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## Full Council

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To: The Mayor and Councillors of Haringey Council.

Dear Sir/Madam,

A meeting of the Council of the London Borough of Haringey will be held at the Civic Centre, High Road, Wood Green, N22 8LE on MONDAY, 18TH MAY, 2009 at 19:30 HRS, to transact the following business:

### **AGENDA**

#### **1. TO ELECT THE MAYOR FOR THE ENSUING YEAR.**

1. To elect the Mayor for the ensuing year.

[The Local Government Act 1972 provides as follows with regard to election of Mayor:-

Schedule 2, paragraphs 2(1) and 13(3) – The Mayor shall be elected annually by the Council from among the Councillors.

Schedule 2, paragraph 3(1) – The election of the Mayor shall be the first business transacted at the Annual Meeting of the Council.

Schedule 2, paragraph 3(3) – In the case of an equality of votes, the person presiding at the meeting shall give a casting vote in addition to any other vote he/she may have.

**2. TO RECEIVE APOLOGIES FOR ABSENCE**

**3. TO ASK THE MAYOR TO CONSIDER THE ADMISSION OF ANY LATE ITEMS OF BUSINESS IN ACCORDANCE WITH SECTION 100B OF THE LOCAL GOVERNMENT ACT 1972**

**4. DECLARATIONS OF INTEREST**

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgment of the public interest and if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct and/or if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

**5. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 30 MARCH 2009 (PAGES 1 - 8)**

**6. TO RECEIVE WRITTEN NOTIFICATION OF THE APPOINTMENT OF DEPUTY MAYOR**

[The Local Government Act 1972 provides as follows with regard to the appointment of Deputy Mayor:-

Schedule 2, paragraph 5(1) – The Mayor may appoint a Councillor of the Borough to be Deputy Mayor, and the person so appointed shall, unless he/she resigns or becomes disqualified, hold office until a newly elected Mayor becomes entitled to act as Mayor (whether or not he/she continues until that time to be a Councillor).

Schedule 2, paragraph 5(2) – The appointment of a Deputy Mayor shall be signified to the Council in writing and be recorded in the minutes of the Council.]

7. **TO PASS A VOTE OF THANKS TO THE RETIRING MAYOR AND MAYOR'S CONSORT AND THE RETIRING DEPUTY MAYOR AND DEPUTY MAYOR'S ESCORT.**
8. **TO RECEIVE SUCH COMMUNICATIONS AS THE MAYOR MAY LAY BEFORE THE COUNCIL**
9. **TO ELECT THE LEADER OF THE COUNCIL FOR THE MUNICIPAL YEAR 2009/10.**
10. **TO AGREE THE NUMBER OF COUNCILLORS TO BE APPOINTED TO THE CABINET AND APPOINT THOSE MEMBERS OF THE CABINET FOR THE MUNICIPAL YEAR 2009/10.**
11. **TO AGREE THE APPOINTMENTS PROCEDURE AND TO APPOINT COMMITTEES, SUB-COMMITTEES AND OTHER BODIES FOR THE MUNICIPAL YEAR 2009/10 INCLUDING THE SELECTION OF THE CHAIRS AND DEPUTY CHAIRS.**  
  
(List of Committees, Sub-Committees and other bodies to be appointed, with Chairs and Deputy Chairs indicated, to be tabled).
12. **TO MAKE APPOINTMENTS TO OUTSIDE BODIES.**
13. **TO CONSIDER A REVISED HOUSING RENT INCREASE 2009/10 - JOINT REPORT OF THE DIRECTOR OF URBAN ENVIRONMENT AND THE CHIEF FINANCIAL OFFICER (PAGES 9 - 18)**
14. **TO RECEIVE THE REPORT OF THE MONITORING OFFICER AND HEAD OF LEGAL SERVICES (PAGES 19 - 22)**  
  
To make provision for the Council having a full complement of 5 independent members on its Standards Committee for the 2009/10 Municipal Year.
15. **TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE, NOTING THE APPOINTMENTS MADE BY THE POLITICAL GROUPS, AND TO TAKE SUCH ACTION AS MAY BE APPROPRIATE.**
16. **TO RECEIVE REPORTS FROM THE FOLLOWING BODIES (PAGES 23 - 44)**  
  
a) The Constitution Review Working Group – report 1/2009-10
17. **TO RECEIVE A STATEMENT OF COUNCILLORS' ATTENDANCE AT MEETINGS OF THE COUNCIL, COMMITTEES AND SUB-COMMITTEES IN ACCORDANCE WITH COUNCIL PROCEDURE RULES.**
18. **TO NOTE THE END OF MUNICIPAL YEAR FINANCIAL STATEMENT FOR 2008/09.**

Dr Ita O'Donovan  
Chief Executive  
River Park House  
225 High Road  
Wood Green  
London N22 8HQ

Friday, 8 May 2009

**MINUTES OF THE FULL COUNCIL  
MONDAY, 30 MARCH 2009**

Councillors Dobbie (Mayor), Adamou, Aitken, Alexander, Allison, Amin, Baker, Basu, Beacham, Bevan, Beynon, Bull, Butcher, Canver, Cooke, Davies, Demirci, Diakides, Dodds, Dogus, Egan, Engert, Goldberg, Gorrie, Griffith, Haley, Hare, B. Harris, C. Harris, Jones, Rahman Khan, Kober, Lister, Mallett, Meehan, Newton, Oakes, Oatway, Patel, Peacock, Rainger, Reid, Reith, Santry, Scott, Stanton, Vanier, Weber, Whyte, Williams, Wilson, Winskill and Adje

Apologies Councillor Bloch, Mughal and Thompson

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTION BY</b>
<b>CNCL115</b>	<b>TO RECEIVE APOLOGIES FOR ABSENCE</b>  Apologies for absence were received from Councillors Bloch, Mughal and Thompson. Apologies for lateness were received from Councillors Bull and Goldberg.	
<b>CNCL116</b>	<b>TO ASK THE MAYOR TO CONSIDER THE ADMISSION OF ANY LATE ITEMS OF BUSINESS IN ACCORDANCE WITH SECTION 100B OF THE LOCAL GOVERNMENT ACT 1972</b> See minutes 120 & 125.	
<b>CNCL117</b>	<b>DECLARATIONS OF INTEREST</b>  The Monitoring Officer advised that members of the Licensing and Planning Committees, including substitutes, should neither speak nor vote in relation to Motion U.  Councillor Reith declared a personal and prejudicial interest in Motion T as she was Deputy Chair of London Travel Watch, and would be leaving the Chamber during discussion of this item.  Councillor Engert declared a personal interest and prejudicial interest in Motion T as she was a Board Member of London Travel Watch.  Although the Monitoring Officer had stated that his advice above was separate from any personal or prejudicial interest declarations, the following members nevertheless made declarations in relation to Motion U: Councillors Egan, Peacock and Dodds.	
<b>CNCL118</b>	<b>TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING OF THE COUNCIL HELD ON 23 FEBRUARY 2009</b> <b>RESOLVED:</b>	

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	That the minutes of the meeting of the Council held on 23 February 2009 be signed as a true record.	
<b>CNCL119</b>	<p><b>TO RECEIVE SUCH COMMUNICATIONS AS THE MAYOR MAY LAY BEFORE THE COUNCIL</b></p> <ol style="list-style-type: none"> <li>1. The Mayor advised that, on behalf of the Council, he had sent a message of condolence to the parents of Sapper Patrick Azimkar who lost his life tragically on 7 March in Northern Ireland. Patrick was a local Wood Green lad. As a sign of respect the Council stood and observed a minute's silence.</li> <li>2. The Mayor thanked the staff at Bruce Castle for allowing him to host a Showcasing Event in the Museum the previous week. The Mayor was delighted to have welcomed to Haringey the Mayors and Escorts from 17 Boroughs. The Mayor also passed his congratulations to Haringey Young Musicians for another excellent performance and to the Parks Department, as the Park looked stunning.</li> <li>3. The Mayor asked Members to note his final Fundraising event on 9 May - a fabulous 3 course dinner at the Pumphouse in Hornsey - more details would follow.</li> <li>4. The Mayor also passed on his congratulations to the Procurement Team, who had won a Government Business Award for their energy improvement programme cutting CO2 and saving taxpayers' money and to Haringey Website Team who had helped Haringey make it into the top 20 local authorities' websites in the country out of a total of 468. Haringey had been graded as "Excellent" in the latest Society of Information Technology and the Mayor on behalf of the Council said well done to all those who had contributed to this success.</li> <li>5. The Mayor advised of a Thanksgiving Service at 3.00pm in St Mark's Church Wood Green on 17<sup>th</sup> May, in celebration of his Mayoral year. The service would be conducted by his Chaplain - Father Simon Clark.</li> </ol>	
<b>CNCL120</b>	<p><b>TO RECEIVE THE REPORT OF THE CHIEF EXECUTIVE</b></p> <p>The Mayor agreed to admit the report as urgent business. The report could not be circulated earlier as information was awaited from the Party Groups. The report needed to be admitted in order that the calendar of meetings may be agreed for 2009/10.</p> <p><b>RESOLVED:</b></p> <p>That the calendar of meetings for the 2009/10 Municipal Year be agreed, as detailed in the appendix to the report.</p>	

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<b>CNCL121</b>	<b>TO RECEIVE THE REPORT OF THE MONITORING OFFICER AND HEAD OF LEGAL SERVICES</b> There were no matters to report.	
<b>CNCL122</b>	<b>TO MAKE APPOINTMENTS TO OUTSIDE BODIES</b> There were no matters to report.	
<b>CNCL123</b>	<b>TO CONSIDER REQUESTS TO RECEIVE DEPUTATIONS AND/OR PETITIONS AND, IF APPROVED, TO RECEIVE THEM</b> A deputation was received from Mr Constant-i concerning mobile phone masts and radiation emissions.  Members asked questions of the deputation and received responses thereto.  The Cabinet Member for Regeneration and Enterprise responded to the deputation.  The Mayor thanked the deputation for attending.	
<b>CNCL124</b>	<b>TO CONSIDER OPPOSITION BUSINESS SUBMITTED IN ACCORDANCE WITH COUNCIL PROCEDURE RULE NO.12</b> The opposition gave notice of their wish to debate "protecting and enhancing civil liberties in Haringey".  Councillor Aitken spoke on behalf of the Opposition Group. Councillor Canver responded on behalf of the Majority Group.  The Mayor thanked Councillors for their contributions.	
<b>CNCL125</b>	<b>TO ANSWER QUESTIONS, IF ANY, IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NOS. 9 &amp; 10</b> The Mayor agreed to the admission of this report as urgent business. Under Standing Orders, notice of questions was not requested until eight clear days before the meeting, following which matters raised had to be researched and replies prepared, in order to be given at the meeting.  There were 8 oral questions and 25 for written answer.  Oral Question 8 was not reached in the allotted time and a written answer would be supplied to this question.	

