

OVERVIEW & SCRUTINY COMMITTEE

Thursday, 8 December 2016 at 6.45 p.m., Room C1, 1st Floor, Town Hall,
Mulberry Place, 5 Clove Crescent, London, E14 2BG

This meeting is open to the public to attend.

Members:

Chair: Councillor John Pierce

Vice Chair: Councillor Abdul Mukit MBE

Councillor Amina Ali

Scrutiny Lead for Development and Renewal

Councillor Abdul Asad

Councillor Julia Dockerill

Scrutiny Lead for Children's Services

Councillor Clare Harrisson

Scrutiny Lead for Adult Health and Wellbeing

Councillor Muhammad Ansar Mustaqim

Councillor Oliur Rahman

Councillor Helal Uddin

Co-opted Members:

1 Vacancy

(Parent Governor Representative)

1 Vacancy

(Parent Governor Representative)

Deputies:

Councillor Danny Hassell, Councillor Dave Chesterton, Councillor Ohid Ahmed, Councillor Gulam Kibria Choudhury, Councillor Peter Golds, Councillor Denise Jones, Councillor Md. Maium Miah and Councillor Andrew Wood

[The quorum for this body is 3 voting Members]

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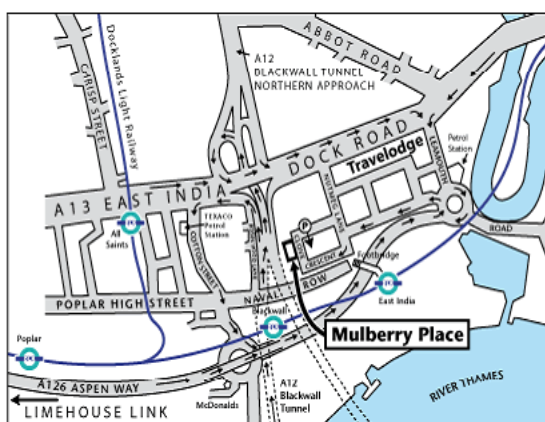
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3. UNRESTRICTED MINUTES **1 - 10**

To confirm as a correct record of the proceedings the unrestricted minutes of the meeting of the Overview and Scrutiny Committee held on 26th October, 2016. – To follow

12 .1 Review of proportionality and allocation of places on Overview and Scrutiny Sub-Committees **11 - 16**

Special Circumstances Justifying Urgent Consideration

This report is presented to agree changes to the proportional membership of the Overview and Scrutiny Sub-Committees following recent changes to the political groups on the Council. The report was not available at the time the agenda was published as the changes to political groups had not been notified at that time. The report cannot wait until the next meeting of the Overview and Scrutiny Committee because it is required that the proportionality be reviewed at the first available meeting following the changes.

Next Meeting of the Overview and Scrutiny Committee

Wednesday, 4 January 2017 at 6.00 p.m. to be held in Room C1, 1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG

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LONDON BOROUGH OF TOWER HAMLETS

MINUTES OF THE OVERVIEW & SCRUTINY COMMITTEE

HELD AT 6.12 P.M. ON WEDNESDAY, 26 OCTOBER 2016

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

- | | |
|---|--|
| Councillor John Pierce (Chair) | |
| Councillor Amina Ali | – Scrutiny Lead for Development and
Renewal |
| Councillor Abdul Asad | – Scrutiny Lead for Communities,
Localities & Culture |
| Councillor Julia Dockerill | – Scrutiny Lead for Children's Services |
| Councillor Abdul Mukit MBE (Vice-Chair) | – Scrutiny Lead for Resources |
| Councillor Md. Maium Miah | |
| Councillor Helal Uddin | |
| Councillor Clare Harrisson | – Scrutiny Lead for Adult Health and
Wellbeing |

Co-opted Members Present:

- | | |
|-----------------|---|
| Victoria Ekubia | – (Roman Catholic Church
Representative) |
| Dr Phillip Rice | – (Church of England Representative) |

Other Councillors Present:

- | | |
|-----------------------------|---|
| Councillor David Edgar | – Cabinet Member for Resources |
| Councillor Rachel Blake | – Cabinet for Strategic Development |
| Councillor Rachael Saunders | – Deputy Mayor and Cabinet Member
for Education and Children's
Services |

