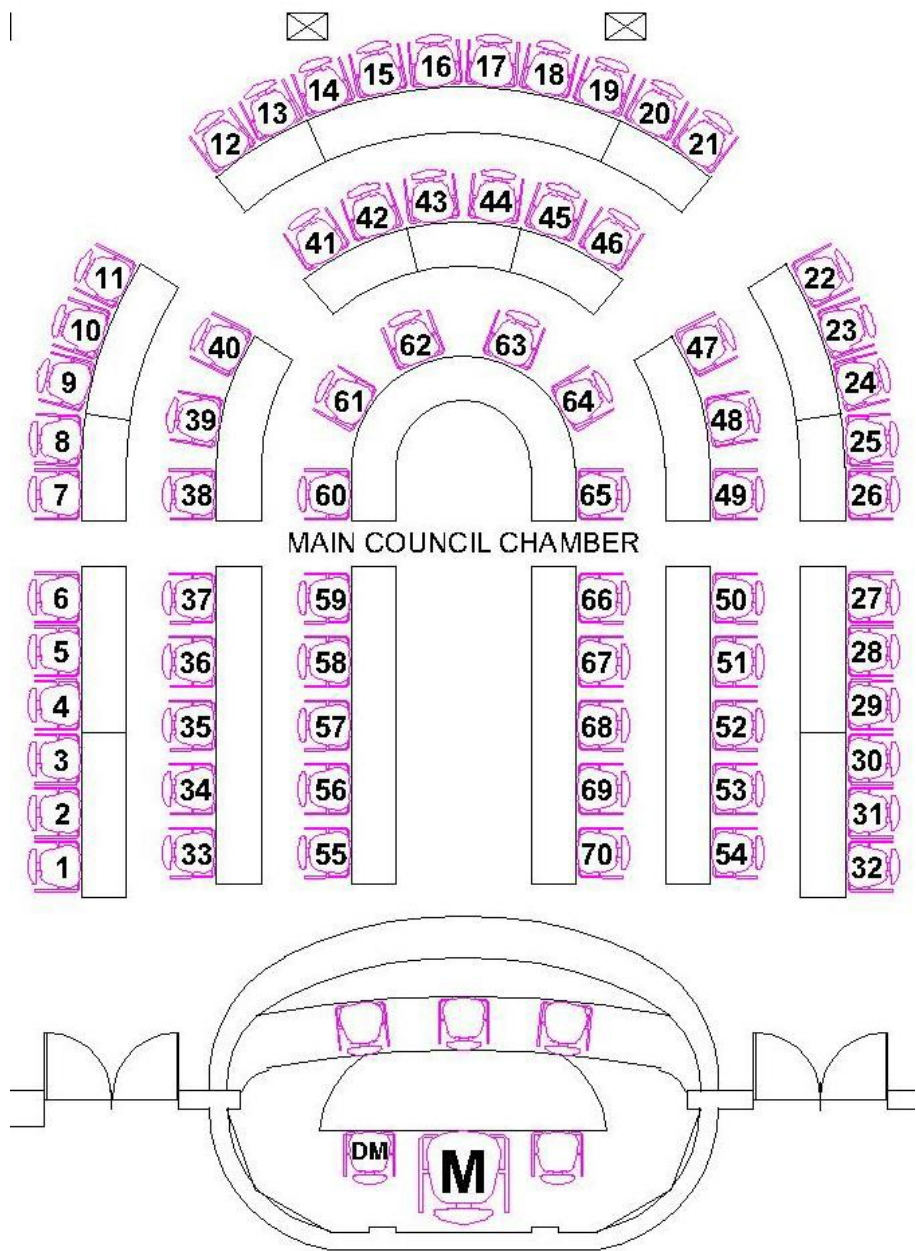




**COUNCIL
AGENDA**
for the meeting
on
20 May 2019 at
6.30 pm

1. Callton Young
2. Joy Prince
3. Toni Letts
4. Maddie Henson
5. Andrew Pelling
6. Pat Clouder
7. Pat Ryan
8. Felicity Flynn
9. Marys Croos
10. Robert Canning
11. Leila Ben-Hassel
12. Sherwin Chowdhury
13. Karen Jewitt
14. Jerry Fitzpatrick
15.
16.
17. Oni Ovir
18. Steve Hollands
19. Ian Parker
20. Michael Neal
21. Luke Clancy
22. Jan Buttinger
23. Sue Bennett
24. Jeet Bains
25. Stuart Millson
26. Andy Stranack
27. Helen Redfern
28. Simon Brew
29. Gareth Streeter
30. Margaret Bird
31. Scott Roche
32. Richard Chatterjee
33. Shafi Khan
34. David Wood
35. Nina Degrad
36. Patricia Hay-Justice
37. Louisa Woodley
38. Clive Fraser
39. Patsy Cummings
40. Sean Fitzsimons
41. Niroshan Sirisena
42. Janet Campbell
43. Stephen Mann
44. Chris Clark
45. Jamie Audsley
46. Mohammed Ali
47. Badsha Quadir
48. Robert Ward
49. Steve O'Connell
50. Helen Pollard
51. Yvette Hopley
52. Mario Creatura
53. Vidhi Mohan
54. Simon Hoar
55. Alisa Flemming



56. Hamida Ali
57. Stuart Collins
58. Alison Butler
59. Tony Newman
60. Simon Hall
61. Oliver Lewis
62. Jane Avis
63. Manju Shahul-Hameed
64. Paul Scott
65. Stuart King
66. Tim Pollard
67. Jason Cummings
68. Lynne Hale
69. Maria Gatland
70. Jason Perry
Notes etc.....
M – Mayor Councillor Bernadette Khan
DM – Deputy Mayor – Councillor Humayun Kabir
Please note that the numbers relate to microphone numbers.
May 2018

To: To All Members of the Council

Date: 10 May 2019

A meeting of the **COUNCIL** which you are hereby summoned to attend, will be held on **Monday, 20 May 2019** at **6.30 pm** in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

JACQUELINE HARRIS BAKER
Council Solicitor and Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

Annette Wiles 020 872 6000 x64877
annette.wiles@croydon.gov.uk
www.croydon.gov.uk/meetings
10 May 2019

Members of the public are welcome to attend this meeting. If you require any assistance, please contact officer as detailed above.

The meeting webcast can be viewed here: <http://webcasting.croydon.gov.uk>

The agenda papers are available on the Council website

www.croydon.gov.uk/meetings

AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any Members.

2. Minutes of the Previous Meeting (Pages 7 - 24)

To approve the minutes of the meeting held on 1 April 2019 as an accurate record.

3. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Vote of Thanks

To pass a vote of thanks to The Mayor in the following terms:

- a) The Members of Council tender their grateful thanks to The Worshipful, The Mayor, Councillor Bernadette Khan JP, for the courteous and efficient manner in which she presided over the Council's deliberations during the past year;
- b) The Members of Council record their sincere appreciation of the

dignified manner in which Councillor Bernadette Khan JP has carried out the traditional duties of the office of Mayor, of the support and encouragement which she and her Consort, Mr Qaiyum Khan, have given to local organisations and of the prominent part they have taken in the social life of the Borough during the Mayor's period of office; and

- c) That this resolution be sealed and presented to the Mayor at the Annual Council Meeting in a suitable form.

6. Election of the Mayor

To elect the Mayor for the Council Year 2019/20 and note the appointment of the Deputy Mayor.

Please note there will be a short recess following the election of the Mayor.

