





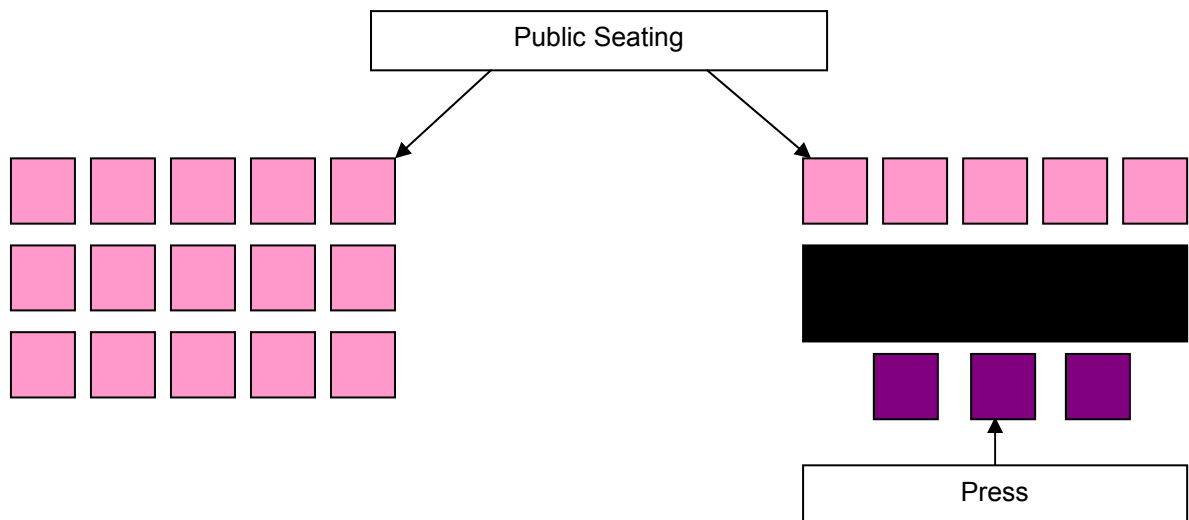
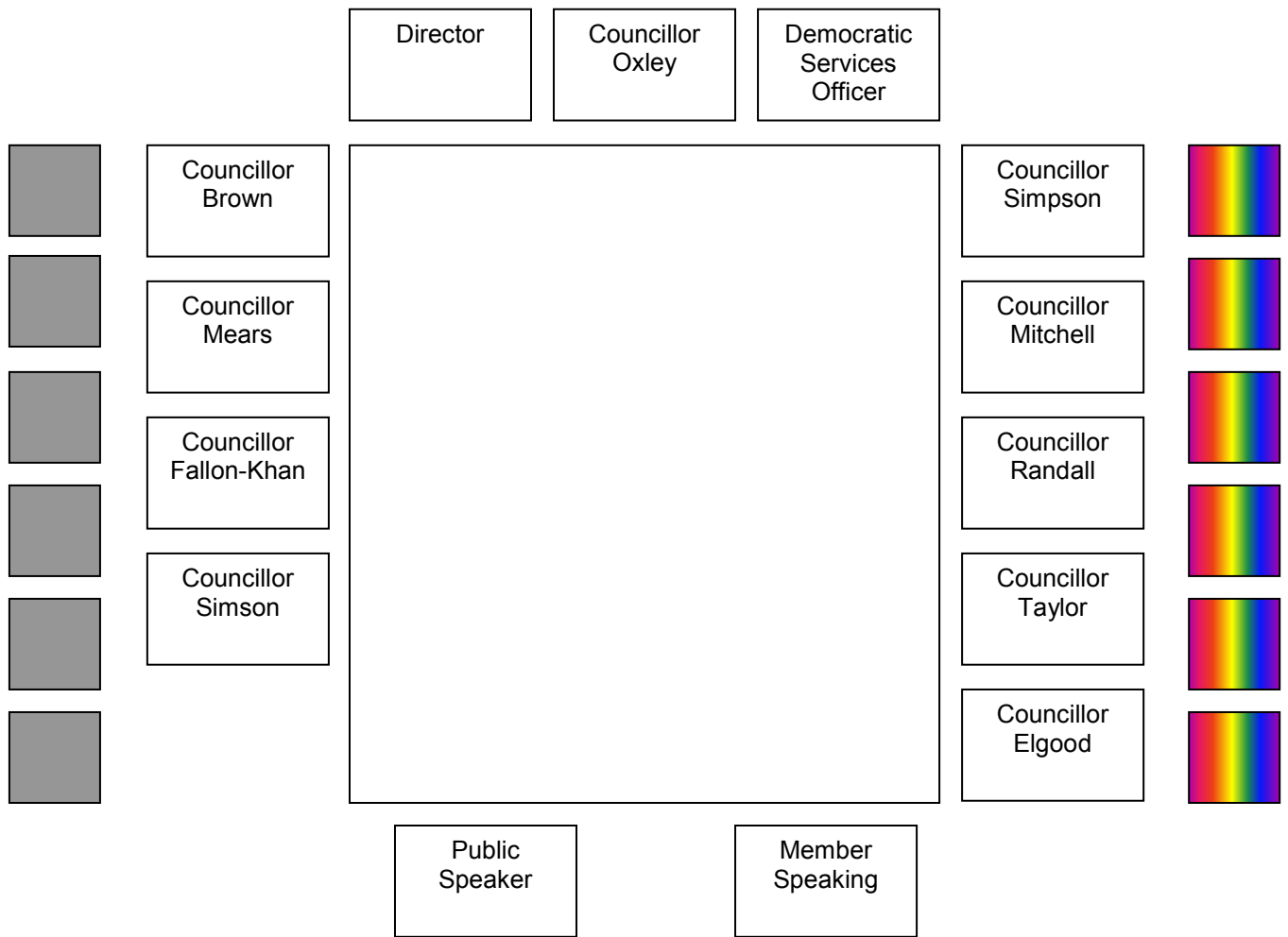
**Brighton & Hove  
City Council**

# Governance Committee

Title:	<b>Governance Committee</b>
Date:	<b>7 July 2009</b>
Time:	<b>4.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillors:</b> Oxley (Chairman), Simpson, Brown, Elgood, Fallon-Khan, Mears, Mitchell, Randall, Simson and Taylor
Contact:	<b>Rowan Sky</b> Democratic Services Officer 01273 29-1058 rowan.sky@brighton-hove.gov.uk

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# Democratic Services: Meeting Layout



## AGENDA

### 1. PROCEDURAL BUSINESS

- (a) Declaration of Substitutes - Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.
- (b) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (c) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

### 2. MINUTES OF THE PREVIOUS MEETING

Minutes of the meeting held on 28 April 2009 (copy attached).