Apologies:

Councillor Mahbub Alam
Councillor Oliur Rahman

Officers Present:

- | | |
|-----------------|---|
| Margaret Cooper | – (Section Head Transport &
Highways, Public Realm,
Communities Localities & Culture) |
| Ruth Dowden | – (Complaints & Information Manager,
Legal Services, Law Probity & |

Janet Fasan	– Governance)
Sharon Godman	– (Head of Legal Operations)
	– (Service Head, Strategy, Policy & Performance)
Afazul Hoque	– (Interim Service Manager, Strategy, Policy & Performance)
Christine McInnes	– (Service Head, Education and Partnerships, Children's Services)
Neville Murton	– (Service Head, Finance & Procurement)
David Knight	– (Senior Democratic Services Officer)

1. WELCOME

The Chair welcomed Sharon Godman the new Head of Strategy Policy and Performance, to this her first meeting of the Committee.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Mahbub Alam and Councillor Oliur Rahman. Also noted the following substitution arrangements

1. Councillor Muhammad Ansar Mustaqim for Councillor Mahbub Alam; and
2. Councillor Md. Maium Miah for Councillor Oliur Rahman.

3. DECLARATIONS OF DISCLOSABLE PECUNIARY INTEREST

The Committee noted that there were no declarations of disclosable pecuniary interest.

4. UNRESTRICTED MINUTES

The Committee received the minutes of the last meeting as a result of considering the draft:

1. **Councillor Abdul Asad** indicated that the Committee should receive and update on the progress being made with regard to the appointment of the new co-opted members.
2. **Councillor Clare Harrisson** indicated that

Page 4 Item 5.3 Paragraph Question 1 Waste Management Services – Delivery Options (contract extension) she had been seeking clarification on if the contract had been extended with conditions attached as opposed to the redesigning of the contract.

Page 4 Item 5.3 Paragraph Question 2 Waste Management Services – Delivery Options (contract extension) this should have been referring to the extension and not the redesigning of the contract.

With particular reference in both instances to clarification if there would or would not be any changes specifically with regard to the extension of the contract

Page 4 Item 5.3 Paragraph Question 3 Waste Management Services – Delivery Options (contract extension) that the reference with specifically relates to Member involvement in the extension and not the redesign of the contract.

Page 4 Item 5.9 Question 4 Contract Forward Plan Quarter 3 (2016/17) wished to see the business case that validates the decision to extend the existing leisure management contract. Together with why that decision was made and why it was felt that the decision to redesign was applicable for Waste as the contract was no longer fit for purpose yet not for Leisure Services. Therefore, that there was an opportunity to undertake some positive work corporately to identify potential future savings.

Page 5 Item 5.9 Question 6 Contract Forward Plan Quarter 3 (2016/17) wanted to see what evidence will be provided on the financial planning and how we audit that.

3. **Councillor Abdul Asad** asked for clarity on the current situation with regard to the position regarding allegations of electoral fraud or malpractice that had been made in relation to the Tower Hamlets Mayoral election in 2014

Page 3 Item 12.1 Crime and Disorder Spotlight – Accordingly the Committee asked to receive a copy of the letter from Assistant Commissioner Helen King to the Editor Daily Telegraph regarding these allegations.

5. UNRESTRICTED REPORTS 'CALLED IN'

Nil Items

6. REQUESTS TO SUBMIT PETITIONS

Nil Items

7. SCRUTINY SPOTLIGHT

Nil items

**8. OVERVIEW & SCRUTINY COMMITTEE QUERY AND ACTION LOG
2016/17**

The Committee received and noted an update on the outstanding actions. As a result of discussions on the report the following matters were raised:

The Committee:

1. Asked for data on Racist and Religious based crimes over the past 3 years compared to that data published by the Greater London Authority; and
2. Wanted to see within the statistics available a breakdown of unemployment and/or ethnicity details of those individuals from the Somali community.

9. FORTHCOMING DECISIONS

The Committee noted the published list of forthcoming decisions would be circulated prior to the next meeting.