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CNCL126	<p><b>TO RECEIVE REPORTS FROM THE FOLLOWING BODIES</b></p> <p>Councillor Kober moved Cabinet Report 12 - 2008/09.</p> <p>Councillor Cooke moved the Constitution Review Working Group Report 2 – 2008/09. The report was agreed on a vote 30 for 20 against and 1 abstention.</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1. That Cabinet Report 12 – 2008/09 be received and adopted.</li> <li>2. That report 2 of the Constitution Review Working Group 2008/09 be received and that the following recommendations contained within it be agreed: <ol style="list-style-type: none"> <li>a) That the Members' Allowances Scheme for 2009/10, set out at Appendix 1 to the report, be agreed and adopted as a replacement for Part 6 of the Council's Constitution.</li> <li>b) That the revised Scheme of Delegation to Officers, set out in Appendices 2 – 4 of the report, be agreed and adopted as amendments to the Council's Constitution: <ol style="list-style-type: none"> <li>(i) Appendix 2 – text changes to Section 1 of the Scheme "Introduction and Ground Rules" which is at Part 3, Section E.</li> <li>(ii) Appendix 3 – replacement for Appendix D, the Senior Management Structure Schedule</li> <li>(iii) Appendix 4 – replacement for Appendix E to constitute the "contents page" and Sections 2, 3, 4, 5, 6, 8 and 9 of the Scheme.</li> </ol> </li> <li>c) That the revision of the Council's Financial Regulations, set out in Appendix 5, to the report be agreed and adopted as a replacement for Part 4, Section I of the Council's Constitution.</li> </ol> </li> </ol>	
CNCL127	<p><b>TO CONSIDER THE FOLLOWING MOTIONS IN ACCORDANCE WITH COUNCIL RULES OF PROCEDURE NO. 13</b></p> <p><b><u>Motion T (2008/09)</u></b></p> <p>It was moved by Councillor Wilson and seconded by Councillor Newton that:</p> <p>"This Council notes;</p>	



**MINUTES OF THE FULL COUNCIL  
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- Thousands of Haringey residents rely on public transport, and deserve high standards of safety and service
- Recent threats to staffing at stations in Haringey by First Capital Connect
- Delays by Transport for London (TfL) and train operating companies in implementing the Oystercard scheme at all rail stations in Haringey

This Council therefore resolves to:

1. Oppose all plans to reduce staffing levels at Haringey stations.
2. Work with the Greater London Authority, Metropolitan Police and transport companies to reduce crime on public transport and take action to make passengers feel safer.
3. Create a new Haringey public transport forum to give residents and councillors an opportunity to question and discuss with TfL, the Transport Police, and rail and bus companies, local concerns and ideas for improvements to services”.

An amendment to the motion was moved by Councillor Haley and seconded by Councillor Patel that:

Under ‘this council notes’:

After bullet point 2 insert

‘This council welcomes:

Delete ‘delays by’ and insert “Plans by...”  
Delete ‘in implementing’ and insert ‘to implement.’

Under “This Council therefore resolves to” Delete item 3 and insert, as item 3,

“Open up the Road Safety Partnership Board – which meets quarterly, and is attended by council officers from Sustainable Transport, Parking, Young People’s Services and Neighbourhoods, Transport Police, Local Police and TfL Road Safety – to become a wider forum for the debate on safety and public transport issues, enabling the views of residents and councillors to be considered”.

On being put to the vote there were 29 in favour of the amendment and 20 against and 1 abstention. The amendment was declared CARRIED.

The substantive motion as amended was then put to the vote with 50 in favour and 0 abstentions and therefore declared unanimously CARRIED.

The Motion as amended reads as follows:

This Council notes;

**MINUTES OF THE FULL COUNCIL**  
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- Thousands of Haringey residents rely on public transport, and deserve high standards of safety and service
- Recent threats to staffing at stations in Haringey by First Capital Connect

This council welcomes:

- Plans by Transport for London (TfL) and train operating companies to implement the Oystercard scheme at all rail stations in Haringey

This Council therefore resolves to:

1. Oppose all plans to reduce staffing levels at Haringey stations.
2. Work with the Greater London Authority, Metropolitan Police and transport companies to reduce crime on public transport and take action to make passengers feel safer.
3. Open up the Road Safety Partnership Board – which meets quarterly, and is attended by council officers from Sustainable Transport, Parking, Young People's Services and Neighbourhoods, Transport Police, Local Police and TfL Road Safety – to become a wider forum for the debate on safety and public transport issues, enabling the views of residents and councillors to be considered.

Motion U (2008/09)

The meeting signified its consent to an alteration to Motion U. The Motion moved by Councillor Dogus and was seconded by Councillor Goldberg.

The Motion was altered to read as follows:

“This council notes the concern of residents and local businesses, who believe that the opening of adult entertainment establishments will have a negative effect on Haringey and on those who live, work and go to school in the Borough.

This council notes objectors' concerns that such clubs would create public order and public safety problems and further notes their fear that these clubs may create a public nuisance, be harmful to local children and are particularly offensive to women.

This council further notes objectors' concerns that lap-dancing clubs are part of the commercial sex industry, which normalise the sexual objectification of women and constitute an exploitative industry which damages gender equality.

This Council notes and accepts that current legislation requires Members on licensing bodies to consider and determine all applications for regulated entertainment with an open mind on their individual merits. Nonetheless this Council believes that the existing legislation needs to be strengthened in order to protect the legitimate interests of local residents and to promote a vision

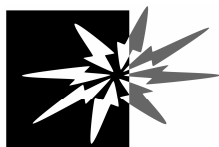
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	<p>of Haringey as a fair and equal place, where people can flourish and in which residents are proud to live and feel part of a strong community.</p> <p>This council welcomes the Labour government's announcement in the Queen's speech in December, new measures to give councils and communities new powers to stop lap-dancing clubs opening in areas, by tightening up the regulation of adult entertainment venues.</p> <p>This council notes that these powers may be taken up on an opt-in basis and that, in the interests of residents and in protecting the rights residents expect to influence the areas in which they live, we will stand by communities and give favourable consideration to the adoption of such powers as soon as is possible.</p> <p>This council will give favourable consideration to legislation that will reclassify Lap Dancing Clubs as Sex Encounter Venues as laid out in the Policing and Crime Bill; resolves to write to the Home Secretary, the Rt Hon Jacqui Smith MP, to urge her to prioritise the necessary legislation in order to provide fairer rules for stronger communities and to make sure that such provisions can be retrospectively applied.</p> <p>The altered Motion was declared CARRIED following a recorded vote, as follows:</p> <p>For the Motion : Councillors Adamou, Adje, Amin, Basu, Bevan, Beynon, Bull, Canver, Cooke, Davies, Diakides, Dobbie, Dogus, Goldberg, Gorrie, Griffith, Haley, B, Harris, C. Harris, Jones, Khan, Kober, Meehan, Oakes, Oatway, Reith, Santry, Vanier and Winskill.</p> <p>Against the Motion: None.</p> <p>Not voting: Councillors Egan, Mallett and Peacock.</p> <p>Absent: Councillors Aitken, Alexander, Allison, Baker, Beacham, Bloch, Butcher, Demirci, Dodds, Edge, Engert, Hare, Lister, Mughal, Newton, Patel, Rainger, Reid, Scott, Stanton, Thompson, Weber, Whyte, Williams and Wilson</p>	
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The meeting ended at 21.58hrs.

COUNCILLOR ALAN DOBBIE  
Mayor

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**Haringey** Council \*

Agenda item:

**Council**

**On 18 May 2009**

Report Title: **Revised Housing Rent Increase 2009/10**

Report of: **Director of Urban Environment and Chief Financial Officer**

Authorised: **Niall Bolger**

**Gerald Almeroth**

Contact Officer: **Gerald Almeroth, Chief Financial Officer, 020 8489 5972**

Wards(s) affected: **All**

Report for: **Key**

### **1. Purpose of the report**

- 1.1 This report considers the proposals announced by government on 7 April 2009 to give local authorities the option to reduce housing rents in 2009/10. This will be achieved by awarding additional housing subsidy to cover the loss of income from the rent reduction.
- 1.2 Where local authorities wish to accept this option of additional housing subsidy the average rent increase has to be contained at a specified level. For Haringey the average rent increase for 2009/10 must be no more than £2.34 (2.94%). The currently approved average rent increase which took effect from April 2009 is £4.86 (6.1%).
- 1.3 The report recommends acceptance of this offer and the setting of new rents from 6 July 2009 reflecting a revised average reduction of rents to achieve a 2.94% increase for 2009/10.

## **2. Introduction by Cabinet Member for Housing**

2.1 I am at last pleased to agree this proposal to implement the reduction in the rent increase for this year, the proposal chosen is the simplest to understand and to administer both for the council and tenants. I point out the implications for next year mentioned in paragraph 14 in respect of the impact in 2010/11 and later years.

## **3. State link(s) with Council Plan Priorities and actions and /or other Strategies:**

3.1 The report links with the Councils Priority 5 Delivering excellent, customer focused, cost effective services.

## **4. Recommendations**

4.1 To approve a revised housing rent increase for 2009/10 at an average of £2.34 per week (2.94% increase over 2008/09) and that housing rents are revised from 6 July 2009 in order to achieve this.

4.2 To agree a revised HRA budget as set out in appendix A with a revised cash limit surplus of £607,000.

## **5. Reason for recommendation**

5.1 The Department of Communities and Local Government (CLG) issued a draft amending housing subsidy determination for 2009/10 on 28 October 2009. This provides the Council with the option to reduce the presently approved rent increase of 6.1% in 2009/10 to an average of 2.94% with the substantial proportion of the rent loss being met from additional housing subsidy. In determining the original 6.1% increase the government used the inflation factor of 5% in their formula. This was the retail price index increase at September 2008. Added to this increase was an adjustment to move rent towards the 'Formula' rent under the rent restructuring arrangements over a 15 year period. Limits on individual increases were imposed to restrict them to no more than 5.5% plus £2 per week.

5.2 The Council responded to this consultation asking government to consider a lower increase as an increase substantially above the rate of inflation would erode the affordability of rents for Haringey tenants. The final subsidy determination was issued on 18<sup>th</sup> December 2008 confirming the rent increase previously proposed in the draft determination, i.e. 6.1%.

5.3 On the 26 March 2009 CLG issued a further draft amending subsidy determination for consultation. This proposed an average restriction of rent increases to 3.1% nationally. However, it is for each local authority to determine their own increase based upon local rents actually set. The maximum increase for Haringey is 2.94% (£2.34 per week).

5.4 The Council has been given the option of retaining the existing level of subsidy previously agreed which assumed a rent increase of 6.1%. Alternatively the Council could opt for additional subsidy of £2.051 million in 2009/10 if the average rent increase for that year is set at no more than 2.94% over the average rent for 2008/09. This additional housing subsidy will substantially cover the loss rent of actual rent income should the rent increase be reduced to 2.94%. However, there is an estimated rent loss in 2009/10 of £63,000 if the option is approved. This is set out in the table below.

