

**SUPPLEMENTARY REPORTS FOR  
COUNCIL  
7.30 pm on Thursday 20 May 2021  
In the Council Chamber - Civic Centre**

The attached documents are due to be considered at the meeting listed above and were unavailable for circulation when the agenda for the meeting was published. The agenda item to which the documents relate is noted below.

**AGENDA**

10. Appointment to the Cabinet (Page 2)

The Chair will call for the Leader to announce their Deputy Leader and appointments to the Cabinet.

11. Appointment to Committees, Sub Committees and Panels of the Council and their Chairs and Vice Chairs (Pages 3 - 9)

The Chair will call for nominations to the membership of Committees, Sub Committees and Panels of the Council and their Chairs and Vice Chairs.

13. Appointment of Council Representatives on Outside Bodies  
(Pages 10 - 11)

The Chair will call for nominations for the appointment of Council representatives on the outside bodies as listed.

14. Calendar of Meetings 2021/22 (Page 12)

To approve the calendar of meetings for the 2021/22 municipal year.

## Appointments to the Cabinet and Opposition Spokespeople 2021/22

Cabinet	
Leader of the Council and Lead on Economic Recovery	Andrew Johnson
Deputy Leader and Portfolio Holder for Community Resilience	Joel Charles
Portfolio Holder for Environment	Alastair Gunn
Portfolio Holder for Finance and Governance	Russell Perrin
Portfolio Holder for Housing	Simon Carter
Portfolio Holder for Regeneration	Dan Swords
Portfolio Holder for Strategic Growth	Michael Hardware
Additional Attendees	
James Leppard	
Nicky Purse	
Matthew Saggars	
Gareth Williams	
Opposition Spokespeople	
Leader of the Opposition	Chris Vince
Deputy Leader of the Opposition and Opposition Spokesperson for Community Resilience	Tony Edwards
Opposition Spokesperson for Environment	Nancy Watson
Opposition Spokesperson for Finance and Governance	Mike Danvers
Opposition Spokesperson for Housing	Mark Wilkinson
Opposition Spokesperson for Regeneration	Tony Durcan
Opposition Spokesperson for Strategic Growth	Eugenie Harvey

**REPORT TO:** FULL COUNCIL

**DATE:** 20 MAY 2021

**TITLE:** APPOINTMENT TO COMMITTEES, SUB COMMITTEES AND PANELS OF THE COUNCIL

**LEAD OFFICER:** SIMON HILL, HEAD OF GOVERNANCE  
(01279) 446099

**CONTRIBUTING OFFICER:** ADAM REES, GOVERNANCE SUPPORT OFFICER  
(01279) 446057

**RECOMMENDED that:**

- A** The Committee structure for 2021/21 is established as set out in Tables 1 and 2, including the revised number of seats for the committees.
- B** The Council notes the political balance calculations for 2021/22 and agrees that Committee seats are allocated to political groups as set out in Tables 1 and 2.
- C** Delegated authority is granted to the Head of Governance to make amendments to the Constitution to enable a member of the Opposition to Chair the Scrutiny Committee, and for the membership of the Call In Sub Committee to be the same as the Scrutiny Committee.
- D** Councillors are appointed as members/substitute members of Council Committees, Sub Committees and Panels as set out in Appendix A.
- E** Chairs and Vice Chairs of Committees, Sub Committees and Panels are appointed as set out in Appendix A.

**BACKGROUND**

1. The Council has an established Committee structure, whereby a number of ordinary Committees perform the functions that, by law, cannot be performed by the Cabinet. In addition, a number of advisory Panels have been established that do not have decision making powers, but advise the Council on matters in their remit.
2. Councillors are divided into political groups, the provisions of the Local Government and Housing Act 1989 place a duty on the Council to review the allocation between those groups of seats on Committees of the Council at its Annual Meeting. The aim is to ensure that, as far as is practicable, the political composition of the Committees reflects the composition of the Council.
3. The Council is obliged to allocate seats to be occupied by its Members to the political groups into which they are divided. Political groups then nominate the

Members of the Council whom they wish to occupy those seats allocated to them. It is for Council to appoint such Councillors to the seats allocated.

4. The political balance rules do not apply to Cabinet, or any bodies it establishes, although in practice any bodies established by Cabinet have been politically balanced so far as possible. Members of the Cabinet cannot be appointed to serve on the Scrutiny Committee or the Call in Sub Committee.

## **ISSUES/PROPOSALS**

### **Committee Structure**

5. It is proposed that the Council's Committee structure for 2021/22 is as sets out in Tables 1 and 2 below. This includes a reduction in the number of seats for the Audit and Standards, Development Management, and Scrutiny committees from 10 seats to 8. Under the Licensing Act 2003, the Licensing Committee must have at least 10, but no more than 15, seats. Therefore the number of seats cannot be lowered.
6. Furthermore, the Conservative Group have offered the Chair of Scrutiny Committee to the Labour Group. The Constitution currently requires that the Chair of the Scrutiny Committee is a member of the Administration. Instead the Vice Chair will be a member of the Administration. The Constitution currently states that the Vice Chair will be a member of the Opposition. Therefore delegated authority is sought to make the necessary changes to the Constitution.
7. Similarly the membership of the Call In Sub Committee is now to be the same as the Scrutiny Committee, with them having the same Chair and Vice Chair. This also requires approval to make an amendment to the Constitution.