10. PRE-DECISION SCRUTINY OF UNRESTRICTED CABINET PAPERS

Item 5.3 Housing Strategy 2016-2021

The Chair welcomed Martin Ling who was in attendance to discuss the Housing Strategy with particular reference to the strengthening of the relationship with Registered Social Landlords, the impact of welfare reform. There was also a discussion on how to improve 'intermediate offer' options for residents who did not qualify for social housing but who could not afford market rents

A summary of the questions and comments from Members is outlined as followed:

Comment: There needs to be development of inclusive models for regeneration across both Council and ex Council estates, building on the lessons learnt from the regeneration of the Ocean Estate and Blackwall Reach

Comment: The reduction of the benefit cap has impacted especially hard on households living in particularly high cost areas such as Tower Hamlets. Therefore, what is being done to mitigate this?

Response: Effectively addressing the impact in the reduction of the benefit cap goes beyond addressing immediate issue and requires a sustained commitment to help these households get out from under the cap **e.g.** provision of appropriate support to get them into employment through the raising of skills levels.

Comment: What is the current position on succession rights?

Response: There will be a report coming to the Committee on succession rights.

Item 5.5 Our Borough, Our Plan: A New Local Plan Consultation Document

The Chair welcomed Councillor Rachel Blake who had come to the meeting to talk about the consultation on the new Local Plan, looking at the 15 year vision on how to deliver for the community and local economy. It was noted that there was a particular role to place for local ward councillors particularly around issues such as town centres and local infrastructure.

Question: Will there be programme of digital engagement as part of the consultation and what structures are in place to allow comments to be fed into the process?

Comment: The infrastructure (e.g. schools; transport and health centres) needs to be able to meet the growing community.

Response: There will be programme of digital engagement as part of the consultation and there will be an opportunity for both the community and council committees to submit comments.

Comment: Need to ensure the provision suitable green space and to maintain and develop social housing.

Response: Discussions are taking place on the provision of affordable homes to meet the needs of the communities that we seek to serve e.g. Family homes being a priority.

Comment: The consultation process needs to be able to reach out to local communities; partner agencies and relevant stake holder groups. Consideration also needs to be given to ensure that the services being developed are accessible to all; meet the needs and aspirations of all our residents; utilising must be made of the findings of the Somali Task Group; use must be made of councillors local knowledge so as to extend the councils reach into those hard to hear groups and the Plan needs to be made available in community languages

Response: Work is being undertaken to look at how data collection is managed and imaginative ways developed to reach out to all groups within Tower Hamlets.

Comment: What will the Local Plan do to provide local people the opportunity for employment with the major companies based in Tower Hamlets.

Response: Work is being undertaken to ensure local people will have the required skill sets to secure employment with these employers.

11. VERBAL UPDATES FROM SCRUTINY LEADS

The Committee noted that:

1. The Review into the Night Time Economy would be considering on 27th October, 2016 the support for businesses together with the impact upon residents with a public meeting early in 2017;
2. The Health Scrutiny Sub-Committee would be looking at the health care infrastructure with particular reference to taking into account the

- population increases and the links between planning and health infrastructure and how this is implemented in LBTH; and
3. The review into the Youth Services would be held on 22nd November, 2016 with consideration of New Schools being undertaken early in 2017.

12. UNRESTRICTED REPORTS FOR CONSIDERATION

12.1 Local Plan - Item Deferred

12.2 Complaints and Information Governance Annual Report

Ruth Dowden the Councils Complaints and Information Manager introduced the Complaints and Information Annual Report 2015/16 which outlined the Council's activities and performance in response to Information Governance matters and Information Requests; Corporate Complaints and Statutory Complaints for Children's and Adults Social Care.

In addition to addressing the volume of complaints and information requests received by the Council in the period 1 April 2015 to 31 March 2016, the report also looked at the outcomes of those cases; and the standard of performance in dealing with them. Policy and practice developments in information governance and complaints are also summarised. The main point of the discussion maybe summarised as follows.

The Committee noted that:

- Both Member's enquiries and complaints are monitored so as to identify any overlap between the two. However, the Committee indicated that it wanted to see how a Members enquiry can be taken forward as a complaint if appropriate and to have a common sense attitude to the process to facilitate this;
- The number of corporate complaints had increased during 015/2016 with Stage 1 complaints increasing by 33%. The reason for this it was noted are unclear however the increase in the borough's population maybe one element;
- Fewer cases had been upheld which it was noted was seen as an indication that information requests had been properly responded to in the first instance;
- Out of 1721 complaints received by THH, 505 complaints had been dealt with and resolved within 5 working days; and
- The software is now in place that will be once it goes live will provide data on parking and expenditure.