	£000
Original Rent Income Forecast (6.1% Increase)	70,871
Less Revised Rent Income Forecast (2.94% Increase)	68,757
Loss from Reduction in Rent	2,114
Less additional housing subsidy if 2.94% Option is taken up	2,051
Rent loss net of Additional Housing Subsidy	63

5.5 The Council will be eligible for the additional subsidy because the 'guideline rent' assumed in the formula to calculate subsidy will be reduced. This 'guideline rent' is the average rent that government considers the council should set and is used to determine housing subsidy entitlement. The Council has generally set rent levels in line with this guideline rent although sales and disposals can influence the average rent throughout the year. In 2008/09 the average rent was £79.71 and the 'guideline rent' for the year was £79.40. The small difference between the actual and 'guideline' rent largely accounts for net rent loss of £63,000 set out above.

5.6 In order to take advantage of the additional subsidy offered the actual rent increase in 2009/10 must be no more than 2.94% of the 2008/09 'guideline rent'. This equates to an average increase of £2.34 per week.

5.7 It is important to be aware that the condition restricting the rent increase to 2.94% is absolute. Should the average increase be even marginally above this constraint then none of the additional subsidy will be received.

## **6 Calculation of revised rents under the proposals**

6.1 In setting out the option for reducing rent the government has retained the rent restructuring formula whereby rents are moved to a 'Formula' or 'Target' rent over a period of time. This is part of the government's rent strategy whereby rents across the social housing sector are set according to a comparable formula regardless of the social housing provider.

6.2 In determining the reduced 'guideline rent' rent in the subsidy calculation an inflation factor of 2.4% has been assumed. Added to this is an adjustment to move rents towards the Formula rent over a period of 15 year. By applying this formula a restriction on the

increase in actual rents to 2.94% (£2.34) is derived. With this increase the average rent for 2009/10 will be £82.05. Previously the rent increase assumed an inflation factor of 5% with an adjustment to move to Formula rents over a 15 year period.

6.3 In order to implement the rent reduction it is necessary to set a new rent during 2009/10. This new rent needs to be set at a level that will ensure that tenant's average rent during 2009/10 is not more than 2.94% above the then average rent in 2008/09. The earliest date that the rent change can be effected is 6<sup>th</sup> July 2009. This date allows for the 4 week statutory notice of rent variations to be exercised and the appropriate calculations of housing benefit entitlement to be made. Although the review will represent a reduction in rent it is this necessary to provide tenant's with a legally valid notice of change.

6.4 The originally approved rent increase for 2009/10 of 6.1% would remain effective between April and June 2009. However, the increase over 2008/09 falls to 1.88% from July 2009. The overall impact during 2009/10 is a net increase of 2.94% which is required to qualify for the additional housing subsidy. This is in effect a reduction in the average rent of 3.97% for the rest of the financial year.

6.5 Should rents be amended from 6 July 2009 the average rent increases would be as follows.

	<b>Average Rent 2009/10 £. p.</b>	<b>Variation over 2008/09</b>	
		£. p.	%
Average Rent ( April to June 2009)	84.57	4.86	6.1%
Average Rent (July to March 2009)	81.21	1.50	1.88%
Average Rent (All Year 2009/10)	82.05	2.34	2.94%

6.6 Each individual rent will be calculated under the rent restructuring formula and the range of rent reductions and new rents to be applied from 6 July 2009 are set out in the tables below.

Table A - New Rent from 6 July 2009

No. of Bedrooms	HOUSE			FLAT			ALL		
	Min	Max	Average	Min	Max	Average	Min	Max	Average
	£	£	£	£	£	£	£	£	£
0				47.36	86.52	63.19	47.36	86.52	63.19
1	62.25	99.06	76.95	39.54	108.97	67.85	39.54	108.97	68.00
2	58.10	113.83	85.73	59.58	116.37	76.26	58.10	116.37	79.51
3	66.54	125.00	95.60	55.33	120.00	85.76	55.33	125.00	91.89
3+	70.42	149.49	109.93	65.13	123.30	93.45	65.13	149.49	107.11



Table B - Reductions to Rent from 6 July 2009

No. of Bedrooms	HOUSE			FLAT			ALL		
	Min	Max	Average	Min	Max	Average	Min	Max	Average
	£	£	£	£	£	£	£	£	£
0	-	-	-	1.30	3.60	2.61	1.30	3.60	2.61
1	2.45	4.11	3.04	0.20	4.58	2.82	0.20	4.58	2.82
2	1.09	4.75	3.53	2.46	4.87	3.17	1.09	4.87	3.29
3	1.23	5.22	3.94	0.20	5.00	3.56	0.20	5.22	3.80
3+	0.41	6.25	4.54	1.26	5.13	3.85	0.41	6.25	4.42

6.7 An alternative option for implementation would be to backdate the average rent increase to 1 April 2009. Under this arrangement tenants would receive refunds in respect of the higher rent paid since April 2009.

6.8 However, the calculation and processing of some 16,000 refunds would represent a considerable administrative burden with a substantial number of housing benefit overpayments needing to be processed. Also the retrospective adjustment of rents after the statutory notices for the April 2009 increase have been served could invalidate these notices that include both variations to rent and service charges. This could result in all service charge increases which took effect from April 2009 being invalidated.

6.9 One drawback of setting a new rent from 6 July 2009 at a lower increase is that the full benefit of the reduction is phased in and will only be fully experienced by tenants who have maintained their tenancy throughout the entirety of 2009/10. However, the potential financial loss to a tenant terminating their tenancy during 2009/10 will not be significant. This will only affect at the most some 5% of tenants the majority of whom are in receipt of full or partial housing benefit and are therefore unlikely to experience a significant financial loss from this approach.

## 7. Equalities and Community Cohesion Comments

7.1 None for the purpose of this report

## 8. Consultation

8.1 In order to implement the reduction in rent as soon as possible there has not been a consultation process with tenants, however, the statutory notice of rent variation period of four weeks will allow any comments or objections to be made.

## 9. Financial Implications

- 9.1 The major risk associated with accepting the offer of reducing rents is that the average rent increase between 2008/09 and 2009/10 is not contained at 2.94%. Although an average increase of 2.94% could be approved, the impact of the disposal and sale of dwellings during 2009/10 could marginally affect the calculation of the average rent in 2009/10.
- 9.2 The risk has a relatively low likelihood as right to buy sales during the year are not forecast to be more than 50 dwellings. Any sale or conversion of the hostel dwellings to permanent dwellings is likely to reduce the average rent as hostel rents are above the overall average rent for the dwelling stock. However, the impact of the risk is high because if the average rent increase for 2009/10 is even marginally above the threshold, the full subsidy gain of £2.051 million will be lost.
- 9.3 In order to mitigate this risk the average rent will be monitored monthly to ensure that it is contained within the necessary tolerances.
- 9.4 As part of the consultation on the amending housing subsidy consultation government has asked local authorities accepting the offer of a lower rent increase to estimate the additional expenses chargeable to the General Fund from the implementation of new rents. These are estimated at £10,000 mainly as a result of housing benefit changes. Government will consider providing additional funds to meet these costs. There are also estimated additional expenses of £20,000 chargeable to the Housing Revenue Account although government does not intend to make funds available to cover these costs.

## 10 Impact in 2010/11 and later years

- 10.1 The option of a 2.94% rent increase is only offered for one year. The government had previously stated that the increase for 2010/11 would be 6.1% on the 2009/10 'guideline rent' before the offer of a reduced increase in 2009/10 was announced. This increase in 2010/11 was to be implemented regardless of the prevailing rate of inflation. However, the Government has now agreed to review this position and will consult on the rent increase for 2010/11 in the autumn.
- 10.2 Nevertheless the increase in 2010/11 may be higher as a result of the reduced rent increase for 2009/10. As the increase is intended to be a 'one-off' adjustment, the rent for 2010/11 could revert to the previous year's method of calculation. This could lead to a significant increase as the change would be made from a lower starting point.
- 10.3 In the past rent increases have been linked to the Retail Price Index increase in the September prior to the start of the financial year. Assuming that the retail price index remains at its present historically low level then a probable forecast of the 2010/11 increase is 3% (£2.47). However, with the phased introduction of the rent reduction

during 2009/10 as proposed in this report the increase between the last rent payment of 2009/10 and first payment in 2010/11 could be some 4.1% (£3.31). Should government decide to retain the presently announced rent increase for 2010/11 of 6.1% this increase would be 7.2% (£5.85).

10.4 The potentially adverse impact on rent increases for 2010/11 and later years will be contained within the response to the government's consultation on rents in the autumn.

## **11 Comments of the Head of Legal Services**

11.1 The legal implications are contained in the body of the report. The action recommended is within the Council's legal powers.