### 3. CHAIRMAN'S COMMUNICATIONS

### 4. CALLOVER

- (a) Items will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations with the exception of those items which have been reserved for discussion.

*NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.*

### 5. PETITIONS

No petitions received by date of publication.

## **GOVERNANCE COMMITTEE**

### **6. PUBLIC QUESTIONS**

(The closing date for receipt of public questions is 12 Noon on Tuesday 30 June 2009).

No public questions received by date of publication.

### **7. DEPUTATIONS**

(The closing date for receipt of deputations is 12 Noon on Tuesday 30 June 2009).

No deputations received by date of publication.

### **8. WRITTEN QUESTIONS, LETTERS AND NOTICES OF MOTION FROM COUNCILLORS**

No written questions, letters or Notices of Motion were submitted by Councillors for the meeting.

### **9. DRAFT GOVERNANCE COMMITTEE WORK PLAN 1 - 6**

Report by the Acting Director of Strategy & Governance (copy attached).

*Contact Officer: Elizabeth Culbert Tel: 29-1515*  
*Ward Affected: All Wards;*

### **10. METHODOLOGY FOR 12 MONTH REVIEW OF THE CONSTITUTION 7 - 12**

Report by the Acting Director of Strategy & Governance (copy attached).

*Contact Officer: Elizabeth Culbert Tel: 29-1515*  
*Ward Affected: All Wards;*

### **11. UPDATE ON IMPLEMENTATION OF THE LOCAL GOVERNMENT AND PUBLIC INVOLVEMENT IN HEALTH ACT 2007 13 - 30**

Report of the Acting Director of Strategy & Governance (copy attached).

*Contact Officer: Oliver Dixon Tel: 29-1512*  
*Ward Affected: All Wards;*

### **12. REVIEW OF WEBCASTING 31 - 52**

Report of the Acting Director of Strategy & Governance (copy attached).

*Contact Officer: Mark Wall Tel: 29-1006*  
*Ward Affected: All Wards;*

### **13. MEMBERSHIP OF SOUTH EAST ENGLAND COUNCILS (SEEC) 53 - 66**

Report of the Acting Director of Strategy & Governance (copy attached).

*Contact Officer: Anthony Zacharzewski Tel: 29-6855*  
*Ward Affected: All Wards;*

### **14. ITEMS TO GO FORWARD TO COUNCIL**

## GOVERNANCE COMMITTEE

To consider whether any of the items listed on the agenda should be submitted to the Council meeting on 16 July 2009 for information.

In accordance with Procedural Rule 24.3a the committee may determine that any item is to be included in its report to Council. In addition each Minority Group may specify one further item to be included by notifying the Chief Executive immediately at the conclusion of the Committee meeting.

### PART TWO

#### 15. FUTURE PAY

67 - 76

Report of the Acting Director of Strategy & Governance and Interim Director of Finance & Resources – Exempt Categories 4 & 5 (circulated to Members only).

*Contact Officer:*     *Katie Ogden, Nigel*                     *Tel: 29-1299, Tel: 29-*  
                                   *Manvell*   *3104*

*Ward Affected:*     *All Wards;*

#### 16. PART TWO ITEMS

To consider whether or not any of the above items and the decisions thereon should remain exempt from disclosure to the press and public.

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk). Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Rowan Sky, (01273 29-1058, email [rowan.sky@brighton-hove.gov.uk](mailto:rowan.sky@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Monday, 29 June 2009



**Subject:** Governance Committee Draft Work Plan  
**Date of Meeting:** 7 July 2009  
**Report of:** Acting Director of Strategy and Governance  
**Contact Officer:** Name: Elizabeth Culbert Tel: 29-1515  
E-mail: elizabeth.culbert@brighton-hove.gov.uk  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

1.1 The report sets out a draft work programme for consideration by the Committee.

#### 2. RECOMMENDATIONS:

(1) That the Committee approves the draft work programme.

(2) That the Committee requests the Acting Director of Strategy and Governance to keep the work plan updated to reflect new items as they are identified.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 This is the first meeting of the Governance Committee in the 2009/2010 cycle of meetings.

3.2 In order to assist Members to identify and plan key areas of work for the Committee for the coming year, a draft work programme has been prepared and is attached at Appendix 1.

3.3 The draft work plan sets out those issues that are currently known and considered appropriate to come to future Committee meetings. The work plan is intended to be a useful tool to ensure that issues for the Committee are identified in advance and are programmed in for the Committee to consider at the right time. The work plan will be updated regularly to reflect new issues as they arise and will be used to assist the agenda planning process.

#### 4. CONSULTATION

4.1 Members of the Committee are requested to give their comments and the work programme will be updated accordingly.

**5. FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

5.1 There are no financial implications arising from this report.

*Finance Officer consulted: Patrick Rice Date: 5 June 2008*

Legal Implications:

5.2 There are no legal implications arising from this report.

*Lawyer consulted: Elizabeth Culbert Date: 5 June 2008*

Equalities Implications:

5.3 There are no equalities implications arising from this report.

Sustainability Implications:

5.4 A work programme will enable the efficient planning of agendas and ensure that only those papers necessary for the meeting are distributed.

Crime & Disorder Implications:

5.5 There are no crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

5.6 Careful agenda planning with the use of a work plan will ensure that matters that require a decision from the Governance Committee are not missed and are dealt with in accordance with relevant timescales.

