

NOTICE OF MEETING

STANDARDS COMMITTEE

Monday, 25 January, 2021, 7.00pm - MS Teams (watch it [here](#))

Members: Councillors Felicia Opoku (Chair), James Chiriyankandath, Makbule Gunes, Julia Ogiehor and Elin Weston

Quorum: 3

1. **FILMING AT MEETINGS**

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

3. **URGENT BUSINESS**

The Chair will consider the admission of any late items of Urgent Business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under item 11 below).

4. **DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct.

5. MINUTES (PAGES 1 - 10)

To confirm and sign the minutes of the Standards Committee meeting held on 2 November 2020 and also the public minutes of the Standards Sub Assessment Committee held on the 12th of November as a correct record.

6. UPDATE ON NON-VOTING CO-OPTED MEMBER APPOINTMENTS AND PROCESS (PAGES 11 - 18)

This report provides an update on co-opted member appointments and responds to requests for information about other councils' procedures for the interests of non-voting co-opted members and the proposed wording in the revised Scrutiny protocol.

7. REPORT RESPONDING TO MEMBER COMMENTS IN THE REVIEW OF MEMBER ALLOWANCES THAT REGULATORY COMMITTEE SHOULD BE FORMALLY RECONSTITUTED AS TWO SEPARATE COMMITTEES - A PLANNING COMMITTEE AND A LICENSING COMMITTEE (PAGES 19 - 126)

To note the information contained in the report and comments from Regulatory Committee and indicate next steps.

8. MEMBER ALLOWANCES 2021- 22 (PAGES 127 - 232)

This report asks for the comments of the Standards Committee on Member Allowances for 2021-22. Each year, before 31 March, full Council is required by the Local Authorities (Members Allowances) (England) Regulations 2003 to adopt a Member Allowances Scheme for the following financial year.

9. MINOR UPDATES TO THE PENSIONS COMMITTEE AND BOARD TERMS OF REFERENCE (PAGES 233 - 236)

This report seeks approval for a minor amendment to the wording of the Pensions Committee and Board terms of reference to bring it in line with Pensions Regulations.

10. COMMITTEE WORK PLAN (PAGES 237 - 238)

This paper seeks to identify topics that will come to the attention of the Committee and seeks members' input.

11. NEW ITEMS OF URGENT BUSINESS

12. DATES OF FUTURE MEETINGS

To note the dates of future meetings:

2 March 2021

13. EXCLUSION OF THE PRESS AND PUBLIC

Items 14-15 are likely to be subject to a motion to exclude the press and public from the meeting as they contain exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 & 2; namely information relating to any individual and information likely to reveal the identity of an individual.

14. SC005/1920

Update report to follow.

15. EXEMPT MINUTES (PAGES 239 - 242)

To confirm and sign the exempt minutes of the Standards Assessment Sub-Committee meeting held on 12 November 2020 as a correct record.

16. NEW ITEMS OF EXEMPT URGENT BUSINESS

Fiona Rae, Principal Committee Co-ordinator

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John Jones

Monitoring Officer (Interim)

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Sunday, 17 January 2021

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MINUTES OF THE STANDARDS COMMITTEE MEETING HELD ON MONDAY, 2ND NOVEMBER, 2020, 7.00 - 8.30 PM.

PRESENT: Councillor Felicia Opoku (Chair), Councillor James Chiriyankandath, Councillor Makbule Gunes, Councillor Julia Ogiehor, and Councillor Elin Weston.

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST AND CONFLICTS OF INTEREST

There were no declarations of interest.

5. MINUTES AND MATTERS ARISING

The Chair noted that, in the final paragraph of item 128 (Final Recommendations for the Members' Allowance Scheme 2020/21), the minutes should state that the increase would be payable in the 2020/21 municipal year, rather than the 2021/22 municipal year.

RESOLVED

That, subject to the above amendment, the minutes of the Standards Committee meeting held on 2 March 2020 and the minutes of the Standards Assessment Sub-Committee meeting held on 21 May 2020 be confirmed and signed as a correct record.

6. APPOINTMENT OF THE STANDARDS ASSESSMENT AND HEARING SUB-COMMITTEES

The Democratic Services and Scrutiny Manager introduced the report which proposed to appoint the membership of the Standards Assessment Sub-Committee and the Standards Hearing Sub-Committee.

RESOLVED

That, given the need for members' expertise and discretion, the membership of the Standards Assessment Sub-Committee and the Standards Hearing Sub-Committee be the same as the membership of the Standards Committee.

7. PRELIMINARY PAPER RESPONDING TO MEMBER COMMENTS IN THE REVIEW OF MEMBER ALLOWANCES THAT REGULATORY COMMITTEE SHOULD BE FORMALLY RECONSTITUTED AS TWO SEPARATE COMMITTEES – A PLANNING COMMITTEE AND A LICENSING COMMITTEE

The Democratic Services and Scrutiny Manager introduced the report which responded to comments that the Regulatory Committee should be formally reconstituted as two separate committees, a Planning Committee and Licensing Committee, which was originally suggested in the review of members' allowances for the municipal year 2020/21. It was also noted that information relating to the planning and licensing arrangements for other London boroughs was set out in Appendix 1.

It was noted that many councils tended to have separate Licensing and Planning Committees. It was explained that the Licensing Committee was a statutory requirement and that two Licensing Sub-Committees would be required to consider ordinary licensing applications. It was noted that, as there would be two Licensing Sub-Committees, there may be a need to provide two Special Responsibility Allowances to the Chairs. In relation to the Planning Committee, it was noted that issues of planning policy were currently considered by the Regulatory Committee before being considered by Cabinet and Council. It was explained that planning policy could be added to the Planning Committee's terms of reference or could be considered directly by Cabinet and Council. It was explained that the Chair of the Regulatory Committee had been consulted and considered that it was beneficial for policy issues to be considered initially by the Regulatory Committee.

The Democratic Services and Scrutiny Manager explained that the report recommended that the existing arrangements were maintained in the short term. It was added that this issue could be kept under review and that any proposals could be discussed with the Regulatory Committee in the meantime. This proposal had been recommended because there were limited staff resources available at present to facilitate further investigation and constitutional changes due to the additional work generated by the Covid-19 pandemic.

Members noted that there had been five special licensing meetings, four meetings of Licensing Sub-Committee B, and no meetings of Licensing Sub-Committee A in the last year; it was enquired why two Licensing Sub-Committees would be required if the planning and licensing functions were separated and it was noted that other London Boroughs did not appear to have this arrangement. The Democratic

Services and Scrutiny Manager explained that, when there was a separate licensing function previously, there were two Licensing Sub-Committees. In addition, given the current uncertainty and the potential for additional licensing reviews if businesses were failing to adhere to restrictions relating to the Covid-19 pandemic, it was considered useful to have an additional Licensing Sub-Committee. It was noted that the situation could be reviewed over the coming months and that Licensing and Legal officers could be consulted to determine whether there was a need for two Licensing Sub-Committees.

Members noted that it was envisaged that the Planning Committee Chair would have the same Special Responsibility Allowance as the Chair of the Regulatory Committee and the Licensing Committee Chair would have the same Special Responsibility Allowance as the Vice-Chair of the Regulatory Committee. The Committee stated that it would need to be convinced that there was a need to have two Licensing Sub-Committees. The uncertainty relating to the Covid-19 pandemic was noted but it was commented that this was unlikely to be a permanent issue. The Chair added that it would be useful to ascertain the previous arrangements in Haringey when the licensing and planning functions were considered by separate committees and to provide the Committee with this information.

It was noted that any changes to the structure of the Regulatory Committee would need to be approved at Full Council and that it would be best to recommend any changes to the annual meeting in May 2021. It was added that this would require the Committee to consider initial proposals at its meeting in January 2021 and to finalise any recommendations at its meeting or a special meeting in March 2021.

The Chair noted that the idea of separating the licensing and planning functions had been discussed with the Chair and Vice-Chair of the Regulatory Committee who would prefer licensing and planning policy to be considered by the Regulatory Committee before being considered by Cabinet and Council. They had explained that the Regulatory Committee members made decisions on licensing and planning applications when they sat on the Licensing Sub-Committees and the Planning Sub-Committee and that it was important for them to contribute to policy decisions. The Chair stated that any proposals would need to be discussed with the Regulatory Committee.

It was noted that there were approximately 10 Planning Sub-Committee meetings per year and that the number of meetings would likely increase if planning policy issues were included in the terms of reference for the Planning Committee. It was added that some licensing issues, such as fees and charges and the Licensing Policy, may also need to be included in the terms of reference of the Licensing Committee. Some members commented that, although there would be additional Licensing Committee and Planning Committee meetings, there would be no Regulatory Committee meetings. It was commented that it would be useful to know the projected number of meetings compared to the existing number of meetings.

The Chair summarised that the Committee would like to further consider the separation of the Regulatory Committee into separate Licensing and Planning Committees. It was agreed that a report would be presented to the next Committee meeting, including information relating to whether and why two Licensing Sub-

Committees would be required, the structure used when these two functions were previously separated in Haringey, and the potential impact on the number of meetings if the functions were separated. It was also noted that any information or proposals should be circulated to the Regulatory Committee at their meeting in January 2021 for comments before being considered by the Standards Committee.

RESOLVED

To note the information contained in the report. It was also agreed that a further report on the possibility of separating the Regulatory Committee into a Planning Committee and Licensing Committee would be requested for the next meeting and that the proposals would be presented to the Regulatory Committee meeting in January for comments.

8. CO-OPTED MEMBERS – UPDATE REPORT

The Democratic Services and Scrutiny Manager introduced the report which provided an update on co-opted members and responded to the Committee's questions.

In relation to non-voting co-opted members, it was confirmed that, as they were not classified as members and did not have voting rights, they were not required to complete declaration of interest forms. It was also explained that the Overview and Scrutiny Protocol was currently being updated, in light of new government guidance, and that some detail about non-voting co-opted members and their roles would be included in the protocol. It was noted that a more formal approach for selecting non-voting co-opted members had been considered but it was felt to be too resource intensive. The protocol would be considered by Overview and Scrutiny over the next few months. It was clarified that any voting co-opted members were required to complete a declaration of interest form.

In relation to the appointment of religious representatives on Overview and Scrutiny Panels, it was noted that this was prescribed by legislation. It was stated that the Chair of Overview and Scrutiny wanted a membership that was representative of the community; it was noted that this had generally been achieved through the appointment of representatives over the last 10 years, particularly the parent governor representatives on the Children and Young People's Scrutiny Panel.

It was explained that additional religious representatives could be appointed by applying to the Secretary of State but that the process for this was unclear and it had not been possible to find any instances of other councils doing this. It was noted that some councils had appointed additional non-voting co-opted members and that this option was available for Haringey. However, it was highlighted that the Overview and Scrutiny Committee would need to consider this and balance the overall number of co-opted members. It was also explained that there were two expert non-voting members on the Environment and Community Safety and Adults and Health Scrutiny Panels and they were reflective of their community roles. These members had been contacted recently to ensure that they still represented the organisations and that the

organisations remained relevant to supporting the work of the Scrutiny Panels. The Chair noted that this annual confirmation was welcomed.

It was enquired whether the review of the protocol could be extended to include consideration of non-voting co-opted members' party affiliations and declarations of interest. The Democratic Services and Scrutiny Manager noted that the protocol was specifically for Overview and Scrutiny and that there were only two non-voting co-opted members; they were not defined as members in the constitution and were not required to submit a declaration of interest form.

Some members enquired whether it was possible to require or encourage non-voting co-opted members to complete a declaration of interest form, including party affiliations. The Assistant Head of Legal Services noted that there was no legal requirement for non-voting co-opted members to complete a declaration of interest form and it would have to be explained that this was discretionary.

Some members noted that, if there were concerns that interests were not being declared, it may be appropriate for the political groups to decide whether non-voting co-opted members should declare interests. The Democratic Services and Scrutiny Manager noted that party affiliation would not prevent someone from being a non-voting co-opted member. It was added that a process for non-voting co-opted members' declarations could be included in the Overview and Scrutiny protocol; investigation could be undertaken to see the processes used by other councils and this could be raised with the Chair of Overview and Scrutiny. However, it was highlighted that there were only two non-voting co-opted members, that it would be important to maintain good relationships with these members, and that data protection issues may need to be considered.

Some members noted that non-voting co-opted members did not have voting rights and it would not be necessary for them to declare interests; they expressed concerns that requiring non-voting co-opted members to declare their interests could deter people from pursuing these roles. It was added that there were usually only two non-voting co-opted members on Scrutiny Panels.

It was agreed that a report, which set out other councils' procedures for the interests of non-voting co-opted members, would be presented to the next meeting so that the Committee could formulate any recommendations.

The Chair summarised that the Committee would like to consider the processes used by other councils and the proposed wording in the revised protocol, with a view to encourage non-voting co-opted members to complete declaration of interest forms.

RESOLVED

To note the information contained in the report. It was also agreed that a report, which set out other councils' procedures for the interests of non-voting co-opted members, would be presented to the next meeting so that the Committee could formulate any recommendations.

9. COMMITTEE WORK PLAN

The Committee noted that it would like to receive a further report on the review of the Regulatory Committee and an update on the possibility of requiring declarations of interests from non-voting co-opted members, as discussed earlier in the meeting.

In relation to the report in January 2021 on the Draft Recommendations for the Members' Allowance Scheme 2021/22, it was suggested that councillors could speak to their political groups in the next few weeks to ascertain whether there were likely to be any key points for discussion; this was agreed by the Committee. The Chair also noted that there were unlikely to be any major changes to members' allowances for 2021/22 as a result of the independent review.

The Chair commented that the Committee had previously considered debt management and had asked for a further report. It was explained that there had been some concerns about authorising officers to write off certain debts and about a Cabinet Member having sole responsibility for debt management. The Democratic Services and Scrutiny Manager noted that a summary position on debt write offs was reported to Cabinet in a monitoring report every three months and it could be checked whether this provided sufficient assurances.

The Chair noted that, following a recent review of non-executive committees, there had been a recommendation to change the name of the Corporate Committee. It was enquired whether the Committee wanted to receive a paper on this issue. It was agreed that the Committee would focus on the other proposed items and would review the naming of the Corporate Committee later in 2021.

It was also noted that the review of the Health and Wellbeing Board terms of reference was due to be considered at a future meeting. However, due to the Covid-19 pandemic, the Health and Wellbeing Board had been unable to undertake consultation on any proposed changes and this item would be delayed.

After the discussion, it was confirmed that the updated work plan was as follows (amendments in bold):

25 January 2021

1. Draft Recommendations for the Members' Allowance Scheme 2021/22.
2. **Review of the Regulatory Committee and subsequent changes to the constitution, including comments from the Regulatory Committee.**
3. **Non-voting co-opted members update on declarations of interest.**

2 March 2021

4. Final Recommendations for the Members' Allowance Scheme 2021/22.

Possible future items, to be confirmed

5. **Review of the Corporate Committee.**

6. Update on Debt Management.

7. Review of the Health and Wellbeing Board Terms of Reference.

RESOLVED

To note the Committee work plan, subject to the above amendments.

10. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

11. DATES OF FUTURE MEETINGS

It was noted that the future Standards Committee meetings were scheduled for:

25 January 2021

2 March 2021

12. EXCLUSION OF THE PRESS AND PUBLIC

It was noted that items 13-14 contained exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 & 2; namely information relating to any individual and information likely to reveal the identity of an individual.

RESOLVED

That the press and public be excluded from the meeting for consideration of items 13-14 as they contained exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 & 2; namely information relating to any individual and information likely to reveal the identity of an individual.

13. EXEMPT MINUTES

The Committee considered the exempt information.

The Chair asked for an update on complaint SC005/1920 which had been progressed for a full investigation. The Assistant Head of Legal Services explained that the investigation would be conducted by an external party; a company had been identified and had been sent the papers on 10 June 2020. It was anticipated that the draft report would be available imminently and would be considered by the Assistant Director of Corporate Governance. The investigation report would then be reported either to the Standards Committee, if there was no evidence of a breach, or the Hearing Sub-Committee, in the case of a suspected breach.

RESOLVED

That the exempt minutes of the Standards Assessment Sub-Committee meeting held on 21 May 2020 be confirmed and signed as a correct record.

14. NEW ITEMS OF EXEMPT URGENT BUSINESS

There were no new items of exempt urgent business.

EXEMPT MINUTES OF MEETING Standards Assessment Sub Committee HELD ON Thursday, 12th November, 2020, 7.00pm

PRESENT:

Councillors: James Chiriyankandath, Makbule Gunes, Julia Ogiehor, Felicia Opoku and Elin Weston

ALSO ATTENDING:

36. ELECTION OF CHAIR FOR THE DURATION OF THE PROCEEDINGS

Councillor Weston nominated Councillor Opoku to Chair the meeting. This was seconded by Councillor Gunes.

Councillor Opoku in the chair

37. APOLOGIES FOR ABSENCE

There were no apologies for absence.

38. DECLARATIONS OF INTEREST

None.

39. ARRANGEMENTS FOR THE HANDLING OF COMPLAINTS

The Committee noted the arrangements for handling complaints.

40. NEW ITEMS OF URGENT BUSINESS

None.

41. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED that the press and public be excluded from the meeting for consideration of Items 7-9 as they contained exempt information as defined in Section 100a of the Local Government Act 1972 (as amended by Section 12A of the Local Government Act 1985); paras 1 & 2; namely information relating to any individual, and information likely to reveal the identity of an individual.

42. STANDARDS COMPLAINT SC001/2021

As set out in the exempt minutes.

43. NEW ITEMS OF EXEMPT URGENT BUSINESS

As set out in the exempt minutes.

CHAIR:

Signed by Chair

Date

Report for: Standards Committee – 25 January 2021

Title: Co-opted Members – Update Report

Report

Authorised by: Ayshe Simsek – Democratic Services and Scrutiny Manager

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager
ayshe.simsek@haringey.gov.uk, 020 8489 2929

Ward(s) affected: N/A

Report for Key/

Non Key Decision: Non Key Decision

1. Describe the issue under consideration

To consider an update on co-opted member appointments and respond to resolutions by Standards Committee on:

- Other councils' procedures for the interests of non-voting co-opted members
- proposed wording in the revised Scrutiny protocol, with a view to encouraging non-voting co-opted members to complete declaration of interest forms.

2. Cabinet Member Introduction

Not applicable

3. Recommendations

3.1 To consider the attached draft protocol for appointment of non-voting co-opted members and provide comments.

4. Reasons for decision

To respond to resolutions from Standards Committee in November.

5. Alternative options considered

To not comment on the protocol which would not be in line with the resolutions of the previous meeting.

6. Background information

- 6.1 Standards Committee, terms of reference includes promoting and maintaining high standards of conduct by Councillors, co-opted members and representatives of religious organisations and parent governor representatives; assisting the Leader, Councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct.
- 6.2 The Constitution at Part 5 , Member Code of Conduct, classifies a "member" as meaning an elected member and a co-opted member. It explains that "a co-opted member" is a person who is not an elected member of the Council but who has been appointed to a committee or subcommittee of the Council or represents the Council on a joint committee or joint subcommittee of the Council and who is entitled to vote on any question that falls to be decided at any meeting of that committee or subcommittee."According to this , a non – voting co-opted member is not a 'Member' and is not required to complete a declaration of interest form. This is in keeping with the past practice.
- 6.3 In relation to scrutiny, the Local Government Act 2000 made provision for the co- option of non-elected members to Overview and Scrutiny to bring additional expertise and skills to scrutiny work and to increase public engagement with scrutiny. This is also covered within the Council's Constitution under the Section G (3.1) of the Overview and Scrutiny Procedure Rules. These meetings are not decision making meetings and will usually be compiling scrutiny reviews for agreement by Overview and scrutiny and then for onward approval by the Cabinet. Agreement on issues on a scrutiny panel is reached by consensus and there has not been an occasion where a vote was required on a matter. Following Standards Committee comments, the Overview and Scrutiny Proctol is being updated for approval in March to include more detail on the appointment of non – voting copted members and to provide assurance on their role and contributions to scrutiny work plan. There is further attached a seperate protocol at appendix 1 which sets out in more detail the role and expectations of a non voting co-opted member and can be added as an annex to the Scrutiny Protocol.
- 6.4 Further to contacting colleagues at neighbouring councils in London the general practice is to require all co-opted members to complete a register of interest form and this requirement is also included in the attached protocol.
- 6.5 Overview and Scrutiny committees can also appoint co-optees from other faiths groups on a non-voting basis and the Chair of Overview and Scrutiny has asked the team to take this forward. The attached protocol at appendix 1 can support and guide this process.
- 6.6 The protocol can also be referred if Standards committee wish to, in future, appoint any non voting co-opted members.

7. Contribution to strategic outcomes

The Council's Constitution supports the governance of the Council and its Decision making thereby assisting the Council to meet its strategic outcomes.

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

Finance

- 8.1 Payment of voting co-opted members is contained within the Democratic Services budget.

Legal

- 8.2 Legal comments are contained within the report

Equality

- 8.3 Equalities duties are adhered to in the recruitment process for co-opted members.

9. Use of Appendices

None

10. Local Government (Access to Information) Act 1985

Council Constitution

1972 Local Government Act

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Protocol for Non - Voting Co-opted Members

Introduction

- 1.1 The primary purpose of establishing a protocol for the co-option of non statutory, non-voting scrutiny members is as follows:
- To set out how the appointment and role of non- voting scrutiny Panel members is taken forward.
- 1.2 Each Scrutiny panel is entitled to appoint up to three non-voting co-optees to assist scrutiny with its work. Non -voting co-optees are intended to bring an additional element of external challenge to the work of the scrutiny panels. By bringing a diverse spectrum of experience and adding a different perspective to many items, they are expected to add value to scrutiny by performing the following roles:
- To act as a non-party political voice for those who live and/or work in Haringey; and
 - To bring specialist knowledge and/or skills to the Overview and Scrutiny process and bring an element of external challenge by representing the public.
- 1.3 For the purposes of this protocol, the term ‘Co-opted members/Co-optees’ refers to Co-opted Non-statutory, Non-voting scrutiny members. Sections 2.4, 3, 4 and 5 of this protocol could also be applicable to Standards Committee which is also able to appoint up to 6 non-voting co-opted members as set out in the Constitution at Article 9 - paragraph 9.02.

2. Non - Voting Co-opted members

- 2.1 Most members on Scrutiny Committees are elected members and voting co-opted members. Although provision is available for the appointment of up to three co-optees on for each Scrutiny Panel. The decision making on appointment of non – voting co-opted members should take place at the start of the Municipal year.
- 2.2 Non-voting Co-opted members will be an integral part of Scrutiny Panels and are able to contribute to questioning of witnesses and analysis of evidence. Scrutiny Panel chairs are advised to invite individuals who have specific and detailed knowledge of a particular issue to act as expert witnesses or independent external advisers instead of being applicable to the appointment process at section 5 below , as this will provide them with greater scope to contribute to evidence received by panels.
- 2.3 It is expected that appointed non-voting co-optees will:
- Attend formal meetings of the Panel, which are usually held in the evening.
 - Attend additional meetings and evidence gathering sessions such as site visits.
 - Prepare for meetings by reading the agenda papers and additional information to familiarise themselves with the issues being scrutinised.

- Prior to meetings consider questions they may wish to put to Cabinet Members, officers, and external witnesses.
- Help the Panel to make practical suggestions for improvements to services.
- Assist in the preparation of reports and the formulation of recommendations.
- Contribute to the development of the annual scrutiny work programme.
- Establish good relations with members, officers and other co-optees.
- Abide by the relevant sections of the Council's Constitution in terms of the rules and procedures for Overview and Scrutiny; and
- Keep abreast of key issues for the authority and bear these in mind when scrutinising services and making recommendations for improvement!

2.4 Non-voting co-opted member should also note the following:

- Co-optees on Scrutiny Panels will have no voting rights.
- Each co-opted member will usually be appointed for a period of 1 year by the Scrutiny panel at their first meeting of the Municipal year and their membership reviewed on an annual basis by the Scrutiny Panel.
- Employees and existing Councillors of Haringey Council are excluded from applying to be Co-optees.

3. Appointment process

3.1 Primarily, Scrutiny will seek nominations from established community groups for Non -voting Co-optee positions. Where the panel identifies that a Non - voting Co-opted member maybe beneficial to the work of the Panel and its work programme for the coming municipal year, the Chair of Scrutiny and Panel Chair , supported with advice from Scrutiny Officers, will identify the appropriate community organisation to invite nominations for this role. The community groups will be known through established contact with the Council and through their existing contact with scrutiny members by participating in reviews.

3.2 Where the above is not possible and a particular experience/ expertise is required to assist the Panel for the duration of the municipal year, consideration can also be given to advertising the position on council's website and social media

3.3 Community organisations will be sent:

- Information on the role of overview and scrutiny non -voting co-opted members.
- Protocol for co-opted non-statutory non-voting members
- Information on the relevant Scrutiny Panel, the Scrutiny Work programme, and the skills and experience being sought to allow the community organisation to identify the appropriate individual to nominate.

3.4 Where the Panel is seeking particular expertise/ experience which is not available through contact with community organisations and the role is advertised, an application form will be sent to interested applicants. This will include a number of questions that have been devised by the Chair of Overview and Scrutiny and Scrutiny

Panel Chair and Scrutiny Officers which will draw out the experience, community involvement and expertise needed for participation in this role.

- 3.5 The Scrutiny Panel Chair, along relevant scrutiny officer will shortlist suitable candidates. This will include an assessment against the Scrutiny Work Plan , role in the community, and considering the criteria at section 1.1 above. Applicants will also be asked to attend a short interview and provide a reference.

4. Term of office

- 4.1 Non-voting Co-opted members will be appointed for the duration of the Municipal year and the Scrutiny Panel will annually renew their membership according to consideration of their work plan.
- 4.2 Any Non-voting Co-opted members shall be appointed at the first Scrutiny Panel meeting of each Municipal year. A report shall be made to this meeting that specifies how they will add value to the work of the Panel and in particular:
- 4.3 The specialist knowledge and/or skills that the proposed Co-optees will provide; and the basis on which they can represent the local community and articulate their concerns.
- 4.5 At the end of the local election year period of office, each Scrutiny Committee will ask the Co-opted members if they wish to continue. If they do want to continue, they will be subject to the appointment process outlined above.
- 4.6 Co-optees may terminate their membership by giving one month's notice to the Democratic and Scrutiny Team Manager.

5. Code of Conduct

- 5.1 All Co-optees, including non-voting co- opted members, are required to sign the council's code of conduct which sets out the standards of behaviour expected.
- 5.2 Co-optees must also sign a declaration of interest form identifying any interests which an individual may have which require recording. Advice will be provided on these requirements.
- 5.3 Induction, training, and ongoing support
- 5.4 Non-Co-optees will receive an individual induction following appointment and prior to attending their first scrutiny meeting.
- 5.5 The induction will involve meeting with the Chair of the panel they are joining and the scrutiny officer responsible for the Panel.
- 5.6 Non-voting Co-optees are voluntary positions and there is no allowance provision for this role.

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Report for: Standards Committee 25 January 2021

Title: Report responding to Member comments in the Review of Member Allowances that Regulatory Committee should be formally reconstituted as two separate Committees – a Planning Committee and a Licensing Committee

Report authorised by: John Jones Interim Monitoring Officer

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager
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Ward(s) affected: N/A

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

1. Describe the issue under consideration

- 1.1 In the Review of Members' Allowances for the Municipal year 2020/21, the independent person, conducting this review, outlined in his report, to the 2nd of March 2020 Standards meeting, that there seemed to be consensus around the proposition that the Regulatory Committee should be formally reconstituted as two separate Committees – a Planning Committee and a Licensing Committee. It was also suggested that the SRA [Special Responsibility Allowance] for the Planning Committee Chair should be in line with the current SRA for the Regulatory Committee and that the SRA for the Licensing Committee Chair should be in line with the SRA currently paid to the Vice Chair of the Regulatory Committee. These views had been expressed by members participating in interviews and questionnaires.
 - 1.2 An initial paper outlining the merits and disadvantages of keeping to the existing arrangements or deleting the Regulatory Committee and separating out its responsibilities, functions was considered at Standards Committee on the 2nd of November.
 - 1.3 The Standards Committee agreed to further explore the separation of the Regulatory Committee functions into separate Licensing and Planning Committees. It was agreed that a report would be presented to the next Committee meeting, including information relating to whether and why two Licensing Sub-Committees would be required, the structure used when these two functions were previously separated in Haringey, and the potential impact on the number of meetings if the functions were separated. It was also noted that any information or proposals should be circulated to the Regulatory Committee at their meeting in January 2021 for comments before being considered by the Standards Committee.
 - 1.4 Regulatory Committee were also asked to respond to this action and also to comment on how the following remaining non - executive and non licensing related
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functions of the Regulatory Committee terms of reference are taken forward. These are as follows:

- *Making informal recommendations to the Cabinet and full Council on local development documents, the local development framework, the statement of community involvement and any other planning policy matter.*
- *Reviewing all Council plans and policies on any licensing, planning or regulatory matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council.*
- *Making informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to licensing, planning, conservation or regulatory issues.*

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 To note the information contained in the report and comments from Regulatory Committee and indicate next steps.

4. Reasons for decision

The Standards Committee has responsibility for considering amendments to the Constitution and recommending proposals to Full Council for approval.

5. Alternative options considered

Not seeking the comments of Regulatory Committee would not provide the information needed to support Standards Committee in formulating their views and recommendations to the Council on this matter.

6. Background information

- 6.1 Generally, most functions of the Council are 'executive' and the responsibility of the Executive [Cabinet]. In law some functions are prevented from being exercised by the Executive. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) set out which functions are non-executive. Regulation 2 Schedule 1 of the Act sets out the functions which cannot be the responsibility of Cabinet and these have been allocated to Regulatory Committee, Corporate Committee, Pensions and Staffing and Remuneration Committee.
- 6.2 The two main bodies of the Council dealing with non – executive functions as part of Regulation 2 Schedule 1 of the Act are the Regulatory Committee and Corporate Committee.

- 6.3 Regulatory Committee was established in 2011, following a governance review, led by the principle of reducing the number of non- executive committees together with a reduction in the number of SRAs. The Planning Committee and Licensing Committee were committees of the Full Council and decommissioned in May 2011. Prior to this date Licensing had up to 4 sub committees and this was reduced to 2 in 2011 and has continued with this number. The 2011 Council report disbanding these 2 Committees is included at appendix 2.
- 6.4 The Regulatory Committee functions as set out in the Constitution, at Part Three Section B, take forward the following functions:
- The Council's Statutory Licensing Committee under the Licensing Act 2003. [Meaning that there is a need to have 10 to 15 Members to comply with the legislation as a Statutory Licensing Committee].
 - Exercising Council's functions under the Gambling Act 2005
 - Acting as a Non Statutory Committee for Licensing, Town Planning, and other general regulatory matters.
- 6.5 The Regulatory Committee, delegates its functions relating to Town Planning (development management planning applications) to the Planning Sub - Committee which it establishes on an annual basis and further delegates its statutory Licensing and Gambling Act 2005 functions to Licensing Sub - Committee A and Licensing Sub-Committee B.
- 6.6 Therefore, the Regulatory Committee is left to consider Licensing policy issues, procedures and standard terms and conditions. In relation to Planning, the Regulatory Committee will generally make informal recommendations on Planning Policy and related matters to Cabinet and Full Council and also consider Planning Team performance, updates on the work of the Planning service, and other guidance important to their role as planning decision makers.

The current arrangements are:

- The Planning Sub-Committee concentrate on Town Planning (development management planning applications) and there are several applications to consider monthly linked to the significant regeneration in the borough. Members will participate in site visits, consider pre- applications and then decision making on Planning Applications.
- There are 13 members of Regulatory Committee and this allows a wider pool of councillors to be trained and participate in Licensing Committees and Planning Sub-committees. If members of Licensing Subcommittee A or B are unable to participate then other members on Regulatory Committee can substitute.
- Members of Regulatory Committee can sit on both Planning Sub Committee and Licensing Sub Committees and allows wider knowledge of these regulatory areas to be developed. This then allows them to be able to contribute to the policy discussions on Licensing and Planning and make informal recommendations to the Cabinet or Full Council.

Issues

- 6.7 The workload for councillors sitting on Regulatory Committee, Planning Sub Committee and Licensing Sub Committees can be intensive, especially if there are additional meetings added. This has been an issue highlighted by the Standards Committee and commented on in the Member's Allowances Review.
- 6.8 Most other boroughs in London have a parent Planning Committee and parent Licensing Committee with Licensing sub Committees to consider functions under the Licensing Act 2003 and Gambling Act 2005. This is set out in Appendix A.

In the Municipal year 2019/20

- There were 10 Planning Sub-Committee meetings
- There were 7 Regulatory Committee meetings [2 of these were meetings, related to membership changes and considering an urgent decision which was Covid related on pavement licensing]
- There were 5 Special Licensing Committee meetings [membership is chosen from whole of the Regulatory Committee]
- There were no meetings of Licensing subcommittee A
- There were 4 meetings of licensing subcommittee B

Legal, Governance Implications

- 6.9 Deleting the Regulatory Committee and replacing this with a Licensing Committee, would make this the Council's Statutory Licensing Committee under the Licensing Act 2003. Standards Committee proposed also having only one Licensing Sub Committee to consider required applications instead of two and calling special meetings of the Sub Committee when needed. It is proposed that the Chair of the main Licensing Committee would also be the Chair of the Licensing Sub Committee. This would mean that there is not a need for an additional SRA to be added to the Member's Allowance scheme. Legal services advise that this proposal allows the Council to meet its licensing duties. However, the practical implications to consider are:

- A Licensing Sub Committee can only consider a maximum of two applications per meeting and legal services still recommend adding in 2 meetings per month to the Council calendar to provide certainty to the Licensing team of meeting dates and timescales to adhere to when putting forward applications for consideration.
- The main Licensing Committee would need to have a minimum of 4 meetings added to the Council Committee Calendar to consider required reports in the terms of reference of the current Regulatory Committee as follows:

Relating to responsibility for monitoring the operation of the Acts licensable activities and gambling in the Borough.

To establish the Licensing Sub-Committees and to agree the delegation of functions to the Sub-Committees and to officers.

To receive reports on the matters in (a) above and on the functions delegated to the Licensing Sub-Committees and to officers. To call for a report on any individual case.

To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations.

, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005.

In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those members of the Committee who are re-elected as councillors shall meet as the Committee (subject to there being a quorum of 3 members) in order to exercise any of the functions of the Licensing Sub-Committees, or of the Committee under above, and shall elect a Chair for the meeting.

In its capacity as the non-statutory Committee exercising other non-executive functions the Committee has the following functions:

Exercising the functions which are stated not to be the responsibility of The Executive/Cabinet In Regulation 2 and Schedule 1, Paragraph B (Licensing and Registration) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations.

The Committee's functions are to determine all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but exclude decisions in individual cases which are delegated to the Licensing Sub-Committees. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments.

Formulating, reviewing and approving for consultation the Statement of Licensing Policy under the Licensing Act 2003 and recommending it, and any revisions to it, to full Council for adoption.

Being consulted informally on the review and determination of the Statement of Gambling Policy, including procedures for Council consultation with external stakeholders, and making recommendations on these matters to the Cabinet.

- 6.10 The membership of the main Licensing Committee would comprise the same number as currently held by the Regulatory Committee to meet requirements of the Licensing Act 2003 and meet proportionality requirements so this would be 13. This would allow a wider pool of councillors to substitute on Licensing Sub Committee meetings.

6.11 Regulatory Planning related items

These include:

- Making informal recommendations on Planning policy matters to Cabinet and Full Council,
- Considering Planning Team performance,
- Local Plan updates,
- Considering government and regional guidance which is important for informing Planning members wider view of planning matters
- and other non -licensing related planning matters that would normally be considered by Regulatory Committee.

Potential Options for further consideration and comment

- 6.12 **Option 1 – Adding the non-executive Planning related functions of Regulatory Committee, including making informal recommendations, to Cabinet and Council, to the current Planning Sub Committee terms of reference and making this a Committee of the Council.** Further to considering the terms of references of Planning Committees of other London boroughs attached at appendix 1, there are none similar to Haringey which include the functions outlined at paragraph 1.4. Even where you have a main Planning Committee with Sub Committees, the policy input seems to be taken forward by Cabinet, pre -scrutiny and Cabinet related sub bodies.

Implications

- 6.13 Legal services advise that there is not anything to legally prevent members of Planning making informal recommendations regarding development plan documents, other planning plans/policies, like the Regulatory Committee currently does. As currently the case, Cabinet are not obliged to accept and take forward these informal recommendations.
- 6.14 Full Council would be the parent body of the Planning Sub-Committee. Therefore, if there was an occasion where the Sub-Committee could not make a decision on an application or report they would be able to refer this to Full Council. This would mean that all Councillors would need to have Planning training and keep their training updated which would have resource implications.
- 6.15 There would need to be an update of Constitution and review of any officer delegations which involve Regulatory Committee and update of the Planning Protocol.
- 6.16 There are currently 10 meetings of Planning Sub-Committee added to the Council Committee Calendar and these are needed to allow consideration of the current volume of planning applications. There would need to be a further 4 meetings added where the Committee could meet to consider reports as set out at paragraph 6.11.

- 6.17 There is a need to explore The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) which sets out which functions are non-executive, to ensure that any regulatory matters that cut across licensing and Planning would be appropriately designated.

Option 2 – Regulatory Committee deleted and Planning Committee established as a Committee of the Council, with the current Sub-Committee terms of reference

- 6.18 Policy reports progressing directly to Cabinet and then Full Council without any informal recommendations from Regulatory Committee.
- 6.19 The reports considered at 6.11 could be considered by the relevant Scrutiny Panel.

Implications.

- 6.20 Regulatory Committee Members comprise of a number of Planning members and are able to put forward local and practical views from their experience of considering planning applications to the Cabinet and/or Full Council who will be considering policies at a strategic level. Currently, where planning policies are progressing from Cabinet to Full Council for approval, such as the Local Plan, they have already been socialised with members and issues resolved before adoption is sought.
- 6.21 The Scrutiny Panels have responsibility for monitoring performance and could consider reports on AMR and Planning performance. This information could also be considered by Planning Committee informally.
- 6.22 There would need to be consideration of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) which sets out which functions are non-executive, to ensure that any regulatory matters that that are not licensing related would be appropriately designated to the terms of reference of a Council Non Executive Committee which would be Corporate Committee.

Option 3 - Regulatory Committee remains as a Committee of the Council keeping only Planning related functions and Regulatory functions which are not licensing related

- 6.23 Regulatory Committee would continue to consider the functions set out at paragraph 1.4 and be the parent body for Planning sub Committee. The separate main Licensing Committee would be added to the Committee structure and be a separate Committee as outlined at paragraph 6.9.

Implications

- 6.24 This would prevent Full Council having to consider planning applications that the planning sub-committee are not able to take a decision on.

- 6.25 Cabinet are still not obliged to accept and take forward informal recommendations on planning policy from the Committee .

Option 4 – To keep current Regulatory Committee without establishing a Licensing Committee and only having one Licensing Sub Committee.

- 6.26 Regulatory Committee would continue to consider the functions set out at paragraph 1.4 and be the parent body for Planning Sub Committee.
- 6.27 Cabinet are still not obliged to accept and take forward informal recommendations on planning policy from the Committee.
- 6.28 This would prevent Full Council having to consider planning applications that the Planning Sub-Committee are not able to take.
- 6.29 A Licensing Sub Committee can only consider a maximum of two applications per meeting and legal services still recommend adding in 2 meetings per month to the Council calendar to provide certainty to the Licensing team of meeting dates and timescales to adhere to when putting forward applications for consideration.
- 6.30 Regulatory Committee Members comments from consideration of this report on the 14th of January 2021 will be included as an addendum and circulated prior to the meeting.**

7. Contribution to strategic outcomes

The Council's Constitution supports the governance of the Council and its Decision making thereby assisting the Council to meet its strategic outcomes.

