

Non-Executive Report of the: Overview and Scrutiny Committee 20 th July, 2017	 TOWER HAMLETS
Report of: Matthew Mannion, Committee Services Manager	Classification: Unrestricted
Appointment of Scrutiny Lead Members	

Originating Officer(s)	David Knight, Senior Committee Services Officer
Wards affected	All Wards

Summary

This report requests the Overview and Scrutiny Committee (OSC):

- To **agree** the Scrutiny Lead Members based on the Council's Directorate structural arrangements; and
- To **note** the Terms of Reference for the Sub-Committees in the following areas:
 - Grants Scrutiny;
 - Housing Scrutiny; and
 - Health Scrutiny.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Determine whether it wishes to continue to operate Scrutiny Leads with specific portfolios and if so to appoint Members to the posts as set out in Section 3 of this report.
2. To:
 - A. **Note** the terms of reference for the Health Scrutiny Sub-Committee Appendix 1;
 - B. **Note** the terms of reference for the Housing Scrutiny Sub-Committee Appendix 2
 - C. **Note** the terms of reference for the Grants Scrutiny Sub-Committee Appendix 3; and
 - D. **Note** that the Scrutiny Leads once appointed will take the Chairs of the above mentioned Sub-Committees.

1. **BACK GROUND**

- 1.1 The Overview and Scrutiny Committee annually appoints Lead Scrutiny Members for different policy areas and establishes it's Sub-Committees for

the year. Certain Lead Members are also appointed as Chairs to various Sub-Committees.

- 1.2 This process took place at the Overview and Scrutiny Committee (OSC) meeting on Wednesday 21 June 2017).
- 1.3 However, since that meeting the Chair of Overview and Scrutiny, Councillor Denise Jones, has raised with the Monitoring Officer her concerns over the appointments to Lead Members. She has stated that, for a number of reasons, there was significant confusion during that item of business and that the decisions taken was therefore not sound. The Monitoring Officer has agreed to void those decisions and to instruct the Overview and Scrutiny Committee to reconsider those decisions at its 20th of July 2017 meeting. Although the decisions made at the last meeting to establish and appoint Members to the Sub-Committees are still valid.
- 1.4 The Committee therefore have before them a new report to allow for the opportunity to retake the decisions.

2. ALTERNATIVE OPTIONS

- 2.1 The Committee could determine different arrangements for carrying out the Scrutiny of the Council's executive decision making functions providing that all statutory requirements were met.

3. DETAILS OF REPORT

- 3.1 The OSC is asked to approve its arrangements for Lead Scrutiny Members and Sub-Committees.

Scrutiny Lead Members and Portfolios

- 3.2 The OSC has traditionally appointed Scrutiny Lead Members with portfolios aligned to the authority's directorates. In the 2016/17 Municipal Year at its meeting on 18 May 2016, Council approved Special Responsibility Allowances for 5 Scrutiny Lead positions. It is therefore suggested that this should continue for the 2017/18 Municipal Year, the OSC consider the appointment of Lead Scrutiny Members for those agreed portfolios as set out below:
 - I. Lead for Health, Adults & Community (Chair of Health Scrutiny);
 - II. Lead for Governance;
 - III. Lead for Children's Services;
 - IV. Lead for Place (Chair of Housing Scrutiny); and
 - V. Lead for Resources (Chair of Grants Scrutiny).

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 This report recommends the Overview and Scrutiny Committee appoint Lead Scrutiny Members to positions that carry Special Responsibility Allowances at a level agreed by the Council. This is within agreed budgets.

5. LEGAL COMMENTS

- 5.1 Most of the relevant statutory and constitutional provisions are set out in the body of the report. It is noted that independent members are co-opted to the Health Scrutiny Sub-Committee. Section 9FA (4) of the Local Government Act 2000 confirms that a sub-committee of an overview and scrutiny committee may include persons who are not members of the authority. This is consistent with section 102(3) of the Local Government Act 1972 which makes similar provision in relation to committees and sub-committees.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The establishment of proper scrutiny arrangements helps ensure effective decision making by the authority which supports the Council's One Tower Hamlets aspirations.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The establishment of proper scrutiny arrangements helps ensure best value is achieved from the Council's decision making.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 None specific to this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The appointment of Scrutiny Lead Members are necessary for the Overview and Scrutiny Committee to meet its statutory and constitutional obligations and in particular the functions conferred on the Council by the provisions referred to in the body of the report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 None specific to this report.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendix

- Terms of reference for the Health Scrutiny Sub-Committee **Appendix 1**;
- Terms of reference for the Housing Scrutiny Sub-Committee **Appendix 2**; and
- Terms of reference for the Grants Scrutiny Sub-Committee **Appendix 3**.

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

- None

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