

REPORT TO:	ANNUAL COUNCIL
DATE:	25 MAY 2022
SUBJECT:	APPOINTMENTS
LEAD OFFICER:	JANE WEST CORPORATE DIRECTOR OF RESOURCES AND S.151 OFFICER
WARDS:	ALL
CORPORATE PRIORITY/POLICY CONTEXT: The annual appointments are a statutory and constitutional requirement set out in Part 4A of the Council's Constitution.	
FINANCIAL SUMMARY: There are no new financial issues arising from the recommendations in this report.	

1. RECOMMENDATIONS

Council is recommended to:

- 1.1 Where the political balance rules apply, to make appointments to those Committees giving effect to the wishes of the relevant political groups as set out in Appendix 1 to this report;
- 1.2 To review the membership of the Health and Well-being Board;
- 1.3 To make appointments to other Committees, Panels, Working Groups and Outside Bodies as set out in Appendix 2 to this report;
- 1.4 Agree the suspension of paragraph 2.3 of the Non-Executive Procedure Rules (Part 4F of the Constitution) for the 2022/2023 Municipal Year;
- 1.5 Wherever applicable, to appoint Chairs and Vice-Chairs and substitutes to those non-Executive Committees detailed in Appendix 1 (this is without prejudice to the provisions set out in paragraph 2.4 of Part 4F of the Constitution which would continue to apply enabling in year vacancies to either the Chair or Vice Chair to be filled by election at the first meeting of the relevant committee or sub-committee following notification to the Monitoring Officer);
- 1.6 Receive, for information, executive appointments made under the directly elected Mayor and Cabinet decision-making framework:
 - i) The appointments of Cabinet Members, Cabinet Committees and Deputy Cabinet Members (Appendix 1);
 - ii) The appointments to Joint Committees as appropriate (Appendix 1);
 - iii) The appointments to London Councils Committees (as appropriate) and Panels and Local Government Association bodies (Appendix 2); and
- 1.7 Receive for information:
 - i) The appointments by the Elected Mayor to those outside bodies, which relate to the exercise of an executive function (marked (*)), as detailed in Appendix 2;

- ii) The appointments of Leader of the Opposition and Shadow Cabinet (Appendix 1); and
 - iii) The appointments of political party group officers (Appendix 1)
- 1.8 To authorise the Monitoring Officer to update the Constitution in respect of decisions arising from this report.

Note: Appendices 1 and 2 are to follow and will be published separately in advance of the meeting.

2. EXECUTIVE SUMMARY

- 2.1 This report fulfils the requirement for the Council to make appointments to various committees and other bodies. This includes making appointments after reviewing and determining the representation of different political groups on certain committees giving effect to the wishes of the political group allocated the seats.
- 2.2 This report also sets out the following: appointments to other committees and bodies and, where applicable, appointments of Chairs and Vice-Chairs and substitutes.

3. APPOINTMENTS

- 3.1 This report follows on from a report also to be considered by Members at the Annual Council Meeting on 'Political Balance of the Council and Composition of Committees'. That report deals with the Council's duty to review and determine the representation of different political groups on certain committees and allocate seats.
- 3.2 This report is concerned with the subsequent duty to make appointments to those committees, giving effect to the wishes of the political groups allocated the seats. The appointments, including the appointment of substitutes (if applicable) are set out in Appendices 1 and 2. The wishes of the party-political groups represented on the Council are listed in the attached appendices and are marked 'For agreement'.
- 3.3 This report is also concerned with all other appointments Full Council has to make or is being asked to note as set out in Appendices 1 and 2.