Corporate / Citywide Implications:

5.7 There are no corporate/citywide implications arising from this report.



## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Draft work plan

### **Background Documents**

1. None

## Draft Work Plan for the Governance Committee – 2009-10

	Agenda Item	Lead Officer
	<b>Meeting Tuesday 7<sup>th</sup> July 2009</b>	
	Chairman's Communications <ul style="list-style-type: none"> <li>• Training offer re effective use of the Constitution</li> </ul>	
1	Draft Governance Committee Work Plan	Elizabeth Culbert
2	Methodology for 12-month review of the Constitution	Elizabeth Culbert
3	Membership of South East Councils	Matt Wragg
4	Update on implementation of Local Government and Public Involvement in Health Act 2007 (including new scrutiny powers)	Oliver Dixon
5	Web Casting Review	Mark Wall
6	Change of Ward Names	Mark Wall
7	Single Status	Anthony Zacharzewski
	<b>Meeting Tuesday 22<sup>nd</sup> September 2009</b>	
	Chairman's communications	
1	Annual Governance Statement	Ian Withers
2	Members' IT and other secretarial support	Mark Wall
3	Sustainable Communities Act (implications for Governance) update	Oliver Dixon
4	Members' blogs – review of guidance	Caroline Banfield / Elizabeth Culbert
5	Participation in CMMs	Abraham Ghebre-Ghiorghis
6	Local Democracy, Economic Development and Construction Bill – update on implementation	Oliver Dixon
7	E-Petitions – seeking Members' views on/ proposals for the introduction of an e-petitions facility in BHCC	Caroline Banfield / Elizabeth Culbert
	<b>Meeting Tuesday 17<sup>th</sup> November 2009</b>	
	Chairman's communications	
1	Improving the Civic Offer	Angela Dymott
2	12 month review of the Constitution outcome and recommendations	Elizabeth Culbert
3	Review of scrutiny arrangements	Tom Hook
4	Review of guidance on confidentiality	Abraham Ghebre-Ghiorghis / Liz Woodley

	<b>Meeting Tuesday 12<sup>th</sup> January 2010</b>	
	Chairman's communications	
1	HR Functions of the Governance Committee	Abraham Ghebre-Ghiorghis
	<b>Meeting Tuesday 9<sup>th</sup> March 2010</b>	
	Chairman's communications	
1	Independent Remuneration Panel Report on Members' Allowances	Mark Wall
	<b>Meeting Tuesday 27<sup>th</sup> April 2010</b>	
	Chairman's communications	
1	Counter Fraud Strategy - Update	Ian Withers
2	Code of Corporate Governance - Update	Ian Withers



<b>Subject:</b>	<b>Proposed methodology for the 12 month review of the constitution</b>		
<b>Date of Meeting:</b>	<b>7 July 2009</b>		
<b>Report of:</b>	<b>Acting Director of Strategy and Governance</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Elizabeth Culbert</b>	<b>Tel: 29-1515</b>
	<b>E-mail:</b>	Elizabeth.culbert@brighton-hove.gov.uk	
<b>Wards Affected:</b>	All		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The report seeks the agreement of the Committee to the proposed approach and timescale for the 12 month review of the constitution.

#### 2. RECOMMENDATIONS:

- (1) That the Committee approves the steps and timescale for the 12 month review of the constitution set out at paragraph 3.5 and 3.6 of the report.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Council's constitution was adopted on 24<sup>th</sup> April 2008 and came into force at the conclusion of annual council on 15<sup>th</sup> May 2008. The statutory guidance requires the Council to keep its constitution under review at appropriate intervals and at its meeting on 24<sup>th</sup> April the Council resolved to review the impact of the constitution after 6 months and 12 months of operation.
- 3.2 The Governance Committee oversaw the process for the 6 month review which concluded in March 2009. At its meeting on 10<sup>th</sup> March 2009 the Committee agreed to recommend to Cabinet and Full Council a number of proposals to improve and enhance the effectiveness of the Constitution. These were approved and implemented in May 2009.
- 3.3 As part of the 6 month review, an article was placed in City News inviting responses. Questionnaires were sent out to community representatives, Members and officers. Questionnaire packs were also placed in libraries and other public buildings and the material was placed on the Council's website.
- 3.4 From the responses received, a number of themes were identified and actions proposed. These included the following areas:-

- The extension of speaking rights and a seat at the table at Cabinet and Cabinet Member meetings to the Leader/Convenor of all opposition parties;
- Clarifying the procedure for special meetings;
- Adding Community Affairs and Inclusion as an item on the Cabinet agenda at least every 6 months;
- Improvements and guidance regarding Notices of Motion, Member and public questions at Council meetings;
- A request for a review of best practice in Overview and Scrutiny
- Changes to delegations and other technical amendments.

3.5 Some issues were identified at the six month stage that were considered to need more input before taking them forward and these will be revisited as part of the 12 month review. For example:-

- a more in depth review of Overview and Scrutiny arrangements was requested which will include benchmarking with other authorities;
- a request from the public regarding neighbourhood forums or area committees was also requested to be considered at the 12 month stage;
- Members agreed to set up a cross party working group to look at Member involvement in equalities issues and for the outcome of this work to feed into the 12 month review;
- some of those consulted at the six month stage felt it was too early to comment on the new constitution but requested a dialogue at the 12 month stage, for example the Brighton & Hove Federation of Disabled People and the PCT.

### 3.6 **Proposed methodology of the 12 month review**

The 12 month review is intended to look further at the working of the constitution and how it can be improved. The constitution has had longer to bed down and therefore it is anticipated that there will be more feedback on what can and should change. The proposal for the 12 month review is to adopt a four pronged strategy as follows:-

### 3.7 **Members**

As the democratically elected representatives of the public, Members are at the heart of the decision-making process and well placed to judge how effective the constitutional arrangements are. Every Member of the Council will receive a questionnaire asking for comments on specific issues and also allowing the

opportunity for more general feedback. Each Group will also be offered the opportunity of a feedback session at a Group meeting where issues can be collated. It is felt that this latter approach worked particularly well for the 6 month review.