SPECIAL COUNCIL

Admission of Honorary Aldermen and Alderwomen

To consider the Admission of Honorary Aldermen and Alderwomen in the following terms;

That this Council do hereby admit to the Roll of Honorary Aldermen and Alderwoman of the Borough, the following former Councillors, in deserved recognition of eminent and valued public service as elected Councillors of the London Borough of Croydon:

Donald Speakman and Valerie Shawcross OBE

That the Common Seal be affixed to a copy of this Resolution.

7. Political Balance of the Council and Composition of Committees
(Pages 25 - 30)

To approve the report of the Council Solicitor and Monitoring Officer.

Under Section 15(1) of the Local Government and Housing Act 1989, it is the duty of the Council at its Annual Meeting to review the representation of different political groups on bodies appointed by the Council.

8. Appointments (Pages 31 - 34)

To consider a report of the Council Solicitor and Monitoring Officer that details appointments in the associated Pink and Blue Schedules.

Please note that the appendices to the report are to follow.

9. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

PART B

PLEASE NOTE THAT AT THE RISE OF ANNUAL COUNCIL THERE WILL BE A SERIES OF SHORT COMMITTEE MEETINGS.

Council

Meeting held on Monday, 1 April 2019 at 6.30 pm in Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Bernadette Khan (Chair);

Councillors Humayun Kabir, Hamida Ali, Muhammad Ali, Jamie Audsley, Jane Avis, Margaret Bird, Simon Brew, Alison Butler, Jan Buttinger, Janet Campbell, Robert Canning, Richard Chatterjee, Sherwan Chowdhury, Luke Clancy, Chris Clark, Pat Clouder, Stuart Collins, Mary Croos, Patsy Cummings, Mario Creatura, Nina Degrads, Jerry Fitzpatrick, Sean Fitzsimons, Alisa Flemming, Felicity Flynn, Clive Fraser, Maria Gatland, Lynne Hale, Simon Hall, Patricia Hay-Justice, Maddie Henson, Simon Hoar, Yvette Hopley, Karen Jewitt, Shafi Khan, Stuart King, Toni Letts, Oliver Lewis, Stephen Mann, Stuart Millson, Vidhi Mohan, Michael Neal, Tony Newman, Steve O'Connell, Ian Parker, Andrew Pelling, Jason Perry, Helen Pollard, Tim Pollard, Joy Prince, Badsha Quadir, Helen Redfern, Scott Roche, Pat Ryan, Paul Scott, Manju Shahul-Hameed, Niroshan Sirisena, Andy Stranack, Gareth Streeter, Robert Ward, David Wood, Louisa Woodley and Callton Young

Apologies: Councillor Jeet Bains, Sue Bennett, Jason Cummings, Steve Hollands and Oni Oviri

PART A

22/19 **Minutes of the Previous Meeting**

The minutes of the Council meeting held on 4 March 2019 were agreed as a true and accurate record.

23/19 **Disclosure of Interests**

There were no disclosures of pecuniary interests. Members confirmed their disclosure of interest forms were accurate and up-to-date.

24/19 **Urgent Business (if any)**

There were no items of urgent business.

25/19 **Announcements**

Madam Mayor, Councillor Bernadette Khan, lead the Members of Council in observing a minute's silence to demonstrate solidarity with those affected by the terror attacks that had occurred in Christchurch, New Zealand.

Madam Mayor informed Members that since the last Council meeting she had held two fundraising events and had hosted the Chinese community in the Town Hall. She was looking forward to hosting the Turkish and Kurdish communities to celebrate the Festival of Spring and would be visiting China with three Croydon head teachers to explore potential for collaboration. Madam Mayor noted her plan to finish her visits to all departments in the Council.

Madam Mayor notified the Council that Pratima Solanki had left her post as Director of Adult Social Care and All-Age Disability. Councillor Louisa Woodley, the Chair of the Health and Wellbeing Board, addressed Members on the contribution made by Pratima. Councillor Woodley noted that it had been a privilege to work with an officer whose determination to turnaround the lives of vulnerable residents was so strong. It was specifically noted that the approach taken by Pratima had been to ensure that everyone needing care was to have a life plan as opposed to a care plan, that the former director had brought the equipment service back in-house and had been instrumental in setting up the One Croydon Alliance. Councillor Woodley placed on the record her debt of gratitude to Pratima. Madam Mayor and Councillor Hopley, on behalf of the Minority Group, took the opportunity to make their own tributes and thank the former director.

Madam Mayor invited the Leader of the Council, Councillor Tony Newman, to make his announcements. The Leader noted that whilst the Parliamentary debates on leaving the EU were continuing, preparations were being made for the outcome of Brexit whatever the terms of the final deal. It was noted that officers were working with others in Councils across London and were described as standing poised whilst looking to National Government for support especially in the event of a no deal scenario. The Leader stated that the Council was doing everything possible to support the residents of Croydon including advice sessions on rights for EU citizens.

Madam Mayor invited the Returning Officer to make her announcements. It was recorded that, following the sad passing of Councillor Maggie Mansell earlier in the year, Councillor Leila Ben-Hasell had been elected as the representative for Norbury and Pollards Hill at the by-election held on 14 March 2019 which had a turnout of 25.6%. The Returning Officer also advised Council that preparations were being made for holding European Parliamentary elections on 23 May 2019.

Given the high level of public interest in the meeting, a cross party proposal was received to vary the order of business to take first those items of greatest public interest. The proposal was put to the vote and passed.

(Note: for the purposes of the minutes, the business of the meeting is reported in the order as set out in the original published agenda and not as taken at the meeting. The time specified in the Constitution for the meeting to conclude was reached and a Guillotine Procedure was used to close the meeting.)

26/19 **Croydon Question Time**

Madam Mayor introduced public questions; priority was given to those who had submitted questions in advance or on the night and were in attendance. Those who had submitted questions in writing who were not able to attend the meeting were to be provided with a written response within three weeks of the meeting. Those responses were also to be published on the Council's website.

Question: Croydon resident, Loraine Gomes asked why the extent of the asbestos in Fairfield Halls had not been detected previously.

In response, **Councillor Butler, Cabinet Member for Homes & Gateway Services** highlighted that the full extent of the asbestos could only be known after intrusive works had taken place and that the costs of rectification were to be fully funded from the returns from the surrounding development. The Cabinet Member also noted that the costs of removing and disposing of the asbestos were actually £4m and not the £11m that had been reported.

In her supplementary question, Ms Gomes asked why residents had been misinformed about the costs of the asbestos and queried if it was correct for the Council to continue to sign-off the costs of the development. In response, Councillor Butler stressed that the Council was not paying for the redevelopment. Rather that this was being paid for by *Brick by Brick*, with the profit from the development being used to carry out £41m of works. Councillor Butler noted that the borough deserved a first class entertainment venue and that this was being delivered without residents paying.

Question: Croydon resident, Donna Luetchford shared her experience of recycling in the borough. With no recycling facilities provided to her flat, she had received a Fixed Penalty Notice for leaving recycling next to full bins at a recycling centre where the bins were not being emptied regularly. Ms Luetchford asked how often bins should be emptied at recycling centres and if it was appropriate that she be fined when she was doing her best to recycle responsibly.

In response, **Councillor Collins, Cabinet Member for Clean, Green Croydon**, reported that he had taken a personal interest in this case, that recycling centres should be regularly cleared but problems had been experienced over the Christmas period. As a result it had been decided to rescind the Fixed Penalty Notice on this occasion although it was noted that most fines issued in similar cases are for residents inappropriately taking household and bulky waste to recycling centres. It was noted that all recycling centres feature clear signage detailing the alternatives for collection of those

items. The Cabinet Member acknowledged the difficulties in recycling for those residents in flats and noted that he was exploring potential options to address that issue.

