ISLINGTON

Chief Executive's Department
Town Hall, Upper Street, London N1 2UD

Report of: Assistant Chief Executive (Governance and HR)

Meeting of	Date	Agenda Item	Ward(s)
Council	May 2012	8	All

Delete as appropriate	~~Exempt~~	Non-exempt

SUBJECT: Political Balance and Appointments and re-establishing the North Central London Joint Health Overview and Scrutiny Committee

1. Synopsis

1.1 This report deals with rules to be applied on the allocation to political groups of seats on committees established by the Council and with appointments to committees and other political appointments for the municipal year.

2. Recommendations

2.1 To

(i) Agree the size of each committee as set out in Table 1 of this report.

(ii) Agree to re-establish the North Central London Joint Health Overview and Scrutiny Committee with the terms of reference set out in Appendix 1, subject to a review in a years' time.

(iii) Note that the political balance rules do not apply to the Licensing Committee or the Health and Wellbeing Board.

(iv) Agree the allocation of seats on other committees in accordance with the political balance rules as set out in Table 1 of this report

(iii) Appoint:

(a) the chair and vice-chair of the Planning, Audit, Audit Advisory, Licensing, Licensing Regulatory, Policy and Performance Scrutiny, Review and Committees, the Housing Executive; and Standards

(b) members and substitutes to all committees, advisory committees and joint committees in accordance with the 'Appointment of Councillors to Political Positions' report, item 9 on the Agenda for Annual Council 16 May 2013.

(iv) Note the information concerning other political appointments circulated by the party whips.

(iv) Note that the political balance on sub-committees will be reviewed at the first meetings of the committees which appoint sub-committees in accordance with the Constitution.

3. Background

3.1 The Council is required to review and determine the representation of the political groups on committees and allocate committee places to political groups accordingly at, or as soon as practicable after its Annual meeting.

3.2 The allocation is determined by applying the "political balance rules" under the Local Government and Housing Act 1989. These are designed to ensure that the political composition of the Council's decision making and deliberative committees as far as possible replicates the political composition of the full Council. Committees are subsequently required to carry out a similar process in relation to any sub-committees they may have.

3.3 The rules are that seats must be allocated so far as reasonably practicable in accordance with 4 overriding principles:

(a) that not all the seats on the body are allocated to the same political group;

(b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership (this rule does not apply to the Council as no party currently has an overall majority of seats);

(c) subject to paragraph (a) above (and to (b) above if it had been applicable), that the each political group is allocated the same proportion of the total seats across all the ordinary committees of the Council as the proportion of the members of the authority that belong to that group; and

(d) subject to paragraph (a) and (c) above, that each political group is allocated the same proportion of the seats on each relevant body as the proportion of the members of the authority that belong to that group.

Principles (b) and (d) refer to a "body" which under the rules means ordinary council committees and sub-committees, overview and scrutiny committees and sub-committees and advisory committees and sub-committees. Principle (c) refers to "committees" which under the rules means only the ordinary committees. Under the council's Constitution this will be Audit, Planning, Standards and Licensing Regulatory.

The effect of the rules is that the political balance on each body will be the same as far as possible as that on full council, subject to ensuring that there is always more than one party represented, the majority party (if there is one) has the majority of seats and that the allocation of seats across the "ordinary committees" taken together is the same as on full council.

In the case of the Children and Young People's Education Scrutiny committee, section 15(6) of the Act requires the 4 voting co-opted members to be taken into account in determining whether the majority party has a majority of the seats.

3.11 The current membership of the authority is 48 consisting of 36 Labour Group members, 11 Liberal Democrat group members and one independent member.

3.12 The table below sets out the political balance position as it applies to the committees set out in the Constitution and assuming the committees remain the same size as in the last municipal year.

Table 1.

Committee	**Size**	**Labour** 75%	**Liberal Democrats** 23%
Policy and Performance Scrutiny	12	9	3
Children and Young People's Education Scrutiny	12 (plus 4 voting co-opted members)	9	3
Health Scrutiny Review Committee	8	6	2
Regeneration Review Committee	8	6	2
Communities Review Committee	8	6	2
Audit Advisory	4 Audit Committee members plus 2 Independent members	3	1

Housing Executive	5 councillors (plus 7 non-councillors)	4	1
Audit	4	3	1
Licensing Regulatory	4	3	1
Standards	4	3	1
Planning	10	8	2
TOTAL	22	17	5
In accordance with principle (c) above the balance across these three committees is taken together:			

3.13 In addition, the Council has 2 Committees to which appointment are not required by law to be subject to the political balance rules described above but to which appointments fall to be made at this meeting. These are the Licensing Committee (15 members) and the Health and Wellbeing Board (3 councillor members nominated by the Leader).