### **3.8 Officers**

Senior officers will receive a survey which, as with Members, will reflect their direct experience and familiarity with the constitution.

Both officers and Members have been encouraged to raise issues regarding the constitution at any time and any of these can also be incorporated into the review.

### **3.9 Residents**

It is proposed to use a variety of means to gain feedback from residents on the operation of the constitution through the following mechanisms:-

- (a) An article in City News asking for comments;
- (b) A publication on the Council's website which gives people the opportunity to comment and complete a questionnaire online;
- (c) In September 2009 approximately 1800 people on the Citizens Panel will be mailed a questionnaire with questions similar to those used for the six month review.

### **3.10 Community Representatives**

As part of this review, there will be involvement and feedback from community representatives. This will involve approaching a number of representative organisations, including:-

- Members of the Local Strategic Partnership;
- Brighton & Hove Chamber of Commerce;
- Brighton & Hove Federation of Disabled People;
- Black Minority Ethnic and Community Partnership
- Spectrum
- Interfaith Contact Group
- Brighton & Hove City PCT
- Brighton & Hove Arts Commission
- The Older People's Council
- The Youth Council
- Rottingdean Parish Council
- The Community Inclusion Partnership
- The Community and Voluntary Sector Forum

Many of these groups responded at the 6 month stage and requested further involvement in the next stage of the review.

There will also be direct consultation with other community organisations and community representatives, from across the city. These will be identified by the Committee Chairman and the Analysis and Research Team.

### 3.11 **Timescale for the review**

If the recommendations in this report are agreed, it is proposed (by way of an indicative timetable) to proceed as follows:-

- 7<sup>th</sup> July 2009 - methodology for the review agreed at Governance Committee;
- July 2009 - City News article published and information made available on the Council's website, inviting comments;
- July to September 2009 - involvement of community representatives
- September 2009 – survey to go out to Members and officers and offer to Groups for a feedback session at a Group meeting;
- September 2009 – Citizens Panel questionnaires to be sent out;
- 17<sup>th</sup> November 2009 – report to Governance Committee with the outcome of the review and recommendations.

## 4. **CONSULTATION**

- 4.1 Members of the Committee are requested to give their comments on the proposal for the review as set out in the report.

## 5. **FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The costs of the 12 month review are not expected to exceed £4,500 and will need to be met within the existing budget. The financial impact of the recommendations arising from the review will be assessed when outcomes are reported back to the Committee.

*Finance Officer consulted: Anne Silley Date 25<sup>th</sup> June 2009*

### Legal Implications:

- 5.2 There are no legal implications arising from this report.

*Lawyer consulted:*

*Elizabeth Culbert*

*Date: 23<sup>rd</sup> June 2009*



Equalities Implications:

- 5.3 Measures will be taken to include under-represented and hard to reach groups in the consultation exercise, Documentation will be made available in other formats as required, such as large print or translated into other languages. When selecting community groups to directly consult with, steps will be taken to identify under-represented and hard to reach groups.

Sustainability Implications:

- 5.4 Consideration will be given to sustainable consumption and production at each stage of the review.

Crime & Disorder Implications:

- 5.5 There are no crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 5.6 With public consultation, there is always a risk of a low response rate but this should be mitigated by the measures outlined at 3.9 and 3.10.

Corporate / Citywide Implications:

- 5.7 There are no corporate/citywide implications arising from this report.

**SUPPORTING DOCUMENTATION**

**Appendices:**

None

**Background Documents**

1. Governance Committee report of 10<sup>th</sup> March 2008 entitled "Six month review of the Constitution".



# GOVERNANCE COMMITTEE MEETING

## Agenda Item 11

Brighton & Hove City Council

**Subject:** Update on the Implementation of the Local Government and Public Involvement in Health Act 2007

**Date of Meeting:** 7 July 2009

**Report of:** Interim Director of Strategy & Governance

**Contact Officer:** Name: Oliver Dixon Tel: 291512  
E-mail: oliver.dixon@brighton-hove.gov.uk

**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

This report informs Members about those governance provisions in the Local Government and Public Involvement in Health Act 2007 ('the LGPIH Act') of most relevance to the council, and the current situation with respect to implementation.

#### 2. RECOMMENDATIONS:

It is recommended that Members –

- (1) Note the latest situation as regards the implementation of key governance provisions in the LGPIH Act; and
- (2) Instruct officers to keep the Governance Committee informed about the implementation of any outstanding provisions in the Act relevant to the council

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The LGPIH Act contains a range of devolutionary and deregulatory measures intended to ensure that local government:
  - Gives local people more influence over the services and decisions that affect their communities
  - Provides effective and accountable strategic leadership
  - Operates in a performance framework which supports empowerment and secures better outcomes for all
  - Leads local partnerships to provide better services for citizens
- 3.2 The Act, which gave statutory effect to much of the local government White Paper 'Strong and Prosperous Communities', received royal assent in October 2007, since when 9 separate commencement orders have brought

most provisions into effect in stages. The key outstanding areas are detailed in paragraphs 3.17 and 3.19 below.

3.3 Part 3 of the Act requires all but the smallest councils to adopt **executive arrangements**. Brighton & Hove City Council complied in May 2008, with the adoption of a leader and cabinet executive. Under the legislation, the earliest the council could opt for a change to those governance arrangements and switch to a directly elected mayor would be October 2010.

3.4 Part 4 relates to **community governance** and enables –

(i) existing parish councils to change their title from ‘parish’ to ‘neighbourhood’, ‘community’ or ‘village’. There is no indication that Rottingdean Parish Council, the only parish council in the city, wishes to undergo a such a change;

(ii) local people to petition the council to create one or more new parish councils within the city boundary. A petition is valid only if supported by the requisite number of signatories, which varies according to the size of the area to which the petition relates:

Size of petition area	Minimum no. of signatories
Fewer than 500 local govt electors	50% of electors
500-2500 local govt electors	At least 250 of the electors
More than 2500 local govt electors	At least 10% of the electors

Following a valid petition, the council would be required to carry out a community governance review in accordance with the procedure set out in Part 4, chapter 3. To date, no such petitions have been submitted.

