weeks before the date they wish the period of shared parental leave to start, and must in writing provide the following information

(i) in the case of the birth of a child:-

- the names of the mother and of the father/spouse/civil partner/partner,
- the start and end dates of any period of maternity leave to be taken by the Member,
- the total amount of Shared Parental Leave available,
- the expected week of birth
- the date of birth (where the child is not yet born, this information must be provided as soon as reasonably practicable after the birth and, in any event, before the first period of Shared Parental Leave to be taken by the Member)
- how much Shared Parental Leave the mother and the father/spouse/civil partner/partner each intend to take
- an indication as to when the Member intends to take Shared Parental Leave. Including the start and end dates for each period of leave.

(ii) in the case of the adoption of a child:-

- the names of the adopter and of the spouse/civil partner/partner,
- the date that the adopter was notified of having been matched for adoption with the child

- the date that the child is expected to be placed for adoption
- the date of the placement ( where the child has yet to be placed for adoption, this information must be provided as soon as reasonably practicable after the placement and, in any event, before the first period of Shared Parental Leave to be taken by the Member)
- the start and end dates of any period of adoption leave to be taken by the adopter,
- the total amount of Shared Parental Leave available,
- how much Shared Parental Leave the adopter and the spouse/civil partner/partner each intend to take
- an indication as to when the Member intends to take Shared Parental Leave. Including the start and end dates for each period of leave.

### **Paternity Leave**

11.13 A Member is entitled to take up to two weeks' paternity leave to help care for the child, or to support the child's mother/adopter, if they are either: the father of the child (whether or not they are the biological father); the spouse, civil partner or partner of the mother/adopter.

11.14 The Member may take one week or two consecutive weeks of paternity leave, but not single days or less than a week's duration. Paternity leave must be taken within 56 days of the birth or adoption.

11.15 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take paternity leave in writing no later than 4 weeks before they wish the period of paternity leave to start (childbirth) or no more than seven days after the date on which the adopter is notified of having been matched with the child or, where that is not reasonably practicable, as soon as is reasonably practicable; and:

- i) Confirm the expected week of childbirth; or the dates on which the adopter was notified that s/he had been matched with the child and on which the child is expected to be placed for adoption with the adopter(UK Adoption); or the dates on which the adopter received official notification and on which the child is expected to enter Great Britain (Overseas Adoption);
- ii) or matching certificate/official notification;
- iii) Confirm the length of the absence and the date on which the Member has chosen to begin his/her leave

11.16 If the Member wishes to change the start date of a period of leave, they should write to the Democratic Services and Scrutiny Manager no later than 4 weeks before either the original start date 'or' the new start date (whichever is earlier). The Democratic Services and Scrutiny Manager will ensure that HR Services are informed within 2 working days of receipt of the details.

11.17 If the Member wishes to change the end date of a period of leave they should write to the Democratic Services and Scrutiny Manager at least 4 weeks before either the original end date or the new end date (whichever is earlier). The Democratic Services and Scrutiny Manager will ensure that HR Services are informed within 2 working days of receipt of the details.

11.18 HR Services will provide confirmation that the information on revised dates has been received and that relevant re-instatement or adjustment of any SRA has taken place, with a copy to Democratic Services, within 10 working days.

### **Sickness Leave**

11.19 A Member who is sick will continue to receive the basic allowance as long as they remain a Councillor. They will also continue to receive any SRA for a six month period. Extension of this period of leave will require prior 2 months' written notice to be given to the Political Leader of the respective political group. If the extended leave is agreed by that Political Leader, a report will be compiled to seek *executive* approval before the point of the 6 months' leave expiry, for the extension of this leave. This is in accordance with section 85 of the 1972 Local Government Act.

11.20 If a Member decides not to return to office following either during or on their expiry of maternity, adoption, shared parental, paternity or sickness leave, the Chief Executive must be notified. HR Services must then be informed within two working days of receiving notification. Allowances will cease from the effective resignation date.

11.21 If an election is held during the Member's maternity, adoption, shared parental, paternity or sickness leave and they are not re-elected, or decide not to stand for re-election, their basic allowance and SRA, if appropriate will cease from the Monday after the election date when they would technically leave office.

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# The Remuneration of Councillors in London 2023

Report of the Independent Panel



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## Remuneration of councillors in London 2023

### 1. Introduction

- 1.1 The Independent Panel on Members' Remuneration last published a report on member allowances in early 2022. In that report the Panel did not recommend substantial changes to Member allowances, it noted that the challenges facing councils and councillors appeared to be increasing and becoming more complex. Therefore, the Panel also recommended that it undertake a more detailed review in 2023.
- 1.2 For the 2023 review, the Panel has undertaken a detailed review of member allowances with the aim of providing up to date advice on appropriate levels of reward for the work of elected members in London over the next four years. The intention was to seek a wider consultation than previously, using qualitative and quantitative research to underpin its findings and recommendations. The Panel canvassed members and officers in all London boroughs through surveys, focus groups and interviews, in order to consider whether and how the role of councillors has changed in recent years and what the main issues that may have an effect on the recruitment and retention of councillors are currently. It also carried out a considerable benchmarking exercise of allowances paid in other parts of England as well as in Scotland, Wales and Northern Ireland, and undertook an in-depth review of the methodology used by Independent Remuneration Panels across the UK.
- 1.3 The research showed that basic allowances per annum in London are significantly lower than those paid in Scotland, Wales and Northern Ireland. The assessment of members' allowances in the home nations is carried out by independent bodies whereas in England, the level of allowances is determined by the local authority members themselves. It has also become clear that allowances in many boroughs are considerably lower than remuneration received by workers in London with comparative levels of responsibilities and skills. This comparative contrast in remuneration is juxtaposed against increased workloads, time pressures, accountability, and financial pressures that councillors are presently having to manage. The Panel takes the view that it is important that there is a system of support in place that recognises the vital role that elected representatives play in local government and the full scale of their responsibilities. This support includes appropriate remuneration levels.

### 2.0 Background

- 2.1 Local authorities are required by the Local Authorities (Members' Allowances) (England) Regulations 2003<sup>1</sup> to establish and maintain an independent remuneration panel to make recommendations on the level of the basic and special responsibility allowances. In London the regulations authorise the establishment of an independent panel (the Panel) by the Association of London Government (now London Councils)

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<sup>1</sup> [The Local Authorities \(Members' Allowances\) \(England\) Regulations 2003 \(legislation.gov.uk\)](https://www.legislation.gov.uk/uksi/2003/1062/contents/make)

panel to make recommendations in respect of the members' allowances payable by London boroughs. The Regulations require a review of the scheme every four years as a minimum. Whilst the Panel makes recommendations, each council determines its own remuneration scheme for its own councillors, having regard to the Panel's recommendations.

- 2.2 The Independent Panel for London Councils currently comprises Mike Cooke (Chair), Sir Rodney Brooke CBE DL and Anne Watts CBE. It reported in 2022 and at that time recommended very few changes on the basis that more time was needed for a more detailed review during 2023, given that the Panel had received feedback that the work of councillors and the demands upon them had increased significantly.

### **3.0 Research**

- 3.1 This review has provided the Panel with an opportunity to consider the roles undertaken by councillors in London, and to examine more deeply how the demands, responsibilities and scope of duties of councillors have evolved in recent years. This review also provided the Panel with an opportunity to review the methodology used by other Independent Remuneration Panels and to carry out benchmarking with other local authorities across England, Scotland, Wales and Northern Ireland.
- 3.2 The Panel has expanded on the approaches used in previous reviews. In addition to carrying out a survey of London borough Leaders to gauge their views on the operation of the existing remuneration scheme, the Panel has held a series of feedback meetings with groups of elected councillors, conducted a survey of the London branch of the Association of Democratic Services Officers (ADSO), and held meetings with officers from the London Borough Legal Alliance (LBLA), and the South London Legal Partnership (SLLP), in order to get a more complete picture of the challenges facing London's councillors today. The Panel also commissioned Ipsos to carry out a small number of focus groups to gauge the public perception of councillors' roles, responsibilities and levels of allowances.
- 3.3 The member engagement focus groups consisted of a range of participants from the three major political parties – Labour, Conservative, and Liberal Democrat, and included a range of members from inner and outer boroughs, and with different levels of responsibility (e.g. newly elected backbench councillors, Cabinet Members and borough Leaders).
- 3.4 The Panel is grateful both to everyone who participated in the consultation process and thank them for their contributions as well and to London Councils for its support to the review.

#### 4.0 The crucial role of elected councillors

***The role of the councillor has fundamentally changed in recent times. There is now more reliance from the public on their local council due to challenges such as the cost of living crisis, the effects of the pandemic and the resettlement of refugees. (Borough Leader)***

- 4.1 Councillors in London oversee multi-million pound budgets and employ thousands of people; all are responsible for the delivery of a wide range of crucial services. The health and wellbeing of residents and communities are at the heart of the work of London boroughs who also at one end of the age spectrum are endeavoring to give children the best start in life, whilst at the other are helping to support older people to live as independently as possible. Local councils are at the heart of developing their boroughs and working with businesses to bring local economic benefits. The building of new homes and the improvement in the standards of existing houses are crucial to their work as is their local leadership on climate change.
- 4.2 A key aspect of the responsibility of councillors is managing the complex financial pressures involved in addressing increases in the demand for services with reductions in budgets. The scale of a London council's annual expenditure budget and other financial activities are in many instances comparable with those of large publicly quoted companies.

***"The budgets that borough Leaders are managing are huge, as is their level of responsibility when something goes wrong. A borough Leader's role is now similar to that of a non-executive director of a large company" (Borough Leader)***

- 4.3 At the same time Councillors are integral to the effectiveness of the local democratic process. As well as representing them, they stand ready to be approached by their residents to take up matters on their behalf where appropriate. The voice of democratically elected councillors in the development of the policies and strategies of their councils is absolutely essential. Councillors also play an important role in the oversight and scrutiny of services.
- 4.4 Some Councillors have additional and burdensome responsibilities, including Leaders of Councils, Elected Mayors and council portfolio holders. Some roles have specific statutory responsibilities (e.g. in the case of elected Mayors/statutory children's and adults cabinet members).
- 4.5 The needs of Londoners and of London's communities are becoming arguably more complex, given the seismic national and international changes ranging from the

global energy crisis, climate change, patterns of migration and housing shortages. The national economic challenges directly affect households and communities as well as businesses and councils themselves.

## **5.0 The role of Member Allowances**

- 5.1 It is important to reflect on the purpose of the allowances, payments and related arrangements for councillors.
- 5.2 The Panel draws the reader's attention to the report of the 2007 Independent Commission on the Role of Local Councillors, chaired by Dame Jane Roberts which was commissioned to consider the incentives and barriers for encouraging people who are able, qualified and representative to be candidates to serve as councillors; retaining and developing them once they are elected and enabling them to secure public interest and recognition for the work they carry out for their communities.
- 5.3 The Roberts commission considered a wide range of issues but at its heart were the key questions of: 1) how best to ensure that people from a wide range of backgrounds and with a wide range of skills are encouraged to serve as local councillors; and 2) how to ensure those who participate in and contribute to the democratic process should not suffer unreasonable financial disadvantage.
- 5.4 Within these broad considerations there can be no doubt that financial compensation or a system of allowances plays a crucial part in making it financially possible for local people to put themselves forward to take on the onerous responsibilities involved in being a councillor and indeed to continue to serve as one.
- 5.5 For this reason it is crucial that allowances for councillors across London are pitched at an appropriate level such that they make a major contribution in ensuring diverse and effective local representation. This 2023 review of Member allowances has aimed to take a step back and ensure that the recommended allowances are pitched such that they serve this crucial purpose.
- 5.6 We are clear that the Panel can only make recommendations and that each council must determine its own system and rates of allowances. However each council must have regard to our recommendations. We are concerned that a wide variation in the level of allowances between councils across London has evolved over the years. **Given that this year's Panel review has been a significant stocktake and that we have made clear recommendations, with a clear rationale and for the important purpose described in this section, we strongly recommend that the findings of our review and the Panel's position are adopted across London. This is at the heart of ensuring a healthy, vibrant and representative local government in the capital.**

## **6.0 Time commitment and demands on councillors**

6.1 Fulfilling the responsibilities of councillors in the many and various roles within a council has, arguably, always been demanding. In 2022 the Panel received anecdotal feedback that the workload and the time involved had increased significantly and so in this review we wanted to explore this in more detail.

6.2 The feedback from elected members and officers was that in the view of almost all the people we spoke to workloads, demands and pressures had increased. There appear to be a number of contributory factors:

- A wide range of recent events had added additional work; some examples given were: the demands of the pandemic years and the post-pandemic recovery work; sometimes given was the level of work in the resettlement of refugees; and the work to support residents through the very significant economic challenges of recent years, including during the energy crisis but also linked to the impact of food inflation and increased risks of homelessness.
- There has been a noticeable increase in the expectation that leading councillors work in closer partnership with other public services. The Health and Care Act 2022 in particular brings an expectation that councils will work in formal partnership with NHS organisations including NHS providers and Integrated Health Boards.
- The feedback confirmed the views we were given in 2002 that public expectations of councillors has increased especially linked to the societal changes that social media has brought about. Although most of the councillors we spoke to welcomed the flexibility that now exists for increased levels of remote meetings, the downside appears to be that there are more meetings. The representations which have been made to the Panel also suggest a picture of councillors being expected to be almost instantly available, with heavy constituency case loads and often with ever more complex responsibilities for the running of the council and overseeing its services.

***“ One resident submitted a formal complaint because they had messaged me on Friday evening and I hadn’t replied to them until the following Monday morning.”  
(Backbench councillor)***

As well as these issues adding complexity, they make additional time demands.

***“There are now many more meetings than pre-Covid. There are also numerous social media groups councillors are expected to be involved in, case work, and other commitments. I have worked out that on average I work 54 hours a week” (Cabinet Member)***

- 6.3 Members have told the Panel that it is increasingly difficult to maintain a full-time job alongside their role as councillors, and this is particularly true for Cabinet Members and Leaders. The implication of this would be that it is more likely that people who are already financially secure who can carry out these roles, which may prevent younger candidates, people with lower incomes or those with young families, from standing or taking on special responsibilities. Taking up a role in local government could also hinder councillors’ career progression in their day job, and in most cases the special responsibility allowances do not compensate for the reduced salary people receive as a result of not being able to dedicate themselves fully to their day job. The time pressures involved in the role, particularly councillors with special responsibilities can make it difficult to combine the role with a job and caring responsibilities.
- 6.4 One borough Leader told the Panel that at the 2022 election, there were so few candidates that in some wards residents did not have a choice of councillors to vote for.
- 6.5 Councillors also expressed concern that appointments to positions carrying special responsibilities could be uncertain and not in most cases for a set term. Consequently, councillors have significant concerns about giving up full-time work to undertake more senior roles in their councils.

## **7.0 The Basic Allowance**

- 7.1 As a result of the economic climate over the last decade and ongoing financial challenges, our recent reports have made no recommendations for increasing the levels of members’ allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement for staff agreed by the National Joint Council for Local Government Staff.
- 7.2 As part of the research for this 2023 review, the Panel carried out benchmarking of recommendations on allowances and those paid by local authorities within the UK to see how current London allowances compare.
- 7.3 From the Panel’s benchmarking research, it is evident that the previous Panel’s recommendations for the basic allowance in London, lags behind Scotland, Wales and Northern Ireland. This issue was identified in the last two Panel reports, however, the Panel reluctantly decided at the time that given the financial climate it would have been inappropriate to recommend a general increase in member allowances.



- 7.4 In our last report the Panel recommended that there should be a Basic Allowance paid to every councillor of £12,014. Updated for the local government staff pay awards since then, the figure is now £12,499.
- 7.5 This allowance continues to be substantially lower than the allowance paid by all local authorities in Scotland which is presently £20,099<sup>2</sup> and similarly in Wales<sup>3</sup> where the government-appointed commission has set the basic allowance at £17,600 for members of local authorities with populations which are generally substantially lower than those of London boroughs. Furthermore, the basic allowance in Northern Ireland from 1 April 2023 is £16,394<sup>4</sup> per annum. The Panel's research has established that there are some parts of England that have similar basic allowances to those currently recommended for London boroughs. However, there are other English local authorities, where the roles and responsibilities of councillors are broadly the same to those of councillors serving in London boroughs, that pay significantly more. For example, in Birmingham<sup>5</sup>, in 2022-23 the basic allowance was £18,876, and in Manchester<sup>6</sup> it was £18,841.
- 7.6 The Panel is of the view that when taking everything into account that the rate of the basic allowance should now be addressed.
- 7.7 As part of the 2023 review, the Panel has reviewed the methodologies used by other Panels and has identified that Independent Panels across the UK use a variety of approaches for determining how to set the member allowances. The Panel has also re-examined the methodology used in calculating allowances in the original London panel report and updated it to reflect current circumstances. The original calculation in the Panel's first report in 2001 was based on a proportion of the average 'white collar worker' wage in London.
- 7.8 Although making the comparisons with Scotland, Wales, NI and other UK cities was useful in terms of gaining a comparative perspective, the Panel has reached the view that it needed to both determine a method for London and recommend a level of allowance that was achievable, bearing in mind the historic challenges for some councils in agreeing to previous recommended allowances.
- 7.9 Having looked at various options, the Panel has concluded that the most appropriate approach is to determine the basic allowance as a proportion to the remuneration of the people councillors represent and has used the Annual Survey of Hours and Earnings (ASHE) data, published by the Office for National Statistics as a basis of its calculation. The Panel has used the median wage for all London workers for this purpose. In 2022-23, this is £38,936.73 per annum. Based on a 37 hour week, and taking into account a 30% public service discount, (as has been the custom and practice) **the Panel has determined that the recommended basic allowance should be £15,960.**

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<sup>2</sup> [The Local Governance \(Scotland\) Act 2004 \(Remuneration\) Amendment Regulations 2023 \(legislation.gov.uk\)](#)

<sup>3</sup> [Independent Remuneration Panel for Wales: annual report 2022 to 2023 \[HTML\] | GOV.WALES](#)

<sup>4</sup> <https://www.communities-ni.gov.uk/publications/circular-lg-0323-consolidated-councillor-allowances>

<sup>5</sup> [Independent Remuneration Panel Reports | Birmingham City Council](#)

<sup>6</sup> [Microsoft Word - MCC IRP Final Report \(manchester.gov.uk\)](#)

- 7.10 The Panel considers that this allowance better reflects the high cost of living in London, than the previous recommendations.
- 7.11 It is the Panel's view that it is pressing that boroughs should implement these changes in 2024, as part of the contribution to recruiting and retaining a diverse range of good quality candidates to stand for office in London.