3.14 The political balance rules do not apply to the London Councils Joint Committees to which the Council is required to make appointments (the Leader's Committee and the Joint Transport and Environment Committee) because only one appointment is made to each.

3.15 It will be for committees to review the political balance of sub-committees. The review and a determination of the allocation of seats on sub-committees must be carried out as soon as practicable after any occasion on which the members of the committee are changed in consequence of a determination under the 1989 Act and may be carried out on other occasions. It is proposed that such a review take place at the first meeting of the Audit Committee, which is the only committee to have sub-committees to which the political balance rules apply.

3.16 <u>Re-establishing the Joint Health Overview and Scrutiny Committee</u>

Sections 190 and 191 of the Health and Social Care Act 2012 and the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 have made changes to the system of review and scrutiny of the health service, including how joint arrangements with other boroughs are established

3.17 Islington is currently a member of the Joint Health Overview and Scrutiny Committee (JHOSC) for North Central London. The other boroughs that are members are Barnet, Camden, Enfield and Haringey. The JHOSC has considered its future operation in the light of recent changes in the arrangements for health and its

relationship with local authorities. The JHOSC has decided that although it is not clear how the new arrangements will develop and at what level and with whom overview and scrutiny can engage with most effectively within the new structures, there is likely to be an on-going role for it as it has complemented local health scrutiny well and been very effective in its role. The JHOSC at its meeting on 17 January agreed to recommend to constituent boroughs that it be re-established under the new regulations and continue to meet, albeit on a less regular basis and subject to review after a year.

3.18 It is therefore recommended that the council participate in a re-established NCL JHOSC with the amended terms of reference set out in Appendix 1. The council will have two seats on the joint committee.

4. Implications

4.1 Financial Implications

There are no financial implications arising directly from this report.

4.2 Legal Implications

The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013 (the Regulations) which came into effect on 1 April 2013 apply to defined health scrutiny functions (relevant functions) set out in Regulations 21-23, 26 and 27 and the JHOSC revised terms of reference must fall within the scope of the those functions.

The JHOSC will be re-established under Regulation 30(1), which enables two or more local authorities to appoint a joint overview & scrutiny committee and arrange for health scrutiny functions to be exercisable by the joint committee, subject to such terms and conditions as the authorities consider appropriate. Under Regulation 30(6) the re-established JHOSC may not discharge any functions other than health scrutiny (relevant functions) in accordance with Regulation 30.

Other legal implications are contained in the body of the report.

4.3 Equalities Impact Assessment

There are no equalities implications arising from the recommendations in this report.

4.4 Environmental Implications

There are no environmental implications arising directly from this report.

5. Conclusion and reasons for recommendations

The Council is required to review and determine the representation of the political groups on committees and allocate committee places to political groups accordingly

at, or as soon as practicable after its Annual meeting. It is recommended that the number and allocation of seats as set out in the report are agreed. Appointments are required as set out in the recommendations and should be made in accordance with the political balance rules where they apply. The council is also asked to agree t re-establish the North Central London Joint Health Overview and Scrutiny Committee.

Background papers:

None.

Final Report Clearance

Signed by

8 May 2013

Assistant Chief Executive (Governance and HR)

Received by

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Appendix 1

North Central London Joint Health and Overview Committee Terms of Reference

1. To engage with relevant NHS bodies on strategic sector wide issues in respect of the commissioning and provision of NHS health services across the area of Barnet, Camden, Enfield, Haringey and Islington; and

2 To scrutinise and respond to stakeholder engagement, the consultation process and final decision in respect of any sector wide proposals for reconfiguration of health services in the light of what is in the best interests of the delivery of a spectrum of health services across the area of, taking account of:

- The adequacy of the consultation being carried out by the health bodies including the extent to which patients and the public have been consulted and their views have been taken into account
- The impact on the residents of those areas of the reconfiguration proposals, as set out in the consultation document
- To assess whether the proposals will deliver sustainable service improvement
- To assess whether the proposed changes address existing health care inequalities and not lead to other inequalities
- The impact on patients and carers of the different options, and if appropriate, which option should be taken forward
- How the patient and carer experience and outcomes and their health and well-being can be maximised whichever option is selected
- Whether to use the joint powers of the local authorities to refer either the consultation or final decision in respect of the North Central London Service and Organisation Review to the Secretary of State for Health.

3. To respond, where appropriate, to any proposals for change to specialised NHS services that are commissioned on a cross borough basis and where there are comparatively small numbers of patients in each borough.

4. The joint committee will work independently of both the Executive and health scrutiny committees of its parent authorities, although evidence collected by individual health scrutiny committees may be submitted as evidence to the joint committee and considered at its discretion.

5. The joint committee will aim work together in a spirit of co-operation, striving to work to a consensual view to the benefit of local people