

Overview & Scrutiny Committee

Wednesday 23 May 2012

8.00 pm (or at the rise of the Annual Meeting of Council Assembly,
whichever is the later)

160 Tooley Street, London SE1 2QH

Membership

All members of council.

(The Annual Meeting of Council Assembly on Wednesday 23 May 2012 will agree the size, composition and terms of reference of the committee and appoint the chair and vice-chair. The political groups will formally nominate to places on the committee.)

Education representatives

Reverend Nicholas Elder
Colin Elliott, Parent Governor
Leticia Ojeda, Parent Governor

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

You have the right to request to inspect copies of minutes and reports on this agenda as well as the background documents used in the preparation of these reports.

Babysitting/Carers allowances

If you are a resident of the borough and have paid someone to look after your children, an elderly dependant or a dependant with disabilities so that you could attend this meeting, you may claim an allowance from the council. Please collect a claim form at the meeting.

Access

The council is committed to making its meetings accessible. Further details on building access, translation, provision of signers etc for this meeting are on the council's web site: www.southwark.gov.uk or please contact the person below.

Contact

Peter Roberts on 020 7525 4350 or email: peter.roberts@southwark.gov.uk

Members of the committee are summoned to attend this meeting

Eleanor Kelly
Acting Chief Executive
Date: 15 May 2012



Overview & Scrutiny Committee

Wednesday 23 May 2012

8.00 pm (or at the rise of Annual Meeting of Council Assembly, whichever is the later)
160 Tooley Street, London SE1 2QH

Order of Business

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PART A - OPEN BUSINESS

1. APOLOGIES

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

In special circumstances, an item of business may be added to an agenda within five clear working days of the meeting.

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

4. SCRUTINY ARRANGEMENTS 2012/13

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DISCUSSION OF ANY OTHER OPEN ITEMS AS NOTIFIED AT THE START OF THE MEETING.

PART B - CLOSED BUSINESS

DISCUSSION OF ANY CLOSED ITEMS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.

Date: 15 May 2012

Item No.	Classification: Open	Date: 23 May 2012	Meeting Name: Overview & Scrutiny Committee
Report title:		Scrutiny arrangements for 2012/13	
Ward(s) or groups affected:		All	
From:		Strategic Director of Communities, Law & Governance	

RECOMMENDATIONS

Terms of reference

1. To note size, composition and terms of reference of Overview & Scrutiny Committee, as agreed by the Annual Meeting of Council Assembly on 23 May 2012.

Establishment of scrutiny sub-committees

2. In accordance with Procedure Rules, to appoint scrutiny sub-committees.

The committee should agree the size, composition and terms of reference of the sub-committees, including establishing a sub-committee with responsibility for crime and disorder.

Political groups are entitled to reserve members on each scrutiny sub-committee; one fewer reserve than the number of seats they have on the sub-committee (subject to a minimum of one).

Size and composition of sub-committees in 2011-12 were:

Scrutiny Sub-Committee	Lab	Lib Dem	Total	Chair/ Vice chair
Education & Children's Services	4	3	7	Lib Dem / Lab
Environment, Transport, Communities & Citizenship	4	3	7	Lab / Lib Dem
Health & Adult Social Care	4	3	7	Lab / Lib Dem
Housing & Community Safety	4	3	7	Lab / Lib Dem
Regeneration & Leisure	4	3	7	Lib Dem / Lab

Co-opted members were:

Education & Children's Services – Church of England and Roman Catholic Diocese representatives, two parent governor representatives, one head teacher representative

Housing & Community Safety – one representative each from Homeowners' Council and Tenants' Council

Appointment of Chairs and Vice-Chairs

3. To appoint Chairs and Vice-Chairs of the scrutiny sub-committees.

KEY ISSUES FOR CONSIDERATION

Proportionality

General Advice

4. Seats on committees and sub-committees must be allocated in accordance with the four principles of proportionality contained in sections 15, 16 and 17 of the Local Government and Housing Act 1989. When making appointments, committees (in appointing sub-committees) have a duty to give effect to the following principles, as far as is reasonably practicable:
 - (i) That not all the seats on a committee or sub-committee are allocated to the same political group;
 - (ii) That the majority group must have the majority of seats on each committee or sub-committee;
 - (iii) Subject to (i) and (ii) above, it must be ensured that the proportion of each political group's seats of the total number of seats on "ordinary committees" reflects as closely as possible their proportion of seats on full council; and
 - (iv) Subject to (i) to (iii) above, the proportion of each political group's seats on each committee and sub-committee reflects as closely as possible their proportion of seats on full council.

Note: This rule applies to all committees, sub-committees and joint committees, except for licensing committee, standards committee and community councils.

Scrutiny sub-committees

5. Sub-committees are not "ordinary" committees and are each considered individually for the purposes of proportionality. So far as it is reasonably practicable to do so, the allocation of seats on each sub-committee should bear the same proportion to the number of the seats held by that group on the council.
6. The most proportionate allocation will depend on the number of members of the sub-committee. The table below shows the most proportionate arrangement for individual sub-committees:

Committee size	Labour	Lib Dem	Cons
11	6	4	1
9	5	4	0
7	4	3	0
5	3	2	0
3	2	1	0

7. Members can agree an allocation that is disproportionate, provided no Member votes against this. In previous years, the committee has varied the size and numbers on each sub-committee to provide for greater cross-party representation.
8. The constitution specifies that the appointment and composition of scrutiny sub-committees be considered by the first meeting of overview and scrutiny committee.

Appointments to seats

9. Section 16(1) of the Local Government and Housing Act 1989 provides that it is the duty of the authority or committee to exercise their power to make appointments to a body as to give effect “to such wishes about who is to be appointed to the seats on that body which are allocated to a particular political group as are expressed by that group”.
10. There is no requirement that a seat allocated to a particular group can only be filled by a member of that group. Therefore groups have the discretion to allocate seats as they wish, including to a member of another group.

Background papers	Held at	Contact
Agenda – Annual Meeting of Council Assembly, 23 May 2012	160 Tooley Street London SE1 5LX	Ian Millichap Constitutional Manager Tel: 020 7525 7225

Audit Trail

Lead Officer	Shelley Burke, Head of Overview & Scrutiny	
Contributors	Peter Roberts, Scrutiny Project Manager	
Version	Final	
Dated	May 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER		
Officer Title	Comments Sought	Comments Included
Strategic Director of Communities, Law & Governance	Yes	Included in the report
Cabinet Member	N/A	

OVERVIEW & SCRUTINY COMMITTEE**MUNICIPAL YEAR 2012-13****AGENDA DISTRIBUTION LIST (OPEN)****NOTE:** Original held by Scrutiny Team; all amendments/queries to Peter Roberts Tel: 020 7525 4350

Name	No of copies	Name	No of copies
OSC Members		Council Officers	
All members of council	63	Eleanor Kelly, Acting Chief Executive	1
		Shelley Burke, Head of Overview & Scrutiny	1
Education Representatives on OSC		Doreen Forrester-Brown, Legal Services	1
Revd Nicholas Elder	1	Ian Millichap, Constitutional Team Manager	1
Colin Elliott	1	John Bibby, Principal Cabinet Assistant	1
Leticia Ojeda	1	Alex Doel, Labour Political Assistant	1
		Paul Green, Liberal Democrat Office	1
		Scrutiny Team SPARES	10
		External	
		Local History Library	1
		Charles Cherrill, Southwark Pensioners Forum	1
		Mr C George, Southwark Advocacy Alliance	1
		Chris Sanford, Community Action for Southwark (8 th Floor, Hannibal House)	1
		Total:	87
		Dated: 15 May 2012	