## **8.0 Special Responsibility Allowances**

- 8.1 The reasons for payment of special responsibility allowances, additional to the basic allowance, should be clearly set out in local allowances schemes. Special allowances should come into play only in positions where there are significant differences in the time requirements and levels of responsibility from those generally expected of a councillor.

### **8.2 Categories of special allowances:**

The regulations specify the following categories of responsibility for which special responsibility allowances may be paid:

- Members of the executive where the authority is operating "executive arrangements"
- Acting as leader or deputy leader of a political group within the authority
- Presiding at meetings of a committee or sub-committee of the authority, or a joint committee of the authority and one or more other authorities, or a sub-committee of such a joint committee
- Representing the authority at meetings of, or arranged by, any other body
- Membership of a committee or sub-committee of the authority which meets with exceptional frequency or for exceptionally long periods
- Acting as spokesperson of a political group on a committee or sub-committee of the authority
- Membership of an adoption panel
- Membership of a licensing or regulatory committee
- Such other activities in relation to the discharge of the authority's functions as require of the member an amount of time and effort equal to or greater than would be required of him by any one of the activities mentioned above, whether or not that activity is specified in the scheme.

- 8.3 The Panel's research shows that the categories of SRAs recommended by the London Panel are comparable with those recommended by Independent Panels in other cities in the UK and in Scotland and Wales.
- 8.4 However, the Panel's previous recommendations have not consistently been adopted within London, and the resulting situation is that whilst there is some convergence

across London boroughs on the basic allowance, there remain substantial differences in the amounts of SRAs for similar roles in boroughs.

- 8.5 Given the extent of the responsibilities of Leaders of London boroughs, the Panel's first report in 2001 recommended that their remuneration should equate to that of a Member of Parliament. Our recommendations for other special responsibility allowances were historically determined as a sliding scale (pro-rata) proportion of the remuneration package for a council Leader. Since then, the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase which was tied to the special responsibility allowance for the leader of a London borough, and the current MP salary is now £86,584
- 8.6 The Panel has taken the opportunity to review this historic link, and following feedback, we sense strong support for our own view that an MP's salary is no longer an appropriate comparator to set the Leader's allowance, as the roles are substantially different and indeed almost impossible to compare.
- 8.7 We received feedback that some members believe that the Leaders of London boroughs warrant a higher remuneration than an MP, because they have greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed, some respondent authorities suggested that the direct responsibilities of a Leader should command the salary of a junior minister.

***"An MP does not undertake an executive role (strategic leadership, management & accountability of a complex public service operationally managed by highly paid officials) and so not a comparator to a Leader or elected Mayor"***

***(Borough Leader)***

## **9.0 Leader's SRA**

- 9.1 This is often a full-time role, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with roles with similar levels of responsibility, while still retaining a reflection of the voluntary character of public service.
- 9.2 For the Leader's SRA, the Panel has decided that a more appropriate comparator would be the Annual Survey of Hours and Earnings (ASHE) data for Corporate Managers and Directors as the level of responsibilities most closely align to those of a borough Leader. For 2022-23, the average gross annual salary for full time workers in London within this category was £108,242. After applying a 30% public service discount (as has been the custom and practice) this would provide for a Leader's total

package of £75,773. The 2022 Panel report recommended that the Leader's SRA should be £62,090. Taking into account this figure, when combined with the new recommended basic allowance, the total package for a Leader would be £78,050. As this figure is greater than that based on the ASHE calculation, the Panel is not recommending any changes to the existing Leader's SRA at this time.

## 10.0 Other SRAs

- 10.1 The Panel has previously determined that all other SRAs are calculated as a proportion of the Leader's SRA. Since its inception, the Panel has recommended using bands rather than fixed amounts, in order to allow flexibility and recognise local variations on how the roles are performed. The Panel has decided to continue using this methodology. However, as part of the review, the Panel has benchmarked the sliding scale recommended by other Panels and used by local authorities and has adjusted the percentages historically used in order to more closely align with the average used by other local authorities outside of London. **The recommended bands and levels of allowance are attached as Annex A.**

## 11.0 Bridging the Gap and public perception

- 11.1 When considering a members' allowances scheme, boroughs are obliged to have to a report by an independent panel, but it is a matter for boroughs themselves to decide whether to adopt its recommendations.
- 11.2 However, in view of the evidence obtained over the past 18 months, the Panel strongly recommends that all authorities implement the recommendations in their boroughs in the next year. On average, the total annual budget for members allowances in a London Borough is between 0.4-0.5% of the council's general fund net budget. Notwithstanding this, the Panel acknowledges the challenges that increasing allowances may present to boroughs, both financially and reputationally; however, the Panel is concerned that if member allowances do not keep up with its recommendations, there is a risk that they will fall significantly further behind their comparators and that councils will consequently face even greater challenges in recruiting and retaining a good calibre of councillors in the future.
- 11.3 The Panel perceived that there was some concern from councillors about the public acceptability of increasing allowances. As a result the Panel sought to test the public view and therefore commissioned Ipsos to undertake qualitative research, through a number of focus groups, on the public's perception on councillors remuneration. The Ipsos research was small scale but provides indicative evidence of public views.
- 11.4 Ipsos held three discussion groups with a representative sample of the general public in June 2023 using a deliberative approach to enable participants to reach an informed perspective. The stimulus material included pen portraits of councillors based on information received from London Councils' members on their working hours and

levels of responsibility. The information given to participants also included typical allowances received in London, in Essex, and in Wales for councillors receiving a basic allowance and average SRAs paid to Cabinet Members, and council Leaders.

- 11.5 The research found that the Londoners in focus groups felt that allowances in London needed to increase to provide a more accurate reflection of councillors' responsibilities and hours.

***"I thought at least [the Council Leader's remuneration] would be about a £100,000 plus for the amount of work that she does because she's taken on casework as well... and that's time-consuming."***

When exposed to allowance comparisons in different parts of the country, participants thought the current allowances did not reflect the fact that the cost of living in London was higher than elsewhere in the country.

***"Councillors' pay should take into account that living in London is more expensive, so they should immediately just be paid more in general."***

In addition, they recognised that the level of allowances can have a detrimental effect on the diversity of councillors and would deter those from a lower income background from becoming councillors.

***"It feels like [we're] paying them so little, it feels like there are some people who can't afford to be a councillor. And that has consequences on the democratic process"***

- 11.6 Participants also suggested changes to remuneration for councillors: raising the basic allowance and increasing allowances to better reflect responsibilities and hours; and additional allowances provided to support councillors with childcare costs and saving for a pension.
- 11.7 Participants expressed surprise at the range of allowances paid across London, particularly at the cabinet member and council leader level and supported greater consistency in such remuneration levels across councils in London.
- 11.8 Although the sample of Londoners was only small, it indicates that with due briefing and deliberation there is likely to be support for the increase in allowances.
- 11.9 During the consultation process, a significant number of councillors told the Panel that they do not think that councillors should be responsible for setting their own allowances, and that this is perhaps one of the reasons why the basic allowance in London lags behind Scotland and Wales, where allowances are set by outside bodies and it is mandatory for local authorities to adopt the recommendations. The Panel is supportive of this view, but recognizes that this would need a change in legislation. The Panel intends to raise this issue with the Secretary of State.

## 12.0 Training and support

- 12.1 The responsibilities of councillors are substantial, extensive and complex, particularly since the Pandemic and its aftermath, which has seen a rapid increase of using digital technology, and flexible ways of working. The training and development of councillors is beyond the remit of this Panel. However, the feedback we received was that councillors require the logistical and clerical support and appropriate IT equipment which will help them carry out their roles efficiently. The Panel supports this view and recommends that boroughs undertake their own stock takes to ensure appropriate support is in place to enable members to fulfil their responsibilities.
- 12.2 Furthermore, we have heard from boroughs that councillors are experiencing increased levels of abuse on social media, and so we recommend that training in navigating the increasingly challenging world of social media is also provided.

## 13.0 Care Costs

- 13.1 It is important that obstacles to becoming a councillor should be removed wherever possible. Care costs could be a significant deterrent to service as a councillor. Our strong view is that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The dependents' carers' allowance should at least be set at the London living wage but payment should be made at a higher rate when specialist nursing skills are required or to reflect higher costs during non-standard working hours. We have had representation that the carers allowance should be payable to family members on the basis that it is preferable for family members to look after a dependent, especially in the evening but that the frequency is often such that it is unreasonable for this to be expected to be with no financial allowance.

***The level of dependent carers allowance does not recognise the fact that babysitters tend to charge more for evening and weekend work. In addition, the carers allowance should be able to be claimed even if a family member was looking after the councillors' dependents" (Newly-elected Backbench Councillor)***

- 13.2 The Panel recognises that allowance payments for family carers who are not members of a councillor's household would need to be designed with some careful consideration but is very sympathetic to this need and recommend that councils review their schemes to make this possible.
- 13.3 It's view is also that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies). To this end, London boroughs are recommended to adopt a related parental leave and sickness policy as an appendix to their allowances scheme.

13.4 The Panel has received feedback that there is a need to reform the legislation governing membership of the Cabinet/Executive and how this impacts Councillors who wish to take parental leave. Councils have a strict statutory limit of ten members of the cabinet/executive – including the Leader. Should one of those members wish to take parental leave for any significant period during their tenure as a cabinet member, and there is already a full complement of cabinet and leader up to the statutory limit they are faced with what is an entirely unfair dilemma. They either resign from the post so another councillor can be appointed or they leave their colleagues with an additional workload for their period of absence. While some Councils have sought to appoint deputy cabinet members or the like these are not proper answers to this issue as they are not cabinet members with the appropriate legal and constitutional authority. It is very easy to compare this to the position of an employee where a replacement can be appointed for the duration without prejudice to the individuals' rights to return. While self-evidently Councillors are not employees there should not be any additional hurdles to participation for any section of the population.

13.5 The Panel support the view that the legislation needs reviewing.

#### **14.0 Travel and Subsistence allowances**

14.1 The Basic Allowance should cover basic out-of-pocket expenses incurred by councillors, including intra-borough travel costs and expenses. The members' allowances scheme should, however, provide for special circumstances, such as travel after late meetings or travel by councillors with disabilities. The scheme should enable councillors to claim travel expenses when their duties take them out of their home borough, including a bicycle allowance.

#### **15.0 Allowances for Civic Mayor or Civic Head**

15.1 Many councils include the allowances for the mayor (or civic head) and deputy in their members' allowance scheme. However, these allowances do serve a rather different purpose from the 'ordinary' members' allowances, since they are intended to enable the civic heads to perform a ceremonial role. There are separate statutory provisions (ss 3 and 5 of the Local Government Act 1972) for such allowances and councils may find it convenient to use those provisions rather than to include the allowances in the members' allowance scheme.

#### **16.0 Allowances that fall outside this scheme**

16.1 Within the context of this review, the Panel has not looked at remuneration that councillors may receive for their roles on outside bodies, wholly owned companies or joint venture partnerships. However, in the interests of transparency, the Panel requests that councils consider how information on all members remuneration within their borough is made easily available to the public in the same place. The Panel recommends that where local authorities have set up companies which remunerate councillors who act as directors these allowance should be set out in the members allowances scheme.

## **17.0 Local discretion**

- 17.1 It is for each borough to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. The Panel believes these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.
- 17.2 The scheme should be able to be applied to different types of governance arrangements and interpreted flexibly. The Panel has received legal advice that suggests that in boroughs which operate through the Committee System, where a Committee Chair has identified responsibilities in a role profile for particular services, then in practice the duties and responsibilities of a Committee Chair are equivalent to the role of a Cabinet Member and that a similar system of allowances should be used. For example, in some boroughs which use a committee system, the Statutory Lead Member for Children's Services is the Chair of the Children and Community Services Committee. In this case, it would be reasonable to suggest that this Committee Chair should receive the SRA equivalent to that of a Cabinet Member. The Panel must emphasise that these decisions are dependent on the arrangements adopted by the authority in question and should be decided on a case by case basis.

## **18.0 Pensions**

- 18.1 There is a widespread view amongst the councillors we spoke to in 2022 and this year that a disincentive to the recruitment and retention of councillors has been the Government's decision in 2014 to remove the right of councillors to join the local government pension scheme. This was keenly felt by those councillors the Panel heard from. The Panel notes that the rationale behind that decision was unclear and that councillors in Scotland, Wales and Northern Ireland continue to be entitled to a local government pension. The Panel is of the view that this inconsistency should be addressed. Although this issue is beyond the remit of the Panel, the Panel will nevertheless write a letter to the Secretary of State asking the government to look again at this important issue,

## **19.0 Annual uplifts**

- 19.1 The Panel continues to recommend that all allowances should be updated annually in line with the percentage pay award agreed by the National Joint Council (NJC) for Local Government Services staff.
- 19.2 In some years the NJC national pay award is agreed as being in the form of a lump sum for all or the majority of staff or the rate of increase is different at different levels on the NJC pay spine. In such situations a method of deriving an appropriate increase in the Members' basic allowance (so it keeps in line with the staff pay award) is required. To achieve this the panel will have regard to any NJC guidance such as guidance on what any lump sum equates to as an average percentage pay increase, and guidance on the percentage increase to any staff allowances. The Panel will also consider the average (mean) percentage increase to the spinal column points,



but excluding any exceptional increases such as measures to rectify a low pay problem at the lowest level of the pay spine. For illustrative purposes, for April 2023 the figure was 3.88%“

**20. Review of implementation**

- 20.1 The Panel proposes to convene in the final quarter of 2024 to review how its recommendations have been implemented by boroughs across London and at the same time consider the most recently published ASHE data on median salaries of those working in the Greater London area, as well as any agreed NJC national pay award.

**Mike Cooke**

**Sir Rodney Brooke CBE DL**

**Anne Watts CBE**

**December 2023**

## **Appendix A**

### **THE RECOMMENDED MEMBER ALLOWANCE SCHEME FOR LONDON**

#### **The Basic allowance: £15,960**

#### **Special responsibilities – beyond the basic allowance**

##### **Calculation of special allowances**

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below.

##### **BAND ONE**

The posts that the Panel envisages falling within band one, include:

- Vice chair of a service, regulatory or scrutiny committee
- Chair of sub-committee
- Leader of second or smaller opposition group
- Service spokesperson for first opposition group
- First opposition group whip (in respect of council business)
- Vice chair of council business
- Chairs, vice chairs, area committees and forums
- Cabinet assistant
- Acting as a member of a committee or sub-committee which meets with exceptional frequency or for exceptionally long periods
- Acting as a member of an adoption panel where membership requires attendance with exceptional frequency or for exceptionally long periods
- Leadership of a specific major project.

##### **Remuneration**

The Panel proposes that band one special responsibility allowances should be on a sliding scale of between 5-15% per cent of the Leader's SRA.

This would be made up as follows:

Basic allowance: £15,960

Band One allowance: £3,105 - £9,314

**Total: £19,065 - £25,274**

## **BAND TWO**

The Panel considers that the types of office being within band two are:

- Lead member in scrutiny arrangements, such as chair of a scrutiny panel
- Representative on key outside body
- Chair of major regulatory committee e.g. planning
- Chair of council business (civic mayor)
- Leader of principal opposition group
- Majority party chief whip (in respect of council business).

## **Remuneration**

The Panel proposes that band two allowances should be on a sliding scale between 25-50 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £15,960

Band two allowances: £15,523 - £31,046

**Total: £31,483 - £47,006**

### **BAND THREE**

The Panel sees this band as appropriate to the following posts:

- Cabinet member
- Chair of the Health and Wellbeing Board
- Chair of the main overview or scrutiny committee
- Deputy leader of the council

#### **Remuneration:**

The Panel proposes that band three allowances should be between 60-75 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £15,960

Band three allowance: £37,255 - £46,569

**Total: £53,215 - £62,529**

### **BAND FOUR**

Leader of the Council

This is often a full-time role, involving a high level of responsibility. It is right that it should be remunerated on a basis which compares with roles with similar levels of responsibility, while still retaining a reflection of the voluntary character of public service.

#### **Remuneration:**

**The Panel proposes that the remuneration package for a council leader under band four of our scheme should be £78,052.**

This is made up as follows:

Basic allowance: £15,960

Band four allowance: £62,092

**Total: £78,052**

## **BAND FIVE**

### **Directly elected mayor**

A directly elected mayor has a full-time job with a high level of responsibility and exercises executive responsibilities over a fixed electoral cycle. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service. However, the Panel believes that this post remains different to that of the strong leader with cabinet model. The directly elected mayor is directly elected by the electorate as a whole. The strong leader holds office at the pleasure of the council and can be removed by the council. The Panel believes that the distinction is paramount and this should be reflected in the salary level.

### **Remuneration:**

The Panel proposes that a directly elected mayor should receive a remuneration of **£93,575**.

## **Appendix B**

### **A Job Profile for councillors**

In its previous reports, the Panel reflected on the importance of the role of elected members. The 'job profile' for councillors originally included in the Panel's 2010 report is repeated in as the Panel still considers it to be accurate and up to date.

### **On behalf of the community – a job profile for councillors**

#### **Purposes:**

1. To participate constructively in the good governance of the area.
2. To contribute actively to the formation and scrutiny of the authority's policies, budget, strategies and service delivery.
3. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations.
4. To champion the causes which best relate to the interests and sustainability of the community and campaign for the improvement of the quality of life of the community in terms of equity, economy and environment.
5. To represent the council on an outside body, such as a charitable trust or neighbourhood association.

#### **Key Tasks:**

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (for example, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.

6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To represent effectively the interests of the ward for which the councillor was elected, and deal with constituents' enquiries and representations including, where required, acting as a liaison between the constituent and the local authority and where appropriate other public service providers.
10. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
11. To participate in the activities of any political group of which the councillor is a member.
12. To undertake necessary training and development programmes as agreed by the authority.
13. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

## **Appendix C**

The independent panel members

### **Mike Cooke**

Mike Cooke was the Chief Executive of the London Borough of Camden for seven years, where he had also been Director of Housing and Adult Social Care and HR Director. He has extensive experience of partnership working across London including as the Chief Executive Leadership Committee lead on children and chairing the London Safeguarding Children Board. Mike also has worked for seven years in financial services where he developed an expertise in remuneration.

Until November 2020 Mike had been a Non-Executive Director of the Central and North West London NHS Foundation Trust where he was chair of the HR Committee. Mike's current role is the Chair of the North Central London Integrated Health and Care System.