8. Statutory Officers comments (Chief Finance Officer, Head of Procurement), Assistant Director of Corporate Governance, Equalities)

There are no financial implications

Head of Legal and Governance

The Legal comments are contained in the report.

9. Use of Appendices

Appendix 1 - Information on other London Borough Regulatory arrangements
Appendix 2 – Governance Review 2011

10. Local Government (Access to Information) Act 1985

Member Allowances review 2020/21

Borough	Parent Body	Number of members	Special Responsibility Allowance	Sub Committee	Comment
Barking and Dagenham	Licensing & Regulatory Committee	10	Chair - £5000 / Vice Chair - £2500	Licensing Sub Committee	
	Planning Committee	10	Chair - £8000 / Vice Chair - £4000		
Bexley	Planning Committee	9	Chair - £9159 / Vice-Chair £2769		
	Licensing Committee	12	Chair - £3051		
Brent	Licensing Committee	10	Chair - £3234 / Members of Cttee - £1000	Alcohol & Entertainment Licensing Sub Committee (LA 2003 functions), Regulatory Sub Committee (Gambling Act functions)	
	Planning Committee	8	Chair - £14281 / Members of Cttee - £2177		
Bromley	General Purposes & Licensing Committee	15	Chair - £9087 / Vice-Chair - £2064	Licensing Sub Committee	3 Members per Committee. Members of committee paid £53 per meeting
	Development Control Committee	17	Chair - £9087 / Vice-Chair - £2064	Plans Sub Committee x4	9 Members per Committee. Chair paid £2903 p.a. / Members of committee paid £53 per meeting
Camden	Planning Committee	16	Chair - £11065		
	Licensing Committee	15	Chair - £9180	Licensing Sub Committee x5 Licensing (Sexual Entertainment Venues) Sub Committee	
Croydon	Planning Committee (high level development / policy)	10	Chair - £16531	Planning Sub Committee x4	
	Licensing Committee (policy)	12	Chair - £10308	Licensing Sub Committee	
Enfield	Planning Committee (high level development / policy)	12	Chair - £7608		
	Licensing Committee (policy)	13	Chair - £7608	Licensing Sub Committee	
Greenwich	Licensing Committee	15	Chair - £1553	Licensing Sub Committee x4	
	Planning Board	12	Chair - £18540	Planning Committee x6	
Hackney	Licensing Committee			Licensing Sub Committee x5	*website down - can't access constitution or committee pages
	Planning Committee				
Hammersmith and Fulham	Planning & Development Control Committee	8	Chair - £5564.70		
	Licensing Committee	12	Chair - £5564.70	Licensing Sub Committee	
Haringey	Regulatory Committee	13	Chair - £16965 / Vice-Chair £8482	Planning Sub Committee Licensing Sub Committee x2	
Harrow	Licensing & General Purposes Committee	15	Chair - £2142	Licensing Panel	
	Planning Committee (policy and applications)	7			
Havering	Licensing Committee	10	Chair - £14706 / Vice-Chair £119 (per meeting chaired)	Licensing Sub Committee	3x Vice-Chairs
	Strategic Planning Committee	8	Chair - £14706 / Vice Chair - £7803		
	Planning Committee	8	Chair - £14706 / Vice-Chair £2040		
Hillingdon	Planning Committee x3	9 per committee	Chair - £23090.28		North Planning Committee, Central & South Planning Committee, Major Applications Committee - 3 sep Chairs, unclear if they all get allowance
	Licensing Committee	10	Chair - £9761.87 / Vice-Chair £6507.96	Licensing Sub Committee	
Hounslow	Licensing Committee	14	Chair - £6400	Licensing Panel	
	Planning Committee	15	Chair - £6400		
Islington	Planning Committee (major apps)	10	Chair - £3255	Planning Sub Committee x2	2x Chairs - £3255
	Licensing Committee	15	Chair - £3255	Licensing Regulatory Committee Licensing Sub Committee x4	
Kensington and Chelsea	Licensing Committee	15	Chair - £20909	Licensing Sub Committee	
	Planning Applications Committee	15	Chair - £30909 / 2x Vice-Chair £7728	Planning Committee	
Kingston upon Thames	Licensing Committee	15	Chair - £6344.36	Licensing Sub Committee x4	
	Development Control Committee	11	Chair - £12688.74	Neighbourhood Planning Sub Committee x4	
Lambeth	Licensing Committee	10	Chair £10000	Licensing Sub Committee	
	Planning Applications Committee	7	Chair £16194 / Vice-Chair £5556		
Lewisham	Licensing Committee	10	Chair - £6130	Licensing Sub Committee	
	Strategic Planning Committee	10	Chair - £9195	Planning Committee x3	2x Chairs - £6130
Merton	Planning Applications Committee	10	Chair - £8694		
	Licensing Committee	12	Chair - £8694	Licensing Sub Committee	Chairs £246 per meeting attended
Newham	Strategic Development Committee	13	Chair - £18727	Local Development Committee	Chair £7283, 12 Members
	Licensing (2003 Act) Committee	11	Chair - £18727	Licensing (2003 Act) Sub Committee	

Redbridge	Licensing Committee	14	Chair - £5650	Licensing Sub Committee
	Planning Committee	11	Chair - £5650	
Richmond upon Thames	Regulatory Committee	15	Chair - £2800 / Vice-Chair - £1200	Licensing Sub Committee
	Planning Committee	19	Chair - £10000 / Vice-Chair - £1650 (up to 2 VCs)	
Southwark	Planning Committee	8	Chair - £15065	Planning Sub Committee
	Licensing Committee	15	Chair - £15065	Licensing Sub Committee
Sutton	Planning Committee	10	Chair - £13147 / Vice-Chair - £9700	
	Licensing Committee	15	Chair - £11377	Licensing Sub Committee
Tower Hamlets	Development Committee	6	Chair - £11444	
	Strategic Development Committee	8	Chair - £11444	
	Licensing Committee	15	Chair - £6242	Licensing Sub Committee
Wandsworth	Licensing Committee	13	Chair - £10907.64	Licensing Sub Committee
	Planning Applications Committee	10	Chair - £28516.41 / Vice-Chair - £2804.88	

**Report of the Governance Review Delivery Group
Council 23 May 2011**

Chair: Councillor Claire Kober

1. Introduction

- 1.1 This report outlines the proposed detailed text changes to the Council's Constitution, for implementing the recommendations of the Governance Review previously noted by Council in April 2011.

2. Background

- 2.1 At the Council meeting in January 2011, in regard to the Governance Review the Council resolved to: 'establish an informal Delivery Group of Members, as described in paragraph 5.3.3 of the report and in accordance with Article 15.03(a) of the Constitution, to consider in detail all proposed text changes to the Constitution outlined in, or related to, the report at Appendix 1 with a view to making recommendations for adoption by full Council and implementation as from Annual Council in May 2011.'
- 2.2 The Delivery Group has considered the constitutional amendments and a set of protocols which shall comprise the main elements of implementing the proposed changes outlined in the Governance Review undertaken by Shared Intelligence.
- 2.3 Since its establishment, the informal Delivery Group has been convened on four occasions. It has met on 8 February 2011, 8 March 2011, 31 March 2011 and 3 May 2011.
- 2.4 In addition to their meetings the Delivery Group has consulted the Constitutional Review Working Group (CRWG) over the proposed constitutional changes given its experience in constitutional matters. As such the CRWG met on 21 February 2011 and was also invited to make further comments via email on 11 March 2011 and 7 April 2011 to the proposed constitutional changes.
- 2.5 The CRWG suggested that the Terms of Reference for Area Committees should include that the Committees are able to undertake Area Studies, and also be updated to reflect how Area Committee Chairs are appointed. In addition the CRWG recommended that the Overview & Scrutiny Procedure Rules be amended to reflect that NHS-funded bodies can be scrutinised as well as NHS bodies, and that reference to the Race Equality Joint Consultative Committee (REJCC) representative be removed from the Constitution. A clarification was suggested that any extra members of the OSC beyond the Area Committee Chairs would only be appointed if necessary to achieve political balance.

- 2.6 The Delivery Group reported their progress and outline recommendations to Council in April 2011, and Council resolved to 'approve the Delivery Group's proposals for implementing the Governance Review'.
- 2.7 This report outlines the Delivery Group's proposals for amending the Council's Constitution, which are provided in full in Appendix 1 of this report, for implementation as from May 2011.
- 2.8 The Delivery Group propose to continue meeting throughout 2011/12 to monitor the implementation of the Governance Review recommendations.

3. Constitutional Amendments

Reference is made at several points within the Constitution to a 'Protocol' that is intended to improve the detailed organisation and running of the relevant body. Since this may need to be amended in the light of practical experience, the Protocol will not be incorporated into the Constitution so that it can be amended readily with the agreement of the Leaders of the political groups.

Part 2 – Articles of the Constitution

- 3.1 The revised Article 8 makes reference to the new Corporate and Regulatory Committees as well as to the continuing Alexandra Palace & Park Board. Other Articles deal with OSC and the Standards Committee.
- 3.2 The revised Article 10 introduces the new Area Committees and outlines the role of the informal public forum which will take place at the start of each Area Committee meeting.

Part 3 Section C – Terms of Reference Full Council and Non-Executive Bodies

Corporate Committee

- 3.3 It is proposed that the General Purposes Committee (GPC), Remuneration Committee, Audit Committee and Pensions Committee be combined into a single Corporate Committee, and the redrafted terms of reference of the Corporate Committee reflect this.
- 3.4 In terms of Pensions matters, the Corporate Committee will undertake both the "Employing Authority" role formerly with GPC as well as the "Administering Authority" role formerly with Pensions Committee. As there are specific duties placed on Committee Members when acting in their "Employing Authority" role, the Chair will have to draw Members attention to this at the appropriate point in the meeting.

Overview and Scrutiny Committee

- 3.5 The Terms of Reference for the OSC have been amended to reflect that members of OSC shall be drawn from the Chairs of the Area Committees, with additional members where necessary to achieve political proportionality.

Regulatory Committee

- 3.6 It is proposed that the Licensing Committee and the Planning Committee, together with some extra “non-executive” licensing functions taken from GPC and Miscellaneous Functions Sub-Committee (MFSC), be combined into a single Regulatory Committee.
- 3.7 It is recommended that the Regulatory Committee will operate in two capacities:
- (1) as the statutory Licensing Committee undertaking only those functions under the Licensing Act 2003 and the Gambling Act 2005.
 - (2) as a general non-statutory Regulatory Committee with responsibility for the other "non-executive" licensing functions.
- 3.8 Two Licensing Sub-Committees (LSCs) will be established as Sub-Committees of the Regulatory Committee. As with the parent Committee, the LSCs will operate in two capacities. The terms of reference for the LSCs include all the current functions of the statutory Licensing Sub-Committees under the Licensing Act 2003 and the Gambling Act 2005. There is a minor amendment to reflect the fact that the power to agree “minor variations” to premises licences under the 2003 Act was delegated to officers by full Council in 2010.
- 3.9 A Planning Sub-Committee (PSC) shall also be established under the Regulatory Committee, to which decisions on planning applications will be delegated.

Area Committees

- 3.10 The terms of reference for the new seven Area Committees outline their responsibilities and decision-making powers. Area Committee meetings will include an open public forum. Area Assemblies will no longer exist.

Part 4 Section A – Council Procedure Rules

- 3.11 It is proposed that the Constitution be amended to reflect the fact that there will be five full Council meetings per year, taking place from 7pm-9.30pm.
- 3.12 The format of these meetings is outlined in the amendments, namely the Annual Council Meeting, the Budget-setting Meeting, and three ordinary meetings that shall involve a ‘Haringey Debate’. Arrangements for how the Haringey Debate will function will be agreed via the full Council protocol.

- 3.13 A review is currently being carried out on making appropriate access to information and answers to Councillors' questions effective and prompt. When that is successful it is intended that the current perceived overuse of written Council Questions will be significantly reduced.
- 3.14 There will be two motions at each ordinary meeting, one from each group, alternating in agenda order. In light of this arrangement, it is proposed that the specific Opposition Business item would no longer be on the agenda.
- 3.15 There is a change to reflect that reporting in writing the response from deputations and petitions after the meeting will not be required.
- 3.16 It is proposed that there will also be no formal requirement to confirm the officer scheme of delegation at Annual Council each year. This can now apply only to the delegation of non-executive functions, since the new executive Leadership arrangements were introduced in 2010.

Part 4 Section B – Committee Procedure Rules

- 3.17 There is a minor amendment to reflect the Licensing Committee being incorporated into the new Regulatory Committee, with the establishment of Licensing Sub-Committees.

Part 4 Section G – OSC Procedure Rules

- 3.18 There is an amendment to reflect that the Leader will attend OSC at the beginning of the municipal year to jointly discuss the Council priorities for the coming year, and will therefore not be required to submit a formal report to OSC on these matters.
- 3.19 There are changes to reflect the role of the new Budget Scrutiny Review Panel, and the procedure for calling extraordinary meetings of the OSC.

Part 4 Section K – Officer Employment Procedure Rules

- 3.20 The proposed amendment is to ensure a legally sound procedure for appointing a new Chief Officer of the Alexandra Palace and Park Trust. This will involve delegating the formal power to appoint the new APP Chief Officer to the Chief Executive, in which case the Regulations requiring a Cabinet Member do not apply. In practice, the recruitment process for the APP Chief Officer will be overseen by an Appointment Panel which will be a Member level Sub-Committee of the APP Board. This Appointment Panel will make its recommendation to the Chief Executive.

Part 4 Section I – Financial Regulations

- 3.21 CIPFA guidance requires that “scrutiny” of the Treasury Management Strategy Statement (TMSS) is carried out by a body separate to the

body that “formulates” the TMSS, namely, the Corporate Committee. With the deletion of a separate Audit Committee, it is logical that scrutiny of the TMSS transfers to the Overview and Scrutiny Committee.

Part 6 – Members’ Allowances Scheme

3.22 The recommended changes to SRAs for Haringey reflect that:

- The number of cabinet Members has reduced from 9 to 7;
- The SRAs can be deleted for Chairs of those Committees that are being removed from the Constitution;
- Chairs of the Area Committees shall also sit on the Overview and Scrutiny Committee, therefore duplication of SRAs can be deleted.

4. Recommendations

4.1 We recommend that members resolve:

- I. To approve the detailed text changes to the Constitution, for implementation of the Governance Review from May 2011.
- II. To approve that the established informal Delivery Group of Members will monitor the implementation of the Governance Review throughout 2011/12.

5. Appendices

Appendix 1 – Text amendments to the Constitution

- Part 2 Articles of the Constitution
- Part 3 Section C Terms of Reference: Full Council and Non-Executive Bodies
- Part 4 Section A Council Procedure Rules
- Part 4 Section B Committee Procedure Rules
- Part 4 Section G Overview and Scrutiny Procedure Rules
- Part 4 Section I Financial Regulations
- Part 4 Section K Officer Employment Procedure Rules
- Part 6 Members’ Allowances Scheme

PART 2 – ARTICLES OF THE CONSTITUTION

[the text shown struck through is recommended for deletion and the text shown in italics and underlined is recommended for insertion or addition]

Article 8 - ~~Regulatory and other~~ Non-Executive Committees

- 8.01 A number of functions such as planning control, licensing, health and safety regulation, electoral matters, local act powers, employee terms and conditions and pensions matters are not Executive functions for which the Cabinet is responsible. These matters are excluded from the Executive functions by law, regulations or the provisions of this Constitution.
- 8.02 The Council shall appoint a Committee to be called the ~~General Purposes Committee~~ and it shall have responsibility for the discharge of those non-Executive functions as specified under legislation that are not reserved to full Council or delegated to any other Committee, Sub-Committee, Panel or other body described in Part 3 of this Constitution or an appendix to it. Regulatory Committee to be responsible for planning control and licensing matters and a Committee to be called the Corporate Committee to be responsible for other non-executive functions as specified under legislation that are not reserved to full Council or delegated to any other Committee, Sub-Committee, Panel or other body described in Part 3 of this Constitution or an appendix to it. The Council's functions as statutory trustee of the Alexandra Palace and Park charitable trust are discharged by the Alexandra Palace and Park Board.
- 8.03 ~~These matters~~ The Council's non-executive functions are currently set out in Statutory Instruments 2000 No. 2853, and 2001 No. 2212 and subsequent amending Regulations.
- 8.04 The Committees described above will be established at the Annual Meeting of the Council.
- 8.05 The ~~General Purposes~~ Committees described above will establish appropriate sub-committees, whose terms of reference are set out in Part 3 of this Constitution or an appendix to it.
- 8.06 Proceedings of the Committees and ~~its~~ their sub committees shall take place in accordance with the Council Committee Procedure Rules in Part 4 of this Constitution.

Article 10 - Area ~~Assemblies~~ Committees

10.01 Area ~~Assemblies~~ Committees

The Council ~~may~~ shall appoint Area ~~Assemblies~~ Area Committees as it sees fit, ~~if it is satisfied that to do so will~~ in order to ensure improved service delivery and more efficient, transparent and accountable decision making.

10.02 Form, composition and function

- (a) **Composition** - ~~As the area assemblies are advisory only,~~ There is no requirement for political balance on Area Committees. The membership comprises all the Members from the relevant area ~~, together with co-optees.~~
- (b) **Terms of Reference** - The terms of reference of the Area Committees are set out in Part 3 of this Constitution. Area Committee meetings shall commence with an open forum, intended as an opportunity for informal public consultation on a broad cross-cutting range of local issues. The remainder of the Area Committee meeting will have a more formal decision-making and advisory structure.
~~To reflect its consultative role, the body has an advisory capacity. It may submit reports on matters of concern locally to the Cabinet, the Overview and Scrutiny Committee, or the Council on, for example an annual or half-yearly basis.~~
- (c) **Delegations.** The Council and the Cabinet will include details of any delegations to Area Committees ~~assemblies~~ in the ~~Appendix to~~ Part 3 of this Constitution.

10.03 Access to Information

Area ~~Assemblies~~ Committees will comply with the Access to Information Procedure Rules in Part 4 of this Constitution and with the Committee Procedure Rules in Part 4 except where this would be inconsistent with the Protocol on Area Committees.

10.04 Cabinet Members on Area ~~Assemblies~~ Committees

A member of the Cabinet may serve on the Area ~~Assembly~~ Area Committee if otherwise eligible to do so as a councillor. A Cabinet Member may not serve as a Chair of an Area Committee because of the Chair's membership of Overview and Scrutiny Committee.

[the text shown struck through is recommended for deletion and the text shown in italics and underlined is recommended for insertion or addition]

Part Three, Section C

Terms of Reference:

Full Council & Non-Executive Bodies

SECTION 1 - THE COUNCIL

THE COUNCIL

Only the Council will exercise the following functions:

- (a) Adopting and changing the Constitution;
- (b) Approving or adopting the policy framework as set out in Article 4, above;
- (c) Approving the budget and levying Council Tax;
- (d) Determining the borrowing limits for the authority for each financial year and the proportions of borrowing that are to be set at variable rates;
- (e) Approving any application to the Secretary of State in respect of any Housing Land Transfer as set out in Article 4;
- (f) Subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to/or not wholly in accordance with the budget;
- (g) Appointing the Leader;

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- (h) Agreeing and/or amending the terms of reference for committees, deciding on their composition and making appointments to them and delegating functions to them from time to time as may be appropriate;
- (i) Agreeing recommendations arising from Scrutiny Reviews of non-executive functions;
- (j) Deciding on recommendations arising from Scrutiny Reviews not accepted by the Cabinet and referred by the Chair of Overview and Scrutiny Committee;
- (k) Agreeing and/or amending the Scheme of Delegations to Officers with respect to non-executive functions;
- (l) Appointing representatives to outside bodies unless the appointment is a Cabinet function or has been delegated by the Council;
- (m) Adopting and amending the Members' Allowances Scheme;
- (n) Changing the name of the area, conferring the title of honorary alderman or freedom of the borough and establishing any new Civic Link;
- (o) Confirming the appointment or dismissal of the head of paid service;
- (p) Making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or personal Bills including the adoption of any legislation where the Council has a discretion;
- (q) All local choice functions set out in Part 3 to this Constitution which the Council decides should be undertaken by itself rather than the Cabinet, or any Committee, Sub-Committee or officer;
- (r) Entering into, or confirming existing, joint arrangements with other local authorities unless this only concerns "executive" functions when the decision is for the Cabinet;
- (s) Adopting the Members' Code of Conduct;
- (t) Approving Pilot Schemes for Local Elections;
- (u) Resolving not to issue any casino premises licences in the next three

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years;

- (v) Adopting Standing Orders for the Council and Standing Orders as to Contracts;
- (w) Making any decisions in respect of non-Executive functions which have not been expressly delegated elsewhere;
- (x) All matters that must be reserved to Council under the Financial Regulations including the adoption and amendment of the Treasury Management Strategy Statement and the consideration of annual, mid-year monitoring reports and an out-turn report after the close of the year on treasury management policies and practices; and
- (y) All other matters that, by law, must be reserved to Council.

SECTION 2 - COMMITTEES

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

1. The ~~General Purposes~~ Corporate Committee
2. Overview and Scrutiny Committee
3. Standards Committee
4. Alexandra Palace and Park Board
- ~~5. Remuneration Committee~~
6. ~~5. Licensing~~ The Regulatory Committee
- ~~7. Audit Committee~~
- ~~8. Planning Committee~~
- ~~9. Pensions Committee~~

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

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Section C – Terms of Reference: Full Council & Non Executive Bodies

1. ~~General Purposes~~ The Corporate Committee

The ~~General Purposes~~ Corporate Committee has: -

- (a) all the functions listed below in (b) and stated not to be the responsibility of the Council's Executive/Cabinet in Reg. 2 and Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S.I. 2853 (as amended or further amended in any statute or subordinate legislation). References to paragraphs below are to those in the appropriate Schedule of the Regulations.
- (b) the following Schedule 1 functions:
 - (i) ~~Paragraph B – Licensing and Registration ; determining all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but excluding decisions in individual cases which are delegated to the Miscellaneous Functions Sub-Committee. The General Purposes Committee's functions include making recommendations on the Statement of Licensing Policy to full Council but do not include those functions under the Licensing Act 2003 which are within the jurisdiction of the Licensing Committee and Licensing Sub-Committees;~~
 - (i) Paragraph C - Health and Safety at Work; all functions discharged otherwise than in the Council's capacity as employer.
 - (ii) Paragraph D - Elections; all functions relating to Elections except the approval of pilot schemes for local elections which is reserved to full Council.
 - (iii) Paragraph H - Pensions; Determining the Council's policies as "Employing Authority" and determining the terms of release of Chief and Deputy Chief Officers aged 50 or over and made redundant or retired early with a claim on the pension scheme. Exercising all the Council's functions as "Administering Authority" and being responsible for the management and monitoring of the Council's Pension Fund and the approval all relevant policies and statements. This includes:

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- (A) Selection, appointment and performance monitoring of investment managers, AVC scheme providers, custodians and other specialist external advisers;
- (B) Formulation of investment, socially responsible investment and governance policies and maintaining a statement of investment principles;
- (C) Monitoring the Pension Fund Budget including Fund expenditure and actuarial valuations; and
- (D) Agreeing the admission and terms of admission of other bodies into the Council's Pension Scheme.

Note: Whenever the Corporate Committee considers a report on a Pensions matter, the Chair will make a short announcement at the beginning or at other appropriate stage(s) in the meeting indicating whether the Committee is operating in its capacity as "Employing Authority" or as "Administering Authority". When the Committee is operating in its capacity as "Administering Authority" Members must have regard to their duty as quasi-trustees to act in the best interests of the Pension Fund above all other considerations. When the Committee meets in this capacity its membership shall include as non-voting members one representative of each of these groups: (i) current pensioners, (ii) deferred members of the scheme, and (iii) other admitted bodies.

- (iv) Paragraph I - Miscellaneous; all functions except those retained by full Council in Article 4. The Committee's functions include:
 - (A) all functions relating to public rights of way in Part 1 except the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions which are delegated to the Planning Sub-Committee;
 - (B) making arrangements for proper administration of financial affairs under section 151 Local Government Act 1972 but the appointment or dismissal of the Chief Finance Officer is to be in accordance with the Officer Employment Procedure Rules in Part 4 ~~and the Committee's financial functions do not include those delegated to the Audit Committee;~~

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- (C) formulating the Treasury Management Strategy Statement and amendments to it for recommendation to full Council through Audit Overview and Scrutiny Committee and in consultation with the Cabinet Member for Finance. Receiving quarterly monitoring reports and an out-turn report after the close of the year on treasury management policies and practices;
- (D) approving statements under The Accounts and Audit Regulations 2003 and any amendment or re-enactment of the Regulations and considering the external auditor's report on issues arising from the audit of the accounts or any other concerns relating to accounting policies;
- (E) making arrangements for appointing and dismissing senior officers (Deputy Chief Officers and above) by establishing Appointment/Dismissal Panels in accordance with the Officer Employment Procedure Rules in Part 4 and determining the terms and conditions of service of those staff below Senior Management grades, including procedures for dismissal. ~~(determining terms and conditions of service of staff at and above Senior Management level is dealt with by Remuneration Committee);~~ The Committee's functions include monitoring the operation and effectiveness of the scheme for the performance appraisal and remuneration of the Council's senior managers and chief officers. The Committee agrees the terms and conditions of employment, the pay structure and the remuneration for these senior posts;
- (F) authorising the making of payments or the provision of other benefits in cases of maladministration;
- (G) making orders designating public places in order to confer power on the police to prevent nuisance by the consumption of alcohol.
- (H) taking decisions relating to changes to the establishment which are not covered by the Officer Scheme of Delegation.
- (c) the following "Local Choice" functions set out in Schedule 2 of the above Regulations: -
 - (i) any function under a local Act other than a function specified or referred to in Reg. 2 or Schedule 1 or expressly delegated elsewhere in this Constitution;

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- (ii) the determination of an appeal against any decision made by or on behalf of the authority;
- (iii) passing a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply to the Council's area (consent to the operation of loudspeakers).

(d) the Committee has the following Audit functions:

- (i) providing assurance about the adequacy of the Council's Risk Management Framework and Policy and monitoring the effectiveness of systems for the management of risk across the Council and compliance with them;
- (ii) Maintaining an overview of the Council's Local Code of Corporate Governance;
- (iii) Monitoring the effectiveness of Council policies on "Whistleblowing" and Anti-Fraud and Corruption;
- (iv) Considering and recommending for adoption the Council's Annual Governance Statement;
- (v) Approving the Annual Internal Audit Plan and the Strategic Audit Plan and arrangements for the provision of internal audit services to the Council and considering reports on internal audit activity;
- (vi) Receiving the Annual Audit Plan and the Annual Audit Letter from the external auditor and making recommendations on the latter. Considering arrangements for the appointment of the external auditor;
- (vii) Commissioning work from the internal and external auditors and receiving reports from the Head of Audit & Risk Management on any matter; and
- (viii) Questioning officers and Cabinet Members on matters relevant to audit and to financial and non-financial performance and making recommendations on these matters to Cabinet and full Council.
- (ix) The Head of Audit's Annual Report

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- (e) the power to make recommendations to the Council on any of its functions set out in Article 4, and the power to establish Sub-Committees to consider and report on any such functions but this does not include recommendations to amend the Council's Constitution nor does it prevent the Council from making decisions on any matter when necessary without a prior recommendation from the Committee.
- (f) there is a Protocol outside this Constitution setting out how the Corporate Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

2. Overview and Scrutiny Committee

The membership of the Overview and Scrutiny Committee shall, as far as is practicable, comprise Members who are Chairs of Area Committees and, if necessary, other Members in order to comply with the political balance rules. As described in the Overview and Scrutiny Procedure Rules in Part 4 Section G, Education representatives have a right to vote where the Committee or a Panel is considering matters that relate to education functions.

The Overview and Scrutiny Committee may:

- (a) exercise an overview of the forward plan;
- (b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;
- (c) make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;
- (d) make reports or recommendations on matters affecting the area or its inhabitants;
- (e) exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet;

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- (f) receive the reports and recommendations of its Panels;
- (g) in accordance with statutory regulations to review and scrutinise matters relating to the health service and all NHS funded services within the Authority's area and to make reports and recommendations thereon to local NHS and NHS funded bodies;
- (h) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible partner authorities of their crime and disorder functions;
- (i) make reports or recommendations to the Cabinet or full Council where appropriate with respect to the discharge of the crime and disorder functions by the responsible partner authorities;
- (j) make arrangements which enable any Councillor who is not a Committee Member to refer any crime and disorder matter to the Committee under the Councillor Call for Action procedure; and
- (k) make arrangements which enable any Councillor who is not a Committee Member to refer to the Committee any local government matter which is relevant to the functions of the Committee under the Councillor Call for Action procedure.
- (l) there is a Protocol outside this Constitution setting out how the Overview and Scrutiny Committee is to operate. The Protocol shall be applied in a manner consistent with the Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

3. Standards Committee

The Standards Committee will have the following roles and functions:

- (a) Promoting and maintaining high standards of conduct by Councillors, co-opted members and representatives of religious organisations and parent governor representatives;

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- (b) Assisting the Leader, Councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct;
- (c) Advising the Council on the adoption or revision of the Members' Code of Conduct;
- (d) Monitoring the operation of the Members' Code of Conduct;
- (e) Advising, training or arranging to train Councillors and co-opted members on matters relating to the Members' Code of Conduct and the ethical framework;
- (f) Granting dispensations to the Elected Mayor, Councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;
- (g) Advising the Council on codes and protocols forming the Council's ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;
- (h) Carrying out an assessment and review function for all complaints received by the Council against Councillors and co-opted members;
- (i) Dealing with any reports from a case tribunal or interim case tribunal and any report from the Monitoring Officer on any matter which is referred by the Ethical Standards Officer to the Monitoring Officer;
- (j) Hearing complaints against Councillors and co-opted members made to the Council or referred back from the Standard Board for England;
- (k) Hearing complaints against co-opted members arising from alleged breaches of Codes and Protocols falling outside the jurisdiction of the Standards Board for England;
- (l) Responding to national reviews and consultations on standards related issues;
- (m) Granting exemptions for politically restricted posts and giving

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directions to include a post on the list of restricted posts;

- (n) Advising the Council on the appointment of independent members and taking steps to select them.

4. Alexandra Palace and Park Board

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

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

~~5. Remuneration Committee~~

- ~~(a) To monitor the application of a scheme for the performance appraisal and remuneration of the Council's senior managers/chief officers.~~
- ~~(b) To audit the outcomes of the scheme and scrutinise both appraisal and pay outputs.~~
- ~~(c) To decide on the remuneration of posts covered by the Senior Management Performance Appraisal Scheme.~~
- ~~(d) To agree senior management, chief officer and chief executive terms and conditions of employment and pay grades.~~
- ~~(e) To evaluate the scheme's effectiveness, review the operation of the scheme and recommend changes as required to improve~~

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~~the system.~~

- ~~(f) To monitor pay trends and receive advice about the Council's senior management pay and retention strategy.~~

~~The Remuneration Committee has a membership of six which shall include:~~

- ~~• The Leader of the Council~~
- ~~• The Leader of the Opposition~~
- ~~• The Chair of General Purposes Committee (Chair)~~
- ~~• The Chair of Overview and Scrutiny~~

~~(The General Purposes Committee is responsible for the establishment, when specifically required, of Appointment/Dismissal Panels for the appointment or dismissal of senior officers subject to the Officer Employment Procedure Rules in Part 4).~~

6. 5. Licensing The Regulatory Committee

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

Membership

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

Protocol

There is a Protocol outside this Constitution setting out how the Regulatory Committee is to operate. The Protocol shall be applied in a manner consistent with Committee Procedure Rules in Part 4 and the relevant Licensing Procedure Rules when the Committee is

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conducting a formal hearing. Any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

- (1) In its capacity as the statutory The Licensing Committee the Committee has all the functions referred to it by law under the Licensing Act 2003 and the Gambling Act 2005. These include:
- (a) To be responsible for monitoring the operation of the Acts licensable activities and gambling in the Borough;
 - (b) To establish the Licensing Sub-Committees and to agree the delegation of functions to the Sub-Committees and to officers;
 - (c) To receive reports on these matters in (a) above and on the functions delegated to the Licensing Sub-Committees and to officers. To call for a report on any individual case;
 - ~~(d) To be consulted on the review and determination of the Licensing Policy Statement and the Statement of Gambling Policy including procedures for Council consultation with external stakeholders;~~
 - (d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;
 - (e) Subject to Regulations, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005;
 - ~~(f) To exercise the functions of the Licensing Sub-Committees in relation to any premises, site or event where 500 or more persons are to be present;~~
 - ~~(g) To exercise the functions of the Licensing Sub-Committees in any case referred to the Committee by its Chair, or by the Chair of a Licensing Sub-Committee on the grounds of its special significance or difficulty;~~

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~~(h)~~ (f) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those Members of the Licensing Committee who are re-elected as Councillors shall meet as the Licensing Committee (subject to there being a quorum of 3 Members) in order to exercise any of the functions of the Licensing Sub-Committees, or of the Committee under (f) above, and shall elect a Chair for the meeting.

~~(2)~~ Excluded from the Licensing Committee's terms of reference are:

~~(i)~~ The functions statutorily referred to the General Purposes Committee, the Cabinet and the full Council including the formal review and determination of the Licensing Policy Statement and the Statement of Gambling Policy;

~~(ii)~~ The functions delegated to the Licensing Sub-Committees, as set out below, except where referred back to the Committee under sub-paragraph 6(1)(g) above.

(2) In its capacity as the non-statutory Committee exercising other non-executive functions the Committee has the following functions:

(a) Exercising the functions which are stated not to be the responsibility of The Executive/Cabinet In Regulation 2 and Schedule 1, Paragraph B (Licensing and Registration) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations. The Committee's functions are to determine all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but exclude decisions in individual cases which are delegated to the Licensing Sub-Committees;

(b) Formulating, reviewing and approving for consultation the Statement of Licensing Policy under the Licensing Act 2003 and recommending it, and any revisions to it, to full Council for adoption;

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(c) Being consulted informally on the review and determination of the Statement of Gambling Policy, including procedures for Council consultation with external stakeholders, and making recommendations on these matters to the Cabinet;

(d) Making informal recommendations to the Cabinet and full Council on local development documents, development plan documents, the local development framework, the statement of community involvement and any other planning policy matter;

(e) Reviewing all Council plans and policies on any licensing, planning or regulatory matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;

(f) Making informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to licensing, planning, conservation or regulatory issues.

7. ~~Audit Committee~~

~~The purpose of the Audit Committee is:~~

~~(i) to provide independent assurance of the adequacy of the risk management framework and the associated control environment,~~

~~(ii) independent scrutiny of the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and weakens the control environment, and~~

~~(iii) to oversee the financial reporting process.~~

~~The Audit Committee has the following non-executive functions arising under section 151 of the Local Government Act 1972 and The Accounts and Audit Regulations (S.I. 2003/533) and any amendment or re-enactment of these provisions:—~~

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~~Corporate Governance and Regulatory Framework~~

- ~~(a) To maintain an overview of the Council's Constitution in respect of the financial regulations and the contract procedure rules;~~
- ~~(b) To maintain an overview of the Council's arrangements for Corporate Governance and agreeing necessary actions to enable the Council to implement best practice as set out in statutory and other guidance;~~
- ~~(c) To receive and recommend for adoption the Council's Statement on Internal Control;~~
- ~~(d) To monitor Council policies on "Whistleblowing" and Anti-Fraud and Corruption;~~
- ~~(e) To scrutinise the draft Treasury Management Strategy Statement prior to its adoption by the full Council;~~
- ~~(f) To review any issue referred to the Committee by another Council body, the Chief Executive or a Director; and~~
- ~~(g) To consider the Council's compliance with its own and other published standards and controls.~~

~~Risk Management~~

- ~~(h) To approve the Council's Risk Management Policy and receive regular reports on compliance with the policy across the Council; and~~
- ~~(i) To review the effectiveness of systems for the assessment and management of material areas of risk within the Council and to monitor their maintenance and development in accordance with the Risk Management Policy.~~

~~Audit Activity~~

- ~~(j) To consider the Head of Audit and Risk Management's annual report and a summary of Internal Audit activity (actual and proposed) and the level of assurance it can provide about the Council's corporate governance arrangements;~~

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- ~~(k) To consider and approve the Council's Annual Internal Audit Plan and the Annual Internal Audit Plan and ensure that it is consistent with the scope of the audit engagement or service delivery arrangements;—~~
- ~~(l) To consider reports dealing with the management and performance of providers of internal audit services to the Council;~~
- ~~(m) To consider quarterly reports in respect of internal audit activity including ethical oversight issues and any major findings arising from internal audit reviews and to ensure that appropriate corrective action has been taken;~~
- ~~(n) To consider a report from Internal Audit on agreed recommendations not implemented within a reasonable timescale;~~
- ~~(o) To approve any significant changes to the Strategic or Annual Audit Plans as requested by officers;—~~
- ~~(p) To receive reports from the Head of Audit and Risk Management on appropriate matters;~~
- ~~(q) To receive and note the Annual Audit Plan from the external auditor;~~
- ~~(r) To receive the Annual Audit Letter from the External Auditor and make any appropriate recommendations to full Council or The Cabinet in respect of these matters;~~
- ~~(s) To receive quarterly and annual reports in respect of external audit activity including ethical oversight issues;~~
- ~~(t) To question officers and Cabinet Members on the above matters;—~~
- ~~(u) To make any appropriate recommendations to full Council or the Cabinet in respect of these matters;—~~
- ~~(v) To commission work from Internal and External Audit; and~~
- ~~(w) To liaise with the Audit Commission over the appointment of~~

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~~_____ the Council's external auditor.~~

~~Accounts~~

~~(x) To review the annual statement of accounts and, specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the Council or the Cabinet; and~~

~~(y) To consider the External Auditor's report on issues arising from _____ the audit of the accounts.~~

~~8. **Planning Committee**~~

~~-~~

~~_____ The Committee may:-~~

~~_____~~

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

~~_____~~

~~(b) exercise the following functions:-~~

~~(i) paragraph A Town Planning (all functions), including determination of applications for planning permission, conservation area consent, listed building consent and advertisements consent, entering into planning agreements and enforcement of planning and listed building controls~~

~~(ii) paragraph I Miscellaneous Functions~~

~~(A) the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions, and~~

~~(B) the preservation of trees;~~

~~_____~~

~~(c) enter into highway works agreements under section 278 of the Highways Act 1980;~~

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- ~~(d) approve for the purposes of public consultation draft proposals associated with the preparation of alterations to, or the replacement of, the Unitary Development Plan (and subsequently the Local Development Framework);~~
- ~~(e) make recommendations to the Cabinet on the terms of the Unitary Development Plan (and subsequently the Local Development Framework) to be recommended by the Cabinet to the Council for amendment or adoption;~~
- ~~(f) make recommendations to the Cabinet on the following where consistent with the Unitary Development Plan (and subsequently the Local Development Framework):~~
 - ~~(i) planning and land use policy including supplementary planning guidance;~~
 - ~~(ii) local guidelines and planning and development briefs;~~
 - ~~(iii) the preparation of guidance on the following functions where they relate to the built environment:—~~
 - ~~– quality of design~~
 - ~~– heritage and conservation~~
 - ~~– coherence of street furniture~~
 - ~~– street trading~~
 - ~~(iv) grant support, scheme design, feasibility studies, tender acceptance and implementation, in relation to development projects (falling within the responsibilities of the Urban Environment Directorate) involving the following:—~~
 - ~~– building or refurbishment works~~
 - ~~– conservation and restoration~~
 - ~~– landscaping and environmental enhancement~~
 - ~~– street works and other works in conservation areas~~
 - ~~– community safety~~
 - ~~– economic development and community enterprise~~
 - ~~– area promotion~~
 - ~~– arts development~~

~~9. Pensions Committee~~

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- ~~(a) To exercise the functions which are stated not to be the responsibility of The Executive in Regulation 2 and Schedule 1 paragraph H of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations. The Committee's functions are those of the "Administering Authority" under the Pensions legislation.~~
- ~~(b) To be responsible for the management and monitoring of the Council's Pension Fund through:
 - ~~(i) Selection and appointment of Investment Managers, master custodian, provider of performance monitoring against benchmarks services, providers for the Council's Additional Voluntary Contributions (AVC) scheme and specialist external advisors as necessary.~~
 - ~~(ii) Reviewing Investment Managers' performance.~~
 - ~~(iii) Formulation of investment, socially responsible investments (SRI) and governance policies.~~
 - ~~(iv) Maintaining a Statement of Investment Principles.~~
 - ~~(v) Publicising statements and policy documents as required by legislation, government directives and best practice.~~~~
- ~~(c) To monitor and as appropriate to decide upon Pensions Administration issues.~~
- ~~(d) To receive the Pension Fund Budget annually and monitor spend against this.~~
- ~~(e) To agree to the admission of bodies into the Council's Pension scheme.~~
- ~~(f) To receive actuarial valuations.~~

SECTION 3 - SUB-COMMITTEES AND PANELS

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

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1. Under the ~~General Purposes~~ Corporate Committee

~~1.1 Miscellaneous Functions Sub-Committee~~

- ~~(a) The Committee has all the functions which are stated not to be the responsibility of the Council's Executive in Regulation 2 and paragraph B (Licensing and Registration) of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S. I. 2853, as amended, or further amended, in any statute or subordinate legislation. The Committee's functions do not include those within the remit of the General Purposes Committee or those under the Licensing Act 2003 which are within the remit of the Licensing Committee and Licensing Sub-Committees.~~
- ~~(b) The Sub-Committee's functions include making decisions in all individual licensing or registration cases where a hearing is required.~~
- ~~(c) The Committee has power to make final decisions on behalf of the Council in relation to its functions in (b).~~
- ~~(d) Excluded from the Sub-Committee's terms of reference under (a) are decisions on all policy issues, procedures and standard terms and conditions which are within the jurisdiction of the General Purposes Committee.~~

~~1.2~~ 1.1 Disciplinary Appeals Panel

To confirm, reduce or increase the penalty imposed by previous internal disciplinary hearings.

