

ASSEMBLY

17 May 2023

Title: Appointments to the Political Structure and Other Bodies 2023/24	
Report of the Acting Chief Executive	
Open Report	For Decision
Wards Affected: None	Key Decision: No
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Accountable Director: Alison Stuart, Chief Legal Officer and Interim Monitoring Officer	
Accountable Executive Team Director: Fiona Taylor, Acting Chief Executive	
Summary <p>The Assembly is responsible for appointments to the political structure and various other internal and external bodies, except those reserved to the Leader and/or Cabinet Members.</p> <p>Appendix 1 to this report shows the proposed appointments for the 2023/24 municipal year relating to Council committees and other internal and external bodies which are the responsibility of the Assembly.</p> <p>The appointment of the Mayor for 2023/24 will be dealt with at the meeting of the Ceremonial Council on Friday 19 May.</p>	
Recommendation(s) <p>The Assembly is recommended to:</p> <ul style="list-style-type: none">(i) Approve the appointments to various Council committees and other internal and external bodies, as set out in Appendix 1 to the report; and(ii) Delegate authority to the Chief Executive, in consultation with the Leader of the Council, to approve the appointment of councillors to fill any vacant positions prior to the next meeting of the Assembly on 26 July 2023.	
Reason(s) <p>To meet the Council's statutory and constitutional requirements and to ensure relevant positions are appointed to.</p>	

1. Introduction and Background

- 1.1 Part 2, Chapter 4 of the Constitution sets out the Assembly's responsibilities in respect of appointments to the political structure and various other internal and external bodies.
- 1.2 Section 15 of the Local Government and Housing Act 1989 imposes a duty on local authorities at their annual meeting, or as soon as possible after it, to review the allocation of seats on committees of the Council between political groups. Political groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when two or more councillors notify the Chief Executive, as Proper Officer, of their wish to be treated as a Group.
- 1.3 At present, the Council consists of 50 Labour councillors and one independent councillor. The formation of the Labour Group was noted at last year's Annual Assembly meeting.
- 1.4 The following principles apply to the allocation of seats:
 - a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
 - b) That the majority of seats on each committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
 - c) That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
 - d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
- 1.5 The Cabinet and the Health and Wellbeing Board are not required to be proportional, as they are 'Executive bodies', and so are outside of the political balance calculation.
- 1.6 Sub-committees, with the exception of the Licensing Sub-Committee, are also governed by the political balance rules, but it is not necessary to add up all the sub-committee seats and then allocate them in proportion. As far as this is practicable, the allocation of seats on each sub-committee should reflect the proportional representation of the political groups on the Council.
- 1.7 The Local Government and Housing Act 1989 requires that, once the Assembly has determined the allocation of committee places between the political groups, it must then appoint the nominees of the political groups to the committees.
- 1.8 Any non-aligned (independent) members are to be appointed to available seats on committees by the Council.

2. Proposal and Issues

- 2.1 The nomination process for the various positions to which appointments are required for the municipal year 2023/24 is dealt with through party groups which, for Barking and Dagenham, is just the Labour Group.

- 2.2 Attached at Appendix 1 (to follow) is the provisional schedule of nominations from the Labour Group for the 2023/24 municipal year in respect of appointments which the Assembly has responsibility for appointing to. These appointments relate to main Council committees and other internal and external body meetings.
- 2.3 Any changes / additions to the information contained in the appendix will be reported at the meeting.
- 2.4 The Labour Group has agreed not to fill all seats on Council committees to which the Assembly makes appointments to allow the independent councillor to take up at least one position on a Council committee, in line with best practice.
- 2.5 In normal circumstances, the filling of any remaining vacancies on committees etc. that are the responsibility of the Assembly would require the approval of the Assembly. However, as the next meeting is not until 26 July 2023 it is proposed that the Chief Executive be authorised, in consultation with the Leader, to approve the filling of vacant positions to enable individuals to participate as a formal Member in relevant meetings as soon as possible.

3. Options Appraisal

- 3.1 Any delay in reappointing Members to the various meetings and other bodies puts the normal decision-making process and business of the Council at risk.

4. Consultation

- 4.1 Consultation has taken place with Members and officers as appropriate.

5. Financial Implications

Implications completed by Katherine Heffernan, Head of Service Finance

- 5.1 There are no financial implications associated with this report. This concerns the annual appointment of elected Members to Boards and Committees. Where an appointment carries an allowance the financial impact of this is set out in another report to this meeting.

6. Legal Implications

Implications completed by Dr Paul Feild, Senior Governance Lawyer

- 6.1 The Assembly is a meeting of full Council for the purposes of Section 8 and Schedule 2 of the Local Government Act 1972. This meeting of the Assembly is the annual meeting where the Council decides on the overall political structure and makes the necessary appointments.
- 6.2 Part 2 (the Articles) of the Council's Constitution sets out the membership requirements and terms of reference for the various Council committees. The appointments in this report meet statutory and constitutional requirements and ensure the Council is able to proceed with the business reserved to each committee.

- 6.3 It is further proposed that the Interim Chief Executive, in consultation with the Leader of the Council, be authorised to approve the appointment of councillors to fill any vacant positions that may not be filled at this Assembly meeting. This is permissible pursuant to section 101(1) of the Local Government Act 1972, so as to enable the new Member to take a full part in the Council's business straight away.

Public Background Papers Used in the Preparation of the Report: None

List of appendices:

- **Appendix 1** – Provisional schedule of nominations for 2023/24 (to follow)