12.3 Progress report on Literacy Scrutiny Review

Councillor Saunders (Deputy Mayor and Cabinet Member for Education & Children's Services) presented the report to the Committee which provided an update on the implementation of the recommendations arising from the scrutiny review on literacy across early years, primary, secondary and adult learning. The report and recommendations had it was noted been agreed by the Overview and Scrutiny Committee in May 2015. The main point of the discussion maybe summarised as follows.

The Committee:

- Noted that emotional health and well-being is a key issue to be addressed that would remove a barrier to learning;
- Noted that addressing the provision of Special Educational Needs is a significant issue for White British Girls and indicated that it would wish to consider what needs to be done to address this;
- Acknowledged that the way libraries go about promoting and advertising about what they do, needs to be revised;
- Commented that it would wish to consider in more detail the issue of literacy and how poor levels of literacy impact on worklessness e.g. through regular reviews of academic performance;
- Noted that in LBTH there is extensive training and tailored support to help those in greatest need e.g. The careers Service have a team to help young people Not in Education, Employment or Training/Adult Literacy and Worklessness;
- Noted that schools provide help for parents who have issues with literacy;
- Indicated it wished in 2017 to consider this issue in more detail and to invite Councillor Saunders and Christine McInnes (Service Head Education & Partnership) to participate in future discussions on this issue.

12.4 Progress update on Cycling Safety challenge session

Councillor Dave Chesterton (LBTH Cycle Champion) and Margaret Cooper the Councils Head of Transport & Highways presented the report that provided a follow up from the scrutiny challenge session on improving cycling safety. That report and its recommendations had been agreed by the Overview and Scrutiny Committee in April 2015. An action plan had been developed to address the recommendations and the report and accompanying action plan had then been endorsed by Cabinet in November 2015. It was noted that this report reviews the progress against the original recommendations. The main point of the discussion maybe summarised as follows.

The Committee:

- Noted there are ongoing discussions with residents and ward members regarding the London Cycling Campaigns' proposal to keep the road to the south of Victoria Park open for longer and to explore ways to influence the parks statutory opening hours. This would require a detailed feasibility study into the costs and benefits of providing secure after dark cycle route within the southern perimeter of the park to allow for there to be an informed judgement **e.g.** if the proposal is feasible in terms of costs and risks;
- Noted that it presented a significant challenge for the Parks Management as there needs to be proper lighting and for a cycle path physically separated from the rest of Victoria Park and how this will be managed;
- Consideration needs to be given to issues of dangerous driving at particular road junctions;
- How the shared use of the Greenwich Foot Tunnel; the proposed Rotherhithe Pedestrian and Cycle Bridge and other newly established or proposed routes will be managed;
- Noted that a dialogue needs to be undertaken with Registered Social Landlords on the provision of facilities on those estates that they manage **e.g.** cycle storage;
- Noted that LBTH is working with the MPS on addressing driver behaviour **e.g.** speeding;
- Noted that a scheme is being worked up for introduction on the Isle of Dogs with the aim of providing an improved cycle facility along Manchester Road to help to calm traffic speed on that link in line with the 20 mph limit;
- Noted that LBTH have provided a Speed Gun for projects involving the MPS; local schools and communities; and
- Noted the need to raise awareness about the importance of protecting cyclists and pedestrians.

12.5 Progress report on Contract Management Scrutiny Review

Councillor Edgar (Cabinet Member for Resources) introduced the report that followed up from the scrutiny challenge session on contract specification and management in the council (using as a case study the contract with Veolia for environmental services). The report and recommendations was agreed by the Overview and Scrutiny Committee in March 2015. An action plan had been developed to address the recommendations. The report and accompanying action plan had then been endorsed by Cabinet in October 2015. It was noted that this report reviews the progress against the original recommendations. The discussion on the report may be summarised as follows.

The Committee

- Indicated that it wished to see consideration of social values built into every stage of the Contract Management process and what benefit the

local suppliers can provide when compared to the larger national and regional businesses; and

- Wanted to see that LBTH was getting value for money and that contractors were held to account in the delivery of their contracts and what was the ability of LBTH to amend a contract to the need should arise to get the services delivered in the way it was intended.