3.5 Part 5 makes provision for the co-operation of English authorities with local partners.

3.6 Chapter 1 of Part 5 requires the council to consult named partners in preparing a **local area agreement** (LAA) and to submit the draft for Secretary of State approval. Once the LAA is in place, the council and its partners must have regard to every local improvement target specified in the agreement, in carrying out their functions.

As the council and its partner authorities across the city had already established a local area agreement before it became a legal requirement to do so, nothing further was needed to comply with the LGPIH Act. The Local Strategic Partnership (LSP) and Public Service Board provide the framework through which the council and its partners give due regard to LAA targets.

- 3.7 Chapter 2 of Part 5 came into force on 1 April 2009. Its provisions relate to **overview and scrutiny committees** and permit –
- (i) any Member to refer a local government matter to the relevant O & S committee for consideration, through the facility known as Councillor Call for Action; and
  - (ii) any O & S committee –
    - (a) to make a report or recommendation to the authority or executive, requiring them to consider and respond within 2 months; and
    - (b) to make a report or recommendation to a partner authority concerning a local improvement target which relates to that partner and is specified in the LAA; and to require the partner to have regard to the report or recommendation in exercising its functions
- 3.8 Regulations prevent Members from referring a matter to O & S which relates to individual planning or licensing decisions, or which is vexatious, discriminatory or not reasonable to be included in the O & S committee's agenda. Furthermore, the LGPIH Act specifically excludes any Councillor Call for Action powers relating to health or crime and disorder matters as these are dealt with under separate legislation.
- 3.9 Regulations regarding information that partner authorities must provide and which may not be disclosed to an O & S committee have yet to be made. The government consulted on the scope of these in autumn 2008 and, in their response, indicated their intention to make "limited regulations" that struck the right balance between clarity and flexibility. In an update published in March 2009, they told councils to expect the regulations "over the next few months".
- 3.10 A detailed report on the provisions referred to at 3.7(ii) above was considered and noted by the Overview and Scrutiny Commission on 10 March 2009. The report is reproduced at Appendix 1, for information.
- 3.11 Few changes are needed to the council's procedure rules to accommodate Councillor Calls for Action, as the constitution already allows any member of an O & S committee to place an item on the agenda of the relevant O & S committee. Our procedure rules simply need broadening to allow *any* member to do so. In practice however requests from non-scrutiny Members are already placed on Committee agendas.
- 3.12 Similarly, the constitution already requires the executive to respond to reports or recommendations from O & S within six weeks, which satisfies the requirement at 3.7(ii)(a) above.
- 3.13 It is unlikely that any of the council's O & S committees would need to exercise their power to require a partner authority to have regard to any report or recommendation issued to them; or – once the relevant regulations are made – to offer up certain information. The council's

relationship with its partner authorities is well established and operates on a cordial and co-operative basis, with partners willing to attend and contribute to O & S proceedings, and to provide information when asked. This can be seen in the contribution made by partner agencies to a number of scrutiny panel enquiries.

- 3.14 Indeed, the quality of the council's relationship with its partners means it can engage them in a strategic dialogue about overview & scrutiny, with the LSP taking a co-ordinated approach towards city-wide services. A paper on this, prepared by the Head of Overview and Scrutiny and the Head of Partnerships and External Relations, is due to be taken for discussion to the LSP meeting on 15 July 2009.
- 3.15 Councillor Call for Action powers in respect of crime and disorder matters are provided for in sections 19 and 20 of the Police and Justice Act 2006, which came into force on 30 April 2009, and were the subject of a separate report to the Governance Committee on 28 April 2009.
- 3.16 Best practice guidance on the operation of Councillor Call for Action was published in February 2009 by the Centre for Public Scrutiny jointly with the Improvement and Development Agency.
- 3.17 Part 6 will introduce a new procedure for making specified **byelaws**. Regulations, which the government say will be in place "by summer 2009", will specify the byelaws for which the Secretary of State's confirmation will no longer be required, and which the local authority will be permitted to enforce by fixed penalty notice. The proposed list of byelaws subject to the new regime is set out in Appendix 2.
- 3.18 Under Part 7, and since 1 April 2009, local authorities have been under a **duty**, where they consider it appropriate, **to involve** representatives of local people in the exercise of their functions by providing information, consulting, or involving in some other way. The Community Engagement Framework, approved by Cabinet and adopted by the LSP at the end of 2008, is the platform that supports the council and its partners in fulfilling the duty to involve.

The Stronger Communities Partnership<sup>1</sup> will be responsible for overseeing the implementation of the Framework and for monitoring its impact. In addition, the O & S Commission will use its new powers to monitor public authorities' adherence to the framework and to undertake specific scrutiny panel investigations on priority areas to improve engagement, including the involvement of local people in the exercise of council functions.

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<sup>1</sup> The Stronger Communities Partnership is made up of representatives from the Voluntary and Community Sector, Registered Social Landlords, the Police, the Primary Care Trust and the City Council including the Cabinet Member responsible for Community Affairs and Inclusion. The Stronger Communities Partnership reports back to the LSP

3.19 Amendments to the model **code of conduct for members** are expected under Part 10 and in light of the consultation exercise by DCLG in 2008. The government's response to the consultation was due by the end of March but has been delayed until at least June. Officers will update members once the position becomes clear.

#### **4. FINANCIAL & OTHER IMPLICATIONS:**

##### **4.1 Financial Implications:**

The cost of implementing a community governance review following a valid petition (see paragraph 3.4), should one arise, would need to be met within existing budgets.

Minimal additional costs are expected as a result of the enhanced scrutiny powers introduced under Part 5 of the Act.

In considering whether to introduce a new byelaw under the new local procedure, once permitted by regulations, the relevant Cabinet Member would need to consider the costs associated with its introduction. There is potential for costs to be recovered to some extent from the collection of fixed penalties of up to £75 per offence.

Initial costs of implementing the Community Engagement Framework (and related duty to involve) will be met from pump priming funding of £20,000 in 2009/10 and £20,000 in 2010/11 through reward grant made under the Local Public Service Agreement. However, full implementation is likely to require additional funding from council and other LSP partner funds which will need to be identified before this implementation takes place.

