

**Report for:** Extraordinary Full Council 13 November 2023

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

**Authorised by:** Fiona Alderman, Head of Legal and Governance & Monitoring Officer

**Lead Officer:** Ayshe Simsek Democratic Services and Scrutiny Manager  
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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 To note the changes to the political groups following the recent by-elections in South Tottenham and White Hart Lane ward and the election of Councillor Mark Grosskopf and Councillor Liam Carroll as members of the Council, following the resignations of Cllr Charles Adje and Cllr Yvonne Say in August 2023.
- 1.2 To note that on the 19th of October 2023 Cllr Lotte Collett notified the: Monitoring Officer, Democratic Services Manager and Chief Executive in writing that she no longer wished to be treated as a member of the Labour group; This was in accordance with Local Government (Committees and Political Groups) Regulations 1990 – reg.10(b).
- 1.3 To note that on the 27<sup>th</sup> of October, Cllr Mark Blake notified the: Monitoring Officer, Democratic Services Manager and Chief Executive in writing that he no longer wished to be treated as a member of the Labour group; This was in accordance with Local Government (Committees and Political Groups) Regulations 1990 –reg. 10(b).
- 1.4 To note that on the 2nd of November 2023 Cllr Mary Mason notified the Monitoring Officer, Democratic Services Manager and Chief Executive in writing that she no longer wished to be treated as a member of the Labour group; This was in accordance with Local Government (Committees and Political Groups) Regulations 1990 –reg. 10(b).
- 1.5 On the 9<sup>th</sup> of November 2023, the proper office was notified of a new political group, the Independent Socialists. The Leader of the group is Cllr Lotte Collett and Deputy Leader was notified as Cllr Mary Mason. This was in accordance with the Local Government (Committees and Political Groups) Regulations 1990 - reg.8(1) 'Constitution of Political Groups', which advises that a political group shall be treated as constituted when there is delivered to the proper officer a notice in writing which is signed by two or more members of the authority who wish to be treated as a political group,

and complies with the provisions of paragraph (3) as it sets out the Leader and Deputy Leader and is signed by the Group Members.

## **2. Cabinet Member Introduction**

N/A

## **3. Recommendations**

3.1 Council is asked to:

1. Note the changes to the political balance of the Council set out at paragraph 4.3.
2. To note the constitution and membership of the Independent Socialists set out at paragraph 4.2.
3. To agree that Cllr Sean O'Donovan will replace Cllr Lotte Collett on Alexandra Palace and Park Board giving effect to the wishes of the political group.
4. To agree that Cllr Sean O'Donovan be appointed as Vice Chair of the Alexandra Palace and Park Board giving effect to the wishes of the political group.
5. To agree that Cllr Erdan Dogan will replace Cllr Mary Mason on the Audit Committee giving effect to the wishes of the political group.
6. To agree that Cllr Erdal Dogan be appointed Chair of the Audit Committee giving effect to the wishes of the political group.
7. To agree that Cllr Mark Blake replace Councillor Isidoros Diakides on the Licensing Committee giving effect to the wishes of the political group.
8. To agree that Cllr Lotte Collett replace Cllr O'Donovan on the Strategic Planning Committee giving effect to the wishes of the political group.
9. To agree that Cllr Mary Mason replace Cllr Ibrahim Ali on the Audit Committee giving effect to the wishes of the political group.
10. To agree that Cllr Liam Carroll fill the Labour group vacancy on the General Purposes Committee giving effect to the wishes of the political group.

## **4. Background information**

- 4.1 Following the resignations of Cllr Charles Adje and Cllr Yvonne Say from the Council in August 2023, by-elections were held on the 4<sup>th</sup> of October, Councillor Mark Grosskopf was elected to represent South Tottenham ward and Councillor Liam Carroll was elected to represent White Hart Lane Ward. Cllr Grosskopf and Cllr Carroll are members of the Labour Group.
- 4.2 In October and early November, Cllr Lotte Collett, Cllr Mark Blake and Cllr Mary Mason, individually, notified the Monitoring Officer Democratic Services Manager and Chief Executive in writing that they no longer wished to be treated as a member of the Labour group; This was in accordance with Local Government (Committees and Political Groups) Regulations 1990 – reg.10(b) They further notified the Democratic Services and Scrutiny Manager and Proper officer on the 9<sup>th</sup> of November 2023 that they were a political group,

and their Leader was Cllr Lotte Collett and their Deputy Leader was Cllr Mary Mason.