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**Haringey Council** \*

## Appendix A HOUSING REVENUE ACCOUNT – REVISED MEDIUM TERM FINANCIAL STRATEGY 2009/10 TO 2013/14

HRA Summary	2008/09		2009/10		2010/11		2011/12		2012/13		2013/14	
	Original Budget £000s	Revised Budget after P7 Adj £000s	Increase / (Decrease) £000s	Draft Budget £000s	Increase / (Decrease) £000s	Draft Budget £000s	Increase / (Decrease) £000s	Draft Budget £000s	Increase / (Decrease) £000s	Draft Budget £000s	Increase / (Decrease) £000s	Draft Budget £000s
Company Income	(52,756)	(52,564)	(1,890)	(54,454)	(1,643)	(56,097)	942	(55,155)	(1,479)	(56,634)	(1,263)	(57,897)
Chief Executive	253	244	6	250	6	257	6	263	7	270	7	276
Housing Management	10,784	10,238	449	10,557	254	10,811	270	11,081	277	11,358	285	11,643
Business Improvement	2,680	2,965	340	3,335	65	3,400	(9)	3,391	86	3,477	94	3,570
Finance	2,007	20,495	1,560	22,135	553	22,689	568	23,256	581	23,838	596	24,433
Building Services	28,752	9,928	(629)	9,306	542	9,849	(4)	9,845	346	10,190	94	10,285
Asset Management	848	837	14	857	22	879	22	900	22	923	23	946
Corporate	7,433	7,863	150	8,013	200	8,213	(1,795)	6,419	160	6,579	164	6,744
<b>Total Company Accounts</b>	<b>0</b>	<b>6</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
Rental Income	(64,504)	(64,504)	(4,092)	(66,483)	(3,999)	(72,596)	(3,435)	(76,031)	(3,597)	(79,628)	(3,767)	(83,396)
Non Dwelling Rents	(2,127)	(2,127)	(89)	(2,216)	(46)	(2,261)	(47)	(2,308)	(48)	(2,356)	(49)	(2,405)
HRA Subsidy	(16,081)	(16,081)	(160)	(18,292)	627	(15,614)	285	(15,329)	457	(14,872)	1,787	(13,085)
Leasehold Service Charge Income	(4,730)	(4,730)	(128)	(4,858)	(132)	(4,990)	(135)	(5,125)	(138)	(5,263)	(142)	(5,404)
Tenant Service Charge Income	(8,585)	(8,585)	(1,239)	(9,823)	(227)	(10,050)	(232)	(10,282)	(238)	(10,521)	(244)	(10,765)
Miscellaneous Income	(5,626)	(5,626)	213	(5,413)	(128)	(5,541)	(131)	(5,672)	(134)	(5,806)	(138)	(5,943)
Housing Management Costs	6,824	6,824	494	7,318	176	7,494	180	7,674	185	7,859	189	8,048
Repairs & Maintenance	210	210	5	215	5	221	6	226	6	232	6	238
Bad Debt Provision	1,100	1,100	50	1,150	50	1,200	50	1,250	50	1,300	50	1,350
Service Charge Costs	7,178	7,178	788	7,966	199	8,165	204	8,369	209	8,578	214	8,792
<b>Total Managed Accounts</b>	<b>(86,341)</b>	<b>(86,341)</b>	<b>(4,158)</b>	<b>(90,436)</b>	<b>(3,474)</b>	<b>(93,973)</b>	<b>(3,255)</b>	<b>(97,228)</b>	<b>(3,249)</b>	<b>(100,477)</b>	<b>(2,094)</b>	<b>(102,571)</b>
Temporary Accommodation Income	(4,931)	(4,931)	455	(4,476)	(132)	(4,608)	(116)	(4,725)	(122)	(4,847)	(128)	(4,975)
Housing Management Direct Costs	1,435	1,435	36	1,471	37	1,507	38	1,545	39	1,584	40	1,623
Supported Housing Costs	3,175	3,175	(49)	3,126	81	3,206	83	3,289	85	3,373	87	3,460
Repairs & Maintenance	308	308	8	316	8	324	8	332	8	340	9	349
Capital Financing Charges	43,599	43,599	2,550	46,149	3,180	49,329	3,678	53,007	3,740	56,746	606	57,352
Other Property Costs	2,498	2,498	(553)	1,945	47	1,991	48	2,039	49	2,088	50	2,138
Bad Debt Provisions	31	31	10	41	10	51	10	61	10	71	10	81
ALMO Management Fee	39,690	39,690	1,569	41,259	1,313	42,571	(1,280)	41,291	1,132	42,424	908	43,331
<b>Total Retained Accounts</b>	<b>85,804</b>	<b>85,804</b>	<b>4,025</b>	<b>89,829</b>	<b>4,542</b>	<b>94,371</b>	<b>2,468</b>	<b>96,839</b>	<b>4,940</b>	<b>101,779</b>	<b>1,580</b>	<b>103,360</b>
<b>TOTAL HOUSING REVENUE ACCOUNT</b>	<b>(537)</b>	<b>(531)</b>	<b>(133)</b>	<b>(607)</b>	<b>1,069</b>	<b>399</b>	<b>(788)</b>	<b>(389)</b>	<b>1,692</b>	<b>1,302</b>	<b>(513)</b>	<b>789</b>
<b>Planned Opening HRA Balance</b>	<b>(4,690)</b>	<b>(4,724)</b>		<b>(5,255)</b>		<b>(5,862)</b>		<b>(5,463)</b>		<b>(5,852)</b>		<b>(4,550)</b>
<b>In-Year Use of Balances</b>	<b>(537)</b>	<b>(531)</b>		<b>(607)</b>		<b>399</b>		<b>(389)</b>		<b>1,302</b>		<b>789</b>
<b>Planned Closing Balance</b>	<b>(5,227)</b>	<b>(5,255)</b>		<b>(5,862)</b>		<b>(5,463)</b>		<b>(5,852)</b>		<b>(4,550)</b>		<b>(3,761)</b>

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Haringey Council

Agenda item:

**COUNCIL****On 18 May 2009**

Report Title: Appointment of Independent Members for Standards Committee

Forward Plan reference number (if applicable): N/A

Report of: John Suddaby, Head of Legal Services and Monitoring Officer

Wards(s) affected: All

Report for: Decision

**1. Purpose**

- 1.1 To make provision for the Council having a full complement of 5 independent members on its Standards Committee for the 2009/10 municipal year.
- 1.2 The Council's Constitution requires the Standards Committee to have five independent members, as agreed by Full Council on 19 January 2009. The report recommends that the Council confirms the appointment of Rachael Chambers and Jonathan Batterham as independent members following the recruitment process outlined below. The appointments are for a four year period, and the two appointments arise following the increase in Independent Membership from 4 to 5 Members by the Council on 19 January, and also due to a vacancy arising from one of the existing independent members (Irene Francis) term of office coming to end at the commencement of the new Municipal Year 2009/10.
- 1.3 The Council is also asked to extend the term of office of an existing Independent Member - Roger Lovegrove by a further 1 year to May 2010. His term of office was due to cease on 18 May 2009 and the reason for the extension is in order to provide continuity in membership of the Independent members of the Committee given his extensive knowledge and understanding of the remit of the Committee.
- 1.4 Independent members to the Standards Committee for the municipal year 2009/10 will therefore be: Rachael Chambers, Jonathan Batterham, Roger Lovegrove, Annabel Loyd, and Carol Sykes.

**2. Recommendation**

- |   |
|---|
| <p>2.1 To approve the appointment of Rachael Chambers and Jonathan Batterham to serve as independent members on the Standards Committee from May 2009 for four years.</p> <p>2.2 To extend the term of office of Independent Member Roger Lovegrove for a further year to May 2010.</p> |
| <p>Report Authorised by: John Suddaby, Head of Legal Services and Monitoring Officer</p>  |
| <p>Contact Officer: John Suddaby, Head of Legal Services and Monitoring Officer.<br/>Contact telephone number: 020 8489 3974<br/>Email: <a href="mailto:john.suddaby@haringey.gov.uk">john.suddaby@haringey.gov.uk</a></p>  |
| <p><b>3. Local Government (Access to Information) Act 1985</b></p> <p>3.1 Local Government Act 2000</p> <p>3.2 Council's Constitution</p> <p>3.3 Standards Board for England Guidance</p> <p>3.4 Member Services and Legal Services files.</p>  |



**4. Background**

4.1 The Standards Committee is required by national legislation to have at least one independent member and also independent members must form 25% of the committee. The rules in relation to political balance do not apply to Standards Committees. Legislation provides that:

- Independent members must not have been a member or employee of Haringey Council within 5 years before the date of appointment.
- Independent members must not be a relative or close friend of a member or employee of Haringey Council
- Independent members must have filled in an application form
- Independent members must have been approved by the majority of the Council's members.
- All meetings of the Standards Committee or sub-committee meetings held, have to have an independent member present as chair in order for the meeting to be quorate.

4.2 This Council's Constitution provides that the Standards Committee is composed of 8 councillors and 5 independent members and that the independent members must not be councillors or officers of the Council or any other body with a Standards Committee.



- 4.3 At the Council meeting on 9<sup>th</sup> January 2006, Nicholas Weber, Irene Francis and Roger Lovegrove were appointed to serve as independent members on the Standards Committee from May 2006 for two years. At the Council meeting of 22 May 2006, Carol Sykes was appointed as an independent member for four years until May 2010.
- 4.4 At the Standards Committee of 8 October 2007, it was agreed that to preserve continuity in the face of significant change in standards administration, two out of the three independent members whose term of office was expiring in May 2008 should be retained for a further year and that the resulting vacancy should be advertised.
- 4.5 On receipt of Nicholas Weber's resignation, the Standards Committee of 7 February 2008 agreed to start the recruitment process for the vacancy and confirmed that subject to approval by full Council, Irene Francis and Roger Lovegrove should remain independent members for a further year's office.
- 4.6 The advertisement to recruit independent members was placed in Local Haringey newspapers, on the Council website and in Haringey People. As a result of the recruitment process Annabel Loyd was appointed by Full Council on 19 May 2008 for a 4 year term.
- 4.7 Following the decision of the Standards Committee of 22 December 2008 to increase the Independent Membership of the Standards Committee by 1 additional Independent Member, which was confirmed by Full Council on 19 January 2009, and in light of the need to recruit to the vacancy of one of the existing 4 Independent Members (Irene Francis) whose term of office expires on 18 May 2009 a recruitment process was commenced in February 2009. 27 completed application forms were received for the 2 positions and a shortlist of 6 candidates was selected by members of the Standards Committee for final interview. The interviews followed the Council interview procedure and the successful candidates were Rachael Chambers and Jonathan Batterham.

## **5. Recommendation**

- 5.1 To approve the appointment of Rachael Chambers and Jonathan Batterham to serve as independent members on the Standards Committee from May 2009 for four years.
- 5.2 To extend the term of office of Independent Member Roger Lovegrove for a further year to May 2010.

## **6. Comments of the Chief Financial Officer**

- 6.1 There are no financial implications.

## **7. Comments of the Head of Legal Services**

- 7.1 The legal position is set out in the report.

**8. Equalities Implications**

8.1 Recruitment has taken place in accordance with the Council's policies.

**REPORT OF THE CONSTITUTION REVIEW WORKING GROUP  
No. 1/2009-10**

**COUNCIL 18 MAY 2009**

Chair:  
Councillor Kober

**INTRODUCTION**

- 1.1 This report covers considerations given by the Constitution Review Working Group at our meeting on 30 April 2009 in relation to the “Implementation of New Executive Leadership Arrangements”.

**ITEMS FOR DECISION**

**2. IMPLEMENTATION OF NEW EXECUTIVE LEADERSHIP ARRANGEMENTS**

- 2.1 We considered the attached report which informed of the need to decide during the course of 2009 on a new executive model in accordance with requirements of the Local Government and Public Involvement in Health Act 2007; issues that will need to be considered; and the proposals which will need to be drawn up in this respect for consultation purposes prior to a decision being taken by full Council.
- 2.2 It was noted that in order to comply with the resolution period of the LGPIH Act the Council will need to pass a resolution at a full Council meeting specially convened for the purpose to adopt new executive governance arrangements no later than 31 December 2009.
- 2.3 Appendix 2 outlined the proposed route map and implementation guidelines. There would be 2 sets of consultations; the first would seek residents’ views on the options which are available and the second would seek residents’ views on the Council’s proposals and reasons for proposal.
- 2.4 We agreed that a revised route map, which would include the option for the Council of holding a referendum, be circulated to Members of the Working Group. We asked for a simplified briefing highlighting the main issues in the report to be circulated to all Councillors. We noted that the next minority group meeting available for consultation on the report’s recommendations was the 24 June not 5 May.
- 2.5 The attached report covers the background, options for the new Executive models, public consultation proposals together with a timetable and route map for implementation.

**WE RECOMMEND**

1. That the statutory duty placed on the Council to resolve to adopt a new form of executive arrangements by 31 December 2009, to come into effect in May 2010 be noted.
2. That the differences between existing executive arrangements and the new options contained in the 2007 Act as set out in **section five** and **appendix one** of the attached report be noted.
3. That the Constitution Review Working Group have member oversight of the implementation of new executive arrangements in Haringey and formulate recommendations for consideration and adoption by full Council as required.
4. That to ensure compliance with the statutory timelines for implementation of new executive arrangements, the indicative implementation timetable and route map as outlined in **section ten** and illustrated in **appendix two** of the attached report be adopted by full Council on 18 May 2009.
5. That the suggested approach for consultation as set out in **section eleven** and illustrated in **appendix three** of the attached report be adopted by full Council on 18 May 2009.



