

Draft Report for Full Council 22 July 2024

Chair Alexandra Palace and Park Board – Cllr Emine Ibrahim

Approval in reduction of non-voting co-opted members of the Alexandra Park and Palace Board and subsequent changes to the Constitution of the Consultative Committee

1. Describe the issue under consideration

- 1.1 Often consultative committee meetings have been inquorate and it is proposed to reduce the quorum of the Consultative Committee from 4 to 3 Cllrs in line with Council Committee Procedure Rules (a quarter of the whole membership).
- 1.2 In light of recent approval to the recruitment of two youth trustees and an independent lead trustee for fundraising who will attend Alexandra Palace Board, there is also a need to consider the number of non-voting participants now likely to be attending the Alexandra Palace and Park and Board meetings. There will now be 3 consultative members, 1 Observer (Chair of the SAC) two youth trustees and an independent lead trustee for fundraising, making a total of 7 non councillor participants. This number is higher than the number of Council Appointees (elected members) and will have an impact on the efficiency of the Board.
- 1.3 It is proposed to reduce the number of Consultative Committee representative members from 3 to a maximum of 2, reducing the overall number of non-voting participants to 6. This keeps in mind that the Youth representatives are unlikely to attend all meetings and the independent lead for fundraising will attend those meetings where fund raising is part of an agenda item. Therefore, on average non -voting participants will likely be a maximum of 4 per meeting.
- 1.4 In accordance with the Council's Constitution, Part Four Section B, the Board will need to approve this change to the Consultative Committee's Constitution.

2. Cabinet Member Introduction

N/A

3. Recommendations

- 3.1.1 For Full Council to approve the changes to the Constitution of the Consultative Committee, reducing the number of members to be co-opted to the Board from 3 to a maximum of 2.
- 3.1.2 For Full Council to note that the Appointments to Committee report at agenda item 7 has been updated to reflect this change as required by Part Three Section B sub section 3 (Sub Committees and Panels).

4. BACKGROUND

- 4.1 The Consultative Committee was established in the 1980's and in the Council Constitution is listed as a Sub Committee of the Alexandra Park and Palace Board. Further to consideration of Council reports held on file, since 2001, there has been an annual appointment of 3 Consultative members to the Board on a non-voting capacity and to provide views of the committees and to report back to the committees from each board meeting.
- 4.2 In 2001, there was a higher number of Council appointees to the Alexandra Park and Palace Board with 9, reducing to 7 in 2008 and then 6 in 2014. The current number of Council Appointees is 6 and the number of non-voting co-optees has not been reviewed to consider if there is an appropriate ratio. Recommendations will be made to the Council's Constitution Working Group and, subsequently the Council's Standards Committee to amend Part Three, Section B, Section 4 paragraph 4.2 of the Council's Constitution to reduce the Consultative Committee councillor members from 7 to 6.
- 4.3 The Trust is not required by the Act of Parliament to include any members of the SAC or Consultative Committee on the board. Members of the Board appointed by the Consultative Committee and Statutory Advisory Committee have no voting rights and have no delegation of authority conferred upon them, other than their own appointing committees' terms of reference.
- 4.4 As the Consultative Committee is a Sub Committee of the Board, the decision to reduce the number of Co-optees is for consideration of the Board and recommendation to Full Council.
- 4.5 Consideration has been given to the following to support the recommendations:
 - Council appointees are regular attendees at the Consultative meetings, and they already hear firsthand the views of the community group representatives.

- Board meetings will consider commercially exempt information and as non-voting coopted members are not legally deemed voting members of the Board, and so they are not required to adhere to the same code of conduct and confidentiality rules as a voting member. This is at significant odds with Council practice and guidance for exempt information.
 - That the voice of the consultative committee is still maintained with the 2 representatives.
 - The need to follow the corporate plan objectives of ensuring young people have a voice.
 - The value and expertise that the fund-raising lead to support the community fundraising aspirations of the Board.
- 4.6 There is a need to consider the responsibilities of the elected trustees of the board, who will be focused at matters of legal, financial, and managerial detail relevant to the operation of the Trust and the management of the meeting will be crucial to maintaining this focus. The good committee practice guide advocates an optimum size could be four or five members including the chair.

5. Statutory Officers comments

Financial Implications

- 5.1 The non voting members do not get an allowance and there are no financial implications

Comments of the Assistant Director of Legal and Governance and Legal Implications

- 5.2 Local authorities have long been able to include within the membership of their committees persons who are not elected members of the appointing authority.
- 5.3 The position now is that the general effect of the power to co-opt in the LGA 1972, s. 102(3), has been modified by the LG&HA 1989, s. 13, by defining, in somewhat complex terms, the two categories of voting and non-voting members of a committee, sub-committee or joint committee.
- 5.4 Local authorities have a general power to co-opt persons from outside their membership to any committee, other than a committee for regulating or controlling finance, appointed under the enabling power of the 1972 Act to set up committees.
- 5.5 The provisions as to co-option do not apply to statutory committees where the constitution of the particular committee and the duty or power to co-opt are regulated by the enactment concerned. The power to co-opt rests with the full Council and not with committees, although the selection of persons to serve as

co-opted members is usually left to the committees. This is also reflected in the Council Constitution in the Committee Standing Orders Part 4 Section B, paragraph 2.

- 5.6 The former restriction on the number of co-opted members to not more than one-third of the membership of a committee no longer applies. Although, persons holding politically restricted posts are prohibited from membership of a local authority, this prohibition does not appear to affect co-option on to committees.

6. Use of Appendices

Appendix 1 - Changes to the Consultative Committee Constitution

7. Local Government (Access to Information) Act 1985

7.1 Background documents:

Council Constitution

4th April 2011 Full Council Report – Alexandra Palace Proposals

15th March 2021 Trustee Board Report – Youth Trustees

The background papers are located at River Park House, 225 High Road, Wood Green, London N22 8HQ.

To inspect them or to discuss this report further, please contact Ayshe Simsek on 0208 489 2929.