

BRIGHTON & HOVE CITY COUNCIL
OVERVIEW & SCRUTINY COMMISSION
4.00PM 20 OCTOBER 2009
COUNCIL CHAMBER, HOVE TOWN HALL
MINUTES

Present: Councillors Mitchell (Chairman); Bennett, Cobb, Elgood, Hyde, Meadows, Morgan, Older, Peltzer Dunn, Randall and Wakefield-Jarrett

PART ONE

37. PROCEDURAL BUSINESS

37a Declarations of Substitutes

37.1 Councillor Hyde was substituting for Councillor Pidgeon and Councillor Cobb was substituting for Councillor Alford.

37b Declarations of Interests

There were none.

37c Declaration of Party Whip

There were none.

37d Exclusion of Press and Public

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

RESOLVED: That the press and public be not excluded from the meeting.

38. MINUTES OF MEETING HELD ON 8 SEPTEMBER 2009

38.1 RESOLVED that the minutes of the meeting held on 8 September be approved and signed by the Chairman.

39. PUBLIC QUESTIONS/LETTERS FROM COUNCILLORS/NOTICES OF MOTION REFERRED FROM COUNCIL

There were none.

40. CHAIRMAN'S COMMUNICATIONS

40.1 The Chairman noted that the latest draft of the Equality Charter for Brighton & Hove was available from the equalities team. The Charter was scheduled to be launched by the City Inclusion Partnership in the new year.

41. DISCUSSION ON LOCAL STRATEGIC PARTNERSHIP/SUSTAINABLE COMMUNITY STRATEGY

41.1 The Chair of the Commission welcomed the LSP Chair to the meeting as part of the agreed protocol to develop the relationship between the LSP and the overview and scrutiny function.

41.2 Roger French OBE said it was a privilege to be Chair of the Local Strategic Partnership and in a position to help facilitate joint working. He referred to the considerable benefits of partnerships; including the Local Authority, Police, Health, Business and Community and Voluntary sectors; working together to achieve more than can be done as individual organisations. The Community and Voluntary sector organisations were particularly valuable and strong in the City he said.

41.3 He spoke about the developing role of overview and scrutiny in relation to the LSP, the remits of both being wider than the Council.

41.4 Some of the targets agreed under the Local Area Agreement were, as expected, tough to attain. The Audit Commission's Comprehensive Areas Assessment of the LSP would be available in December. A draft indicates areas of improved performance and also areas where further shared effort is needed.

41.5 Asked about the Sustainable Community Strategy (SCS) and delay to publication of the refreshed version, the LSP Chair said the overall vision within the existing SCS, published 2006 to cover a three-year period, had been determined by consultation with stakeholders and so was 'owned' by the City and the community as a whole. There was no 'veto' and partnerships were equal. All needed to have input into the agreed vision.

41.6 The refresh of SCS was expected to be published early next year after responses had been assimilated from the current public consultation which ended on 5 October. As before consultation had included the family of 12 partnerships, local authority, public sector organisations and other agencies and stakeholders. A few matters may have a different emphasis to reflect the current consultation. To debate transport issues the Transport Partnership was being reactivated.

41.7 The Local Transport Plan and the Local Development Framework Core Strategy (now open separately for consultation) are policies the responsibility of, and owned by, the local authority.

41.8 Delay to the publication of the SCS refresh (originally targeted for April 2009) was brought about by the development of a model process for community engagement and the agreement of new milestones. This delay was unlikely to cause significant difficulties.

41.9 Replying to questions the LSP Chair said awareness of its work in the wider community was unsurprisingly low and partnerships and the local authority could do more to attract greater public involvement. The Local Authority was the main source of funding into the LSP, together with the PCT but there were other considerable resource implications such as 'in kind' support from the business sector.

41.10 Around $\frac{3}{4}$ of the 'what we intend to do' in the current Strategy are complete or are work in progress. The remainder of the intentions should not be not lost without justification; this could be questioned by overview and scrutiny and would be externally reviewed within the CAA.

41.11 It was important that public sector organisations play a full part in partnerships' discussions; one of the roles of the LSP is to ensure that all the thematic partnerships work effectively.

41.12 The Chairman thanked Mr French for answering Members' questions. Councillor Mitchell said that working closely together would help progress partnership working and avoid unnecessary duplication.

41.13 **RESOLVED** 1) that Members note the information within Appendix 1 (background to the LSP and Sustainable Community Strategy) and Appendix 2 (agreed recommendations to help develop the role of scrutiny within the LSP)

2) that Members agree to submit comments made in relation to the Sustainable Community Strategy consultation as outlined in Appendix 3.