**Haringey Council**

<b>Briefing for:</b>	Constitution Review Working Group	<b>Item number</b>	
<b>Title:</b>	Implementation of new executive leadership arrangements		
<b>Lead Officer:</b>	Yuniea Semambo, Head of Local Democracy		
<b>Date:</b>	30 April 2009		
<b>Purpose</b>	<p>This report informs the Constitution Review Working Group (CRWG) of the need to decide during the course of 2009 on a new executive model in accordance with requirements of the Local Government and Public Involvement in Health Act 2007; issues that will need to be considered; and the proposals which will need to be drawn up in this respect for consultation purposes prior to a decision being taken by full Council.</p>		
<b>Recommendations</b>	<p>That the statutory duty placed on the Council to resolve to adopt a new form of executive arrangements by 31 December 2009, to come into effect in May 2010 be noted.</p> <p>That the differences between existing executive arrangements and the new options contained in the 2007 Act as set out in <b>section five</b> and <b>appendix one</b> of this report be noted.</p> <p>That the CRWG has member oversight of the implementation of new executive arrangements in Haringey and formulates recommendations for consideration and adoption by full Council as required.</p> <p>That to ensure compliance with the statutory timelines for implementation of new executive arrangements, the CRWG considers the indicative implementation timetable and route map as outlined in <b>section ten</b> and illustrated in <b>appendix two</b> prior to consultation with the political groups and subsequently adoption by full Council in May 2009.</p> <p>That the CRWG considers the suggested approach for consultation as set out in <b>section eleven</b> and illustrated in <b>appendix three</b> of this report prior to consultation with the political groups and subsequent adoption by full Council in May 2009.</p> <p>That in accordance with the implementation route map set out in <b>appendix 2</b> the leader's office arranges meeting dates for the CRWG for the 2009/10 municipal year to facilitate council compliance with statutory timelines.</p>		

## 1. Background



**Haringey Council**

- 1.1 The Local Government Act 2000 radically changed the decision-making structures of English Local Government. Central to these reforms was the clear separation between executive councillors and the majority of members. The 2000 Act required local authorities to adopt a new governance structure, moving away from decisions being taken by cross party committees and introducing an executive with a wide-ranging leadership role.
- 1.2 In May 2002, Haringey Council in common with the majority of councils adopted an indirectly elected leader and cabinet model with the Cabinet taking collective responsibility for executive decision-making. Under the Council's current constitutional arrangements, the council leader and cabinet are appointed annually by full council. The Cabinet currently comprises of ten Members (including the Leader). Full Council also formally agrees the portfolios allocated to each individual cabinet member.
- 1.3 The 2006 White Paper "Strong and Prosperous Communities" set out the government's case for further reforms to local government leadership arrangements, stating that local democracy needed strong, visible leadership. It suggested that the existing frameworks under which local authorities operated could be a barrier to the kind of leadership that prosperous communities require. It drew on a 2005 survey of councillors, officers and stakeholders, which supported the view that the arrangements introduced by the 2000 Act facilitate visible and effective leadership. However, it points out that many local authorities have adopted a cautious approach to change, with only 13 local authorities introducing elected mayors. The White Paper argues that the 2000 Act leader and cabinet model, which does not authorise the leader to act alone or to choose his or her own cabinet, hampers decisive decision-making since a leader facing annual re-election may find it hard to take and see through essential decisions that may be unpopular in the short term.
- 1.4 The 2006 White paper stated that council leaders have short mandates – normally only one year – limiting their ability in many cases to take tough decisions. The government believes that councils should move towards more stable and visible political leadership and their research showed that leadership is the single most significant driver of change and improvement in local authorities.
- 1.5 Building on the 2006 White Paper, the Local Government and Public Involvement in Health Act 2007 requires changes to the leadership of councils, introducing two models, both of which place all executive powers in the hands of one individual, who, in the normal course of events, will serve an uninterrupted four year term.
- 1.6 Keen to encourage more councils to have a directly elected mayor, the government has repealed the requirement in the 2000 Act for a referendum to take place before a shift to an elected mayor executive model takes place. An elected mayor is now one of the two options councils can consider without necessarily holding a referendum.



**Haringey Council**

## **2. Options for New Executive Models as set out in the 2007 Act**

2.1 The government has legislated for stronger, more accountable local leadership by offering local authorities a choice of two executive models within the Local Government and Public Involvement in Health Act 2007. Haringey Council must therefore make changes to its current executive arrangements and choose to move to one of the following models:

- i. **directly elected mayor** with a four-year term - a directly elected individual by voters
- ii. **indirectly elected leader** with a four-year term - voters elect councillors, and then councillors chose the council leader.

The Council must adopt one of the two models and cannot continue current arrangements after the May 2010 elections.

There is no longer the option of a mayor and council manager model and the government's suggestion in the 2006 White Paper for a directly elected leader and cabinet model did not reach the statute books.

2.2 In each of the two possible executive models:

- i. all executive powers will be vested in the mayor or leader who will have responsibility for deciding how these powers should be discharged – either by him or herself or delegated to members of cabinet individually or collectively;
- ii. the mayor or leader will be responsible for appointing cabinet members
- iii. the mayor or leader will allocate portfolios to cabinet members
- iv. Under all circumstances, the directly elected mayor or indirectly elected leader will have a fixed four-year term

2.3 Once the Council has adopted a new form of executive leadership model:

- the leader/ mayor must determine a scheme of delegation for executive functions;
- councils will be free to decide how a leader/mayor may be removed in their constitutions;
- The council will need to amend our constitution in light of the above decisions.

2.4 Whichever model is chosen, the council is required to draw up proposals that set out a timetable for implementation and details of any transitional arrangements that may be necessary. This must also include details of those “Local Choice Functions” that are to be “executive” rather than “non-executive”.

2.5 Haringey's constitution contains provisions to remove the leader at any time by a simple majority vote of no confidence. Subject to any regulations the Government may make (none known about now), it will continue to be for councils to decide, through their constitutions under what circumstances the leader / mayor might be removed during the 4-year term, such as Haringey's current vote of ‘no confidence’ by a simple majority of councillors. Alternatively, a different threshold could be chosen such as a vote to remove requiring at least two thirds of councillors. It should be noted however, in accordance with the



## Haringey Council

2000 Act, that the circumstances in which a directly elected mayor can be removed are extremely limited.

- 2.6 Local authorities will be expected to consult widely before deciding to adopt either executive model set out in the 2007 Act. A suggested timetable for Haringey Council's implementation of new executive arrangements is contained in **section ten** and illustrated in **appendix two** of this report for consideration by the Constitution Review Working Group. The Government believes that direct elections provide the strongest and most visible local leadership; they have now legislated to enable authorities to adopt either a directly elected mayor or an indirectly elected Leader without the need for a referendum in either case, though authorities locally can choose to do so as part of their consultation process.
- 2.7 It should be noted however that statutorily a referendum could still be demanded by a petition from the local electorate that met the current 5% threshold for a mayoral petition as set out in the Local Government Act 2000.
- 2.8 Once an authority has opted for a directly elected mayor the presumption will be that it should not move back to an indirectly elected leader model.

### 3. The two options for executive arrangements in the 2007 Act

- 3.1 Once in office, there is little difference between what a new "strong" indirectly elected leader and an elected mayor can do. A summary of their respective powers and roles compared to current executive arrangements is set out in **section five** of this report. The differences between the current model and the two options in the 2007 Act are set out in more detail in **Appendix one** to this report.
- 3.2 A decision to elect a mayor would however bring a shift in culture to the council. A fundamental difference is that an elected mayor is not a councillor. He or she does not have an electoral division to represent and would work full time as mayor. A directly elected mayor of Haringey Council would be elected by the voters of Haringey as a whole and would have a mandate from them to deliver his or her election promises. Having set out policies before taking office, he or she would have more autonomy to deliver them than an indirectly elected leader appointed by the council and could retain executive powers personally in order to drive them through.
- 3.3 Since a mayor is not appointed by the Council he or she may not necessarily be a member of the majority group or for that matter any political party. A mayor would of course be reliant upon the Council to pass any budget that he or she proposed and would therefore need to work with members to ensure that this could be agreed.
- 3.4 An indirectly elected leader would, as now, be elected by the Council by simple majority and so indirectly have the mandate of the Haringey electorate. The new 2007 Act model does however concentrate executive powers into the hands of the leader and grants to them a four-year term of office, which could only be taken away by a majority vote in full council or possibly a higher threshold if the Constitution were to provide. A leader would come to the role with the support of peers and would have already been working to build a consensus about the direction the Council should take. A leader is also a





**Haringey Council**

councillor and as such would be required to combine his or her role with local work and in representing the views of his or her ward.

- 3.5 Either of these new models will grant the person who leads the Council in the next term a stronger mandate and, by providing them with greater stability should remove any perceived political barriers to effective delivery of services.
- 3.6 Those in favour of an elected mayor argue that this provides visible leadership for the area. Directly elected by it, a mayor is well known in the local community, from the day he or she takes office. Surveys have consistently shown that, where this model has been adopted, local people can name their elected mayor, whereas indirectly elected leaders for the Local Government Act 2000 model are not as well recognised by the community in comparison. Opponents to the system often take the view that the autonomy of an elected mayor has a tendency to give rise to probity issues. There are also concerns that direct elections tend to attract maverick candidates and lead to an unhealthy emphasis on the personalities of the mayoral candidates. On the other hand, contests such as the recent London GLA Mayoral elections have seen public interest and therefore turnout increase.

**4. Elections**

- 4.1 Should the Council adopt the mayoral model, the Haringey electorate would then elect a Mayor who would serve for the full term of the Council. The election would take place at the same time as the council elections in May 2010. A new indirectly elected leader and cabinet model would require the Council to elect its Leader for the next four years at the post-election annual meeting in May 2010.
- 4.2 An individual member of the community can stand as a candidate for mayor if they have nomination papers signed by thirty registered electors and pay a deposit of £500. The rules that apply to voting in mayoral elections differ from those that apply to a councillor or Member of Parliament. Where there are two candidates a simple majority vote applies, but where there are three or more candidates the "supplementary vote" system is compulsory, so that if no candidate obtains more than half of the first preference votes the second preference votes are added in to return one of the two front running candidates. The winner will have the greatest number of first and second preference votes.
- 4.3 It is possible for an individual to stand for election as both the mayor and a councillor but they cannot hold both roles and if returned as mayor their seat as councillor becomes immediately vacated.