In her supplementary question, Ms Luetchford highlighted difficulties being experienced with general waste collections that are made on different days to those advertised. In response, Councillor Collins noted that he was aware of this issue and had personally visited to make sure Veolia was doing its job. It was acknowledged that there had been lots of issues over the Christmas period for which penalties would be imposed with improvement to the service having been noted since.

Question: Croydon resident, Mr B Mickelburgh asked about the signage for the Surrey Street pedestrian area following a tribunal judgement. Specifically, it was asked if, as a result of the judgement, the signage could be regarded as inaccurate resulting in Parking Charge Notices being suspended.

In response, **Councillor King, Cabinet Member for Environment, Transport & Regeneration (job share)** reported that enforcement had not been suspended and that this was judged to be compliant. This was supported by the overwhelming number of decisions taken by the tribunal with only seven relating to the issue of signage. The Cabinet Member reported that this would continue to be kept under review and alternative options considered.

In his supplementary question, Mr Mickelburgh noted that more than 19,000 Parking Charge Notices had been issued in 2018 and that this high number demonstrated that there was an issue. In response, Councillor King stressed that the parking adjudicator service was external and independent and in the vast majority of cases hadn't found an issue with the Council's signage in this location. It was also highlighted that the service was moving to the use of Automated Number Plate Recognition in this area.

Question: Croydon resident, Nicola Glover asked if it is appropriate that *Brick by Brick* was selling off purpose-built fully accessible properties (such as those on the Tollers Lane Estate) when these were in such high demand. Councillor Butler thanked Ms Glover for her question and promised to provide her with a detailed written response following the Council meeting.

Question: Croydon resident, Anne Potton asked why the elected Councillors who are Members of the Planning Committee take no notice of resident objections when considering planning applications.

In response, **Councillor Scott, Cabinet Member for Environment, Transport & Regeneration (job share)** detailed the basis for the decisions made by the Planning Committee; it followed Government policy as set out in the National Policy Planning Framework. This was the Government's own policy which had recently been reviewed by the Secretary of State for Housing and Local Government with support from Chris Philp, the Member of Parliament for Croydon South. It was stressed that the National Policy

Planning Framework placed a presumption in favour of sustainable development. The Cabinet Member went on to highlight the need for housing in the borough; there were 900 children in temporary accommodation with a further 48,000 homes needed in the borough in the next 20 years. Those homes needed to be a mix of family and smaller homes. This was the reason why the Council supported development. The Councillors on the Planning Committee represented the Council and were there to consider planning applications against national, London and local planning policy.

In her supplementary question Ms Potten noted the development numerous flats at the expense of 'ordinary' houses. She asked why the Committee did not regard objections to flats when these were made in such high numbers. In response, Councillor Scott stressed that flats provided homes for families, couples, individuals and those with disabilities and that these were all good quality homes. It was noted that the Committee did listen to objections but did not agree with them. Often these objections were centred on parking but these were countered by parking surveys. The Cabinet Member reported that there was a misunderstanding about the nature of the consultation; this was not a referendum but an opportunity to raise questions and make comments. There was no planning system based on a local vote or referendum. The lack of housing was stressed with Councillor Scott emphasising that the Council was protecting family homes by enforcing the requirement for residences with 130 square meters. It was noted that every family home that had been redeveloped had to be replaced by at least one family home.

Questions to the Leader

The Leader had no announcements.

Madam Mayor invited questions to the Leader.

Councillor Tim Pollard asked if the Leader considered regressive taxes a bad thing. The Leader responded that there was a need for fairness in taxation locally and nationally.

In his supplementary question Councillor Pollard asked why the Administration was introducing an emission based parking policy when older people were more likely to have the most polluting cars.

In response, the Leader said it was an assumption that older people had the most polluting vehicles. He went on to describe how he had attended the most harrowing meetings with directors of the Croydon University Hospital that had looked at how hundreds of younger and older people were being affected by air pollution. Breathing problems linked to air pollution could cause up to 200 people in the borough to lose their lives. This was described as an air quality emergency with the potential to cause greater loss to life than cigarettes and tobacco.

Councillor Mann asked what support would be provided for the continued success of the Upper Norwood library. In response, the Leader described his

pride in the success of the library and noted this was less about funding and more about partnerships. Upper Norwood library was described as a shining beacon of what a twenty first century library could be. The Leader reiterated that the library would continue to have his full support. It was noted that the library service had been brought back in-house after being outsourced by the Conservative administration. The Leader encouraged all to make a visit to the library.

In his supplementary question, Councillor Mann asked how the Upper Norwood Library would benefit from local devolution. The Leader highlighted that the wider piece on devolution was being led by Councillor Hamida Ali, the Cabinet Member for Safer Croydon and Communities. The Leader confirmed he would be happy to meet with local Councillors and the local community to discuss the library further.

Councillor O'Connell asked the Leader to clarify his role in the progression of the Westfield development. In response, the Leader informed the Council that he had met the new Chief Executive of the development company before Christmas with further correspondence exchanged since. It was stressed that the current uncertainty around Brexit had necessitated a pause on the development given that it had resulted in damage to business confidence. However, the developers were still clear that Croydon was one of its key sites in London with the scheme receiving the support of the Mayor of London.

Councillor O'Connell used his supplementary question to ask the Leader to request that London Mayor, Sadiq Khan, convene a meeting with all involved parties in order to progress the scheme. The Leader confirmed that he would be willing to do this but noted that a meeting was already planned with the Chief Executive of the development company to which the Mayor of London could be invited to attend.

Councillor Patsy Cummings asked the Leader what was being done to stop islamophobia in Croydon. In response, the Leader noted that the Council stood in solidarity with the borough's mosques and that close liaison was taking place with the police. It was also noted that work was happening on a London-wide declaration on islamophobia. It was intended to consult with the Muslim community in order to make this bespoke to Croydon and most relevant.

Madam Mayor invited Councillors Lewis, Flemming and Avis to make their announcements.

Councillor Lewis, Cabinet Member Culture, Leisure and Sport informed Members that the Secretary of State for Culture, Olympics, Media and Sport had visited the Brit School to announce a successful youth performance partnership resulting in £1 million of funding over three years to develop theatre performance by young people. Prince Edward had visited Fairfield Halls to meet with all the partners involved in the development. The Cabinet Member announced that the book fund for libraries would be increasing by

10% which had been made possible by bringing the libraries service back in-house.

Councillor Alisa Flemming, the Cabinet Member for Children, Young People and Learning informed Members that the Council had won a Local Government Chronical *Chose Your Future* award. This campaign had been based on giving a stronger voice to young people. The Cabinet Member also shared that the Young Mayor and Deputy Mayor had lead a competition to design their badges. Ofsted had completed its fifth monitoring visit since the last Council meeting with the progress letter published on 14 March 2019. This had acknowledged improvement in services and an increased rigour and pace had been observed. However, it was noted that there was no place for complacency.

Councillor Avis, the Cabinet Member for Families, Health and Social Care, informed the Council of a further Local Government Chronical award win, this time for the One Croydon Alliance. The Cabinet Member took the opportunity to thank officers and partners for their work on this initiative.

Councillor Hopley asked why the Heatherway centre had been closed and why vulnerable adults were being threatened with eviction. In response, Councillor Avis explained that the Heatherway centre had been developed for respite care but was not fit for purpose. The previous Conservative Administration had promised that it would be refurbished but this had never happened with the funding dissolving through austerity. The aim was now to provide a respite offer fit for the twenty first century.