### **Sir Rodney Brooke CBE, DL**

Sir Rodney Brooke has a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities.

He was knighted in 2007 for his contribution to public service.

### **Dr Anne Watts CBE**

Anne Watts has an extensive career in governance, diversity and inclusion spanning commercial, public and voluntary sectors. She has held executive roles for HSBC and Business in the Community and was chair of the Appointments Commission. She has carried out reviews of Government departments and the Army. In addition she has been a member of Government Pay review bodies and Deputy Chair, University of Surrey where she chaired the Remuneration Committee and the new Vet School.

She is a non-exec of Newable (previously Greater London Enterprise) where she chairs the Environmental, Social and Corporate Governance Committee and is a non-exec of Newflex subsidiary. In addition she continues to sit on the Race and Gender Equality Leadership teams for Business in the Community.





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**Report for:** Standards Committee 4 February 2025

**Title:** Revision of the list of documents in the Policy Framework

**Report authorised by:** Fiona Alderman, Assistant Director for Legal and Governance (Monitoring Officer)

**Lead Officer:** Fiona Alderman, Assistant Director for Legal and Governance (Monitoring Officer)

**Ward(s) affected:** N/A

**Report for Key/  
Non-Key Decision:** N/A

**1. Describe the issue under consideration**

- 1.1 The Constitution sets out the Council's governance arrangements and procedures. From time to time, changes are required to correct inaccuracies and reflect legislative changes. This report sets out proposed amendments to the Budget and Policy Framework which currently contains references to two obsolete plans along with an obsolete reference to the Cabinet Advisory Board.

**2. Cabinet Member Introduction**

N/A

**3. Recommendations**

- 3.1 The Standards Committee is asked to consider the contents of this report and:
- a) Delete reference to the Annual Library Plan
  - b) Insert footnote as shown in Appendix 1 to show reasons why Annual Library Plan no longer referenced.
  - c) To consider whether the prospective Library Strategy should be added to the Policy Framework.
  - d) Delete reference to Best Value Performance Plan.
  - e) Delete reference to Cabinet Advisory Board
- 3.2 Subject to approval of 3.1 above, delegate authority to the Monitoring Officer to prepare the dispensation for publication on the Council's website.

**4 Reasons for decision**

- 4.1 Due to changes in the law and statutory guidance, there is no longer a legal requirement for a Best Value Improvement Plan nor an Annual Library Plan. The Budget and Policy Framework therefore needs to be updated to reflect these changes. Article 14 of the

Constitution requires the Monitoring Officer to review the operation of the Constitution to ensure the aims and principles of the Constitution are given full effect.

## **5 Alternative options considered**

- 5.1 Not to update the policy framework. This option is not appropriate as it will not ensure that the Constitution is kept up to date and fit for purpose.

## **6. Background**

- 6.1 Article 4 of the Constitution currently sets out the Policy Framework which are those plans and strategies which must be reserved to the full Council for approval:

- Annual Library Plan
- Best Value Performance Plan
- Crime and Disorder Reduction (community safety) Strategy
- Development Plan documents
- Youth Justice Plan
- Statement of Gambling Policy
- Statement of Licensing Policy
- Treasury Management Strategy

Any other policies the law requires must be approved by full council

### **The deletion of the reference to the Annual Library Plan**

- 6.2 The Local Government Act 2000 together with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended ('2000 Regulations'), identify which functions are to be treated as executive functions and non-executive functions. Regulation 4 and Schedule 3 to the Regulations set out which functions which are not to be the sole responsibility of the executive and are treated as the joint responsibility of Cabinet and Council. These are referenced in Article 4 of the Council's Constitution as the 'Policy Framework' which is a list of plans and strategies which are required to be decided by Full Council, usually on the recommendation of the Cabinet.
- 6.3 The Policy Framework should be updated to reflect changes in legislation and guidance issued by the Secretary of State.
- 6.4 The 2000 Regulations still includes reference to 'Annual Library Plan - Section 1(2) of the Public Libraries and Museums Act 1964'. However, section 1(2) of the Public Libraries and Museums Act 1964 does not specifically mention the requirement to produce an Annual Library Plan and instead states "Every library authority shall furnish such information and provide such facilities for the inspection of library premises, stocks and records, as the Secretary of State may require for carrying out his duty under this section".
- 6.5 The Department of Digital, Culture, Media and Sport ('DCMS') confirms that the Annual Library Plans were first introduced in 1998 and Public Library Standards were implemented in 2001. They were intended to provide a focus for library managers to gather information and manage library services. At that time local

authorities were required to submit an annual library plan to DCMS by the end of September each year. In February 2003, DCMS published "Framework for the Future" setting out the comprehensive performance assessment process instead of requiring an Annual Library Plan from each library authority. This has since been replaced by the Comprehensive Area Assessment and the Public Library Standards have been withdrawn. There is no longer a requirement from DCMS that an Annual Library Plan be submitted to the Department for approval or otherwise and the expectation is that planning the delivery of their library service is best decided at a local level.

#### **The deletion of the Best Value Performance Plan**

- 6.6 There is no longer a statutory requirement to produce a Best Value Performance Plan. The Council is required to have regard to the Best Value standards and intervention: a statutory guide for best value authorities. Under the 1999 Act, local authorities must legally deliver what is termed 'Best Value' – a council must be able to show that it has arrangements to secure continuous improvement in how it carries out its work. This guidance provides more clarity on the use of powers under the Act where this Best Value Duty is not, or is at risk of not, being met. And where these standards are not upheld, it sets out the models of statutory and non-statutory intervention available, with stages of escalation.

#### **The deletion of the words ' Cabinet Advisory Board'**

- 6.7 Article 4, paragraph 4.01 (b) sets out the budget framework and currently states that the determination of the Council Tax Base is delegated to the Chief Financial Officer in consultation with the Cabinet Member for Finance and the Cabinet Advisory Board. The Cabinet Advisory Board no longer exists.
- 6.8 The Constitution Working Group considered this report on the 29<sup>th</sup> of January 2025 and discussed the following:
- That the Policy Framework set out the plans and strategies that were required according to the LGA 2000 Act. They noted that the Council can add in policies to this list as they saw as important to the borough. For example, Haringey had added in the Housing Strategy. It was further noted that other North London borough Constitutions had similar list of policies.
  - With regards to adding the libraries strategy to the list of Policy Framework documents this could be done further to considering the content and seeking a steer from Cabinet and having the required political discussions on this strategy.
  - Noted that, if the Libraries' Strategy was added to the Policy Framework, this would mean that Cabinet recommends the strategy for full Council adoption. The Constitution Working Group noted that Full Council only had 3 ordinary meetings per year and therefore the pros and cons of awaiting a Council meeting to adopt the strategy may be a consideration.

- 6.9 The Constitution Working Group endorsed the recommendations outlined in paragraph 3.1. In relation to recommendation 3.1b they agreed that the foot note show reasons why the Annual Library Plan was no longer referenced. They further agreed that the foot note also include wording that provides assurance that consideration can be given to in adding in a Libraries strategy to the Policy Framework list of documents when developed. This wording has been added in Appendices 1 and 2 and for ease of reference is as follows:

*The 2000 Regulations still specify that the Council's Annual Library plan needs to be part of the Policy Framework. The Council is not currently required to produce an Annual Library Plan by statute in relation to s1(2) of the Public Library and Museums Act 1964. The Annual Library Plan has been removed from the Policy Framework on 5 February 2025. This is a similar approach taken by other local authorities. A Library Strategy is currently being developed and it is open to the Council to include this in the Policy Framework when it is ready for approval.*

**7. Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes**

- 7.1 Ensuring good governance within the Council and by councillors supports all strategic priorities.

**8. Statutory Officers comments (Director of Finance (procurement), Head of Legal and Governance, Equalities)**

**Finance**

- 8.1 There are no direct financial implications arising from the recommendations in this report.

**Legal**

- 8.2 This is a report of the Assistant Director of Legal and Governance (Monitoring Officer). Their comments are included in the body of this report.

**Equality**

- 8.3 There are no direct equalities implications arising from the recommendations in this report.

**9 Use of Appendices**

- 9.1 Appendix 1 - Haringey Constitution - Part 2 Articles - Track Changes

Appendix 2 - Haringey Constitution Part 3 – Responsibility for Functions  
Section B – Full Council & Non-Executive Bodies – Track Changes

10 **Background Papers**

10.1 The Council Constitution.

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# Part Two

## Articles

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### **Article 1 - The Constitution**

#### **1.01 Powers of the Council**

The Council will exercise all its powers and duties in accordance with the law and this Constitution.

#### **1.02 The Constitution**

This Constitution, and all its appendices, is the Constitution of the London Borough of Haringey.

#### **1.03 Purpose of the Constitution**

The purpose of the Constitution is to:

1. Enable the Council to provide clear leadership to the community in partnership with citizens, businesses and other organisations;
2. Support the active involvement of citizens in the process of local authority decision-making;
3. Help councillors represent their constituents more effectively;
4. Enable decisions to be taken efficiently and effectively;
5. Create a powerful and effective means of holding decision-makers to public account;
6. Ensure that no-one will review or scrutinise a decision in which they were directly involved;
7. Ensure that those responsible for decision making are clearly identifiable to local people and that they explain the reasons for decisions; and
8. Provide a means of improving the delivery of services to the community.

#### **1.04 Interpretation and Review of the Constitution**

Where the Constitution permits the Council to choose between different courses of action, the Council will always choose that option which it thinks is closest to the purposes stated above. The Council will monitor and evaluate the operation of the Constitution as set out in Article 15.

## Article 2 - Members of the Council

### 2.01 Composition and eligibility

- (a) **Composition.** The Council will comprise 57 members, otherwise called councillors. Three members will be elected by the voters of each ward in accordance with a scheme drawn up by the Local Government Commission and approved by the Secretary of State or by the Electoral Commission.
- (b) **Eligibility.** People can hold office as councillors if they are on the electoral register or if they have lived, worked or occupied property in the Borough for 12 months.

### 2.02 Election and terms of councillors

**Election and terms.** The regular election of councillors will be held on the first Thursday in May every four years beginning in 2002. The terms of office of councillors will start on the fourth day after being elected and will finish on the fourth day after the date of the next regular election.

### 2.03 Roles and functions of all councillors

- (a) **Key roles.** All councillors will:
  - (i) Collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
  - (ii) Contribute to the good governance of the area and actively encourage community participation and citizen involvement in decision making;
  - (iii) Effectively represent the interests of their ward and of individual constituents;
  - (iv) Respond to constituents' enquiries and representations, fairly and impartially;
  - (v) Participate in the governance of the Council;
  - (vi) Maintain the highest standards of conduct and ethics; and
  - (vii) Be available to represent the Council on other bodies.

## PART TWO – ARTICLES OF THE CONSTITUTION

### (b) **Rights and duties**

- (i) Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
- (ii) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a councillor or officer entitled to know it. However, a Committee may disclose information previously treated as “exempt” where such information is within the Committee’s terms of reference and such disclosure is reasonable, in the public interest, in good faith and does not breach any other reasonable requirements of the Council. The advice of the Monitoring Officer should be sought prior to any disclosure of such information.
- (iii) For these purposes “confidential” and “exempt” information are defined in the Access to Information Procedure Rules in Part 4 of this Constitution which define councillors’ rights to information in more detail.

### **2.04 Conduct**

Councillors will at all times observe the Member's Code of Conduct and the Protocol on Member/Officer Relations set out in Part 5 of this Constitution.

### **2.05 Allowances**

Councillors will be entitled to receive allowances in accordance with the Members' Allowances Scheme set out in Part 6 of this Constitution.

### **2.06 Political Groups**

The Local Government (Committees and Political Groups) Regulations 1990 require that a political group is treated as constituted when there is delivered to the Proper Officer a notice in writing signed by two or more members of the authority who wish to be treated as a political group. A political group ceases to be constituted as such if the number of members of that group is less than two.

## PART TWO – ARTICLES OF THE CONSTITUTION

**Article 3 – Citizens of The Council****3.01 Citizens rights**

This Article explains the rights of citizens in Haringey. The rights of citizens to information and to participate are explained in more detail in the Access to Information Procedure Rules in Part 4 of this Constitution:

- (a) **Voting and petitions.** Citizens on the electoral roll for the area have the right to vote and sign a petition to request a referendum for a change in the Council's governance arrangements.
- (b) **Information.** Citizens have the right to:
  - (i) Attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
  - (ii) Attend meetings of the Cabinet when key decisions are being made except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
  - (iii) Find out from the forward plan what key decisions will be taken by the Cabinet, Cabinet Committees or individual Cabinet members and which meetings will be held in private;
  - (iv) See reports and background papers, and any records of decisions made by the Council and its committees and the Cabinet, its committees, individual Cabinet members and Officers; and
  - (v) Inspect the Council's accounts and make their views known to the external auditor.
  - (vi) Be informed in writing whether the Council holds any information as requested under the Freedom of Information Act 2000. If the information is held by the Council, citizens have the right to have that information communicated to them except where such information is the subject of an exemption under the Freedom of Information Act 2000.
- (c) **Participation.**

The Council is committed to helping people contribute to how decisions are made about local services, and will therefore

## PART TWO – ARTICLES OF THE CONSTITUTION

support a wide range of consultations to hear residents' views. The Council also wants to develop more ways of working with local people and communities, particularly hard to reach groups such as young people and minority ethnic communities. In addition, individual citizens of Haringey have the following rights under this Constitution:

- (i) The right to participate in any public sessions arranged for members of the Cabinet to answer questions from Haringey residents.
- (ii) The right to be asked to contribute to the work of the Overview and Scrutiny Committee and its scrutiny panels and reviews.
- (iii) The right to attend as part of a deputation to the Cabinet and to Council in accordance with the relevant rules.
- (d) **Representations and Complaints.** Citizens wishing to complain may:
  - (i) Make representations to their ward councillors or to members of the Cabinet;
  - (ii) Make a formal complaint about any Council service to the Council itself under its complaints scheme;
  - (iii) Complain to the Ombudsman after using the Council's own complaints scheme;
  - (iv) Make a formal complaint about a breach of the Member's Code of Conduct.
- (e) **Petitions**

People on the electoral roll for the Council's area may sign a petition to request a referendum for a change in the Council's governance arrangements. Citizens may also present petitions on other matters to the Cabinet, to Council or their ward member.

### 3.02 Citizens responsibilities

There are a number of ways that Haringey citizens can contribute to a flourishing democratic local authority and civic culture, which this Constitution is intended to support:

- (i) Assisting the Council with the compilation of the electoral register (by meeting their obligations to provide information about

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themselves) and respecting any requirements for proper use of this information;

- (ii) Exercising their right to vote in local, regional, and national elections;
- (iii) Respecting and valuing the diversity of communities and their views within a densely populated urban area such as Haringey;
- (iv) Behaving in socially and morally responsible ways, towards those in authority and towards each other;
- (v) Meeting their obligations in relation to the Council, such as paying their council tax, ensuring their child attends school, etc.
- (vi) Citizens must not be violent, abusing or threatening to councillors or officers and must not wilfully harm things owned by the Council, councillors or officers.

**Article 4 - The Full Council****4.01 Meanings**

- (a) **Policy Framework.** These are the plans and strategies that must be reserved to the full Council for approval:

- ~~- Annual Library Plan~~
- ~~- Best Value Performance Plan~~
- Crime and Disorder Reduction (community safety) Strategy
- Development Plan documents
- Youth Justice Plan
- Statement of Gambling Policy
- Statement of Licensing Policy
- Treasury Management Strategy

Any other policies the law requires must be approved by full Council.

Such other plans and strategies that the Council agrees from time to time that it should consider as part of its Policy Framework:

- Housing Strategy

- (b) **Budget.** The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the council tax and decisions relating to the control of the Council's borrowing requirements, the control of its capital expenditure and the setting of virement limits. The determination of the Council Tax Base is delegated to the Chief Finance Officer in consultation with the Cabinet Member for Finance, ~~and the Cabinet Advisory Board.~~

- (c) **Housing Land Transfer.** Housing Land Transfer means the approval or adoption of applications (whether in draft form or not) to the Secretary of State for approval of a programme of disposal of 500 or more properties to a person under the Leasehold Reform, Housing and Urban Development Act 1993 or to dispose of land used for residential purposes where approval is required under sections 32 or 43 of the Housing Act 1985.

<sup>1</sup> ~~"The 2000 Regulations still specify that the Council's Annual Library plan needs to be part of the Policy Framework. The Council is not currently required to produce an Annual Library Plan by statute in relation to s1(2) of the Public Library and Museums Act 1964. The Annual Library Plan has been removed from the Policy Framework on 5 February 2025. This is a similar approach taken by other local authorities. A Library Strategy is currently being developed, and it is open to the Council to include this in the Policy Framework when it is ready for approval."~~

#### 4.02 Functions of the full Council

Only the Council will exercise the following functions:

- (a) Adopting and changing the Constitution;
- (b) Approving or adopting the policy framework as set out in the appropriate schedule above;
- (c) Approving the budget and levying council tax;
- (d) Determining the borrowing limits for the authority for each financial year and the proportions of borrowing that are to be set at variable rates;
- (e) Making or revising a Council Tax Reduction Scheme;
- (f) Approval of the Community Infrastructure Levy Charging Schedule;
- (g) Approval of Development Plan Documents (DPDs) prior to submission to the Secretary of State;
- (h) Approving any application to the Secretary of State in respect of any Housing Land Transfer as set out in Article 4.01 (c) above;
- (i) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of an Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (j) Electing the Leader;
- (k) Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and delegating functions to them from time to time as may be appropriate;
- (l) Agreeing recommendations arising from Scrutiny Reviews of nonexecutive functions;
- (m) Deciding on recommendations arising from Scrutiny Reviews not accepted by the Cabinet and referred by the Chair of Overview and Scrutiny Committee;
- (n) Agreeing and/or amending the Scheme of Delegations to Officers with respect to non-executive functions;



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- (o) Appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;
- (p) Adopting and amending the Members' Allowances Scheme;
- (q) Changing the name of the area, conferring the title of honorary alderman or freedom of the borough and establishing any new Civic Link;
- (r) Confirming the appointment or dismissal of the Head of Paid Service;
- (s) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills including the adoption of any legislation where the Council has a discretion;
- (t) All local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet, or any Committee, Sub-Committee or officer;
- (u) Entering into, or confirming existing, joint arrangements with other local authorities unless this only concerns either
  - i) "executive" functions when the decision is for the Cabinet; or ii)
 the creation of joint sub-committees by the Health and Wellbeing Board pursuant to s198 of the Health and Social Care Act 2012;
- (v) Adopting the Members' Code of Conduct;
- (w) Approving Pilot Schemes for Local Elections;
- (x) To discharge all licensing functions and such other matters which must be reserved to the Council as specified in the Licensing Act 2003 (the "Act"), or any Regulations published in relation to the Act or any other legislation or any statute or regulations amending, consolidating or replacing them including approving, reviewing and revising any Statement of Licensing Policy in relation to the Licensing Act 2003;
- (y) To discharge all functions which must be reserved to full Council as specified in the Gambling Act 2005, or any other ancillary regulations or legislative provisions amending, consolidating or replacing the same, including:
  - (i) approving and revising any Statement of Licensing Policy;
  - (ii) resolving not to issue any casino premises licences in the next three years;
- (z) Adopting Standing Orders for the Council and Standing Orders as to Contracts;
- (za) Making any decisions in respect of non-Executive functions which have not been expressly delegated elsewhere;
- (zb) All matters that must be reserved to Council under the Financial Regulations including the adoption and amendment of the Treasury Management Strategy Statement and the consideration of annual, mid-year monitoring reports and an out-turn report after the close of the year on treasury management policies and practices; and

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- (zc) All other matters that, by law, must be reserved to Council.

