

Committee: Overview and Scrutiny	Date: 04 September 2012	Classification Unrestricted	Report No:	Agenda Item No:
Report of: Service Head Democratic Services Originating Officer(s): Angus Taylor, Principal Committee Officer, Democratic Services		Title Overview & Scrutiny Committee Membership, Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, Health Scrutiny Panel Membership & Appointments Update. Ward(s) affected: All		

1. Summary

- 1.1 This report provides the Overview and Scrutiny Committee (OSC) with details of its revised membership, following a review of proportionality and revised allocation of places on committees, carried out by the Full Council at its meeting held on 11 July 2012. The OSC is requested to note its revised membership.
- 1.2 It requests the OSC to again consider the appointment of a Scrutiny Lead Member for Communities Localities & Culture, in accordance with the Council's Constitution (as amended), necessary as a result of the revised membership arising from the review of proportionality and revised allocation of places referred to above.
- 1.3 The report provides the OSC with an update on the current position in relation to the co-option of representatives in respect of education matters.
- 1.4 It provides the Overview and Scrutiny Committee (OSC) with a summary of the appointments and co-options made by it to the membership of the HSP in June 2012. It also details the proposed revisions to the membership of the HSP, following a review of proportionality and revised allocation of places on committees, carried out by the Full Council at its meeting held on 11 July 2012. The OSC is requested to note and endorse these revisions and subsequently note its final current membership.

2. Recommendations

That the Overview & Scrutiny Committee:

- 2.1 Note its revised Membership, as set out in Appendix 1 to this report;

- 2.2 Consider appointment, from amongst its membership, of a Lead Scrutiny Member for the Communities, Localities & Culture portfolio for the remainder of the Municipal Year 2012/13;
- 2.3 Note the current position in relation to the co-option of representatives in respect of education matters, as set out at paragraphs 4.1 to 4.3 and Appendix 1 of this report;
- 2.4 Note and endorse the requested revision to Labour Group representation on the HSP for the remainder of the Municipal Year 2012/13. Also to subsequently note the final current membership of the HSP as set out in Appendix 4 to the report.

3. OSC - Membership Update

- 3.1 At the Annual General Meeting of the full Council held on 16 May 2012, the Authority approved the proportionality, establishment of the Committees and Panels of the Council and appointment of Members thereto. Following the Council AGM, in accordance with protocol, the OSC noted terms of reference, Membership and Quorum.
- 3.2 Subsequently, the full Council, at its meeting held on 11 July 2012, carried out a review of proportionality following a change in the political composition of the Council, and agreed a revised allocation of places on committees. This involved a reduction in the number of Labour Group members on some committees and a corresponding increase in the number of places available to 'ungrouped' members. As a result of this review, the Labour Group's representation on the OSC has reduced from 6 to 5 Members. There is a corresponding increase (from 1 to 2) in the number of places on the Committee available for 'ungrouped' Members. The Conservative and Respect Groups' representation is unchanged at 1 Member each.
- 3.3 Subsequently the Labour Group confirmed their revised appointments to committees in accordance with the new allocations with the Service Head Democratic Services including that Councillor Judith Gardiner would be the Member to stand down from OSC. The Labour Group's continuing representatives on the OSC would be Councillors Ann Jackson, Rachael Saunders, Sirajul Islam, Amy Whitelock and Helal Uddin.
- 3.4 The Service Head Democratic Services has confirmed that expressions of interest have been invited from the 'ungrouped' Councillors to fill the vacant position on the OSC, and that as and when any such expressions are received, the Assistant Chief Executive Legal Services had delegated authority to agree the appointment after consultation with the Speaker of the Council. To date there have been no expressions of interest and there remains 1 vacant position on the OSC available for 'ungrouped' Members.

- 3.5 The OSC, at its meeting held on 19 June 2012, agreed the election of Councillor Rachael Saunders as Vice- Chair of the OSC for the Municipal Year 2012/13.
- 3.6 The OSC is invited to note its revised Membership, as set out in Appendix 1 to the report.

4. Scrutiny Lead Portfolios Update

3.1 The OSC, at its meeting held on 19 June 2012, considered and agreed Scrutiny Lead Portfolios based on the Council’s Directorates Plan and following appointments to those portfolios for the Municipal Year 2012/13:

- Adults, Health & Wellbeing – Councillor Rachael Saunders;
- Chief Executive’s – Councillor Tim Archer;
- Development & Renewal – Councillor Sirajul Islam;
- Children, Schools & Families – Councillor Amy Whitelock;
- Resources – Councillor Helal Uddin;
- Communities, Localities & Culture – Councillor Judith Gardiner.