**5. Differences between existing executive arrangements and the two options set out in the 2007 Act**

- 5.1 The law requires that, from May 2010 onwards the person who leads Haringey Council, whether this is a directly elected mayor or a council appointed leader, will initially hold all the Council's executive functions under their personal control. It will then be for him or her to choose whether to exercise some or all of these functions personally or to make arrangements for their discharge by the Cabinet, Cabinet Committees, by an individual member of the cabinet, or by officers.
- 5.2 As now, cabinet members must be appointed from amongst elected councillors, but it will be for the council leader or mayor to choose just how many members will join him or her on the Cabinet (between two and nine). As there will no



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longer be a requirement to elect cabinet members annually they may be appointed or dismissed by the leader/mayor at any time during the term of the Council, paving the way for “cabinet reshuffles” in response to changing local priorities, need or events.

- 5.3 The Leader / Mayor will also decide what (if any) executive functions are delegated to area assemblies and/or individual ward councillors (**also see paragraph 6.2**).
- 5.4 The mayor or leader must appoint a deputy who will hold office until the end of the mayor/leader’s term (but a deputy can be removed and replaced mid-term by the leader or mayor). The 2007 Acts specifies that the deputy will take up the role of the leader/mayor if the latter is unable to act or the office becomes vacant.

## 6. Role of full Council

- 6.1 Those functions that are the remit of the full Council remain unchanged by the 2007 Act, so setting the budget and policy framework remains a decision for all Council Members. The 2000 Act gave the Council limited discretion over which of its functions would be reserved to full Council and which would require an executive decision. These “local choice” functions are set out in **Part 3, Section A** of Haringey’s Constitution. The 2007 Act does not change the range of these local choice functions but, in the event that the Council wishes to have an elected mayor, Members would be required to reconsider their allocation within the new proposals and agree how, in the future these decisions will be taken.
- 6.2 The 2007 Act also contains provisions to allow a leader or mayor to delegate some executive powers to individual councillors for them to exercise in their electoral division (ward). The statutory instrument for this element of the 2007 Act took effect from 01 April 2009. Further regulations and guidance on how these functions can be exercised by ward councillors is expected later in the year. As such, a report on this new provision will be presented to a future meeting of the Constitution Review Working Group.
- 6.3 There is a legal requirement for the Council to adopt new arrangements by 31 December 2009, but this is not a unique opportunity to change the form of leadership (although the legislation puts more procedural hurdles in front of a council wishing to change from mayor to leader than it does for those contemplating a change in the other direction). Members could therefore choose to revisit the decision that they take on a future occasion.

## 7. Resolution to adopt the new executive arrangements in accordance with the 2007 Act

- 7.1 To make initial changes to our executive governance arrangements, Haringey Council must comply with the resolution period as set out in Schedule 4 of the 2007 Act. The Council will need to pass a resolution at a full Council meeting specially convened for the purpose to adopt new executive governance arrangements no later than 31 December 2009. The proposed date for this special full Council meeting is **14 December 2009**. The new executive arrangements would take effect 3 days after the May 2010 London Borough local government elections on 6th May 2010.
- 7.2 Where a change to new executive arrangements is subject to approval by referendum, i.e. where the existing executive governance model has been put in



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place following a referendum, or a local authority chooses to make its proposals for change subject to a referendum, a resolution must be passed by full Council within 28 days of the date when the referendum is held.

- 7.3 Schedule 4 of the 2007 Act also makes transitional provision to enable councils existing operating executive governance models to be phased out (the existing leader and cabinet model in Haringey's case) to make the transition to one of the two new executive models permitted in the 2007 Act. Full Council must also formally approve the transitional arrangements by the resolution deadline of 31 December 2009.
- 7.4 Earlier drafts of the legislation included the option for a directly elected executive, that is to say, several directly elected cabinet members. Whilst this was ultimately not included in the 2007 Act, it did leave open the possibility of the secretary of state introducing this model through future statutory Regulations. Whilst there are now only two choices for executive models, the 2007 Act also reserves the power for the secretary of state to make Regulations to create a different model if there is significant demand for one from local authorities.
- 7.5 In addition, if the Council has not passed a resolution by 31 December 2009, the secretary of state can impose one of the two new executive leadership models on the Council.

**8. The role of the Civic Mayor within the new executive arrangements set out in the 2007 Act**

- 8.1 If the Council were to adopt the indirectly elected leader and cabinet model, the Council would continue to elect a Civic Mayor and Deputy Civic Mayor on an annual basis and the new forms of executive governance would not alter their roles. The Civic Mayor would continue to preside over meetings of the Council and carry out the ceremonial and civic duties attached to the office.
- 8.2 If however, the Council chose to adopt the directly elected mayor and cabinet model, the current office of ceremonial Mayor would cease and would be replaced by a chairperson who would chair meetings of the full Council. Full Council on an annual basis would appoint the Council chairperson. The elected Mayor as determined by the 2000 Act would decide the responsibility for the discharging of ceremonial duties as between him / herself and the Council chairperson.

**9. Overview and Scrutiny and other Council Committees**

- 9.1 The 2007 Act does not change the requirement for the Council to have in place arrangements to review and scrutinise executive decisions and any actions taken as a result of them.
- 9.2 New scrutiny powers from the Local Government and Public Involvement in Health Act 2007 were brought into law on 1 April 2009. The Government should announce soon a timetable for draft Regulations to be produced and finalised. These have already been the subject of consultation with councils, including events organised by the LGA, LGiU and IDeA. The LGA is working with the Centre for Public Scrutiny to produce a short Q and A briefing on using the powers in advance of the Regulations, which they will circulate as soon as the timetable for Regulations is clear.



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- 9.3 Earlier this year guidance was issued on the “Councillor Call for Action”, which will enable any individual councillor to require a council overview and scrutiny committee to consider a matter of local concern. This provision officially took effect on 01 April 2009 and the government is expected to publish further regulations later in the year.
- 9.4 Overview and Scrutiny committees, along with others such as Planning, Licensing, Audit and General Purposes remain committees of the full Council and must be politically proportionate. As now, these non-executive committees will be independent of the leader / mayor.
- 9.5 The future role of Area Assemblies will be defined in part by the person who leads the Council, since it will be for them to decide whether to delegate any executive functions to the assemblies as contained within provisions in the 2000 Act. At some time in the future, the role of the area assemblies may also require review in the light of any decision made by the future leader / mayor to implement individual member decision-making at ward level (also refer to **paragraph 6.2**).

**10. Timetable and route map for implementation**

- 10.1 The last day that the Council can continue to operate its current arrangements is the third day following the May 2010 local elections but it must pass a resolution deciding on the form of its new executive arrangements before 31 December this year. (Failure to do so will result in the Secretary of State imposing one of the two new executive leadership models on the Council under a scheme of her choosing).
- 10.2 The Council must pass this resolution at a meeting specifically convened for the purpose and, as such it is proposed that a special full Council meeting is scheduled on **14 December 2009**. The Council is required to agree a timetable with respect to the implementation of the proposals. Taking account of the statutory timetable, a proposed timetable and route map for implementation of new executive arrangements is set out in **Appendix 2** for consideration. If agreed, the timetable would be contained in the report to full Council on 18 May 2009 for formal adoption.
- 10.3 When the Constitution Review Working Group draws up the definite proposal for change before the second stage consultation, members will also need to consider the extent to which the proposal would, if implemented be likely to assist in securing continuous improvements in the way in which the Council’s functions are exercised, having regard to a combination of economy, efficiency and effectiveness. The Constitution Review Working Group will also need to decide whether to hold a referendum before implementing the change.
- 10.4 Following the Council resolution at the special full Council meeting on **14 December 2009**, some work will be required to amend the Constitution in accordance with the model of governance that the Council chose to adopt. In the event that the Council wishes to opt for an elected mayor more detailed proposals including arrangements for the election of a mayor and publicity will be required.
- 10.5 **Article 15** of Haringey’s Constitution provides for the following:  
*15.03 Changes to the Constitution*



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- (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 an informal Member group convened by the Leader 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 or decisions of the Council or Cabinet to further enable him / her to maintain it up to date.*

The informal Member Group referred to is the Constitution Review Working Group. As such it is recommended that the Constitution Review Working Group has oversight of the detailed work required as part of the transitional arrangements, whichever model it chooses to recommend.

## **11. Public consultation on new executive arrangements**

- 11.1 The functions of making proposals, consulting and deciding on the executive arrangement option are "non-executive" decisions and so must go to full Council at every stage for decision. With reference to **paragraph 10.5** of this report, it is recommended that the cross-party Constitution Review Member-Working Group has member oversight for the implementation of new executive arrangements and formulates recommendations for adoption by full Council as required at the relevant stages in the process.
- 11.2 The 2007 Act requires a 2-stage public consultation, first informally at the "formulation" stage and then more formally, once definite proposals have been drafted but before full Council finally adopts them. At the formulation stage, officers would recommend that there should be an easy to understand summary of the two options open under the 2007 Act with some comment on the merits/demerits of both options. While there might (possibly) be some indication of Haringey Councillors' thinking, it should be made plain that the Council has an open mind pending the outcome of the first stage public consultation.
- 11.3. The proposals for the first stage consultation must also include:
- (i) a timetable for consultation and implementation of the changes
  - (ii) details of any transitional arrangements needed - which would be simple if the changes were all implemented in a single phase at Annual Council in May 2010.
- 11.4 To prepare for the first formulation stage consultation, it is suggested that the proposed approach and timetable for implementation be discussed at the two Political Group meetings scheduled for early May 2009. It is also recommended that as soon as is practical, the Chief Executive and Leader formally advise the HSP PMG and HSP Board members that as key stakeholders they will be consulted on the two options for executive arrangements prior to the first stage consultation taking place in June 2009. It is suggested that an additional meeting of the Constitution Review Working Group is scheduled in mid-May 2009 to feed back any comments from the political groups and agree final recommendations for the report to be considered by full Council on 18 May 2009 to formally agree the process for implementation of new executive arrangements.
- 11.5 It is proposed that the Constitution Review Working Group meeting in mid-May 2009 would approve the questionnaire, correspondence and publicity materials for the first stage consultation.





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- 11.6 In order to ensure that the end of year resolution deadline is met, it is recommended that full Council at its AGM on 18 May 2009 formally approve the approach, the route map, timetable and two-stage consultation process for implementation of new executive arrangements as set out in **appendices two and three** to this report. It should be noted when reviewing the route map as far as possible effort has been made to facilitate Constitution Review Working Group members consulting with members of their political groups at every key stage in the implementation process. The proposed approach also complies with the Council's existing corporate consultation guidelines.
- 11.7 It is proposed that the first stage public consultation would take place from mid-June to late July. The consultation would cover the matters outlined in the report. Those consulted will be the local government electors and "other interested persons" in the borough. The latter are not defined but would be expected to include HSP partners and key stakeholders such as community and voluntary sector groups. There are no other formal requirements. For the purposes of the first stage consultation, officers have identified the following groups as 'interested persons':
- Haringey citizens
  - Haringey business representatives / chambers of commerce
  - Haringey Strategic Partnership organisations
  - Community and voluntary sector
  - Council Staff and Trade Unions
  - Councillors
- 11.8 Once the outcomes of the first stage consultation were known, they could be reported to Political Group meetings, the CRWG and relevant stakeholder groups as listed in paragraph 11.7 and set out in **appendix three** between July and September 2009. The Constitution Review Working Group would debate and recommend definite proposals for the leadership option. These would include any related changes to the Council's Constitution and any consequent changes to the "Local Choice Functions" (matters that can be either executive or non-executive functions at the Council's option).
- 11.9 These definite proposals would be recommended by the Constitution Review Working Group to the mid-October full Council, which would receive an update and note the process for the second stage formal public consultation. The Council would have to show it had taken into account the outcomes of the first stage consultation and the extent to which the proposed new leadership arrangements would assist in securing continuous improvement in the Council's operation.
- 11.10. The legal requirements for the second stage public consultation are quite simple – the proposals must be in a document available for public inspection at the Civic Centre and advertised once in a local newspaper. More extensive steps to engage public attention would be desirable and the suggested approach for the stage two consultation is set out in **appendix three**.
- 11.11. The results of the second consultation would be reported to a Constitution Review Working Group meeting in mid November. Key stakeholder groups would also be fed back the outcomes of the second stage consultation as set out in **appendix three** during November 2009.