42. TARGETED BUDGET MANAGEMENT MONTH 4

42.1 The Director of Finance and Resources pointed out that Targeted Budget Management (TBM) Month 6 including recovery plans would be reported to the next Cabinet. She introduced the TBM report Month 4, recognising the delay between reporting to the Executive and Scrutiny.

42.2 The projected overspend of £3.1 million was not dissimilar to overspends at similar stages in previous years. It was very important to reduce the projected overspend and the Council had a good track record in doing this.

42.3 Senior Officers gave replies to questions on the decent homes kitchens and bathrooms programme, forecast overspend in Culture and Enterprise, anticipated growth in physical disability services, Fair access to care services, new risk-sharing arrangements with Section 75 partnership, drop in legal income and on-street parking permit receipts.

42.4 The Directors of Finance and Resources and of Environment set out the current approach to vacancy management. Following a number of more detailed questions on staff vacancy rates, holding vacant posts and recruitment costs it was agreed that a report would be brought to a future meeting.

42.5 The Director of Finance and Resources said there were always unexpected changes in corporate critical budget forecasts and demand-led services. She reassured the meeting that at present the projected percentage variance of around 1% was well within CIPFA best practice and that the Council did not take forward expenditure to the following financial year.

42.6 **RESOLVED** 1) that the Overview and Scrutiny Commission notes the report to Cabinet and

2) receives a report to a future meeting on vacancy management.

43. LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY SUBMISSION VERSION

43.1 The Assistant Director, City Planning and the Local Development Framework Team Manager introduced the report on the Local Development Framework – Brighton & Hove Core Strategy: Submission version. They set out the background to the Strategy, its layout, background studies, timeframes and broadly summarised the consultations that had been completed.

43.2 The Core Strategy was due to be debated at 10 December full Council and submitted to the Government in April 2010. This had been a long process and only 11% of local authorities have their Core Strategies in place.

43.3 The Commission commented on: Sustainable Neighbourhoods in relation to the future expansion of universities; health and equalities impact assessment produced by a consultant, local food production; air pollution levels in the Academic Corridor; development of the urban fringe only as a last resort, adaptation to climate change and Brighton Marina site.

43.4 Working with developers on Section 106 agreements to achieve sustainability objectives during the recession, was also discussed as a possible area for further scrutiny consideration.

43.5 Asked about student housing, the Head of Planning Strategy said that the detail of the type of development that would go on individual sites would be considered at the next stage, the sites allocation document. It was possible that the proposed Universities Supplementary Planning Guidance would also cover the student housing issue.

43.6 A full list of all the issues considered in each of the policy areas would be available in November. The results of consultation on the 2008 revised preferred options and 2009 consultation comments and responses would be brought together into a single document.

43.7 Paper copies of summary of findings and responses would be provided. The full version would be available on the Council's website and a full paper copy would be placed in City

Direct. The Health and Equalities Impact assessments would be presented to Cabinet and Council for information.

43.8 Members did not feel that the Commission was in a position to agree all the recommendations and that the Core Strategy was legally compliant and formally sound.

43.9 **RESOLVED**; that the report be noted.

44. CORPORATE PROCUREMENT OF ENERGY - SUB 100KW ENERGY CONTRACT FOR 2010 ONWARDS

44.1 The Water and Energy Manager outlined the Corporate Procurement of Energy – Sub 100kW Energy Contract. He set out the reasons why Cabinet had approved the re-tender for the contract under delegated powers. Electricity prices are lower than historically and a decision was needed as soon as possible. The Council was committed to using 100% renewable resources, predominantly wind power. The current supplier E-On has withdrawn from the sub 100kW market and as such is not bidding and only a few companies are able to meet these supply requirements. The Energy and Water Manager also outlined how it is possible to certify that electricity is from 100% renewable sources via the ROC (Renewable Obligation Certificate Scheme).

44.2 The Director of Finance and Resources agreed that when to place the contract was not an easy decision. The Strategic Finance Team monitored energy prices in general and energy consultants were providing more specific advice.

44.3 The Water and Energy Manager told the meeting of the measures being undertaken to improve the efficiency of schools in refurbished and new-build schools, starting with the low-rated schools. Burner controls were being added to boilers and oil fired boilers would be replaced with condensing gas boilers. High efficiency lighting was also being introduced.

44.4 The Chairman thanked the Water and Energy Manager for his interesting information.

44.5 **RESOLVED** that the report be noted.

45. DRAFT VOLUNTEERING STRATEGY

45.1 The Volunteer Centre, partly funded by the Council is leading on the development of the Volunteering Strategy. The Chief Executive Officer of Impetus, the umbrella Charity to the Volunteer Centre, gave a description of the draft which had been initiated by the ChangeUp Consortium. This includes the main community and voluntary organisations and health and other partners.

