

Report for: Annual Council – 1 October 2020

Title: **Appointments to Committees 2020/21**

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 2020/21. The Council is required to ensure that appointments to which the statutory political balance rules apply are made in accordance with those rules. The relevant rules are summarised below (see paragraph 4.2). This report also sets out the membership of the Cabinet (which is excluded from the statutory rules about political balance), 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 (reflecting the political balance of the authority, in accordance with the rules summarised at paragraph 4.2).

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(k) 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 102(1)(a) 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, so far as reasonably practicable:

- (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 proportion of seats allocated to each political group out of the total number of seats across all the ordinary committees of the Council shall be 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 their share of membership of 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%)

4.4 The number of seats currently available on ordinary committees is 47 and this was the same as in 2019. The Independent Member currently sits on Corporate Committee but has indicated that she does not wish to take up this seat for this Municipal year. Rather than leave this seat unallocated, it is proposed to allocate this seat to the Liberal Democrats. In consequence, Labour would receive 34 committee seats (72.3% of the total number of seats available) and Liberal Democrats 13 seats (27.65% of the total number). Both the Labour and Liberal Democrat groups would therefore have a percentage of committee seats that is slightly higher than their percentage share of the total number of councillors. In adopting this allocation, the Council is complying with the principle set out at paragraph 4.2(c) above, so far as reasonably practicable. The fact that there is an Independent councillor, who does not wish to take up a committee place, means that strict compliance with the principle set out at paragraph 4.2(c) is not possible.

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).
- 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 2005 applications. The political balance rules do not apply to the Licensing Sub-Committees because they are appointed under the Licensing Act 2003 and so are not ordinary committees appointed under section 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) so far as reasonably practicable.

The Health and Wellbeing Board

- 4.5.3 The political balance rules are disapplied by the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (SI 2013/218). The membership of the Health and Wellbeing Board is prescribed at section 194 of the Health and Social Care Act 2012.

Overview and Scrutiny Committee

- 4.6 Principles (a), (b) and (d) of the rules apply to the Overview and Scrutiny Committee by virtue of section 9FA(6)(b) of the Local Government Act 2000. However, because the Committee is established under the Local Government Act 2000, it is not an ordinary committee appointed under section 102 of the Local Government Act 1972 and so 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 has made 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 In section 15 of the Local Government and Housing Act 1989, principle (b) states that a party with a majority on full Council shall have a majority of seats on each individual body. This principle takes precedence over principles (c) and (d) which

require political groups to be represented on the ordinary committees taken as a whole and on the bodies individually in proportion to their representation on Full Council.

- 5.4 Principle (c) concerning proportionate allocation of seats across all the ordinary committees of the council takes precedence over the principle (d) concerning proportionate allocation on any individual body.

6. Use of Appendices

6.1 Appendix 1 – Appointment of Committees, etc. for 2020/21

6.2 Appendix 2 – Cabinet Membership 2020/21

7. Local Government (Access to Information) Act 1985

7.1 Background documents:

- *Appointments to Cttees 2018/19*
- *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 Ayshe Simsek on 0208 489 2929.