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- 11.12. The final resolution to adopt would take place at a full Council specially convened for this purpose on **14 December 2009**.
- 11.13. Implementation of the new leadership arrangements must take place at the Annual Council in May 2010 after the next local election. The election of a leader for a 4-year term would take place then if the indirectly elected leader were the favoured option.
- 11.14 It is recommended that in accordance with the proposed implementation route map set out in **appendix 2** and consultation timetable in **appendix 3** to this report, that the leader's office arranges meeting dates for the Constitution Review Working Group for the 2009/10 municipal year to facilitate compliance with the statutory timetable.

**12. Financial and Value for Money implications**

- 12.1 The Council is required to consider how a change in executive arrangements would assist in securing continuous improvements to the way in which the Council's functions are exercised. The direct financial implications of either model are difficult to assess and are of little significance to the overall council budget.
- 12.2 A decision to adopt the directly elected mayor model of governance would increase the number of member allowances by one, since a mayor is not a councillor and would be an addition to the current fifty-seven elected Members of the Council. It is however possible that a directly elected mayor or a leader would exercise more executive functions personally and choose to operate with a reduced number of cabinet members, with a corresponding reduction in the number of special responsibility allowances – this has been the consistent pattern in existing mayoral authorities where all executive powers are vested in the Mayor.
- 12.3 The financial costs relating to the consultation and publicity requirements for moving to one of the two executive models under the 2007 Act are currently being assessed but are not likely to be 'significant'. Officers will be in a position to advise members of the cost implications at the next meeting of the CRWG in May 2009 and whether costs can be met within existing budget provision. The report to the CRWG in May and the formal report to be considered full Council on 18 May 2009 will include Chief Financial Officer comments to this regard.

**13. Legal Implications**

- 13.1 The legal implications are contained within the body of the report.
- 13.2 There had been very few enquiries about the process for holding a local referendum for a directly elected mayor in Haringey for which there is provision for in the 2000 Act. This experience is shared by many authorities though could be attributed to a general lack of knowledge and awareness of the process, for example the referendum process is not well publicised by the authority.
- 13.3 The ability for making it easier for local communities to call a referendum regarding their executive leadership model is part of the government's empowerment agenda and relates to their view that the community should have more power and say over how they are governed.
- 13.4 In late December 2008 the government issued a consultation paper on council governance arrangements for mayors and indirectly elected leaders. The paper



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was one of a series consulting on a number of policy commitments set out in the *Communities on Control: real people, real power* white paper and sought views on reducing the threshold for a petition to trigger a governance referendum on a council's executive model to below 5% of electors, and permitting e-petitioning for mayors. The consultation also considered the white paper commitment that where a governance referendum is lost to introduce an elected mayor, a further governance referendum may be held after four years, rather than ten years which is currently the case as legislated for in the 2000 Act.

- 13.5 In future, it will be a statutory requirement for councils to make more accessible information on how communities can trigger a referendum including this information being displayed prominently on the council's web site to facilitate on-line referendum / petitioning. The government is expected to legislate for this later in the year or in the draft Community Empowerment Bill. CRWG members will be advised of the constitutional implications for Haringey when more information about the changes to existing regulations is known.

#### **14. Risk management implications**

- 14.1 Failure to agree a preferred executive model within the statutory timelines would result in the secretary of state imposing a model on the Council. The implementation and consultation plans set out in **appendices two and three** to this report and member oversight by the cross-party CRWG should mitigate this likelihood.

#### **15. Equalities and Diversity implications**

- 15.1 It has been acknowledged that diversity amongst directly elected mayors is much less representative of communities than council leaders or local councillors in general – of the 13 directly elected Mayors, only one is female and none are from a BME community. This will be a matter for political parties to address in their selection processes for mayoral candidates, though there are regional and national programmes in place (by London Councils and the IDeA/LGA) respectively to raise awareness of the role of local elected representatives and the encouragement of representation from all communities.
- 15.2 Local councils also have a role to play in raising awareness of councillor and civic roles as part of their member development and community engagement strategies.

#### **16. Recommendations**

- 16.1 That the statutory duty placed on the Council to resolve to adopt a new form of executive arrangements by 31 December 2009, to come into effect in May 2010, be noted.
- 16.2 That the differences between existing executive arrangements and the new options contained in the 2007 Act as set out in **section five** and **appendix one** of this report be noted.
- 16.3 That the cross-party constitution review member-working group has member oversight of the implementation of new executive arrangements in Haringey and formulates recommendations for consideration and adoption by full Council as required.
- 16.4 That to ensure compliance with the statutory timelines for implementation of new executive arrangements, the Constitution Review Working Group considers the





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indicative implementation timetable and route map as outlined in **section ten** and illustrated in **appendix two** prior to consultation with the political groups and subsequently adoption by full Council in May 2009.

- 16.5 That the Constitution Review Working Group considers the suggested approach for consultation as set out in **section eleven** and illustrated in **appendix three** of this report prior to consultation with the political groups and subsequent adoption by full Council in May 2009.
- 16.5 That in accordance with the implementation route map set out in **appendix 2** the leader's office arranges meeting dates for the Constitution Review Working Group for the 2009/10 municipal year to facilitate council compliance with statutory timelines.
- 17. Reasons for recommendations**
  - 17.1 To comply with the requirements to decide which executive governance model the Council should adopt in accordance with the Local Government and Public Involvement in Health Act 2007.
  - 17.2 In accordance with the legislative requirements of 2007 Act all local authorities which presently operate a Local Government Act 2000 "leader & cabinet" form of executive, including Haringey Council, must change their form of executive arrangements to either a "new style":
    - in-directly elected leader & cabinet executive, or
    - a directly elected Mayor & cabinet.
  - 17.3 A resolution of full Council to adopt one of these executive models must be made at a specially convened full Council meeting for this purpose by 31st December 2009, although the new form of executive will not statutorily come into effect until three days after the May 2010 London local elections to be held on 6th May 2010.



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**18. Use of Appendices:**

- **Appendix 1** – differences between current executive arrangements and the two options set out in the Local Government and Public Involvement in Health Act 2007
- **Appendix 2** - proposed route map and timelines for implementation of new executive arrangements
- **Appendix 3** - proposed approach to consultation with proposed timetable for 2-stage consultation on new executive arrangements

**19. Sources/background papers:**

- Local Government and Public Involvement in Health Act 2007
- Local Government Act 2000
- *Safer and Stronger Communities* White paper 2006
- *Communities in Control: real people, real power* White paper 2008
- The Constitution of Haringey Council



	Current Leader and Cabinet model	Options available under Local Government and Public Involvement in Health Act 2007	
		New 'strong' indirectly elected Leader and Cabinet model	Directly elected Mayor and Cabinet
<b>Local elections</b>	Councillors elected by whole council elections every <b>4 years</b>	Councillors elected by whole council elections every <b>4 years</b>	Councillors elected by whole council elections every 4 years  Direct election of Mayor by local electorate every <b>4 years</b>
<b>Term of Office</b>	full Council must appoint the Leader by simple majority <b>annually</b> .	The full Council elects the Leader by simple majority for a <b>4-year term</b>  The Leader would be entitled to whatever resources are required to reasonably fulfil his/her role. The Council as a whole, with the elected Mayor, would consider the resources it is prepared to give	Elected directly by electorate for a <b>4-year term</b>  The Mayor would be entitled to whatever resources are required to reasonably fulfil his/her role. The Council as a whole, with the elected Mayor, would consider the resources it is prepared to give.
<b>Removal</b>	Leader can be removed by vote of no confidence by full Council	Councils can choose to adopt procedures which would allow the removal of the Leader from office during the 4 year period by a vote of no confidence	Cannot be removed during his/her 4-year term of office by full Council except for defined serious events e.g. bankruptcy or criminal conviction with 3 months prison sentence.  If the mayor resigned during their term of office, an automatic mayoral election would be declared.
<b>Executive functions</b>	On an annual basis Full council formally agrees the delegation of executive functions to: <ul style="list-style-type: none"> <li>▪ Cabinet</li> <li>▪ Cabinet Committees</li> <li>▪ Cabinet members</li> <li>▪ Officers</li> <li>▪ Other committees</li> </ul> Any changes made to the scheme of delegation for executive functions must be formally agreed by full council	The Leader would decide which executive functions and decisions he or she should make within the overall policies of the Council and which decisions the cabinet will make, either collectively or as individual members of the cabinet, as well as any delegations to officers  Full Council would be advised of any changes the Leader chose to make to the scheme during their term of office	The elected mayor would decide which executive functions and decisions he or she should make within the overall policies of the Council and which decisions the cabinet will make, either collectively or as individual members of the cabinet, as well as any delegations to officers.  Full Council would be advised of any changes the Mayor chose to make to the scheme of during their term of office
<b>Appointment of Cabinet members</b>	Cabinet members appointed <b>annually</b> by full Council by simple majority	The Leader will be responsible for Cabinet member appointments. The Leader will determine cabinet members' term in office.	The Mayor will be responsible for Cabinet member appointments. Cabinet members' term in office will be determined by the Mayor.