45.2 Only three other cities in the UK have developed such a strategy. Volunteering was not an 'add-on' but a fundamental part of communities, adding value to contracts and to the volunteers themselves, for example in terms of mental health, community safety, physical health and movement towards employment, he said. Participating in volunteering was a target within the Local Area Agreement and recent surveys had shown an increase in numbers of regular volunteers.

45.3 In producing a first draft there had been extensive consultation with stakeholders including with those who may need support to enable them to volunteer successfully.

45.4 Recommendations and a 5-year action plan were being drawn up and the City Employment and Skills Steering Group was scheduled to sign off the final version at the end of the year.

45.5 During the recession there had been a rise in numbers of over-qualified people wanting to volunteer but it was important that they did not displace less skilled volunteers. A volunteer coordinator matches volunteers with placements.

45.6 The Communities Team Manager said a staff volunteer programme was being considered for the local authority and statutory agencies; many council officers are already regular volunteers.

45.7 Members asked whether volunteers might tend to displace paid staff, and were interested to hear further information on the development and implementation of the Volunteer Strategy by the local authority and partners. It was agreed that a further report would be brought to the Commission.

45.8 The Chairman emphasised the importance of volunteering and said communications was a key factor.

45.9 **RESOLVED** 1) that further information be provided on the volunteer strategy.

46. COUNCIL'S FORWARD PLAN

46.1 Members asked why the 3rd Sector recession action plan had been deferred and remarked on the 12 deferred decisions on Edition 17 of the Forward Plan of Key Decisions, some of which first appeared in early editions.

46.2 It was suggested that the Committee track the extent to which the Forward Plan was being achieved such as items on Circus Street and Occupational Health. There was a question about the monitoring of delegated decisions.

46.3 **RESOLVED** that a summary of Forward Plan deferrals be brought to the next meeting.

47. OVERVIEW AND SCRUTINY GOOD PRACTICE

47.1 The Head of Scrutiny introduced the report on Overview and Scrutiny Good Practice.

47.2 He said one area in particular – planning for ad hoc panels – could be improved. Some local authorities arrange an annual ‘trawl’ for suggestions of matters for scrutiny from councillors, residents and partners. The matters are then scoped and brought back to a scrutiny coordinating group for prioritisation.

47.3 This would allow for more input from partners and help plan resources while still allowing for flexibility for Overview and Scrutiny Committees’ own issues to be brought forward.

47.4 Councillors welcomed this approach however there was some concern that expectations could be unrealistically high. The process therefore had to be carefully managed.

47.5 Cabinet Member briefings were suggested on the findings of scrutiny reviews prior to publication and some members thought closer working would be achieved if the Head of Scrutiny were invited to Departmental Management Teams.

47.6 Members agreed that further publicity about scrutiny was needed, to promote the role of scrutiny and encourage members of the public to suggest possible topics. Involving residents and others on scrutiny panels was also seen as beneficial.

47.7 The Commission wished the tripartite meetings that had started between Scrutiny Chairmen, Lead Members and Directors, to continue.

47.8 To discuss equalities and inclusion issues the Commission suggested that Councillor Simson be invited to a future OSC meeting. Councillor Simson attended ECSOSC twice yearly in her roles as Cabinet Member for Community Affairs, Inclusion and Internal Relations and Chairman of Community Safety Forum.

47.9 RESOLVED

1. Supported in principle the development of an annual work programme for scrutiny panels
2. Welcomed the introduction of regular meetings between Cabinet Members and Scrutiny Committee Chairs
3. Requested officers undertake further investigation on ways to improve the involvement of residents in the scrutiny process

48. O&S COMMITTEES' WORK PLANS

48.1 The Overview and Scrutiny Committee Work Plans were noted.

49. OSC WORK PROGRAMME

49.1 The Head of Scrutiny referred to the update at Appendix 1 which listed the current status of each scrutiny panel. Of the six Panels yet to be set up, not all could be resourced at present. The two notices of motion on reducing the road speed limit and rape support services would be on the agenda for the next ECSOSC.

49.2 After discussing scrutiny priorities, there was a general consent that the start of the Disabilities panel would be deferred until December, with the Cultural Provision for Children Panel deferred until 2010.

50. ITEMS TO GO FORWARD TO CABINET MEMBER MEETING, CABINET OR COUNCIL

50.1 To note that the Good Practice scrutiny review will be taken to the Governance Committee.

50.2 To note that Local Development Framework Core Strategy Submission version and OSC comment to be considered at 12 November Cabinet.

The meeting concluded at 6.40pm

Signed

Chair

Dated this

day of