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

Labour	46 councillors (80.71%)
Liberal Democrats	7 councillors (12.28%)
Independent Socialists	3 Councillors (5.26%)
Independent	1 Councillor (1.75%)

4.4 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 4.5). 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.

4.5 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.

4.6 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

- 4.7 At the previous Council meeting in May 2023, and July 2023, **52 seats or 85.2% were allocated to the Labour Group and 9 or 14.8%** to the Liberal Democrat Group. There is now a decrease in the percentage share of the Labour group Councillors from (figure at the July Council meeting) 85.95% to 80.71%. There is a second opposition group who have a 5.26% percentage share which needs consideration.
- 4.8 To seek to follow principle (c) allocating the Independent Socialists 4 seats and Labour **48** seats and Liberal Democrat group 9 seats would mean that the Independent Socialists would have a 6.56% share of seat allocations which is higher than their percentage share of (5.26%) This would also result in Labour being 2.01% below its percentage, with the disparity between this, and the Liberal Democrat group being 2.47% above their percentage, not closely meeting principle (c) itself.
- 4.9 To seek to follow principle (c) and to allocate the Labour group **49** seats (80.33% of seats)(49/61x100) the Liberal Democrat group 9 seats (14.75% of seats(9/61x100)) and Socialist Independents 3 seats – (4.92%)(3/61x100) would mean that the Labour group would have 0.38% lower percentage allocation than their share of councillors, (80.71-80.33) the Liberal Democrat group would have 2.47% higher percentage allocation(14.75-12.28) and the Independent Socialists would have a 0.34%(5.26 - 4.92) lower percentage allocation. In this calculation the Labour group has a 0.04 lower percentage allocation compared to their Councillor share of the Council (80.71) compared to the Socialist Independent group. Therefore, this would closely meet principle (c).
- 4.10 To seek to follow principle (c) and to allocate the Labour group **50** seats, means they would have 81.97% of seats(50/61x100). To then allocate the Liberal Democrat group 9 (14.75%) (9/61x100) seats and Independent Socialists 2 seats (3.28%) (2/61x100). This would mean that the Labour group would have 1.26% higher percentage allocation than their share of councillors (81.97- 80.71), the Liberal Democrat group would have 2.47% higher percentage allocation (14.75 – 12.28) and the Independent Socialists would have a 1.99% lower percentage allocation.(5.26 - 3.27). This would not meet principle (c) as closely as the proposed allocation in paragraph 4.9.
- 4.11 To seek to follow principle (c) and to allocate the Labour group **50 seats**, means they would have 81.97% of seats(50/61x100). To then allocate the Liberal Democrat group 8 seats (13.11%) (8/61x100) and the Independent Socialists 3 seats – (4.92%) (3/61x100). This would mean that the Labour group would have 1.26% higher percentage allocation than their share of Councillors, the Liberal

Democrat group would have 0.83% higher percentage allocation and the Independents would have a 0.34% lower percentage allocation. This would closely meet principle (c) but not fully meet principle (d) as there would be a committee without Liberal Democrat membership.

4.12 Comparing the proposed allocations set out at paragraph 4.10 and paragraph 4.9, the Independent Socialist have a 1.99% lower allocation than their share of councillors on the Council and Labour has a 0.38% percentage lower allocation. The Independent Socialist group has a greater lower percentage share of seats. Then further taking into account that the majority of seats on the Council are still allocated to the Labour group, meeting principle (b), this would mean that the proposal at 4.9 meets the requirements of principles (a) (b) and (c) more closely.

4.13 The Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 principles set out at paragraph 4.5 work on a hierarchy basis and given that principles (a) (b) (c) are closely met as described at paragraph 4.9 and 4.12 there is not a need to test principle (d) more fully.