**4.03 Council meetings**

There are four types of Council meetings:

- (a) The Annual meeting;
- (b) The Budget Setting meeting; (c) Ordinary meetings; (d) Extraordinary meetings.

They will be conducted in accordance with the Standing Orders (Council Procedure Rules) in Part 4 of this Constitution. Council meetings will be chaired by the Mayor if he/she is present. If the Mayor is not present, Council will select another Councillor to take the Chair. The Deputy Mayor does not automatically chair the meeting in the Mayor's absence. The Council may select the Deputy Mayor if it so wishes.

**4.04 Responsibility for functions**

The Council will maintain the information in Part 3 of this Constitution setting out the responsibilities for the Council's functions that are not the responsibility of the Cabinet.

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**Article 5 - Chairing the Council**

**5.01 Role and function of the Mayor**

The Mayor will have the following roles and functions:

1. To uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
2. To preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of councillors and the interests of the community;
3. To ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which members who are not members of the Cabinet or hold committee chairs are able to hold the Cabinet and committee chairs to account;
4. To promote public involvement in the Council's activities;
5. To be the conscience of the Council; and
6. To attend such civic and ceremonial functions as the Council and he/she determines appropriate.

**5.02 First Citizen.**

The Mayor shall take precedence i.e. shall be the first citizen of the London Borough of Haringey.

**Article 6 - Overview and Scrutiny**

**6.01 Terms of reference**

The Council will appoint an Overview and Scrutiny Committee to discharge the functions conferred by section 9F of the Local Government Act 2000, the Health & Social Care Act 2001 and the NHS Reform & Health Professionals Act 2002.

**6.02. General role**

Within its terms of reference, the Overview and Scrutiny Committee may:

- (a) Exercise an overview of the forward plan;
- (b) Review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;
- (c) Make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;

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- (d) Make reports or recommendations on matters affecting the area or its inhabitants;
- (e) Exercise the right to call-in, for reconsideration, key decisions made but not yet implemented by the Executive;
- (f) Receive the reports and recommendations of its commissioned Scrutiny Review Panels; and
- (g) In accordance with statutory regulations to review and scrutinise matters relating to the health service within the Authority's area and to make reports and recommendations thereon to local NHS bodies;
- (h) Enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

**6.03 Specific functions****(a) Scrutiny Review Panels.**

The Overview and Scrutiny Committee shall appoint Scrutiny Review Panels in order to discharge the Overview and Scrutiny role for designated public services and will co-ordinate their respective roles.

**(b) Policy development and review.**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish may:

- (i) Assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
- (ii) Conduct research, community and other consultation in the analysis of policy issues and possible options;
- (iii) Consider and implement mechanisms to encourage and enhance community participation in the development of policy options;
- (iv) Question members of the Cabinet and chief officers about their views on issues and proposals affecting the area; and
- (v) Liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

**(c) Scrutiny.**

## PART TWO – ARTICLES OF THE CONSTITUTION

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish may:

- (i) Review and scrutinise the decisions made by and performance of the Cabinet and Council officers both in relation to individual decisions and over time;
- (ii) Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- (iii) Question members of the Cabinet and chief officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- (iv) Make recommendations to the Cabinet or relevant nonexecutive Committee arising from the outcome of the scrutiny process;
- (v) Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the overview and scrutiny committee and local people about their activities and performance; and
- (vi) Question and gather evidence from any person (with their consent).

### **(d) Finance**

Overview and Scrutiny Committee may exercise overall responsibility for the finances made available to them.

### **(e) Annual report.**

Overview and Scrutiny Committee must report annually to full Council on their workings and make recommendations for future work programmes and amended working methods if appropriate.

## **6.04 Proceedings of Overview and Scrutiny Committee**

The Overview and Scrutiny Committee and any Scrutiny Review Panels it may establish will conduct their proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

## **6.05 Votes of No Confidence**

The Chair of the Overview and Scrutiny Committee or the Chair of a Scrutiny Review Panel shall cease to hold that office as a Scrutiny member if a vote of no confidence, of which notice appears on the agenda, is carried at the meeting of the relevant body. The responsibilities of that member shall be carried out by

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the relevant Vice-Chair until such time as a subsequent meeting of that body has been notified of the appointment of a replacement or the reappointment of the member concerned. In the event of all members of the Overview and Scrutiny Committee having been removed from office in this way at any time, Scrutiny functions shall in the interim be carried out by full Council.

## **Article 7 - The Leader and the Cabinet**

### **7.01 The Leader**

The Leader will be a councillor elected to the position of Leader by the Council. The Leader may exercise any “executive” functions of the local authority even if delegated elsewhere in this Constitution except those functions which by law must be discharged by an officer. Unless the context indicates otherwise, where there is a reference in this Constitution to a decision which may be taken by the Cabinet meeting, by a Cabinet Committee or subordinate body or by an individual Cabinet member, that decision may be taken by the Leader personally, or the Leader may choose to allocate that decision to an individual Cabinet member or to a Committee of the Cabinet.

### **7.02 The Leader will hold office until:**

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- (a) He/she resigns from the office; or
- (b) He/she is disqualified from being a councillor by order of a court;
- (c) He/she is no longer a councillor; or
- (d) He/she is removed from office by resolution of the Council under Article 7.06; or
- (e) The Annual Meeting following the Council Elections after his/her election as Leader.

**7.03 The Cabinet**

The Cabinet will carry out all of the local authority's "executive" functions that are not the responsibility of any other part of the local authority, whether by law or under this Constitution, unless the Leader decides to discharge them personally or allocate them to an individual Cabinet member or a Committee of the Cabinet.

**7.04 Form and Composition**

The Cabinet will consist of the Cabinet Leader together with between 2 and 9 other councillors ("Cabinet Members") appointed to the Cabinet by the Leader but may not include the Mayor or Deputy Mayor.

**7.05 Other Cabinet members**

- (i) The Leader will determine the number of Cabinet members to be appointed which will be between 2 and 9 (in addition to the Leader).
- (ii) Each Cabinet member will be appointed by the Leader to cover one of the specific portfolio responsibilities (other than those reserved to the Leader) determined by the Leader. The Leader or a Cabinet member must hold the specific statutory portfolio responsibility for Children's Services and a separate portfolio responsibility for Adult Services.
- (iii) One Cabinet member will be appointed as Deputy Leader with power to exercise the Leader's functions in the event that the Leader is unable to act or the office is vacant.
- (iv) Individual Cabinet members may exercise powers delegated by The Leader within their specific portfolio responsibilities as set out in Part 3.
- (v) Cabinet members shall hold office until one of the events (a) to (e) below:
  - (a) They resign from office; or

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- (b) They are disqualified from being councillors by order of a court;
- (c) They are no longer councillors; or
- (d) They are removed from office, either individually or collectively, by the Leader; or
- (e) The Annual Meeting following the Council Elections after their appointment.

### 7.06 Votes of No Confidence

The Leader shall cease to hold office if a vote of no confidence, of which notice appears on the agenda, is carried at a meeting of the full Council by a majority of the members of the whole Council then present. The responsibilities of the Leader shall then be carried out by the Deputy Leader until such time as the election of a replacement Leader, or the re-election of the previous Leader, by full Council. The election of the new Leader may take place at the meeting when the vote of no confidence was carried or at a subsequent meeting.

### 7.07 Default Provisions

- (i) In the event that Leader is unable to act or the office of Leader is vacant and, at the same time, the Deputy Leader is unable to act or the office of Deputy Leader is vacant, then the other Cabinet members shall act collectively in place of the Leader until such time as a new Leader is elected by the full Council.
- (ii) In the event that no Cabinet members are able to act or remain in office then all functions of the Leader and Cabinet members shall be exercised by the Chief Executive acting so far as is practicable in consultation with the remaining Cabinet members or the Mayor, if no Cabinet members remain in office (or Deputy Mayor if the Mayor is unable to act), until such time as a new Leader is elected by the full Council.

### 7.08 Proceedings of the Cabinet

Proceedings of the Cabinet, Cabinet Committees and decisions by individual Cabinet members shall take place in accordance with the Cabinet Procedure Rules set out in Part 4.

### 7.09 Responsibility for Functions

- (i) The Leader may discharge all the Council's "executive" functions or may arrange for the discharge of any of those functions by:
  - (a) The Cabinet;
  - (b) A Cabinet member;
  - (c) A Committee of the Cabinet; or



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- (d) An officer
  - (ii) The Leader will maintain a list in this Constitution or the appendices to it setting out which individual Cabinet members, Committees of the Cabinet or officers are responsible for the exercise of particular Cabinet functions.

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**Article 8 - Non-Executive Committees**

- 8.01** A number of functions such as planning control, licensing, health and safety regulation, electoral matters, local act powers, employee terms and conditions and pensions matters are not Executive functions for which the Cabinet is responsible. These matters are excluded from the Executive functions by law, regulations or the provisions of this Constitution.
- 8.02** The Council shall appoint the Committees set out in Part 3 Section B of this Constitution to discharge the functions described. These include a Committee to be called the Strategic Planning Committee to be responsible for planning control and a main Licensing Committee to be responsible for licensing matters. The following are also Committees of the council: (i) Audit Committee to be responsible for Audit , Risk and Treasury Management (ii) an Appointments Panel to appoint statutory officers and Directors and a Disciplinary, Grievance and Dismissal Panel and (iii) a General Purposes Committee for other non-executive functions as specified under legislation that are not reserved to full Council or delegated to any other Committee, Sub-Committee, Panel or other body described in Part 3 of this Constitution or an appendix to it. The Council's functions as statutory trustee of the Alexandra Palace and Park charitable trust are discharged by the Alexandra Palace and Park Board.
- 8.03** The Council's non-executive functions are currently set out in Statutory Instrument 2000 No. 2853, and subsequent amending Regulations.
- 8.04** The Committees described above will be established at the Annual Meeting of the Council.
- 8.05** The Committees described above will establish appropriate subcommittees, whose terms of reference are set out in Part 3 of this Constitution or an appendix to it.
- 8.06** Proceedings of the Committees and their sub committees shall take place in accordance with the Council Committee Procedure Rules in Part 4 of this Constitution.

**Article 9 - The Standards Committee**

**9.01 Standards Committee**

The Council meeting will establish a Standards Committee to promote and maintain high standards of conduct by members and co-opted members of the Council.

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**9.02 Composition**

The Standards Committee will be composed of councillors appointed on the basis of political balance. In addition, the Standards Committee may appoint up to six non-voting co-opted members.

**Quorum.** The quorum of the Standards Committee is three.

**9.03 Role and Function**

The Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by councillors, co-opted members and representatives of religious organisations and parent governor representatives;
- (b) Assisting the Leader, councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct;
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) Monitoring the operation of the Members' Code of Conduct;
- (e) Advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct and the ethical framework;
- (f) Granting dispensations to councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- (g) Advising the Council on codes and protocols forming the Council's ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;
- (i) Responding to national reviews and consultations on standards related issues;
- (j) Granting exemptions for politically restricted posts and giving directions to include a post on the list of restricted posts;
- (k) Advising the Council on the appointment of independent persons and taking steps to select them;
- (l) Considering amendments to the Constitution and recommending proposals to full Council for approval

**9.04 Assessment Sub-Committee**

The Standards Committee will establish an Assessment Sub-Committee to assess allegations that a member or co-opted member has failed to comply with the Members' Code of Conduct, as referred by the Monitoring Officer.

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**9.05 Composition**

The Assessment Sub-Committee will be composed of councillors appointed on the basis of political balance.

**9.06 Role and Function**

The Assessment Sub-Committee will have the following roles and functions:

To consider all allegations referred to the Sub-Committee by the Monitoring Officer that a member or co-opted member has failed to comply with the Members' Code of Conduct and to determine whether the allegation:

- (a) merits no further investigation and is dismissed, or (b) merits further investigation.

**9.07 Hearing Sub-Committee**

The Standards Committee will establish a Hearing Sub-Committee to conduct hearings into allegations that a member or co-opted member has failed to comply with the Members' Code of Conduct and to determine such allegations.

**9.08 Composition**

The Hearing Sub-Committee will be composed of councillors appointed on the basis of political balance.

**9.09 Role and Function**

The Hearing Sub-Committee will have the following roles and functions:

- (a) To conduct hearings into allegations referred for investigation by the Assessment Sub-Committee that a member or co-opted member has failed to comply with the Members' Code of Conduct.
- (b) To determine whether or not the member or co-opted member did/did not fail to comply with the Members' Code of Conduct.
- (c) Where the Sub-Committee has determined that a member has failed to comply with the Members' Code of Conduct to take such action as it may lawfully take.
- (d) In consequence of the hearing and determination of any allegation to make recommendations to the Council with a view to promoting high standards of conduct amongst members.

**Article 10 Joint Arrangements**

**10.01 Arrangements to promote well being**

The Leader, or the Cabinet with the Leader's agreement, in order to promote the economic, social or environmental well-being of its area, may:

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- (a) Enter into arrangements or agreements with any person or body:
- (b) Co-operate with, or facilitate or co-ordinate the activities of, any person or body; and
- (c) Exercise on behalf of that person or body any functions of that person or body.

**10.02 Joint arrangements**

- (a) The Council may establish joint arrangements with one or more local authorities and/or their Executives to exercise functions that are not Executive functions in any of the participating authorities, or to advise the Council. Such arrangements may involve the appointment of a joint committee or board within these other local authorities. The Council may, where the legislation allows, also establish other joint arrangements with, for example, health service organisations. These other arrangements are called “boards” in this Constitution.
- (b) The Council may establish joint arrangements with one or more local authorities and their Executives to exercise functions that are partly Executive and partly Non-Executive (“mixed functions”). Such arrangements may involve the appointment of a joint committee or board with these other local authorities or bodies. Where the Council appoints only one member to such a joint committee, that member may be, but need not be, a Cabinet member. Where the Council appoints more than one member to such a joint committee, at least one of them shall be a Cabinet member.
- (c) The Leader, or the Cabinet with the Leader’s agreement, may establish joint arrangements with the Executives of one or more local authorities or other organisations to exercise functions that are Executive functions or to advise the Cabinet. Such arrangements may involve the appointment of joint committees or boards with these other local authorities or bodies. The Leader, or the Cabinet with the Leader’s agreement, may, where the legislation allows, also establish other joint arrangements with, for example, health service organisations.
- (d) Except as set out below or otherwise provided in legislation, the Leader or the Cabinet may only appoint Cabinet members to a joint committee or board and those members need not reflect the political composition of the local authority as a whole.
- (e) The Leader, or the Cabinet with the Leader’s agreement, may appoint members to a joint committee or board from outside the Cabinet in the circumstances where the joint committee has functions for only part of the area of the authority, and that area is smaller than two-fifths of the authority by area or population. In such cases, the Cabinet may appoint to the joint committee any councillor who is a member for a ward that is

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wholly or partly contained within the area. The political balance requirements do not apply to such appointments.

- (f) Details of any existing joint arrangements including any delegations to joint committees will be found at the end of this Article, and their terms of reference included in Part 3 Responsibility for Functions, Section DA.

### **10.03 Access to information**

- (a) The Access to Information Rules in Part 4 of this Constitution apply.
- (b) If all the members of a joint committee or board are members of the Cabinet in each of the participating authorities then the access to information rules relating to the Executive in the Local Government Act 2000 will apply.
- (c) If the joint committee or board contains members who are not on the Cabinet of any participating authority then the access to information rules in Part VA of the Local Government Act 1972 will apply.

### **10.04 Delegation to and from other local authorities**

- (a) The Council may delegate non-Executive functions to another local authority or, in certain circumstances, the Executive of another local authority.
- (b) The Leader, or the Cabinet with the Leader's agreement, may delegate Executive functions to another local authority or the Executive of another local authority in certain circumstances.
- (c) The decision whether or not to accept such a delegation from another local authority shall be reserved to the Council meeting in the case of non-executive or mixed functions and to the Leader, or the Cabinet with the Leader's agreement, in the case of executive functions.

### **10.05 Delegation to and from other organisations**

- (a) The Council may delegate non-Executive functions to other organisations or boards where legislation allows.
- (b) The Leader, or the Cabinet with the Leader's agreement, may delegate Executive functions to other organisations or boards where legislation allows.
- (c) The decision whether or not to accept such a delegation from another organisation or board shall be reserved to the Council in the case of nonexecutive or mixed functions and to the Leader, or the Cabinet with the Leader's agreement, in the case of executive functions.

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- (d) The Leader, or the Cabinet with the Leader's agreement, may appoint other Cabinet members to act as the Leader's representatives and to exercise executive functions at meetings of the Haringey Strategic Partnership (HSP) and its subordinate bodies. Decisions taken by a Cabinet member or members in this way will have immediate effect. For the avoidance of doubt, the same will apply where the Leader sits in person as a member of the HSP or its subordinate bodies.

**10.06 Contracting out**

The Council for non-executive functions, and the Leader, or the Cabinet with the Leader's agreement, for executive functions, may contract out to another body or organisation functions which may be exercised by an officer and which are subject to an order under section 70 of the Delegation and Contracting Out Act 1994, or under contracting arrangements where the contractor acts as the Council's agent under usual contracting principles, provided there is no delegation of the Council's discretionary decision-making.