~~1.3~~ 1.2 Grievance Panel

To determine grievances lodged by employees of the Council in relation to their terms and conditions of service, in accordance with the approved procedures.

~~1.4~~ 1.3 Job Evaluation Appeals Panel

To determine job evaluation appeals lodged by employees of the

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Council in accordance with the approved procedures.

~~1.5~~ 1.4 Haringey Council and Employees Joint Consultative Sub-Committee

- (a) To negotiate on matters relating to the service between the Council and the officers or between officers with a view to the prevention of differences and to their better adjustment when they appear, and to make appropriate recommendations to the ~~General Purposes~~ Corporate Committee.
- (b) To secure the largest possible measure of joint action between the Council and the officers for the development and improvement of local government administration, and for the consideration of the conditions of all engaged therein.
- (c) To make provision for members of the Cabinet to meet with Employees' Side representatives for the purpose of negotiation and consultation on matters affecting Soulbury paid officers.

2. Under Overview and Scrutiny Committee

2.1 Scrutiny Review Panels

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

3. Under Standards Committee

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The following rules will apply to all three types of Sub-Committee listed below. The quorum is three including an independent member as Chair, with a casting vote if necessary, and at least one Councillor. So far as practicable, and having regard to relevant Regulations and Guidance, every Sub-Committee will include two Councillors, each from a different party group.

3.1 Assessment Sub-Committees

Between three and five members of the Committee.

To make initial assessments of written allegations to the Committee of failure to comply with the Code of Conduct. The Sub-Committees will follow procedures agreed by the Committee.

3.2 Review Sub-Committees

Between three and five members of the Committee. Not to include any member of the Assessment Sub-Committee for the same allegation.

To review, when requested, any decision of an Assessment Sub-Committee to take no action on an allegation. The Sub-Committees will follow procedures agreed by the Committee.

3.3 Hearing Sub-Committees

Five members of the Committee.

To hear complaints against Councillors and co-opted members made to the Council or referred back from the Standards Board for England. The Sub-Committees will follow procedures agreed by the Committee.

4. Under ~~Licensing~~ The Regulatory Committee

4.1 Licensing Sub-Committees

Introduction

The Licensing Sub-Committees have functions either (1) as Sub-Committees of the Regulatory Committee in its capacity as the statutory Licensing Committee of the Council under the Licensing

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

Membership

The membership of each Sub-Committee is nominated by the Annual Council but formally appointed by the Regulatory Committee each year. In the event that an appointed Member or Members of a Sub-Committee is unable or unwilling to take part in a hearing for any reason a Special Licensing Sub-Committee may be appointed from among the Members of The Regulatory Committee. When operating in its capacity as “statutory Licensing Sub-Committee” there must be a membership and quorum of 3 present at all times.

(1) General Provisions Relating to the Statutory Licensing Sub-Committees

~~(a) To exercise all the functions listed in these terms of reference in relation to any premises, site or event where less than 500 persons are to be present;~~

~~(b) The Chair of a Licensing Sub-Committee may, before hearing it, refer any case falling within these terms of reference to the Licensing Committee on the grounds of its special significance or difficulty. This power may also be exercised by the Chair of the Licensing Committee;~~

~~(c) (a) Licensing Sub-Committees have the power to make final decisions on behalf of the Council on matters within their terms of reference and there is no right of appeal to the Licensing Regulatory Committee;~~

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

~~(d) (b) To determine applications for premises licences where relevant representations have been made;~~

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- ~~(e)~~ (c) To determine applications for provisional statements where relevant representations have been made;
- ~~(f)~~ — To determine applications for variations of premises licences — where relevant representations have been made;
- ~~(f)~~ (d) To determine valid applications for review of premises licences;
- ~~(g)~~ (e) To decide on any other matter where it is necessary or desirable for Members to make that decision;

Functions under the Licensing Act 2003 alone

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

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following police objections;

~~(f)~~ (p) To decide on revocation of personal licences where convictions come to light after grant;

Functions under the Gambling Act 2005 alone

~~(s)~~ (q) To determine applications for variations of premises licences where relevant representations have been made;

~~(t)~~ (r) To determine applications for transfers of premises licences following representations by the Gambling Commission or others;

~~(u)~~ (s) To determine applications for the re-instatement of premises licences where relevant representations have been made;

~~(v)~~ (t) To decide whether to give counter notices following objections to temporary use notices;

~~(w)~~ (u) To determine applications for the grant of club gaming permits and club machine permits where objections have been received;

~~(x)~~ (v) To determine proposals to cancel club gaming permits and club machine permits where the holder requests a hearing;

~~(y)~~ (w) When the licence holder requests a hearing, to determine officer proposals: (i) to make an order removing the entitlement of an on-premises alcohol licence holder to have one or two gaming machines, or (ii) to cancel or vary a licensed premises gaming machine permit;

~~(z)~~ (x) To determine licensed premises gaming machine permit applications for 5 or more machines and all applications for any number of machines where there is cause for concern about the proper management of the premises;

(2) General Provisions Relating to the Non-Statutory Licensing Sub-Committees

a) The Sub-Committees have all the functions which are stated

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not to be the responsibility of the Council's Executive/Cabinet in Regulation 2 and paragraph B (Licensing and Registration) of Schedule 1 of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 S. 1. 2853, as amended, or further amended, in any statute or subordinate legislation. The Sub-Committee's remit includes the licensing of street trading, special treatment premises, sex establishments and dog breeding establishments.

(b) The Sub-Committees make decisions in all individual licensing or registration cases where a hearing is required because of an objection to an application or to a proposed revocation or because of an officer recommendation for refusal.

(c) The Sub-Committees have the power to make final decisions on behalf of the Council in relation to its functions in (b).

(d) Excluded from the Sub-Committees' terms of reference are decisions on all policy issues, procedures and standard terms and conditions which are within the remit of The Regulatory Committee.

4.2 Planning Sub-Committee

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

(b) paragraph A - Town Planning (all functions), including determination of applications for planning permission, conservation area consent, listed building consent and advertisements consent, entering into planning agreements and enforcement of planning and listed building controls;

(c) paragraph I - Miscellaneous Functions;

(A) the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions, and

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(B) the preservation of trees;

(d) The Sub-Committee may enter into highway works agreements under section 278 of the Highways Act 1980 in connection with the determination of a planning application.

SECTION 4 - ALEXANDRA PALACE AND PARK

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

1. Alexandra Palace and Park Panel

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

2. Alexandra Palace and Park Consultative Committee

Alexandra Palace and Park Consultative Committee 9 Members, 3 non-voting and up to 30 community representatives.

(a) To give representatives of appropriate local and national organisations the opportunity of full discussion with Members of the Alexandra Palace and Park Board on general matters affecting Alexandra Palace and Park.

(b) To give Members of the Alexandra Palace and Park Board the opportunity of discussing and explaining to the organisations matters affecting the overall policy and efficient management of Alexandra Palace and Park.

(c) To promote better understanding between Members of

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the Alexandra Palace and Park Board, the Palace Management and local organisations.

- (d) To enable appropriate local (and national) organisations to be fully consulted on decisions of direct concern to them.
- (e) To promote the best interests of the Alexandra Palace and Park as a conservation area.

3. Alexandra Palace and Park Consultative Forum

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

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

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

Note:

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Section C – Terms of Reference: Full Council & Non Executive Bodies

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

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

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

SECTION 5 - AREA ~~ASSEMBLIES~~ COMMITTEES

- ~~(a) To work with Council directorates, partner organisations and local communities in an advisory and a consultative capacity to enhance the quality, co-ordination and accountability of services provided within neighbourhoods.~~

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~~(b) To monitor and make proposals for improvements to the physical environment and street scene of neighbourhoods and to consider the impact at a neighbourhood level of strategic policies to develop services.~~

~~(b) To be fully consulted on the management and delivery of regeneration and partnership schemes that are operating within neighbourhoods, ensuring that local people are able to communicate effectively with the Council and regeneration partnerships.~~

~~(c) To be fully consulted on the long term development of neighbourhood plans to feed into the community planning process.~~

~~(d) To operate as a sounding board for local consultation on Council strategies and plans put forward by the Council or its partners.~~

~~(e) To refer recommendations to the Cabinet and to the Overview and Scrutiny Committee and to partner organisations in accordance with the above, and to monitor implementation of those service improvements arising from previous Area Committee Assembly meetings.~~

There is a Protocol outside this Constitution setting out how Area Committees are to operate. This Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

The Borough has 7 Area Committees comprising all Ward Councillors from the Wards represented.

The Chair of each Area Committee shall be a Councillor from among the Ward Councillors serving each Area, excluding the Mayor or any Cabinet Member, and these appointments shall be ratified each year at the Annual Council meeting.

The Access to Information Procedure Rules in Part 4 of this Constitution apply to Area Committees. The Committee Procedure Rules in Part 4 apply to Area Committees except where this would be inconsistent with the Protocol mentioned above.

Area Committees are intended to have formal decision-making and

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Section C – Terms of Reference: Full Council & Non Executive Bodies

advisory roles. Area Committees shall have the following functions:

(a) Developing and making an Area Committee Plan at the commencement of each municipal year setting out the priorities for the Area over the coming year;

(b) Developing and encouraging partnerships with local residents' associations, voluntary and community bodies and other stakeholder groups in the Area to consider matters of mutual interest;

(c) Proposing variations to standard service delivery and to specifications for procurement within the remit of the Directorate of Place and Sustainability in order to reflect local needs and aspirations subject to these variations being consistent with agreed budgets and legally possible;

(d) To monitor and make proposals for improvements to the physical environment and street scene of neighbourhoods and to consider the impact at a neighbourhood level of strategic policies to develop services;

(e) Being consulted, and making recommendations to the Cabinet, about potential items for inclusion in the Local Implementation Plan, indicating priorities as between schemes which meet the Borough-wide criteria and making recommendations on the detailed design of such schemes;

(f) Being consulted, and making recommendations to the Borough Commander, about local police priorities for promoting Community Safety;

(g) Making recommendations to the full Council on the introduction of by-laws to have effect in the Wards covered by the Area Committee. Wherever possible proposed by-laws should be consistent with the model by-laws on that matter issued by central government;

(h) Being consulted informally about applications under the Licensing Act 2003 and the Gambling Act 2005. Only Ward Councillors (and local residents and businesses) will be "interested parties" with a right to make relevant representations under these Acts but the Area Committee can make its views known informally to Ward

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Councillors;

- (i) Being consulted and making representations about (i) applications under other non-executive licensing and regulatory legislation, (ii) planning applications, and (iii) proposed changes to parking controls and traffic calming measures;
- (j) Exercising the powers of the Local Planning Authority to adopt, revise and revoke Local Development Orders under section 61A of the Town and Country Planning Act 1990 and overseeing all procedural steps including local consultation;
- (k) Making arrangements to hold a pre-planning application presentation at a normal Area Committee meeting, on schemes that have formally entered the Council's Pre-Planning Application Advice Service;
- (l) Monitoring and making recommendations to develop the system of Area Based Working for service delivery;
- (m) Undertaking Area Studies about issues of concern to local residents;
- (n) Considering recommendations and concerns raised during the public forum element of the meeting;
- (o) Considering and taking action in any way relating to, or connected with, the above matters and recommending amendments to the Protocol on Area Committees.

Area Committee meetings shall commence with an open public forum, intended to act as a consultative discussion for local people and their Ward Councillors on all issues affecting, or relevant to, the Council and service delivery.

Area Committees and Urgency

Where there is a need for urgent decisions, or representations in response to consultation, to be made between scheduled meetings of an Area Committee the Chair shall be responsible for taking those actions. Action taken by the Area Committee Chair shall be reported for noting to the next meeting of the Area Committee.

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SECTION 6 - EMERGENCY PROCEDURES IN ELECTION YEAR

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

SECTION 7 - DEFAULT PROVISIONS

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

SECTION 8- GROUP MEETINGS

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

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

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through the Leader of the Minority Group, or the appropriate spokesperson, to make available information from published sources and advice on Council procedures but not official advice as to the policies which that Minority Group should pursue. The Majority Group Leader or the appropriate Cabinet Member shall be made aware of information provided to a Minority Group unless it is of routine or trivial nature.

SECTION 8 - CREATION OF NEW BODIES

Creation of New Non-Executive Bodies

Proposals for the creation of new bodies exercising non-Executive functions to exist for more than three months shall be submitted to the ~~General Purposes~~ *Corporate Committee* with details of the proposed membership, terms of reference and comments by the Head of Local Democracy & Member Services on the staffing implications.

PART FOUR - RULES OF PROCEDURE
Section A - Council Procedure Rules

[the text shown struck through is recommended for deletion and the text shown in italics and underlined is recommended for insertion or addition]

Part Four, Section A

Council Procedure Rules

COUNCIL PROCEDURE RULES

Note

In these rules:

“**day**” means any calendar day including week-ends and public holidays.

“**working day**” means any day when the offices of the Council’s Members’ Services are open for business excluding week-ends and public holidays.

“**clear day**” means any working day and it excludes both the day of any initial action, giving notice or dispatch of papers (as appropriate) and the day of any subsequent action or meeting (as appropriate).

Where any action is required to be taken on, or before the end of, a working day, then it must be completed by 5.00 p.m. on that day unless the relevant rule states otherwise.

There is a Protocol outside this Constitution setting out how full Council meetings are to operate. This Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

1. ANNUAL MEETING OF THE COUNCIL

1.1 Timing and business

In a year when there is an ordinary election of Councillors, the Annual Meeting will take place within 21 days of the retirement of the outgoing Councillors. In any other year, the Annual Meeting will take place in March, April or May.

The annual meeting will:

- (i) Elect a person to preside if the Mayor is not present
- (ii) Elect the Mayor for the ensuing year
- (iii) Receive apologies for absence.
- (iv) Receive any late or urgent business
- (v) Receive any declarations of interest from members

PART FOUR - RULES OF PROCEDURE
Section A - Council Procedure Rules

- (vi) Approve the minutes of the last meeting;
- (vii) Receive written notification of the appointment of Deputy Mayor
- (viii) Pass a vote of thanks to the retiring Mayor and Mayoress / Escort and Deputy Mayor and Deputy Mayoress / Escort
- (ix) Receive such communications as the Mayor may desire to lay before the Council.
- (x) Elect the Leader of the Council (only applies to the first meeting after the Council election).
- (xi) Appoint a Scrutiny Committee, a Standards Committee, ~~an Audit Committee, a Licensing Committee~~ and such Committees and subordinate bodies as the Council considers appropriate to deal with matters which are neither reserved to the Council nor are Executive functions (as set out in Part 3, of this Constitution). To confirm the size and terms of reference of these bodies and to appoint Chairs, Vice Chairs, Members and substitute or reserve Members and subordinate bodies in accordance with political balance rules (as set out in Part 3 of this Constitution);
- (xii) Make appointments to outside bodies except where appointment to those bodies has been delegated by the Council;
- (xiii) Receive any announcements from the Leader, and/or Head of Paid Service;
- ~~(xiv) Confirm the scheme of delegation in accordance with the requirements of the Local Authority (Functions & Responsibilities) (England) Regulations 2000 or such part of it as the Constitution determines it is for the Council to agree (as set out in Part 3 of this Constitution);~~
- (xv) Receive a programme of ordinary meetings of the Council for the year; and
- (xvi) Consider any business set out in the notice convening the meeting.

2. BUDGET SETTING MEETING

The budget-setting meeting will:

- (i) Elect a person to preside if the Mayor is not present
- (ii) Receive apologies for absence.
- (iii) Receive any late or urgent business
- (iv) Receive any declarations of interest from members
- (v) Approve the minutes of the last meeting;
- (vi) Hear deputations and receive petitions related to the budget, accepted under rules 11 & 12;
- (vii) Hear any proposed amendments to the budget;
- (viii) Approve the budget.

PART FOUR - RULES OF PROCEDURE
Section A - Council Procedure Rules

3. 2. ORDINARY MEETINGS

3.1 ~~2-1~~ Ordinary meetings of the Council will take place in accordance with the calendar of meetings. Ordinary meetings will:

- (i) Elect a person to preside if the Mayor is not present
- (ii) Receive apologies for absence (if any)
- (iii) Deal with any business required by statute to be considered before any other business
- (iv) Receive any declarations of interest from members;
- (v) Approve the minutes of the previous meeting and any outstanding from previous meetings;
- (vi) Hold a Haringey Debate, on the agreed theme for that meeting. The form of the debate may include holding the debate as an Open Session under paragraph 30. Arrangements for how the debate will function are outlined in the full Council Protocol;
- (vii) ~~(vi)~~ Receive any announcements from the Mayor, the Leader, members of the Cabinet, the Head of Paid Service or the Head of Legal Services and Monitoring Officer;
- (viii) ~~(vii)~~ To make appointments to Council committees and outside bodies;
- (ix) ~~(viii)~~ Hear deputations and receive petitions accepted under rules 11 & 12;
- (x) ~~(ix)~~ Receive questions from and provide answers to the public on matters notified under Rule 8;
- (xi) ~~(x)~~ Provide answers to written questions from Members. Receive oral questions from Members, and provide oral answers;
- (xii) ~~(xi)~~ Deal with any business from the previous Council meeting;
- ~~(xii) Consider opposition business submitted under Rule 12;~~
- (xiii) Receive reports from the Cabinet and the Council's Committees when a decision or resolution of Council is required, and receive questions and answers at the meeting on any of those reports;
- (xiv) Receive reports about and receive questions and answers on the business of joint arrangements and external organisations;
- (xv) Consider motions; and
- (xvi) Consider any other business specified in the summons to the meeting, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and reports of the Scrutiny Committee for debate.

3.2 ~~2-2~~ The order of items (i), (ii), (iii), (iv) and (v) of paragraph 3.1 shall not be varied. The order of other business may be varied:

- (i) At the discretion of the Mayor, prior to the meeting following consultation with the Leader or at the meeting; or

PART FOUR - RULES OF PROCEDURE
Section A - Council Procedure Rules

- (ii) By a resolution passed at the meeting on a motion (which need not be in writing) duly moved and seconded, and put without discussion.

4. ~~3.~~ EXTRAORDINARY MEETINGS

4.1 ~~3-1~~ Calling extraordinary meetings

Those listed below may request the Head of Local Democracy & Member Services to call Council meetings in addition to ordinary meetings:

- (i) The Council by resolution
- (ii) The Mayor
- (iii) The Monitoring Officer; and
- (iv) Any five members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within five working days of the receipt of the requisition.

4.2 ~~3-2~~ Business

The only business to be transacted at an extraordinary meeting shall be that stated in the summons.

4.3 ~~3-3~~ Questions

Questions shall not be permitted at extraordinary meetings and Rule 10 shall not apply.

4.4 ~~3-4~~ Deputations

Rule 11 shall apply to extraordinary meetings, but deputations will only be received where its purpose is related to an item of business on the summons.

5. ~~4.~~ NOTICE OF AND SUMMONS TO MEETINGS

The Head of Local Democracy & Member Services will determine and give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear working days before a meeting, the Head of Local Democracy & Member Services will send a Summons signed by him or her by post to every member of the Council or leave it at their usual place of residence. The Summons will state the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

PART FOUR - RULES OF PROCEDURE
Section A - Council Procedure Rules

6. ~~5~~ CHAIR OF MEETING

The person presiding at the meeting may exercise any power or duty of the Mayor. Where these rules apply to Committee, Board and Scrutiny Commission meetings, references to the Mayor also include the Chair of Committees, Boards and Commissions.

7. ~~6~~ QUORUM

The quorum of a meeting shall be one quarter of the whole number of Members. During any meeting if the Mayor counts the number of members present and declares there is not a quorum present, the division bell shall be rung for thirty seconds and the Mayor shall then ascertain whether a quorum is present. If a quorum is not present the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

8. ~~7~~ DURATION OF MEETING

8.1 (i) Council meetings shall end at 9.30 ~~10~~ p.m. on the day of the meetings,

provided that the Mayor has discretion to extend the time to allow for adjournments, deputations and to complete the item then under discussion;

(ii) If a report, a motion or an amendment to a motion is still being discussed, the Member speaking at the time may continue speaking for the remainder of the time allowed for speeches under these rules;

(iii) The relevant Councillor who moved the report or substantive motion shall have a right of reply before the motion or amendment is put to the vote. No other right of reply is allowed;

(iv) Before the Mayor concludes the meeting, a motion shall be put detailing the outstanding reports of Committees not disposed of and asking that the Council adopt them, and recommendations contained within them, without debate; all other business remaining shall fall;

(v) Any motions on the agenda that fall under (iv) may be resubmitted for the next, or a subsequent, Council meeting in accordance with Rule 13.

9. ~~8~~ QUESTIONS BY THE PUBLIC

9.1 ~~8.1~~ General

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Members of the public may ask questions of the Leader, members of the Cabinet, Committee Chairs or Councillor Representatives on external bodies at ordinary meetings of the Council. A total of 20 minutes will normally be allowed for public questions at each ordinary meeting of the Council. A question being answered at the time limit shall be completed. Where an open debate is planned, any public questions will be at the Mayor's discretion following advice from the Monitoring Officer.

9.2 ~~8-2~~ Order of questions

Questions will be asked in the order notice of them was received, except that the Mayor may group together similar questions. Only one question per meeting may be put by a single questioner and no more than two questions may be put on behalf of an organisation.

9.3 ~~8-3~~ Notice of questions

A question may only be asked if notice has been received in writing or by electronic mail by the Head of Local Democracy & Member Services no later than 10am so as to leave eight clear days in advance of the Council meeting, stating the Member of the Council to whom the question is to be addressed. The Head of Local Democracy & Member Services will circulate a list of all valid questions. Should a question be rejected, the questioner will receive a written response advising of this, including the reasons for the rejection.

9.4 ~~8-4~~ Scope of questions

The Monitoring Officer may reject a question if it:

- Is not about a matter for which the local authority has a responsibility or which affects the well-being of the Borough;
- Is defamatory, frivolous or offensive;
- Is substantially the same as a question, motion or deputation which has been put at a meeting of the Council in the past six months;
- Requires the disclosure of confidential or exempt information.

9.5 ~~8-5~~ Asking the question at the meeting

The Mayor will invite the questioner to put the question to the Member named in the notice. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with. The questioner may ask one supplementary question

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for the purpose of elucidation provided that it falls within the scope under 9.4.

9.6 ~~8-6~~ Written answers

Any questions which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the Member to whom it was to be put, will be dealt with by a written answer.

9.7 ~~8-7~~ Reference of question to the Cabinet or a Committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any Member may move that a matter raised by a question be referred to the Cabinet or the appropriate Committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

10 ~~9~~ QUESTIONS BY MEMBERS

10.1 ~~9-1~~ On reports of the Cabinet or Committees

A Member of the Council may ask the Leader or the Chair of a Committee any question without notice upon an item of the report of the Cabinet or a Committee when that item is being received or under consideration by the Council.

10.2 ~~9-2~~ Questions on notice at full Council

Subject to Rule ~~9-3~~ 10.3, a Member of the Council may ask:

- The Mayor;
- The Leader
- Any Member of the Cabinet; or
- The Chair of any Committee, Board or Commission
- The Council's representative(s) on any outside body;

a question on any matter in relation to which the Council has powers or duties or which affects Haringey.

10.3 ~~9-3~~ Scope of questions

The Monitoring Officer may reject a question if it:

- Is not about a matter for which the local authority has a responsibility or which affects the well-being of the Borough;
- Is defamatory, frivolous or offensive;

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- Is substantially the same as a question, motion or deputation which has been put at a meeting of the Council in the past six months; or
- Requires the disclosure of confidential or exempt information

10.4 ~~9.4~~ Notice of questions

(a) A Councillor may ask one substantive question per meeting, in accordance with rule 10.5 ~~9.5~~ (d), provided that they have been received in writing by the Head of Local Democracy & Member Services no later than 10 am so as to leave eight clear days prior to the Council meeting, stating which Member of Council the question is to be addressed to. Should a question be rejected, the questioner will receive a written response advising of this, including the reasons for the rejection. All Each questions should be confined to one substantive topic.

(b) There will be 8 questions from Councillors which will receive direct oral answers. Questions on notice for oral answer will be set out on the Summons to the Council meeting.

(c) A Member of the Council may ask the Leader or the Chair of a Committee any question without notice upon an item of the report of the Cabinet or a Committee when that item is being received or under consideration by the Council.

(d) Questions for written answer and the answers provided will be published on the Council's website as soon as practicable after the relevant meeting.

10.5 ~~9.5~~ Order of Questions

(a) There will be 8 questions which will receive direct oral answers. All other questions will receive written answers. Questions from each group will be placed so as to alternate on the agenda with 4 from each political party. 3 minutes will be allocated to answer the main question and 2 minutes allocated to answer supplementary questions

(b) A total of 30 minutes (allowing for any adjournments) shall be allowed on questions and answers under this rule; a question being answered at the time limit (and any supplementary questions to it) shall be completed.

(c) All questions and answers must be made as questions/answers and must not be a speech or statement.

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(d) Any oral questions remaining unanswered after the time limit must be answered in writing and shall be circulated to all Members on or before the fourth working day after the Council meeting.

(e) Each Member of the Council may ask one question for written answer in addition to those for oral answer. All Each questions and response should be confined to one substantive topic.

~~10.6~~ ~~9.6~~ Response

An answer may take the form of:

- (a) a direct oral answer;
- (b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- (c) where the reply cannot conveniently be given orally, a written answer circulated later to the questioner. Written answers will be supplied to members no later than the meeting

~~10.7~~ ~~9.7~~ Supplementary questions

The Councillor asking any question may ask the first supplementary question without notice of the Councillor to whom the first question was asked. The second supplementary question may be asked by a Councillor of the other political party or group, unless they do not wish to use it in which case it reverts to the party asking the original question. Each supplementary question must arise directly out of the original question or the reply. No supplementary questions may be asked on written answers.

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11. DEPUTATIONS

11.1 ~~10.1~~ A deputation may only be received by the Council if a requisition signed by not less than ten residents of the Borough, stating the object of the deputation, is received by the Head of Local Democracy & Member Services not later than 10am to leave five clear days prior to the Council meeting.

11.2 ~~10.2~~ Requisitions for deputations shall not be accepted from, nor on behalf of, political parties, nor if submitted on paper bearing the name, insignia or other device of a political party.

11.3 ~~10.3~~ Subject to the foregoing the Head of Local Democracy & Member Services shall bring the requisition before the Mayor, who having consulted the Leader, or in his/her absence the Deputy Leader, shall decide whether notice shall be given of the deputation on the agenda paper for a meeting of the Council. The Leader must have regard to other business on the Council agenda in reaching such a decision; however a deputation will normally be accepted where there is an item on the Council agenda of the same subject matter. Where there is not an item on the Council agenda of the same subject, the Mayor may refer the Deputation to Cabinet, a Cabinet member, a Committee of the Council or the Overview and Scrutiny Committee.

11.4 ~~10.4~~ The Deputation leader must be notified in writing as soon as possible if the deputation is not to be taken at that Council meeting, advising of the reasons for the deputation not being taken at Full Council.

11.5 ~~10.5~~ Scope of deputations

The Monitoring Officer may reject a Deputation if it

- Is not about a matter for which the local authority has a responsibility or which affects the well-being of the Borough;
- Is defamatory, frivolous or offensive;
- Is substantially the same as a deputation, question or motion which has been put at a meeting of the Council in the past six months; or
- Requires the disclosure of confidential or exempt information.

11.6 ~~10.6~~ Taking the Deputation at the meeting

11.7 ~~10.7~~ A total of 30 minutes shall be allocated to Deputations on the Council agenda.

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~~11.8~~ 11.8 If the Mayor shall have decided that the notice of the deputation shall be given on the agenda paper, any Councillor shall be at liberty when the item is called by the chair to move a motion without notice that the deputation be not received or that it be referred to the Cabinet, a Cabinet member or a committee as the case may be and such motion on being seconded shall at once be put to the vote.

~~11.9~~ 11.9 The Deputation Spokesperson will be given five minutes to introduce the Deputation, following which they may answer any questions from Members. The Mayor will allocate a maximum amount of time for each deputation, and will have regard to other items of business on the Council agenda when doing so.

~~11.10~~ 11.10 The relevant Cabinet member shall be given the opportunity to respond to Council on the issues raised, and advise Council what actions will be taken as a result of the deputation. Should no response be given at the meeting to which the deputation is put, the Cabinet Member should provide a response at the next ordinary meeting of Council.

~~10.11~~ A copy of the response given at the meeting or to subsequent meetings will be sent to the leader of the Deputation.

12. PETITIONS

~~12.1~~ 12.1 The Head of Local Democracy & Member Services should be notified of any Petitions by 10 a.m. five clear days in advance of the Council meeting. The petition will be handed to the Mayor, and recorded as received by the Head of Local Democracy & Member Services without any further debate. The relevant Cabinet member should report the Council's response to the petition at the next ordinary meeting of the Council. A copy of this response will be sent to the Petitioner.

~~12. OPPOSITION BUSINESS~~

~~12.1~~ The main opposition party may raise one item of business of its choice per meeting, provided that it has been received in writing by the Head of Local Democracy & Member Services no later than 10 a.m. so as to leave six clear days prior to the Council meeting, stating the nature of the business to be raised.

~~12.2~~ The Monitoring Officer can reject opposition business which:

- ~~• Is not about a matter for which the local authority has a responsibility or which affects the well being of the Borough;~~

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- ~~• Is defamatory, frivolous or offensive;~~
- ~~• Requires the disclosure of confidential or exempt information.~~

~~12.3 Fifteen minutes will be allowed to deal with opposition business. Should opposition business be rejected, the Leader of the Opposition will receive a written response advising of this, including the reasons for the rejection.~~

~~12.4 The Leader or the appropriate Cabinet Member shall be allowed 5 minutes to reply to the opposition business.~~

13. MOTIONS ON NOTICE

13.1 Notice

Except for motions which can be moved without notice under Rule 14, written notice of ~~every~~ motions, together with the names of the proposer and seconder, must be delivered to Head of Local Democracy and Member Services not later than 10.00 a.m. so as to leave five clear working days before the date of the meeting. These will be available for inspection the day after the closing date for receipt.

13.2 Motion set out in agenda

Each political group will be able to give notice on one motion at each ordinary meeting. Motions for which notice has been given will be listed on the agenda, in a sequence alternated between groups from meeting to meeting. ~~in the order in which notice was received, unless the Member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.~~

13.3 Scope

Motions must be about matters for which the Council has a responsibility or which affect the well-being of Haringey.

13.4 Withdrawing a motion

If a motion set out in the summons is not moved either by the Member who gave notice or by some other Member on that Member's behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice

13.5 Motions Out of Order

The Mayor may in consultation with the Chief Executive or Monitoring Officer, rule out of order motions which, in his/her opinion, would risk:-

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- (a) defamation of any individual;
- (b) not conforming to the provisions of rule 9.3 or which breach other Council Procedure Rules.

Such motions shall not appear on the Council agenda or be otherwise circulated.

14. MOTIONS WITHOUT NOTICE

The following motions may be moved without notice:

- (a) to appoint a Chair of the meeting at which the motion is moved;
- (b) in relation to the accuracy of the minutes;
- (c) to change the order of business in the agenda; (in accordance with Rule 3.2 (ii))
- (d) to refer something to an appropriate body or individual;
- (e) to appoint a committee or member arising from an item on the summons for the meeting;
- (f) to receive reports or adoption of recommendations of Committees or officers and any resolutions following from them;
- (g) to withdraw a motion;
- (h) to extend the time limit for speeches by 2 minutes;
- (i) to amend a motion;
- (j) to proceed to the next business;
- (k) that the question be now put;
- (l) to adjourn a debate;
- (m) to adjourn a meeting;
- (n) to suspend a particular Council Procedure Rule;
- (o) to exclude the public and press in accordance with the Access to Information Rules;
- (p) to not hear further a member named under Rule 22.4 or to exclude them from the meeting under Rule 22.5;

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- (q) to give the consent of the Council where its consent is required by this Constitution; and
- (r) to move an emergency motion where the Mayor has given consent.

14A. EMERGENCY MOTIONS

Any Member may ask the Mayor to consider the admission of an emergency motion as urgent business, provided that due notice could not reasonably have been given in accordance with Rule 13.1. All other Rules relating to motions on notice must be complied with, including the giving of written notice, together with the names of the proposer and seconder, to the Head of Local Democracy and Member Services. This notice should be given, if at all possible, by 10.00 a.m. on the day of the Council meeting and, in any event, no later than 3.00 p.m. on that day.

15. RULES OF DEBATE

15.1 Length of Debate

Discussion on any one motion, including amendments shall not exceed 30 minutes

15.2 No speeches until motion seconded

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

15.3 Substitution of movers and seconders

Another member may speak on behalf of the mover or seconder who gave written notice of a motion

15.4 Right to require motion in writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

15.5 Secunder's speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

15.6 Content and length of speeches

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- (a) Speeches must be directed to the question under discussion or to a personal explanation or point of order. Except as set out below no speech may exceed three minutes without the consent of the Mayor.
- (b) The following persons may be allowed to speak for up to 5 minutes:
 - (i) The Leader and a Member of the Cabinet or Chair of a Committee who is presenting a report to the Council or moving the adoption of minutes of that Committee
 - (ii) The mover of a motion.
 - (iii) A Member exercising his/her right of reply to a motion
- (c)
 - (i) At the Annual Council Meeting and at the Council meeting which determines the budget and on the occasion of the State of the Borough Debate the Leader shall be allowed 15 minutes to deliver his/her priorities speech.
 - (ii) The Leaders of the opposition groups shall be allowed 7 minutes to reply to (c) (i) above
 - (iii) The Leader or other person as they may nominate shall be allowed a further 3 minutes in total to respond to the speeches in (ii) above

15.7 When a Member may speak again

A Member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- (a) if the Member has formally seconded a motion or amendment and reserved the right to speak later
- (b) to speak once on an amendment moved by another member;
- (c) to move a further amendment if the motion has been amended since he/she last spoke;
- (d) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);
- (e) in exercise of a right of reply in accordance with rule 15.11;
- (f) on a point of order; and
- (g) by way of personal explanation.

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15.8 Amendments to motions

- (a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.

as long as the effect of (ii) to (iv) is not to negate the motion completely.

- (b) Any proposed amendment to a motion or recommendation at Council shall be submitted to the Head of Local Democracy & Member Services by no later than 10.00 a.m. on the day of the meeting. The Head of Local Democracy & Member Services will ensure that Group Leaders are notified by telephone or email of any amendments received as soon as possible prior to the commencement of the Council meeting and in any event before 2.00pm on the day of the meeting.
- (c) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- (d) If an amendment is not carried, other amendments to the original motion may be moved.
- (e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- (f) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

15.9 Alteration of motion

- (a) A member may alter a motion of which he/she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- (b) A member may alter a motion which he/she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.

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- (c) Only alterations which could be made as an amendment may be made.

15.10 Withdrawal of motion

A member may withdraw a motion which he/she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

15.11 Right of reply

- (a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- (b) The mover of a motion may nominate another member to exercise the Right of Reply in their place.
- (c) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- (d) The mover of the amendment has no right of reply to the debate on his or her amendment.

15.12 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- (a) to withdraw a motion;
- (b) to amend a motion;
- (c) to proceed to the next business;
- (d) that the question be now put;
- (e) to adjourn a debate;
- (f) to adjourn a meeting;
- (g) to exclude the public and press in accordance with the Access to Information Rules; and
- (h) to not hear further a member named under Rule 23.4 or to exclude them from the meeting under Rule 23.5.

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15.13 Closure motions

- (a) A member may move, without comment, the following motions at the end of a speech of another member:
- (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- (b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- (c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he/she will put the procedural motion to the vote. If it is passed he/she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- (d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he/she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

15.14 Point of order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council Rules of Procedure or the law. The member must indicate the rule or law and the way in which he/she considers it has been broken. The ruling of the Mayor on the matter will be final.

15.15 Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

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~~16. STATE OF HARINGEY DEBATE~~

~~16.1 Calling of debate~~

~~The Leader will call a State of the Borough Debate annually on a date and in a form to be agreed with the Mayor. The form of debate may include holding the debate as an Open Session under paragraph 30. It may also include holding workshops and other events prior to or during the State of the Borough Debate/Open Session.~~

~~16.2 Results of debate~~

~~The results of the debate will be considered by the Leader in proposing the budget and policy framework to the Council for the coming year.~~

~~16. 17. PREVIOUS DECISIONS AND MOTIONS~~

~~16.1 17.1 Motion to rescind a previous decision~~

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least 20 members.

~~16.2 17.2 Motion similar to one previously rejected~~

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least 20 members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

~~16.3 17.3 Decision of Committee to rescind a previous decision~~

If a Committee decides that a decision of the Council or a Committee, made within the previous 6 months ought to be rescinded or substantially varied then that Committee, may recommend but may not resolve to the Council that the decision in question be rescinded or varied.

~~17. 18. VOTING~~

~~17.1 18.1 Majority~~

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members present and voting in the room at the time the question was put.