In her supplementary question, Councillor Hopley asked when this respite offer was going to be provided given that there were adults who need access to this facility. In her response the Cabinet Member emphasised that due to the need for confidentiality relating to the details of an individual, she was limited in the comments she could make in public, and that the refurbishment would happen as soon as feasible.

Councillor Ben-Hassel asked about the development of a library hub. In response, Councillor Lewis stated he was proud that the library service had been brought back in-house and that the development plans for the service were ambitious.

In her supplementary question, Councillor Ben-Hassel noted that residents were excited about improvements to Norbury library. In his response, Councillor Lewis noted the campaigning work of Councillor Mansell. He explained that capital investment would be used to enhance the library and turn unused space over for community use. This would be undertaken through the autumn with plans to open in the New Year with the new community space to be named after Councillor Mansell.

Councillor Streeter asked if it was acceptable that elderly and vulnerable residents eat their meals off metal trays. In her response, Councillor Avis highlighted that the service was being reviewed with the aim of bringing it

back in-house and that a fall in standards had occurred as a result of outsourcing that had happened under the previous administration.

In his supplementary question, Councillor Streeter asked what was specifically being done to rectify the issue. Councillor Avis described how the Director was in communication with residents and improvements were in-hand. Bringing adult care services back in-house was currently being discussed and this would allow for refurbishment to take place and for state of the art facilities to be developed.

Councillor Canning asked for details on the achievements of the Health and Wellbeing Board.

Councillor Avis complimented the Health and Wellbeing Board on its excellent work and asked Councillor Woodley, the Chair of the Board, to comment further.

Councillor Woodley reminded the Members of Council how the Board's annual report had been presented to its previous meeting. Since this time, the health and wellbeing strategy had been published. This had been developed in partnership and was supported by all members of the Board. The new strategy was the means of delivering the health and care transformation plan underpinned by the One Croydon Alliance. This would provide fully integrated health and social care for the whole of Croydon. Key priorities in the strategy were air quality and mental health. Councillor Woodley encouraged Members to read the new strategy.

In his supplementary question, Councillor Canning noted the degree to which the Health and Wellbeing Board was focused on outcomes and achievements. Councillor Avis expressed her agreement.

Councillor Gatland expressed her congratulations for all those acknowledged by the *Chose Your Future* award. The Councillor suggested that there had been a difference between the Cabinet Member's summary of Ofsted's official response and the actual response received following its monitoring visit. In response Councillor Flemming stated that her summary had taken wording directly from Ofsted's official letter. The Cabinet Member offered to stand and read out Ofsted's letter in full. It was noted that Ofsted had been right to suggest the need to increase the pace of change and that this had started to happen. It was noted that Ofsted's next monitoring visit was expected around 10/11 July 2019 with the invitation extended to the Councillor to join in the process.

Councillor Gatland took the opportunity of her supplementary question to welcome the progress noted by Ofsted but also to highlight that it was the job of the Opposition to provide challenge on behalf of young people. It was noted that there remained a high social worker vacancy rate and it was asked what was being done to address this. In her response, Councillor Flemming acknowledged Ofsted's recognition of strong strategic leadership along with the work of front line staff.

Madam Mayor invited Councillors Butler, Hamida Ali and Shahul-Hameed to make their announcements.

Councillor Butler took the opportunity of her announcements to address the issue raised earlier during public questions about the sale by *Brick by Brick* of adapted homes. The Cabinet Member highlighted that these were required for sale as well as in the social sector and that ultimately *Brick by Brick* would be delivering homes for rent in the social sector as well as for sale in the private sector. Councillor Butler also congratulated all those involved in the borough sleepout that raised £55K for homeless services.

Councillor Hamida Ali took the opportunity to promote the forthcoming *Kick It Out* event on 25 May 2019 which would take place at Crystal Palace Football Club. The football tournament between young people and the police would provide a new approach to tackling knife crime. The community was congratulated for providing this event.

Councillor Shahul-Hameed, Cabinet Member for Economy and Jobs, informed Members that the Deputy London Mayor had visited the Centre for Innovation. The Council had signed-up to the good employer charter which was based on actions such as provision of the London Living Wage.

Councillor Streeter asked if emission based parking charges posed a risk to business. In her response, Councillor Shahul-Hameed explained how emission based parking charges were to be piloted following a visit to Croydon University Hospital that had highlighted the impact of poor air quality on health outcomes.

In his supplementary question, Councillor Streeter asked about the risk to businesses in town centres that could be caused by emission based parking charges and the competition with those businesses that didn't have this additional burden. In her response, Councillor Shahul-Hameed described how she was working in partnership with local businesses having contacted close to 5,000 Croydon businesses in the last year.

Councillor Fitzpatrick asked for clarification on the costs to the Council of repurchasing former Council homes. In her response, Councillor Butler clarified that in addition to building and leasing additional properties, the Council had been buying back former Council homes that had been subject to *Right to Buy*. In total, 75 properties had been purchased at a cost of £23m. Whilst it was difficult to compare, a home that had been sold under *Right to Buy* at a discounted rate in 2012 at around £147k had cost the Council around £235K to repurchase. Properties that had been sold at around £122.5K in 2013 cost £330K.

In his supplementary question, Councillor Fitzpatrick noted that the Council had spent around £10m repurchasing what had been sold for £2.5m, that public money was being expended on buying back that which the Council had previously owned as a result of Conservative Party policy. In her response,

Councillor Butler, agreed and noted that these homes were initially built with public subsidy and build for a purpose to meet social need. They had then been sold at a huge public subsidy with significant restrictions being placed on *Right to Buy* receipts when the public assumed Councils would have 100% use of the money raised. However, the truth was that the Government took its share of those receipts and placed conditions on the use of the rest. Added to which, the Council lost the land on which those homes had been built. The Cabinet Member called for the suspension of *Right to Buy*.

Councillor Hale asked why no new Council homes had been built during the last five years. In response Councillor Butler noted that it was timely to ask this question directly following that from Councillor Fitzpatrick as it depended what was meant by the term Council homes as it appeared the Councillor's interest was only focused on *Right to Buy*. However, the Cabinet Member stressed that a Council home could be defined by being built and managed by the Council as well as being affordable to those living on benefits and could take someone immediately off the Council waiting list. The only thing that did not apply to these properties was *Right to Buy*.

In her supplementary question, Councillor Hale asked when the Council was going to start listening to residents and use the £61m of funding from the Conservative Government to start providing new Council homes. In her response, Councillor Butler noted the Councillor's continued support for *Right to Buy* and therefore the destruction of Council homes, along with the previous Administration's repeated failure to invest in social housing.

Councillor Muhammad Ali expressed his concern about the safety of all places of worship in Croydon and asked for reassurance regarding safety measures. In response, Councillor Hamida Ali noted that whilst tensions were being monitored there had been no immediate issues reported. The police had instituted a London wide policy of highly visible patrols which were being supported by neighbourhood safety officers. In addition, the Council's CCTV team was monitoring where camera were in place. Events were being held to show solidarity. It was also noted that the Safer Croydon Board had signed up to the hate crime pledge. Concern was expressed about far right extremism with a reported 36% increase in cases in hate crime that were motivated by far right activists and accounting for half of cases reported to Channel (the Government's anti-terrorism strategy).

Councillor Neal asked for clarification regarding whether a home costing £350K could be described as affordable. In her response, Councillor Butler stressed that Croydon needed affordable homes for all and not just those on the Council waiting list or in Temporary Accommodation. That included the sons and daughters of residents, and older residents who wanted to downsize. There were housing needs across the borough and what was not affordable to some was to others. Whilst many couldn't purchase, the Council was encouraging social landlords to let at affordable rents.

