

Report for: Full Council 20th November 2023

Title: Appointment to Outside Bodies

Report

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

Lead Officer: Ayshe Simsek, Democratic Services and Scrutiny Manager

Ward(s) affected: N/A

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

1 Describe the issue under consideration

- 1.1 At the Annual Council meeting on the 15 May 2023 appointments were made to Outside Bodies. The Cabinet Member for Climate Action, Environment, and Transport and Deputy Leader of the Council was appointed to the North London Waste Authority.
- 1.2 The Cabinet Member for Climate Action, Environment, and Transport and Deputy Leader of the Council had been due to attend three meetings of the North London Waste Authority between June and November 2023 and attended one meeting online and could not attend one meeting due to illness. The Cabinet Member attended the September meeting in person and this meeting was inquorate. Under the Local Government Act 1972, the membership of an authority to the North London Waste Authority is dependent on attending one meeting during a 6-month period.
- 1.3 There has been further consideration by the North London Waste Authority of whether attendance at inquorate meetings count for the purposes of the six-month attendance rule and it has been determined that it would do under NLWA Standing Orders and S85 of the Local Government Act 1972. Therefore, while Cllr Hakata is not in breach of the rule, reappointing him to the North London Waste Authority would remove any doubt.

2 Cabinet Member Introduction

N/A

3 Recommendations

- 3.1 It is recommended that:

- The Cabinet Member for Climate Action, Environment, and Transport and Deputy Leader of the Council be re-appointed to the North London Waste Authority until the next annual full Council in May 2024

4 Reason for Decision

- 4.1 Appointments to Outside Bodies are reserved to Full Council, and making a re- appointment before the next meeting of the North London Waste Authority in December 2023 would allow the Cabinet Member for Climate Action, Environment, and Transport and Deputy Leader of the Council to participate and vote without any reservation.
- 4.2 The advice from the North London Waste Authority is to err on the side of caution in dealing with any issue which could be used to suggest that decisions were not properly taken.

5 Alternative Options Considered

- 5.1 None – this is a statutory outside body and the appointment needs to be made by Full Council in line with Part 2 of the Constitution, paragraph 4.02 (p).

6 Background information

- 6.1 Part 2 of the Constitution, paragraph 4.02 (p) indicates that Full council will appoint representatives to outside bodies unless the appointment is a cabinet function or has been delegated by the Council.
- 6.2 Section 10.08 of Part 2 of the Constitution advises that the Council has nomination rights to a large number of different external bodies, referred to as 'organisations'. The practice of making nominations to organisations is a benefit to the Council and the links created contribute to the social well-being of the borough.
- 6.3 These organisations can be categorised as follows:
- A. Association bodies, such as the Local Government Association or Association of London Government joint committees and panels.
 - B. Community or voluntary bodies which cover a very wide spectrum of organisations serving the community, or community groups, in various ways.
 - C. Partnership bodies which will usually involve the Council working with other agencies on local issues or projects.
 - D. Statutory bodies, where the Borough of Haringey needs to be represented by law.

E. Trusts and Foundations which generally have more specific and prescribed objectives.

6.4 As set out in section 10.08(b) the nominations to all outside bodies are made and confirmed at each Annual General Meeting. Where there is an association or partnership body exercising executive functions, then nominations of the Cabinet Member will be made by the leader of the council, or the Cabinet with the Leader's agreement and recorded in the list approved at the AGM.

6.5 The constitution continues to advise that future nominations to voluntary or community bodies will generally be in a non – voting, "observer" capacity only, in order to avoid the greater potential for conflicts of interest. Nominated members will not participate in management or decision – making within the organisation. Their role will be to assist in the exchange of information and views between the organization and the council.

6.6 The North London Waste Authority is a statutory Body.

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

7.1 Finance

N/A

7.2 Legal

The legal and constitutional implications are set out in the body of the report.

7.3 Equalities

N/A

9 Use of appendices

None

10 Local Government (Access to Information) Act 1985

N/A