~~17.2 18.2 Mayor's casting vote~~

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If there are equal numbers of votes for and against, the Mayor will have a second or casting vote. There will be no restriction on how the Mayor chooses to exercise a casting vote.

17.3 ~~18.3~~ Show of hands

Unless a recorded vote is demanded under Rules 17.4 and 17.5, the Mayor will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

17.4 ~~18.4~~ Recorded vote

If 8 members present at the meeting demand it, by standing in their places, the names for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. This rule does not apply to procedural motions and is subject to the right of the Mayor to reject any demand for a recorded vote that is considered frivolous or vexatious.

17.5 ~~18.5~~ Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

17.6 ~~18.6~~ Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

18. ~~19.~~ MINUTES

18.1 ~~19.1~~ Signing the minutes

The Mayor will sign the minutes of the proceedings at the next suitable meeting. The Mayor will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy, which shall be raised by motion. If no such question is raised, or if it is raised then as soon as it has been disposed of, the Mayor shall sign the minutes.

18.2 ~~19.2~~ No requirement to sign minutes of previous meeting at extraordinary meeting

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Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting which is not an extraordinary meeting will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of schedule 12 relating to signing of minutes.

~~18.3~~ ~~19.3~~—Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Mayor put them.

19. ~~20.~~ SUBMISSION OF RECOMMENDATIONS AND REPORTS

~~19.1~~ ~~20.1~~— The Chief Executive shall submit a report listing any recommendations from Overview and Scrutiny Committee requiring policy change or Cabinet action. The Mayor shall itemise, in turn, each area of dispute between the Cabinet and the Scrutiny Committee and shall call for a debate on each item. At the conclusion of the debate on each item, the Mayor shall call for a vote to be taken on the item concerned.

~~19.2~~ ~~20.2~~— Where the Cabinet or a Committee is making a recommendation to full Council requiring a decision or resolution of the Council a report shall be submitted on the matter. Where the Cabinet or a Committee consider that any matter coming before them merits being drawn to the notice of the full Council, then a report shall be submitted to the next practicable meeting of the Council.

~~19.3~~ ~~20.3~~— In all other cases decisions of the Cabinet, Committees and other bodies may be implemented once the decision is made subject to the procedures on suspending definitive action the Call-In Procedure Rules in and any statutory action by the Monitoring Officer.

~~19.4~~ ~~20.4~~— The Chair of the Overview and Scrutiny Committee and the Chair of the Standards Committee will submit a written reports on the proceedings of the Committees as often as the Committees consider necessary but at least once a year at the first meeting after the annual meeting of the Council.

20. ~~21.~~ RECORD OF ATTENDANCE

All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting .

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21. ~~22.~~ EXCLUSION OF PUBLIC

Members of the public and press may only be excluded either in accordance with the Access to Information Rules in Part 4 of this Constitution or Rule 24 (Disturbance by Public).

22. ~~23.~~ MEMBERS' CONDUCT

22.1 ~~23.1~~ General conduct

Members are required to comply with the Code of Conduct at all times. Where necessary and appropriate the Mayor will remind members of their responsibilities under the Code during the course of the meeting.

22.2 ~~23.2~~ Standing to speak

When a member speaks at full Council they must stand and address the meeting through the Mayor, except where the member or members may be physically unable to do so. If more than one member stands, the Mayor will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order or a point of personal explanation.

22.3 ~~23.3~~ Mayor standing

When the Mayor indicates by standing or some other means during a debate, any member speaking at the time must stop and sit down. The meeting must be silent.

22.4 ~~23.4~~ Member not to be heard further

If a member persistently disregards the ruling of the Mayor by behaving improperly or offensively or deliberately obstructs business, the Mayor or any other member may move that the member be not heard further. If seconded, the motion will be voted on without discussion.

22.5 ~~23.5~~ Member to leave the meeting

If the member continues to behave improperly after such a Motion is carried, the Mayor may move that either the member leaves the meeting or that the meeting is adjourned for a specified period and to a specified place. If seconded, the motion will be voted on without discussion.

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~~22.6~~ ~~23.6~~ General disturbance by individual member or groups of members

If there is a general disturbance making orderly business impossible, the Mayor may adjourn the meeting for as long and to such place as he/she thinks necessary.

~~23.~~ ~~24.~~ DISTURBANCE BY PUBLIC

~~23.1~~ ~~24.1~~ Removal of member of the public

If a member of the public interrupts proceedings, the Mayor will warn the person concerned. If they continue to interrupt, the Mayor will order their removal from the meeting room.

~~23.2~~ ~~24.2~~ Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor may call for that part to be cleared.

~~24.~~ ~~25.~~ DECLARATIONS OF INTEREST OF MEMBERS

If a member of the Council has a personal interest as referred to in Part 2 of the Council's Code of Conduct for Members in any matter under consideration, then the member shall declare his or her interest at the start of the meeting or as soon as the interest becomes apparent. If the interest is considered prejudicial the member should withdraw from the meeting until discussion of the relevant matter is concluded unless that member has obtained a dispensation from the Council's Standards Committee.

~~25.~~ ~~26~~ SUSPENSION AND AMENDMENT OF COUNCIL PROCEDURE RULES

~~25.1~~ ~~26.1~~ Suspension

All of these Council Rules of Procedure except Rules 20, 21 and 24 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

~~25.2~~ ~~26.2~~ Amendment

Any motion to add to, vary or revoke these Council Procedure Rules will, when proposed and seconded, stand adjourned without discussion to the next ordinary meeting of the Council.

PART FOUR - RULES OF PROCEDURE
Section A - Council Procedure Rules

26. ~~27.~~ ALTERATION OF DATE/TIME OF MEETING

The Mayor or Deputy Mayor may in any case when he/she considers it necessary following consultation with the Leader, and provided due notice can be given, alter the date or time of the meeting of the Council.

27. ~~28.~~ INTEREST OF OFFICERS IN CONTRACTS

The Monitoring Officer shall record particulars of any notice given by an officer of the council

28. ~~29.~~ ADVICE TO COUNCIL BY OFFICERS

The Mayor may permit Officers to give advice to the Council as and when appropriate.

29. ~~30.~~ OPEN SESSIONS WITH PARTNERS

29.1 ~~30.1~~ The Leader, after consultation with the Mayor, may request the Head of Local Democracy & Member Services to call an open session at which partner organisations via nominated spokespersons will be invited to attend and debate with elected members, matters of common interest and public policy. Such meetings may be held outside Council premises. The Head of Local Democracy & Member Services, will by letter, invite partner organisations to attend the even. The Council rules of debate will be applicable to open sessions and these will be set out in the letter of invitation.

29.2 ~~30.2~~ ~~State of Haringey Debate~~ *Haringey Debates*

~~The meeting at which the debate takes place~~ *Haringey debates which take place at ordinary meetings* may take the form of an Open Session. The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity.

30. ~~31.~~ VOTES OF NO CONFIDENCE

30.1 ~~31.1~~ A vote of no confidence relating to any office holder may only be moved if notice of it clearly set out as such appears on the agenda of the relevant meeting of the Council

30.2 ~~31.2~~ In accordance with Article 7.06 in Part 2 of this Constitution, the Leader shall cease to hold office if a vote of no confidence is carried at a meeting of the full council by a majority of the members

PART FOUR - RULES OF PROCEDURE
Section A - Council Procedure Rules

of the whole council then present. In that event Articles 7.06 and 7.07 make provision for the discharge of the Leader's functions.

~~30.3~~ ~~31.3~~ A Chair of a Committee, Sub-Committee or other body shall cease to hold office if a vote of no confidence is carried at a meeting of the full Council by a majority of the members of the whole Council then present. The Vice Chair will assume the role of Chair until such time as the appointment of a replacement as Chair, or the re-appointment of the member concerned, by full Council.

~~30.4~~ ~~31.4~~ For the avoidance of doubt, Rule 31.3 applies to all other bodies exercising non-executive functions including the Alexandra Palace and Park Board. Rule 31.3 shall not apply to the Chair of the Overview and Scrutiny Committee or the Chair of a Scrutiny/Review Panel but Article 6.05 shall apply. Rule 31.3 shall not apply to the Chair of the Standards Committee but Article 9.02(c) shall apply.

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~~31.~~ ~~32.~~ **ALEXANDRA PARK AND PALACE**

Before full Council considers any matter, acting in its capacity as the statutory trustee of Alexandra Park and Palace trust, the Chief Executive shall read out the following reminder to Members: "When discharging the trustee function the Council must have regard to its duties as the trustee to the exclusion of all other matters. These duties include the obligation to act in the best interests of the charity above all other considerations. Similarly, each Member is under a duty, to the extent that it lies within the Member's power, to secure that the Council fulfils its duties as the trustee and, conversely, that the Council does not commit any breach of trust."

~~32.~~ ~~33.~~ **MAYOR'S PREROGATIVE ON THE INTERPRETATION OF PROCEDURE RULES**

The ruling of the Mayor, with the advice of the Chief Executive or the Monitoring Officer, on the interpretation or application of any of these Standing Orders, or on any procedures of the Council Meeting, shall not be challenged at the meeting.

Part Four, Section B
Committee Procedure Rules
COMMITTEE PROCEDURE RULES (COUNCIL STANDING ORDERS)
APPOINTMENT OF COMMITTEES, SUB-COMMITTEES, ETC.

1. The Council at its annual meeting shall establish such Committees, Sub-Committees and other bodies as may be required by law or be necessary to carry out the work of the Council, and shall prescribe the number of voting members of each Committee or other body having regard to political balance in accordance with the 1989 Act, define their terms of reference and delegate to them such functions, powers and duties (except the power of levying the Council Tax) as the Council shall think fit or statute may require.
2. The Council may resolve that non-voting members, assessors and advisers shall also be appointed to any such committee or other body, and shall hold office until the annual meeting in the year following their appointment or for so long as the Council deem appropriate, whichever is the earlier; and if they resolve to make such appointments, shall specify the number of appointments to be made and the functions in relation to the body that each person so appointed may exercise.
3. Where appointments to Sub-Committees and other bodies are made by the Council, they shall be deemed for all purposes to have been made by their parent Committee (or, in the case of joint Sub-Committees and other bodies, by their parent Committees) and to be subordinate bodies of the Committee(s), which may make arrangements for a sub-committee to discharge any of the functions of the authority which the committee may discharge.
4. Where Chairs and Deputy-Chairs of Sub-Committees and other bodies have been appointed by the Council shall be deemed to have been appointed by their parent Committee(s).
5. From time to time other bodies may be established for the purpose of assisting or advising Committees in the exercise of their functions. They may be authorised to co-ordinate executive action across several Services or to develop policy in areas where special consideration is desirable.
6. Unless expressly provided for in the respective constitution or terms of reference, these rules will apply to all non-executive bodies including the Licensing Sub-Committee. When the Licensing Sub-Committee is and its ~~Sub-Committees~~ are conducting a hearing, then only the rules on Substitute Members shall apply.
7. Whenever:
 - (a) the Council is required to review the allocation of seats on committees between political groups, or
 - (b) the Council resolves to carry out such a review, or
 - (c) a committee is required to review the allocation of seats on a sub-committee between political groups, or

PART FOUR – RULES OF PROCEDURE Section B – Committee Procedure Rules

- (d) a committee resolves to carry out such a review, the Chief Cabinet shall submit a report to the Council or committee (as the case may be), showing what allocation of seats would, in his/her opinion, best meet the requirements of section 15(4) of the 1989 Act.
8. In the light of such a report under paragraph 7 above, the Council or committee, as the case may be, shall determine the allocation of seats to political groups.
9. Whenever variations in voting membership of a committee or sub-committee occur in accordance with the wishes of a political group to whom the seat has been allocated, then the proper officer shall make or terminate the appointment accordingly except where a member has been removed or suspended from the body concerned.
11. These rules in respect of committees shall apply to the Standards Committee and Licensing Sub-Committee, to the extent indicated in paragraph 6 above, with the exception of the rules on political balance.

MEETINGS OF COMMITTEES, SUB-COMMITTEES, ETC.

12. The meetings of Committees and Sub-Committees shall be organised in accordance with a timetable approved each year by the Council and/or the Cabinet. The Chair may call a special meeting and may agree to the cancellation of a meeting on being satisfied that there is insufficient business to warrant it. Dates of meetings may be changed to a date decided by the Chair if it is in the interests of the Council's affairs or in the public interest to do so.
13. Other bodies may be timetabled or shall meet as and when required on dates to be decided by the Chair following consultation with the leading Opposition member.
14. The Chair of a Committee or sub-committee may call a special meeting if a requisition for a special meeting, signed by at least two, or one quarter of the total number of the voting members of a committee or sub-committee, whichever is greater, has been presented to the Head of Local Democracy & Member Services.
15. If the Chair has refused to call a meeting or, without him/her so refusing, no special meeting has been called within seven days of the presentation of the requisition, then any two, or one quarter of the number of the voting members of the committee or sub-committee, whichever is greater, may forthwith call a special meeting of the committee or sub-committee.
16. Where any Members decide to call a special meeting of a committee or sub-committee, they shall signify to the Chief Executive that they have done so, the business to be transacted and the date and time for which the meeting is called. The Chief Executive shall thereupon ensure that the agenda is published and sent as at Standing Order No. 51 below.
17. The notice convening a special meeting shall set out the business to be considered, and no other business shall be considered.

PART FOUR – RULES OF PROCEDURE Section B – Committee Procedure Rules

18. No meeting shall continue after 10 p.m., except that discussion of the specific item or case in hand at 10 p.m. may continue thereafter at the discretion of the Chair of the meeting. Consideration of any business remaining shall be deferred to the next ordinary meeting, except where the matter(s) falls to be dealt with under the urgency provisions.
19. In the absence of the Chair, the Deputy-Chair(s) shall have authority to act for any of the purposes set out in paragraphs 1-4 above.

CHAIRS AND DEPUTY CHAIRS OF COMMITTEES, SUB-COMMITTEES, ETC

20. At each annual meeting, the Council shall appoint the members of the Cabinet and a Chair and Deputy Chair(s) for every Committee, Sub-Committee and other body for the year ahead, unless the constitution provides otherwise. If a vacancy arises during the year, the Chief Executive shall report to the next ordinary meeting of the Council to enable a member to be appointed to fill the vacancy.
21. If any appointment possible under the previous paragraph is not made, the committee, sub-committee or other body shall, from among their voting members, appoint a person to preside at their meetings.
22. In the absence of the Chair from a meeting, the Deputy-Chair shall preside. In the absence of both the Chair and a Deputy-Chair from a meeting and providing the meeting is quorate, any member may propose, at the request of the Head of Local Democracy & Member Services or his/her representative, the election of a voting member present to preside at the meeting.
23. The first proposal to elect a member to preside shall be voted upon before any further proposal is made. The Head of Local Democracy & Member Services or his/her representative, acting on the advice of the Monitoring Officer or his/her representative, shall determine any question of interpretation relating to the election procedure before a member has been chosen to preside. Unless a member is elected to preside, or the Chair or Deputy Chair returns, the meeting cannot transact any business.
24. If, while another member is presiding at a meeting, the Chair or Deputy-Chair enters the meeting, the member presiding shall stand down in favour of the Chair or Deputy-Chair at the conclusion of the item under discussion.

QUORUM

25. No business shall be transacted at any meeting of a committee, sub committee or other body, unless at least one quarter of the whole number of voting members are present, provided that in no case shall any business be transacted unless at least two voting members are present.
26. **Commencement of Meeting**
If there is no quorum after fifteen minutes from the time appointed for the start of the meeting, that meeting shall be postponed to a future date, to be determined by the Chair after consultation with the Opposition spokesperson.

27. During Meeting

PART FOUR – RULES OF PROCEDURE Section B – Committee Procedure Rules

If at any time after the commencement of a meeting there is not a quorum present, the Chair shall suspend the business for three minutes. If there is still no quorum at the end of three minutes the Chair shall terminate the meeting.

LIMITATION ON DELEGATED POWERS

28. Each Committee, Sub-Committee, or other body shall act in accordance with the Terms of Reference and Scheme of Delegation of Powers as approved by the Council (and in accordance with its own constitution) subject to the following general reservations:-

- (a) Where powers have been delegated to a Committee, Sub-Committee, or other body it shall be competent for that body to refer any matter to the next higher authority for decision by them and the Head of Local Democracy & Member Services shall so arrange. A Chair of a body may, within two working days after the date of a decision being made and before definitive action has been taken, delay by written notice to the Head of Local Democracy & Member Services, such definitive action to enable the decision to be confirmed or otherwise by the next higher authority.
- (b) A matter referred by a joint body to the higher authority under sub-clause (a) above shall be submitted to the relevant parent body/bodies having responsibility for that aspect of the joint body's terms of reference.

QUESTIONS, DEPUTATIONS AND PETITIONS

29. Public Questions

- 29.1 Any resident, council tax payer or national non domestic rate payer of the borough may ask the Chair of any Committee or its sub bodies any question on anything for which the Committee is responsible at any ordinary meeting.
- 29.2 Notice of questions must be given in writing to the Head of Local Democracy & Member Services by 10 a.m. on such day as shall leave five clear days before the meeting (e.g. Friday for a meeting on the Monday 10 days later). The notice must give the name and address of the sender.
- 29.3 The proper officer may reject a question if it:
 - Is not about a matter for which the local authority has a responsibility or which affects the Borough;
 - Is defamatory, frivolous or offensive;
 - Is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
 - Requires the disclosure of confidential or exempt information.
- 29.4 The Head of Local Democracy & Member Services may put questions into an appropriate form without affecting their substance and redirect them if necessary.
- 29.5 The questions to be asked shall be supplied to all Members no later than at the meeting.
- 29.6 The Head of Local Democracy & Member Services shall announce the question number and the name and address of the questioner.

PART FOUR – RULES OF PROCEDURE Section B – Committee Procedure Rules

The questioner shall ask the question and the member shall reply orally or may ask another member to reply on his/her behalf.

- 29.7 The Chair may allow one supplementary question for elucidation only.
- 29.8 A total time of 20 minutes (excluding any adjournment) shall be allowed for public questions and answers, but a question being answered at the time limit shall be completed.
- 29.9 Any questions remaining unanswered after the time limit, and any questions for which the questioner is neither present shall be answered in writing.
- 29.10 Council Procedure Rules 10 (Deputations) and 11 (Petitions), appropriately modified, shall apply to meetings of Council Committees with the exception that the matter to be addressed must fall within the Committee's terms of reference

PRESENTATIONS

30. Presentations shall be made to Committees at the discretion of the Chair on matters of interest or concern to residents of the Borough which fall within the scope of the Committee's terms of reference.
31. The total time allowed for a presentation shall not exceed 30 minutes, including the time allowed for questions, unless the meeting approves some other limit.

CONFIRMATION OF MINUTES

32. Minutes of every meeting shall be presented to the next ordinary meeting.
33. The Chair shall put the question that the minutes of the meeting held on the (date) be confirmed as a correct record and signed.
34. No discussion shall take place upon the minutes except upon their accuracy. If no question is raised, or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes.

RULES OF DEBATE

35. Meetings are to be conducted with as little procedural formality as is consistent with the need for good order and the despatch of business.
36. The Chair shall conduct the debate and shall seek to prevent a member from wasting time, being repetitive or using unbecoming language. In matters of doubt the Chair shall have regard to the appropriate provisions of these Standing Orders. Each speaker must direct his or her speech to the question under discussion, or to a point of order, or to a personal explanation.

DISORDERLY OR OFFENSIVE CONDUCT BY A MEMBER

37. Member not to be heard further

If a member persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair may move that member be not heard further. If seconded, the motion will be voted on without discussion.

38. Member to leave the meeting

If the member continues to behave improperly after such a motion is carried, the chair may move that either the member leaves the meeting or

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that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

39. General disturbance

If there is a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary.

DISTURBANCE BY MEMBERS OF THE PUBLIC

40. Removal of member of public

If a member of the public interrupts proceedings, the chair will warn the person concerned. If they continue to interrupt, the chair will order their removal from the meeting room.

41. Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the chair may call for that part to be cleared.

VOTING

42. Voting shall be by a show of hands.

43. Immediately after the vote is taken, a member may require to be recorded in the minutes whether he/she voted for or against the decision or abstained.

44. In the case of an equality of votes, the Chair shall have a second or casting vote, unless the constitution of the body as approved by the Council provides otherwise.

45. Proposals carried are recorded as resolutions or recommendations. Proposals lost are not recorded, except as provided for in (2) above.

ATTENDANCE

46. Any member of the Council may attend the public part of all meetings whenever he/she wishes and, with the Chair's consent, may take part in the business of a meeting of which he/she is not a member but may not move a resolution nor vote. Before a Member participates in or addresses a meeting under this rule, written notice should be given to the Chair, preferably before the meeting but in any event as soon as the Member arrives at the meeting. Members of the Council are not required to complete any form used by the public to request permission to speak at a meeting.

47. With the Chair's consent, any member of the Council may attend the exempt part of meetings whenever he or she wishes and may take part in the business of a meeting of which he or she is not a member but may not move a resolution nor vote. No Member, other than the appointed Members of the bodies concerned, may attend certain meetings affecting specific individuals, such as Appointments Panels, hearings and appeals where this is prevented in the Constitution or procedure rules of the body or where advised by the Monitoring Officer.

48. Every member attending a meeting shall sign his/her name on the attendance sheet provided for that purpose.

49. Where a Member is proposing to be absent for any reason from a meeting of a particular Committee/Sub-Committee to which they have been appointed they may give notice to arrange for a substitute Member in their place. The Chief Whip of a political group may give this notice in place of any Member from that group who will be absent.

PART FOUR – RULES OF PROCEDURE Section B – Committee Procedure Rules

50. Notice under 49 must be given in writing, including e-mail, to the Head of Local Democracy & Member Services by 10.00 a.m. on the day of the meeting if the meeting commences at 6.00 p.m. or later. Where the meeting commences before 6.00 p.m., the notice must be given by 10.00 a.m. on the previous working day before the meeting.
51. On receipt of notice under 49 above, the Head of Local Democracy & Member Services will notify the Chief Whip for the political group of the Member who will be absent. The Chief Whip will make arrangements for the attendance of a substitute Member from the list of reserve Members for that Committee/Sub-Committee nominated by the group. Where none of the listed reserve Members for the relevant Committee/Sub-Committee is available, or where no reserve Members have been nominated, then the Chief Whip may select any other Member of the group. The provisions of this rule are subject to 54 below.
52. The name of the Member selected to act as the substitute must be notified in writing, including e-mail, by the Chief Whip to the Head of Local Democracy & Member Services no later than 3 hours before the time for commencement of the meeting stated on the agenda.
53. If the Chief Whip of a political group is absent or unable to act for any reason, then any action to be taken by the Chief Whip in this Standing Order may be undertaken instead by the group's Assistant Whips, Group Secretary and Group Chair.
54. In the case of meetings of Committees/Sub-Committees where prior Member training is required, only those Members who have attended appropriate training can be selected as substitutes. Currently these bodies are the Standards Committee and its Sub-Committees, the Planning Committee, Disciplinary Appeals Panels, Grievance Panels, Job Evaluation Panels and hearings conducted by the Licensing Committee and its Sub-Committees. Reserve Members will be trained for the relevant body as soon as possible after their appointment.
55. Substitutes properly appointed will be recorded in the minutes and shall carry full voting and other rights and responsibilities. This rule (in 49) does not apply so as to allow substitution at meetings of The Cabinet or its Committees or its subordinate bodies.

CHAIR'S PREROGATIVE ON INTERPRETATION OF STANDING ORDERS

56. The ruling of the Chair on the interpretation or application of any of these Standing Orders, or on any proceedings of the Committee, Sub-Committee, Panel or other body, shall not be challenged.

Part Four, Section G

Overview and Scrutiny Procedure Rules

OVERVIEW AND SCRUTINY PROCEDURE RULES

1. The arrangements for Overview and Scrutiny
 - 1.1 The Council will have one Overview and Scrutiny Committee, which will have responsibility for all overview and scrutiny functions on behalf of the Council.
 - 1.2 The terms of reference of the Overview and Scrutiny Committee will be:
 - (i) The performance of all overview and scrutiny functions on behalf of the Council.
 - (ii) The commission and appointment of such Scrutiny Review Panels as it considers appropriate, with membership that reflects the political balance of the Council.
 - (iii) To decide and amend the terms of reference of all scrutiny reviews.
 - ~~(iv) To receive reports from the Leader at the earliest convenience after each annual council meeting on 'the state of the borough', the Cabinet's priorities for the coming year, and its performance in the previous year.~~
 - (iv) ~~(v)~~ To receive reports from local National Health Service bodies on the state of health services and public health in the borough area.
 - (v) ~~(vi)~~ To monitor the effectiveness of the Council's Forward Plan.
 - (vi) ~~(vii)~~ To receive all appropriate performance management and budget monitoring information.
 - (vii) ~~(viii)~~ To approve a programme of future overview and scrutiny work so as to ensure that the Overview and Scrutiny Committee's and scrutiny panels' time is effectively and efficiently utilised;

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- (viii) ~~(ix)~~ To consider all requests for call-in and decide whether to call-in a decision, how it should be considered and whether to refer the decision to the Cabinet or to Council.
- (ix) ~~(x)~~ To monitor the effectiveness of the Call-in procedure.
- (x) ~~(xi)~~ To review and scrutinise action taken by partner authorities in discharge of crime and disorder functions and to make reports and recommendations to Cabinet and Council on these.
- (xi) ~~(xii)~~ To make arrangements which enable any Councillor who is not a Committee Member to refer any local government matter, or any crime and disorder matter, to the Committee under the Councillor Call for Action Procedure.
- (xii) ~~(xiii)~~ To ensure that referrals from Overview and Scrutiny Committee to the Cabinet either by way of report or call-in are managed efficiently, and
- (xiii) ~~(xiv)~~ To ensure community and voluntary sector organisations, users of services and others are appropriately involved in giving evidence to relevant scrutiny review panels.

1.3 The Overview and Scrutiny Committee may commission a number of Scrutiny Review Panels:

- (i) Scrutiny Reviews Panels are task orientated, time-limited advisory bodies appointed to examine a specific issue in depth and reporting to the Overview and Scrutiny Committee.
- (ii) Panels will analyse submissions, request and analyse any additional information, and question the Cabinet Member(s), relevant Council officers and officers and/or board members of local NHS bodies or NHS funded bodies.
- (iii) Subject to the approval of the Overview and Scrutiny Committee, Scrutiny Review Panels will be able to appoint external advisors and/or to commission specific pieces of research if this is deemed necessary.
- (iv) Scrutiny Review Panels should make every effort to work by consensus; however, in exceptional circumstances Members may submit minority reports.

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- (v) The culmination of a Scrutiny Review Panel's work is the submitting of a report to the Overview and Scrutiny Committee, including key findings, conclusions and recommendations. Exceptionally, where progress has become protracted or stimulating debate would be helpful, an interim report may be submitted, with the consent of the Chair of the Overview and Scrutiny Committee.
- (vi) Prior to publication, draft reports will be sent to the relevant Chief Officers or officers of the National Health Service for checking for inaccuracies and the presence of exempt and/or confidential information; Scrutiny Review Panel members will revisit any conclusions drawn from disputed information;
- (vii) Following endorsement by the Overview and Scrutiny Committee, final reports and recommendations will be presented to the next available Cabinet meeting. The Cabinet will note the report and request a responding report from the Chief Executive or Chief Officer and Cabinet Member responsible. The response is to be available within 6 weeks of the request and will include a detailed tabulated implementation action plan.
- (viii) Following endorsement by the Overview and Scrutiny Committee, reports on NHS, non-executive or regulatory matters will be copied to the Cabinet for information.
- (ix) On receiving the responding report, the Cabinet will consider both reports and formally agree their decisions, and the implementation action plan at the next available Cabinet meeting.
- (x) In the event that the Cabinet does not accept one or more of the recommendations in the final report from the Overview and Scrutiny Committee, the Chair of the Overview and Scrutiny Committee has the right to require that the matter in dispute shall be reported to the next available meeting of full Council for determination.
- (xi) Implementation action plans will also be presented to the Overview and Scrutiny Committee who will be invited to monitor its implementation.
- (xii) After an appropriate period, post implementation, Overview and Scrutiny Committee will carry out a follow up review to determine if the recommendations had the intended outcomes and to measure any improvements.

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1.4 When Scrutiny Review Panels report on non-executive or regulatory functions the above rules are adapted as follows:

- (i) Paragraphs 1.3 (i) to (vi) apply.
- (ii) Paragraph 1.3 (vii) applies as if references to the "Cabinet/Cabinet meeting" were replaced by references to "meeting of the non-executive body responsible" and its "Chair" as appropriate.
- (iii) Paragraph 1.3 (viii) applies as appropriate.
- (iv) Paragraph 1.3 (ix) will be replaced by this provision -
"On receiving the responding report, the non-executive body responsible, at its next available meeting, will consider both reports, its proposed response and the implementation action plan and will make recommendations on these to full Council. At the next available meeting full Council will formally agree the response and the implementation action plan."
- (v) Paragraph 1.3 (x) does not apply.
- (vi) Paragraphs 1.3 (xi) and (xii) apply.

1.5 The Overview and Scrutiny Committee shall undertake scrutiny of the Council's budget through a Budget Scrutiny Review Panel. The procedure by which this Panel should operate is detailed in the Protocol covering the Overview and Scrutiny Committee.

1.6 ~~1.5~~ All Overview and Scrutiny meetings shall take place in public (except where exempt or confidential matters are considered).

1.7 ~~1.6~~ The Overview and Scrutiny function should not be seen as an alternative to established disciplinary, audit or complaints mechanisms and should not interfere with or pre-empt their work.

2. Membership of the Overview and Scrutiny Committee, Scrutiny Review Panels *and Budget Scrutiny Review Panel*

2.1 All Councillors (except members of the Cabinet) may be members of the Overview and Scrutiny Committee, ~~and~~ Scrutiny Review Panels *and the Budget Scrutiny Review Panel*. However, no member may be involved in scrutinising a decision in which he/she has been directly involved.

2.2 *The membership of the Overview and Scrutiny Committee shall, as far as is practicable, comprise Members who are Chairs of Area Committees and, if necessary, other Members in order to comply with the political balance rules.* Councillors' membership of the

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Section G - Overview & Scrutiny Procedure Rules

Scrutiny Review Panels *and Budget Scrutiny Review Panel* will *also* be, *as far as practicable*, in proportion to the representation of different political groups on the Council.

3. Co-optees

3.1 Each scrutiny panel and review shall be entitled to appoint up to three people as non-voting co-optees, in consultation with the Overview and Scrutiny Committee.

3.2 Statutory voting non-Councillor members of Overview and Scrutiny Committee will be paid an allowance in accordance with the Members' Allowances Scheme in Part 6 of this Constitution.

4. Education representatives

4.1 The Overview and Scrutiny Committee and each Scrutiny Review Panel, where the review's terms of reference relate wholly or in part to any education functions that are the responsibility of the Cabinet, shall include in its membership the following representatives:

(i) At least one Church of England diocesan representative (voting).

(ii) At least one Roman Catholic diocesan representative (voting).

(iii) 3 parent governor representatives (voting).

~~(iv) A representative from the Race Equality Joint Consultative Committee (REJCC) (non-voting).~~

These voting representatives will be entitled to vote where the Overview and Scrutiny Committee or a Scrutiny Review Panel is considering matters that relate to relevant education functions. If the Overview and Scrutiny Committee is dealing with other matters, these representatives shall not vote on those matters though they may stay in the meeting and speak at the discretion of the Chair. The Overview and Scrutiny Committee will attempt to organise its meetings so that relevant education matters are grouped together.

5. Meetings of the Overview and Scrutiny Committee, Scrutiny Review Panels *and Budget Scrutiny Review Panel*

5.1 In addition to ordinary meetings of the Overview and Scrutiny Committee, extraordinary meetings may be called from time to time

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as and when appropriate. An Overview and Scrutiny Committee meeting may be called *in agreement with the Chief Executive* by the Chair of the Overview and Scrutiny Committee, by any two members of the Committee or by the proper officer if he/she considers it necessary or appropriate.

5.2 Meetings of Scrutiny Review Panels may be called by the Chair of the Scrutiny Review Panel, by any two members of the Panel or by the proper officer if he/she considers it necessary or appropriate.

5.3 Meetings of the Budget Scrutiny Review Panel shall take place as outlined in the protocol covering the Overview and Scrutiny Committee.

5.4 The ordinary meeting place for the Overview and Scrutiny Committee, the Scrutiny Review Panels *and the Budget Scrutiny Review Panel* shall be Haringey Civic Centre, High Road, Wood Green, London, N22 8LE but they may arrange to meet elsewhere whenever they see fit.

6. Quorum

The quorum for the Overview Scrutiny Committee, for each Scrutiny Review Panel *and for the Budget Review Scrutiny Panel* shall be at least one quarter of its membership and not less than 2 voting members.

7. Chair of the Overview and Scrutiny Committee, Scrutiny Review Panels *and Budget Scrutiny Review Panel*

7.1 The Chair of the Overview and Scrutiny Committee will be appointed by the Council.

7.2 The Chair of the Overview and Scrutiny Committee shall resign with immediate effect if a vote of no confidence is passed by the Overview and Scrutiny Committee.

7.3 Chairs of Scrutiny Review Panels will be drawn from among the Councillors sitting on the Overview and Scrutiny Committee. Subject to this requirement, the Overview and Scrutiny Committee may appoint any person as it considers appropriate as Chair having regard to the objective of cross-party chairing in proportion to the political balance of the Council. The Scrutiny Review Panels shall not be able to change the appointed Chair unless there is a vote of no confidence as outlined in Article 6.5 in this Constitution.

7.4 The Chair of the Budget Scrutiny Review Panel will be drawn from among the opposition party Councillors sitting on the Overview and Scrutiny Committee. The Budget Scrutiny Review Panel shall not be able to change

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the appointed Chair unless there is a vote of no confidence as outlined in Article 6.5 in this Constitution.

8. Work programme

Overview and Scrutiny Committee will determine the future scrutiny work programme and will commission task and finish Scrutiny Review Panels to assist it to perform its functions. The Committee will appoint a Chair for each Review.

9. Agenda items for the Overview and Scrutiny Committee

9.1 Any member of the Overview and Scrutiny Committee shall be entitled to give notice to the proper officer that he/she wishes an item relevant to the functions of the Committee to be included on the agenda for the next available meeting of the Committee. On receipt of such a request the proper officer will ensure that it is included on the next available agenda.

9.2 The Overview and Scrutiny Committee shall also respond, as soon as its work programme permits, to requests from the Council and, if it considers it appropriate, from the Cabinet to review particular areas of Council activity. Where they do so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the Cabinet within an agreed timescale.

10. Policy review and development

10.1 The role of the Overview and Scrutiny Committee in relation to the development of the Council's budget and policy framework is set out in the Budget and Policy Framework Procedure Rules in Part 4 of this constitution.

10.1 In relation to the development of the Council's approach to other matters not forming part of its policy and budget framework, the Overview and Scrutiny Committee and its Scrutiny Review Panels may make proposals to the Cabinet for developments insofar as they relate to matters within their terms of reference. The Scrutiny Review Panels must do so via the Overview and Scrutiny Committee.

11. Reports from the Overview and Scrutiny Committee

Following endorsement by the Overview and Scrutiny Committee, final reports and recommendations will be presented to the next available Cabinet meeting. The procedure to be followed is set out in paragraphs 1.3 or 1.4 above.

PART FOUR - RULES OF PROCEDURE

Section G - Overview & Scrutiny Procedure Rules

12. Making sure that overview and scrutiny reports are considered by the Cabinet

12.1 The agenda for Cabinet meetings (including any meetings of single members) shall include an item entitled 'Issues arising from Scrutiny'. Reports of the Overview and Scrutiny Committee referred to the Cabinet shall be included at this point in the agenda unless either they have been considered in the context of the Cabinet's deliberations on a substantive item on the agenda or the Cabinet gives reasons why they cannot be included and states when they will be considered.

12.2 Where the Overview and Scrutiny Committee prepares a report for consideration by the Cabinet in relation to a matter where decision making power has been delegated to an individual Cabinet member, a Committee of the Cabinet or an Officer, or under Joint Arrangements, then the Overview and Scrutiny Committee will also submit a copy of their report to that individual for consideration, and a copy to the proper officer. If the member, committee, or officer with delegated decision making power does not accept the recommendations of the Overview and Scrutiny Committee, then the body/he/she must then refer the matter to the next appropriate meeting of the Cabinet for debate before making a decision.

13. Rights and powers of Overview and Scrutiny Committee members

13.1 Rights to documents

(i) In addition to their rights as Councillors, members of the Overview and Scrutiny Committee and Scrutiny Review Panels have the additional right to documents, and to notice of meetings as set out in the Access to Information Procedure Rules in Part 4 of this Constitution.

(ii) Nothing in this paragraph prevents more detailed liaison between the Cabinet and the Overview and Scrutiny Committee and Scrutiny Review Panels as appropriate depending on the particular matter under consideration.

13.2 Powers to conduct enquiries

The Overview and Scrutiny Committee and Scrutiny Review Panels may hold enquiries into past performance and investigate the available options for future direction in policy development and may appoint advisers and assessors to assist them in these processes. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably

PART FOUR - RULES OF PROCEDURE

Section G - Overview & Scrutiny Procedure Rules

consider necessary to inform their deliberations, within available resources. They may ask witnesses to attend to address them on any matter under consideration and may pay to any advisers, assessors and witnesses a reasonable fee and expenses for doing so (and Scrutiny Review Panels require the support of the Overview and Scrutiny Committee to do so).

13.3 Power to require Members and officers to give account

- (i) The Overview and Scrutiny Committee and Scrutiny Review Panels may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions (Review Panels will keep to issues that fall within their terms of reference). As well as reviewing documentation, in fulfilling the scrutiny role, it may require any member of the Cabinet, the Head of Paid Service and/or any senior officer (at second or third tier), and chief officers of the local National Health Service to attend before it to explain in relation to matters within their remit:
 - (a) any particular decision or series of decisions;
 - (b) the extent to which the actions taken implement Council policy (or NHS policy, where appropriate); and
 - (c) their performance.

It is the duty of those persons to attend if so required. At the discretion of their chief officer, council officers below third tier may attend, usually accompanied by a senior manager. At the discretion of the relevant Chief Executive, other NHS officers may also attend overview and scrutiny meetings.

- (ii) Where any member or officer is required to attend the Overview and Scrutiny Committee or Scrutiny Review Panel under this provision, the Chair of that body will inform the member or proper officer. The proper officer shall inform the member or officer in writing giving at least 10 working days notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the Overview and Scrutiny Committee or Scrutiny Review Panel. Where the account to be given to Overview and Scrutiny Committee or Scrutiny Review Panel will require the production of a report, then the member or officer concerned will be given sufficient notice to allow for preparation of that documentation.
- (iii) Where, in exceptional circumstances, the member or officer is unable to attend on the required date, then the Overview and Scrutiny Committee or Scrutiny Review Panel shall in consultation with the member or officer arrange an alternative

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date for attendance, to take place within a maximum of 10 days from the date of the original request.

14. Attendance by others

The Overview and Scrutiny Committee or Scrutiny Review Panel may invite people other than those people referred to in paragraph 13 above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and Members and officers in other parts of the public sector and may invite such people to attend. Attendance is optional.

15. Call-in

The call in procedure is dealt with separately in this Part of the Constitution, immediately following the Overview and Scrutiny Procedure Rules.

16. Councillor Call for Action (CCfA)

The Council has adopted a Protocol for handling requests by non-Committee Members that the Committee should consider any local government matter which is a matter of significant community concern. This procedure should only be a last resort once the other usual methods for resolving local concerns have failed. Certain matters such as individual complaints and planning or licensing decisions are excluded.