13. ANY OTHER UNRESTRICTED BUSINESS WHICH THE CHAIR CONSIDERS TO BE URGENT

Nil items

14. EXCLUSION OF THE PRESS AND PUBLIC

The agenda circulated contained no exempt/ confidential business and there was therefore no requirement to exclude the press and public to allow for its consideration.

15. EXEMPT/ CONFIDENTIAL MINUTES

Nil Items

16. EXEMPT/ CONFIDENTIAL REPORTS 'CALLED IN'

Nil Items

17. PRE-DECISION SCRUTINY OF EXEMPT/ CONFIDENTIAL) CABINET PAPERS

Nil Items


18. ANY OTHER EXEMPT/ CONFIDENTIAL BUSINESS THAT THE CHAIR CONSIDERS URGENT

Nil Items

The meeting ended at 9.10 p.m.

Chair, Councillor John Pierce
Overview & Scrutiny Committee

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Non-Executive Report of the: Overview and Scrutiny Committee 8 December 2016	 <p style="font-weight: bold; color: blue; margin-top: 5px;">TOWER HAMLETS</p>
Report of: Acting Corporate Director, Law, Probity and Governance	Classification: Unrestricted
Review of proportionality and allocation of places on Overview and Scrutiny Sub-Committees	

Originating Officer(s)	Matthew Mannion, Committee Services Manager, Democratic Services
Wards affected	All wards

Special Circumstances Justifying Urgent Consideration

This report is presented to agree changes to the proportional membership of the Overview and Scrutiny Sub-Committees following recent changes to the political groups on the Council. The report was not available at the time the agenda was published as the changes to political groups had not been notified at that time. The report cannot wait until the next meeting of the Overview and Scrutiny Committee because it is required that the proportionality be reviewed at the first available meeting following the changes.

Summary

A number of changes in the political composition of the Council have occurred recently following the Whitechapel Ward By-Election where Councillor Shafi Ahmed was elected. In addition, Councillors Shah Alam, Abdul Asad, Aminur Khan and Rabina Khan have given notice to the proper officer that for the purposes of the Local Government & Housing Act 1989 ('the 1989 Act') they no longer are members of the Independent Group.

Councillors Shafi Ahmed, Shah Alam, Abdul Asad, Rabina Khan, Aminur Khan have further informed the Proper Officer that they are forming a new Group on the Council called 'Tower Hamlets People's Alliance' with Councillor Rabina Khan as the Group Leader.

Consequent to these changes Council reviewed the allocation of places on its Committees, including the Overview and Scrutiny Committee at its meeting on Monday 5 December 2016. It is now for the Overview and Scrutiny Committee to do the same for its Sub-Committees as they are also covered by the 1989 Act. The proposed new Sub-Committee allocations are set out at paragraph 4.2 overleaf.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Consider the review of proportionality as at section 3 of this report overleaf.
2. Determine the allocation of seats on each Sub-Committee including agreeing the size of each Sub-Committee. This includes determining the final size of the Grants Scrutiny Sub-Committee in view of the recommendation in Paragraph 4.3 that it be expanded to 7 seats.
3. Agree that Members and deputies be appointed to serve on those Sub-Committees in accordance with nominations from the political groups to be notified to the Acting Corporate Director, Law, Probity and Governance.

1. REASONS FOR THE DECISIONS

- 1.1 Changes to the political composition of the Council following the Whitechapel By-Election and a number of changes to the membership of political groups.

2. ALTERNATIVE OPTIONS

- 2.1 No alternative options.

3. DETAILS OF REPORT

- 3.1 Section 15(1) of the 1989 Act requires the Council as soon as practicable after a change in the political composition to carry out a review to determine the allocation to the political groups of seats on the committees/panels of the Council.
- 3.2 The Scrutiny Sub-Committees are set up individually by the Overview and Scrutiny and are calculated on an individual basis in respect of the proportionality balance. It must be noted though that each Sub-Committee must provide a majority of seats to the majority group on the Council. The calculation does not take account of any Co-opted Members of the Sub-Committees.