3.2 As a result of the review of proportionality/ revised allocation of places on committees and Labour Group confirmation of its revised appointments to committees in accordance with this, referred to in paragraphs 3.2 – 3.4 above, Councillor Judith Gardiner has stood down from the OSC. Consequently her appointment by the OSC as Scrutiny Lead Member for Communities, Localities & Culture, has expired and the position is now vacant.

3.3 It is therefore necessary for OSC, either at today’s meeting or a subsequent meeting, to again consider appointment of a Lead Scrutiny Member for the Communities, Localities & Culture portfolio from amongst its membership.

4. Co-option of Education and other Representatives to Overview and Scrutiny Committee

4.1 The OSC, at its meeting held on 19 June 2012, considered a report “Appointment of Scrutiny Lead Members, Co-options to Overview and Scrutiny Committee, Health Scrutiny Panel Terms of Reference and Appointments” (agenda item 8.2) which advised it of the statutory and constitutional provisions and requirements relating to the co-option of representatives in respect of education matters (set out at Appendix 2 for ease of reference). Accordingly the OSC agreed the co-option of nominated representatives as set out in the table below:

Church of England Diocese representative	Reverend Michael Ainsworth
Roman Catholic Diocese of	A nomination is awaited

Westminster representative	
Parent Governor representative	Memory Kampiyawo
Parent Governor representative	A nomination is awaited
Parent Governor representative	A nomination is awaited
Muslim Community Representative	Mr Mushfique Uddin

4.2 The OSC, at its meeting held on 24 July 2012, was informed that the vacancies for co-opted Parent Governor and faith representatives remained unchanged.

4.3 The lead Officer in the Policy and Performance Section advises that a ballot of Parent Governors is currently underway, with a view to securing nominations for the 2 vacant places available for Parent Governor representatives, and this has delayed the appointments. However, it is hoped that the nominations will be available in time for the October OSC to agree the co-options. The lead Officer also advises that efforts continue to secure a nomination for the vacant Roman Catholic faith representative.

4.4 The OSC is invited to note the current position in relation to the co-option of representatives in respect of education matters, as set out in paragraphs 4.1 to 4.3 above and Appendix 1 to the report.

5. Health Scrutiny Panel – Establishment and Appointment of Members

5.1. A report considered by the OSC on 19 June 2012, as set out above at para 4.1, advised it of the statutory and constitutional provisions and requirements relating to the establishment of the Health Scrutiny Panel (HSP) and its associated Terms of Reference and Quorum (set out at Appendix 3 for ease of reference).

5.2 The report also informed the OSC that:

- At the Annual General Meeting of the full Council, held on 16 May 2012, the HSP had been established for the Municipal Year 2012/13 with a membership numbering 7, and an allocation of places in accordance with overall proportionality requirements as follows: 5 Majority Group Members (Labour), 1 Minority Group Member (Conservative) and 1 Minority Group Member (Independent).
- The exact membership of the Health Scrutiny Panel remained a matter for the determination of the OSC (provided it was congruent with proportionality requirements and other specific constitutional provisions, including the requirement that the Scrutiny Lead Member for Adults Health and Wellbeing must be appointed as a member and Chair of the HSP).