Requests for a CCfA referral should be made to the Head of Local Democracy & Member Services who will check with the Monitoring Officer that the request falls within the Protocol. The Councillor making the referral will be able to attend the relevant meeting of the Committee to explain the matter. Among other actions, the Committee may: (i) make recommendations to the Cabinet, Directors or partner agencies, (ii) ask officers for a further report, (iii) ask for further evidence from the Councillor making the referral, or (iv) decide to take no further action on the referral.

The Protocol is not included within this Constitution but will be subject to regular review by the Committee.

17. Procedure at Overview and Scrutiny Committee meetings and meetings of the Scrutiny Review Panels.

PART FOUR - RULES OF PROCEDURE

Section G - Overview & Scrutiny Procedure Rules

- (a) The Overview and Scrutiny Committee shall consider the following business as appropriate:
 - (i) apologies for absence;
 - (ii) urgent business;
 - (iii) declarations of interest;
 - (iv) minutes of the last meeting;
 - (v) deputations and petitions;
 - (vi) consideration of any matter referred to the Committee for a decision in relation to call in of a decision;
 - (vii) responses of the Cabinet to reports of the Committee; and
 - (viii) the business otherwise set out on the agenda for the meeting.

- (b) A Scrutiny Review Panel shall consider the following business as appropriate:
 - (i) minutes of the last meeting;
 - (ii) declarations of interest;
 - (iii) the business otherwise set out on the agenda for the meeting.

- (c) Where the Overview and Scrutiny Committee or Scrutiny Review Panel has asked people to attend to give evidence at meetings, these are to be conducted in accordance with the following principles:
 - (i) that the investigation be conducted fairly and all members of the Overview and Scrutiny Committee and Scrutiny Review Panels be given the opportunity to ask questions of attendees, to contribute and to speak;
 - (ii) that those assisting the Overview and Scrutiny Committee or Scrutiny Review Panel by giving evidence be treated with respect and courtesy;
 - (iii) that the investigation be conducted so as to maximise the efficiency of the investigation or analysis; and

PART FOUR - RULES OF PROCEDURE

Section G - Overview & Scrutiny Procedure Rules

(iv) that reasonable effort be made to provide appropriate assistance with translation or alternative methods of communication to assist those giving evidence.

- (d) Following any investigation or review, the Overview and Scrutiny Committee or Scrutiny Review Panel shall prepare a report, for submission to the Cabinet (via the Overview and Scrutiny Committee in the case of a Scrutiny Review Panel) and shall make its report and findings public.

18. The Party Whip

Scrutiny is intended to operate outside the party whip system. However, when considering any matter in respect of which a member of scrutiny is subject to a party whip the member must declare the existence of the whip and the nature of it before the commencement of the Committee/Panel's deliberations on the matter. The Declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

The expression "party whip" can be taken to mean: "Any instruction given by or on behalf of a political group to any Councillor who is a member of that group as to how that Councillor shall speak or vote on any matter before the Council or any committee or sub-committee, or the application or threat to apply any sanction by the group in respect of that Councillor should he/she speak or vote in any particular manner."

19. Matters within the remit of more than one Scrutiny Review Panel

Should there be any overlap between the business of any scrutiny reviews, the Overview and Scrutiny Committee is empowered to resolve the issue.

PART 4 – RULES OF PROCEDURE
Section I – Financial Regulations

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PART 4 – SECTION I
FINANCIAL REGULATIONS

Treasury Management

7.13 The Council has adopted CIPFA's Code of Practice for Treasury Management in Local Authorities (2009). The Council will create and maintain, as cornerstones for effective treasury management: -

- (a) a Treasury Management Strategy Statement (TMSS) which states the Council's policies, objectives and approach to risk management with respect to its treasury management activities;
- (a) suitable treasury management practices setting out how the Council will achieve those policies and objectives and prescribing how it will manage and control its treasury management activities;
- (b) the TMSS and treasury management practices will follow the recommendations in Sections 6 and 7 of the CIPFA Code of Practice. They may be subject to amendment only where necessary to reflect the particular circumstances of Haringey Council but will not deviate materially from the Code's key principles.

7.14 The ~~General Purposes~~ Corporate Committee will formulate the TMSS and amendments to it. The Cabinet Member for Finance will be consulted on the draft TMSS ~~will be considered by the Cabinet~~ because of the budget implications. ~~and then recommended to the full Council.~~ The ~~Audit~~ Overview and Scrutiny Committee will scrutinise the draft TMSS annually before its adoption by **full Council**. The **full Council** is responsible for approving and adopting the TMSS setting out the matters detailed in CIPFA's Code of Practice for Treasury Management in Local Authorities. The **Section 151 Officer** has delegated responsibility for implementing and monitoring the TMSS. The Council sets its TMSS in line with the indicators required under the CIPFA Prudential Code for Capital Finance introduced from 1 April 2004 and subsequently revised

PART 4 – RULES OF PROCEDURE
Section I – Financial Regulations

in 2009.

- 7.15 All decisions on borrowing, investment, leasing or financing shall be delegated to the **Section 151 Officer**, who is required to act in accordance with CIPFA's Code of Practice for Treasury Management in Local Authorities.
- 7.16 The **Section 151 Officer** is responsible for reporting to the **General Purposes Corporate Committee** each quarter, or as near as practicable, on the implementation and regular monitoring of the treasury management policies and practices and on the exercise of his/her delegated treasury management powers.
- 7.17 The **Section 151 Officer** is responsible for ~~reporting to the **Cabinet**~~ consulting the Cabinet Member for Finance on the annual and mid-year monitoring reports and an out-turn report after the close of the year concerning treasury management policies and practices before these reports are considered by the **Corporate Committee and full Council**.

PART FOUR - RULES OF PROCEDURE
Section K- Officer Employment Procedure Rules

[the text shown struck through is recommended for deletion and the text shown in italics and underlined is recommended for insertion or addition]

Part Four, Section K Officer Employment Procedure Rules

1. Recruitment and Appointment

(a) Declarations

- (i) The Council will draw up a statement requiring any candidate for appointment as an officer to state in writing whether they are the parent, grandparent, partner, child, stepchild, adopted child, grandchild, brother, sister, uncle, aunt, nephew or niece of an existing councillor, the mayor or officer of the Council; or of the partner of such persons.
- (ii) Any candidate who fails to disclose such a relationship will be disqualified from appointment. The content of this paragraph will be included in any recruitment information.
- (iii) No candidate so related to a councillor, the mayor or an officer will be appointed without the authority of the relevant chief officer or an officer nominated by him/her.
- (iv) Every Member and senior officer of the authority who knows of a relationship to a candidate for appointment must report the details to the chief officer of the relevant service.

(b) Seeking support for appointment.

- (i) The Council will disqualify any applicant who directly or indirectly seeks the support of any councillor or the mayor for any appointment with the Council. The content of this paragraph will be included in any recruitment information.
- (ii) No councillor or the mayor will seek support for any person for any appointment with the Council. This rule does not prevent a Member from offering or providing a written reference about a candidate but the Member shall not take part in the appointment process involving that candidate.

PART FOUR - RULES OF PROCEDURE

Section K- Officer Employment Procedure Rules

2. Recruitment of Head of Paid Service, Chief Officers and Deputy Chief Officers.

Where the Council proposes to appoint a Head of Paid Service, chief officer or deputy chief officer and it is not proposed that the appointment be made exclusively from among their existing officers, the Council will:

- (a) draw up a statement specifying:
 - (i) the duties of the officer concerned; and
 - (ii) any qualifications or qualities to be sought in the person to be appointed;
- (b) make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and
- (c) make arrangements for a copy of the statement mentioned in paragraph (1) to be sent to any person on request.
- (d) all applicants for the post shall be interviewed, or a short list of the more suitable applicants shall be drawn up and those applicants shall be interviewed.

3. Appointment of Head of Paid Service

- (a) The Council will approve the appointment of the Head of Paid Service following the recommendation of such an appointment by a committee or sub-committee of the Council. The membership of that committee or sub-committee will be determined by the Leader and the Chair of the ~~General Purposes~~ Corporate Committee (or by their nominees). That committee or sub-committee must include at least one member of the Cabinet.
- (b) The Council may only make or approve the appointment of the Head of Paid Service where:
 - (i) no objection has been made by any member of the Cabinet, or
 - (ii) if any objection is made, the committee or sub-committee recommending the appointment has declared itself satisfied that the objection is not material or well-founded
- (c) The procedures in (a) and (b) above will apply to the dismissal of the Head of Paid Service.

PART FOUR - RULES OF PROCEDURE
Section K- Officer Employment Procedure Rules

4. **Appointment of Chief Officers and Deputy Chief Officers**

- (a) A committee or sub-committee of the Council will appoint chief officers and deputy chief officers. The membership of that committee or sub-committee will be determined by the Leader and the Chair of the ~~General Purposes~~ Corporate Committee (or by their nominees). That committee or sub-committee must include at least one member of the Cabinet.
- (b) The procedures in (a) above will not apply to the appointment, dismissal or discipline of the Chief Officer of the Alexandra Palace and Park charity. Instead, the Chief Executive acting in his/her charity capacity will take the decisions to appoint, dismiss or discipline that Chief Officer in consultation with the Alexandra Palace and Park Board or its appointed Panel.
- (c) An offer of employment as a chief officer or a deputy chief officer shall only be made where:
- (i) no objection has been made by any Cabinet Member, or
 - (ii) if any objection is made, the appointing committee, sub-committee or chief executive is satisfied that the objection is not material or well founded.
- (d) The procedures in (a) and (c) above will apply to the dismissal of chief officers and deputy chief officers except that (b) and (c) will apply to the dismissal of the Chief Officer of the Alexandra Palace and Park charity.

5. **Member Training**

All Members taking part in appointments or disciplinary proceedings shall undertake appropriate training provided by the Head of Human Resources in consultation with the Head of Local Democracy & Member Services.

6. **Other appointments**

- (a) Officers below deputy chief officer. Appointment of officers below deputy chief officer (other than assistants to political groups and an assistant to the mayor) will be made by the Head of paid service or his/her nominee.
- (b) Assistants to political groups. Appointment of an assistant to a political group shall be made in accordance with the wishes of that political group.
- (c) Assistant to the mayor. An assistant to the mayor may only be appointed by the mayor.

PART FOUR - RULES OF PROCEDURE
Section K- Officer Employment Procedure Rules

7. Disciplinary action

- (a) Suspension. The head of paid service, monitoring officer and chief finance officer may be suspended whilst an investigation takes place into alleged misconduct. That suspension will be on full pay and last no longer than two months.
- (b) Independent person. No other disciplinary action may be taken in respect of any of those officers except in accordance with a recommendation in a report made by a designated independent person.
- (c) Councillors will not be involved in the disciplinary action against any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of disciplinary action.

8. Dismissal

Councillors will not be involved in the dismissal of any officer below deputy chief officer except where such involvement is necessary for any investigation or inquiry into alleged misconduct, though the Council's disciplinary, capability and related procedures, as adopted from time to time may allow a right of appeal to Members in respect of dismissals.

9. Definitions

In these Rules:

- (a) "chief officer" means a statutory chief officer or a non-statutory chief officer who, as respects all or most of the duties of his/her post, reports directly to the Head of Paid Service.
- (b) "deputy chief officer" means an officer who, as respects all or most of the duties of his/her post, reports directly to a chief officer.
- (c) an officer whose duties are solely secretarial, clerical or administrative in nature shall not be regarded as chief officer or deputy chief officer.

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Part 6

Members' Allowances Scheme

1. SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

1.01 Made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and in force for the municipal year 2011/12 (i.e. 1 April 2011 to 31 March 2012).

2. BASIC ALLOWANCE

2.01 Each Councillor will be entitled to receive the sum of £10,500 by way of Basic Allowance.

2.02 If a Councillor does not serve as such for the whole 12-month period or becomes disqualified, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor. This principle applies to service on Council bodies by independent Standards Committee members and education representatives on scrutiny bodies.

3. INCLUDED EXPENSES

3.01 Travel Expenses.

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

3.02 Telephones and I.T.

The Basic Allowance includes Councillors' telephone call charges, both mobile and landline, for which Councillors are billed individually. The Council meets the rental for apparatus, including broadband, and all datacharges.

4. MAYORAL ALLOWANCES

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

(a) The Mayor is entitled to an additional allowance of £15,750.

(b) The Deputy Mayor is entitled to an additional allowance of £3,936.

PART 6 - MEMBERS' ALLOWANCES SCHEME

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 Haringey Council will allocate Special Responsibility Allowances in four bands, to Councillors who take on certain additional roles.

Band	Position	Special Allowance	Total Allowance
Band 4	<ul style="list-style-type: none"> • Leader 	£31,497	£41,997
Band 3	<ul style="list-style-type: none"> • 9 <u>7</u> or fewer x Cabinet Members • Opposition Leader • Chair of Overview and Scrutiny Committee 	£23,622	£34,122
Band 2	<ul style="list-style-type: none"> • Chair of General Purposes <u>Corporate</u> Committee • Chief Whip • Chair of Planning <u>Regulatory</u> Committee 	£15,750	£26,250
Band 2 (continued)	<ul style="list-style-type: none"> • Chair of Licensing Committee • Chair of Alexandra Palace and Park Board • Chair of Audit Committee • Chair of Pensions Committee • Opposition Deputy Leader • Opposition Chief Whip • 6 x Councillors <u>Area Committee Chairs serving</u> on Overview and Scrutiny Committee 		
Band 1	<ul style="list-style-type: none"> • 7 x Chairs of Area Assemblies <u>Councillors on Overview and Scrutiny Committee other than Area Committee Chairs</u> 	£7,875	£18,375

6. MULTIPLE RESPONSIBILITIES

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

PART 6 - MEMBERS' ALLOWANCES SCHEME

7. CO-OPTEEES' ALLOWANCES

7.01 Each independent Standards Committee member and each education representative on scrutiny bodies is entitled to an allowance of £616.50 excepting the Chair of the Standards Committee who is entitled to an allowance of £1,263. This incorporates all other allowances, with the exception of babysitting and dependants allowance. No allowances are payable to others who are not elected Councillors.

8. BABYSITTING AND DEPENDANTS ALLOWANCE

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

(a) That reimbursement be made at a maximum rate of £7.85_per hour. The period of payment should include the time of the meeting, together with reasonable travelling time of the member, plus any necessary travelling expenses of the carer to and from their home.

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

9. TRAVELLING AND SUBSISTENCE ALLOWANCE

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

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

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

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

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

PART 6 - MEMBERS' ALLOWANCES SCHEME

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

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

For an absence of more than 4 hours before 11.00 £4.92

For an absence of more than 4 hours including lunchtime between 12.00 and 14.00 £6.77

For an absence of more than 4 hours including the period 15.00 to 18.00 £2.67

For an absence of more than 4 hours ending after 19.00 £8.38

10. CLAIMS AND PAYMENTS

10.01 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.

10.02 The Co-optees' Allowance must be claimed by, and will be paid at, the end of the municipal year, subject to paragraphs 2.02 above and 10.04 below.

10.03 All claims for Travelling and Subsistence Allowance and Babysitting and Dependants Allowance must be made within two months of the relevant meeting or the costs being incurred by the Councillor or non-elected member, subject to paragraph 10.04 below..

10.04 If any Allowance under paragraphs 10.02 or 10.03 is not claimed within the prescribed time limit, the Head of Local Democracy & Members' Services shall have a discretion to make the payment nonetheless.

10.05 Any Councillor or non-elected member may elect to forego his/her entitlement to all or part of any allowance by giving written notice at any time to the Head of Local Democracy & Members' Services.

11. WITHHOLDING AND REPAYMENT OF ALLOWANCES

11.01 The Standards Committee or any of its Sub-Committees is authorised to withdraw the payment of the allowances set out below in whole or in part, as appropriate, in the event of a Councillor being suspended or partially suspended. The allowances covered by this provision are the following:

PART 6 - MEMBERS' ALLOWANCES SCHEME

- (a) Basic Allowance;
- (b) Special Responsibility Allowance;
- (c) Travelling and Subsistence Allowances; and
- (d) Co-optees' Allowance.

11.02 Where the Standards Committee/Sub-Committee withdraws any of the above allowances in whole or in part and it transpires that the Councillor has already been paid in whole or in part for the relevant period of suspension or partial suspension, then the Standards Committee/Sub-Committee may require that the Councillor repay the relevant amount to the Council.

12. MEMBERSHIP OF LOCAL GOVERNMENT PENSION SCHEME

12.01 All eligible Councillors are allowed to join the Local Government Pension scheme in respect of the Basic and Special Responsibility Allowances paid to them as part of this scheme of allowances.

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Report for: Standards Committee 25 January 2021

Title: Members Allowances Scheme for 2021-22

Report authorised by : Interim Monitoring Officer – John Jones

Lead Officer: Ayshe Simsek - Democratic Services and Scrutiny Manager

Ward(s) affected: N/A

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

1. Describe the issue under consideration

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

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 To comment on any changes required to Appendix 1 to be taken forward and considered at the 2nd of March Standards Committee meeting.

4. Reasons for decision

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

5. Alternative options considered

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

6. Background information

- 6.1 This report asks Standards Committee to consider the scheme proposed for 2021- 22 and comment on any changes required prior to approval by full Council, in accordance with Article 14.03 of the Council's Constitution.

- 6.2 Before it can adopt a Members Allowances Scheme the Council has a duty to consider the recommendations of an Independent Remuneration Panel in relation to the payment of Members Allowances.
- 6.3 The Local Authorities (Members Allowances) (England) Regulations 2003 allow London Boroughs to use an independent remuneration panel set up for the purpose of making recommendations across London. London Councils set up a panel for this purpose in 2001 and its most recent report was published in 2018 and is attached as Appendix 2. Although the IRP makes recommendations, it is for each individual council to decide the level of remuneration and for which roles. The 2018 recommendations were also considered in the 2019/20 review . In March 2020, when making the Members' Allowances Scheme the Council gave due regard to the recommendations of the report of an Independent Adviser to the Standards Committee who had completed a review of the current scheme. The Adviser put forward proposals for increases to certain SRA's as well as recommending index linking the Basic Allowance to the local government staff pay award with increases taken forward in the proceeding financial year. In March 2020, it was not felt appropriate to adopt the proposed increases to SRAs in the current economic climate and it was agreed that the SRA's remained at current levels. At the Council meeting on the 19th of March 2020, it was agreed, that the Members Basic Allowance percentage increase be index linked to the local government officer pay percentage increase, capped at 2% to be reduced if a lesser percentage is agreed, and to be paid in the 2020/21 municipal year once the staff pay award had been finalised. The Independent Adviser report is attached for information and comment is sought on continuing to index link Basic Member Allowance increases to the local government Officer pay percentage. Current indications are that local government officers are unlikely to get a pay rise in 2021/22.
- 6.4 The changes to the Scheme for 2021-22 are shown in italics and comments provided for proposed changes. There is a minor clarifications relating to the extension of non attendance at a council meeting of 6 months.

7. Contribution to strategic outcomes

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

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

8.1 Finance

The cost of the scheme is within the agreed budget provision for 2021/22.

8.2 Assistant Director of Corporate Governance

Legal implications are contained within the body of this report.

8.3 Equality

The decision to approve allowances to members does not have a direct impact on the equality duty of the council, other than that the scheme includes

provision for payment for parent/carers allowances to facilitate the attendance of parents and carers at meetings and in relation to carrying out the general responsibilities of councillors.

9. Use of Appendices

Appendix 1: Members Allowances Scheme 2021/22

Appendix 2: The remuneration of Councillors in London 2018 – report of the Independent panel

Appendix 3 – Haringey Review of Member Allowances 2019/20

10. Local Government (Access to Information) Act 1985

None

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Part 6

Members' Allowances Scheme

1. SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

1.01 Made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and in force for the municipal year 1 April 2021 ~~2020~~ to 31 March 2022 ~~2024~~).

2. BASIC ALLOWANCE

2.01 Each Councillor will be entitled to receive the sum of ~~£11,026~~ £11,247 by way of Basic Allowance.

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

Commented [SA1]: Full Council agreed in March 2020 to apply a maximum 2% uplift if Local government officers received a pay rise. This was applied in September 2020 and arrears paid to Members.

3. INCLUDED EXPENSES

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

4. MAYORAL ALLOWANCES

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

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

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 For the period 1 April ~~2020~~2021 to 31 March ~~2021~~2022, Haringey Council will allocate Special Responsibility Allowances in six bands, to Councillors who take on certain additional roles, in accordance with Table A below. If a Councillor does not serve as such for the whole period or becomes suspended or partially suspended, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor and had the special responsibilities .

Table A

Commented [SA2]: The Total Allowance is the Special Allowance +£11,247

Band	Position	Special Allowance	Total Allowance (including Basic Allowance)
Band 4	•Leader	£33,926	£45,173
Band 3B	9 or fewer x Cabinet Members	£25,443	£36,690
Band 3A	• Chair of Overview and Scrutiny Committee	£23,134	£34,381
Band 2B	•Chief Whip •Chair of Regulatory Committee •Chair of Alexandra Palace and Park Board •Leader of the Principal Opposition	£16, 965	£28,212
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee	£15, 421	£26,668
Band 1B	•Chair of Combined Pensions Committee and Board •Chair of Staffing and Remuneration Committee •Chair of Standards Committee •Chair of Corporate Committee •Vice Chair of Regulatory Committee •Leader of the second Opposition Group or Deputy Leader of the Principal Opposition	£8, 482	£19,729

• Chief Whip of the Principal Opposition		
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6. MULTIPLE RESPONSIBILITIES

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

7. CO-OPTTEES' ALLOWANCES

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

8. BABYSITTING AND DEPENDANTS ALLOWANCE

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

- (a) That reimbursement be made at the London Living Wage. The period of payment should include the time of the meeting, together with reasonable travelling time of the member, plus any necessary travelling expenses of the carer to and from their home.
- (b) Children over the age of 16 must not be claimed for, unless suffering from an illness or disability making constant care essential.

9. TRAVELLING AND SUBSISTENCE ALLOWANCE

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

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

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

- (c) On public transport only the ordinary or cheaper fare can be claimed where more than one class is available.
- (d) The cost of a taxi, including a reasonable tip, can be claimed only in case of urgency or where public transport is not practicable or reasonably available.
- (e) The maximum rates for subsistence allowance on approved duties are as follows:

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

10. CLAIMS AND PAYMENTS

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

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

- 11.01 Subject to this paragraph 11, all Members shall continue to receive their Basic Allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave, as long as they remain a Councillor. This includes Members becoming parents through surrogacy arrangements.
- 11.02 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave for a six month period. Extension of this period of leave will require prior 2 months' written notice to be given to the Political Leader of the respective political group. If the extended leave is agreed by that Political Leader, a report will be compiled to seek approval from full Council before the point of the 6 months' leave expiry, for the extension of this leave. This is in accordance with section 85 of the 1972 Local Government Act. The Council (or Leader in case of Cabinet Members) may, depending on the circumstances, appoint a replacement to cover the period of absence who will be entitled to the SRA pro rata for the period of the temporary appointment.
- 11.03 The Democratic and Scrutiny Services Manager will write to the Member to confirm the continuation of allowances and until what date they will continue.
- 11.04 Leave arrangements are unaffected by the number of children born from a single pregnancy or placed as part of a single adoption.

Maternity Leave

- 11.05 A Member is entitled to take up to 52 weeks' maternity leave starting no earlier than the 11th week before the expected week of childbirth, except following a premature birth, and no later than the day following the actual date of birth.
- 11.06 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take maternity leave in writing no later than 4 weeks before the date they wish the period of maternity leave to start and:
- i) Confirm the expected week of childbirth;
 - ii) Provide a copy of the MATB1 (available from a doctor or midwife);
 - iii) Confirm the date on which the Member intends her maternity leave to start.

Adoption Leave

- 11.07 A Member is entitled to take up to 52 weeks of adoption leave starting no earlier than 14 days before the child is expected to be placed and no later than the expected placement date, or if the child is adopted from overseas, no later than 28 days after the date on which the child enters Great Britain,
- 11.08 The Member must notify the Democratic Services and Scrutiny Manager in the case of a UK adoption of their intention to take adoption leave in writing no more than seven days after the date on which the Member is notified of having

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

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

Shared Parental Leave

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

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

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

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

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

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

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

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

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

Paternity Leave

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

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

11.15 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take paternity leave in writing no later than 4 weeks before they wish the period of paternity leave to start (childbirth) or no more than seven days after the date on which the adopter is notified of having been matched with the

child or, where that is not reasonably practicable, as soon as is reasonably practicable; and:

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

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

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

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

Sickness Leave

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

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

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

Commented [SA3]: Although it is the long-established practice of most local authorities to treat this as a non-executive function, following leading Counsel advice in April 2020, it was advised that Under section 9D Local Government Act 2000 all functions of a local authority are executive functions unless the contrary is specified in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000.

Additional Note

~~In making the Members' Allowances Scheme the Council gave due regard to the recommendations of the report of an Independent Adviser to the Standards Committee who had completed a review of the current scheme. The Adviser put forward proposals for increases to certain SRA's as well as recommending index linking the Basic Allowance to the local government staff pay award with increases taken forward in the proceeding financial year. It was not felt appropriate to adopt the proposed increases to SRAs in the current economic climate and it was agreed that the SRA's remained at current levels.~~

~~At the Council meeting on the 19th of March 2020, it was agreed, that the Members Basic Allowance percentage increase be index linked to the local government officer pay percentage increase, capped at 2% to be reduced if a lesser percentage is agreed, and to be paid in the 2020/21 municipal year once the staff pay award had been finalised.~~

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The Remuneration of Councillors in London 2018

Report of the Independent Panel



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Introduction

The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London boroughs. Such a panel ('the Panel') was established and reported in 2001, 2003, 2006, 2010 and 2014. It now comprises Sir Rodney Brooke CBE DL (Chair), Steve Bundred and Anne Watts CBE.

The Regulations require a review of the scheme every four years as a minimum. The current Panel has therefore completed a review of remuneration for councillors in London. We present our findings and recommendations in this report.

As a preparation for our work, we invited all London boroughs to give their views on the operation of the existing scheme. We are grateful for the feedback, which confirms that the existing London scheme of members' allowances is still fit for purpose. We make recommendations accordingly (**recommendations throughout the report are in bold type**). However, where issues have arisen from the comments we received, we have addressed them in this report.

The role of elected members

In our previous reports we reflected on the importance of the role of elected members. We repeat at Appendix B the job profile for councillors which we originally included in our 2010 report. The feedback we have received is that it continues to be appropriate.

The Local Governance Research Unit, based at Leicester Business School, recently launched a Councillor Commission as an independent review of the role and work of the councillor. The Commission's report points out that councillors oversee million-pound budgets, balancing complex financial pressures at a time of severe cutbacks in local authority spending, making decisions which will affect their areas for decades to come. In London each Borough Council is responsible for services crucial to its residents. Each has a revenue budget of up to £1.4bn as well as a substantial capital programme. The scale of their turnover and other financial activities are in many instances comparable with those of large publicly quoted companies.

Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is rapid growth in the number of old people with a corresponding increase in demand for social care. London itself faces acute housing problems. Councillors have an increased responsibility for health. Thus the strain on and competition for resources increase the demands made on elected members. The responsibilities and accountabilities are made clear after a tragedy like the Grenfell Tower fire.

The evidence we received confirms that the workload and responsibilities of councillors continue to increase and that their role has become more complex, and not only in the areas of social care, housing and health. There has been growth in the number of sub-regional meetings, partnerships and joint bodies (such as Boards for Health & Wellbeing and Safer Neighbourhoods) which require the commitment and time of leaders, cabinet members and front-line councillors. Partnership engagement makes great demands on councillors. There has been a marked increase in informal meetings, such as working groups, forums and community gatherings as well as formal meetings like local authority companies. The expectations of the public continue to rise.

While valuable to democracy, the use of social media adds to the pressure on councillors by increasing demands from their constituents in several different ways. Communication with councillors is not only easier but immediate. The public expects a speedy response, so that it is now more difficult for councillors in employment to deal with concerns as quickly as voters expect. Not only do social media make it easier for their constituents to get hold of councillors, but they also enable an isolated concern to become an organised campaign.

Recruitment of councillors

We received evidence that it is increasingly difficult to recruit people of quality who are prepared to stand for office as councillors. Though the low level of allowances was mentioned as a reason for this, a major disincentive is the time commitment required of a councillor. That time commitment (as well as finance) can make it difficult to combine the role with a job and a family life. As one councillor commented to the Leicester Business School Commission, 'Serving on outside bodies means that I am working every day of the week, weekends too'. As was pointed out in responses we received, the problem is exacerbated in London, where councillors are on the whole younger than in other parts of the country and often in employment. They also face substantially higher costs of living.

Though the time commitment may be the main disincentive to service as a councillor, it is important that, as far as reasonably possible, financial loss does not prevent people from becoming councillors. Allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. Allowances should be set at a level that enables people to undertake the role of councillor, while not acting as an incentive to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those with independent means.

Since our last report the Government has removed the possibility of councillors joining the local government pension scheme. We believe that access to the pension scheme can be an important factor in making service as a councillor financially possible for a wider range of people. It is particularly significant for those who, like elected mayors, leaders and portfolio holders, give most or all of their time to service in local government and lose the opportunity to contribute to a pension scheme elsewhere. Loss of access to a pension scheme imposes a further financial penalty on councillors.

We do not repeat the arguments for appropriate remuneration for councillors which we have set out in our previous reports. We believe them to be self-evident. But we do repeat our belief in the importance of local democracy and the role of councillors within it.

The current financial and political climate

Because of the current financial climate, the local government pay settlement in recent years has been severely limited. Since our last report there have been three awards of 1%. Acutely sensitive to the current financial austerity, some boroughs have frozen members' allowances and failed to apply the pay awards to them. Indeed some boroughs have even reduced members' allowances.

Our recent reports have made no recommendations for increasing the levels of members' allowances other than continuing provision for annual adjustments in accordance with the annual local government pay settlement. As the Government-appointed Councillors' Commission pointed out in their 2007 report, the recommendations of the London Panel has led to some convergence of members' allowances across London. Indeed, the Councillors' Commission recommended a similar system for the country as a whole. Following our recommendations, there is now considerable congruity in the basic allowance made by London boroughs.

However, most London boroughs have not adopted our recommendations in their entirety and there remain substantial differences in the amount of special responsibility allowances. We fully recognise that now is not the time to contemplate a general increase in councillors' allowances. Nevertheless we hope that in the longer term the financial situation will permit further convergence of members' allowances around our recommendations.

Level of Basic Allowance

In our last report we recommended that there should be a Basic Allowance paid to every councillor of £10,703. Updated for the local government staff pay awards since then, the figure is now £11,045. Given the loss of pension rights; growth in the volume and complexity of the work of councillors; and the limited increase in the Basic Allowance since our last report, we believe that there is a strong case for considering a larger increase. The basic allowance is now less than the allowances paid by many similar authorities outside London. In Wales, for example, the government-

appointed commission sets the basic allowance at £13,400 for members of local authorities with populations which are generally substantially lower than those of London boroughs.

However we reluctantly accept that, in the current financial climate, it would be inappropriate to recommend a general increase in members' allowances (beyond the annual updating). Pegging an annual increase to staff pay awards will ensure that councillors can receive annual increases which are in line with those received by staff. **We therefore recommend that the Basic Allowance be set at £11,045.** We believe that it remains sensible to frame recommendations which are common across London.

Special Responsibility Allowances

Given the extent of the responsibilities of leaders of London boroughs, the Panel's first report in 2001 recommended that their remuneration should equate to that of a Member of Parliament. [Our recommendations for other special responsibility allowances are related to that recommended for leaders.]

Since then the increase in the remuneration of Members of Parliament has substantially exceeded the annual local government pay increase to which we tied the special responsibility allowance for the leader of a London borough. At the time of our last report an MP received a salary of £67,060 while our recommendation for a borough leader (increases having been restricted to the local government staff pay increases) was for total remuneration of £65,472, a difference of £1,588. Updated for the local government pay awards, our recommendation for the current total remuneration of a London borough leader would be £68,130. Meanwhile the salary of MPs has increased to £76,011, a difference of £7,881. Moreover MPs continue to be entitled to a pension as well as to sundry other benefits (such as termination payments) which are not available to leaders.

In our current consultation we enquired whether the remuneration of an MP remains a sound comparator to fix the remuneration of a borough leader. In general the responses agreed that the comparator was appropriate and, if anything, that the Leaders of London boroughs warranted a higher remuneration than an MP, because they had greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed one respondent authority suggested that the direct responsibilities of a Leader should command the salary of a Junior Minister.

We sympathise with the responses. Certainly the way in which MPs' remuneration has outpaced that of leaders would prompt a review of the Leaders' allowances had the Panel not had regard to the current stringent economic circumstances. For the same reasons which prompt us to peg the Basic Allowance, **we recommend that the special responsibility allowance for a Leader should be in accordance with our former recommendation, plus the subsequent local government staff pay awards, ie £57,085. We recommend the maintenance of its relation to other special responsibility allowances, as set out in the Appendix to this report.** Nevertheless we hope that parity of the remuneration of the Borough leaders with the remuneration of Members of Parliament will be restored when the economic situation eases and that the other Special Responsibility Allowances will then be adjusted accordingly.

Interpretation of the Scheme

The responses from the boroughs generally indicated no problems with interpretation of our recommendations, though many had adopted lower figures, especially for special responsibility allowances. We continue to believe that the scheme we propose is sufficiently flexible to accommodate the varying political management arrangements of different London boroughs. Specifically, we were asked for guidance on what percentage of councillors should receive a special responsibility allowance. **We reiterate our view that no more than 50% of councillors should receive a special responsibility allowance. We also continue to believe that no member should receive more than one special responsibility allowance though we accept that there might exceptionally be special circumstances where allocation of more than one Special Responsibility Allowance might be justified, eg where members undertake a number of different time-consuming roles such as sitting on licensing hearings.**

We were asked to give more detailed guidance on the roles allocated to different bands and whether these could be tied to the time commitment required of a role, expressed as a percentage of the time commitment of the Leader. However, we believe that the percentages we identify should be tied not only to time commitment but also to levels of responsibility.

Training and Support

The responsibilities of councillors are substantial, extensive and complex. We have mentioned the Grenfell Tower tragedy as a chilling instance of those responsibilities. **We believe that every borough should have an ongoing programme of member training and development and that members should be expected to participate. We believe that members should be provided with logistical and clerical support to help them deal with their workload.**

Barriers to being a councillor

It is important that obstacles to becoming a councillor should be removed wherever possible. Child care costs can be a significant deterrent to service as a councillor. **We repeat our strong view that in appropriate cases when they undertake their council duties, councillors should be entitled to claim an allowance for care of dependents. The dependents' carers' allowance should be set at the London living wage but (on presentation of proof of expense) payment should be made at a higher rate when specialist nursing skills are required.**

We also repeat our belief that members' allowances schemes should allow the continuance of Special Responsibility Allowances in the case of sickness, maternity and paternity leave in the same terms that the council's employees enjoy such benefits (that is to say, they follow the same policies).

Travel and Subsistence allowances

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

Allowances for Mayor or Civic Head

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

Update for inflation

We continue to recommend that for a period of four years the allowances we recommend should be updated annually in accordance with the headline figure in the annual local government pay settlement.

We have been asked whether it is necessary for the annual updating to be formally authorised by the council each year. The Regulations do seem to make this obligatory.

Sir Rodney Brooke CBE DL

Steve Bundred

Anne Watts CBE

London, January 2018

Appendix A

Basic allowance £11,045

Special responsibilities – beyond the basic allowance

The case for special allowances

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

Calculation of special allowances

The proposed amounts for each band are a percentage of the figure suggested for a council leader depending upon levels of responsibility of the roles undertaken and are explained below. We believe that the SRA, which the previous panel recommended for the leader of a London council (updated), continues to be appropriate.

Categories of special allowances

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

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

Local discretion

It is for the councils locally to decide how to allocate their councillors between the different bands, having regard to our recommendations and how to set the specific remuneration within the band. They must have regard to our recommendations. We believe these should have the merits of being easy to apply, easy to adapt, easy to explain and understand, and easy to administer.

BAND ONE

The posts we envisage falling within band one include:

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

Remuneration

We propose that band one special responsibility allowances should be on a sliding scale of between 20 – 30 per cent of the remuneration package for a council leader.

This would be made up as follows:

Basic allowance: £11,045

Band One allowance: £2,582 to £9,397

Total: £13,627 to £20,442

BAND TWO

The types of office we contemplate being within band two are:

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

Remuneration:

We propose that band two allowances should be on a sliding scale between 40 – 60 per cent, pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance £11,045

Band two allowances: £16,207 to £29,797

Total: £27,252 to £40,842

BAND THREE

We see this band as appropriate to the following posts:

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

Remuneration:

We propose that band three allowances should be between 70 – 80 per cent pro rata of the remuneration package for a council leader.

This is made up as follows:

Basic allowance: £11,045

Band three allowance: £36,917 to £43,460

Total: £47,962 to £54,505

BAND FOUR

Leader of cabinet

This is a full-time job, involving a high level of responsibility and includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service.

Remuneration:

We propose that the remuneration package for a council leader under band four of our scheme should be £68,130.

This is made up as follows:

Basic allowance: £11,045

Band four allowance: £57,085.

Total: £68,130

BAND FIVE

Directly elected mayor

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

Remuneration:

We propose that a directly elected mayor should receive a remuneration package of 25 per cent higher than that recommended for a council leader and that it should be a salary set at **£85,162**.

Appendix B

On behalf of the community – a job profile for councillors

Purposes:

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

Key Tasks:

1. To fulfil the statutory and local determined requirements of an elected member of a local authority and the authority itself, including compliance with all relevant codes of conduct, and participation in those decisions and activities reserved to the full council (for example, setting budgets, overall priorities, strategy).
2. To participate effectively as a member of any committee or panel to which the councillor is appointed, including related responsibilities for the services falling within the committee's (or panel's) terms of reference, human resource issues, staff appointments, fees and charges, and liaison with other public bodies to promote better understanding and partnership working.
3. To participate in the activities of an outside body to which the councillor is appointed, providing two-way communication between the organisations. Also, for the same purpose, to develop and maintain a working knowledge of the authority's policies and practices in relation to that body and of the community's needs and aspirations in respect of that body's role and functions.
4. To participate in the scrutiny or performance review of the services of the authority, including where the authority so decides, the scrutiny of policies and budget, and their effectiveness in achieving the strategic objectives of the authority.
5. To participate, as appointed, in the area and in service-based consultative processes with the community and with other organisations.
6. To represent the authority to the community, and the community to the authority, through the various forums available.
7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/duties, and constraints, and to develop good working relationships with relevant officers of the authority.
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity.
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area.
10. To participate in the activities of any political group of which the councillor is a member.
11. To undertake necessary training and development programmes as agreed by the authority.
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix C

The independent panel members

Sir Rodney Brooke CBE DL had a long career in local government, including as chief executive of West Yorkshire County Council, Westminster City Council and the Association of Metropolitan Authorities. He was knighted in 2007 for his contribution to public service.

Steve Bundred was chairman of Monitor, chief executive of the Audit Commission and chief executive of the London Borough of Camden.

Anne Watts CBE has an extensive career in equality and diversity and governance that spans the private, voluntary and public sectors with organisations including the Open University, the University of Surrey, the Commission for Equality and Human Rights and Business in the Community. She chaired the Appointments Commission.

