

Report for: Overview and Scrutiny Committee

Title: Change to Scrutiny Membership 2023/24

Authorised by: Fiona Alderman, Head of Legal and 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.

To agree changes to the membership of the: Children and Young People's Scrutiny Panel, the Housing, Planning and Development, and Climate, Community Safety and Culture Scrutiny Panel as a result of the Council membership changes.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1 To agree that Cllr Mark Gross Grosskopf and Cllr Anna Lawton replace Cllr Lotte Collett and Cllr Mark Blake on the Children and Young People's Scrutiny Panel.
- 3.2.1 To agree that Cllr Isidoros Diakides replace Cllr Mark Blake on the Housing Planning and Development Scrutiny Panel.
- 3.2.2 To agree that Cllr Ali replace Cllr Isidoros Diakides on the Climate, Community Safety and Culture Scrutiny Panel.
- 3.2.3 To agree that Cllr Liam Carroll fills the Labour vacancy on the Climate, Community Safety and Culture Scrutiny Panel.

4. Background information

- 4.1 At the Extraordinary full Council meeting on the 13th of November 2023, the following changes to Council membership and political composition were noted.
 - Following the resignations of Cllr Charles Adje and Cllr Yvonne Say from the Council in August 2023, by-elections were held on the 4th 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.

- 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 9th of November 2023 that they were a political group, and their Leader was Cllr Lotte Collett and their Deputy Leader was Cllr Mary Mason.

4.2 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%)

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- 4.3 Principles (a), (b) and (d) of the Local government and Housing Act rules on proportionality 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 main Overview and Scrutiny Committee must be balanced, but on an individual basis.
- 4.4 Article 6 of the Constitution states the OSC shall appoint Scrutiny Panels in order to discharge the Overview and Scrutiny role.
- 4.5 The specific functions for any Scrutiny Panels established are outlined in Article 6 of the Constitution at 6.3 (b) and 6.3 (c). The procedure by which this operates is detailed in the Scrutiny Protocol:
- 4.5.1 The OSC shall establish four standing Scrutiny Panels, to examine designated public services.
- 4.5.2 The OSC shall determine the terms of reference for each Scrutiny Panel.
- 4.5.3 If there is any overlap between the business of the Panels, it is the responsibility of the OSC to resolve the issue.
- 4.5.4 Areas which are not covered by the four standing Scrutiny Panels shall be the responsibility of the main OSC.
- 4.5.5 The Chair of each Scrutiny Panel shall be a member of the OSC, as determined by the OSC at its first meeting.

4.5.6 Scrutiny Panels are comprised of between 3 and 7 backbench or opposition members and be politically proportionate as far as possible.

4.5.7 Each Scrutiny Panel shall be entitled to appoint up to three non-voting co-optees. The Children and Young People's Scrutiny Panel membership will include the statutory education representatives of OSC.

4.6 There are currently 7 seats available on each of the 4 scrutiny panels with 6 Labour allocations and 1 Liberal Democrat seat allocation. Therefore, considering the Scrutiny Protocol rule 4.4 and considering that principle (c) of the Local government and Housing act rule on proportionality does not apply, to add a member of the Socialist Independent Group to each of the 4 Panel memberships would mean that the Panels would not be politically proportionate. The Socialists Independent group would have 14.28% of the seats and Labour group would have 71.44% of the seats on the Panels. This would not closely align with the political composition set out in paragraph 4.2.

4.7 The Majority group and Chair of the Overview and Scrutiny have indicated that they wish to make the following changes to the membership of the scrutiny panels:

- Cllr Mark Gross Grosskopf and Cllr Anna Lawton replaces Cllr Lotte Collett and Cllr Mark Blake on the Children and Young People's Scrutiny Panel
- Cllr Isidoros Diakides replaces Cllr Mark Blake on the Housing Planning and Development Scrutiny Panel
- Cllr Ali replaces Cllr Isidoros Diakides on the Climate, Community Safety and Culture Scrutiny Panel.
- Cllr Liam Carroll fills the Councillor vacancy on the Climate, Community Safety and Culture Scrutiny Panel.

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

5.1 There are no financial implications arising from the report.

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5.2 Under Section 21 (6) of the Local Government Act 2000, an Overview and Scrutiny Committee has the power to appoint one or more sub-committee to discharge any of its functions. The establishment of Scrutiny Panels by the Committee falls within this power and is in accordance with the requirements of the Council's Constitution.

5.3 Scrutiny Panels are non-decision-making bodies and the work programme and any subsequent reports and recommendations that each scrutiny panel produces must be approved by the OSC. Such reports can then be referred to Cabinet or Council under agreed protocols.

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 2023/24 and Committee position changes
- *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.