

Report for: Full Council 17 July 2023

Title: **Change to Political composition and Appointments to Committees 2023/24 and Committee position changes**

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Ward(s) affected: All

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

1. Describe the issue under consideration.

To note the changes to the political groups following the recent by-election in Hermitage Gardens ward and the election of Anna Lawton as a member of the Council.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 Council is asked to:
1. Note the changes to the political composition set out at paragraph 4.2.
 2. To agree that Cllr Isilar - Gosling will replace Cllr Dawn Barnes on the Appointments Panel.

4. Background information

4.1 Following a by-election on 29th of June 2023, Councillor Anna Lawton was elected to represent Hermitage & Gardens ward. Cllr Anna Lawton is a member of the Labour Group.

4.2 The political balance of the Council of 57 councillors is now as follows:

Labour	49 councillors (85.95%)
Liberal Democrats	7 councillors (12.3%)
Independent	1 Councillor (1.75%)

4.3 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 below paragraph). 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.

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.

4.4 The number of seats currently available on Ordinary Committees is 61.

Alexandra Park and Palace Board -	6 seats
Audit Committee	7 seats
General Purposes Committee	5 seats
Licensing Committee	11 seats
Pensions Committee and Board	6 seats
Strategic Planning Committee	11 seats
Standards Committee	5 seats
Appointments Panel	5 seats
Disciplinary, Grievance and Dismissal Panel	5 seats
Total	61 seats

4.6 At the previous Council meeting in May 2023, **52 seats or 85.2% were allocated to the Labour Group and 9 or 14.8%** to the Liberal Democrat Group. The increase of the percentage share of the Labour group from 84.2% to 85.95% does not impact the seat allocation and there are no changes proposed.

4.7 This meets the requirements of the 1989 Act on proportionality as closely as possible. Although the Liberal Democrat group have a 2.5 % higher allocation this is to ensure that principle (a) set out at paragraph 4.3 is met and that not all seats on a committee are allocated to the Majority group.

- 4.8 The Liberal Democrat Chief whip has also notified a change in the Liberal Democrat Committee membership of the Appointments Panel. Cllr Isilar – Gosling is recommended to replace Cllr Dawn Barnes on this Panel.
- 4.9 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.
 - Overview and Scrutiny Committee

The Cabinet

- 4.10 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).

- 4.11 The Licensing Committee establishes the Licensing Sub-Committee of 3 members which will be appointed from a pool of members from the Licensing Committee. The Sub-Committee conducts the same type of business which 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-Committee in accordance with political balance (that is, two Labour and one Liberal Democrat Member) so far as reasonably practicable.

The Health and Wellbeing Board

- 4.12 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

- 4.13 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.

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

5.1 There are no financial implications arising from the report.

Head of Legal and 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.

5.5 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.

6. Use of Appendices

None

7. Local Government (Access to Information) Act 1985

7.1 Background documents:

- *Appointments to Cttees 2023- 24*
- Change to Political composition and Appointments to Committees 2022/23 – 15 May 2023
- *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.