	Current Leader and Cabinet model	Options available under Local Government and Public Involvement in Health Act 2007	
		New 'strong' indirectly elected Leader and Cabinet model	Directly elected Mayor and Cabinet
	<p>Between 2-9 councillors can be appointed as Cabinet members</p> <p>Full Council annually formally agrees portfolios responsibilities and decision-making powers of the Leader &amp; Cabinet</p> <p>Leader and Cabinet collectively accountable to full Council for discharge of executive functions</p>	<p>Between 2-9 councillors can be appointed as Cabinet members</p> <p>Leader determines allocation of portfolio responsibilities and decision-making powers which he/she can choose to change at any time</p> <p>Cabinet members directly accountable to Leader. Leader directly accountable to Council for discharge of executive functions</p>	<p>Between 2-9 councillors can be appointed as Cabinet members</p> <p>Mayor determines allocation of portfolio responsibilities and decision-making powers which he/she can choose to change at any time</p> <p>Cabinet members directly accountable to Mayor. Mayor accountable to electorate for discharge of executive functions</p>
<b>Term of Office / removal of Cabinet members</b>	<p>Cabinet members are appointed by full Council each year by simple majority</p> <p>Cabinet members can be removed by vote of no confidence by full Council, they resign from the Cabinet or are no longer a councillor</p>	<p>Cabinet members will hold office until their appointment is terminated by the Leader; they resign from the Cabinet or are no longer a councillor.</p> <p>The Leader can amend the membership of the Cabinet at any time during his /her 4-year term and would inform full Council of any changes to Cabinet member appointments</p>	<p>Cabinet members will hold office until their appointment is terminated by the Mayor; they resign from the Cabinet or are no longer a councillor.</p> <p>The Mayor can amend the membership of the Cabinet at any time during his /her 4-year term and would inform full Council of any changes to Cabinet member appointments</p>
<b>Deputy</b>	<p>No legal requirement to have a deputy leader; however, Haringey's full Council currently appoints a deputy leader on an annual basis who is also a Cabinet member.</p>	<p>Legal requirement for the Leader to appoint a deputy leader from amongst the Cabinet with power to act in the Leader's absence.</p> <p>The deputy leader appointment can be changed by the Leader at any time during their term of office</p>	<p>The Mayor can appoint a deputy mayor from amongst the Cabinet with power to act in the Mayor's absence.</p> <p>The deputy mayor appointment can be changed by the Mayor at any time during their term of office</p>
<b>Overview and Scrutiny and regulatory functions</b>	<p>Non-executive councillors via the Overview &amp; Scrutiny function are responsible for holding the Leader and his/her cabinet to account</p> <p>Overview and Scrutiny checks decisions, holds decision-makers to account, and reviews and make recommendations on existing Council policies and practices.</p>	<p>Non-executive councillors via the Overview and Scrutiny function would continue to be responsible for holding the Leader and his/her cabinet to account</p> <p>Overview and Scrutiny would continue to check decisions, hold decision-makers to account, and review and make recommendations on existing Council policies and practices.</p>	<p>Non-executive councillors via the Overview &amp; Scrutiny function would continue to be responsible for holding the Elected Mayor and his/her cabinet to account on behalf of the local people</p> <p>Overview and scrutiny would continue to check decisions, hold decision-makers to account, and review and make recommendations on existing Council policies and practices.</p> <p>There will continue to be separate committees for</p>



	Current Leader and Cabinet model	Options available under Local Government and Public Involvement in Health Act 2007	
		New 'strong' indirectly elected Leader and Cabinet model	Directly elected Mayor and Cabinet
	There are separate committees for planning, licensing and other regulatory matters e.g. Audit and General Purposes Committees	There will continue to be separate committees for planning, licensing and other regulatory matters.	planning, licensing and other regulatory matters.
<b>The budget and policy framework</b> The policy framework means those plans and strategies which the secretary of state or the Council locally has determined require approval by full Council before implementation	<p>The full Council will be responsible for the adoption of its budget and policy framework by simple majority</p> <p>The Cabinet are charged with implementing the agreed policy framework and referring relevant decisions to full Council for approval</p>	<p>The full Council will continue to be responsible for the adoption of its budget and policy framework</p> <p>The Leader would be charged with implementing the framework and has the power to make all decisions within the budget &amp; policy framework, and can delegate decisions to cabinet members &amp; officer as they wish</p> <p>The Leader would propose a budget and policies for the Council's approval, which would be agreed by simple majority.</p>	<p>The full Council will continue to be responsible for the adoption of its budget and policy framework</p> <p>The Mayor would be charged with implementing the framework and has the power to make all decisions within the budget &amp; policy framework, and can delegate decisions to cabinet members &amp; officer as they wish</p> <p>The mayor would propose a budget and policies for the Council's approval.</p> <p>If the Council rejects these or tries to change them, the mayor is entitled to resubmit them, at which point they can only be rejected if two thirds of the Council votes against them.</p>
<b>Civic functions</b>	<p>The civic Mayor Chairs full Council meetings</p> <p>The Mayor is appointed by full Council on an annual basis</p> <p>The civic mayor has responsibility for ceremonial duties as determined by full Council</p>	<p>The civic Mayor would continue chair meetings of full Council</p> <p>The Mayor would continue to be appointed by full Council on an annual basis</p> <p>The civic mayor would continue to have responsibility for ceremonial duties as determined by full Council</p>	<p>The current office of ceremonial Mayor would cease and be replaced by a chairperson who would chair meetings of the full Council.</p> <p>The Council chairperson would be appointed by full Council on an annual basis</p> <p>The responsibility for the discharging of ceremonial duties would be decided by the elected Mayor.</p>
<b>Outside Body appointments</b>	Full Council appoints to Partnerships and outside bodies annually	<p>Leader will be responsible for all partnership and outside body appointments</p> <p>The Leader can amend appointments at any time during his /her 4-year term and would inform full</p>	<p>The Mayor be responsible for all partnership and outside body appointments</p> <p>The Mayor can amend appointments at any time during his /her 4-year term and would inform full</p>



**Appendix 1**

	<b>Current Leader and Cabinet model</b>	<b>Options available under Local Government and Public Involvement in Health Act 2007</b>	
		<b>New 'strong' indirectly elected Leader and Cabinet model</b>	<b>Directly elected Mayor and Cabinet</b>
		Council of any changes	Council of any changes
<b>Delegation of decision-making powers (executive functions) to Area Assemblies</b>	<p>It is a matter for local choice whether the executive functions (decision-making and budgetary powers) to Area Assemblies</p> <p>Currently no executive functions have been delegated to Area Assemblies in Haringey by the Cabinet.</p>	<p>It will remain a matter for local choice as to whether executive functions should be delegated to area assemblies</p> <p>As all executive powers will be vested in the Leader, it will be for him/her to determine whether they wished to delegate any decision-making and budgetary powers to the Area Assemblies as part of their scheme for executive functions</p>	<p>It will remain a matter for local choice as to whether executive functions should be delegated to area assemblies</p> <p>As all executive powers will be vested in the Mayor, it will be for him/her to determine whether they wished to delegate any decision-making and powers to the Area Assemblies as part of their scheme for executive functions</p>
<b>Delegation of decision-making powers (executive functions) to ward councillors</b>	<p>The Local Government Act 2000 gives no statutory provision for executive powers to be delegated to individual ward councillors</p>	<p>It will be a local choice as to whether executive functions should be delegated to individual ward councillors</p> <p>As all executive powers will be vested in the Leader, it will be for him/her to determine whether they wished to delegate any decision-making and budgetary powers to ward councillors as part of their scheme for executive functions</p>	<p>It will be a local choice as to whether executive functions should be delegated to individual ward councillors</p> <p>As all executive powers will be vested in the Mayor, it will be for him/her to determine whether they wished to delegate any decision-making and budgetary powers to ward councillors as part of their scheme for executive functions</p>



**Haringey Council**

## Appendix 2 - proposed route map and implementation timelines

**30 April 2009** - CRWG considers route map and implementation timetable and proposals for first stage consultation and agrees recommendations to present to full Council for implementation of new executive arrangements and consultation

**Monday 18 May 2009** – full Council AGM agrees implementation timetable and consultation process

**Mid June 2009** – launch first stage 4-week consultation

**23 June 2009** - HSP

**24 June 2009** – briefing highlighting main issues / update to Lib Dem Group

**09 July 2009** – briefing highlighting main issues / update with labour group

*[additional group meetings as necessary prior to CRWG agreeing proposed executive model for second stage consultation]*

**13 July 2009** – close of first stage consultation

**Mid July 2009** – officers evaluate consultation responses and collate draft proposals for second stage consultation and submit to party leaders to facilitate group consultation

**16 July 2009** – feedback consultation findings to CRWG and agree proposed executive model for second stage consultation

**20 July 2009** – HSP PMG – information report

**20 July 2009** – Feed back to full Council on first stage consultation. Formally agree preferred executive model for second stage consultation **[NB - will require acceptance of the CRWG report as urgent business]**

**Late July 2009** – launch of second stage consultation process on preferred executive model

**30 September 2009** – close of second stage consultation on preferred executive model

**Early October 2009** – evaluate second stage consultation responses and draft proposals for executive model for council to adopt

**Mid October 2009** - feedback to CRWG on outcomes of second stage consultation. CRWG to consider executive model to recommend to full Council for adoption

**Wednesday 04 November 2009** – feedback / consultation with lib dem group on final model for adoption

**Thursday 12 November 2009** – feedback / consultation with labour group on final model for adoption

**Late November / early December 2009** – CRWG considers feedback from political groups and finalises recommendations to full Council on executive model for adoption and transitional arrangements

**14 December 2009** – Full Council agrees new executive model and transitional arrangements for May 2010

Information report to HSP PMG on **07 January 2010** and HSP PMG on **21 January 2010**



**Haringey Council**

### Appendix 3 - proposed approach and timetable for 2-stage consultation

**Proposed full Council agrees consultation timetable at full Council 18 May 2009**

#### First stage

Stakeholders	Methodology	Start date	Finish date	Report complete
HSP Partners	Invitation from CE to participate via web site	21 May	10 July	
HSP Partners	At PMG	01 June		
CVS / Chamber of Commerce	Invitation from CE to participate via web site plus paper copy	21 May	10 July	
Residents	Press release directing residents to web page and with facility to respond with paper version if necessary, leaflets in libraries, at Civic centre and council buildings	19 May	10 July	14 July
	Web page with online questionnaire	21 May	10 July	14 July
	Article in HP June issue with offer to feedback at later date to individuals who respond	12 June	10 July	14 July
Staff and TUs	Invitation from CE (via email) to participate via web site	21 May	10 July	14 July
	Article in Staff newsletter 'smart talk' and Team Brief	May 2009		
	Discussion at CEMB / SMT / Senior managers' event?	May 2009		
Councillors	Via political groups Full Council	5/6 May 18 May		

#### Feedback and second stage consultation

Stakeholders	Methodology	Start date	Finish date	Report complete
HSP Partners	Feedback and invitation to participate at PMG			
HSP Partners	Feedback and invitation from CE to participate via web site	28 July	21 Sept	
CVS / Chamber of Commerce	Invitation from CE to participate via web site plus paper copy	28 July	21 Sept	
Residents	Press release directing residents to web page and with facility to respond with paper version if necessary, leaflets in libraries, at Civic Centre and council buildings	28 July	21 Sept	28 Sept
	Web page with online questionnaire	28 July	21 Sept	28 Sept
Staff and TUs	Discussion at CEMB / SMT	July 2009		
	Email from CE inviting staff to participate	July 2009		
Councillors	<b>Political Groups</b> Full Council	<b>Mid July ?</b> 20 July		

#### Feedback on final outcomes

Stakeholders	Methodology	
HSP Partners	Feedback on final outcome	Nov 2009
CVS / Chamber of Commerce	By letter	Nov 2009
Residents	Press release, web page and in Haringey People	Nov 2009
Staff and TUs	Team brief / Smart Talk	Nov 2009
Councillors	Political groups	4/12 Nov 09