- 5.3 Accordingly the OSC (19 June 2012) noted the establishment of the HSP, its total membership and the allocation of places between the political groups; and also agreed the following appointments to the HSP for the Municipal Year 2012/13:
- Councillor Rachael Saunders [Chair] (Labour)
 - Councillor Denise Jones (Labour)
 - Councillor Lesley Pavitt (Labour)
 - Councillor Md. Abdul Mukit, MBE (Labour)
 - Councillor Abdal Ullah (Labour)
 - Councillor Dr Emma Jones (Conservative)
 - Councillor Gulam Robbani (Ungrouped)
- 5.4 The OSC (19 June 2012) also agreed the co-option of David Burbridge and Amjad Rahi from the Tower Hamlets Local Involvement Network to the membership of the HSP for the Municipal Year 2012/13, in accordance with constitutional provisions.
- 5.5 Subsequently, the full Council, at its meeting held on 11 July 2012, carried out a review of proportionality following a change in the political composition of the Council, and agreed a revised allocation of places on committees/ panels etc to which these rules apply. This involved a reduction in the number of Labour Group members on some committees/ panels etc and a corresponding increase in the number of places available to 'ungrouped' members. As a result of this review, the Labour Group's representation on the HSP has reduced from 5 to 4 Members. There is a corresponding increase (from 1 to 2) in the number of places on the HSP available for 'ungrouped' Members. The Conservative Group's representation is unchanged at 1 Member.
- 5.6 Subsequently the Labour Group confirmed their revised nominations for appointment to committees in accordance with the new allocations with the Service Head Democratic Services including that Councillor Abdal Ullah would be the Member to stand down from HSP. The Labour Group's nominations for continuing representatives on the HSP would be Councillors Rachael Saunders, Denise Jones, Lesley Pavitt and Md Abdul Mukit MBE; and nominations for continuing deputies would be Councillors Zenith Rahman, Abdal Ullah (Councillor Amy Whitelock standing down) and Motin Uz-Zaman. Accordingly the OSC is requested to note and endorse the requested revision to Labour Group representation on the HSP for the remainder of the Municipal Year 2012/13.
- 5.7 The previous nominations of Conservative and Ungrouped Councillors (and their deputies) on the HSP for the Municipal Year 2012/13 remain unchanged and therefore their subsequent OSC (19 June 2012) appointment remains current.
- 5.8 The Service Head Democratic Services has confirmed that expressions of interest have been invited from the 'ungrouped' Councillors to fill the vacant position on the HSP, and that as and when any such expressions are received, the Assistant Chief Executive Legal Services had delegated

authority to agree the appointment after consultation with the Speaker of the Council. To date there have been no expressions of interest and there remains 1 vacant position on the HSP available for 'ungrouped' Members.

5.9 The OSC (19 June 2012) co-option of representatives to the membership of the HSP for the Municipal Year 2012/13 also remains unchanged.

5.10 The HSP, at its meeting held on 26 June 2012, agreed the election of Councillor Denise Jones as Vice- Chair of the OSC for the Municipal Year 2012/13.

5.11 The OSC is invited to note and endorse the requested revision to Labour Group representation on the HSP for the remainder of the Municipal Year 2012/13. Also to subsequently note the final current membership of the HSP as set out in Appendix 4 to the report.

9. Comments of the Chief Financial Officer

9.1 There are no specific financial implications arising from the reports recommendations but in the event that the Council agrees further action in response to this report's recommendations then officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

10. Concurrent report of the Assistant Chief Executive (Legal)

10.1 Section 21 of the Local Government Act 2000 requires authorities to set up an Overview and Scrutiny Committee. The report properly informs the Committee of revisions to its Membership following a review of proportionality and revised allocation of places on committees, carried out by the Full Council at its meeting held on 11 July 2012.

11. One Tower Hamlets Considerations

11.1 Equal opportunities and reducing poverty will be central to the work of the OSC. The report ensures the Committee is properly informed of changes to its composition.

11.2 The establishment of the Health Scrutiny Panel may contribute to the reduction of any health inequalities that exist in the borough.

12. Sustainable Action for a Greener Environment

12.1 There are no specific SAGE implications arising from the recommendations in the report.

13. Risk Management Implications

13.1 The appointment of Scrutiny Lead Members, Co option of representatives in respect of education matters and establishment of the Health Scrutiny Panel

is necessary for the Overview and Scrutiny Committee to meet its statutory and constitutional obligations and in particular the functions conferred on the Council by section 102(3) of the Local Government Act 1972 and also section 21 of the Local Government Act 2000 and the Health and Social Care Act 2001.

14. Crime and Disorder Reduction Implications

- 14.1 There are no specific Crime and Disorder Reduction implications arising from the recommendations in the report.

15. Appendices

Appendix 1 Revised Overview and Scrutiny Committee Membership 2012/13

Appendix 2 Statutory and constitutional provisions and requirements relating to the co-option of representatives in respect of education matters

Appendix 3 Statutory and constitutional provisions and requirements relating to the establishment of the Health Scrutiny Panel (HSP) and its associated Terms of Reference and Quorum.

Appendix 4 Revised HSP Membership 2012/13 if endorsed by OSC

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED) LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of "background paper"

If not supplied
Name and telephone
number of holder

n/a