

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

## **RECOMMENDATIONS**

1. Council is recommended to:
  - 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:
    - 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:
    - 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:
    - i) The appointments of Leader of the Opposition and Shadow Cabinet (Blue Schedule);
    - ii) The appointments of political party group officers (Blue Schedule);

## **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.

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**CONTACT OFFICER:** Annette Wiles  
Senior Democratic Services and Governance Officer –  
Council and Regulatory  
020 8726 6000 x 64877  
annette.wiles@croydon.gov.uk

## **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