**10.07 London Councils Arrangements for Co-ordinating Response to Emergencies**

- (a) The Council and Cabinet have resolved to delegate their powers under section 138 of the Local Government Act 1972 (power to incur expenditure to avert or alleviate the effects of an emergency or disaster) to an outside Chief Executive appointed to co-ordinate the response of London local authorities to a major incident or a lesser emergency. This "L.A. Gold" will be appointed under arrangements approved by Central Government, London Councils and the London Resilience Team.
- (b) Where an incident, emergency or other event emerges over a period of time (such as a pandemic or extreme weather), and where the Gold Coordination Group ("Gold Command") may not have been convened, L.A. Gold will be empowered on behalf of the London local authorities to coordinate any local authority response, as necessary, providing advice and guidance as required. In these circumstances L.A. Gold will not have power to incur expenditure or to exercise delegated powers unless authorised under paragraphs (c)(ii), (d)(ii) or (e) below.
- (c) The delegation of powers under section 138 of the Local Government Act 1972 to L.A. Gold will only have effect in the following circumstances:
- (i) after the convening of Gold Command, normally led by the Police, in response to the declaration of a major incident, or
  - (i) for other disruptive events such as extreme weather which do not require the convening of Gold Command, after the convening of



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a London Partnership Meeting, normally led by the London Resilience Team, provided that the agreement of London Councils (under delegated powers) is also secured.

- (d) Subject to paragraph (e) below, L.A. Gold will only have power to incur expenditure once:
  - (i) the Minister of State confirms that H.M. Government will reimburse expenditure reasonably incurred by L.A. Gold in taking immediate action to safeguard life or property or to prevent suffering or severe inconvenience, or
  - (ii) The Council or Councils in whose area the incident occurs confirm that it/they will reimburse expenditure incurred for the purposes in (i) above.
- (e) In the event that L.A. Gold has not been able to receive confirmation from the Council(s) in whose area the incident has occurred that expenditure will be reimbursed, and where it is absolutely essential for L.A. Gold to incur expenditure for the purposes in paragraph (d)(i) above, or to promote community cohesion and a return to normality, it has been agreed that the Council(s) affected will meet that expenditure provide it is kept to minimum levels and does not exceed £1 million in total while confirmation of reimbursement is being sought.
- (f) All Council officers are authorised to take any action in accordance with instructions issued by the appointed L.A. Gold under the arrangements described above.

## 10.08 Outside Bodies

- (a) Introduction
  - (i) The Council has nomination rights to a large number of different external bodies (referred to as "organisations"). The practice of making nominations to organisations is a benefit to the Council and the links created contribute to the social well-being of the Borough. Some of these arrangements involve the formal delegation of the Council's powers to organisations but this is not true in most cases.
  - (ii) These organisations can be categorised as follows:
    - (A) "Association bodies" e.g. Local Government Association or Association of London Government joint committees and panels,
    - (B) "Statutory bodies" i.e. where Haringey needs to be represented by law, for example, the Alexandra Park &



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Palace Advisory Committee,

- (C) "Partnership bodies" which usually involve the Council working with other agencies on local issues or projects,
- (D) "Trusts and Foundations" which generally have more specific and prescribed objectives, for example, the Tottenham Grammar School Foundation, and
- (E) "Voluntary/Community bodies" which cover a very wide spectrum of organisations serving the community, or community groups, in various ways.
- (F) "School Governing bodies" are independent organisations but the precise relationship to the Council varies according to the type of School.

(b) Nominations Procedure

- (i) Nominations to all organisations will be made or confirmed at each Annual General Meeting (AGM) of the Council. In the case of Association and "Partnership" bodies, which mainly exercise "executive" functions at present, nominations of Cabinet members will be made by the Leader, or the Cabinet with the Leader's agreement, and merely recorded in the complete list approved at the AGM.
- (ii) The capacity in which members are nominated, the duration of the appointment and any other relevant terms and conditions will be set out in the report to the AGM and recorded in the minutes. Nominations will be stated as being made "at the request of the Council".
- (iii) A full list of existing and newly nominated or appointed councillors will be presented to the next meeting of full Council after the AGM setting out the name of the organisation, terms of appointment and status or capacity of the councillor within the organisation.
- (iv) Future nominations to voluntary or community bodies will generally be in a non-voting, "observer" capacity only, in order to avoid the greater potential for conflicts of interest. Nominated members will not participate in management or decision-making within the organisation. Their role will be to assist in the exchange of information and views between the organisation and the Council.
- (v) Nominations to other organisations will generally be in a full, voting capacity i.e. the member should participate fully in management and decision making within the organisation, as appropriate, and should vote at its management committee. Exceptions would be made where the organisation so requested

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or its own constitution or ground rules so required. Nominations to trusts, for example, would have to be in a full, voting (not an “observer”) capacity since the purpose of the nomination would be for the member to have a decision making role.

## (c) Members' Conduct

- (i) The Members' Code of Conduct, as set out in the Council's Constitution, applies to members' activities as representatives in any capacity on any outside body.
- (ii) In addition, nominated members will be required to observe the Constitution or rules of the organisation itself, except in so far as there might, unusually, be a conflict with the Council's Members' Code of Conduct. Members should seek advice from the Monitoring Officer if they think that any such conflict could arise.
- (iii) Members may also be under legal duties imposed in respect of their roles in specific types of organisation e.g. as Directors of Limited Companies or as Charity Trustees. Further Guidance will be available to members outside the text of this Constitution.

**10.09 Current Joint arrangements**

The Council currently has formal joint arrangements as follows;

Health and Wellbeing Board Joint sub-committee (with Islington Council)

**Article 11 – Officers****11.01 Management Structure**

- (a) **General.** The Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions. For the avoidance of doubt, the words ‘staff’ ‘employees’ or ‘officers’ includes agency workers, consultants and secondees to the authority over whom the authority has managerial control.
- (b) **Senior Management.** The Council will engage the posts of Chief Executive and senior managers who have the responsibilities set out below and make up the Council’s Leadership Team \*:

Post	Functions and Responsibilities
Chief Executive	Chief Executive and Head of Paid Service, Corporate Governance, Legal and Democratic Services ,

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Director of Adults, Health and Communities	Adults, Public Health, Commissioning
Director of Finance	Corporate Finance, Departmental Finance, Procurement Audit
Director of Placemaking and Housing	Planning, Regeneration, Housing Strategy, Corporate Property and Major Projects, Housing Emergency Planning and Civil Contingencies
Director of Children's Services	Children, Families, Schools, Early Help
Director of Environment and Resident Experience	Direct services and community safety, environment
Director of Culture, Strategy and Engagement	IT, Strategy, Culture, resident experience and communications, policy

(c) **Statutory officers**

The Council has to appoint officers to fulfil the statutory roles identified in Part 3, Section E, Section 3.

In addition to the functions set out in Part 3 the Head of Paid Service (Chief Executive), Monitoring Officer and Chief Finance Officer (Director of Finance) have additional functions:

**11.02 Functions of the Head of Paid Service (Chief Executive)**


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\*A chart of the Council's L

The Disciplinary, Grievance and Dismissal Panel exercise functions in respect of the Dismissal (including terms of release) of Directors in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 including conducting case hearings and making decisions in relation to Directors where dismissal of the officer is a possible outcome and will need to consider the views of an independent Panel when considering the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer.

Leadership Team is appended to this Constitution.

- (a) **Structure.** The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out in Appendix C to this Constitution.

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- (b) **Discharge of functions by the Council.** The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.
- (c) **Restrictions on functions.** The Head of Paid Service may not be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

**11.03 Functions of the Monitoring Officer**

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the full Council or to the Cabinet in relation to an Executive function if he or she considers that any omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Contributing to corporate management.** The Monitoring Officer will contribute to the corporate management of the Council
- (d) **Supporting the Standards Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards Committee.
- (e) **Receiving reports.** The Monitoring Officer will receive and act on reports made by the Standards Committee.
- (f) **Conducting investigations.** The Monitoring Officer, or investigators appointed by him/her, will conduct investigations into matters referred by the Standards Committee or one of its sub-committees and make reports on recommendations in respect of them to the Standards Committee.
- (g) **Proper officer for access to information.** The Democratic Services Manager shall ensure that Cabinet and other Executive decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible. The Monitoring Officer will advise and assist to ensure the proper performance of these functions.
- (h) **Advising whether Cabinet decisions are within the budget and policy framework.** The Monitoring Officer and the Chief Finance Officer

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will advise whether decisions of the Cabinet are in accordance with the budget and policy framework.

- (i) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors. The Monitoring Officer will report on new and amended legislation to Council so that members can consider the effects on services and the possible need to amend the scheme of delegations.
- (j) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

#### **11.04 Functions of the Chief Finance Officer and Section 151 Officer [Director of Finance]**

- (a) **Ensuring lawfulness and financial prudence of decision making.**  
After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Cabinet in relation to a Cabinet function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss of deficiency or if the Council is about to enter an item of account unlawfully.
- (b) **Administration of financial affairs.** The Chief Finance Officer (Director of Finance) will have responsibility for the administration of the financial affairs of the Council.
- (c) **Contributing to corporate management.** The Chief Finance Officer (Director of Finance) will contribute to the corporate management of the Council, in particular thorough the provision of professional financial advice.
- (d) **Providing advice.** The Chief Finance Officer (Director of Finance) will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors and will support and advise councillors and officers in their respective roles.
- (e) **Give financial information.** The Chief Finance Officer (Director of Finance) will provide financial information to the media, members of the public and the community.

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**11.05 Duty to provide sufficient resources to the Monitoring Officer and the Chief Finance Officer**

The Council will provide the Monitoring Officer and Chief Finance Officer (Director of Finance) with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

**11.06 Conduct**

Officers will comply with the Officers' Code of Conduct and the Protocol on Officer/Member Relations set out in Part 5 of this Constitution.

**11.07 Employment**

The recruitment, selection and dismissal of officers will comply with the Officer Employment Rules set out in Part 4 of this Constitution.

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**2 Decision Making****12.01 Responsibility for decision making**

The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decision or decisions relating to particular areas of functions. This record is set out in Part 3 of this Constitution or an Appendix to it.

**12.02 Principles of decision making**

All decisions of the Council will be made in accordance with the following principles:

- (a) proportionality (i.e. the action must be proportionate to the desired outcome);
- (b) due consultation and the taking of professional advice from officers;
- (c) respect for human rights in particular, giving consideration to such issues at an early stage in the process; (d) a presumption in favour of openness; and
- (e) clarity of aims and desired outcomes.

Furthermore, the Council will explain what options were considered and give reasons for the decision.

**12.03 Types of decision**

- (a) Decisions reserved to full Council. Decisions relating to the functions listed in Article 4 and at Part 3 Section B will be made by the full Council and not delegated.
- (b) Decisions reserved to the Executive. Decisions relating to the functions listed in Part 3 Section C will be made by the Executive and not delegated.
- (c) Key decisions.

A key decision is an Executive decision which is likely:

- (i) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or

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- (ii) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the local authority.

A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in Part 4, the Access to Information Procedure Rules set out in Part 4 and the Protocol for Key Decisions set out in Part 5.

**12.04 Decision making by the full Council**

Subject to Article 4 the Council meeting will follow Procedure Rules set out in Part 4 of this Constitution when considering any matter.

**12.05. Decision making by the Executive**

Subject to Article 7 the Executive (the Leader, individual Cabinet members, the Cabinet, or a Committee of the Cabinet) will follow the Cabinet Procedures Rules set out in Part 4 of this Constitution when considering any matter.

**12.06 Decision making by the Overview and Scrutiny Committee**

Subject to Article 6, the Overview and Scrutiny Committee will follow the Overview and Scrutiny Procedures Rules set out in Part 4 of this Constitution when considering any matter.

**12.07 Decision making by the other Committees and Sub-Committees established by the Council**

Subject to Article 8, other Council Committees and Sub-Committees will follow those parts of the Procedures Rules set out in Part 4 of this Constitution as apply to them.

**12.08 Decision making by Officers**

Subject to Article 11, officers shall follow the scheme of delegation, as set out in Part 3 of this Constitution and any Appendix to it, when considering any matter.

**12.09 Decision making by Council bodies acting as tribunals**

The Council, a councillor or an officer acting as a tribunal or in a quasi-judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights.



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**3 Finance, Contracts and Legal Matters**

**13.01 Financial management**

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

**13.02 Contracts**

Every contract made by the Council will comply with the Contract Procedure Rules set out in Part 4 of this Constitution.

**13.03 Legal proceedings**

On the advice of the Monitoring Officer as appropriate, Officers are authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Monitoring Officer considers that such action is necessary to protect the Council's interests.

**13.04 Authentication of documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Monitoring Officer or other person authorised by him/her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract shall comply with the Council's Contract Standing Orders as outlined in Part 4 of this Constitution.

**13.05 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Monitoring Officer. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed or where required by the Contract Procedure Rules in Part 4 of this Constitution. The affixing of the Common Seal will be attested by the Monitoring Officer, Chief Executive, Chief Finance Officer, Head of Legal Services or any other person authorised by him/her either in relation to a specific document or to particular categories of documents.

## PART TWO – ARTICLES OF THE CONSTITUTION

**Article 1 -****4 Review and Revision of the Constitution****14.01 Duty to monitor and review the Constitution**

The Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

**14.02 Protocol for monitoring and review of Constitution by Monitoring Officer**

A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task the Monitoring Officer may:

- (a) Observe meetings of different parts of the member and officer structure;
- (b) Undertake an audit trail of a sample of decisions;
- (c) Record and analyse issues raised with him/her by members, officers, the public and other relevant stakeholders; and
- (d) Compare practices in this authority with those in other comparable authorities, or national examples of best practice.

**14.03 Changes to the Constitution**

- (a) **Approval.** Changes to the Constitution, including the Scheme of Members' Allowances, will only be approved by the full Council after recommendation of the proposal by the Standards Committee and following advice from the Monitoring Officer save that authority is delegated to the Monitoring Officer to make any changes required as a result of legislative change. In addition, where in the reasonable opinion of the Monitoring Officer a proposed change is:
  - a) a minor variation; or
  - b) required in order to remove any inconsistency or ambiguity; or
  - c) required so as to give effect to any decision of the Council or one of its committees or sub-committees; or the Cabinet or one of its committees or sub-committees,
 the Monitoring Officer may make that change. The change will come into force immediately, but will be reported to full Council at the next available meeting. Other changes to the Constitution will take effect from the date of the decision unless a later date for implementation is specified.
- (b) **Change from a Leader and Cabinet form of Executive to alternative arrangements, or vice versa.** The Council must take reasonable steps to consult with local electors and other interested persons in the area

## PART TWO – ARTICLES OF THE CONSTITUTION

**Article 1 -**

when drawing up proposals. If the proposals were to change the Executive Arrangements to an alternative form of governance arrangements, then a local referendum would be required.

## **5 Suspension, Interpretation and Publication of the Constitution**

### **15.01 Suspension of the Constitution**

- (a) **Limit to suspension.** The Articles of this Constitution may not be suspended. The Rules specified below may be suspended by the full Council to the extent permitted within those Rules and the law.
- (b) **Procedure to suspend.** A motion to suspend any Rule will not be moved without notice unless at least one half of the whole number of councillors are present. The extent and duration of suspension will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

### **15.02 Interpretation**

The ruling of the Mayor (or other person presiding in the Mayor's absence) as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

### **15.03 Publication**

- (a) The Constitution is available on the Council's website. The Chief Executive will give on request a printed copy of this Constitution to a member of the authority.
- (b) The Chief Executive will ensure that copies are available for inspection at council offices, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee. The Chief Executive will ensure that the summary of the Constitution is made widely available within the area and is updated as necessary.

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# **Part Three, Section B**

## **Responsibility for functions: Full Council & Non-Executive Bodies**

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### **SECTION 1 - THE COUNCIL**

#### **THE COUNCIL**

1. Only the Council will exercise the following functions:
    - (a) Adopting and changing the Constitution;
    - (b) Approving or adopting the policy framework as set out in Article 4, above;
    - (c) Approving the budget and levying Council Tax (NB. the setting of rents and service charges for Council properties to be determined by the Cabinet);
    - (d) Determining the borrowing limits for the authority for each financial year and the proportions of borrowing that are to be set at variable rates;
    - (e) Making or revising a Council Tax Reduction Scheme;
    - (f) Approval of the Community Infrastructure Levy Charging Schedule;
    - (g) Approval of Development Plan Documents (DPDs) prior to submission to the Secretary of State;
    - (h) Approving any application to the Secretary of State in respect of any Housing Land Transfer as set out in Article 4;
    - (i) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
    - (j) Electing the Leader;
    - (k) Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and
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PART THREE – RESPONSIBILITY FOR FUNCTIONS

Section B – Full Council & Non-Executive Bodies

delegating functions to them from time to time as may be appropriate;

- (l) Agreeing recommendations arising from Scrutiny Reviews of non-executive functions;
- (m) Deciding on recommendations arising from Scrutiny Reviews not accepted by the Cabinet and referred by the Chair of Overview and Scrutiny Committee;
- (n) Agreeing and/or amending the Scheme of Delegations to Officers with respect to non-executive functions;
- (o) Appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;
- (p) Adopting and amending the Members' Allowances Scheme;
- (q) Changing the name of the area, conferring the title of honorary alderman or freedom of the Borough and establishing any new Civic Link;
- (r) Confirming the appointment or dismissal of the Head of Paid Service, and the dismissal of the Chief Finance Officer and Monitoring Officer;
- (s) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills including the adoption of any legislation where the Council has a discretion;
- (t) All local choice functions set out in Part 3 to this Constitution which the Council decides should be undertaken by itself rather than the Executive, or any of its Committees, Sub-Committees or an officer;
- (u) Entering into, or confirming existing, joint arrangements with other local authorities unless this only concerns either:
  - i) "executive" functions when the decision is for the Executive, or
  - ii) the creation of joint sub-committees by the Health and Wellbeing Board pursuant to s198 of the Health and Social Care Act 2012;
- (v) Adopting the Members' Code of Conduct;
- (w) Approving Pilot Schemes for Local Elections;
- (x) To discharge all licensing functions and such other matters which must be reserved to the Council as specified in the Licensing Act 2003 (the "Act"), or any Regulations published in relation to the Act or any other legislation or any statute or regulations amending, consolidating or replacing them including approving, reviewing and revising any Statement of Licensing Policy in relation to the Licensing Act 2003;

## PART THREE – RESPONSIBILITY FOR FUNCTIONS

### Section B – Full Council & Non-Executive Bodies

- (y) To discharge all functions which must be reserved to full Council as specified in the Gambling Act 2005, or any other ancillary regulations or legislative provisions amending, consolidating or replacing the same, including:
    - (i) approving and revising any Statement of Licensing Policy;
    - (ii) resolving not to issue any casino premises licences in the next three years;
  - (z) Adopting Standing Orders for the Council and Standing Orders as to Contracts;
  - (za) Making any decisions in respect of non-Executive functions which have not been expressly delegated elsewhere;
  - (zb) All matters that must be reserved to Council under the Financial Regulations including the adoption and amendment of the Treasury Management Strategy Statement and the consideration of annual, mid-year monitoring reports and an out-turn report after the close of the year on treasury management policies and practices; and
  - (zc) All other matters that, by law, must be reserved to Council.
2. The full Council is responsible for approving certain plans and strategies in accordance with the Policy Framework. These are plans and strategies that the full Council must approve either (i) in accordance with the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) or (ii) those that the Council itself has determined shall be reserved to the full Council for approval.