4.14 The table below sets out the proposed allocations to Committees to meet paragraph 4.9 and allocate a Socialist Independent Member to the largest sized Committees of the Council. This is the Audit Committee, Licensing Committee, and Strategic Planning Committee. This would mean that the Independent Socialist group has a higher percentage allocation (9.09%) on the Audit Committee than their percentage allocation of Councillors (14.29-5.26) but this is a not uncommon consequence when allocating seats to smaller political groups, particularly on committees with fewer members (and may also explain why principle (d) is subordinate to principle (c). Indeed, it could be argued that the Liberal Democrat Group also have a higher percentage allocation on the Committees than their percentage share as well.

4.15 To allocate the Independent Socialists a seat on the Committees with a membership of 5 or 6 would not meet principle (d).

Ordinary Committee	Labour	Liberal Democrat	Independent Socialists	Total number of seats
Alexandra Park and Palace Board	5	1	0	6
Audit Committee	5	1	1	7
General Purposes Committee	4	1	0	5
Licensing Committee	9	1	1	11
Pensions Committee and Board	5	1	0	6
Strategic Planning Committee	9	1	1	11

Standards Committee	4	1	0	5
Appointments Panel	4	1	0	5
Disciplinary, Grievance and Dismissal Panel	4	1	0	5
	49	9	3	61

4.16 Therefore, in keeping as closely with the principles set out in paragraph 4.5 (a) to (d) it is proposed to offer the Independent Socialist Group 1 seat on the Licensing Committee and 1 seat on Strategic Planning Committee and 1 seat on the Audit Committee. This meets the requirements of the 1989 Act on proportionality as closely as possible. It is proposed that Cllr Lotte Collett replace Cllr O'Donovan on Strategic Planning and Cllr Mark Blake will replace Cllr Isidoros Diakides on Licensing Committee and Cllr Mason will replace Cllr Ali on Audit Committee.

4.17 Following the Resignation of Cllr Adje from the Council in August 2023, there was an existing Labour group vacancy on the General Purposes Committee, and it is further proposed that this seat be filled by Cllr Liam Carroll.

4.18 To further confirm that the Chief Whip of the Majority Group notified Democratic Services on the 9<sup>th</sup> of November that Cllr Dogan was proposed to the Council as Chair of the Audit Committee giving effect to the wishes of the political group. The Chief Whip also notified that Cllr O'Donovan was proposed as the Vice Chair of Alexandra Palace and Park Board giving effect to the wishes of the political group. These positions are allocated to the Majority political group.

4.19 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**

4.20 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).**

4.21 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**

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

### **Overview and Scrutiny Committee**

- 4.23 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. Following the constitution of a second opposition group as set out at paragraph 4.2, consideration has been given to the 'Special Responsibility Allowances scheme set out at Part 6 of the Constitution and agreed by Council March 2023, it is the legal view that both the Deputy Leader of the Principal Opposition and also the Leader of the Second Opposition Group are entitled to a special allowance of £8,482. This is in a context where the Leader of the Principal Opposition is entitled to £16,965.
- 5.1 The Member Allowance Scheme is not read as conferring, in some way, a discretion to choose between one or the other (assuming there is a second Opposition group). The 2003 Regulations and Report of the Independent Panel on 'The Remuneration of Councillors in London in 2022' (which the Council had regard to before agreeing the allowances) have been considered in reaching this conclusion.
- 5.2 The Local Authorities (Members Allowances) (England) Regulations 2003 and regulation 10(3) provides that, subject to regulation 12, the scheme may be amended "at any time" and also subject to regulation 19(1), have regard to the recommendations made in relation to it by the Independent Remuneration Panel.

## **6. Statutory Officers comments**

### **Finance**

- 6.1 The additional SRA Allowance, payable between November 2023 and April 2024, will be met from the allocated Democratic Services Budget and it is noted that the Member Allowance scheme is subject to annual review.

### **Head of Legal and Governance & Monitoring Officer**

- 6.2 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.
- 6.3 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.
- 6.4 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.
- 6.5 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**

### **Appendix 1 - Appointments to Committees – November 2023**

#### **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 and 17 July 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.