Review of the Members Allowances Scheme

London Borough of Haringey

**Richard Penn
Senior LGA Associate**

January 2020

1 Introduction

- 1.1 I was commissioned in September 2019 by LB Haringey through the Local Government Association to review the Council's Members Allowance Scheme. The Council has a legal duty under the Local Authorities (Members Allowances) (England) Regulations 2003 to adopt a Members' Allowances Scheme before the end of each year to cover the following year. The Council can amend a scheme any time during the year but can only revoke a scheme with effect from the beginning of the year. The Scheme must make provision for Basic Allowances and, if they are to be paid, Special Responsibility, Dependents' Carers, Travelling and Subsistence and Co-optees' Allowances.
- 1.2 The Standards Committee at LB Haringey has the responsibility for considering and recommending changes to the Members Allowance Scheme to full Council for adoption. The Standards Committee agreed in January 2019 that an independent review of the Members Allowance Scheme should be carried out, focusing on the functions and responsibilities of Council Committees together with the volume and complexity of their decision making to ascertain whether the SRAs currently provided to the Leader, Cabinet Members, Committee Chairs, Vice-Chairs and Scrutiny Panel Chairs reflected the responsibilities and demands placed on the SRA holders. It was agreed that the review would be supported by an independent adviser to the Committee and, as a Senior LGA Associate, I have provided independent advice and support to the review. I have undertaken a number of reviews of Members Allowances in the recent past and I also chair the Independent Remuneration Panel for South Derbyshire Council. In January 2008 I was appointed by the Minister for Local Government as the Chair of the Independent Remuneration Panel for Wales, a post held until the end of 2015. That Panel is responsible for setting the remuneration arrangements for all 22 unitary councils in Wales, for also the four Fire and Rescue Authorities and the three National Parks in Wales. It is also responsible for setting remuneration for the 750 plus Town and Community Councils in Wales.

2 Terms of reference for the review

2.1 The Standards Committee commissioned the review of the current Members Allowance Scheme with the following terms of reference:

- an independent review of the Members Allowance Scheme to be undertaken between July 2019 and March 2020 for implementation in the 2020/21 municipal year
- the review should include an analysis of roles and responsibilities with a 'benchmarking exercise' to ensure that the Borough is in line with comparator Boroughs in its provision of SRAs
- the key purpose of the review was to ensure that members are appropriately remunerated and to address any inequalities and disparities in the allocation of SRAs. Differences had been noted in the Leader's allowance in proportion to Cabinet Member allowances, the perceived higher number of Committee meetings chaired and attended by some members in comparison to other committees where an SRA was payable
- whether an annual percentage uplift of Allowances to correlate with the equivalent annual cost of living award for local government staff should be introduced
- whether the Mayoral Allowances should remain as separate statutory provisions in the Members Allowance Scheme (under Section 3 and 5 of the Local Government Act 1972)
- the review should have regard to the recommendations of the Independent Remuneration Panel. The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London Boroughs. The Regulations require a review of the scheme every four years as a minimum and the Panel published its most recent report in 2018
- the review would operate under the principle that any changes proposed must be evidence based.

2.2 The Standards Committee required a draft report on the review to be considered at its meeting in January 2020, and a final report to its March 2020 meeting with recommendations for any changes to the current Scheme to be made to the full Council at its meeting in March 2020 for implementation in the 2020/21 municipal year.

2.3 The review was to be publicised in the 'Members Area' web page and the Members Newsletter. The outcome of the review will be published on the Council's website once completed.

3 Process and methodology for the review

3.1 It was made clear when I was commissioned to undertake the review that the review had to be genuinely independent with no presumptions about the outcome. It was also clear that any findings and resulting recommendations for any changes to the current Scheme had to be evidence based and that all members of the Council needed to be given the opportunity to contribute their own views in the review process.

3.2 The evidence sources used for the review included:

- data on the number of meetings attended by members
- the Council's submission to the Boundary Commission setting out the business case for maintaining 57 councillors
- the recent review of Scrutiny Functions
- the Independent Panel Report 2018 – '*The Remuneration of Councillors in London*'
- the review of Members Allowances carried out in 2017-18
- the responses to an all member questionnaire. Democratic Services produced a questionnaire (Appendix 3) that was distributed to all Councillors. The purpose of the questionnaire was to obtain the views of Councillors regarding the Council's current Members Allowance Scheme, particularly in relation to SRAs. Councillors were able to indicate the level of appropriateness of the SRAs for each of the roles under the current Scheme, and also set out their views on the current scheme. The first two questions were designed to give a quantifiable summary of the roles, duties and workload of Councillors to assess the appropriateness of the current Allowance Scheme. 30 members of the Council completed and returned the questionnaire, a participation rate of over 50%. Appendix 4 provides a summary of the key results of the questionnaire survey.
- I attended a meeting of the Standards Committee on 14 October 2019 to discuss the review and to obtain the views of Standards Committee members on the draft questionnaire of members
- I held one to one meetings with the Chair of Standards Committee, the Leader of the Council and the Leader of the Opposition
- all members of the Council were offered the opportunity to meet with me on a one to one and confidential basis. A range of alternative times including in the evening period was offered for these meetings and in the event I met with a further 12 members additional to my meetings with the Chair of Standards Committee, the Leader of the Council and the Leader of the Opposition. A number of members also sent emails setting out their views.

4 The Haringey context

- Haringey is a Borough in the north of metropolitan London and has a total resident population of 270,600 residents
- 22.3% of the population are aged under 18, and 10.1% of the population are aged 65 and over. In England overall, 21.4% of the population are aged under 18 and 18.2% are aged 65 and over
- 39.5 % of the population are from a black or minority ethnic (BME) population, and 65.3% of the population described themselves as non-white UK (i.e. not white British, English, Northern Irish, Scottish, or Welsh) at the last Census (2011). This compares to a BME population of 14.6% and a non-white UK population of 20.3% for England as a whole. 7.2% of the population report that they cannot speak English well or at all
- the Indices of Deprivation (IMD, 2015) combine a range of economic, social and housing indicators to provide a measure of relative deprivation, i.e. they measure the position of areas against each other within different domains. A rank of 1 indicates highest deprivation. Haringey is ranked 24 out of 152 local authorities in England on overall deprivation and is ranked 25 out of 152 local authorities on income deprivation
- Haringey has an Income Deprivation Affecting Children Index (IDACI) score of 0.287 (2015). This measures the proportion of all children aged 0 to 15 living in income deprived families. The average for All London Boroughs (excluding the City) is 0.241
- Furthermore, Haringey has an Income Deprivation Affecting Older People Index (IDAOPI) score of 0.318 (2015). This measures the proportion of all those aged 60 or
- the median gross weekly wage for employees living in Haringey is £654.1. This compares with an England wage of £574.9. Furthermore, 5.5% of working age people in Haringey are unemployed, compared with 4.2% nationally
- 3.6% of 16 to 18 year olds in Haringey are not in education, employment or training. This compares to an average of 3.0% for All London Boroughs (excluding the City)
- 59% of children in Haringey achieved 5 or more GCSEs at grades A* to C in 2014/15 including English and Maths. This compares with 57.7% for England. Among pupils eligible for free school meals, 41.5% achieved 5 or more GCSEs at grades A* to C including English and Maths in 2013/14, compared to 33.3% nationally. 75.6% of pupils in Haringey achieve a good level of development at the end of the academic year in which they turn five years old. This compares with 71.5% for England
- there are 98.30 total recorded offences (excluding fraud) per 1,000 population in over who experience income deprivation. The average for All London Boroughs (excluding the City) is 0.240

- 16.4 % of pupils attending nursery and primary schools and 20.3% of pupils attending secondary school in Haringey are eligible for and claiming free school meals. This compares with 15.7% of pupils attending nursery and primary schools and 14.1% of pupils attending secondary school for England as a whole
- there are 98.30 total recorded offences (excluding fraud) per 1,000 population in Haringey. This compares to an average of 82.32 for All London Boroughs (excluding the City).

5 Principles and purpose of a Members Allowances Scheme

5.1 The principles of a remuneration scheme

‘Upholding trust and confidence’

Citizens rightly expect that all those who choose to serve in public authorities uphold the public trust by embracing the values and ethics implicit in such public service. The Principles underpin the contribution that the Scheme makes towards upholding public trust and confidence.

‘Simplicity’

The Scheme should be clear and understandable. This is essential for all those who are affected by, or who have an interest in, the Scheme as well as the wider community

‘Remuneration’

The Scheme provides for payment to members of the local authority who carry a responsibility for serving their identified communities of geography and of interest. The level of remuneration should not act as a barrier to taking up or continuing in post. There should be no requirement that resources necessary to enable the discharge of duties are funded from the payment. The Scheme should provide additional recompense for those who are given greater levels of responsibility.

‘Diversity’

Democracy is strengthened when the membership of public authorities adequately reflects the demographic and cultural make-up of the communities served. The Scheme should encourage the participation of those who are significantly under-represented.

‘Accountability’

Taxpayers and citizens have the right to receive value for money from public funds committed to the remuneration of those who are elected, appointed or co-opted to serve in the public interest. The Council should make information readily available about the Scheme and the activities of its members.

‘Fairness’

As an essential test of the framework’s fairness, the Scheme for the remuneration of members should have regard to the earnings of the electorate in the community. The Scheme should be capable of being applied consistently as a means of ensuring that levels of remuneration are fair, affordable and generally acceptable.

'Quality'

The complex mix of governance, scrutiny and regulatory duties incumbent upon members requires them to engage with a process of continuous quality improvement. Members should be prepared to undertake such training and personal development opportunities as are required by the Council to properly discharge the duties for which they are remunerated.

'Transparency'

Transparency of members' remuneration is in the public interest. The Scheme serves to ensure that knowledge of members' remuneration is made easily available to the public.

5.2 **The purpose of a Members Allowances Scheme**

The policy intention behind the requirement for a bespoke Members' Allowances scheme for each local authority is to enable and facilitate members' roles and responsibilities as far as practically possible while taking into account such factors as the nature of the Council, local economic conditions and good practice. The Scheme should seek to minimise financial barriers to public service so as to enable a wide range of people to become a councillor without incurring undue personal financial cost, and the Scheme should as far as possible recompense members for the time they devote to their role and to the responsibilities they carry.

5.3 **The role and work of councillors**

The Report in 2018 by the Independent Panel – *'Remuneration of Councillors in London'* referred to the independent review by the Local Governance Research Unit based at Leicester Business School of the role and work of councillors. That review pointed out that councillors oversee multi million pound budgets, balancing complex financial pressures at a time of severe cutbacks in local authority spending, making decisions which will affect their areas for decades to come. In London each Borough Council is responsible for services crucial to its residents. Each has a revenue budget of up to £1.4bn as well as a substantial capital programme. The scale of their turnover and other financial activities are in many instances comparable with those of large publicly quoted companies. Councillors are faced with unenviable choices. Demand for local authority services continues to grow. In particular, there is rapid growth in the number of old people with a corresponding increase in demand for social care. London itself faces acute housing problems. Councillors have an increased responsibility for health. Thus the strain on and competition for resources increase the demands made on elected members. The responsibilities and accountabilities are made clear after a tragedy like the Grenfell Tower fire. The Independent Panel commented in its report that the evidence confirms that the workload and responsibilities of councillors continue to increase and that their role has become more complex, and not only in the areas of social care, housing and health. There has been growth in the number of sub-regional meetings, partnerships and joint bodies (such as Boards for Health & Wellbeing and Safer Neighbourhoods) which require the commitment and time of leaders, cabinet members and front-line councillors. Partnership engagement makes great demands on councillors. There has been a marked increase in informal meetings, such as working groups, forums and community gatherings as well as

formal meetings like local authority companies. The expectations of the public continue to rise. While valuable to democracy, the use of social media adds to the pressure on councillors by increasing demands from their constituents in several different ways. Communication with councillors is not only easier but immediate. The public expects a speedy response, so that it is now more difficult for councillors in employment to deal with concerns as quickly as voters expect. Not only do social media make it easier for their constituents to get hold of councillors, but they also enable an isolated concern to become an organised campaign. Appendix 4 to this report is a 'profile' for a Councillor in London produced by the Independent Panel and included as an Appendix to its 2018 Report. It is a concise summary of the purposes and key tasks that are part of the role of the elected member in a London Borough.

5.4 During my meetings with members as part of this Review it was mentioned on more than one occasion that the allowances payable under the current Members Allowance Scheme are insufficient to encourage a wider range of people to stand for Council. Allowance Schemes are not designed for this purpose as they would need to be at levels so high that this would not be publically acceptable. Some interviewees were not comfortable with the concept of the Allowances scheme having this objective as it would be contrary to the public service ethos if individuals were standing for and remaining on the Council for income reasons. The desire to serve local communities and residents should be the prime motivation for being a councillor. However, it is increasingly difficult to recruit people representative of the local demography with the necessary experience who are prepared to stand for office as councillors. Though the low level of allowances was mentioned as a reason for this, a major disincentive is the time commitment required of a councillor. That time commitment (as well as finance) can make it difficult to combine the role with a job and a family life. As one councillor commented '*Serving on outside bodies means that I am working every day of the week, weekends too*'. The problem is exacerbated in London, where councillors are on the whole younger than in other parts of the country and often in employment. They also face substantially higher costs of living. Though the time commitment may be the main disincentive to service as a councillor, it is important that, as far as reasonably possible, financial loss does not prevent people from becoming councillors. Member allowances are not shown by polls to be something which influences councillors to take on the role, though they are instrumental in making it possible for some people to do so. Allowances should be set at a level that enables people to undertake the role of councillor, while not acting as an incentive to do so. If it is important that there are no financial incentives to being a councillor, it is equally important that there should not be a financial disincentive. It is clearly desirable that service as a councillor is not confined to those with independent means.

5.5 **The consequences of taking on additional responsibilities**

For those who take on the responsibilities for which a Special Responsibility Allowance is paid the additional time commitment is significant. The time commitment for what is sometimes described as a 'backbench' role is generally agreed to be the equivalent of up to 2 days a week. For those who accept roles as Chairs of Council Committees and Panels the additional time commitment is at least one day a week. Cabinet Members are required to commit at least an additional two days a week to manage their Cabinet and portfolio responsibilities, while the role of Leader of a Council like Haringey requires a full time commitment. The reality is that for Cabinet Members and the Leader of the Council

the role is more of less full-time and it would be impossible for the Leader in particular to have paid employment. So the allowances that are paid represent for many elected members the only source of income during the time they serve as councillors. Apart from the impact that the commitment to a senior Council role has on career development and lost opportunities for promotion for those who are in paid employment, there is no provision for 'parachute payments' to soften the financial blow for those who lose their paid positions, either as a result of losing their Council seat in a local election, a change of political control or because for one reason or another an SRA is no longer available to them. For many, there is also the loss of occupational pension during the time they are not able to have paid employment outside their Council role. The Local Government Pension Scheme is no longer available to elected members.

5.6 The Haringey Members Allowance Scheme

The current Scheme was approved by full Council on 18 March 2019. As well as an increase of 2% in the Basic Allowance in line with the anticipated pay settlement to council staff there were a number of amendments to the previous Scheme. There are now explicit provisions for maternity, paternity and sickness leave, and also express provision for adoption and shared parental leave. There were no changes to the SRA provisions in the Scheme as it had been agreed previously that there was to be a review of SRAs during the ensuing municipal year.

The current Scheme is set out in full at Appendix 1 of this report. The Scheme provides for a Basic Allowance of £11,026 per annum (including all travel within the M25) to be paid to all members of the Council to fulfil those duties for which the Basic Allowance is predicated, including preparing for and attending meetings, addressing constituents concerns, engaging with local communities, external appointments and other associated work including telephone calls, emails and meetings with officers.

The Scheme provides for annual Special Responsibility Allowances (SRAs) in six 'Bands' to be paid to those Councillors who take on certain additional roles. These SRAs are paid in addition to the Basic Allowance. The Scheme also provides for the allowances for the Mayor and the Deputy Mayor to be paid under separate statutory provisions (Section 3 and 5 of the Local Government Act 1972)

Band 4	-	Leader of the Council	-	£33,926
Band 3B	-	Cabinet Members (9)	-	£25,443
Band 3A	-	Chair of Overview and Scrutiny Committee	-	£23,134
Band 2B	-	Chief Whip, Chair of Regulatory Committee, Chair of Alexandra Palace and Park Board, Leader of the Principal Opposition	-	£16,965
Band 2A	-	Chairs, Scrutiny Panels (4)	-	£15,421
Band 1B	-	Chair of Combined Pensions Committee & Board	-	£8,482

Chair of Staffing & Remuneration Committee
 Chair of Standards Committee
 Chair of Corporate Committee
 Vice Chair of Regulatory Committee
 Leader of the second Opposition Group
 or Deputy Leader of the Principal Opposition
 Chief Whip of the Principal Opposition

Mayoral allowance	-	£16,965
Deputy Mayoral allowance	-	£4,328

As part of this Review the Council's Democratic Services team carried out research on Members Allowances Schemes at a number of London Boroughs. The sources for this research included the Local Government Association website and the local authority websites, and in particular the Constitution of each of the local authorities and the information on Members' Allowances Schemes and committees structure. The local authorities selected for the review had similar demographics to Haringey. And included Conservative controlled and Liberal Democrat controlled councils to ensure that there was a wide range of different types of councils for comparison. Additionally, a mixture of Leader & Cabinet and Committee forms of governance systems was chosen to ensure a wider comparison for the research.

Democratic Services compiled a comparative data table for allowances paid by the following London Boroughs:

- Leader and Cabinet governance model
 - Haringey Council (Labour majority)
 - Enfield Council (Labour majority)
 - Islington Council (Labour majority)
 - Camden Council (Labour majority)
 - Waltham Forest Council (Labour majority)
 - Southwark Council (Labour majority)
 - Westminster Council (Conservative majority)
- Committees governance model
 - Barnet Council (Conservative majority)
 - Richmond upon Thames Council (Liberal Democrat majority)
 - Sutton Council (Liberal Democrat majority)

The key findings of the research were:

- **Basic Allowance**
 - The current Haringey Scheme provides for a Basic Allowance of £11,026 per annum following an uplift of 2% in March 2019. The Independent Panel recommended a Basic Allowance of £11,045 in its 2018 Report and that this

should be pegged to the annual increase for local government employees. The views of most of those members that I interviewed and/or who completed the questionnaire is that the Basic Allowance should be index linked either to a relevant annual inflation figure or to the annual 'cost of living' award for local government employees, but that this is not the time for a major increase in Basic Allowance.

- **Leader of the Council**

- The Leader and Deputy Leader of Southwark Council have the highest SRAs in comparison to the other local authorities. The Leader of Southwark Council receives an SRA of £54,303, and the Deputy Leader of Southwark Council receives an SRA of £36,448.
- Waltham Forest Council provides the second highest SRA in comparison to the local authorities examined. The Leader of Waltham Forest Council receives an SRA of £51,000, and the Deputy Leader of Waltham Forest Council receives an SRA of £32,640.
- The Leader of Haringey Council receives an SRA of £33,926.
- Enfield Council provided the lowest SRA to the Leader (£26,364). However, Enfield Council provides the Deputy Leader an SRA of £15,828, whereas Haringey, Islington and Camden Council do not provide SRAs to the Deputy Leader.

- **Cabinet Members**

- Southwark Council has 9 Cabinet Members (similar to Haringey Council), and its Cabinet Members receive the highest SRA in comparison to the other local authorities examined as part of the review. The Cabinet Members at Southwark Council each receive an SRA of £36,448. Cabinet Members at Haringey each receive an SRA of £25,443
- In relation to the local authorities reviewed that follow the Leader and Cabinet model, the Cabinet Members of Westminster Council receive the lowest SRA of £11,000 for each of the 8 Cabinet members (excluding the Deputy Leader, who receives a higher SRA of £19,000).

- **Other SRAs**

- the Chief Whip of the Majority Group at Haringey Council receives the highest SRA (£16,965) in comparison to the local authorities selected. Not all of the comparator London Boroughs pay an SRA to the Chief Whip of the Opposition, and Haringey pays the highest (£8,482).
- the Chair of the Regulatory Committee at Haringey Council receives the highest SRA (£16,965) in comparison to the local authorities selected although any comparison is complicated as the majority of comparator Boroughs have

Chairs of both Planning Committee and Licensing Committee. Of the selected Labour majority Councils, only Haringey Council and Waltham Forest Council provide SRAs to the Regulatory Committee Vice-Chairs. However, Haringey Council provides almost double the SRA to the Regulatory Vice-Chair (£8,482) in comparison to Waltham Forest Council (£4,590)

- Haringey Council's Overview and Scrutiny Chair receives the second highest SRA (£23,134). The Overview and Scrutiny Chair at Southwark Council receives the highest SRA at £24,547, and Richmond upon Thames Council provides the OSC Chair equivalent (Chair of Policy & Performance Review Board) the lowest SRA at £5,100.
- Only Islington (£3,255) and Southwark (£9,064) pay SRAs to those other than the Chair of the O&S Committee for scrutiny involvement so Haringey (£15,421) pays the highest SRAs to Scrutiny Panel Chairs.
- The Leader of the Principal Opposition Group at Haringey receives the third highest SRA (£16,965) with the highest SRA paid to the Leader of the Opposition at Waltham Forest (£18,035) and the lowest (£9,000) at Westminster City Council.
- The Deputy Leader of the Principal Opposition Group at Haringey receives an SRA of £8,482. None of the comparator Boroughs appears to remunerate a similar role.
- The Chair of the Combined Pensions Committee and Board at Haringey receives an SRA of £8,482. Not every comparator Borough has a Pension Committee but of the 7 Boroughs that pay an SRA in connection with pension responsibilities only LB Barnet pays a higher SRA (£15,333) than Haringey with most paying significantly less.
- The Chair of the Staffing and Remuneration Committee at Haringey receives an SRA of £8,482. None of the other comparator Boroughs pays an SRA to the Chair of a Staffing and Remuneration Committee as they do not have such a Committee or equivalent.
- The Chair of the Standards Committee at Haringey receives an SRA of £8,482. Of the comparator Boroughs only Westminster (£3,060) other than Haringey has a stand-alone Standards Committee for which an SRA is paid.
- The Chair of the Corporate Committee at Haringey receives an SRA of £8,482. Nearly all of the comparator Boroughs has a Committee with similar terms of reference to Haringey's Corporate Committee but this is normally described as an Audit/Risk Management Committee. Enfield (£8,442) and Westminster (£8,160) pay similar SRAs to Haringey while Sutton (£9,700), Waltham Forest (£10,200) and Barnet (£15,333) pay more.

- **Civic allowances**

- The Scheme provides for an allowance of £16,965 to the Mayor of the Borough. This is the third highest mayoral allowance paid by the comparator authorities with only Southwark (£24,547) and Enfield (£17,788) paying more.
- The Scheme provides for an allowance of £4,328 for the Deputy Mayor. Again, this is the third highest mayoral allowance paid by the comparator authorities and only Southwark (£9,064) and Enfield (£5,876) pay more.

5.7 Research was also commissioned into the average cost of the Members Allowance Schemes in a number of neighbouring London Boroughs:

- the total Members Allowances paid in 2018/19 in Haringey was £1,106 million. There are 57 councillors so the average cost per councillor in Haringey was £19,403
- the total Members Allowances paid in 2018/19 in Waltham Forest was £1,205 million. There are 60 councillors so the average cost per councillor in Waltham Forest was £20,083.
- the total Members Allowances paid in 2018/19 in Islington was £889,000. There are 48 councillors so the average cost per councillor in Islington was £18,520
- the total Members Allowances paid in 2018/19 in Enfield was £1,000,000. There are 63 councillors so the average cost per councillor in Enfield was £15,873
- the total Members Allowances paid in 2018/19 in Camden was £832,000. There are 53 councillors so the average cost per councillor in Camden was £15,698

The table below sets out the average cost of Members Allowances in London Local Authorities for 2018-19

AVERAGE COST OF MEMBERS' ALLOWANCE IN LONDON LOCAL AUTHORITIES (period 2018-19)			
London Boroughs	Total cost of Members' Scheme from budget	Total number of Councillors	Average cost per councillor
Barking and Dagenham	£856,000	51	£16,784
Barnet	£1,010,000	63	16,031
Bexley	£662,000	45	£14,711
Brent	£1,160,000	63	£18,412
Bromley	£1,090,000	60	£18,166
Camden	£832,000	53	£15,698
Croydon	£1,225,075	70	£17,501
Ealing	£1,020,000	69	£14,782.
Enfield	£1,000,000	63	£15,873
Greenwich	£771,762	51	£15,132
Hackney	£1272,000	57	£22,315
Hammersmith and Fulham	£820,000	46	£17,826
Haringey	£1,106,000	57	£19,403
Harrow	£827,000	63	£13,126
Havering	£929,598	54	£17,214
Hillingdon	£1,134,000	65	£17,044
Hounslow	£901,000	60	£15,016
Islington	£889,000	48	£18,520
Kensington and Chelsea	£1,137,000	50	£22,740
Kingston upon Thames	£668,000	48	£14,333
Lambeth	£1,215,000	63	£19,285
Lewisham	£1,023,000	54	£18,944
Merton	£728,000	57	£12,771
Newham	£1,191,000	63	£18,904
Redbridge	£922,000	63	£14,634
Richmond upon Thames	£676,000	54	£12,518
Southwark	£1,324,831	63	£21,029
Sutton	£898,000	54	£16,629
Tower Hamlets	£804,373	46	£17,486
Waltham Forest	£1,205,000	60	£20,083
Wandsworth	£1,066,00	60	£17,766

Westminster	£964,000	60	£16,066
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6 The findings from the review

- 6.1 It is widely accepted that the role and work of a councillor anywhere in England can be challenging and demanding, and that this is undeniably the case in London as the report of the Independent Panel referred to at paragraph 4.3 above makes clear. The evidence I have collected as part of this Review also shows that the role and work of a councillor in Haringey is particularly challenging and demanding given the demographics of the Borough as set out in paragraph 3 above.
- 6.2 It is undeniable that there is a strong case that councillors generally and in Haringey in particular deserve better remuneration to reflect both the workload and responsibilities that many of them carry for relatively little reward. However, it is also accepted that whilst the case may be strong there is insufficient justification for a major uplift of allowances across the board, not least at a time of continuing austerity and in a Borough which is ranked 24 out of 152 local authorities in England on overall deprivation and 25 out of 152 local authorities on income deprivation. It is also a relevant fact that Haringey already spends more per councillor on member allowances than most of the neighbouring London Boroughs.
- 6.3 Nevertheless, although it is not the right moment to revise the Member Allowance Scheme with a general uplift across the Board, it is clear from the review that there are a number of inequalities and disparities in the allocation of SRAs in the Haringey Scheme that need to be addressed. My conclusions and any recommendations for increasing specific SRAs in Section 7 of my report are based on all the evidence that I have collected including the comparator information from other Boroughs, interviews with members, the questionnaire survey results, the information about the roles and responsibilities of SRA holders and my judgements as the independent expert. They are also a reflection of the particular circumstances that apply in Haringey. I am also very conscious of the financial situation and the acceptability of increasing expenditure on members allowances at a time of continuing financial constraint, but the financial implications of my recommendations are very modest amounting to less than an additional £21,500 per annum on the current provision of £1,106,000 per annum – an increase of less than 2% per annum:

- **Basic Allowance**

The current Scheme provides for a Basic Allowance of £11,026 per annum following an uplift of 2% in March 2019. Three comparator London Boroughs pay a higher Basic Allowance – Southwark pays a Basic Allowance of £11,496, Waltham Forest pays £11,266 and Sutton pays £11,164. The Independent Panel recommended a Basic Allowance of £11,045 in its 2018 Report and that this should be pegged to the annual increase for local government employees. The views of most of those members that I interviewed and/or who completed the questionnaire is that the Basic Allowance should be index linked either to a relevant annual inflation figure or to the annual ‘cost of living’ award for local government employees, but I have concluded that this is not the right time for an

increase in the Basic Allowance.

- **The SRA for the Leader of the Council**

The current Scheme provides for a Band 4 SRA of £33,926 for the Leader of the Council. A majority of those members (16) who completed the questionnaire considered this to be *'too low'* with 11 considering it to be *'fair'* - only one councillor considered the current SRA to be *'too high'*. The Leader of Southwark Council has the highest SRA - £54,303 - of the comparator local authorities, while Waltham Forest Council provides the second highest SRA of £51,000.

The Independent Panel in its 2018 Report commented that *'if anything, the Leaders of London boroughs warranted a higher remuneration than an MP, because they had greater financial responsibility and legal burdens, and especially given the differential pension arrangements. Indeed one respondent authority suggested that the direct responsibilities of a Leader should command the salary of a Junior Minister'*. The Report recognised that *'the current stringent economic circumstances made such remuneration impossible at the present time'* but that *'this is a full-time job, involving a high level of responsibility and includes the exercise of executive responsibilities. It is right that it should be remunerated on a basis which compares with similar positions in the public sector, while still retaining a reflection of the voluntary character of public service'*. The Panel recommended an SRA for Leaders of London Boroughs of £57,085, significantly greater than the current payment of £33,926 to the Leader in Haringey.

As was highlighted earlier in this report (paragraph 5.5) the reality is that for the Leader of a Council like Haringey a full time commitment is required. It would be impossible for the Leader to have paid employment, so the Basic Allowance and SRA that is paid is the only source of income. I am proposing a significant uplift in the SRA currently paid to the Leader of the Council.

For information, Appendix 6 to this report provides details of the role, workload and portfolio of responsibilities for the Leader of the Council.

- **The SRA for Cabinet Members**

The current Scheme provides for a Band 3B SRA of £25,4543 for each Cabinet Member. A majority of those members who completed the questionnaire considered this to be *'fair'* (17) , with 4 considering the payment to be *'too high'*, and 6 *'too low'*. There are a number of comparator London Boroughs that pay a higher SRA to Cabinet Members with an equal number that pay a lower SRA. The recommendation in the Independent Panel Report of 2018 is that the SRA for a Cabinet Member should be between £36,917 to £43,460, significantly greater than the current payment to Cabinet Members in Haringey.

A number of members commented to me about the variable workloads that Cabinet Members carried depending on their portfolio, and some suggested that the SRAs should be reduced for those Cabinet members with the least demanding portfolios. It is apparent that such comments are based on misunderstandings about the commitments required of Cabinet members. As was highlighted earlier in this report (paragraph 5.5) Cabinet Members are required to commit at least an additional two days a week to manage their Cabinet and portfolio responsibilities. The reality is that for Cabinet Members this means that the role is more or less full-time and it would be difficult if not impossible for a Cabinet Member to have paid employment, so the Basic Allowance and SRA that is paid are for many the only source of income. Council's Constitution that describes the work of the Cabinet, and Appendix 6 provides details of the role, workload and portfolio of responsibilities for the members of Haringey Council's Cabinet.

However, I am not proposing any change in the SRA for Cabinet members.

(Appendix 7 to this report provides details of the roles and responsibilities of SRA holders other than members of the Cabinet)

- **The SRA for the Chair of the Overview and Scrutiny Committee**

The current Scheme provides for a Band 3A SRA of £23,134 for the Chair of the Overview and Scrutiny Committee. The SRA paid at Haringey is the second highest of the payments in the comparator Boroughs and most pay significantly less for this role. Of those members who completed the questionnaire 9 said the payment was '*too high*', 18 said '*fair*' and 2 said '*too low*'. A number of members pointed to the demanding role of the Chair of the O & S Committee and suggested that the SRA should be aligned with that of Cabinet members to reflect the workload and the responsibility of the role.

I agree that the current SRA does not reflect the considerable workload and responsibilities involved in chairing the Committee the post and I am proposing that the SRA for this role is increased accordingly.

- **The SRA for the Vice Chair of Overview and Scrutiny Committee**

The current Scheme provides for a Band 2A SRA of £15,421 for this role, the same as the SRA for the other three Chairs of the Scrutiny Panels. As well as chairing one of the Panels this postholder also acts as Vice Chair of the Overview and Scrutiny Committee with the additional responsibility that this entails. I am therefore recommending a small increase in the SRA for this role.

- **The SRA for the Chairs of Scrutiny Panels**

The current Scheme provides for a Band 2A SRA of £15,421 for the Chairs of Scrutiny Panels. Only Islington (£3,255) and Southwark (£9,064) pay SRAs to those other than the Chair of the O&S Committee for scrutiny involvement so Haringey pays the highest SRAs for this role. Of those members who completed the questionnaire 11 said the payment was 'too high', 15 said it was 'fair' and 3 said it was 'too low'.

I am not proposing any change in the SRA for this role.

- **The SRA for the Chief Whip of the Majority Group**

The current Scheme provides for a Band 2B SRA of £16,965 for the Chief Whip. The Chief Whip of the Majority Group at Haringey Council receives the highest SRA for this role in comparison to the local authorities selected for comparison purposes. Of those members who completed the questionnaire 16 considered this payment to be 'fair', with 10 considering the payment to be 'too high', and 3. A number of members commented to me about the importance of this role in an authority like Haringey where there is an effective and active Opposition Group, and that, although the role is essentially political rather than functional in nature, it was very demanding with a significant time commitment.

I am not proposing any change in the SRA for this role.

- **The SRA for the Chair of the Regulatory Committee**

The current Scheme provides for a Band 2B SRA of £16,695 for the Chair of the Regulatory Committee. The Regulatory Committee Chair at Haringey Council receives the highest SRA in comparison to the local authorities selected although any comparison is complicated as the majority of comparator Boroughs have Chairs of both Planning Committee and Licensing Committee. Of those members who completed the questionnaire 5 said the payment was 'too high', 17 said it was 'fair' and 4 said it was 'too low'.

I am not proposing any change in the SRA for this role.

- **The SRA for the Vice Chair of the Regulatory Committee**

- The current Scheme provides for a Band 1B SRA of £8,482 for the Vice Chair of the Regulatory Committee. Of the selected Labour majority Councils, only Haringey Council and Waltham Forest Council provide SRAs to the Regulatory Committee Vice-Chairs, and, Haringey Council provides almost double the SRA to the Regulatory Vice-Chair (£8,482) in comparison to Waltham Forest Council (£4,590) Of those members who completed the questionnaire 11 said the payment was 'too high', 14 said it was 'fair' and 2 said it was 'too low'.

I am not proposing any change in the SRA for this role.

There seems to be consensus around the proposition that the Regulatory Committee should be formally reconstituted as two separate Committees – a Planning Committee and a Licensing Committee. It was also suggested that the SRA for the Planning Committee Chair should be in line with the current SRA for the Regulatory Committee and that the SRA for the Licensing Committee Chair should be in line with the SRA currently paid to the Vice Chair of the Regulatory Committee.

- **The SRA for the Chair of the Alexandra Palace and Park Board**

The current Scheme provides for a Band 2B SRA of £16,965 for the Chair of the Alexandra Palace and Park Board. There are no comparable Committees at any of the comparator Boroughs. Of those members who completed the questionnaire 13 Councillors said it was *'too high'*, 14 said it was *'fair'* and 2 said it was *'too low'*.

Even though a number of members both in their interviews with me and through the questionnaire survey indicated that they considered that the SRA paid for this role was too high, those directly involved with this Committee currently and historically are of the view that the workload and responsibility for this role is significant and that the current SRA reflects this appropriately. Appendix 7 to this report sets out the role of the Chair and supports the view that the role carries a significant workload and responsibility.

I am not proposing any change in the SRA for this role.

- **The SRA for the Leader of the Principal Opposition Group**

The current Scheme provides for a Band 2B SRA of £16,965 for the Leader of the Principal Opposition Group. A number of comparator London Boroughs pay a higher SRA to the Leader of the Opposition with Haringey paying the third highest SRA (£16,965) and the highest SRA is paid to the Leader of the Opposition at Waltham Forest (£18,035) and the lowest (£9,000) at Westminster City Council. Of those members who completed the questionnaire the majority consider the payment to be *'fair'* (20), with 5 considering the payment to be *'too high'*, and 5 *'too low'*. There is no doubt that this is a demanding role in a local authority like Haringey where the Leader of the Opposition is expected to constantly scrutinise and challenge the work of the Majority Group and also to propose alternative policies and financial strategies particularly during the budgetary process. The SRA paid for this role was reduced from Band 3A to Band 2B in 2017.

I am proposing an increase in the SRA for this role to recognise the demands and responsibilities that are involved.

- **The SRA for the Deputy Leader of the Principal Opposition Group**

The current Scheme provides for a Band 1B SRA of £8,482 for the Deputy Leader of the Principal Opposition Group (or for the Leader of the second Opposition Group). None of the comparator Boroughs appears to pay an SRA for this role. Of those members who completed the questionnaire: 7 indicated that this was too high, 19 indicated that this was fair and 3 advised that it was too low.

I am not proposing any change in the SRA for this role.

- **The SRA for the Chair of the Combined Pensions Committee & Board**

The current Scheme provides for a Band 1B SRA of £8,482 for the Chair of the Combined Pensions Committee and Board. Not every comparator Borough has a Pension Committee but of the 7 Boroughs that pay an SRA in connection with pension responsibilities only LB Barnet pays a higher SRA (£15,333) than Haringey with most paying significantly less. A majority (20) of those members who completed the questionnaire consider the payment to be '*fair*', 3 said it was '*too high*', and 5 said it was '*too low*'. There is a considerable workload for the postholder as well as significant financial responsibility and my conclusion is that the current SRA does not reflect this adequately.

I therefore propose an increased SRA for this post.

- **The SRA for the Chair of the Staffing & Remuneration Committee**

The current Scheme provides for a Band 1B SRA of £8,482 for the Chair of the Staffing and Remuneration Committee. None of the other comparator Boroughs pays an SRA for this role as they do not have a Staffing and Remuneration Committee or equivalent. Of those members who completed the questionnaire 3 said the payment was '*too high*', 21 said it was '*fair*' and 5 said it was '*too low*'.

I am not proposing any change in the SRA for this role.

- **The SRA for the Chair of the Standards Committee**

The current Scheme provides for a Band 1B SRA of £8,482 for the Chair of the Standards Committee. Of the Comparator Boroughs only Westminster (£3,060) has a stand- alone Standards Committee for which an SRA is paid. Of those members who completed the questionnaire 4 said the payment was '*too high*', 19 said it was '*fair*' and 6 said it was '*too low*'

I am not proposing any change in the SRA for this role.

- **The SRA for the Chair of the Corporate Committee**

The current Scheme provides for a Band 1B SRA of £8,482 for the Chair of the Corporate Committee. Nearly all of the comparator Boroughs has a Committee

with similar terms of reference but normally described as an Audit/Risk Management Committee. Enfield (£8,442) and Westminster (£8,160) pay similar SRAs to Haringey while Sutton (£9,700), Waltham Forest (£10,200) and Barnet (£15,333) pay more. Of those members who completed the questionnaire 4 Councillors said the payment was *'too high'*, 17 said it was *'fair'* and 8 said it was *'too low'*.

I am not proposing any change in the SRA for this role.

- **The SRA for the Vice Chair of the Regulatory Committee**

The current Scheme provides for a Band 1B SRA of £8,482 for the Vice Chair of the Regulatory Committee. Of the selected Labour majority Councils, only Haringey Council and Waltham Forest Council provide SRAs to the Regulatory Committee Vice-Chairs. Haringey Council pays almost double the SRA to the Regulatory Committee Vice-Chair in comparison to Waltham Forest Council (£4,590). Of those members who completed the questionnaire 10 said the payment was *'too high'*, 14 said *'fair'* and 4 said *'too low'*.

I am not proposing any change in the SRA for this role.

- **The SRA for the Chief Whip of the Principal Opposition**

The current Scheme provides for a Band 1B SRA of £8,482 for the Chief Whip of the Principal Opposition. Not all of the comparator London Boroughs pay an SRA to the Chief Whip of the Opposition, and Haringey pays the highest. Of those members who completed the questionnaire 7 said the payment was *'too high'*, 19 said *'fair'* and 1 said *'too low'*.