*Finance Officer Consulted: Anne Silley*

*Date: 24 June 2009*

##### **4.2 Legal Implications:**

Members are being asked to note the report and to instruct officers to keep them updated. They may, if they consider it appropriate, make a recommendation to Council, the Cabinet or Scrutiny as appropriate.

Relevant legislation is identified and explained in the body of the report.

*Lawyer Consulted: Oliver Dixon*

*Date: 16 June 2009*

##### **4.3 Equalities Implications**

The duty to involve, given effect by the Community Engagement Framework, is designed to help reduce inequality. The council must provide representatives of local persons with appropriate information about services, policies and decisions which affect them or might be of interest to them and which, importantly, support involvement.

- 4.4 Sustainability Implications: The sustainability of local communities is supported by the duty to involve
- 4.5 Crime & Disorder Implications: None directly associated with this report
- 4.6 Risk & Opportunity Management Implications: The purpose behind the LGPIH Act, summarised in paragraph 3.1, provides the council with a range of opportunities to improve its leadership, partnership working and level of influence afforded to local people. Failure to capitalise on these opportunities could result not only in a depressed CAA rating but legal challenge in cases where the council had failed in one of more of its new statutory duties.
- 4.7 Corporate / Citywide Implications: Part 5 of the Act is entirely dedicated to local authorities' engagement with local partners, through local area agreements and the accountability afforded by scrutiny. The provisions in this part of the Act support effective city leadership, one of the council's five priorities.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Scrutiny Legislation Update report of 10 March 2009 to Overview and Scrutiny Commission
2. Proposed list of byelaws no longer requiring confirmation by the Secretary of State

### **Background Documents**

1. Strong and prosperous communities - The Local Government White Paper: final implementation plan. Published by DCLG in March 2009.



# Overview and Scrutiny Commission

## Appendix 1 Agenda Item 100

Brighton & Hove City Council

<b>Subject:</b>	<b>Scrutiny Legislation Update</b>		
<b>Date of Meeting:</b>	<b>10 March 2009</b>		
<b>Report of:</b>	<b>Acting Director of Strategy &amp; Governance</b>		
<b>Contact Officer:</b>	<b>Name: Tom Hook</b>	<b>Tel: 29-1110</b>	
	<b>E-mail: Tom.hook@brighton-hove.gov.uk</b>		
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

1.1 At its January meeting the Overview and Scrutiny Commission requested a general update on legislative changes and policy drivers that will impact upon the work of Overview and Scrutiny in Brighton and Hove. This report summarises four main areas that Members should be aware of:

- Local Government and Public Involvement in Health Act 2007
- Communities in Control: Real people, real power and the associated consultation, 'Improving Local Accountability'
- Police and Justice Act 2006
- Local Democracy, Economic Development and Construction Bill

#### 2. RECOMMENDATIONS:

2.1 That the Overview and Scrutiny Commission:

- Comments on the issues raised in the report on the future development of overview and scrutiny function.
- Instructs officers to provide updates on future policy and legislative developments in this area.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

##### 3.1 Partnership Working

There are a number of elements of the Local Government and Public Involvement in Health Act 2007 that relate to the powers and role of overview and scrutiny committees. A key focus of the Act relates to partnership working and there are a number of measures contained within it ensuring overview and scrutiny committees play an active part in looking at matters that affect the local area, rather than focusing purely on council services. The key areas are summarised below, some of which have recently been consulted on in the 'Improving Local Accountability' consultation.

3.2 The 2007 Act establishes the statutory arrangements for Local Area Agreements and associated performance targets. Part 5 of the Act relates to scrutiny's powers to request information from partners and a responsibility for partners to have regard to and respond to scrutiny recommendations.

3.3 This provision is reinforced by recently released guidance from the Audit Commission regarding the relationship between Comprehensive Area Assessment (CAA) and overview and scrutiny which states:

*Council overview and scrutiny committees not only hold the council executive to account but also consider matters that affect the local area or its citizens and have specific powers in relation to local health services. There is a two-way relationship between scrutiny and CAA. Scrutiny reviews carried out locally will provide valuable evidence that can feed in to CAA and may help inspectorates understand issues without having to carry out additional work. The findings from CAA will also be helpful to overview and scrutiny committees in identifying where they may wish to focus their attention and in providing them with helpful insights when conducting reviews. CAA is therefore of direct interest to elected councillors whatever position they hold, as community leaders on the executive or in holding the executive to account and representing local people.<sup>1</sup>*

3.4 The development of future work plans for overview and scrutiny committees in the council should have elements relating to LAA priorities, and areas for improvement as identified through the monitoring of the 198 indicators in the National Indicator Set and the CAA assessment.

3.5 In developing work programmes committees need to ensure that they are complementing the work of partner agencies, looking at overarching objectives that impact on the quality of life in the city and not just the delivery of Council services.

3.6 Councillor Call for Action

Another provision of the Act, the 'Councillor Call for Action' (CCfA) is due to be implemented in April 2009. Under the CCfA councillors will be able to refer certain matters to the relevant overview and scrutiny committee for consideration where other methods of resolution have been exhausted. Section 119 of the Local Government and Public Involvement in Health Act 2007 will introduce CCfA powers in respect of local government matters from 1 April 2009<sup>2</sup>.