A complete list of all the plans and strategies comprising the Council's Policy Framework is set out below.

- (a) Those required to be approved by Council by law:
  - ~~(i)~~ ~~Annual Library Plan~~
  - ~~(ii)~~ ~~Best Value Performance Plan~~
  - (iii) Crime and Disorder Reduction (community safety) Strategy
  - ~~(iv)~~ Development Plan documents
  - ~~(iiiiv)~~ Youth Justice Plan
  - ~~(ivvi)~~ Statement of Licensing Policy
  - (vii) Statement of Gambling Policy
  - (viii) Treasury Management Strategy
  - ~~(viiiix)~~ Any other policies that the law requires must be approved by full Council.

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- (b) Any other plans and strategies that the Council agrees from time to time that it should consider as part of its Policy Framework:
  - (i) Housing Strategy

<sup>1</sup> “The 2000 Regulations still specify that the Council’s Annual Library plan needs to be part of the Policy Framework. The Council is not currently required to produce an Annual Library Plan by statute in relation to s1(2) of the Public Library and Museums Act 1964. The Annual Library Plan has been removed from the Policy Framework on 5 February 2025. This is a similar approach taken by other local authorities. A Library Strategy is currently being developed and it is open to the Council to include this in the Policy Framework when it is ready for approval.



## SECTION 2 – COMMITTEES

The following shall be committees of the Council and they shall have the membership as described in the Appointments of Committees, Sub-Committees, Panels, etc (as approved by the Annual Meeting):

1. **General Purposes Committee**
2. **Audit Committee**
3. **Combined Pensions Committee and Board**
4. **Overview and Scrutiny Committee**
5. **Standards Committee**
6. **Alexandra Palace and Park Board**
7. **The Licensing Committee**
8. **The Strategic Planning Committee**
9. **The Health and Wellbeing Board**
10. **Appointments Panel**
11. **Disciplinary, Grievance and Dismissal Panel**

The Terms of Reference of each Committee shall be as set out on the following pages:

### 1. **General Purposes Committee**

General Purposes Committee has: -

- (a) all the functions listed below in (b) and stated not to be the responsibility of the Council's Executive/Cabinet in Reg. 2 and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S.I. 2853 (as amended or further amended in any statute or subordinate

## PART THREE – RESPONSIBILITY FOR FUNCTIONS

### Section B – Full Council & Non-Executive Bodies

legislation). References to paragraphs below are to those in the appropriate Schedule of the Regulations.

(b) the following Schedule 1 functions:

- (i) Paragraph C - Health and Safety at Work; all functions discharged otherwise than in the Council's capacity as employer.
- (ii) Paragraph D – Elections; all functions relating to Elections except the approval of pilot schemes for local elections which is reserved to full Council.
- (iii) Paragraph I – Miscellaneous; all functions except those retained by full Council in Article 4 or reserved for the Appointments Panel and Disciplinary, Grievance and Dismissal Panel. The Committee's functions include:
- (iv) All functions relating to public rights of way in Part 1 except the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions which are delegated to the Planning Sub-Committee.
- v) Authorising the making of payments or the provision of other benefits in cases of maladministration.

c) The following "Local Choice" functions set out in Schedule 2 of the above Regulations: -

- (i) any function under a local Act other than a function specified or referred to in Reg. 2 or Schedule 1 or expressly delegated elsewhere in this Constitution;
- (ii) the determination of an appeal against any decision made by or on behalf of the authority.
- (iii) passing a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply to the Council's area (consent to the operation of loudspeakers).

d) making orders designating public places in order to confer power on the police to prevent nuisance by the consumption of alcohol.

#### Staffing Functions

e) To exercise the functions which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 paragraphs H and I of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further

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amending these Regulations as follows:

- f) Paragraph H – Pensions; Determining the Council’s policy statement of discretions as “Employing Authority” under the Local Government Pension Scheme Regulations 2013 and the Teachers’ Pension Regulations 2010
- g) Paragraph I – Miscellaneous; Determining the terms and conditions of service for all staff, including procedures for dismissal. The Committee agrees the terms and conditions of employment, and the pay structure for all posts with the exception of pay and other terms and conditions for teachers which are fixed under statute by the Schoolteachers’ Pay and Conditions Documents.
- h) To approve the remuneration levels (other than those associated with National Pay Awards) for the Head of Paid Service and Directors.
- i) To approve procedures for appointment and dismissal of staff.
- j) To approve all human resources policies including pay and grading structures, and changes to employees’ terms and conditions of employment and to approve policies on how the Council exercises its functions under the Local Government Pension Scheme and the Teachers’ Pension Scheme.
- (k) the power to make recommendations to the Council on any of its functions set out in Article 4, and the power to establish Sub-Committees to consider and report on any such functions but this does not include recommendations to amend the Council’s Constitution, nor does it prevent the Council from making decisions on any matter when necessary without a prior recommendation from the Committee.

## 2. Audit Committee

### Statement of purpose

The Committee’s purpose is to provide an independent and high-level focus on the adequacy of governance, risk and control arrangements. Its role in ensuring there is sufficient assurance over governance, risk and control gives greater confidence to all those charged with governance that those arrangements are effective.

The Committee has oversight of both internal and external audit, together with the financial and governance reports, helping to ensure there are adequate arrangements in place for both internal challenge and public accountability.

### Governance, risk and control

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## PART THREE – RESPONSIBILITY FOR FUNCTIONS

### Section B – Full Council & Non-Executive Bodies

- (a) To review the council's corporate governance arrangements against the good governance framework, including the ethical framework, and consider the local code of governance.
- (b) To monitor the effective development and operation of risk management in the council.
- (c) To monitor progress in addressing risk-related issues reported to the committee.
- (d) To consider reports on the effectiveness of internal controls and monitor the implementation of agreed actions.
- (e) To consider reports on the effectiveness of financial management arrangements, including compliance with CIPFA's Financial Management Code.
- (f) To consider the council's arrangements to secure value for money and review assurances and assessments on the effectiveness of these arrangements.
- (g) To review the assessment of fraud risks and potential harm to the council from fraud and corruption.
- (h) To monitor the counter fraud strategy, actions and resources.
- (i) To review the governance and assurance arrangements for significant partnerships or collaborations.

#### Governance reporting

- (j) To review the Annual Governance Statement (AGS) prior to approval and consider whether it properly reflects the risk environment and supporting assurances, including the head of internal audit's annual opinion.
- (k) To consider whether the annual evaluation for the AGS fairly concludes that governance arrangements are fit for purpose, supporting the achievement of the authority's objectives.

#### Financial reporting

- l) To monitor the arrangements and preparations for financial reporting to ensure that statutory requirements and professional standards can be met.
- m) To review the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.
- n) To consider the external auditor's report to those charged with governance on issues arising from the audit of the accounts.

#### Arrangements for audit and assurance

- o) To consider the council's framework of assurance and ensure that it adequately addresses the risks and priorities of the council.

#### External audit

- p) To support the independence of external audit through consideration of the external auditor's annual assessment of its independence and review of any issues raised by Public Sector Audit Appointments (PSAA) or the

## PART THREE – RESPONSIBILITY FOR FUNCTIONS

### Section B – Full Council & Non-Executive Bodies

- authority's auditor panel as appropriate.
- q) To consider the external auditor's annual letter, relevant reports and the report to those charged with governance.
- r) To consider specific reports as agreed with the external auditor.
- s) To comment on the scope and depth of external audit work and to ensure it gives value for money.
- t) To consider additional commissions of work from external audit.
- u) To advise and recommend on the effectiveness of relationships between external and internal audit and other inspection agencies or relevant bodies.
- v) To provide free and unfettered access to the audit committee chair for the auditors, including the opportunity for a private meeting with the committee.

#### Internal audit

- w) To approve the internal audit charter.
- x) To review proposals made in relation to the appointment of external providers of internal audit services and to make recommendations.
- y) To approve the risk-based internal audit plan, including internal audit's resource requirements, the approach to using other sources of assurance and any work required to place reliance upon those other sources.
- z) To approve significant interim changes to the risk-based internal audit plan and resource requirements.
- A1) To make appropriate enquiries of both management and the head of internal audit to determine if there are any inappropriate scope or resource limitations.
- A2) To consider any impairments to the independence or objectivity of the head of internal audit arising from additional roles or responsibilities outside of internal auditing and to approve and periodically review safeguards to limit such impairments.
- A3) To consider reports from the head of internal audit on internal audit's performance during the year, including the performance of external providers of internal audit services. These will include:
  - A4) updates on the work of internal audit, including key findings, issues of concern and action in hand as a result of internal audit work;
  - A5) regular reports on the results of the QAIP; and
  - A6) reports on instances where the internal audit function does not conform to the PSIAS and LGAN, considering whether the non-conformance is significant enough that it must be included in the AGS.
- A7) To consider the head of internal audit's annual report, including:
  - the statement of the level of conformance with the PSIAS and LGAN and the results of the QAIP that support the statement (these will indicate the reliability of the conclusions of internal audit); and
  - the opinion on the overall adequacy and effectiveness of the council's framework of governance, risk management and control, together with the summary of the work supporting the opinion (these will assist the committee in reviewing the AGS).
- A8) To consider summaries of specific internal audit reports as requested.
- A9) To receive reports outlining the action taken where the head of internal

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audit has concluded that management has accepted a level of risk that may be unacceptable to the authority or there are concerns about progress with the implementation of agreed actions.

- A10) To contribute to the QAIP and in particular to the external quality assessment of internal audit that takes place at least once every five years.
- A11) To consider a report on the effectiveness of internal audit to support the AGS where required to do so by the accounts and audit regulations.
- A12) To provide free and unfettered access to the audit committee chair for the head of internal audit, including the opportunity for a private meeting with the committee.

Treasury Management

- A13) Formulating the Treasury Management Strategy Statement and amendments to it for recommendation to full Council through Overview and Scrutiny Committee and in consultation with the Cabinet Member responsible for Finance. Reviewing and monitoring treasury management arrangements in accordance with Treasury Management in the Public Services: Code of Practice and Cross-Sectoral Guidance Notes (CIPFA, 2017).

Accountability arrangements

- A14) To report to those charged with governance on the committee's findings, conclusions and recommendations concerning the adequacy and effectiveness of their governance, risk management and internal control frameworks, financial reporting arrangements and internal and external audit functions.
- A15) To report to full council on a regular basis on the committee's performance in relation to the terms of reference and the effectiveness of the committee in meeting its purpose.
- A16) To publish an annual report on the work of the committee, including a conclusion on the compliance with the CIPFA Position Statement.

Advisers to the Committee

- A17) The Committee would be supported in its role and responsibilities through the appointment of two independent advisers, who are appropriately qualified.
- A18) It is for individual Committee members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions.
- A19) The Council will provide a training programme, which all Committee members must attend. Training undertaken will be reported at each meeting.

Other legislative powers include:

- A20) Making arrangements for proper administration of financial affairs under

PART THREE – RESPONSIBILITY FOR FUNCTIONS

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section 151 Local Government Act 1972 but the appointment or dismissal of the Chief Finance Officer is to be in accordance with the Officer Employment Procedure Rules in Part 4;

A21) The power to make recommendations to the Council on any of its functions set out in Article 4.

### 3. Combined Pensions Committee and Board

The Committee Procedure Rules and Access to Information Rules apply to this Committee and Board except where this would be inconsistent with either these Terms of Reference or the legislation relating to the Committee and Board.

#### 1. Responsibilities

The Pensions Committee and Board has the following functions and responsibilities:

- (a) all the functions which are stated not to be the responsibility of The Executive in Regulation 2 and Schedule 1 paragraph H of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations relating to those matters concerning the Local Government Pension Scheme.
- (b) Exercising all the Council's functions as "Administering Authority" and being responsible for the management and monitoring of the Council's Pension Fund and the approval of all relevant policies and statements. This includes:
  - (i) Selection, appointment and performance monitoring of investment managers, AVC scheme providers, custodians and other specialist external advisers;
  - (ii) Formulation of investment, socially responsible investment and governance policies and maintaining a statement of investment principles and funding strategy statement;
  - (iii) Determining the allocation of investments between each asset class;
  - (iv) Reviewing specialist external advisers performance;
  - (v) Publicising statements and policy documents as required by legislation, government directives and best practice.



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- (c) Monitoring and as appropriate to decide upon Pensions Administration issues.
- (d) Monitoring the Pension Fund Budget including Fund expenditure and actuarial valuations; and to receive the Pension Fund Budget annually.
- (e) Agreeing the admission of bodies into the Council's Pension scheme.
- (f) Receiving actuarial valuations.
- (g) Ensuring that members of the Committee and Board receive appropriate training to undertake their responsibilities.
- (h) Approving the Annual Accounts of the Local Government Pension Scheme and consider recommendations from the Auditor.
- (i) To secure, and to assist in securing compliance with:
  - i) the Regulations,
  - ii) and any other legislation relating to the governance and administration of the Scheme and any connected scheme,
  - iii) any requirements imposed by the Pensions Regulator in relation to the Scheme and any connected scheme, and
- (j) To ensure, and to assist in securing the effective and efficient governance and administration of the Scheme and any connected scheme.

For the avoidance of doubt, none of the functions set out above entail the committee in regulating or controlling the finances of the Council or its area.

2. Membership

2.1 The Committee and Board shall consist of 10 members and be constituted as follows:

Councillors

- (a) Six Councillors appointed by the administering authority

Employer Representatives (co-optees)

- (b) Two representatives who have the capacity to represent scheduled and admitted employers,

Employee Representatives (co-optees)

- (c) Two scheme membership representatives, one being appointed by local trade unions and the other selected from scheme member nominations.

2.2 The Chair and vice chair of the Committee and Board will be Council



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representatives. The Chair will be appointed by full Council, and the vice chair will be appointed by the Joint Committee and Board.

2.3 The Chair will ensure that meetings are properly conducted, decision making is clear and professional advice is followed. The Chair will monitor the performance and attendance of Committee and Board members and if appropriate make recommendation to terminate appointments in accordance with Section 3 below.

2.4 All members of the Committee and Board will have equal voting rights. The Chair will have a casting vote.

2.5 The Committee and Board may nominate advisers to support them. These nominees are not Committee and Board members and do not have voting rights.

3. Appointment and removal of Committee and Board Members

a) Council Members:

3.1 The administering authority will appoint and replace as it sees fit, the six councillor members of the Committee.

b) Employer representatives:

3.2 The employer representatives will be nominated by employers other than the Council. If there are more than two nominations a panel consisting of the Chair of the Committee and Board and Chief Financial Officer to the Council will select the representatives to be appointed.

3.3 Employer representatives will serve for a period of four years and will be eligible to be re-appointed in accordance with the above processes, subject to compliance with the conditions of appointment.

3.4 Employer representatives will remain as members of the Committee and Board during their appointed term of office unless in the opinion of the administering authority they are not adequately performing their role (including non-attendance at two consecutive meetings), they become incapable of acting, they cease to represent their constituency, they resign or a replacement member is nominated by their relevant nominating body. If an appointment is terminated a new process will commence for the remainder of the term.

c) Employee representatives:

3.5 The employee representatives will be appointed as follows:

- i) one active scheme member representative will be appointed jointly by trade unions who represent working scheme members.

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- ii) one pensioner and deferred member representative will be selected through an open invitation to apply.
- 3.6. If there is more than one nomination for these positions a panel consisting of the Chair of the Committee and Board and Chief Financial Officer to the Council will select the representatives to be appointed.
- 3.7 Employee representatives will serve for a period of four years and will be eligible to be re-appointed in accordance with the above processes, subject to compliance with the conditions of appointment.
- 3.8 Employee representatives will remain as members of the Committee and Board during their appointed term of office unless in the opinion of the administering authority they are not adequately performing their role (including non-attendance at two consecutive meetings), they become incapable of acting, they cease to represent their constituency, they resign or a replacement member is nominated by their relevant nominating body. If an appointment is terminated a new appointment process will commence for the remainder of the term.

All appointed members:

- 3.9 Prospective members of the Committee and Board will be required to demonstrate to the panel consisting of the Chair of the Committee and Board and the Chief Financial Officer that they have the capacity to represent other employers and employees (as appropriate) and that they do not have a conflict of interest. The decision of the panel will be final.
- 3.10 Each Committee and Board member should endeavour to attend all meetings during the year.
- 3.11 Other than by ceasing to be eligible as set out above, a Committee and Board member may only be removed from office during a term of appointment by full Council on a recommendation from the panel.

#### 4. Quorum, voting and substitutes

- 4.1 The Committee and Board shall have a formal quorum of five comprising at least three Council and two employer or employee representatives. Advisers and other nominees do not count towards the quorum. All decisions will be taken by majority of votes, with the Chair having a casting vote when the votes are initially tied unless stated otherwise in these terms, although it is expected that the Committee and Board will, as far as possible, reach a consensus.
- 4.2 No substitutes shall be permitted for employer and employee representatives.