- 3.3 Following the changes described in Paragraph 1.1 and 1.2 to this report, the political composition of the Council is now as follows:

GROUP	SEATS (on Council)	PROPORTION ON COUNCIL
Labour	23	54.77%
Independent Group	9	21.43%
Conservative	5	11.90%
Tower Hamlets People's Alliance	5	11.90%
Ungrouped	3	0*
	45	100%

* Ungrouped Councillors are not included in the proportionality calculation.

4. Allocation of Places on Sub-Committees

- 4.1 The following tables provides the proportionality calculations for different sized Committees. At present the Health Scrutiny Sub-Committee and the Housing Scrutiny Sub-Committee have 7 Members whilst the Grants Scrutiny Sub-Committee has 5.

Number of seats	Labour	Independent Group	Conservative	Tower Hamlets People's Alliance
9	4.93	1.93	1.07	1.07
8	4.38	1.71	0.95	0.95
7	3.83	1.5	0.83	0.83
6	3.29	1.29	0.71	0.71
5	2.74	1.07	0.60	0.60

- 4.2 Applying the calculations as closely as is reasonably practicable, the proposed allocation of places on the Sub-Committees is set out below. Two calculations are given for the Grants Sub-Committee. As can be seen, the calculations cause a problem for a 5 Member Sub-Committee as there are not enough spaces to allocate a seat to each group and the remaining groups have the same number of Members and therefore the same entitlement to a seat.

Committee/panel	Total	Labour	Independent Group	Conservative	Tower Hamlets People's Alliance
Health Scrutiny Sub-Committee	7	4	1	1	1
Housing Scrutiny Sub-Committee	7	4	1	1	1
Grants Scrutiny Sub-Committee (current)	5	3	1	One remaining allocation to be agreed between these groups.	
Grants Scrutiny Sub-Committee (option)	7	4	1	1	1

- 4.3 Given the above issue with the size of the Grants Scrutiny Sub-Committee it is proposed to increase its size to 7 Members (plus Co-optees) to allow a better balance and ensure that all Groups are able to contribute to effective scrutiny of Grants decision making.

5. COMMENTS OF THE CHIEF FINANCE OFFICER

- 5.1 There are no direct financial considerations arising from this report.

6. LEGAL COMMENTS

- 6.1. The Council must allocate seats on committees and other prescribed bodies so as to give effect to the political balance rules.
- 6.2. The rules for the allocation of seats are set out in sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government Committee and Political Group Regulations 1990. Pursuant to section 9FA(6)(b) of the Local Government Act 2000 an overview and scrutiny committee of a local authority, or a sub-committee of such a committee, is to be treated as a body to which section 15 of the Local Government and Housing Act 1989 applies.
- 6.3. Section 15(4) sets out four rules, and requires authorities to apply them in descending order of priority:

- Rule 1: Where some or all of the members of an authority have formed into two or more political groups, then no Committee may comprise just members from one political group.
 - Rule 2: Where a majority of members of Council are members of one political group, that political group must have a majority of the seats on each Committee.
 - Rule 3: Without being inconsistent with the first two rules, the number of seats allocated to each political group on all the Committees taken together be as near as possible proportionate to their strength on Council.
 - Rule 4: So far as is consistent with Rules 1 to 3, each political party must be allocated that number of seats on each Committee taken individually as is proportionate to their strength on the Council. However, as set out above, this is subject to the need to give the majority a majority on each Committee.
- 6.4. Any seats left unallocated go by default to any members who are not members of any political group. A political group must comprise at least two members.
- 6.5. With regard to the increase in size of the Grants Scrutiny Sub-Committee, as the intention was that this Sub-Committee be an all-party group reviewing grants then in order for it to remain an all-party group, the membership will need to increase to 7.

7. ONE TOWER HAMLETS CONSIDERATIONS

- 7.1. None specific to this report.

8. BEST VALUE (BV) IMPLICATIONS

- 8.1 None specific to this report.

9. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 9.1 None specific to this report.

10. RISK MANAGEMENT IMPLICATIONS

- 10.1 None specific to this report.

11. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 11.1 None specific to this report.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- None

**Local Government Act, 1972 Section 100D (As amended)
List of “Background Papers” used in the preparation of this report**

- None

Officer contact details for documents:

- N/A