


<p>Non-Executive Report of the:</p> <p>Overview and Scrutiny Committee</p> <p>15 October 2024</p>	 <p>TOWER HAMLETS</p>
<p>Report of: Linda Walker, Director Legal and Monitoring Officer</p>	<p>Classification: Unrestricted</p>
<p>Proportionality and allocation of Scrutiny Sub-Committees and Appointment of Lead Members 2024/25</p>	

Originating Officer(s)	Matthew Mannion, Head of Democratic Services Joel West, Democratic Services Team Leader (Committee)
Wards affected	All wards

Reasons for urgency: Due to council membership changes on 2 October 2024, this report was drafted on short notice leading to being cleared late for Overview and Scrutiny Committee. However, it is a requirement that this report is considered as soon as possible by the Committee and Members have been engaged with in respect of its contents.

Executive Summary

The Committee is asked to review the following, arising from a change to the political composition of the Council:

- Scrutiny Lead Member appointment.
- Scrutiny sub-committee political proportionality.
- Scrutiny sub-committee appointments.

Recommendations:

The Committee is recommended to:

1. Appoint a member of the Committee to the vacant Lead Scrutiny Member role for the remainder of the Municipal Year 2024/25, as set out in Appendix 1.
2. Consider the review of proportionality as at Section 3 of this report and the allocation of seats on Scrutiny Sub-Committees for the remainder of the Municipal Year 2024/25 as set out at paragraph 3.6.
3. Approve the membership of the three scrutiny sub committees for the remainder of the Municipal Year 2024/25 in accordance with the nominations set out in Appendix 2.

1. REASONS FOR THE DECISIONS

- 1.1. A change in the political composition of the Council has occurred (this was reported to the full Council on 2 October 2024). This requires the Overview and Scrutiny Committee to consider the proportionality of its own Sub-Committees. Details of the new calculations are set out below.
- 1.2. The change to the proportionality of the Overview and Scrutiny Committee will also result in a Scrutiny Lead Member position becoming vacant. The Committee is asked to review and appoint to the vacant position.

2. ALTERNATIVE OPTIONS

- 2.1 The requirement for scrutiny sub committees to reflect political balance is a statutory requirement.

3. DETAILS OF THE REPORT

Scrutiny lead member portfolios and nominations

- 3.1. At its meeting in May 2024, the Committee established six Scrutiny Lead roles and appointed members to them as follows:
 - Scrutiny Lead for Adults and Health Services (including Chairing the Health Scrutiny Sub-Committee). **Councillor Bellal Uddin**
 - Scrutiny Lead for Children & Education (including Chairing the Children & Education Scrutiny Sub-Committee). **Councillor Abdul Mannan**
 - Scrutiny Lead for Housing and Regeneration (including Chairing the Housing Scrutiny Sub-Committee). **Councillor Bodrul Choudhury**
 - Scrutiny Lead for Resources. **Councillor Ahmodur Rahman Khan**
 - Scrutiny Lead for Community Safety. **Councillor Suluk Ahmed**
 - Scrutiny Lead for Environment and the Climate Emergency. **Councillor Natalie Bienfait**
- 3.2. Following the review of proportionality of the Overview and Scrutiny Committee, agreed by Council on 2 October, a member who held a Scrutiny Lead position is no longer a member of OSC. This role is therefore vacant. The Committee is recommended to appoint an OSC member to the vacant Scrutiny Lead role should any nominations be received before the meeting they will be published as Appendix 1 to this report.

Political proportionality of Scrutiny Sub Committees

- 3.3. At its meeting in May 2024, the Committee established three scrutiny sub-committees and appointed members to serve on those scrutiny sub-committees in accordance with the political proportionality at the time and in accordance with the wishes of political groups. In May 2024, each sub-committee comprised of 4 seats allocated to the Aspire Group and 3 seats allocated to the Labour Group.

- 3.4. Following changes to the political composition, the Council meeting on Wednesday 2 October 2024 received a report setting out the new proportionality calculations and advising Members of expected changes to the calculations to the Scrutiny Sub-Committees. The Committee must now review the allocation of seats on sub-committees in line with those calculations.

GROUP	SEATS (on Council)	PROPORTION ON COUNCIL	ENTITLEMENT (to seats on Committees)
Aspire	21	46.67%	35.94 (36)
Labour	17	37.78%	29.09 (29)
Ungrouped	7	0*	12 (remainder)
	45		77

- 3.5. The new proportionality as applied to sub committees is as follows. Figures in brackets () show the change to seat allocations since May 2024. The Committee is required to confirm the new proportionality of its sub committees.

Committee	Total	Aspire	Labour	Ungrouped
Health Scrutiny Sub-Committee	7	3 (-1)	3	1 (+1)
Children & Education Scrutiny Sub-Committee	7	3 (-1)	3	1 (+1)
Housing and Regeneration Scrutiny Sub-Committee	7	3 (-1)	3	1 (+1)

Nominations to sub committees

- 3.6. The changes to Political proportionality of Scrutiny Sub Committees outlined above required changes to nominations to those bodies. In accordance with the Overview and Scrutiny Procedure Rules, members of scrutiny sub committees can be drawn from all members of the Council, except members of the executive (i.e. Mayor and Cabinet). The Committee is recommended to consider the nominees for Scrutiny sub committees provided in Appendix 2 and any submitted at the meeting.
- 3.7. Where there are more applications from ungrouped Members than there are places, the Committee will be required to determine which application should be accepted.

3.8. In accordance with the Overview and Scrutiny Procedure Rules, the sub committees will be chaired by the relevant Lead Scrutiny Member.

4. EQUALITIES IMPLICATIONS

4.1 The establishment of proper scrutiny arrangements helps ensure effective decision making by the authority which supports the Council's equalities aspirations.

5. OTHER STATUTORY IMPLICATIONS

5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:

- Best Value Implications,
- Consultations,
- Environmental (including air quality),
- Risk Management,
- Crime Reduction,
- Safeguarding.
- Data Protection / Privacy Impact Assessment.

5.2 No other statutory implications have been identified.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

6.1 There are no direct financial implications arising from this report.

7. COMMENTS OF LEGAL SERVICES

7.1 The principles of proportionality for allocation of places on committees are set out in Section 15 of the Local Government and Housing Act 1989. These principles require that 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. Further detailed rules for the allocation of seats on committees are set out in the Local Government (Committees and Political Groups) Regulations 1990.

7.2 In relation to the Overview and Scrutiny Committee, in addition to the usual proportionality rules, the statutory guidance for overview and scrutiny committees published in May 2019 require consideration of the members' skills, experience and ability to act impartially.

7.3 The Council's Constitution requires full council to make appointments to committees, save where this power has been delegated.

- 7.4 The proposals set out in this report comply with the above legislation and guidance, and with the Council's Constitution.
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Linked Reports, Appendices and Background Documents

Linked Report

- None.

Appendices

- Appendix 1 – Nominations for scrutiny lead roles (to follow)
- Appendix 2 – Nominations to sub committees (to follow)

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None.

Officer contact details for documents:

Thomas French, Democratic Services Officer (Committee)