In his supplementary question, Councillor Neal asked for clarification on the Council's subsidies to *Brick by Brick* which had been delayed in bringing

affordable properties forward. In her response, Councillor Butler stressed that the withdrawal of the grant to Councils for social housing meant it was the job of the Council to raise funds to deliver homes. *Brick by Brick* had been set up to deliver profits to be used to deliver affordable homes with any surplus coming back to the Council to improve services in the face of a 70% reduction in the grant from Central Government. As a result, the first homes coming to market were expensive but were being snapped up with more social housing homes coming forward in the new future.

Councillor Audsley asked for clarity on the effect of austerity on community safety officer numbers. In her response Councillor Hamida Ali confirmed following a decade of austerity, every community safety team was now down to around one officer.

Madam Mayor invited Councillors Collins, Scott and Hall to make their announcements.

Councillor Collins had no announcements.

Councillor Scott informed the Council that brown field sites adjacent to East Croydon station had been purchased to incorporate into office and residential development. Also, that a planning application was anticipated for the *Stewards Plastics* site to provide light industrial accommodation.

Councillor Hall, the Cabinet Member for Finance and Resources informed Members that the in-year collocation rate for Council Tax last year had been 97.25% which had been a 0.17% increase on the previous year and a record high. The rate of collections for business rates last year was 99.25% which was significantly above target. This was a 0.1% increase on the previous year and again, a record high.

Councillor Hoar asked if the new emission based parking policy was penalising those the Council sought to help and if there was a need to make this fairer. In his response, Councillor King stated that whilst there was evidence that air quality was improving, pollution was still shortening lives and harming children meaning there was a need for urgent and strong action as articulated by Michael Gove, the Environment Secretary. The Cabinet Member stressed that this did not need to be about binary politics and that car drivers were also grandparents who were worried about air quality and its effect on their grandchildren. Those were the residents who took part in the consultation this year with 75% of respondents calling for action to improve air quality.

In his supplementary question, Councillor Hoar asked if the policy was actually aimed at raising revenue. In his response, Councillor King highlighted that the emission based parking policy would result in a 1% increase in overall parking income. Further that most car owners in the borough would be subject to a £24 increase in parking charges which he considered worth paying to address the public health crisis.

Councillor Clark asked for clarity on the Secretary of State's decision to overturn the planning decision for the Purley Baptist Church. Councillor Scott responded that this brown field site had sat empty following the application of the Purley Baptist Church to develop a landmark building. This had been encouraged by the previous Conservative Administration. This was an excellent scheme that looked to provide 220 homes. The initial planning permission granted by the Council had been overturned by the Secretary of State which the Council had challenged through a judicial review resulting in the Secretary of State overturning his previous decision.

27/19 **Maiden Speech**

Notification was given that Councillor Ben-Hassel would not take up the opportunity to give her Maiden Speech at the meeting.

28/19 **Special Council - 20 May 2019**

RESOLUTION: the Members **AGREED** to convene a Special Meeting of the Council, in accordance with paragraph 6 of Part 4A of the Constitution, to take place on 20 May 2019 to consider any recommendations from the Mayoralty and Honorary Freedom Selection Sub-Committee regarding the admission of former Members to the Roll of Honorary Aldermen and Alderwomen.

29/19 **Council Debate Motions**

Madam Mayor requested that the Chief Executive read out the first Council Debate motion made on behalf of the Administration: *"Following the joint statement from the CBI & TUC, that the Brexit crisis is now a "national emergency", this Council reaffirms our commitment to supporting all our EU citizens, protecting local jobs and the economy, and that Croydon will always celebrate our diversity and be open to all"*

Madam Mayor invited the Leader to propose the motion.

The Leader stated that this was not about the mistake of the referendum but rather about complex issues being reduced down into a binary in/out choice. It was highlighted that 55% of Croydon residents had voted to remain in the EU. The Leader stressed his concern about increasing hate crime in the borough and across London since the EU referendum. It was noted that the Council took pride in standing with all its residents. The support offered to the Windrush Generation was cited in example. It was therefore important for the Council to stand with EU citizens in the borough and for politicians, locally and nationally, to lead by example. The Leader highlighted how the community had come together in Christchurch in the face of and to oppose violence. It was reported that this had been emulated at the Croydon Mosque in the wake of the events in Christchurch and had moved all who had been involved. The Leader called for hate never to divide the Croydon community. It was noted

that even if Brexit were to happen there would be continued debate during the withdrawal period. It was therefore important for the Council to give out the clear message that it will not allow division and that the contribution of all was valued regardless of background.

Councillor Ben-Hassel seconded the motion and reserved the right to speak.

Councillor Quadir spoke on the motion highlighting the diversity of the borough and his belief in Croydon's residents meaning that he did not fear Brexit. Councillor Quadir noted improvements in healthcare, record levels of employment and the increase in the minimum wage and how these are benefiting Croydon's residents. Councillor Quadir stressed that everyone has a common goal to do what was best for Croydon and therefore reported that he was happy to support the motion.

Councillor Pollard, the Leader of the Conservative Group, also spoke on the motion noting that a similar motion had been discussed two months previously and that he had hoped that the terms of the Brexit withdrawal agreement would be known by this point. Councillor Pollard noted that he appreciated how destabilising it must be to EU citizens and called on Parliament to come together to find a solution. It was stressed that Croydon Conservatives joined with the Labour Group to reinforce the need to continue to be good friends with and trade with the EU. Councillor Pollard agreed with the need to stand together as one. A plea was issued to Westminster to resolve the current Brexit hiatus.

Councillor Ben-Hassel exercised her right to speak and took the opportunity to express her delight at her recent election and thanks to residents in Norbury & Pollards Hill Ward. Councillor Ben-Hassel explained to the Members of Council that she was an EU citizen and wanted to bring a human dimension to Brexit. It was noted that many residents were expressing anxiety about Brexit; investment was stagnating, growth was slowing down, and three million children of in-work families were living in poverty with the fear that all would be made worse if the Prime Minister's deal was to be accepted. Councillor Ben-Hassel noted that Labour was a party for business and that 99% of Croydon's businesses were SMEs. However, the Government's preparations for Brexit had failed and as a result were jeopardising infrastructure projects like Westfield. Having experienced abuse for speaking French in the streets, Councillor Ben-Hassel stressed how Brexit had heightened community divisions and that whilst EU citizens contributed more to the UK economy than they cost, their status following any Brexit deal was being used as a bargaining chip. As a result there was no clarity on what happens to the healthcare of EU citizens. The Councillor called for a clear statement to be made to EU citizens resident in the borough that the Council always remained on their side.

The motion was put to the vote and carried unanimously.

Madam Mayor requested that the Chief Executive read out the second Council Debate motion made on behalf of the Opposition: "*This Council*

recognises that the people of Croydon have lost faith in the planning system and planning committee of Croydon Council.

This lack of trust has been brought about by many contentious decisions over a number of years, and the attitude displayed by members of the Administration towards residents.

This Council believes that Area Planning Committees will bring the planning process closer to the people and as such will go some way towards restoring faith in the planning system in Croydon”.

Madam Mayor invited Councillor Roche to propose the motion.

Councillor Roche expressed concern that residents had been ignored for too long. As a member of the Planning Committee he had observed a pattern of pushing genuine resident concerns aside. It was stressed that this was having a detrimental effect on the community. In his opinion, this was contrary to the local plan and causing huge anger and frustration – the number of residents protesting, objecting and attending the meeting showed the level of disillusion and loss of faith in the system. In the view of the Councillor, ignoring the views of residents was having a detrimental effect on communities and as a result he called for an area based approach to planning to restore faith in the system. Councillor Roche cited Barnet and Oxford Councils as already using an area based approach. Whilst he acknowledged the urgent need to build homes the Councillor called on the need to engage with the local community to mend the rift.