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<sup>1</sup> The full guidance is available at

<http://www.audit-commission.gov.uk/Products/NATIONAL-REPORT/63FF7DFA-D1DB-46D0-B72E-39DA12AEF9E1/caaframework10feb09REP.pdf>

<sup>2</sup> Para 4 of the Local Government and Public Involvement in Health Act 2007 (Commencement No. 8) Order 2008 [SI 2008/3110]

- 3.7 Best practice guidance from Improvement and Development Agency (IDeA) and the Centre for Public Scrutiny (CfPS) on the implementation and working of CCfA was published in mid-February. The full guidance is a background paper to this report.
- 3.8 CCfA is part of the wider changes to the powers and remit of overview and scrutiny; it is aimed at empowering Councillors to resolve issues and problems on behalf of their residents. Ultimately CCfA is a mechanism that allows Councillors to seek resolution of issues they have struggled to solve elsewhere. Whilst not guaranteeing a solution it provides an opportunity for debate and discussion.
- 3.9 The central element of CCfA is that any Councillor can have an issue of concern put on the agenda of the relevant O&S Committee. CCfA is however intended to be the option of last resort when all other avenues of resolution have been pursued.
- 3.10 The Council's constitution (Part 6.1, paragraph 13.2) already allows for any Member of an O&S Committee to place an item on the agenda of any O&S Committee. The Committee must then decide whether it wishes to pursue the item suggested.
- 3.11 The Council will be looking to provide more detailed guidance and protocols of how and when CCfA could be used and OSC members are invited to feed their comments into the developmental process.
- 3.12 There will need to be some form of criteria/prioritisation process to ensure that Overview and Scrutiny Committees receive appropriate Calls for Action. These could be based on such criteria as:
- 1) Is the Committee satisfied that reasonable attempts at resolution have been made by the ward Councillor?
  - 2) Has a similar issue been considered by the Committee recently?
  - 3) Are reviews of this/or a similar issue being undertaken by the Council or its partners?
  - 4) Have relevant departments/partners been informed and not responded?
- 3.13 Statutory regulations deal with matters that can be excluded from CCfA including matters considered vexatious, discriminatory or not suitable for the agenda. Specific complaints and appeals will also not be appropriate issues for CCfA to be used for. Further details are set out in the guidance attached.
- 3.14 Police and Justice Act 2006  
A CCfA power also exists in the Police & Justice Act 2006, enabling councillors to raise crime and disorder issues, particularly those relating to anti-social behaviour or the misuse of drugs, alcohol and other substances. Once in force, section 19 of the 2006 Act will require the Council:
- (i) to establish a crime and disorder committee (CDC) with power –

- (a) to review or scrutinise decisions and actions taken by “responsible authorities”<sup>3</sup> in connection with their crime and disorder functions; and
  - (b) to make reports or recommendations to the Executive with respect to the discharge of those functions;
- (ii) to make CCfA arrangements which enable any member who is not a member of the CDC to refer any local crime and disorder matter to the committee
- 3.15 When filing a report or recommendation to the Executive, the CDC must provide a copy to the appropriate responsible authorities, who in turn must respond to the CDC with an action plan for addressing the matter, and have regard to the report or recommendations in exercising their functions.
- 3.16 The Home Office consulted over this in July 2008 as part of the broader local accountability arrangements for crime and disorder in the Policing Green Paper. Following that consultation, the Home Office announced in November<sup>4</sup> their intention to introduce CCfA for crime and disorder matters in April 2009.
- 3.17 The Police & Justice Act<sup>5</sup> requires the CDC to be an overview and scrutiny committee. However, the Council has discretion over whether to establish the CDC as a stand alone O & S committee or to incorporate its functions within another O & S committee.
- 3.18 The types of issue that may come before the CDC are currently dealt with by the Community Safety Forum (CSF). However, the CSF is not an overview and scrutiny body and cannot, as currently constituted, assume the mantle of CDC with all its attendant powers.
- 3.19 A decision will need to be made on whether to introduce a Crime and Disorder Committee as a stand alone overview and scrutiny committee or to incorporate its functions into an existing O & S committee. There is likely to be a higher resource requirement for a stand alone committee, which may result in a small additional budget pressure in 2009/10 – the potential impact has not yet been quantified.
- 3.20 **Local Democracy, Economic Development and Construction Bill**  
The Local Democracy, Economic Development and Construction Bill began its parliamentary passage in the House of Lords and has reached Committee stage. It contains two provisions relating to overview and scrutiny.

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<sup>3</sup> In this context “responsible authorities” has the meaning given by section 5 of the Crime & Disorder Act 1998, namely the local chief officer of police, police authority, fire and rescue authority, Primary Care Trust, and the Council itself

<sup>4</sup> See ‘Summary of Green Paper Consultation Responses and Next Steps’, para 1.11 - <http://police.homeoffice.gov.uk/publications/police-reform/green-paper-responses?view=Binary>

<sup>5</sup> Section 19(9)(a)

- 3.21 The first is to introduce a statutory requirement for local authorities to designate a scrutiny officer (other than the chief executive, monitoring officer or chief finance officer) to:
- promote the scrutiny function internally and externally
  - provide advice and support to the authority's overview and scrutiny committees
  - advise members and officers regarding any O & S function
- 3.22 The second provision relates to the role of overview and scrutiny and petitions received by the authority. Local authorities will be under a duty to respond to petitions which meet certain criteria, and to make the response publicly available.
- 3.23 In particular, a local authority will be required to:
- provide a facility to accept electronic petitions
  - make, publicise and comply with a 'Scheme' for handling petitions
  - acknowledge petitions within a specified period
  - specify in its Scheme the measures to be taken in response to a petition; these must include holding an enquiry or public meeting, commissioning research, or referring the matter to an overview & scrutiny committee
  - specify in its Scheme a threshold number of signatures which will give an automatic right for the subject matter of the petition to be debated by full council (except for petitions calling an officer to account)
  - notify the petition organiser of the steps the authority has taken or proposes to take; and publicise this information on the authority's website
- 3.24 A petition bearing the requisite number of signatures may require a senior officer to be called to account at a public meeting of an overview and scrutiny committee. Officers subject to this requirement must include the chief executive and the most senior officers responsible for the delivery of services.
- 3.25 Once an authority has notified the petition organiser of the steps it intends to take or has taken in response to the petition, the organiser can – if dissatisfied with that response – request one of the authority's overview and scrutiny committees to review the adequacy of those steps. The outcome of the review must be communicated to the petition organiser (and made public, unless inappropriate).
- 3.26 No local authority will be required to take substantive measures in response to a petition that is vexatious, abusive or unconnected with the authority's functions; or to a petition that duplicates one dealt with in the previous six months.

