

COMMITTEE: Overview and Scrutiny Committee	DATE: 04 November 2014	CLASSIFICATION: Unrestricted	REPORT NO:
Report of: Service Head, Democratic Services Originating officer(s) Matthew Mannion, Committee Services Manager		Title: Reference from Council – Judicial Review on the Best Value Inspection Wards Affected: All Wards	

1. **SUMMARY**

- 1.1 At its meeting on 10 September 2014, Council considered an urgent motion on the Council's decision to judicially review the Best Value Inspection.
- 1.2 After debating the matter, Council resolved to request that the Overview and Scrutiny Committee review the process whereby the decision to seek a Judicial Review was implemented and to present a report back to Council for consideration.
- 1.3 Council also recommended that the Overview and Scrutiny Committee, in conjunction with the Head of Paid Service, engage a completely independent legal advisor to provide assistance to the Committee during the consideration of this matter.

2. **RECOMMENDATIONS**

The Overview and Scrutiny Committee is recommended to:-

- 2.1 Note the referral request and consider a response.

3. **BACKGROUND**

- 3.1 The Overview and Scrutiny Procedure Rules as set out in Part 4 of the Constitution entitles the Committee to consider work requests submitted by Council. Should the Overview and Scrutiny Committee decide to accept the request then it can submit a report containing their recommendations back to Council for them to consider at their next meeting. The relevant paragraph of the Overview and Scrutiny Procedure Rules is set out below for information.

Para - 9.2 The Overview and Scrutiny Committee shall also respond, as soon as its work programme permits, to requests from the Council and if it considers it appropriate the Mayor or Executive to review particular areas of Council activity. Where they do so, the Overview and Scrutiny Committee shall report their findings and any recommendations back to the Mayor/Executive and/or Council. The Executive shall consider the matter at one of its next two meetings following receipt of the report. If the matter is relevant to the Council only then they will consider the report at their next meeting.

4. BODY OF REPORT

4.1 The referral from Council is attached to this reference report as Appendix 1.

4.2 The Overview and Scrutiny Committee are therefore requested to review the reports and to prepare a report back to Council containing their considered views and recommendations on the issues concerned.

5. COMMENTS OF THE CHIEF FINANCIAL OFFICER

5.1 When responding to full Council, Overview and Scrutiny need to consider that a budget for any independent legal advice will need to be clearly identified in advance of that service being procured.

6. LEGAL COMMENTS

6.1 All relevant legal matters are incorporated in the body of report.

7. ONE TOWER HAMLETS CONSIDERATIONS

7.1 None directly related to this report.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 None directly related to this report.

9. RISK MANAGEMENT IMPLICATIONS

9.1 None directly related to this report.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 None directly related to this report.

11. EFFICIENCY STATEMENT

11.1 None directly related to this report.

12. APPENDICES

- 12.1 Appendix 1 – Text of the Urgent Motion presented to Council on 10 September 2014.

**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	Matthew Mannion X4651