Councillor Perry seconded the motion and reserved the right to speak.

Councillor Letts, the Chair of the Planning Committee, spoke on the motion. It was stressed that the motion was not about addressing the housing crisis but about opposing new flats on exclusive streets even when they looked like other properties in the road. Councillor Letts described how action was being taken to correct the lack of action of the previous Administration to provide a workable planning process. It was highlighted that this was based on the Government's national planning policy, the London plan, and the local plan. It was highlighted that the Government had streamlined the planning process to prevent hold-ups and that this had been supported by Croydon South MP, Chris Philp. Councillor Letts stated that an area approach to planning would prevent homes being built and that whilst objectors are heard, neighbours can't veto the sale of homes by their owners to developers. It was stressed that the homes market had been decimated by a failure of planning.

Councillor Scott, the Vice-Chair of the Planning Committee also spoke on the motion noting that planning applications were often contentious. Residents didn't like change and there was a need to balance many views when considering any development proposal. These were biased in favour of development given that the Government required Councils to work with new developers. Councillor Scott explained how this is all known by the Conservatives who were described as taking a political approach to planning

despite the fact that this was following Government guidance and supported by highly professional planning officers. Councillor Scott reiterated that 48,000 new homes were needed in the next 20 years. It was described how this meant every area of the borough would be required to grow and change. Councillor Scott described how the Secretary of State for Housing and Local Government had recently praised Croydon's approach to planning and that this motion was about stopping homes being built in the south of the borough where development had so far been limited. It was noted how residents were being involved in the development of neighbourhood plans with encouragement given to get further involved.

Councillor Perry exercised his right to speak and seconded the motion stating there had been a fundamental breakdown in trust in planning system. It was described as an insult to say Conservatives were whipping up opposition to the planning system; these were real residents with real concerns who were frustrated with Labour policies. Councillor Perry noted that the National Planning Policy Framework stated that the presumption should be in favour of sustainable development but also emphasised that it stated that development should support prevailing character and setting. Councillor Perry called on more to be done to protect Croydon's suburbs rather than promoting an 'anything goes' approach built on a preferred developer strategy which had seen ever stronger ties grow with developers through the pre-application process. There was a call for empathy to be shown to residents where the local area was changing forever. Councillor Perry stated that the destruction of homes was not addressing the housing crisis and called for the building of council houses.

The motion was put to the vote and fell.

30/19 **Recommendations of Cabinet to Council for Decision**

Madam Mayor invited Councillor Scott, Cabinet Member for Environment, Transport and Regeneration (job share) to move the motion relating to the adoption of the Supplementary Planning Document – Suburban Design Guide.

Councillor Scott introduced the new guide describing how this will help the Council, householders and developers to grow and develop new homes in the borough and end the housing crisis whilst providing the necessary additional amenities for the community. Thanks was given to the dedication of officers who produced the new guide and for the feedback received from hundreds of residents who helped shape it. A video presentation introducing the new guide was provided with all being encouraged to go online to watch this in more detail. Councillor Scott commended the Supplementary Planning Document – Suburban Design Guide for adoption.

Councillor Muhammad Ali seconded the motion.

Madam Mayor informed the Council that notification had been received from the Opposition Group of a request that these recommendations be referred back to Cabinet for further consideration. Madam Mayor requested that the Chief Executive read out the referral request in full: *“We move the reference back for the adoption of the Suburban Design Guide - Supplementary Planning Document (SPD2) for further debate. The document sets out key principles at 2.2.1 which set the context that development should provide the right mix in the right location that contributes to character and minimises impact on neighbouring amenity.*

The document that follows does not live up to these principles. It does not improve or positively contribute to character, does not allow for cumulative impact and is open to interpretation. Many hundreds of residents responded to this consultation and yet they have been widely ignored. We request that this document is referred back to Cabinet to review the responses and ensure that the document truly works for the people of Croydon”

Madam Mayor invited Councillor Perry to move the reference of the recommendations contained in the report back to Cabinet.

Councillor Perry stated that it was a disappointment that responses received from the public to the consultation had not been fully considered and whilst these had been acknowledged in the design guide, very little had changed as a result. The work of officers was described as excellent and efforts to protect character were praised. However, it was highlighted that the design guide was open to interpretation and as a result this was not an evolutionary document but a revolution focused on optimisation of sites with ‘megablocks’ that would be taller, wider, deeper and with no recognition of impact on existing communities. Councillor Perry described residents as willing to accept an evolutionary approach but not supportive of a total change to what was happening in their areas. Planning policy was described as anything being allowable anywhere, whether or not it responded to the character of the area. Parking was highlighted as an issue. This was described as a necessary part of life which if decreased would have a knock-on impact. It was noted that parking stress studies do not keep-up with local development. Councillor Perry noted that developers were being briefed on how they can maximise development. It was stressed that failing to protect local character would not deliver quality developments. Councillor Perry called for the Council to work with existing communities and therefore for the design guide to be moved back to Cabinet.

Councillor Scott responded to the referral emphasising the housing crisis which was characterised by overcrowding and the use of temporary accommodation. It was reiterated that 48,000 new homes would be needed over next 20 years. The design guide was developed to address the challenge with two thirds of development to be achieved in town centres and brownfield sites and the rest through intensification of suburbs. Planning policy encouraged more intensive use of housing land and high quality design to respect local character. Town centre developments were already evident. However, Councillor Scott stressed that not all residents wanted to live in the

town centres, with further housing development in suburbs allowing locals to relocate. It was reported that over 1,000 flats and more than 200 houses had been developed to replace 80 existing homes. It was noted that the planning policy was why Labour had been elected in 2018 with an increased majority.

Councillor Creatura seconded the motion and reserved the right to speak.

Councillor Muhammad Ali responded to the referral highlighting that Croydon has evolved from a small settlement to a market town growing into a city with more homes needed. The scale of the problem was well-known and there was a need to evolve and respond to housing needs today and in the future. Planning policy was described as encouraging developers to merge sites and provide affordable homes. Councillor Muhammad Ali described how the Council was taking responsibility to provide more homes and more affordable homes.

Councillor Helen Pollard spoke in support of referring the design guide back to Cabinet noting that she was doing so more in sorrow than in anger. It was stressed that the Council had failed to listen to residents and that one of the key principles of planning policy was to preserve character and lessen the impact of any development on amenities. It was felt that the consultation had been ignored. Councillor Helen Pollard stated that 90% of planning applications are approved with residents' objections ignored or dismissed. This meant that parking and green spaces were being removed. The difficulties of making objections to *Brick by Brick* developments taking place on parcels of Council land were noted. Councillor Helen Pollard noted no Council houses had been built by the administration and that two bed flats built by *Brick by Brick* were being sold for £500k.

Councillor Degradis responded to the referral noting the importance of being part of a diverse community and how this brought growth to the community. It was noted that homelessness was at an all-time high and that Universal Credit meant this would get worse. Councillor Degradis therefore stressed the need for sustainable homes suitable for a range of residents. The need to help give the next generation the opportunity to live where they grew up through the provision of affordable homes was highlighted. Councillor Degradis stated the need to create a third of homes in suburbs and called on residents to open their hearts and minds.

Councillor Creatura spoke in support of referring the design guide back to Cabinet and noted his regret that this was needed. It was stressed that this could have been avoided if objections and consultation responses had been taken into consideration. Councillor Creatura expressed his hope that residents would now be listened to. It was stated that planning affects the entire borough and that as a result a party approach should not be taken. It was also suggested that planning guidance should better reflect the needs of the different areas of the borough. Councillor Creatura recommended working with residents and that family homes needed to be built and not demolished.