4. COMMITTEES APPOINTED BY COUNCIL SUBJECT TO POLITICAL BALANCE

- 4.1 Annual Council is responsible for making appointments to the Health and Well-being Board (HWB), but political balance rules do not apply. The Executive Mayor has a statutory entitlement to be a member of the HWB and to also nominate at least one Councillor. The Constitution (Part 2, Article 8) stipulates the membership of the HWB but it is not possible to comply with those requirements as there is no longer "a Majority Group" or "a Minority Group" of the Council.
- 4.2 Accordingly, Members are asked to review the membership of Councillors on the HWB. Other than the statutory rights of the Executive Mayor, there are no

specific rules which apply to this aspect of the Board's membership. The discretionary powers Members have are broad.

Corporate Parenting Board

- 4.3 Although the Corporate Parenting Board is not established as a formal committee of the Council, its terms of reference are included in the Constitution (Part 6E) and it has been re-established annually since 2007 as an informal advisory body to the Cabinet Member with responsibility for Children's Services and provides that five Members of the Administration, including, and to be chaired by, the Cabinet Member with responsibility for Children's Services, and two members of the Opposition will form the composition of the Board.

Executive Appointments

- 4.4 In accordance with Article 7 of the Council's Constitution, the power to make Executive Appointments is reserved to the Mayor of the Council under the 'Directly Elected Mayor and Cabinet' model of decision making. This includes positions such as Cabinet Members and portfolios, Cabinet Committees and Joint Committees exercising Executive functions.
- 4.5 Those Executive appointments made by the Mayor of the Council are listed in Appendices 1 and 2 appointment schedules and are marked 'For information'.

Party Political Appointments

- 4.6 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.
- 4.7 Those appointments are also detailed in the appendices' appointment schedules attached to this report and are marked 'For noting'. Council is asked to note those appointments.

External Appointments

- 4.8 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.
- 4.9 In respect of Executive appointments to outside bodies, Article 4.1 (g) of the Constitution provides that the Mayor and Cabinet or the Monitoring Officer, after consultation with the relevant Cabinet Member, may make appointments to outside bodies as necessary during the year. In respect of non-Executive appointments, the General Purposes Committee or the Monitoring Officer, after consultation with the Chair of the General Purposes Committee, may make appointments to outside bodies as necessary during the year.

Appointment of Chair and Vice-Chair Positions

- 4.10 Over the last two years, for covid-related reasons, with the exception of the Licensing Act Sub-Committee, Chairs and Vice-chairs were appointed by Annual Council instead of being appointed at the first meeting of each committee. For different reasons, because on some committees the Labour and Conservative Groups have the same number of Members, Full Council is therefore recommended to consider suspending the Constitution (i.e. Part 4F, Non-Executive Procedure Rules, para 2.3) so that Chairs and Vice-chairs are appointed by Annual Council instead.
- 4.11 This is without prejudice to the provisions in paragraph 2.4 of Part 4F of the Constitution which provides that in the event of an in-year appointment to the position of Chair or Vice Chair, this may continue to be filled at the first meeting of the relevant committee or sub-committee following notification to the Monitoring Officer.

Sub-Committees

- 4.12 As soon as possible after Full Council has appointed to committees, committees who have sub-committees are required in turn to review political balance, allocate seats and make appointments in accordance with the wishes of political groups in respect of their own sub-committees.

5. LEGAL IMPLICATIONS

- 5.1 The law relevant to political balance and composition of committees is explained and applied in an earlier report of the same title to be considered by Members before this report.
- 5.2 By sections 101 and 102 of the Local Government Act 1972 the Council has the power to arrange for its functions to be discharged in a number of different ways. These include by appointing committees.

6. FINANCIAL AND RISK ASSESSMENT CONSIDERATIONS

- 6.1 There are no new financial implications arising from the recommendations in this report.

CONTACT OFFICER: Colin Sweeney
Senior Democratic Services and Governance Officer
(Cabinet)
020 8726 6000
colin.sweeney@croydon.gov.uk

APPENDICES TO THIS REPORT

- Appendix 1: Appointment Schedule: Appointments to Main Council Bodies
- Appendix 2: Appointment Schedule: Appointments to all other

Panels, Working Groups and Outside Bodies

BACKGROUND DOCUMENTS: None