I am not proposing any change in the SRA for this role.

- **The Mayoral Allowance**

The current Scheme provides for an allowance of £16,965 to the Mayor of the Borough. This is the third highest mayoral allowance paid by the comparator authorities and only Southwark (£24,547) and Enfield (£17,788) pay more. Of those members who completed the questionnaire 5 said the payment was *'too high'*, 21 said it was *'fair'* and 3 said it was *'too low'*.

I am not proposing any change in the allowance for this role

- **The Deputy Mayoral Allowance**

The current Scheme provides for an allowance of £4,328 for the Deputy Mayor. Again, this is the third highest mayoral allowance paid by the comparator authorities and only Southwark (£9,064) and Enfield (£5,876) pay more. Of those members who completed the questionnaire 3 said the payment was 'too high', 17 said it was 'fair' and 8 said it was 'too low'.

I am not proposing any change in the SRA for this role.

- **Other matters**

A number of members made comments about the current Scheme:

- *"In general, the allowances should be reflective of the amount of work expected. Some committee chairs have relatively small workload for a large remuneration. It would be better if the rates were set at least on a London wide basis"*
- *"The SRAs may be fair but those holding them need to do work commensurate with receiving an SRA. That means work between meetings and putting the time in. That is an issue"*
- *"The council should review the regulatory committee. The committee should be split into two, planning and licensing, with two chairs (chair of planning committee and chair of licensing committee). The vice chair position will therefore not require an SRA. This will reduce the volume of meetings the respective chairs attend. The SRA for the overview and scrutiny chair should be in line with the scrutiny chairs as they appear to have similar number of meetings & responsibilities"*
- *"When setting SRAs, consideration should be given as to whether a Councillor can reasonably do the role, and maintain a full-time job as well. Councillors giving up full-time, or moving to part-time work, lose seniority in their day jobs, and it costs them (and hence their families) financially in the medium and long term. Furthermore, since Council allowances do not merit any payment towards pensions, SRA payments should seek to recompense recipients for this as well"*
- *"SRA should reflect time and commitment and not just responsibility"*
- *"Cabinet member and Leader are, by virtue of the level of work, almost required to be full-time. For those without external incomes or who are of working age - this is a huge risk if the positions only guaranteed for one year. I think we should move to full-time cabinet members appointed for four years if we're requiring full-time work. If it was for less, they should on leaving their office be given a golden goodbye like they do in Southwark to tie them over till they get a new job"*
- *"We need to ensure adequate and fair allowances are paid do that we can ensure a diverse range of councillors"*

- *“There is no justification for rises for the vast majority of roles”*
- *“I believe that many of these roles require work outside the set meetings that are not recognised hence the SRA”*
- *“Should be able to justify allowances by reference to other similar local authorities or London wide recommendations”*
- *“Concerns are how these all are used for political patronage”*
- *“The Chair of the Adults and Health Scrutiny sits on several other committees including JHOSC so they have a very heavy meeting schedule which should be reflected in a larger SRA”*
- Claiming for child care, babysitting etc
- A number of members raised the possibility of ‘parachute payments’ being included in the Scheme as a way of compensating for the immediate loss of income for those who lose their seats at a local election or who no longer are awarded an SRA. Although this has been discussed in the past and was proposed by the Councillor Commission for introduction some years ago there is no provision for such payments in local government legislation.

7 Recommendations

7.1 The Standards Committee commissioned this review of the current Members Allowance Scheme with the following terms of reference:

- an independent Review of the Members Allowance Scheme to be undertaken between July 2019 and March 2020 for implementation in the 2020/21 municipal year
- the Review should include an analysis of roles and responsibilities with a 'benchmarking exercise' to ensure that the Borough is in line with comparator Boroughs in its provision of SRAs
- the key purpose of the Review was to ensure that members are appropriately remunerated and to address any inequalities and disparities in the allocation of SRAs. Differences had had been noted in the Leader's allowance in proportion to Cabinet Member allowances, the perceived higher number of Committee meetings chaired and attended by some members in comparison to other committees where an SRA was payable
- whether an annual percentage uplift of all Allowances to correlate with the equivalent annual cost of living award for local government staff should be introduced
- whether the Mayoral Allowances should remain as separate statutory provisions in the Members Allowance Scheme (under Section 3 and 5 of the Local Government Act 1972)
- the Review should have regard to the recommendations of the Independent Remuneration Panel. The Local Authorities (Members' Allowances) (England) Regulations 2003 ('the Regulations') authorise the establishment by the Association of London Government (now London Councils) of an independent remuneration panel to make recommendations in respect of the members' allowances payable by London Boroughs. The Regulations require a review of the scheme every four years as a minimum and the Panel published its most recent report in 2018
- the Review would operate under the principle that any changes proposed must be evidence based.

7.2 Based both on the research into the arrangements in comparator London Boroughs and on the results of the member questionnaire survey, the current London Borough of Haringey Member Allowance Scheme appears to be generally fit for purpose and an effective mechanism for remunerating those members of the Council who take on additional responsibilities through the allocation of Special Responsibility Allowances.

7.3 It is undeniable that there is a strong case that councillors generally and in Haringey in particular deserve better remuneration to reflect both the workload and responsibilities that many of them carry for relatively little reward. However, it is also accepted by most of those who participated in the Review that whilst the case may be strong there is insufficient justification for a major uplift of allowances across the board, not least at a time of continuing austerity and in a Borough which is ranked 24 out of 152 local authorities in England on overall deprivation and 25 out of 152 local authorities on income deprivation. It

is also a relevant fact that Haringey Council already spends more per councillor on member allowances than most of the neighbouring London Boroughs.

- 7.4 However, it is clear from the review that there are a number of inequalities and disparities in the allocation of SRAs in the Haringey Scheme that need to be addressed. My recommendations for increasing specific SRAs result from the findings of my review as set out in Section 6 of this report which summarises all the evidence that I have collected. The financial implication of my recommendations if they are all agreed is very modest amounting to less than an additional £21,500 per annum on the current provision of £1,106,000 per annum - an increase of less than 2% per annum.

Recommendation 1

- **The SRA for the Leader of the Council:**

It is generally accepted that the current SRA of £33,926 for the Leader of the Council is not adequate and should be increased. Based on the fact that this is a full-time and challenging role that inevitably represents the sole source of income for whoever takes on this role **my proposal is that the payment should either be at the level of £57,085 recommended in the 2018 Independent Panel Report, or should be aligned to the SRA paid to a neighbouring comparator London Borough with a similar demographic and political profile - for example, LB Waltham Forest pays its Leader an SRA of £51,000 - or it should be at a level that is appropriate, defensible and affordable of £45,000 per annum.**

Recommendation 2

- **Basic Allowance:**

I propose that the Basic Allowance payable in 2020/21 remains at £11,026 per annum, and that this payment is index linked to the local government staff pay award for 2020 when it is finalised later this year. The increase will be payable in the 2021/22 municipal year.

- **The SRA for Cabinet Members:**

Despite the significant workload and responsibilities of Cabinet members I **propose that the SRA for Cabinet members remains at Band 3B (£25,443)**

- **The SRA for the Leader of the Principal Opposition Group:**

This is a demanding role in a local authority like Haringey where the Leader of the Opposition is expected to constantly scrutinise and challenge the work of the Majority Group and also to propose alternative policies and financial strategies particularly during the budgetary process and **I propose that the SRA for the Leader of the Principal Opposition Group is increased from Band 2B (£16,965) to a new Band 2C (£19,500)**

- **The SRA for the Deputy Leader of the Principal Opposition Group:**

I propose that that the SRA for the Deputy Leader of the Principal Opposition Group remains at Band 1B (£8,482)

- **The SRA for the Chair of Overview and Scrutiny Committee:**

This is a demanding role and a number of members suggested that the SRA should be aligned with that of Cabinet members to reflect both the workload and the responsibility of the role. I agree with that view having reviewed the evidence about the workload and responsibilities of the post and **I propose that the SRA for the Chair of Overview and Scrutiny Committee is increased from Band 2B (£23,134) to Band 3B (£25,443)**

- **The SRA for the Vice Chair of the Overview and Scrutiny Committee**

To recognise the additional responsibility of acting as Vice Chair of the Committee as well as chairing one of the Scrutiny Panels **I propose that the SRA for the Vice Chair of Overview and Scrutiny Committee is increased from Band 2A (£15,421) to Band 2B (£16,965)**

- **The SRA for Chairs of Scrutiny Panels**

I propose that the SRA for the other Chairs of Scrutiny Panels remains at Band 2A (£15,421)

- **The SRA for the Chair of Regulatory Committee:**

I propose that the SRA for the Chair of Regulatory Committee remains at Band 2B (£16,965)

(Following the views expressed in interviews and in the questionnaire, if consideration is given in the coming municipal year for a review of the Regulatory Committee and it is reconstituted as separate Planning and Licensing Committees, the SRA for the Chair of the Planning Committee should be Band 2B (£16,965))

- **The SRA for the Vice Chair of Regulatory Committee:**

I propose that the SRA for the Vice Chair of Regulatory Committee remains at Band 1B (£8,482)

- **The SRA for the Chair of Licensing Committee**

(Following the views expressed in the interviews and the questionnaire, if consideration is given in the coming municipal year for a review of the Regulatory Committee and it is reconstituted as separate Planning and Licensing Committees, the SRA for the Chair of the Licensing Committee should be Band 1B (£8,482))

- **The SRA for the Chair of the Combined Pensions Committee and Board**

To recognise the considerable workload and the significant financial responsibilities involved in this role **I propose that the SRA for the Chair of the Combined Pensions Committee and Board is increased from a Band 1B (£8,482) to a new Band 1C (£12,500)**

- **The SRA for the Chair of Alexandra Park Committee:**

I propose that the SRA for the Chair of Alexandra Park Committee remains at Band 2B (£16,965)

- **The SRAs for the Chairs of Corporate, Standards, Staffing and Remuneration Committees**

I propose that the SRAs for the Chairs of these Committee remains at Band 1B (£8,482)

- **The Allowances for the Mayor and Deputy Mayor:**

I propose that the Mayoral Allowances should remain at their current levels as separate statutory provisions in the Members Allowance Scheme (under Section 3 and 5 of the Local Government Act 1972)

- **Index linking:**

I propose that the Basic Allowance, SRAs and Civic Allowances be increased annually by the same percentage applied to the pay of local government staff and that any increases become payable in each following municipal year.

- **Implementation:**

I propose that that the recommendations contained in this report (with any amendments) be implemented from the date of the Council meeting at which the revised Allowances Scheme is adopted

Richard Penn

**Senior LGA Associate
January 2020**

Appendix 1

The LB Haringey Members Allowance Scheme

1. SCHEME FOR THE PAYMENT OF MEMBERS' ALLOWANCES

1.01 Made in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003 and in force for the municipal year 2019/20 1 April 2019 to 31 March 2020).

2. BASIC ALLOWANCE

2.01 Each Councillor will be entitled to receive the sum of £11,026 by way of Basic Allowance.

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

3. INCLUDED EXPENSES

3.01 Travel Expenses

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

4. MAYORAL ALLOWANCES

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

(a) The Mayor is entitled to an additional allowance of £16,965.

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

5. SPECIAL RESPONSIBILITY ALLOWANCES

5.01 For the period 1 April 2019 to 31 March 2020, Haringey Council will allocate Special Responsibility Allowances in six bands, to Councillors who take on certain additional roles, in accordance with Table A below. If a Councillor does not serve as such for the whole period or becomes suspended or partially suspended, he/she will only be entitled to receive pro-rata payment for the period(s) during which he/she actually was a serving Councillor and had the special responsibilities.

Table A

Band	Position	Special Allowance	Total Allowance (including Basic Allowance)
Band 4	• □ Leader	£33,926	£44,952
Band 3B	9 or fewer x Cabinet Members	£25,443	£36,469
Band 3A	• □ Chair of Overview and Scrutiny Committee	£23,134	£34,160
Band 2B	<ul style="list-style-type: none"> • □ □ Chief Whip • □ □ Chair of Regulatory Committee • □ □ Chair of Alexandra Palace and Park Board • □ □ Leader of the Principal Opposition 	£16,965	£27,991
Band 2A	4 x Councillors serving on Overview and Scrutiny Committee	£15,421	£26,447
Band 1B	<ul style="list-style-type: none"> • □ □ Chair of Combined Pensions Committee and Board • □ □ Chair of Staffing and Remuneration Committee • □ □ Chair of Standards Committee • □ □ Chair of Corporate Committee • □ □ Vice Chair of Regulatory Committee • □ □ Leader of the second Opposition Group or Deputy Leader of the Principal Opposition • □ Chief Whip of the Principal Opposition 	£8,482	£19,508

6. MULTIPLE RESPONSIBILITIES

6.01 Where a Councillor holds more than one post of special responsibility, he/she may only receive one Special Responsibility Allowance. Where a Councillor holds more than one post

of special responsibility and the posts have Special Responsibility Allowances of different monetary values, the Councillor would receive the higher one. For the purposes of this paragraph, the Mayor and Deputy Mayor count as posts of special responsibility.

7. CO-OPTEE'S ALLOWANCES

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

8. BABYSITTING AND DEPENDANTS ALLOWANCE

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

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

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

9. TRAVELLING AND SUBSISTENCE ALLOWANCE

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

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

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

Not exceeding 150 cc 8.5 pence per mile

(c) 150 cc but not over 500 cc 12.3 pence per mile 500 cc 16.5 pence per mile

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

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

The maximum rates for subsistence allowance on approved duties are as follows:

For an absence of more than 4 hours before 11.00 - £2.67

For an absence of more than 4 hours including lunchtime between 12.00 and 14.00 - £4.92

For an absence of more than 4 hours including the period 15.00 to 18.00 - £6.77

For an absence of more than 4 hours ending after 19.00 - £8.38

10. CLAIMS AND PAYMENTS

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

10.02 The Basic Allowance and Special Responsibility Allowances will be paid in equal monthly instalments.

10.03 The Co-optees' Allowance must be claimed by, and will be paid at, the end of the municipal year, subject to paragraphs 2.02 above and 10.05 below.

10.04 All claims for Travelling and Subsistence Allowance and Babysitting and Dependants Allowance must be made within two months of the relevant meeting or the costs being incurred by the Councillor or non-elected member, subject to paragraph 10.05 below.

10.05 If any Allowance under paragraphs 10.03 or 10.04 is not claimed within the prescribed time limit, the Democratic Services Manager shall have a discretion to make the payment nonetheless.

10.06 Any Councillor or non-elected member may elect to forego his/her entitlement to all or part of any allowance by giving written notice at any time to the Democratic Services Manager.

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

11.01 Subject to this paragraph 11, all Members shall continue to receive their Basic Allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave, as long as they remain a Councillor. This includes Members becoming parents through surrogacy arrangements.

11.02 Members entitled to a Special Responsibility Allowance shall continue to receive their allowance in full in the case of maternity, adoption, shared parental, paternity and sickness leave for a six month period. Extension of this period of leave will require prior 2 months' written notice to be given to the Political Leader of the respective political group. If the extended leave is agreed by that Political Leader, a report will be compiled to seek approval from full Council before the point of the 6 months' leave expiry, for the extension of this leave. This is in accordance with section 85 of the 1972 Local Government Act. The Council (or Leader in case of Cabinet Members) may, depending on the circumstances, appoint a replacement to cover the period of absence who will be entitled to the SRA pro rata for the period of the temporary appointment.

11.03 The Democratic and Scrutiny Services Manager will write to the Member to confirm the continuation of allowances and until what date they will continue.

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

Maternity Leave

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

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

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

Adoption Leave

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

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

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

(iii) in the case of an overseas adoption, the date of entry of the child into Great Britain

iv) Confirm the date which the Member has chosen his/her adoption leave to start.

Shared Parental Leave

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

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

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

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

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

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

- the names of the mother and of the father/spouse/civil partner/partner,
- the start and end dates of any period of maternity leave to be taken by the Member,
- the total amount of Shared Parental Leave available,
- the expected week of birth
- the date of birth (where the child is not yet born, this information must be provided as soon as reasonably practicable after the birth and, in any event,

before the first period of Shared Parental Leave to be taken by the Member)

- how much Shared Parental Leave the mother and the father/spouse/civil partner/partner each intend to take
- an indication as to when the Member intends to take Shared Parental Leave. Including the start and end dates for each period of leave.

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

- the names of the adopter and of the spouse/civil partner/partner,
- the date that the adopter was notified of having been matched for adoption with the child
- the date that the child is expected to be placed for adoption
- the date of the placement (where the child has yet to be placed for adoption,

this information must be provided as soon as reasonably practicable after the placement and, in any event, before the first period of Shared Parental Leave to be taken by the Member)

- the start and end dates of any period of adoption leave to be taken by the adopter,
- the total amount of Shared Parental Leave available,
- how much Shared Parental Leave the adopter and the spouse/civil partner/partner each intend to take
- an indication as to when the Member intends to take Shared Parental Leave.

Including the start and end dates for each period of leave.

Paternity Leave

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

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

- 11.15 The Member must notify the Democratic Services and Scrutiny Manager of their intention to take paternity leave in writing no later than 4 weeks before they wish the period of paternity leave to start (childbirth) or no more than seven days after the date on which the adopter is notified of having been matched with the child or, where that is not reasonably practicable, as soon as is reasonably practicable; and:
- i) Confirm the expected week of childbirth; or the dates on which the adopter was notified that s/he had been matched with the child and on which the child is expected to be placed for adoption with the adopter (UK Adoption); or the dates on which the adopter received official notification and on which the child is expected to enter Great Britain (Overseas Adoption);
 - ii) or matching certificate/official notification;
 - iii) Confirm the length of the absence and the date on which the Member has chosen to begin his/her leave
- 11.16 If the Member wishes to change the start date of a period of leave, they should write to the Democratic Services and Scrutiny Manager no later than 4 weeks before either the original start date 'or' the new start date (whichever is earlier). The Democratic Services and Scrutiny Manager will ensure that HR Services are informed within 2 working days of receipt of the details.
- 11.17 If the Member wishes to change the end date of a period of leave they should write to the Democratic Services and Scrutiny Manager at least 4 weeks before either the original end date or the new end date (whichever is earlier). The Democratic Services and Scrutiny Manager will ensure that HR Services are informed within 2 working days of receipt of the details.
- 11.18 HR Services will provide confirmation that the information on revised dates has been received and that relevant re-instatement or adjustment of any SRA has taken place, with a copy to Democratic Services, within 10 working days.

Sickness Leave

- 11.19 A Member who is sick will continue to receive the basic allowance as long as they remain a Councillor. They will also continue to receive any SRA for a six month period. Extension of this period of leave will require prior 2 months' written notice to be given to the Political Leader of the respective political group. If the extended leave is agreed by that Political Leader, a report will be compiled to seek approval from full Council, before the point of the 6 months' leave expiry, for the extension of this leave. This is in accordance with section 85 of the 1972 Local Government Act.
- 11.20 If a Member decides not to return to office following either during or on their expiry of maternity, adoption, shared parental, paternity or sickness leave, the Chief Executive must be notified. HR Services must then be informed within two working days of receiving notification. Allowances will cease from the resignation date.

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

Appendix 2

Members’ Allowance Scheme Questionnaire

An independent external review of the Members Allowance Scheme has been commissioned by the Standards Committee focussed on Special Responsibility Allowances (SRAs). The views of all Council members will be very important in informing the review, so please take a few minutes to complete this short questionnaire.

For more information about the Council’s current Members’ Allowances Scheme, please see [Haringey Council Members' Allowances Scheme](#)

Please return the completed questionnaire to Ajda Ovat, Principal Committee Co-ordinator) (by hard copy or via the SNAP surveys web link by no later than [14 Nov 2019]

Full name: *(optional)*

Q1 Please tick your (if any) and/or your membership:

Councillor

relevant responsibility Committee(s)

A. Leadership

Leader of the Council Leader of the Principal Opposition
 Deputy Leader Deputy Leader of the Principal Opposition

B. Cabinet Member:
If so, what portfolio?:

.....

C. Committee/Boards:

- i. Planning: Chair Vice-Chair Member
- ii. Licensing: Chair Vice-Chair Member
- iii. Regulatory: Chair Vice-Chair Member
- iv. Pensions: Chair Vice-Chair Member
- v. Corporate: Chair Vice-Chair Member
- vi. Staffing and Remuneration: Chair Vice-Chair Member
- vii. Standards: Chair Vice-Chair Member
- viii. Health and Wellbeing Board: Chair Member
- ix. Alexandra Palace and Park Board: Chair Vice-Chair Member
- x. Alexandra Park and Palace Advisory Committee: Chair Vice-Chair Member
- xi. Alexandra Park and Palace Consultative Committee: Chair Vice-Chair Member

xii. Corporate Parenting Advisory Committee: Chair Member

D. Scrutiny:

- i. Overview & Scrutiny: Chair Vice-Chair Member
- ii. Adults & Health: Chair Vice-Chair Member
- iii. Children and Young People: Chair Vice-Chair Member
- iv. Environment and Community Safety: Chair Vice-Chair Member
- v. N Central London Joint Health Overview and Scrutiny: Chair Vice-Chair Member
- vi. Housing and Regeneration: Chair Vice-Chair Member

E. Partnership Body:

- i. Community Safety Partnership: Member

F. Chief Whip:

Chief Whip of Majority Party Chief Whip of Principal Opposition Party

G. Mayoral:

Mayor Deputy-Mayor

Q2 Please indicate how many hours on average you spend each week on the following activities:

A. Ward and political duties as a Councillor

- Less than 1 hour
- Between 1 and 3 hours
- Between 4 and 6 hours
- Between 6 and 8 hours
- 8 hours or more

B. Decision-making duties as a Councillor (including Cabinet, Committee, Chairing)

- Less than 1 hour
- Between 1 and 3 hours
- Between 4 and 6 hours
- Between 6 and 8 hours
- 8 hours or more
- N/A

C. External duties (including Partnership bodies, Community group and external meetings)

- Less than 1 hour
- Between 1 and 3 hours
- Between 4 and 6 hours
- Between 6 and 8 hours
- 8 hours or more
- N/A

Q3 Special Responsibility Allowance (SRAs):

The current Members Allowances Scheme provides for Special Responsibility Allowances (SRAs) to be paid to those Councillors who take on certain additional roles. These payments are additional to the Basic Allowance and are designed to reflect the additional responsibilities involved for each post holder in six Bands.

If a Councillor does not serve as such for the whole period or becomes suspended or partially suspended, he/she will only be entitled to receive pro-rata additional payment for the period(s) during which he/she actually was a serving Councillor and had any special responsibility.

Please indicate whether you consider that the different SRAs are appropriate or not in each case:

	'Too High'	'Fair'	'Too Low'
Leader (Band 4 - £33,926)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Cabinet Members (Band 3B - £25,443)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chair of Overview and Scrutiny Committee (Band 3A - £23,134)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chief Whip (Band 2B - £16,965)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chair of Regulatory Committee (Band 2B - £16,965)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chair of Alexandra Palace and Park Board (Band 2B - £16,965)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leader of the Principal Opposition (Band 2B - £16,965)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
4 x Councillors serving on Overview and Scrutiny Committee (Band 2A - £15,421)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chair of Combined Pensions Committee and Board (Band 1B - £8,482)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chair of Staffing and Remuneration Committee (Band 1B - £8,482)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chair of Standards Committee (Band 1B - £8,482)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chair of Corporate Committee (Band 1B - £8,482)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Vice Chair of Regulatory Committee (Band 1B - £8,482)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Leader of the second Opposition Group or Deputy Leader of the Principal Opposition (Band 1B - £8,482)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Chief Whip of the Principal Opposition (Band 1B - £8,482)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Mayor (£16,965)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Deputy Mayor (£4,238)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q4 Do you consider that there are any posts or responsibilities held by any Councillor which are not recognised in the current Scheme, i.e. any that you consider should attract an SRA?

- Yes
No

If yes, please specify which other posts/responsibilities you consider should attract an SRA

.....

...

Q5 Do you consider that there are any posts or responsibilities held by any Councillor which presently attracts an SRA but which you consider should no longer do so?

Yes

No

If yes, please specify which other posts/responsibilities you consider should no longer attract an SRA

.....

...

Q6 Other comments

Please set out below details of any other aspects of the Members' Allowances Scheme which you would like to bring to our attention and/or any specific issues you want to raise:

.....

...

.....

...

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...

Thank you for completing this survey. All the responses will be combined, and no responses will be attributable to any individual Member.

Appendix 3

Members' Allowance Scheme questionnaire summary of key results

Q6 - Indicate how many hours on average you spend each week on ward and political duties:

19 councillors worked 8 hours or more

5 councillors worked between 4 and 6 hours

4 councillors worked between 6 and 8 hours per week

Q6A - Additional information duties/responsibilities for consideration in relation to Q6 from councillors include the following comments:

Answering emails, reading papers/attending meetings

Ward Member role - attending local meetings including local groups and residents associations, walkabouts

Ward Organiser/ political group meetings

Leafleting

Surgeries

Comments:

"I work for 3.5 days and use 1.5 days for councillor duties. When I held a Chair position I worked fewer hours to accommodate the extra time required"

"This varies on a weekly basis. Some weeks I can spend 10 - 15 hours a week on councillor duties; this excludes reading committee/council papers. On quieter weeks I spend on average 4-8 hours a week on councillor duties again excluding reading committee papers"

Q6B - Time spent on decision making duties as a councillor including Cabinet, Committee and Charing:

12 councillors spend 8 hours or more per week

7 councillors spend between 1 and 3 hours per week

7 councillors spent between 4 and 6 hours per week

3 councillors spent between 6 and 8 hours per week.

Q6C - time spent on external duties including partnership bodies, community group and external meetings:

5 councillors spent more than 8 hours per week,

9 councillors spent between 1 and 3 hours

9 councillors spent between 4 and 6 hours

3 councillors spent between 6 and 8 hours

And 1 councillor spent less than 1 hour per week

Q7 - Of the councillors who replied to this survey:

16 hold or have previously held a political group executive position.

11 councillors have not previously held a political group executive position and

2 councillors did not reply

Q8 - Please indicate if you agree that there should be increases to the Basic Allowance according to:

- a) Inflation. 18 councillors agreed, 7 councillors did not agree
- b) Council Staff pay increases. 16 councillors agreed, 5 councillors did not agree
- c) Set rate of 1% pa. 4 councillors agreed, 7 councillors did not agree

Q8D - Other reasons to consider an increase or if you feel there should not be any increase, comments include:

“Set rate of 1% that is the maximum I suggest. We need to recognise the financial pressures so I am not convinced any rise is in order”

“Whilst the community suffers at the hands of austerity, I do not believe we should award ourselves pay rises”

“I think any increase would cause political damage and would in any case represent a negligible cash sum which anybody seeking public office should be able to forgo. Basic Allowance does not reflect the workload and responsibilities”

“I would like to see a fairer distribution of allowances, reducing the SRA but allowing for an increase in line with Council staff for the Basic Allowance”

“The work we do is much more involved and time-consuming - people have more pressing needs - austerity has caused more people to have more problems”

“The Basic Allowance should increase on an annual basis by the rate of inflation or in line with council staff increase”

“Amount of time answering e-mails, attending community groups invitations, case work, meetings”

Q9 - Please indicate whether you consider that the different SRAs are appropriate or not in each case:

Leader: 1 Councillor said *‘too high’*, 11 said *‘fair’* and 16 said *‘too low’*

Cabinet Members: 4 Councillors said *‘too high’*, 17 said *‘fair’* and 6 said *‘too low’*

Chair of Overview and Scrutiny: 9 Councillors said *‘too high’*, 18 said *‘fair’* and 2 said *‘too low’*

Chief Whip: 10 Councillors said *‘too high’*, 16 said *‘fair’* and 3 said *‘too low’*

Chair of Regulatory Committee: 5 Councillors said *‘too high’*, 17 said *‘fair’* and 4 said *‘too low’*

Chair of Alexandra Palace and Park Board: 13 Councillors said *‘too high’*, 14 said *‘fair’* and 2 said *‘too low’*

Leader of the Opposition Group: 5 Councillors said *‘too high’*, 20 said *‘fair’* and 5 said *‘too low’*

4 Councillors serving on Overview and Scrutiny: 11 Councillors said *‘too high’*, 15 said *‘fair’* and 3 said *‘too low’*

Chair of Pensions Committee and Board: 3 Councillors said *‘too high’*, 20 said *‘fair’* and 5 said *‘too low’*

Chair of Staffing and Remuneration Committee: 3 Councillors said *‘too high’*, 21 said *‘fair’* and 5 said *‘too low’*

Chair of Standards Committee: 4 Councillors said *‘too high’*, 19 said *‘fair’* and 6 said *‘too low’*

Chair of Corporate Committee: 4 Councillors said *‘too high’*, 17 said *‘fair’* and 8 said *‘too low’*

VC of Regulatory Committee: 10 Councillors said *‘too high’*, 14 said *‘fair’* and 4 said *‘too low’*

Chief Whip of the Opposition Group: 7 Councillors said *‘too high’*, 19 said *‘fair’* and 1 said *‘too low’*

Mayor: 5 Councillors said *‘too high’*, 21 said *‘fair’* and 3 said *‘too low’*

Deputy Mayor: 3 Councillors said *‘too high’*, 17 said *‘fair’* and 8 said *‘too low’*

Deputy Leader of the Principal Opposition and Leader of the second Opposition Group :7 councillors said 'too high', 19 said 'fair' and 3 said 'too low'.

Q10 - other appointments that councillors thought were not recognised in the current scheme that should attract an SRA:

- 2 councillors said Chair of Group
- Assistant Cabinet Members for Women's and Equalities. Suggested SRA £8000
- Chair of Budget Scrutiny
- Deputy Cabinet Member
- Reinstate Chair of Licensing

Q11 - appointments which presently attracts a SRA that should no longer exist:

- Deputy Mayor
- Vice Chair Regulatory Committee - mentioned by 3 councillors
- Chair Alexandra Palace
- Meeting with the elderly community?

Comment: *"I would like a thorough overhaul of all SRA's following collection of evidence"*

Comment: *"Opposition SRA's reduced in 2018 - don't believe this should have been voted on in Standards Committee as opposition is out voted by Labour Councillors"*

Other Comments:

- *"In general, the allowances should be reflective of the amount of work expected. Some committee chairs have relatively small workload for a large remuneration. It would be better if the rates were set at least on a London wide basis"*
- *"The SRAs may be fair but those holding them need to do work commensurate with receiving an SRA. That means work between meetings and putting the time in. That is an issue"*
- *"The council should review the regulatory committee. The committee should be split into two, planning and licensing, with two chairs (chair of planning committee and chair of licensing committee). The vice chair position will therefore not require an SRA. This will reduce the volume*

of meetings the respective chairs attend. The SRA for the overview and scrutiny chair should be in line with the scrutiny chairs as they appear to have similar number of meetings & responsibilities”

- *“When setting SRAs, consideration should be given as to whether a Councillor can reasonably do the role, and maintain a full-time job as well. Councillors giving up full-time, or moving to part-time work, lose seniority in their day jobs, and it costs them (and hence their families) financially in the medium and long term. Furthermore, since Council allowances do not merit any payment towards pensions, SRA payments should seek to recompense recipients for this as well”*
- *“SRA should reflect time and commitment and not just responsibility”*
- *“Cabinet member and Leader are, by virtue of the level of work, almost required to be full-time. For those without external incomes or who are of working age - this is a huge risk if the positions only guaranteed for one year. I think we should move to full-time cabinet members appointed for four years if we're requiring full-time work. If it was for less, they should on leaving their office be given a golden goodbye like they do in Southwark to tie them over till they get a new job”*
- *“We need to ensure adequate and fair allowances are paid do that we can ensure a diverse range of councillors”*
- *“There is no justification for rises for the vast majority of roles”*
- *“I believe that many of these roles require work outside the set meetings that are not recognised hence the SRA”*
- *“Should be able to justify allowances by reference to other similar local authorities or London wide recommendations”*
- *“Concerns are how these all are used for political patronage”*
- *“The Chair of the Adults and Health Scrutiny sits on several other committees including JHOSC so they have a very heavy meeting schedule which should be reflected in a larger SRA”*

Appendix 4

‘On behalf of the community – a job profile for councillors’

Purposes:

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

Key Tasks:

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

7. To develop and maintain a working knowledge of the authority's services, management arrangements, powers/ duties, and constraints, and to develop good working relationships with relevant officers of the authority
8. To develop and maintain a working knowledge of the organisations, services, activities and other factors which impact upon the community's well-being and identity
9. To contribute constructively to open government and democratic renewal through active encouragement of the community to participate generally in the government of the area
10. To participate in the activities of any political group of which the councillor is a member
11. To undertake necessary training and development programmes as agreed by the authority
12. To be accountable for his/her actions and to report regularly on them in accessible and transparent ways.

Appendix 5

Article 7 - The Leader and the Cabinet

7.01 The Leader

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

7.02 The Leader will hold office until:

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

7.03 The Cabinet

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

7.04 Form and Composition

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

7.05 Other Cabinet members

- (i) The Leader will determine the number of Cabinet members to be appointed which will be between 2 and 9 (in addition to the Leader).
- (ii) Each Cabinet member will be appointed by the Leader to cover one of the specific portfolio responsibilities (other than those reserved to the Leader) determined by the Leader. The Leader or a Cabinet member must hold the specific statutory portfolio responsibility for Children’s Services and a separate portfolio responsibility for Adult Services.

(iii) One Cabinet member will be appointed as Deputy Leader with power to exercise the Leader's functions in the event that the Leader is unable to act or the office is vacant.

(iv) Individual Cabinet members may exercise powers delegated by The Leader within their specific portfolio responsibilities as set out in Part 3.

(v) Cabinet members shall hold office until one of the events (a) to (e) below:

(a) They resign from office; or

(b) They are disqualified from being councillors by order of a court;

(c) They are no longer councillors; or

(d) They are removed from office, either individually or collectively, by the Leader; or

(e) The Annual Meeting following the Council Elections after their appointment.

7.06 Votes of No Confidence

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

7.07 Default Provisions

(i) In the event that Leader is unable to act or the office of Leader is vacant and, at the same time, the Deputy Leader is unable to act or the office of Deputy Leader is vacant, then the other Cabinet members shall act collectively in place of the Leader until such time as a new Leader is elected by the full Council.

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

7.08 Proceedings of the Cabinet

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

7.09 Responsibility for Functions

- (i) The Leader may discharge all the Council's "executive" functions or may arrange for the discharge of any of those functions by:
 - (a) The Cabinet;
 - (b) A Cabinet member;
 - (c) A Committee of the Cabinet; or
 - (d) An officer
- (ii) The Leader will maintain a list in this Constitution or the appendices to it setting out which individual Cabinet members, Committees of the Cabinet or officers are responsible for the exercise of particular Cabinet functions.

Appendix 6

Haringey Council's Cabinet Members and their portfolios of responsibilities

The Cabinet is the group of Councillors who take most of the decisions about what the Council does. It is made up of a Leader and nine other Councillors. Each Cabinet Member looks after an individual area of responsibility or portfolio. They make decisions on how the Council's policies and services are delivered.

The workload of the Council's Cabinet is intense and multifaceted with increased responsibilities over the last 15 years for Public health, community safety, commissioning, and co-ordinator of public services. This has been coupled with decreasing budget, significant cuts in funding, a severe housing shortage, an increase in demand for Adults and Children's services. With increased pressure for Councils to deliver services and outcomes with a much smaller budget; the engagement with statutory partners and key stakeholders in the borough to ensure that the available resources and opportunities are co-ordinated are maximised has become significant part of the cabinet member role. This often means working closely with health partners in social care to pool funds and with partners to increase housing provision in the borough. The additional meetings attended by the leader and cabinet members below demonstrate the above points

Officer meetings on Alexandra Palace – 1 hour per month

Neighbouring North London Leader's - monthly meeting 2 hours.

Meetings with representatives of key religious groups in the borough - 1 hour per month

MP's meetings

The meetings attended by the Leader and Cabinet Members below demonstrate the above points:

London Councils – Leader's committee - 3 hour meeting once a month

Deputy Mayor of London meetings – 1 hour meetings per month

Central London Forward - 2.5 hours meeting per month

Quarterly Local Government Association meetings

Haringey Business Alliance - bi-monthly meetings

Required meetings with external partners for regeneration monthly meetings

Voluntary Sector and Charities /community organisations meeting - monthly meetings

MOPAC quarterly meetings

Working group member meetings on health

Working group meeting on Finance –weekly

North London Waste Association – monthly meetings more than 2 hours

Borough Commander - monthly meeting

Weekly meetings on Youth and Risk

Housing and regeneration delivery meetings – 6 weekly

Separate additional Leader's advice surgery

Adhoc meetings with organisations / community groups in the borough

With less money and resources and more partnership working, comes more accountability to the electorate. Community engagement and establishing good community relations becomes a more paramount part of the Cabinet and Councillor role. This means ensuring that key decisions taken by the Cabinet are well researched and consulted with communities and stakeholders. This will also mean Councillors taking an active role in the compilation of reports and meeting with officers to ensure that the reports accord with the Corporate Plan and manifesto commitments. The Cabinet has 10 scheduled meetings per year.

The Cabinet Member and Councillor leadership and decision-making role in the community has become more recognised over the last few years with the development in social media and a 24 hour communications culture. There is now an expectation for Councillors to immediately communicate their decisions and the reasons for them. There are regular communication and policy development sessions to also be attended to ensure that clear information is provided to the community on policies and agreed key decisions. Therefore, although a Council meeting can be completed in 3 hours, the role of the Councillor as a communicator in the community continues with regular tweeting of Council decisions expected in today's 24 hour culture.