In his final comments supporting the referral back to Cabinet of the design guide, Councillor Creatura noted the Administration had not built any Council houses but that *Brick By Brick* was developing £600K properties for sale.

The motion to refer the recommendations in the report back to Cabinet for further consideration was put to the vote and fell.

The motion to agree the recommendations from Cabinet in the report was put to the vote and approved.

RESOLVED: Council **AGREED** the recommendations in the report to:

- I. Adopt the Suburban Design Guide – Supplementary Planning Document (SPD2) in accordance with The Town and Country Planning (Local Planning) (England) Regulations 2012; and
- II. Delegate to the Director of Planning and Strategic Transport, in consultation with the Cabinet Member for Environment, Transport & Regeneration (Job Share), the making of minor factual, editorial and image changes to the Suburban Design Guide – Supplementary Planning Document (SPD2) prior to adoption publication.

31/19 **Exclusion of the Press and Public**

There were no exempt items and therefore this item was not required.

The meeting ended at 10.00 pm

Signed:

Date:

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Agenda Item 8

REPORT TO:	ANNUAL COUNCIL
DATE:	20 MAY 2019
SUBJECT:	POLITICAL BALANCE OF THE COUNCIL AND COMPOSITION OF COMMITTEES
LEAD OFFICER:	COUNCIL SOLICITOR AND MONITORING OFFICER
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: The Council is required under the Local Government and Housing Act 1989 to keep under review the representation of the different political groups on bodies appointed by the Council. Section 2 of Part 4.A read with Article 4(1)(f) of the Constitution empowers the Council to appoint non-executive Committees at its Annual Meeting.	
FINANCIAL SUMMARY: There are no financial issues arising from the recommendations in this report.	

1. RECOMMENDATIONS

That Council:

- 1.1 Having reviewed the representation of the political groups on the Council, confirms that there are 41 Labour Group Members and 29 Conservative Group Members (as set out in Para 3.1); and
- 1.2 Approves the appointment and composition of Committees as set out in paragraph 4.7

2. INTRODUCTION

- 2.1 The Local Government and Housing Act 1989 established the principle of the proportional allocation of committee and sub-committee seats.
- 2.2 The Council is also required under Section 15(1) of the Local Government and Housing Act 1989, to keep under review the representation of the different political groups on bodies appointed by the Council.
- 2.3 This report details:
 - i) The annual review of the political balance of the Council; and
 - ii) Recommends the appointment and composition of Committees for the 2019/20 Municipal Year.

3. POLITICAL GROUPS

- 3.1 In accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations 1990, the under-mentioned Councillors have given notice to the Chief Executive of their wish to be regarded as members of the political groups as set out below:

Labour Political Party

1. Hamida Ali
2. Muhammad Ali
3. Jamie Audsley
4. Jane Avis
5. Leila Ben-Hassel
6. Alison Butler
7. Janet Campbell
8. Robert Canning
9. Sherwan Chowdhury
10. Chris Clark
11. Pat Clouder
12. Stuart Collins
13. Mary Croos
14. Patsy Cummings
15. Nina Degrad
16. Jerry Fitzpatrick
17. Sean Fitzsimons
18. Alisa Flemming
19. Felicity Flynn
20. Clive Fraser
21. Simon Hall
22. Patricia Hay-Justice
23. Maddie Henson
24. Karen Jewitt
25. Humayun Kabir
26. Bernadette Khan
27. Shafi Khan
28. Stuart King
29. Toni Letts
30. Oliver Lewis
31. Stephen Mann
32. Tony Newman
33. Andrew Pelling
34. Joy Prince
35. Pat Ryan
36. Paul Scott
37. Manju Shahul-Hameed
38. Niroshan Sirisena
39. David Wood
40. Louisa Woodley
41. Callton Young

Conservative Political Party

1. Jeet Bains
2. Sue Bennett
3. Margaret Bird
4. Simon Brew
5. Jan Buttinger
6. Richard Chatterjee
7. Luke Clancy
8. Mario Creatura
9. Jason Cummings
10. Maria Gatland
11. Lynne Hale
12. Simon Hoar
13. Steve Hollands
14. Yvette Hopley
15. Stuart Millson
16. Vidhi Mohan
17. Michela Neal
18. Steve O'Connell
19. Oni Oviri
20. Ian Parker
21. Jason Perry
22. Helen Pollard
23. Tim Pollard
24. Badsha Quadir
25. Helen Redfern
26. Scott Roche
27. Andy Stranack
28. Gareth Streeter
29. Robert Ward

4. Proportionality

4.1 Section 15 of the Local Government and Housing Act 1989 (Duty to Allocate Seats to Political Groups) sets out the requirements as to political proportionality on Council bodies and requires the Council, in allocating seats on committees and sub-committees of the Council to political groups, to give effect, so far as practicable, to the following rules:

- (i) that not all seats on the committee/sub-committee are allocated to the same political group;
- (ii) that the political group having a majority of seats on the Council should have a majority on each committee and sub-committee;
- (iii) that, subject to (i) and (ii) above, the number of seats on the Council's committees and sub-committees allocated to each political group, bears the same proportion to the total number of such committee/sub-committee seats as the number of members of that group bears to the membership of the full Council, and
- (iv) that, subject to (i) to (iii) above, that the number of the seats on the Council's committees and sub-committees which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

4.2 The Council's overriding duty to comply with (i) and (ii) above takes precedence over achieving a mathematically balanced distribution of Committee seats as described in (iii) and (iv). Applying those rules the table below sets out the allocation of seats.

	Political Composition- percentage seats out of 70	Proposed allocation of actual seats out of 95 Council Member seats	Percentage outcome of allocation of 95 voting seats*
Labour Group	58.6%	59	62.1
Conservative Group	41.4%	36	37.9
	100%	95	100

*4.7 below shows that there are 95 voting seats available to political groups. Where co-optees can vote, the allocation has to take into account the need for the Majority party to have a majority of seats over all Minority party members **and** co-opted members. The proposed percentage allocation only includes those seats to which elected Members can be appointed.

- 4.3 Following the introduction of the Localism Act 2011, the requirement for the Ethics Committee to be excluded from the requirements of the 1989 Act was removed such that the political balance requirements of the 1989 Act do apply to the Ethics Committee unless the whole Council votes in favour of disapplying the proportionality rules for this Committee. The Ethics Committee is constituted of six Councillors and two non-elected Independent persons.
- 4.4 Under the Licensing Act 2003, Sub-Committees of the Licensing Committee are constituted separately. There is no statutory requirement for political balance or for it to be included in the Council's political balance calculations, but it is the practice of the authority to ensure that, as far as reasonably practicable, such Sub-Committees are constituted in accordance with the Council's scheme of proportionality.
- 4.5 The Health & Well-Being Board is separately constituted under the Health and Social Care Act 2012. Regulations made under the Health and Social Act 2012 provide that Section 15 of the Local Government and Housing Act 1989 (Duty to Allocate Seats to Political Groups) need not apply to the composition of this Board.
- 4.6 The Local Pension Board is constituted under the Public Service Pensions Act 2013 and the Local Government Pensions Scheme (Amendment) Regulations 2015. The proportionality rules do not apply to the Board which has three employer representatives and three employee representatives and an Independent non-voting Chair. One of the Employer representatives is a Councillor. The other employer representatives are employers who are Admitted Bodies.
- 4.7 In accordance with Article 4.01(f) of the Constitution, the Council is required to decide on the composition of Committees and make appointments to them. It is therefore proposed that Council appoint the following Committees and agree their composition:

