

LONDON BOROUGH OF TOWER HAMLETS

COUNCIL MEETING

WEDNESDAY 30th JULY 2014

**OVERVIEW AND SCRUTINY COMMITTEE:
APPOINTMENT OF CO-OPTED MEMBER**

REPORT OF THE SERVICE HEAD, DEMOCRATIC SERVICES

1. SUMMARY

- 1.1 The Council has appointed an Overview and Scrutiny Committee (OSC) to perform the functions set out in Part Two, Article Six of the Constitution (OSC Terms of Reference). The Committee is empowered to include non voting co-opted members from the community. The Council has opted that a member of the Muslim Community form part of the Committee in this capacity. The Council's Constitution states that such appointments must be approved by Council.
- 1.2 Co-optee appointments to OSC must be periodically renewed, although there is no condition that restricts the number of times a co-opted member may be reappointed. The Council has canvassed and received a nomination from the East London Mosque to fill the position of Non-voting Co-opted Member (representing the Muslim community).

2. RECOMMENDATION

- 2.1 That the Council approve the appointment of Mr Shaynul Khan as Non-voting Co-opted Member of Overview and Scrutiny Committee representing the Muslim Community in the borough for the remainder of the administration (May 2018).

3. BACKGROUND

- 3.1 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants and may make reports and recommendations to the Full

Council or the Executive in connection with the discharge of any functions. The Overview and Scrutiny Procedure Rules which are set out in the Council's Constitution provide detail as to how the Committee carries out its work.

- 3.2 Section 9FA of the Local Government Act 2000 specifies that an overview and scrutiny committee of a local authority (or any sub-committee of such a committee) may include persons who are not members of the authority. Pursuant to Schedule A1 to the Local Government Act 2000 the Council must have specified categories of co-opted members on its overview and scrutiny committee who will be entitled to vote on education matters. Otherwise, it is for the Council to determine what co-opted members the Committee will have and what voting rights will be given to co-opted members of the Committee.
- 3.3 Rule 4 of the Overview and Scrutiny Procedure Rules provides that the Committee must include specified co-opted members, in accordance with the legislative requirement. As permitted within the discretion given by the Local Government Act 2000, the Council has determined that the Committee may also include a Muslim representative in a non-voting capacity.
- 3.4 During the last administration Mr Mushfique Uddin was the appointed Muslim community representative and his term of office concluded at the time local government elections 2014. He has not expressed an interest in continuing in this role and latterly has not attended Overview and Scrutiny meetings. Therefore an alternative nomination has been sought for this role for the remainder of the newly inaugurated administration.

4. NOMINATION

- 4.1 To canvass for applications, East London Mosque has been contacted and Mr Shaynul Khan submitted as nominee.
- 4.2 A summary of his qualifications and work since graduation was submitted in support of his nomination. This advised that:
 - Mr Khan has been focussed on supporting charities and organisations delivering services to the grass root communities
 - At the East London Mosque, Mr Khan is primarily responsible for the organisations strategic development, fundraising and its 35 projects and services
 - He also is the Chair of the Tower Hamlets Council for Voluntary Service.
- 4.3 Council is asked to consider the appointment of this nominee as a non-voting Co-opted Member of Overview and Scrutiny Committee for the remainder of the administration

5. LEGAL COMMENTS

5.1 The legal position regarding co-opted members of the Overview and Scrutiny Committee is set out in the body of the report.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

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

LOCAL GOVERNMENT ACT, 1972 SECTION 100D (AS AMENDED)

LIST OF "BACKGROUND PAPERS" USED IN THE PREPARATION OF THIS REPORT

Brief description of background papers:

Name and telephone number of holder and address where open to inspection

• None

• Not applicable