Below is a summary of the portfolio (areas of responsibility) of each Cabinet Member who are expected to spend 1 full day in the office and a further 7 hours across the week in the Council offices :

Cabinet Member for Children and Families

- Adoption and Fostering
- Early Years and Childcare
- Looked After Children and Care Leavers
- Safeguarding Children
- Schools and Education
- Services For Children with Disabilities and Additional Needs
- 16-19 Education

Duties/responsibilities

- Deputy Leader
 - Cabinet (Vice-Chair)
 - Chair of Corporate Parenting Advisory Committee - this meets 4 times a year and reports to cabinet
 - Member of: Community Safety Partnership which meets 4 times in a municipal year, Haringey Schools Forum - meets 4 times in a municipal year and voting member of Health and Wellbeing Board which meets 4 time in the municipal year.
 - Member of the Council employee Joint Board as the portfolio area includes a high number of staff than other portfolio holders.
 - Attending 10 Cabinet meetings
 - Attending Scrutiny meetings on a quarterly basis for cabinet member questions
- London Government Association General Assembly
London Councils, Leaders Committee (Deputy)

Cabinet Member for Adults and Health

- Adult Social Care
- Chair - Health and Wellbeing Board
- Connected Communities
- Health and Social Care Integration
- Mental Health and Wellbeing
- Public Health
- Refugee and Migrant Support
- Safeguarding Adults
- Services For Adults with Disabilities and Additional Needs
- Violence Against Women and Girls (VAWG) Prevention
- Women's Equalities

Duties/responsibilities

- Cabinet Member for Adults and Health
- Chair of Health & Wellbeing Board
- Co – chair of Joint Health and wellbeing Board with Islington Council – meets once a year.
- Appointments to outside bodies: -Finsbury Park Trust (Deputy)
- Member of the Council employee Joint Board as the portfolio area includes a high number of staff than other portfolio holders.
- Attending Scrutiny meetings on a quarterly basis for cabinet member questions
- Attending 10 Cabinet meetings
- Attending Scrutiny meetings on a quarterly basis for cabinet member questions

Cabinet Member for Communities and Equalities

- Chair - Community Safety Partnership – meets 4 times per year and has an executive sub group also meeting 4 times per year.
- Community Buildings
- Community Safety and Community Cohesion
- Equalities - including Black History Month
- Prevent Programme
- Police Engagement
- Tackling Anti-Social behavior
- Voluntary and Community Sector
- Youth Justice
- Youth Services

Duties/responsibilities

- Appointments to outside bodies:

London Councils, Grants Committee

Cabinet Member for Finance and Regeneration

- Accommodation Strategy
- Budget and MTFS
- Capital Strategy
- Commercial Partnerships
- Council Finances
- Council Tax Reform Agenda
- Property - including Commercial Portfolio
- Tottenham Regeneration
- Wood Green Regeneration
- Attending 10 Cabinet meetings
- Outside bodies
- CAB finance sub group meetings
- Regeneration sub group meetings
- Attending Scrutiny meetings on a quarterly basis for cabinet member questions
- NLWA member attending finance sub group meetings - 6 times per year

Cabinet Member for Housing and Estate Renewal

- Building Regulations
- Estate Renewal and Resident Engagement
- Health and Safety Issues Related to Housing Stock - including implementation of the Hackitt Review

- High Road West and Love Lane redevelopment
- Homelessness and Rough Sleeping
- Housing Investment Programme
- Housing Strategy and Development
- Landlord Licensing and Enforcement
- Partnerships with Homes for Haringey and Social Landlords
- Private Rented Sector Engagement
- Attending 10 Cabinet meetings
- Outside bodies
- Regeneration sub group meetings
- Weekly meetings with Housing officers
- Attending Scrutiny meetings on a quarterly basis for cabinet member questions

Cabinet Member for Civic and Corporate services

- Council HR and Staff Wellbeing
- Culture (including Bruce Castle)
- Emergency Planning
- Fairness Commission
- Information Management
- IT and Digital
- Libraries
- Leisure
- Licensing, Regulatory Services and Enforcement
- Attending 10 Cabinet meetings
- Outside bodies
- Weekly meetings with IT, Libraries and officers
- Attending Scrutiny meetings on a 6 monthly basis for cabinet member questions

Cabinet Member for Neighbourhoods

- Customer Services
- Customer Transformation Programme
- Fly-tipping and Civic Pride
- Highways
- North London Waste Authority Board Member
- Parking and Parking Transformation
- Recycling, Waste Management and Street Cleaning
- Attending 10 Cabinet meetings
- Outside bodies
- Weekly meetings with IT, Libraries and officers
- Attending Scrutiny meetings on a quarterly basis for cabinet member questions
- Voting NLWA partnership member 4 meetings per year

Cabinet Member for Climate Change and Sustainability

- Air Quality
- Biodiversity and Trees
- Carbon Management and Zero 50
- Liveable Neighbourhoods
- London Plan and NPPF Consultation
- Parks and Open Spaces
- Planning Enforcement
- Planning Policy and Delivery
- Renewable Energy
- S106 / CIL policy
- Sustainability
- Strategic Transport
- Attending 10 Cabinet meetings
- Outside bodies
- Weekly meetings with IT, Libraries and officers
- Attending Scrutiny meetings on a Quarterly basis for cabinet member questions

Cabinet Member for local investment and Economic Growth

- Adult Learning, Training and Skills
- Business Engagement
- Community Wealth Building
- Growth and Inward Investment
- Procurement
- SME Business Development
- Tackling Unemployment and Worklessness
- Town Centre Management
- Attending 10 Cabinet meetings
- Outside bodies
- Weekly meetings with officers
- Attending scrutiny on a 6 monthly basis for Cabinet Questions
- Voting member of S&R committee and attends 4 meetings per municipal year

Appendix 7

The roles and responsibilities of SRA holders other than members of the Cabinet:

Chair of Alexandra Palace and Park Board

To fulfil the functions, powers and duties of the Council as Trustee of Alexandra Palace and Park under the Alexandra Park and Palace Acts and Order 1900 to 1985. This responsibility is taken forward by the Alexandra Park and Palace Board, in an important transformation period for the Palace which serves both the local and regional population. This includes being responsible for maintenance of the Palace and Park, acting as the employing body for the Trust, and developing and monitoring the implementation of policies.

The functions include:

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

Committee meetings take place 5 times a year:

- Agenda setting/report clearance 5 times a year
- Chairing Board meetings 5 times a year
- Chair/Vice-Chair of the Alexandra Palace trading company meetings – APTL and FRRAC [5 meetings of APTL and 5 meetings of FRACC] -10 meetings
- Regular update meetings with the CE of Alexandra Palace
- Keeping up to date with financial information on Alexandra Palace and Park Board to carry out chair duties.
- Attending the statutory Advisory Committee meetings of the Alexandra Park and palace board. This is a meeting of the residents and stakeholders involved with Alexandra Park and Palace and a Consultative Forum for the Board. This takes place 4 times a year. This is a voluntary role and not statutorily required.

The Chair of the Regulatory Committee

The Regulatory Committee has functions either (1) as the statutory Licensing Committee of the Council under the Licensing Act 2003, which also exercises functions under the Gambling Act 2005, or (2) as a non-statutory Committee exercising other non-executive functions relating to Licensing, Town Planning and

other regulatory matters generally. At the beginning, and at other appropriate stage(s) in each meeting, the Chair will make a short announcement indicating whether the Committee is operating in its capacity as “statutory Licensing Committee” or as a “non-statutory Committee”.

Membership

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

Protocol

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

(1) In its capacity as the statutory Licensing Committee the Committee has all the functions referred to it by law under the Licensing Act 2003 and the Gambling Act 2005. These include:

(a) To be responsible for monitoring the operation of the Acts licensable activities and gambling in the Borough;

(b) To establish the Licensing Sub-Committees and to agree the delegation of functions to the Sub-Committees and to officers;

(c) To receive reports on the matters in (a) above and on the functions delegated to the Licensing Sub-Committees and to officers. To call for a report on any individual case;

(d) To determine the procedures to be followed in handling applications, notices, representations and all hearings, subject to the relevant Regulations;

(e) Subject to Regulations, to determine the fees payable for applications for premises licences and related matters under the Gambling Act 2005;

(f) In a Council Election Year when there is a need to hold a hearing in the period between Election day and the Annual Meeting of the Council, those members of the Committee who are re-elected as councillors shall meet as the Committee (subject to there being a quorum of 3 members) in order to exercise any of the functions of the Licensing Sub-Committees, or of the Committee under (f) above, and shall elect a Chair for the meeting.

(2) In its capacity as the non-statutory Committee exercising other non- executive functions the Committee has the following functions:

(a) Exercising the functions which are stated not to be the responsibility of The Executive/Cabinet In Regulation 2 and Schedule 1, Paragraph B (Licensing and Registration) of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations. The Committee's functions are to determine all policy issues, procedures and standard terms and conditions relating to the non-executive licensing functions but exclude decisions in individual cases which are delegated to the Licensing Sub- Committees. The Sub-Committee's remit includes the licensing of street trading, scrap metal dealing, special treatment premises, sex establishments and dog breeding establishments;

(b) Formulating, reviewing and approving for consultation the Statement of Licensing Policy under the Licensing Act 2003 and recommending it, and any revisions to it, to full Council for adoption;

(c) Being consulted informally on the review and determination of the Statement of Gambling Policy, including procedures for Council consultation with external stakeholders, and making recommendations on these matters to the Cabinet;

(d) Making informal recommendations to the Cabinet and full Council on local development documents, development plan documents, the local development framework, the statement of community involvement and any other planning policy matter;

(e) Reviewing all Council plans and policies on any licensing, planning or regulatory matters, exercising an overview in relation to common themes and making informal recommendations on these matters to Cabinet and full Council;

(f) Making informal recommendations to the Cabinet and other bodies on service delivery, grant aid, commissioning and procurement matters when these involve or relate to licensing, planning, conservation or regulatory issues.

- Chairing of Regulatory Committee - 4 times a year
- Significant detailed work on the local plan review to be taken forward in 2020

The Chair of the Regulatory Committee also chairs the Planning Sub Committee and the Licensing Sub Committee established under the Regulatory Committee.

Planning Sub-Committee

The Committee is responsible for taking decisions on town planning functions. This includes erection of buildings with over 10 dwellings, planning applications for erection of buildings over 1000 square metres, extensions of non-residential buildings of over 1000 square metres.

Meetings take place on a monthly basis apart from August, so 11 meetings annually.

- Up to 12 site visits per year (3 hours each)
- 3 training events / learning visits (3 hours each)
- Up to 10 officers briefings on strategic sites (2 hours each)
- Up to 10 delegated decisions meetings/telecoms with Head of DM (1 hour each)

Licensing Sub Committee A

- Considers premises, personal and club certificate applications relating to Licensing Act 2003.
- Consider premises license applications under the Gambling Act 2005

There are 2 licensing meetings scheduled per month and although, at the moment, there is usually one meeting per month. There can be a spate of meetings should applications come forward and licensing Committee Chairs need to be available at short notice to attend and chair these meetings.

Licensing Sub Committees meet on a monthly basis. The Vice Chair of Regulatory Committee will chair a Licensing Committee B or a special licensing meeting. So far this year there have been 6 scheduled meetings but only 3 have taken place chaired by the Vice Chair.

Chair of Staffing and Remuneration Committee

The Staffing & Remuneration Committee has the following functions and responsibilities:

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

(i) Paragraph H – Pensions; Determining the Council's policy statement of discretions as "Employing Authority" under the Local Government Pension Scheme Regulations 2013 and the Teachers' Pension Regulations 2010

(ii) Paragraph I – Miscellaneous; Determining the terms and conditions of service for all staff, including procedures for dismissal. The Committee agrees the terms and conditions of employment, and the pay structure for all posts with the exception of pay and other terms and conditions for teachers which are fixed under statute by the Schoolteachers' Pay and Conditions Documents.

(b) To make recommendations to Council on the appointment and dismissal of the Head of the Paid Service; and the dismissal of the Chief Finance Officer and

Monitoring Officer, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.

(c) To consider matters relating to the conduct and capability of the Head of the Paid Service, in accordance with the provisions of the Local Authorities (Standing Orders) (England) Regulations 2001.

(d) To determine whether or not the Head of the Paid Service, Chief Finance Officer and Monitoring Officer should be suspended pending investigation into allegations of misconduct or incapability, in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.

(e) To exercise functions in respect of the appointment and dismissal (including the terms of release) of Directors in accordance with the Local Authorities (Standing Orders) (England) Regulations 2001.

(f) To approve the remuneration levels (other than those associated with National Pay Awards) for the Head of Paid Service and Directors.

(g) To approve procedures for appointment and dismissal of staff.

8. (h) To consider and approve any remuneration or severance payments to Directors of £100,000 or more, in accordance with guidance issued under section 40 of the Localism Act 2011 and with the Local Authorities (Standing Orders) (England) Regulations 2001.

(i) To consider policies, procedures and schemes relating to employment matters including pay and grading structure and changes to employee terms and conditions of employment.

(j) To approve all human resources policies including pay and grading structures, and changes to employees terms and conditions of employment and to approve policies on how the Council exercises its functions under the Local Government Pension Scheme and the Teachers' Pension Scheme.

(k) To approve those human resources policies and procedures that the Council recommends to school governing bodies for adoption in respect of school based employees.

Membership

The Committee will be made up of 5 members of the authority. In accordance with the Local Authorities (Standing Orders) (England) Regulations 2001 the Committee must include at least one member of the Cabinet. When carrying out the function of appointment or dismissal of Directors, the relevant Cabinet member is invited and entitled to sit and vote as a substitute member for one of the substantive members of their Group on the Committee. The quorum of the Committee shall be a minimum of three members.

Functions include appointing Chief and Deputy Chief Officers, agreeing the terms and conditions of employment and policies and procedures and schemes relating to employment and Human Resources, approving remuneration levels for the Head of Paid Service and Chief and Deputy Chief Officers, approving procedures for the appointment and dismissal of staff.

- Chairing 4 meetings per year and average of 4 additional special meetings used to appoint Chief and Deputy Chief Officers
- Shortlisting applications for senior officer appointments
- Participating in the interview panel for senior officer appointments
- Although there have not been any over the last few years, the Chair of this Committee would be responsible for taking forward disciplinary action against senior officers.
- In addition there are 4 agenda clearing meetings per municipal year to review the reports planned for the Committee meetings.
- Report to full Council on the Pay Policy statement
- Co -Chairing CEJCB - Trade Unions and Council joint meeting - 4 times a year

Chair of Corporate Committee

This Committee has responsibilities that include Elections, Health and Safety, Audit, Risk Management and Treasury Management.

- For the current year, there are 5 meetings of Corporate Committee and as part of the report clearing process for these meetings there have been 5 agenda setting meetings and 5 report clearing meeting

In addition to this, there were 4 additional meetings where the Chair has met with officers to go through particular issues, such as the issue around discounted disposal of buildings/land and the final statement of accounts.

There are three reports that go to Full Council every year – the Treasury Management Strategy Statement in February and the Treasury Management Outturn report.

The Corporate Committee has: -

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

(b) the following Schedule 1 functions:

- (i) Paragraph C - Health and Safety at Work; all functions discharged otherwise than in the Council's capacity as employer.

(ii) Paragraph D – Elections; all functions relating to Elections except the approval of pilot schemes for local elections which is reserved to full Council.

(iii) Paragraph I – Miscellaneous; all functions except those retained by full Council in Article 4 or reserved to the Staffing and Remuneration Committee.

The Committee's functions include:

(A) all functions relating to public rights of way in Part 1 except the creation, stopping up and diversion of highways, footpaths and bridleways in connection with development control decisions which are delegated to the Planning Sub-Committee;

(B) making arrangements for proper administration of financial affairs under section 151 Local Government Act 1972 but the appointment or dismissal of the Chief Finance Officer is to be in accordance with the Officer Employment Procedure Rules in Part 4;

(C) formulating the Treasury Management Strategy Statement and amendments to it for recommendation to full Council through Overview and Scrutiny Committee and in consultation with the Cabinet Member for Finance. Receiving quarterly monitoring reports and an out-turn report after the close of the year on treasury management policies and practices;

(D) approving statements under The Accounts and Audit (England) Regulations 2011 and any amendment or re-enactment of the Regulations and considering the external auditor's report on issues arising from the audit of the accounts or any other concerns relating to accounting policies;

(E) authorising the making of payments or the provision of other benefits in cases of maladministration;

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

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

(i) any function under a local Act other than a function specified or referred to in Reg. 2 or Schedule 1 or expressly delegated elsewhere in this Constitution;

(ii) the determination of an appeal against any decision made by or on behalf of the authority;

(iii) passing a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply to the Council's area (consent to the operation of loudspeakers).

(d) the Committee has the following Audit functions:

(i) providing assurance about the adequacy of the Council's Risk Management Framework and Policy and monitoring the effectiveness of systems for the management of risk across the Council and compliance with them;

(ii) Maintaining an overview of the Council's Local Code of Corporate Governance;

(iii) Monitoring the effectiveness of Council policies on "Whistleblowing" and Anti-Fraud and Corruption;

iv) Considering and recommending for adoption the Council's Annual Governance Statement;

(v) Approving the Annual Internal Audit Plan and the Strategic Audit Plan and arrangements for the provision of internal audit services to the Council and considering reports on internal audit activity;

(vi) Receiving the Annual Audit Plan and the Annual Audit Letter from the external auditor and making recommendations on the latter. Considering arrangements for the appointment of the external auditor;

(vii) Commissioning work from the internal and external auditors and receiving reports from the Head of Audit & Risk Management on any matter; and

(viii) Questioning officers and Cabinet members on matters relevant to audit and to financial and non-financial performance and making recommendations on these matters to Cabinet and full Council.

(ix) The Head of Audit's Annual Report

(e) the power to make recommendations to the Council on any of its functions set out in Article 4, and the power to establish Sub-Committees to consider and report on any such functions but this does not include recommendations to amend the Council's Constitution nor does it prevent the Council from making decisions on any matter when necessary without a prior recommendation from the Committee.

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

Chair of Standards Committee

This Committee has responsibilities that include promoting and maintaining high standards of conduct (by Councillors, co-opted members and representatives of religious organisations and parent governor representatives), granting dispensations to members from the requirements of the Members' Code of Conduct, advising on the Council's

ethical framework and governance arrangements, considering amendments to the Constitution and assessing, hearing and determining allegations of breaches of the Code of Conduct.

- There are 4 meetings per municipal year
- There are 4 agenda clearing meetings per municipal year
- There can be additional Standards Sub Assessment Committees called to consider complaints and there have been 3 complaints considered so far in this municipal year and 2 in the last municipal year.
- There have been additional informal meetings to consider changes to the Constitution.
- The Chair will be involved with the interviews for the Independent members of the Standards Committee who are due to be appointed by May 2020.

The Standards Committee will have the following roles and functions:

(a) Promoting and maintaining high standards of conduct by councillors, co-opted members and representatives of religious organisations and parent governor representatives;

(b) Assisting the Leader, councillors, co-opted members and representatives of religious organisations and parent governor representatives to observe the Members' Code of Conduct;

(c) Advising the Council on the adoption or revision of the Members' Code of Conduct;

(d) Monitoring the operation of the Members Code of Conduct;

(e) Advising, training or arranging to train councillors and co-opted members on matters relating to the Members' Code of Conduct and the ethical framework;

(f) Granting dispensations to the Mayor, councillors and co-opted members from requirements relating to interests set out in the Members' Code of Conduct;

(g) Advising the Council on codes and protocols forming the Council's ethical framework and its governance arrangements, monitoring the effectiveness of those arrangements and making reports and recommendations accordingly;

(h) Assessing, hearing and determining allegations of failure to comply with the Members' Code of Conduct by councillors and co-opted members.

(i) Responding to national reviews and consultations on standards related issues;

(j) Granting exemptions for politically restricted posts and giving directions to include a post on the list of restricted posts;

(k) Advising the Council on the appointment of independent persons and taking steps to select them;

- (l) Considering amendments to the Constitution and recommending proposals to full Council for approval.

Chair of Combined Pensions Committee and Board

The Public Sector Pensions Act 2013 included a requirement that Pension Boards be established to assist pension administering authorities with the effective and efficient management of the Pension Scheme. The Regulations approved in relation to the local government pension scheme (regulation 106(2) of the Local Government Pension Scheme (Amendment) (Governance) Regulations 2015) allow for pension committees and boards to be separate or combined. A combined committee and board has to be individually approved by the Secretary of State. Haringey applied for authority for a combined board and committee in 2015 and this was approved by the Secretary of State by letter, dated 6th January 2016.

In July 2016, the full Council approved the establishment of a combined Pensions Committee and Board. This was following consideration of the benefits of a combined committee and board to offer wider involvement and expertise of co-opted members.

This Committee has various functions to do with managing and monitoring the Council's pension fund and approving all relevant policies and statements. The Board element incorporates the scrutiny element of the Committee's responsibilities. This is a significant financial role undertaken by the chair who is responsible for leading the Committee and board, which contains both elected councillors and 4 voting co-opted members. They are responsible for exercising all the Council's functions as "Administering Authority" and being responsible for the management and monitoring of the Council's Pension Fund and the approval of all relevant policies and statements.

Every member of the Committee and Board must be conversant with

- The rules of the LGPS
- Any document recording policy about the administration of the LGPS which is for the time being adopted by the LB Haringey Pension Fund
- It is for individual Committee and Board members to be satisfied that they have the appropriate degree of knowledge and understanding to enable them to properly exercise their functions
- Committee and Board members are required to be able to demonstrate their knowledge and understanding and to keep these up to date and to maintain a written record of relevant training and development
- The Council will provide a training programme, which all Committee and Board members must attend. Training undertaken will be reported at each meeting

There are 5 meetings per municipal year of this Committee.

There are 5 agenda clearing meetings held with Officers.

- There is a significant training requirement for the Chair, they will attend numerous training/conferences. The Chair is Haringey's representative on the London CIV, which holds formal shareholder meetings twice per annum, in addition to other less formal meetings, of which there are several per year. The Chair is also the representative of the fund for the Local Authority Pensions Fund Forum (LAPFF), and they often attend LAPFF meetings/events too.
- Besides the formal Committee meetings the Chair will often hold informal pensions meetings in between Committees, e.g. if we are doing a procurement exercise, or working on a change to the investment strategy.
- The Chair also spends time networking with his counterparts as Chairs of Pensions Committees at other London Boroughs which is obviously less formal but important to mention as building relationships with other boroughs is key now that the government has mandated pooling of investments.

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

1. Responsibilities

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

(a) all the functions which are stated not to be the responsibility of The Executive in Regulation 2 and Schedule 1 paragraph H of The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) and in any Statute or subordinate legislation further amending these Regulations relating to those matters concerning the Local Government Pension Scheme.

(b) Exercising all the Council's functions as "Administering Authority" and being responsible for the management and monitoring of the Council's Pension Fund and the approval of all relevant policies and statements. This includes:

(i) Selection, appointment and performance monitoring of investment managers, AVC scheme providers, custodians and other specialist external advisers;

(ii) Formulation of investment, socially responsible investment and governance policies and maintaining a statement of investment principles and funding strategy statement;

(iii) Determining the allocation of investments between each asset class;

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

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

2. Membership

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

Councillors

- (a) Six Councillors appointed by the administering authority

Employer Representatives (co-optees)

- (b) Two representatives from scheduled and admitted employers,

Employee Representatives (co-optees)

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

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

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

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

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

Appointment and removal of Committee and Board Members

a) Council members:

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

b) Employer representatives:

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

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

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

c) Employee representatives:

The employee representatives will be appointed as follows:

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

- ii) one pensioner and deferred member representative will be selected through an open invitation to apply.

3.6. If there is more than one nomination for these positions a panel consisting of the Chair of the Committee and Board and Chief Financial Officer to the Council will select the representatives to be appointed.

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

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

All appointed members:

3.9 Prospective members of the Committee and Board will be required to demonstrate to the panel consisting of the Chair of the Committee and Board and the Chief Financial Officer that they have the capacity to represent other employers and employees (as appropriate) and that they do not have a conflict of interest. The decision of the panel will be final.

3.10 Each Committee and Board member should endeavour to attend all meetings during the year.

3.11 Other than by ceasing to be eligible as set out above, a Committee and Board member may only be removed from office during a term of appointment by full Council on a recommendation from the panel.

4. Quorum, voting and substitutes

4.1 The Committee and Board shall have a formal quorum of five comprising at least three Council and two employer or employee representatives. Advisers and other nominees do not count towards the quorum. All decisions will be taken by majority of votes, with the Chair having a casting vote when the votes are initially tied unless stated otherwise in these terms, although it is expected that the Committee and Board will, as far as possible, reach a consensus.

4.2 No substitutes shall be permitted for employer and employee representatives.

5. Meetings

5.1 The Committee and Board shall meet sufficiently regularly to discharge its duties and responsibilities. There will be at least four meetings a year, with additional meetings if the Committee and Board so agrees.

5.2 Notice of all meetings will be provided to Committee and Board members at least 30 days in advance, unless agreed otherwise by Committee and Board members.

5.3 The agenda for each meeting will be agreed by the Chair and all papers will be circulated to members in accordance with the Access to Information Procedure Rules.

5.4 A formal record of Committee and Board proceedings will be maintained.

Following the approval of the minutes by the Chair, they shall be circulated to all members and published in accordance with the Access to Information Procedure Rules.

The Committee and Board has the power to set up working groups on whatever terms that it determines and will prepare terms of reference for these entities.

Standards of Conduct and Conflicts of Interest

All members of the Committee and Board, councillors and others, are expected to act at all times within these terms of reference and will be required to comply with both the Members' Code of Conduct and the provisions of the Localism Act relating to Standards. In accordance with section 108 of the Regulations, Committee and Board members must not have a financial or other interest that could prejudice them in carrying out their duties. This does not include a financial or other interest arising merely by virtue of membership of the LGPS.

Each Committee and Board member must provide the Council with such information as is reasonably required for the purpose of complying with the Members' Code of Conduct and demonstrating that there is no conflict of interest.

Budget and Business Plan

The Committee and Board will prepare a Business Plan and Budget each year.

Committee and Board Review Process

The Committee and Board will undertake each year a formal review process to assess how well it and the members are performing with a view to seeking continuous improvement in performance.

Advisers to the Committee and Board

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

- i) Officers from the Council's Finance, Human Resources, Legal and other teams as needed;
- ii) An independent Advisor;

- iii) The Fund's Actuary;
- iv) The Fund's Investment Managers and Custodian;
- v) The Fund's Investment Consultant; and
- vi) Any other appointed advisers.

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

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

10. Knowledge and Skills

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

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

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

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

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

11. Expense Reimbursement

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

11.2 The expenses of the Committee and Board are a part of the costs of administering the Pension Fund.

12. Publication of Committee and Board Information

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

- The names and information of the Committee and Board members.

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

Chair of Overview & Scrutiny Committee

This Committee reviews or scrutinises decisions made and actions taken in connection with the discharge of any of the Executive's or Council's functions. It also makes reports and recommendations to Full Council, the Cabinet or relevant non-Cabinet Committees in connection with the discharge of any functions. Additionally, it exercises the right to call-in any decisions made but not yet implemented by the Cabinet.

There are 5 meetings per municipal year of this Committee and there has been an additional meeting to consider some budget savings proposals as well as 2 'Call In' meetings to scrutinise 2 key decisions which have been called in. Therefore, 8 meetings in total. There have also been an additional 8 evidence gathering meetings for the reviews on Wards Corner, Fire Safety and Business Support.

Work outside Overview and Scrutiny Committee meetings for the Chair includes:

- Compiling the scrutiny work plan and liaising with councillors, stakeholders and community representatives on the topics of review.
- Leading on a scrutiny survey which informs the Scrutiny Work Plan
- Instigating a review of the Scrutiny function to improve working and collaboration with scrutiny within the Council
- Agenda clearing meetings – 5 meetings per municipal year
- Weekly meetings with the lead Scrutiny Officer to discuss work plan, progress on scrutiny function review and call in
- Evidence gathering sessions for the main Committee which undertook a review on Fire Safety in tower blocks and continued the work of the Scrutiny Sub panel on wards corner a community sensitive review of a long running regeneration project - 8 additional meetings
- Annual report about scrutiny to full Council
- Attending and voting member of the 5 meetings of the Joint Health Overview and Scrutiny body including the north London Boroughs of Islington, Barnet, and Hackney.
- Annual scrutiny training sessions on performance data, functions of the Scrutiny and Treasury Management and budget
- Considering information in the Forward Plan on urgent decisions and general exception notices
- Being consulted on any in year changes to the budget and policy framework

The Overview and Scrutiny Committee may:

- (a) exercise an overview of the forward plan;

(b) review or scrutinise decisions made or actions taken in connection with the discharge of any of the Cabinet's or Council's functions;

(c) make reports and recommendations to the full Council, the Cabinet or relevant non-Executive Committee in connection with the discharge of any functions;

(d) make reports or recommendations on matters affecting the area or its inhabitants;

(e) exercise the right to call-in, for reconsideration, key decisions made but not yet implemented by the Cabinet;

(f) receive the reports and recommendations of its Scrutiny Review Panels;

(g) in accordance with statutory regulations to review and scrutinise matters relating to the health service and all NHS funded services within the Authority's area and to make reports and recommendations thereon to local NHS and NHS funded bodies;

(h) enter into or appoint such joint overview and scrutiny committees that include the London Borough of Haringey and other boroughs for the purpose of responding to consultation by NHS bodies on proposals for substantial variation or development in the provision of health services as required by The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013;

(i) review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible partner authorities of their crime and disorder functions;

(j) make reports or recommendations to the Cabinet or full Council where appropriate with respect to the discharge of the crime and disorder functions by the responsible partner authorities;

(k) make arrangements which enable any councillor who is not a Committee member to refer any crime and disorder matter to the Committee under the Councillor Call for Action procedure; and

(l) make arrangements which enable any councillor who is not a Committee member to refer to the Committee any local government matter which is relevant to the functions of the Committee under the Councillor Call for Action procedure.

(m) there is a Protocol outside this Constitution setting out how the Overview and Scrutiny Committee is to operate. The Protocol shall be applied in a manner consistent with the Committee Procedure Rules in Part 4 and any issue on procedure at the meeting shall be subject to the ruling of the Chair. The Protocol can be amended by the written agreement of the Leaders of the Political Groups on the Council.

(n) appoint two representatives to the standing Joint Health Overview and Scrutiny Committee for North Central London. (Since this appointment is for only two members to the Joint Committee, the "political proportionality" rules in the Local Government and Housing Act 1989 do not apply.)

The Health and Wellbeing Board

Health and Wellbeing Board functions

The Health and Wellbeing Board will have the following functions:

(a) To carry out the Board's statutory duties as set out in the Health and Social Care Act 2012, in particular:

(i) for the purpose of advancing the health and wellbeing of the people in its area, to encourage persons who arrange for the provision of any health or social care

(e) To promote prevention and early help. services in its area to work in an integrated manner;

(ii) to provide advice, assistance or other support as it thinks appropriate for the purpose of encouraging arrangements under section 75 of the NHS Act 2006. These are arrangements under which, for example, NHS Bodies and local authorities agree to exercise specified functions of each other or pool funds;

(iii) to encourage persons who arrange for the provision of any health-related services in its area to work to closely with the Health and Wellbeing Board;

(iv) to encourage persons who arrange for the provision of any health or social care services in its area and persons who arrange for the provision of any health-related services in its area to work closely together;

(v) to discharge the functions of CCGs and local authorities in preparing joint strategic needs assessments (JSNA) and joint Health Wellbeing Strategy (HWB strategy);

(vi) to inform the local authority of its views on whether the authority is discharging its duty to have regard to the JSNA and joint HWS in discharging its functions;

(vii) to discharge any other function as the Council may from time to time choose to delegate to the Board;

(viii) to collaborate across borough boundaries and with other London HWBs in respect of its responsibilities and to secure better health outcomes, quality of services, use of resources and value for money for the local population;

(ix) to arrange for any of its functions to be exercised by the joint sub-committee of the Haringey and Islington HWBs;

(x) to enter into joint arrangements including formal joint sub- committees with other London HWBs and delegate any of its functions to those joint sub committees.

Health and Wellbeing Board operating principles

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

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

8.3 Health and Wellbeing Board roles and responsibilities

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

1. (a) The Board will set a strategic framework for the authority's statutory duties and have a key role in promoting and coordinating joint commissioning and integrated provision between the NHS, social care and related children's and public health services in Haringey;
2. (b) The Board has a duty to develop, update and publish the JSNA and related needs assessments, and the HWB Strategy;
3. (c) The Board has a duty to develop, update and publish the local pharmaceutical needs assessment as set out in section 128A of the NHS (d) The Board will advise on effective evidence based strategic commissioning and decommissioning intentions for children and adults based on the JSNA's robust analysis of their needs. It will ensure that commissioning plans are in place to address local need and priorities, in line with the HWB Strategy, and will deliver an integrated approach to the planning and delivery of services;
4. (e) The Board expects, and seeks assurance from, partners that the views of children, adults and their carers about the services they receive are taken into account in the commissioning, decommissioning and delivery of those services;
5. (f) The Board expects, and seeks assurance from, partners that the views of patients and the public have a voice through Healthwatch in the commissioning, decommissioning and delivery of those services;
6. (g) The Board will collaborate with and involve local stakeholders to secure better health outcomes, quality of services, a more focussed use of resources and value for money for the local population;
7. (h) The Board will promote the strengthening of working relationships between professionals and organisations which support people in Haringey, ensuring effective sharing and use of information and best practice; including collaborating with the CCG in the development of its plan;
8. (i) The Board will lead commissioning for particular services with pooled budgets and joint commissioning arrangements where commissioning plans are delegated to them;

9. (j) The Board will oversee the delivery of the authority's strategic outcomes for local health and wellbeing targets, holding those responsible to account;
- 10.(k) The Board will work with the local health scrutiny process and the local Healthwatch to improve outcomes for communities and people who use services.

8.4 Membership of the Board

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

- Local authority councillor(s), who will be (as nominated by the Leader of the Council):

- (i) The Leader of the Council
- (ii) The Cabinet Member for Children and Families
- (iii) The Cabinet Member for Adults and Health

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

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

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

8.5 Public Meetings

(a) A minimum of four formal public decision-making business meetings a year will be held. The Board will have the ability to call special meetings as and when required.

(b) A meeting of the Board will be considered quorate when at least three voting members are in attendance, including one local authority elected representative and one of either the Chair, Clinical Commissioning Group or the Chair, Healthwatch (or their substitutes).

(c) The Chair of the meeting will have a casting vote.

(d) All voting members of the Board, (to include any substitutes), will be required to comply both with the Members' Code of Conduct and the provisions of the Localism Act 2011 relating to Standards. In particular, voting members will be required to complete a register of interests which must be kept up to date. Voting members must also declare any disclosable pecuniary interest or prejudicial interest in any matter being considered and must not take part in any discussion or decision with respect to these items.

(e) Board members will agree protocols for the conduct of members and meetings.

(f) The Board will determine its sub groups/committees.

(g) Only the following members of the Board will have voting rights:

- Local authority councillor(s), who will be (as nominated by the Leader of the Council):

- (i) The Leader of the Council

- (ii) The Cabinet Member for Children and Families

- (iii) The Cabinet Member for Adults and Health

- Chair, Clinical Commissioning Group (Vice Chair of HWB)

- Chair, Healthwatch

- Lay Member Haringey Clinical Commissioning Group

(h) Any additional persons appointed to the Board either by the local authority or the Board will be appointed on a non-voting basis.

(i) The full Council may at any time make a direction to alter the voting right of Board members, following consultation with the Board.

8.6 Committee procedures

(a) The Board will be accountable to full Council in its capacity as a committee of the local authority. The Board will be subject to health scrutiny as set out in the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

(b) The Access to Information Procedure Rules in Part 4 of this Constitution apply to the Board. The Committee Procedure Rules in Part 4 apply to the Board except where this would be inconsistent with either these Terms of Reference or the legislation governing this board.

8.7 Facilitating the work of the Health and Wellbeing Board

(a) Workshop meetings will be held to cement links with partners including the Community Safety Partnership, the Children's Trust, and regeneration partners, to facilitate co-ordination and focus on priority issues relevant to all parties.

(b) In addition to formal board meetings, the Board will hold informal, non- decision making seminars as and when required with attendees specifically invited by the Board. These seminars will be held in private in order to ensure the ongoing organisational development of the Board and to provide a forum in which complex and sensitive issues can be fully aired and discussed to manage potential blockages to effective delivery of the strategy.

8.8 Representatives and substitutes

(a) Representatives will provide a link with their own organisation, reporting back and instigating partner action, being responsible for disseminating decisions and actions within their own organisation, ensuring compliance with any actions required and reporting back progress.

(b) Partner bodies are responsible for ensuring that they are represented at an appropriate level (either equivalent to the core member they are representing and no more than one tier below).

(c) If a representative is absent for three consecutive meetings the organisation/sector will be asked to re-appoint/confirm its commitment to the Board.

(d) Substitutes for voting members will not be permitted with the exception the Chair of the CCG and the Chair of Healthwatch. In their absence, the Deputy Chair of the CCG and the Deputy Chair of Healthwatch may attend in their place. All substitutes must be declared in name at the beginning of each municipal year.

Chair of Scrutiny Panel

There are 4 Scrutiny Panels which are sub committees of the main Overview and Scrutiny Committee. They are as follows:

- Adults and Health
- Housing and Regeneration
- Children and Young People
- Environment and Community Safety

Overview and Scrutiny Committee member - attending 5 Committee meetings plus 'call in' meetings and other special meetings that will be called.

Report for: Standards Committee – 25 January 2021

Title: Minor Updates to the Pensions Committee and Board Terms of Reference

Report authorised by: John Jones, Interim Monitoring Officer

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager,
ayshe.simsek@haringey.gov.uk, 020 8489 2929

Ward(s) affected: Not applicable

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

1. Describe the issue under consideration

- 1.1 The Council constitution governs the organisation of Council decision making. It is kept under review and, when necessary, amendments are proposed to Standards Committee for consideration and recommendation on to Full Council, in accordance with Article 14.03 (Changes to the Constitution).
- 1.2 This report seeks approval to amend the Pensions Committee and Board terms of reference in relation to employer member representatives to bring the wording in line with Pensions Regulations. If this proposal is agreed by the Standards Committee, it will be recommended to Full Council.

2. Cabinet Member Introduction

Not applicable.

3. Recommendations

The Standards Committee is asked:

- 3.1 To approve the amendment of the Pensions Committee and Board terms of reference in relation to employer member representatives to bring the wording in line with Pensions Regulations. The amendment would change the wording as follows (additions in bold text, deletions in strikethrough text): 'Two representatives ~~from~~ **who have the capacity to represent** scheduled and admitted employers'.
- 3.2 To recommend that the amendment to the constitution is adopted by Full Council.

4. Reasons for decision

To ensure that the Council constitution is accurate and includes all of the necessary information.

5. Alternative options considered

To not agree the changes to the Council constitution and/ or defer consideration. This option is not recommended as it would delay the implementation of an accurate and complete constitution.

6. Background information

- 6.1 The Pensions Committee and Board consists of six councillor members, two employer representatives, and two employee representatives. The employer and employee representatives are co-opted members who serve for a period of four years and are eligible for re-appointment.
- 6.2 The two employer representatives are nominated by employers other than the Council. It has proved difficult to fill all of the employer representative positions and one position has been vacant for a number of years.
- 6.3 The Local Government Pension Scheme (Amendment) (Governance) Regulations 2015 (the Pensions Regulations) state that an employer representative must have 'the capacity to represent employers'. However, the requirements in the Council constitution are worded more narrowly and state that employer representatives must be 'from scheduled and admitted employers'.
- 6.4 It is proposed that the wording in the Council constitution is amended so that it replicates the wording from the Pensions Regulations. The proposed amendment would change the wording as follows (additions in bold text, deletions in strikethrough text): 'Two representatives ~~from~~ **who have the capacity to represent** scheduled and admitted employers'.
- 6.5 The amended wording would provide consistency with the Pensions Regulations but would also provide a wider pool of potential employer representatives and it is hoped that this would assist in filling the employer representative vacancy.
- 6.6 The proposals will be presented to the Pensions Committee and Board meeting on 21 January 2021. Any comments made by the Pensions Committee and Board will be presented to the Standards Committee meeting on 25 January 2021.

7. Contribution to strategic outcomes

The Council's constitution supports the governance of the Council and its decision making thereby assisting the Council to meet its strategic outcomes.

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

Finance and Procurement

8.1 There are no financial implications arising from this report.

Legal

8.2 The proposed changes to the Council constitution were taken forward with Legal Service assistance.

Equality

8.3 There are no equality matters in this report.

9. Use of Appendices

Not applicable.

10. Local Government (Access to Information) Act 1985

The Council Constitution which can be found at:

<http://www.haringey.gov.uk/local-democracy/about-Council/Council-constitution>.

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Report for: Standards Committee – 25 January 2021

Title: Committee Work Programme

Report authorised by : John Jones - Interim Monitoring Officer

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager
ayshe.simsek@haringey.gov.uk, 020 8489 2929

Ward(s) affected: N/A

Report for Key/

Non Key Decision: Non-Key Decision

1. Describe the issue under consideration

- 1.1 Members to note current work programme and put forward any comments on suggested areas of work.

2 March 2021

1. Final Recommendations for Members Allowance Scheme 2021/22
2. Changes to Section K of the Constitution on Officer appointments - include statutory officers in definition of Member recruitment.
3. Any other constitutional changes required as a result of the above.

Possible future items, to be confirmed

1. Review of the Corporate Committee name
2. Update on Debt Management.
3. Review of the Health and Wellbeing Board Terms of Reference.

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

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