

Information Governance,
Complaints and Members Enquiries

Mr Kenneth Taylor
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Our ref: FOI/
E29244/Review

Date: 22nd November
2017

Ask for: Information Governance

Tel: 020 8430 2000

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Email:

information.governance@newham.gov.uk

Dear Mr Taylor,

Freedom of Information Act 2000
Request for Information: Review
Please quote our reference: E29244
Subject: Planning Committee

I write with regard to your request for a review of the way the Council handled your enquiry for information held by the Council under the provisions of the Freedom of Information Act 2000.

I understand that you are not happy with the response as it did not address your direct questions of fact and conduct about what Council Officers and the Mayor did or did not.

I note that your initial request was:

1. Please can the Newham Council Officers in charge of Committees and Partnerships (including the monitoring officer) confirm whether the removal of Cllr Obaid Khan from planning was the real reason for the recent changes to seats on committees?
2. Or was the reason the Mayor gave at the Newham Labour Group meeting on 10 July that Cllr Khan was allegedly "selling favours to friends" the reason? If so has the Mayor informed the monitoring officer and gave full details of this allegation.
3. Furthermore did the officers (including the Deputy Executive, Douglas Trainer) discuss with other officers, Councillors or the Mayor the real reason why Cllr Khan

was removed from planning and as such the reasons set out in the official papers for changing the committee seats at Full Council on 10 July were fabricated.

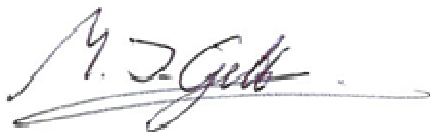
You were informed that these were not valid requests under the provisions of the Freedom of Information Act as you were seeking an explanation and qualification of a Council decision to vary the membership of committees. Therefore the Council were unable to comply with your request under the provisions of the Freedom of Information Act.

I have now had an opportunity to review the response and confirm that as you had not requested recorded information, but rather asked for an explanation of a Council decision, the Council was not obliged to respond to your questions under the provisions of Freedom of Information legislation.

The report attached to the Council agenda of 10th July 2017, clearly set out the reasoning for the changes of the membership of committees, which followed the proposal to increase the Overview and Scrutiny Committee from 8 Councillors to 13 Councillors. This had an impact on the application of the mandatory political proportionality rules on the allocation of seats on Council committees and is governed by the Local Government and Housing Act 1989 (Sec 15-17) and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

If you remain dissatisfied with the Council's response, you may contact the Information Commissioners Office at <https://ico.org.uk/>

Yours sincerely,



Head of Complaints, Members Enquiries and Information Governance