#### 5. Meetings

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## PART THREE – RESPONSIBILITY FOR FUNCTIONS

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- 5.1 The Committee and Board shall meet sufficiently regularly to discharge its duties and responsibilities. There will be at least four meetings a year, with additional meetings if the Committee and Board so agrees.
  - 5.2 Notice of all meetings will be provided to Committee and Board members at least 30 days in advance, unless agreed otherwise by Committee and Board members.
  - 5.3 The agenda for each meeting will be agreed by the Chair and all papers will be circulated to members in accordance with the Access to Information Procedure Rules.
  - 5.4 A formal record of Committee and Board proceedings will be maintained. Following the approval of the minutes by the Chair, they shall be circulated to all members and published in accordance with the Access to Information Procedure Rules.
  - 5.5 The Committee and Board has the power to set up working groups on whatever terms that it determines and will prepare terms of reference for these entities.
6. Standards of Conduct and Conflicts of Interest
    - 6.1 All members of the Committee and Board, councillors and others, are expected to act at all times within these terms of reference and will be required to comply with both the Members' Code of Conduct and the provisions of the Localism Act relating to Standards. In accordance with section 108 of the Regulations, Committee and Board members must not have a financial or other interest that could prejudice them in carrying out their duties. This does not include a financial or other interest arising merely by virtue of membership of the LGPS.
    - 6.2 Each Committee and Board member must provide the Council with such information as is reasonably required for the purpose of complying with the Members' Code of Conduct and demonstrating that there is no conflict of interest.
7. Budget and Business Plan
    - 7.1 The Committee and Board will prepare a Business Plan and Budget each year.
8. Committee and Board Review Process
    - 8.1 The Committee and Board will undertake each year a formal review process to assess how well it and the members are performing with a view to seeking continuous improvement in performance.

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9. Advisers to the Committee and Board

9.1 The Committee and Board may be supported in its role and responsibilities through the appointment of advisers, and shall, subject to any applicable regulation and legislation from time to time in force, consult with such advisers on such terms as it shall see fit to help better perform its duties. Advisers may include:

- i) Officers from the Council's Finance, Human Resources, Legal and other teams as needed;
- ii) An independent Advisor;
- iii) The Fund's Actuary;
- iv) The Fund's Investment Managers and Custodian;
- v) The Fund's Investment Consultant; and
- vi) Any other appointed advisers.

9.2 Any remuneration to advisors appointed by the Committee and Board must be in accordance with the Budget.

9.3 The Committee and Board shall ensure that the performances of the advisors are reviewed on a regular basis.

10. Knowledge and Skills

10.1 Every member of the Committee and Board must be conversant with –

- i) The rules of the LGPS.
- ii) Any document recording policy about the administration of the LGPS which is for the time being adopted by the LB Haringey Pension Fund.

10.2 It is for individual Committee and Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions.

10.3 Committee and Board members are required to be able to demonstrate their knowledge and understanding and to keep these up to date and to maintain a written record of relevant training and development.

10.4 The Council will provide a training programme, which all Committee and Board members must attend. Training undertaken will be reported at each meeting.

11. Expense Reimbursement

11.1 Remuneration for Employee and Employer Representatives who are not councillors will be limited to a refund of actual expenses incurred in attending meetings and training. Remuneration for councillors will be via the Members Allowances Scheme.

11.2 The expenses of the Committee and Board are a part of the costs of

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administering the Pension Fund.

12. Publication of Committee and Board Information

12.1 The Council will publish up to date information on the Council's website including:

- The names and information of the Committee and Board members.
- The Committee and Board's terms of reference.
- Papers, agendas and minutes of meetings.

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**4. Overview and Scrutiny Committee**

The Overview and Scrutiny Committee may:

- (a) exercise an overview of the forward plan;
- (b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;
- (c) make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;
- (d) make reports or recommendations on matters affecting the area or its inhabitants;
- (e) exercise the right to call-in, for reconsideration, key decisions made but not yet implemented by the Cabinet;
- (f) receive the reports and recommendations of its Scrutiny Review Panels;
- (g) in accordance with statutory regulations to review and scrutinise matters relating to the health service and all NHS funded services within the Authority's area and to make reports and recommendations thereon to local NHS and NHS funded bodies;
- (h) enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013;
- (i) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible partner authorities of their crime and disorder functions;
- (j) make reports or recommendations to the Cabinet or full Council where appropriate with respect to the discharge of the crime and disorder functions by the responsible partner authorities;
- (k) make arrangements which enable any councillor who is not a Committee member to refer any crime and disorder matter to the Committee under the Councillor Call for Action procedure; and
- (l) make arrangements which enable any councillor who is not a Committee member to refer to the Committee any local government matter which is

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relevant to the functions of the Committee under the Councillor Call for Action procedure.

- (m) there is a Protocol outside this Constitution setting out how the Overview and Scrutiny Committee is to operate. The Protocol shall be applied in a manner consistent with the Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.
- (o) to appoint two representatives to the standing Joint Health Overview and Scrutiny Committee for North Central London. (Since this appointment is for only two members to the Joint Committee, the “political proportionality” rules in the Local Government and Housing Act 1989 do not apply.)

## 5. Standards Committee

The Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by councillors, co-opted members and representatives of religious organisations and parent governor representatives;
- (b) Assisting the Leader, councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members’ Code of Conduct;
- (c) Advising the Council on the adoption or revision of the Members’ Code of Conduct;
- (d) Monitoring the operation of the Members’ Code of Conduct;
- (e) Advising, training or arranging to train councillors and co-opted members on matters relating to the Members’ Code of Conduct and the ethical framework;
- (f) Granting dispensations to the Mayor, councillors and co-opted members from requirements relating to interests set out in the Members’ Code of Conduct;
- (g) Advising the Council on codes and protocols forming the Council’s ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;
- (h) Assessing, hearing and determining allegations of failure to comply with



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the Members' Code of Conduct by councillors and co-opted members.

- (i) Responding to national reviews and consultations on standards related issues;
- (j) Granting exemptions for politically restricted posts and giving directions to include a post on the list of restricted posts;
- (k) Advising the Council on the appointment of independent persons and taking steps to select them;
- (l) Considering amendments to the Constitution and recommending proposals to full Council for approval.

**6. Alexandra Palace and Park Board**

To fulfil the functions, powers and duties of the Council as Trustee of Alexandra Palace and Park under the Alexandra Park and Palace Acts and Order 1900 to 1985 and, without prejudice to the generality of this, these functions include:

- (a) The duty to uphold, maintain and repair the Palace and to maintain the Park and Palace as a place of public resort and recreation and for other public purposes.
- (b) Acting as the employing body for employees engaged in the working of the Trust at Alexandra Palace, and to be responsible for the setting of staffing policies, conditions of service and terms of employment of those employees.
- (c) In relation to the Trust, being responsible for developing and monitoring the implementation of effective policies and practices to achieve equality of opportunity both for employment and service delivery.

**7. The Licensing Committee**

The Licensing Committee has functions either (1) as the statutory Licensing Committee of the Council under the Licensing Act 2003, which also exercises functions under the Gambling Act 2005, or (2) as a non-statutory Committee exercising other non-executive functions relating to Licensing, and other regulatory matters generally. At the beginning, and at other appropriate stage(s) in each meeting, the Chair will make a short announcement indicating whether the Committee is operating in its capacity as “statutory Licensing Committee” or as a “non-statutory Committee”.

**Membership**

The Licensing Committee must have between 10 and 15 members in order to comply with the legislation as statutory Licensing Committee.



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Protocol

There is a Protocol outside this Constitution setting out how the Licensing Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4 and the relevant Licensing Procedure Rules when the Committee is conducting a formal hearing. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

- (1) In its capacity as the statutory Licensing Committee the Committee has all the functions referred to it by law under the Licensing Act 2003 and the Gambling Act 2005. These include:
  - (a) To be responsible for monitoring the operation of the Acts licensable activities and gambling in the Borough;
  - (b) To establish the Licensing Sub-Committee and to agree the delegation of functions to the Sub-Committee and to officers;
  - (c) To receive reports on the matters in (a) above and on the functions delegated to the Licensing Sub-Committee and to officers. To call for a report on any individual case;
  - (d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;
  - (e) Subject to Regulations, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005;
  - (f) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those members of the Committee who are re-elected as councillors shall meet as the Committee (subject to there being a quorum of 3 members) in order to exercise any of the functions of the Licensing Sub-Committees, or of the Committee under (f) above, and shall elect a Chair for the meeting.
  
- (2) In its capacity as the non-statutory Committee exercising other non-executive functions the Committee has the following functions:
  - (a) Exercising the functions which are stated not to be the responsibility of The Executive/Cabinet In Regulation 2 and Schedule 1, Paragraph B (Licensing and Registration) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations. The Committee's functions are to determine all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but exclude decisions in individual cases which are delegated to the Licensing Sub-Committees. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments;

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- (b) Formulating, reviewing and approving for consultation the Statement of Licensing Policy under the Licensing Act 2003 and recommending it, and any revisions to it, to full Council for adoption;
- (c) Being consulted informally on the review and determination of the Statement of Gambling Policy, including procedures for Council consultation with external stakeholders, and making recommendations on these matters to the Cabinet;
- (d) Reviewing all Council plans and policies on any licensing, or regulatory matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;
- (e) Making informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to licensing, or regulatory issues.

### 8. The Strategic Planning Committee

There is a Protocol outside this Constitution setting out how the Strategic Planning Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

There is also a Protocol setting out how members of the Planning Sub-Committee will exercise any functions delegated to the Sub-Committee, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office, which will also be followed by members of Strategic Planning Committee when exercising the same functions as the Sub-Committee. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution. The Strategic Planning Committee has all the functions which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1, Paragraph A (Town and Country Planning) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations. This includes Planning related Regulatory matters.

The Strategic Planning Committee will establish the Planning Sub-Committee and agree the delegation of functions to that Sub-Committee.

The Committee shall also:

- (i) Make informal recommendations to the Cabinet and full Council on local development documents, development plan documents, and any other planning policy matter;

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- (ii) Review all Council plans and policies on any planning matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;
- (iii) Make informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to , planning, conservation or regulatory issues.

## 9. The Health and Wellbeing Board

### 9.1 Health and Wellbeing Board functions

The Health and Wellbeing Board will have the following functions:

- (a) To carry out the Board's statutory duties as set out in the Health and Social Care Act 2012, in particular:
  - (i) for the purpose of advancing the health and wellbeing of the people in its area, to encourage persons who arrange for the provision of any health or social care services in its area to work in an integrated manner;
  - (ii) to provide advice, assistance or other support as it thinks appropriate for the purpose of encouraging arrangements under section 75 of the NHS Act 2006. These are arrangements under which, for example, NHS Bodies and local authorities agree to exercise specified functions of each other or pool funds;
  - (iii) to encourage persons who arrange for the provision of any health-related services in its area to work to closely with the Health and Wellbeing Board;
  - (iv) to encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together;
  - (v) to discharge the functions of CCGs and local authorities in preparing joint strategic needs assessments (JSNA) and joint Health Wellbeing Strategy (HWS strategy);
  - (vi) to inform the local authority of its views on whether the authority is discharging its duty to have regard to the JSNA and joint HWS in discharging its functions;

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- (vii) to discharge any other function as the Council may from time to time choose to delegate to the Board;
- (viii) to collaborate across borough boundaries and with other London HWBs in respect of its responsibilities and to secure better health outcomes, quality of services, use of resources and value for money for the local population;
- (ix) to arrange for any of its functions to be exercised by the joint sub-committee of the Haringey and Islington HWBs;
- (x) to enter into joint arrangements including formal joint sub-committees with other London HWBs and delegate any of its functions to those joint sub committees.

**9.2 Health and Wellbeing Board operating principles**

The Health and Wellbeing Board will have the following operating principles:

- (a) To provide collective leadership and enable shared decision-making, ownership and accountability;
- (b) To achieve democratic legitimacy and accountability, and empower local people to take part in decision-making in an open and transparent way;
- (c) To ensure the delivery of the Health and Wellbeing Strategy;
- (d) To reduce health inequalities;
- (e) To promote prevention and early help.

**9.3 Health and Wellbeing Board roles and responsibilities**

The Health and Wellbeing Board will have the following roles and responsibilities:

- (a) The Board will set a strategic framework for the authority's statutory duties and have a key role in promoting and coordinating joint commissioning and integrated provision between the NHS, social care and related children's and public health services in Haringey;
- (b) The Board has a duty to develop, update and publish the JSNA and related needs assessments, and the HWB Strategy;
- (c) The Board has a duty to develop, update and publish the local pharmaceutical needs assessment as set out in section 128A of the NHS Act 2006;
- (d) The Board will advise on effective evidence based strategic

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commissioning and decommissioning intentions for children and adults based on the JSNA's robust analysis of their needs. It will ensure that commissioning plans are in place to address local need and priorities, in line with the HWB Strategy, and will deliver an integrated approach to the planning and delivery of services;

- (e) The Board expects, and seeks assurance from, partners that the views of children, adults and their carers about the services they receive are taken into account in the commissioning, decommissioning and delivery of those services;
- (f) The Board expects, and seeks assurance from, partners that the views of patients and the public have a voice through Healthwatch in the commissioning, decommissioning and delivery of those services;
- (g) The Board will collaborate with and involve local stakeholders to secure better health outcomes, quality of services, a more focussed use of resources and value for money for the local population;
- (h) The Board will promote the strengthening of working relationships between professionals and organisations which support people in Haringey, ensuring effective sharing and use of information and best practice; including collaborating with the CCG in the development of its plan;
- (i) The Board will lead commissioning for particular services with pooled budgets and joint commissioning arrangements where commissioning plans are delegated to them;
- (j) The Board will oversee the delivery of the authority's strategic outcomes for local health and wellbeing targets, holding those responsible to account;
- (k) The Board will work with the local health scrutiny process and the local Healthwatch to improve outcomes for communities and people who use services.

#### 9.4 Membership of the Board

Meetings of the Board will be chaired by a member of the local authority:

- Local authority councillor(s), who will be (as nominated by the Leader of the Council):
  - (i) The Leader of the Council
  - (ii) The Cabinet Member for Children and Families
  - (iii) The Cabinet Member for Adults and Health
- Chair, Clinical Commissioning Group (Vice Chair of HWB)

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- Chair of Healthwatch
- Director of Adults and Health
- Director of Children's Services
- Director of Public Health
- Chief Officer, Clinical Commissioning Group
- Lay Board Member, Clinical Commissioning Group
- GP Board Member, Clinical Commissioning Group
- Bridge Renewal Trust representative
- Representative for the NHSCB (as required)
- Chair - Haringey Local Safeguarding Children Board (when appropriate)
- Chair - Haringey Safeguarding Adult Board (when appropriate)

The local authority may appoint others to the Board as it deems appropriate, following consultation with the Board. The Board may itself also appoint such additional members to the Board as it deems appropriate.

The Board may invite additional officers to attend on an ex-officio basis, who will not be voting members of the Board, to advise and guide on specific issues when appropriate. Attendance by non-members is at the invitation of the Chair.

#### **9.5 Public Meetings**

- (a) A minimum of four formal public decision-making business meetings a year will be held. The Board will have the ability to call special meetings as and when required.
- (b) A meeting of the Board will be considered quorate when at least three voting members are in attendance, including one local authority elected representative and one of either the Chair, Clinical Commissioning Group or the Chair, Healthwatch (or their substitutes).
- (c) The Chair of the meeting will have a casting vote.
- (d) All voting members of the Board, (to include any substitutes), will be required to comply both with the Members' Code of Conduct and the provisions of the Localism Act 2011 relating to Standards. In particular, voting members will be required to complete a register of interests which must be kept up to date. Voting members must also declare any disclosable pecuniary interest or prejudicial interest in any matter being considered and must not take part in any discussion or decision with respect to these items.
- (e) Board members will agree protocols for the conduct of members and meetings.
- (f) The Board will determine its sub groups/committees.



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- (g) Only the following members of the Board will have voting rights:
- Local authority councillor(s), who will be (as nominated by the Leader of the Council):
    - (i) The Leader of the Council
    - (ii) The Cabinet Member for Children and Families
    - (iii) The Cabinet Member for Adults and Health
  - Chair, Clinical Commissioning Group (Vice Chair of HWB)
  - Chair, Healthwatch
  - Lay Member Haringey Clinical Commissioning Group
- (h) Any additional persons appointed to the Board either by the local authority or the Board will be appointed on a non-voting basis.
- (i) The full Council may at any time make a direction to alter the voting right of Board members, following consultation with the Board.

### 9.6 Committee procedures

- (a) The Board will be accountable to full Council in its capacity as a committee of the local authority. The Board will be subject to health scrutiny as set out in the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.
- (b) The Access to Information Procedure Rules in Part 4 of this Constitution apply to the Board. The Committee Procedure Rules in Part 4 apply to the Board except where this would be inconsistent with either these Terms of Reference or the legislation governing this board.

### 9.7 Facilitating the work of the Health and Wellbeing Board

- (a) Workshop meetings will be held to cement links with partners including the Community Safety Partnership, the Children's Trust, and regeneration partners, to facilitate co-ordination and focus on priority issues relevant to all parties.
- (b) In addition to formal board meetings, the Board will hold informal, non-decision making seminars as and when required with attendees specifically invited by the Board. These seminars will be held in private in order to ensure the ongoing organisational development of the Board and to provide a forum in which complex and sensitive issues can be fully aired and discussed to manage potential blockages to effective delivery of the strategy.

### 9.8 Representatives and substitutes

- (a) Representatives will provide a link with their own organisation, reporting back and instigating partner action, being responsible for disseminating

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decisions and actions within their own organisation, ensuring compliance with any actions required and reporting back progress.

- (b) Partner bodies are responsible for ensuring that they are represented at an appropriate level (either equivalent to the core member they are representing and no more than one tier below).
- (c) If a representative is absent for three consecutive meetings the organisation/sector will be asked to re-appoint/confirm its commitment to the Board.
- (d) Substitutes for voting members will not be permitted with the exception the Chair of the CCG and the Chair of Healthwatch. In their absence, the Deputy Chair of the CCG and the Deputy Chair of Healthwatch may attend in their place. All substitutes must be declared in name at the beginning of each municipal year.

**10. Appointments Panel**

Be the appropriate body to fulfil the Employment Procedure Rules as set out in Part 4 Section K in relation to Appointments.

- a) To exercise functions in respect of the appointment of the Chief Executive, Section 151 Officer and Monitoring Officer and Directors in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.
- b) To make recommendations to Council on the appointment of the Head of the Paid Service; and the appointment of the Chief Finance Officer and Monitoring Officer, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.
- c) To consider and approve remuneration of Directors of £100,000 or more, at Appointment Panel meeting in accordance with guidance issued under section 40 of the Localism Act 2011 and with the Local Authorities (Standing Orders) (England) Regulations 2001 and Section K.
- d) That only members of this Panel participating in the Shortlisting, Interview and Appointment of Directors will have access to decision making reports and Appointments meeting.
- e) The substantive membership would be Leader of the Council (Chair) Cabinet Member responsible for Human Resources, Chair of General Purposes, (Vice Chair) Member of General Purposes Committee and Member of the Opposition. The substitution rules will still apply to this Panel and Cabinet Members will be able to substitute and vote on



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appointments concerning their portfolio area. The quorum of the Committee shall be a minimum of three members.