### **Political Balance**

8. Following the elections on 6 May 2021, the political composition is as below:
  - a) Conservatives – 20 seats
  - b) Labour – 12 seats
  - c) Vacancy – 1 seat
9. It is proposed that, in accordance with the requirements of the Local Government and Housing Act 1989, the allocation of ordinary Committee seats to the Council's political groups is as set out in Table 1.

**Table 1 – Political Balance Calculation 2021/22 – Ordinary Committees**

<b>Committee</b>	<b>Seats</b>	<b>Conservatives</b>	<b>Labour</b>
Audit and Standards Committee	8	5	3

Development Management Committee	8	5	3
Licensing Committee	10	6	4
Scrutiny Committee	8	5	3
<b>Total</b>	<b>34</b>	<b>21</b>	<b>13</b>

10. Memberships of Sub Committees and advisory Panels are governed by political balance rules. In some cases (specifically the Hearing Sub Committee and the Civic Awards Panel), the Council has previously agreed rules on Group representation on bodies which are used in place of a political balance calculation. It is proposed that seats on Sub Committees and advisory Panels are allocated as set out in Table 2.

**Table 2 – Political Balance Calculation 2021/22 – Sub Committees and Panels**

<b>Sub Committee/Panel</b>	<b>Seats</b>	<b>Conservatives</b>	<b>Labour</b>
Call In Sub Committee	8	5	3
Managing Director's Appraisal Panel	3	2	1
Appointments Panel	3	2	1
Civic Award Panel*	4	2	2
Hearing Sub Committee**	6	3	3
<b>Total</b>	<b>24</b>	<b>14</b>	<b>10</b>

\*To comprise the Chair and Vice Chair of the Council, and one representative from each Group.

\*\*To include equal numbers of Councillors from both Groups

### **Appointment of Councillors to Council Committees, Sub Committees and Panels**

11. The Leaders of both Political Groups have been consulted on the political balance calculations and have made nominations for the required bodies, along with substitutes for each Committee and Sub Committee. Full Council is asked to approve the nominations as set out in Appendix A.

## **IMPLICATIONS**

### **Place (Includes Sustainability)**

None specific.

**Author: Andrew Bramidge, Head of Environment and Planning**

### **Finance (Includes ICT and Property and Facilities)**

None specific.

**Author: Simon Freeman, Head of Finance and Property and Deputy to the Chief Executive**

### **Housing**

None specific.

**Author: Andrew Murray, Head of Housing**

### **Community Wellbeing**

None specific.

**Author: Jane Greer, Head of Community Wellbeing**

### **Governance (Includes HR)**

The Council is required to ensure that the allocation of seats to committees is compliant with the relevant provisions contained in the Local Government and Housing Act 1989 and Regulations made under that act.

The Regulations require that in determining the allocation of seats the council must apply the following four principles as far as it is reasonably practicable to do so:

- a) that not all the seats on the body are allocated to the same political group;
- b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
- d) subject to paragraphs (a) to (c) above, that the number of the seats on the body 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.

Failure to appoint to committees and outside bodies could render them not quorate or unlawful; failure to apply the legislative requirements of political proportionality could also mean a committee or body unlawful constituted. This would mean any decision taken by that committee could be seen as unlawful and open to challenge.

The recommendations in this report comply with the statutory requirements above and mitigate the risk to the Council of challenges to its governance and decision making structure.

**Author: Simon Hill, Head of Governance**

## **Appendices**

Appendix A – Nominations from Political Groups for Council Appointed Bodies  
2021/22

## **Background Papers**

None.

## **Glossary of terms/abbreviations used**

None.

## Nominations for Appointment to Committees, Sub Committees, Panels and Substitutes 2021/22

Audit & Standards Committee (8)	Hearing Sub Committee (6)
Eddie Johnson (c)	Eddie Johnson (c)
Colleen Morrison (vc)	Colleen Morrison (vc)
Simon Carter	Simon Carter
Jean Clark	Jean Clark
Jodi Dunne	Jodi Dunne
James Leppard	Chris Vince
Matthew Saggars	Mike Danvers (sub)
Chris Vince	James Leppard (sub)
Mike Danvers (sub)	Matthew Saggars (sub)
Andrew Johnson (sub)	
Shona Johnson (sub)	
Ash Malik (sub)	
Gareth Williams (sub)	
Scrutiny Committee (8)	Call In Sub Committee
Tony Edwards (c)	The membership of the Call In Sub Committee is to be the same as the Scrutiny Committee
David Carter (vc)	
Nick Churchill	
Tony Durcan	
Eugenie Harvey	
Shona Johnson	
Nicky Purse	
Gareth Williams	
Mike Garnett (sub)	
James Leppard (sub)	
Sue Livings (sub)	
Colleen Morrison (sub)	
Chris Vince (sub)	
Nancy Watson (sub)	
Licensing Committee (10)	Licensing Sub Committee & Regulatory Sub Committee
Nick Churchill (c)	Licensing Committee & Regulatory Sub Committee members form a pool from which individual Licensing Sub Committees & Regulatory Sub Committees of 3 members are drawn
Clive Souter (vc)	
David Carter	
Joel Charles	
Jodi Dunne	
Tony Durcan	
Maggie Hulcoop	
Andrew Johnson	
Nancy Watson	
Gareth Williams	



