

Report for: Annual Council – 20 May 2019

Title: **Appointments to Committees 2018/19**

Authorised by: Bernie Ryan, Assistant Director Corporate Governance & Monitoring Officer

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Ward(s) affected: All

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

1. Describe the issue under consideration

- 1.1 This report concerns the appointment of councillors to serve on Committees during the municipal year 2019/20. The Council is required to ensure that appointments to which the political balance rules apply are made in accordance with those rules. This report also provides the membership of the Cabinet for the Council to note.
- 1.2 A schedule of Committees is attached at Appendix 1 to this report. This details the number of seats available on each Committee and the proportional split between the parties in accordance with the political balance of the authority.
- 1.3 The Chief Executive was advised on the 10th of May 2019 of a reduction in number of Labour Councillors from 42 to 41 and section 4 provides detail on the impact on proportionality and allocated seats.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 Council is asked to:
 1. Appoint to the Committees on the "slate" basis.
 2. Agree the membership of Committees and the appointment of Chairs as detailed at Appendix 1.
 3. Note the proposed membership of the Cabinet as detailed at Appendix 2.

4. Background information

- 4.1 The Annual Meeting of the Council appoints Committees of the Council in accordance with Article 4.02 of the Constitution. The Council is required to comply with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 in terms of political balance when appointing 'ordinary' committees – that is, committees appointed under section 101 and 102 of the Local Government Act 1972.

- 4.2 These rules provide that seats on 'ordinary' committees must be allocated in line with the following principles in order of precedence:
- (a) that not all the seats on a body are allocated to the same political group;
 - (b) that the majority of the seats on the body are allocated to the political group which has the majority of the Council's membership;
 - (c) that, subject to principles (a) and (b) above, the total number of seats of all the ordinary committees of the Council shall be allocated to each political group in the same proportion as their share of membership of the Council as a whole; and
 - (d) that, subject to paragraphs (a) to (c) above, the number of seats on each individual body shall be allocated to each political group in the same proportion as to their size on the Council as a whole.

- 4.3 The political balance of the Council of 57 councillors is as follows:

Labour	41 councillors (71.9%)
Liberal Democrats	15 councillors (26.3%)
Independent	1 Councillor (1.75%)

Where practicable the allocation of seats on ordinary committees should be in line with the proportion of seats on the Council held by the political groups. The rule about proportionate allocation of seats on bodies overall takes precedence over the rule about proportionate allocation on any individual body.

- 4.4 The number of seats currently available on ordinary committees, agreed in May 2018 was 47. Of this number 35 [73.7%) was allocated to the Labour Group and 12 or [26.3%] was allocated to the Liberal Democrat Group. In light of the reduction in Labour councillors from 42 to 41, this political group's percentage allocation has reduced to 71.9% - 34 seats. Although, there is no requirement to offer a seat to a single member as they do not constitute a "political group" under the definition in the Local Government (Committees and Political Groups) Regulations 1990 (S.I. 1553) Regulation 8, it is nonetheless, proposed to offer a seat on Corporate Committee to Councillor Barbara Blake [Independent] to reflect the rule on the proportionate number of seats held by political groups.

- 4.6 In calculating the allocation of seats on ordinary committees, the following bodies were excluded because these bodies are excluded from the statutory rules on political balance:

- The Cabinet
- The disciplinary pool;
- Licensing Sub-Committees (Licensing Act 2003 and Gambling Committee);
- Other Committees where membership is determined on the basis of electoral ward represented; and
- The Health and Wellbeing Board.

The Cabinet

4.5.1 The Cabinet is appointed by the Leader and may only comprise councillors from the majority party. It must have between 2 and 9 members in addition to the Leader.

Licensing Sub-Committees (Licensing Act 2003 and Gambling Committee);

4.5.2 The Regulatory Committee establishes Sub-Committees of 3 members each. Each Sub-Committee conducts the same type of business which also includes the Gambling Act applications. The political balance rules do not apply to the Licensing Sub-Committees although they do apply to the Regulatory Committee. This is because the Licensing Sub-Committees are appointed under the Licensing Act 2003 and not under section 101 and 102 of the Local Government Act 1972. However it is normal practice to establish the Licensing Sub-Committees in accordance with political balance (that is, two Labour and one Liberal Democrat Member) as far as practicable.

The Health and Wellbeing Board

4.5.3 Although the Health and Social Care Act 2012 requires that the Health and Wellbeing Board is to be treated as if it were a committee appointed under section 102 of the 1972 Act, the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218) have the effect of modifying and disapplying various provisions including the rules on political balance. The membership of the Health and Wellbeing Board is prescribed at section 194 of the Health and Social Care Act 2012 and this Committee is therefore excluded from the political balance calculations.

Overview and Scrutiny Committee

4.6 Principles (a), (b) and (d) of the rules apply to the Overview and Scrutiny Committee, however because the Committee is established under the Local Government Act 2000, it is not included in the political balance calculations for the total number of seats on ordinary committees (principle c). As such, the Overview and Scrutiny Committee must be balanced, but on an individual basis.

4.7 In view of the volume of appointments to be made it is expedient to approve the appointments on a "slate" basis, rather than on an individual basis, as set out in Appendix 1.

4.8 Changes to appointments can be made at any stage during the Municipal Year with the changes being reported to the Council as appropriate.

4.9 As set out in paragraph 1.2 of Part Three Section C of the Council's Constitution, the Leader selects the Members of the Council's Cabinet. The Leader of the Majority Group has indicated that, if elected as Leader of the Council at the Annual Meeting, he would make the appointments that are set out at Appendix 2 for the Council to note.

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

5.1 No comments.

Assistant Director Corporate Governance & Monitoring Officer

- 5.2 The report sets out those Council bodies to which the political balance rules apply. The 1989 Act requires political balance in the distribution of seats on committees to be undertaken “so far as is reasonably practicable” thus recognising that a mathematically precise split between political parties cannot always be achieved.
- 5.3 The rules in section 15 of the Local Government and Housing Act 1989 require that a party with a majority on full Council shall have a majority of seats on each non-executive body and this rule takes precedence over the rules requiring an exact political balance on those bodies individually and taken as a whole.

6. Use of Appendices

- 6.1 Appendix 1 – Appointment of Committees, etc. for 2019/20
- 6.2 Appendix 2 – Cabinet Membership 2019/20

7. Local Government (Access to Information) Act 1985

- 7.1 Background documents:
- *Appointments to Cttees 2017/18*
 - *Haringey Council’s Constitution*
- 7.2 The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.
- 7.3 To inspect them or to discuss this report further, please contact Michael Kay on 0208 489 2920.