	Majority seats	Minority seats	Co-optees ¹	Total seats
Appointments Committee	4	2	2	8
Ethics Committee	4	2	2	8
General Purposes & Audit Committee	6	4	2	12
Mayoralty & Honorary Freeman Selection Sub-Committee	3	2	0	5
General Purposes & Audit Committee: Urgency Sub-Committee	2	1	0	3
Licensing Committee	7	5	0	12
Licensing Sub-Committee*	2	1	0	3
Pension Committee	5	3	3	11
Planning Committee	6	4	0	10
Planning Sub-Committee	3	2	0	5
Scrutiny and Overview Committee	4	2	1	7
Children and Young People Scrutiny Sub-Committee	5	3	5	13
Health & Social Care Scrutiny Sub-Committee	4	2	1	7
Streets, Environment & Homes Scrutiny Sub-Committee	4	3	0	7
	59	36	16	111

* subject to paragraph 4.4 above

5. LEGAL IMPLICATIONS

- 5.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance and Deputy Monitoring Officer that the recommendations contained within this report are compliant with Council's duties under the Local Government and Housing Act 1989, Local Government (Committees and Political Groups) Regulations 1990, the Local Government Act 2000, the Licensing Act 2003, the Health and Social Care Act 2012, the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015, and the Council's Constitution.
- 5.2 Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring Officer

¹ Co-opted members are non-voting except for four of the five co-optees on the Children & Young People Scrutiny Sub-Committee in respect of issues relating to the Council as a Local Education Authority; one Pensioner Side co-opted Member on the Pension Committee; and the two Independent Persons, on the Appointment Committee, for specified purposes, as detailed in paragraph 1.4, Part 4E and paragraph 2, Part 3 of the Council Constitution respectively.

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BACKGROUND DOCUMENTS: None

REPORT TO:	ANNUAL COUNCIL
DATE:	20 MAY 2019
SUBJECT:	APPOINTMENTS
LEAD OFFICER:	COUNCIL SOLICITOR & MONITORING OFFICER
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: The annual appointments are a constitutional requirement set out in Part 4A of the constitution.	
FINANCIAL SUMMARY: There are no new financial issues arising from the recommendations in this report.	

<p>RECOMMENDATIONS</p> <ol style="list-style-type: none"> 1. Council is recommended to: <ol style="list-style-type: none"> 1.1 Agree (or receive for information as applicable) the following appointments where the number of nominations is equal to the number of available positions: <ol style="list-style-type: none"> i) The appointments to Committees of the Council (Blue Schedule); and ii) The appointments to all other Panels, Working Groups and Outside Bodies (Pink Schedule). 1.2 To receive for information executive appointments made under the Leader and Cabinet decision making framework: <ol style="list-style-type: none"> i) The appointments of Cabinet Members, Cabinet Committees and Deputy Cabinet Members (Blue Schedule); ii) The appointments to Joint Committees (Blue Schedule); iii) The appointments to London Councils Committees and Panels and Local Government Association bodies (Blue Schedule); and iv) The appointment of Councillors to the Health & Wellbeing Board (Blue Schedule). 1.3 Note that the Leader has confirmed his intention to continue to devolve decision making powers to Cabinet or relevant Cabinet Members. 1.4 To receive for information: <ol style="list-style-type: none"> i) The appointments of Leader of the Opposition and Shadow Cabinet (Blue Schedule); ii) The appointments of political party group officers (Blue Schedule);
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1. EXECUTIVE SUMMARY

1.1 This report details the Non-Executive appointments to be made by the

Council for the Municipal Year 2019-20 and notes the Executive appointments made by the Leader of the Council.

2. APPOINTMENTS

- 2.1 Part 4A of the Council's Constitution reserves the business of the Annual Meeting of the Council to a number of matters that includes the appointment of Members to Committees and other bodies.
- 2.2 Those appointments can be broadly divided into three categories: Non-Executive Appointments; Party Political Appointments; and External Appointments.

Executive Appointments

- 2.3 In accordance with Article 7 of the Council's Constitution, the power to make Executive Appointments is reserved to the Leader of the Council under the 'Leader and Cabinet' model of decision making. This includes positions such as Cabinet Members and portfolios, Cabinet Committees and Joint Committees exercising Executive functions.
- 2.4 In accordance with the statutory rules, the Council operates a 'Leader and Cabinet' model of decision making that permits the Leader to take all executive decisions. The Council Leader has indicated, subject to item 7 on the agenda, that it is his intention to continue to devolve and disperse executive decision making powers. The established custom and practice is for the overwhelming majority of executive decisions to be delegated to the Cabinet for collective consideration or to relevant individual Cabinet Members.
- 2.5 Those Executive appointments made by the Leader of the Council are listed in the attached 'Blue' and 'Pink' appointment schedules and are marked 'For information'.
- 2.6 As this year's Executive appointments continue with a 'job share' arrangement for one Cabinet Member position, Members are asked to note that the Council Solicitor has made the necessary consequential changes to the Constitution to reflect the arrangements for 'job-share' executive roles.

Non-Executive Appointments

- 2.7 This category of appointments covers all Council positions that are not reserved to the Executive, such as seats on Non-Executive Committees and outside bodies.
- 2.8 When making Non-Executive appointments, Section 16 of the Local Government and Housing Act 1989 (Duty to Give Effect to Allocations) requires the Council to give effect to any allocations in accordance with the wishes of the relevant party political groups. The wishes of the party political groups represented on the Council are listed in the attached 'Blue' and 'Pink' appointment schedules and are marked 'For agreement'. Council is recommended to agree those appointments. Section 16 of the same Act sets out the requirement for political proportionality.

Party Political Appointments

- 2.9 In accordance with Part 4A and Part 6A of the Council's Constitution, Annual Council is also asked to receive for information those appointments made by political parties represented on the Council.
- 2.10 Those appointments are also detailed in the 'Blue' and 'Pink' appointment schedules attached to this report and are marked 'For noting'. Council is asked to note those appointments.

External Appointments

- 2.11 Appointments to outside bodies are made for four years following local elections. Annual appointments in following years are restricted to those organisations that require annual appointments or where Members are unable to continue their membership.
- 2.12 Should any non-executive vacancies arise during the remainder of the Council year, the Council's Constitution permits the Council Solicitor to appoint to such vacancies, following consultation with the relevant group secretary. Where this relates to appointments to outside bodies the Constitution requires this consultation to be extended to the Chair of General Purposes and Audit Committee.

3. LEGAL IMPLICATIONS

- 3.1 The Head of Litigation and Corporate Law comments on behalf of the Director of Law and Governance and Deputy Monitoring officer that with regard to the recommendations contained within this report relating to appointments, these are compliant with the Council's duties under the Local Government and Housing Act 1989, the Local Government (Committees and Political Groups) Regulations 1990, the Local Government Act 2000, the Licensing Act 2003, the Localism Act 2011, The Health and Social Care Act 2012 and the Council's Constitution.
- 3.2 Approved by: Sandra Herbert, Head of Litigation and Corporate Law on behalf of the Director of Law and Governance and Deputy Monitoring officer

4 FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 4.1 There are no new financial burdens arising from the recommendations of this report.
- 4.2 Approved by: Lisa Taylor, Director of Finance, Investment and Risk and Section 151 Officer.

CONTACT OFFICER: Annette Wiles
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APPENDICES TO THIS REPORT

- Appendix 1: Blue Appointment Schedule: Appointments to Main Council Bodies
- Appendix 2: Pink Appointment Schedule: Appointments to all other Panels, Working Groups and Outside Bodies