- f) The minutes of the Panel would be received by the General Purposes Committee, in keeping with their responsibility and oversight for staffing functions of the Council.

### **11.Disciplinary, Grievance and Dismissal Panel**

Be the appropriate body to fulfil the employment procedure rules as set out in Part 4 Section K in relation to Disciplinarys, Grievance and Dismissals.

- a) Disciplinary, conduct and capability decisions relating to the Head of Paid Service, Section 151 Officer and Monitoring Officer, and determining whether these officers should be suspended in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001.
- b) Hearing and deciding substantive grievances either about or from the Head of Paid Service. The Monitoring Officer will decide whether or not the grievance is substantive.
- c) To exercise functions in respect of the Dismissal (including terms of release) of Directors in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 including conducting case hearings and making decisions in relation to Directors where dismissal of the officer is a possible outcome, noting that as set out in the Employment procedure rules in section K, the need to consider the views of an independent Panel when considering the dismissal of the Head of Paid Service, Chief Finance Officer and Monitoring Officer.
- d) To make recommendations to Council on the dismissal of the Head of the Paid Service; and the dismissal of the Chief Finance Officer and Monitoring Officer, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.
- e) To consider and approve any severance payments to Officers of £100,000 or more, in accordance with guidance issued under section 40 of the Localism Act 2011 and with the Local Authorities (Standing Orders) (England) Regulations 2001.
- f) To approve the early/flexible retirement of the Head of Paid Service, Section 151 Officer and Monitoring Officer and Directors (save where the Officer is simply resigning) and to agree the award of any discretionary payments in connection with such retirement or redundancy.

To exercise functions in respect of the following:

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h) Grievance decisions related to Director level direct reports of the Head of Paid Service, if (and only if) referred to the Committee by the Head of Paid Service due to a conflict-of-interest issue.

To note:

i) That only members of this Panel participating in the hearings and subsequent Panel meeting will have access to decision making reports and have a right to attend the hearing/meeting.

j) Cabinet Members with a conflict will not participate in any of the decisions above.

k) To note that Independent persons would be involved in the investigation of a case against a statutory officer and dismissal hearing.

l) The substantive membership would be Leader of the Council (Chair) Cabinet Member responsible for Human Resources, Chair of General Purposes, (Vice Chair) Member of General Purposes Committee and Member of the Opposition. The substitution rules will still apply to this Panel and Cabinet Members will be able to substitute unless there is a conflict. The quorum of the Committee shall be a minimum of three members.

m) The minutes of the Panel would be received by the General Purposes Committee, in keeping with their responsibility and oversight for staffing functions of the Council.

### **SECTION 3 - SUB-COMMITTEES AND PANELS**

The following bodies shall be created as Sub-Committees of the relevant Committee of the Council under which they are listed. Bodies described as "Panels" are Sub-Committees unless otherwise stated. Sub-Committees shall report to their parent bodies and they shall have the membership as described in the Appointments of Non-Executive Committees, Sub-Committees, Panels, etc as approved by the Annual Meeting.

#### **1. Under the General Purposes Committee**

##### **1.1 Dismissal Appeals Sub Committee**

To hear and determine appeals against dismissal from employment in respect

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of all staff employed by the Council, save where the continued employment of the employee would contravene the law and subject to the limitation that the Sub-Committee will hear and determine appeals resulting from posts becoming redundant only where these affect Directors. Members who sit on this Committee must not have had any prior involvement in any decision upon which the appeal is made. Different arrangements apply for the Head of Paid Service, Chief Officer, and Monitoring Officer.

## **2. Under the Overview and Scrutiny Committee**

### **2.1 Scrutiny Review Panels**

- (a) To carry out scrutiny processes relevant to particular services as determined by Overview and Scrutiny Committee and within the parameters, protocols and procedures agreed by Overview and Scrutiny Committee for all Scrutiny Review Panels.
- (b) Within these scrutiny processes to request and receive submissions, information and answers to questions from Cabinet members, officers and other senior employees of the Council, service users, external experts and relevant members of the public.
- (c) To refer the findings/recommendations in the form of a written report, with the approval of the Overview and Scrutiny Committee, to The Cabinet and/or the Council as appropriate.

## **3. Under the Standards Committee**

### **3.1 Assessment Sub-Committee**

To consider all allegations referred to the Sub-Committee by the Monitoring Officer that a member or co-opted member has failed to comply with the Member's Code of Conduct and to determine whether the allegation:

- (a) Merits no further action and is dismissed; or
- (b) Merits further investigation.

The quorum of the Assessment Sub-Committee is three.

### **3.2 Hearing Sub-Committees**

- (a) To conduct hearings into allegations referred for investigation by the Assessment Sub-Committee that a member or co-opted member has failed to comply with the Members' Code of Conduct.
- (b) To determine whether or not the member or co-opted member did / did not fail to comply with the Members' Code of Conduct.

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- (c) Where the Sub-Committee has determined that a member has failed to comply with the Members' Code of Conduct to take such action as it may lawfully take.
- (d) In consequence of the hearing and determination of any allegation to make recommendations to the Council with a view to promoting high standards of conduct amongst members.

The quorum of the Hearing Sub-Committee is three.

#### **4. Under The Licensing Committee**

##### **4.1 Licensing Sub-Committee**

###### **Introduction**

The Licensing Sub-Committee has functions either (1) as Sub-Committee of the Licensing Committee in its capacity as the statutory Licensing Committee of the Council under the Licensing Act 2003, which also exercises functions under the Gambling Act 2005, or (2) as Sub-Committee of the Licensing Committee in its capacity as a non-statutory Committee exercising non-executive licensing and regulatory functions. At the beginning, and at other appropriate stage(s) in each meeting, the Chair will make a short announcement indicating whether the Sub-Committee is operating in its capacity as “statutory Licensing Sub-Committee” or as a “non-statutory Sub-Committee”.

###### **Membership**

The membership of the Sub-Committee shall be drawn from the Licensing Committee. When operating in its capacity as “statutory Licensing Sub-Committee” there must be a membership and quorum of 3 present at all times.

- (1) General Provisions Relating to the Statutory Licensing Sub-Committee
  - (a) The Licensing Sub-Committee has the power to make final decisions on behalf of the Council on matters within their terms of reference and there is no right of appeal to the Licensing Committee;

Functions under both the Licensing Act 2003 and the Gambling Act 2005

- (b) To determine applications for premises licences where relevant representations have been made;
- (c) To determine applications for provisional statements where relevant representations have been made;

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- (d) To determine valid applications for review of premises licences where relevant representations have been made;
- (e) To decide on any other matter where it is necessary or desirable for members to make that decision;

Functions under the Licensing Act 2003 alone

- (f) To determine applications for variations of premises licences where relevant representations have been made except in the case of minor variations;
- (g) To determine applications to vary designated premises supervisors following police objections;
- (h) To determine applications for transfer of premises licences following police objections;
- (i) To consider police objections made to interim authority notices;
- (j) To determine applications for club premises certificates where relevant representations have been made;
- (k) To determine applications to vary club premises certificates where relevant representations have been made except in the case of minor variations;
- (l) To determine valid applications for review of club premises certificates where relevant representations have been made;
- (m) To decide whether to give counter notices following police objections to temporary event notices;
- (n) To determine applications for grants of personal licences following police objections;
- (o) To determine applications for renewals of personal licences following police objections;
- (p) To decide on revocation of personal licences where convictions come to light after grant;
- (pa) To determine the review of a premises license following a closure order where relevant representations have been made

Functions under the Gambling Act 2005 alone

- (q) To determine applications for variations of premises licences where

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relevant representations have been made;

- (r) To determine applications for transfers of premises licences following representations by the Gambling Commission or others;
  - (s) To determine applications for the re-instatement of premises licences where relevant representations have been made;
  - (t) To decide whether to give counter notices following objections to temporary use notices;
  - (u) To determine applications for the grant or renewal of club gaming permits and club machine permits where valid objections have been received;
  - (v) To determine proposals to cancel club gaming permits and club machine permits where the licence holder requests a hearing;
  - (w) When the licence holder requests a hearing, to determine officer proposals: (i) to make an order removing the entitlement of an on-premises alcohol licence holder to have one or two gaming machines, or (ii) to cancel or vary a licensed premises gaming machine permit;
  - (x) To determine applications for the grant or variation of licensed premises gaming machine permits for 5 or more machines or in any case where the Chair of the Licensing Committee considers that there is cause for concern about the proper management of the premises;
- (2) General Provisions Relating to the Non-Statutory Licensing Sub-Committee
- a) The Sub-Committee has all the functions which are stated not to be the responsibility of the Council's Executive/Cabinet in Regulation 2 and paragraph B (Licensing and Registration) of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S. I. 2853, as amended, or further amended, in any statute or subordinate legislation. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments.
  - (b) The Sub-Committee makes decisions in all individual licensing or registration cases where a hearing is required because of an objection to an application or to a proposed revocation or because of an officer recommendation for refusal.
  - (c) The Sub-Committee has the power to make final decisions on behalf of the Council in relation to its functions in (b).
  - (d) Excluded from the Sub-Committee's' terms of reference are decisions on all policy issues, procedures and standard terms and conditions which are

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within the remit of The Licensing Committee.

#### 4.2 Planning Sub-Committee

There is a Protocol setting out how members of the Planning Sub-Committee will exercise those functions, including behaviour in relation to applicants, residents and other third parties, to ensure the probity of planning transactions and the highest standards expected in public office. This protocol is supplementary to the Members' Code of Conduct at Part 5 of the Constitution.

The Sub-Committee has all the functions which are set out below and which are stated not to be the responsibility of the Executive in Regulation 2 and Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any statute or subordinate legislation further amending those Regulations (references to paragraphs are to those in Schedule 1):

(a) paragraph A - Town Planning Functions

(A) planning applications for the erection of 10 or more dwellings and where the officer recommendation is for approval;

(B) planning applications for changes of use of 1000 sq. metres or more of gross internal floor space and where the officer recommendation is for approval;

(C) planning applications for the erection, or extension of non-residential buildings where the new build is 1000 sq metres or more of gross internal floor space and where the officer recommendation is for approval;

(D) unless otherwise agreed with the Chair of the Planning Sub-Committee, planning applications either:

(i) for major development as defined by the Town and Country Planning (Development) Management Procedure (England) Order 2015 (or any replacement legislation) and where the officer recommendation is for approval; or

(ii) where a legal agreement relating to that development is required; or

(iii) where the recommended decision would be contrary to the development plan;

(E) unless otherwise agreed with the Chair of the Planning Sub-Committee, applications submitted by, or on behalf of the Council;

(F) planning applications on Council owned land, where the Council is not the applicant, where significant material planning objections are received during the consultation process and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, determines should be subject to members' consideration;



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(G) planning applications submitted by or on behalf of members; or employees within the Planning Service or senior employees elsewhere in the Council; or their spouses, parents or children;

(H) any planning application to amend an application or vary conditions or a legal agreement previously decided/imposed by Planning Sub-Committee and which the Assistant Director or Head of Development Management, in consultation with the Chair of the Planning Sub-Committee, considers to constitute a major or significant change;

(I) any planning application where there have been objections from a single councillor of the Ward within which the application site is situated and/or a local community body and/or a local residents' association, and a written request setting out the planning reasons for the matter to be referred to the Planning Sub-Committee has been made before the expiry of the consultation period, and which the Assistant Director or Head of Development Management in consultation with the Chair of the Planning Sub-Committee considers should be referred to the Planning Sub-Committee for determination;

(b) paragraph B - Power to amend;

For the avoidance of doubt, the Assistant Director or Head of Development Management is authorised after a Planning Sub-Committee determination to make any alterations, additions or deletions to the recommended heads of terms and/or recommended conditions (and to authorise any such changes requested by the GLA or government body) (and to further sub-delegate this power) provided this authority shall be exercised after consultation with the Chair (or in their absence the vice-Chair) of the Sub-Committee.

**SECTION 4 - UNDER ALEXANDRA PALACE AND PARK**

Arising from the Council's role as trustee of Alexandra Palace and Park the following additional bodies shall be established. Membership of the additional bodies is as described in the Appointments of Non Executive Committees, Sub-Committees, as approved by the Annual Meeting. The Terms of Reference of the additional bodies shall be as follows:

**1. Alexandra Palace and Park Panel**

To consider and take decisions upon urgent matters arising between ordinary meetings of the Alexandra Palace and Park Board. The Panel is composed of four members, selected with reference to political balance.

**2. Alexandra Palace and Park Consultative Committee**

Alexandra Palace and Park Consultative Committee 7 members and up to 30 community representatives.



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- (a) To give representatives of appropriate local and national organisations the opportunity of full discussion with members of the Alexandra Palace and Park Board on general matters affecting Alexandra Palace and Park.
- (b) To give members of the Alexandra Palace and Park Board the opportunity of discussing and explaining to the organisations matters affecting the overall policy and efficient management of Alexandra Palace and Park.
- (c) To promote better understanding between members of the Alexandra Palace and Park Board, the Palace Management and local organisations.
- (d) To enable appropriate local (and national) organisations to be fully consulted on decisions of direct concern to them.
- (e) To promote the best interests of the Alexandra Palace and Park as a conservation area.

### **3. Alexandra Palace and Park Consultative Forum**

Alexandra Palace and Park Consultative Forum 4 members plus 4 Trade Union representatives

- (a) To be a forum for consultation and negotiation between the Alexandra Palace and Park Board and its employees, on issues in relation to Conditions of Employment.
- (b) To consider issues referred directly by Management or by the Trade Unions in consultation with the Employer's Side Secretary.
- (c) To provide a means whereby the Alexandra Palace and Park Board can consult Union representatives on policies and strategies and provide an arena for discussion of matters of mutual interest.
- (d) To provide a means of effective communication, in order to prevent or eliminate friction and misunderstanding.

The Consultative Forum may not consider any matter concerning an individual employee, nor any issues that fall within the scope of other existing procedures, e.g. dismissal appeals, individual grievances and individual salary issues; such matters may only be raised as a matter of principle/policy.

#### **Note:**

The Alexandra Palace and Park Board also receives advice from the Alexandra Park and Palace Statutory Advisory Committee, an external body established under the terms of the Alexandra Park and Palace Act 1985. Its functions, as laid down by the Act are as follows:

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'The powers and duties of the Advisory Committee shall be to promote the objects of the charity and assist the Trustees In fulfilling the trusts by considering and advising the Trustees on the following matters:

- (a) the general policy relating to the activities and events arranged or permitted in the Park and Palace;
- (b) the effects of such activities and events upon the local inhabitants and local environment;
- (c) the frequency of activities and events attracting more than 10,000 people at any one time and maximum number to be permitted on such occasions;
- (d) the adequacy of car parking arrangements within the Park and Palace so as to avoid overflow into adjoining residential streets;
- (e) any proposals which require planning permission;
- (f) the establishment and maintenance of the Park as a Metropolitan Park;
- (g) the furtherance of recreation and leisure in the Alexandra Park and Palace.

### **SECTION-5 – UNDER THE HEALTH AND WELLBEING BOARD**

Arising from the Council's Health and Wellbeing Board the following additional bodies shall be established. Membership of the additional bodies is to be determined by the Health and Wellbeing Board(s). The Terms of Reference of the additional bodies shall be as follows:

#### **Haringey and Islington Health and Wellbeing Board - Joint sub-committee**

The Joint sub-committee will:

- a) encourage and promote partnership working in health and social care within and across the two boroughs;
- b) encourage joint consideration and co-ordination of health and care issues that are of common interest or concern to the population of the two boroughs;
- c) encourage and promote integrated working between health and care commissioners and providers within and across the two boroughs;
- d) prepare and produce the Joint Strategic Needs Assessment and Joint Health and Wellbeing Strategy for the two boroughs;
- e) provide strategic oversight for the Wellbeing Partnership and any future partnership models for joined up and integrated approach in health and care across the two boroughs;

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- f) provide a mechanism to enable joint decision-making in relation to future joint initiatives, service transformation and co-commissioning arrangements in health and care in the two boroughs;
- g) give effect to the boroughs stated intentions to foster collaboration in health and social care between commissioners and providers within and across the two boroughs;
- h) consider and where necessary contribute to the development of the North Central London (NCL) Sustainability and Transformation Plan; and
- i) where appropriate, and in so far as it relates to integrated working, represent the collective interests of the two boroughs to national and local government and other bodies.

**SECTION 6 - EMERGENCY PROCEDURES IN ELECTION YEAR**

In the year of the ordinary election of Borough councillors, between the day after the election and the day of the Annual Meeting, the Chief Executive may, so far as is lawful, exercise any of the functions of the Council or its non-executive bodies in cases of urgency in consultation with the Mayor. Decisions made by the Chief Executive in accordance with this paragraph shall be reported to the next meeting of the appropriate body.

**SECTION 7 – DEFAULT PROVISIONS**

If at any time no members are appointed to, or able to act on, any non-executive body of the Council, and a decision has to be taken in a case of urgency, then the decision may be taken by the Chief Executive acting so far as is practicable in consultation with the Mayor, or Deputy Mayor if the Mayor is unable to act.

**SECTION 8 - GROUP MEETINGS**

In recognition of the role of Group Meetings in the consideration of Council business and of the fact that the supply of advice, reports, information and other material to Group Meetings is generally conducive to the due process of Council business, the following facilities shall be made available for the conduct of Group Meetings and for any Group Committees which may be established for the consideration of Council business:

- (a) suitable accommodation for meetings;
- (b) assistance with the production and distribution of agenda and minutes;
- (c) where the Majority Group makes arrangements for the discussion of items prior to their submission to a committee or sub-committee or Panel, arrangements shall be made through the Leader of the Council or the appropriate Cabinet member to ensure that official information, advice and reports are available to the Group Meetings;

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- (d) where a Minority Group makes similar arrangements for the consideration of Council business, arrangements shall be made through the Leader of the Minority Group, or the appropriate spokesperson, to make available information from published sources and advice on Council procedures but not official advice as to the policies which that Minority Group should pursue. The Majority Group Leader or the appropriate Cabinet member shall be made aware of information provided to a Minority Group unless it is of routine or trivial nature.