<b>Development Management Committee (8)</b>	
Mike Garnett (c)	
Sue Livings (vc)	
Jean Clark	
Mike Danvers	
Bob Davis	
James Leppard	
Ash Malik	
Nicky Purse	
Simon Carter (sub)	
Maggie Hulcoop (sub)	
Andrew Johnson (sub)	
Shona Johnson (sub)	
Clive Souter (sub)	
<b>Appointments Panel (3)</b>	<b>Civic Awards Panel (4)</b>
Andrew Johnson (c)	Clive Souter (c)
Joel Charles (vc)	Maggie Hulcoop (vc)
Chris Vince	Eugenie Harvey
Tony Edwards (sub)	Shona Johnson
	Tony Edwards (sub)
<b>Chief Executive's Appraisal Panel (3)</b>	
Andrew Johnson (c)	
Joel Charles (vc)	
Chris Vince	
Tony Edwards (sub)	

## Council Representatives on Outside Bodies 2021/22

Outside Body	Appointments
Active Harlow Partnership	Alastair Gunn
Age Concern	Bob Davis
Citizens Advice Bureau	John Strachan
District Councils' Network	Andrew Johnson Joel Charles (Substitute)
East of England Local Government Association	Andrew Johnson Joel Charles (Substitute)
Epping Forest Community Transport	Alastair Gunn
Essex County Council's Essex Health Overview and Scrutiny Committee	David Carter
Essex Police and Crime Panel	Mike Garnett
Fawbert & Barnard Educational Foundation	Sue Livings (12/3/21) Joel Charles (25/5/21) Tom Newens (29/5/21)  <i>(Three year terms of office)</i>
Great Parndon Community Association Board	Tony Edwards
Harlow Art Trust	Sue Livings
Harlow Arts Council	James Leppard
Harlow Homelessness Prevention Partnership	Maggie Hulcoop
Harlow Occupational Health Service	Tony Edwards
Harlow Recreation Trust Fund – Advisory Panel	<i>Appointed when vacancies arise</i>
Harlow-Stansted Gateway Transportation Board	Michael Hardware
Local Government Association General Assembly	Andrew Johnson Joel Charles (Substitute)
Local Government Association District Council's Network Assembly	Andrew Johnson Joel Charles (Substitute)

PATROL Adjudication Joint Committee	Gareth Williams
Playhouse Trust	Sue Livings
Safer Harlow Partnership	Gareth Williams Ash Malik
Shopmobility Management Committee	Maggie Hulcoop
St Johns Arts & Recreation Association	Sue Livings
Stansted Airport Community Trust Fund	David Carter
Stansted Airport Consultative Committee	Michael Hardware
Town Centre Partnership	Dan Swords Nicola Purse (Substitute)
Veolia Partnership Board	Alastair Gunn Gareth Williams (Substitute)
Waste Member Partnership Board and IAA Member Working Group	Alastair Gunn Gareth Williams (Substitute)
Welfare Panel	David Carter Simon Carter Nick Churchill Tony Edwards Eugenie Harvey Maggie Hulcoop Sue Livings Mark Wilkinson
Young Concern Trust	Sue Livings

# Meeting Schedule 2021/22

12

	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May
<b>Full Council (6 + (s) + (a))</b>		15		16	28		9		3 Budget 24 (s) Council Tax Resolution	31		26 (a)
<b>Cabinet (7)</b>	17	8		9	14		2	27 Budget		24		
<b>Audit and Standards (4)</b>	16	29 Audit of Accounts				24				2		
<b>Development Management (11)</b>	8	7	18	15	13	10	8	12	9	16	13	
<b>Licensing (5)</b>		6		7		16		18		8		
<b>Licensing/ Regulatory Sub Committee (9)</b>		27	17	21	19	23		25	22	22	19	
<b>Cabinet Policy Development Working Group (4)</b>			5		7			13		10		
<b>Scrutiny (5)</b>		13		14			7		8	15		
<b>Shareholder Sub Committee (3)</b>		1 Covid-19 Recovery		8 Strategic		18 Strategic						
<b>Covid-19 Recovery Working Group (4)</b>	29			28		30			15			

Agenda Item 14

\*An additional meeting of the Shareholder Sub Committee will also be scheduled for Covid-19 Recovery