#### **4. CONSULTATION**

- 4.1 Relevant officers in the Strategy and Governance Directorate.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

- 5.1 The impact of the Local Government and Public Involvement in Health Act 2007 and Police and Justice Act 2006 may result in small unfunded budget pressures in 2009/10. Enactment of the Local Democracy, Economic Development and Construction Bill is likely to result in additional costs in the form of staffing and publicity. These costs will be assessed once more definite details are known.

*Finance Officer Consulted: Anne Silley*

*Date: 2 March 2009*

Legal Implications:

- 5.2 All legal issues are addressed in the body of the report. There are no specific issues relevant to the Human Rights Act arising from the report.

*Lawyer Consulted: Oliver Dixon*

*Date: 2 March 2009*

Equalities Implications:

- 5.3 Any new activity instigated as a result of the legislation's implementation will be equality impact assessed in line with the Council's equalities policy

Sustainability Implications:

- 5.4 There are no sustainability implications arising from the report.

Crime & Disorder Implications:

- 5.5 The purpose of CDCs is to increase the accountability of those bodies responsible for tackling crime and disorder in the local authority area. The statutory requirement on these bodies to respond to reports and recommendations of the CDC and to have regard to their content in exercising their functions should ensure that their actions are more closely aligned to the crime and disorder issues raised by members on behalf of their constituents.

Risk and Opportunity Management Implications:

- 5.6 There are risks in terms of resource implications, and infrastructure to support changes to council procedures.

Corporate / Citywide Implications:

- 5.7 The drive towards increased community empowerment will support the Council's corporate priority of open and effective city leadership.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

**Documents In Members' Rooms**

1. None

## **Background Documents**

1. Councillor Call for Action Guidance.
2. Papers to the Council's governance committee on
  - Local Government and Public Involvement in Health Act 2007
  - Communities in Control: Real people, real power and the associated consultation, 'Improving Local Accountability'
  - Police and Justice Act 2006
  - Local Democracy, Economic Development and Construction Bill





<b>Table 1: Full list of byelaws which it is proposed should no longer require confirmation by the Secretary of State.</b>		
<b>Confirming Department</b>	<b>Enabling Power</b>	<b>Subject Matter</b>
Communities and Local Government	Section 235 of the Local Government Act 1972	Good rule and government and the prevention of nuisances, including climbing on bridges, skateboarding and riding on verges.
	Section 164 of the Public Health Act 1875	Public walks and pleasure grounds.
	Sections 12 and 15 of the Open Spaces Act 1906	Open spaces; burial grounds.
	Sections 82 and 83 of the Public Health Acts Amendment Act 1907	Use of the seashore and promenades including: bait digging, fishing, horse-riding and interference with life-saving equipment.
	Section 231 of the Public Health Act 1936	Public bathing.
	Section 60 of the Food Act 1984	Markets, including opening hours, maintaining cleanliness, preventing obstruction, use of water taps and prevention of fires.
	Section 75 and 77 of the Public Health Act 1961, as amended by Section 22 of the Local Government (Miscellaneous Provisions) Act 1976	Amusement premises, pleasure fairs, hairdressers and barbers.
Department for Transport	Section 35 of the Highways Act 1980	Walkways – conduct of public, closing times, placement of structures.
	Section 68 of the Town Police Clauses Act 1847, as incorporated with the Public Health Act 1875	Hackney carriages, including conduct of their drivers and proprietors.

<b>Table 1: Full list of byelaws which it is proposed should no longer require confirmation by the Secretary of State. (continued)</b>		
<b>Confirming Department</b>	<b>Enabling Power</b>	<b>Subject Matter</b>
	Section 6 of the Town Police Clauses Act 1889, as incorporated with the Public Health Act 1875	Horse drawn omnibuses.
	Paragraph 26 of Schedule 11 of the Greater London Authority Act 1999	Regulating the use, and working of, and travel and behaviour on Transport for London’s railways and railway premises.
	Paragraph 27 of Schedule 11 of the Greater London Authority Act 1999	Regulating the use of any landing place vested in or operated by Transport for London.
	Section 46 of the Croydon Tramlink Act 1994	Regulating the use and working of, and travel and behaviour on the Croydon Tramlink premises and facilities.
	Section 25 of the London Transport Act 1969	Regulating the use and working of, and behaviour on, Transport for London’s road transport garages, depots, bus stations, shelters, other premises and approaches.
	London County Council (Tunnel and Improvements) Act 1938	Regulating the use of the Blackwall Tunnels and their approaches.
	Section 54 of the Thames Tunnel (Rotherhithe and Ratcliff) Act 1900	Regulating the use of the Rotherhithe Tunnel
	Section 23 of the Metropolitan Board of Works (Various Powers) Act 1885	Regulating the use and working of, and behaviour on the Woolwich Ferry.
	Section 59 of the Leeds Supertram Act 1993 and Section 62 of the Greater Nottingham Light Rapid Transit Act 1994	Regulating behaviour on various local light railways and tramways.

<b>Table 1: Full list of byelaws which it is proposed should no longer require confirmation by the Secretary of State. (continued)</b>		
<b>Confirming Department</b>	<b>Enabling Power</b>	<b>Subject Matter</b>
Department for Culture, Media and Sport	Public Libraries and Museums Act 1964	Defining acceptable behaviour inside libraries and museums.
Department of Health	Part VIII of the Local Government (Miscellaneous Provisions) Act 1982	Hygiene and cleanliness of acupuncture services and businesses providing tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis.
Department for the Environment, Food and Rural Affairs	Sections 20, 21(4) and 106 of the National Parks and Access to the Countryside Act 1949	Local nature reserves.



# GOVERNANCE COMMITTEE

## Agenda Item 12

Brighton & Hove City Council

**Subject:** Review of Webcasting  
**Date of Meeting:** 7 July 2009  
**Report of:** Acting Director of Strategy & Governance  
**Contact Officer:** Name: Mark Wall Tel: 29-1006  
E-mail: mark.wall@brighton-hove.gov.uk  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Governance Committee approved a pilot project for the webcasting of meetings in July 2008 and meetings of the Council, Cabinet, Planning Committee and Overview & Scrutiny Commission have been web cast since September 2008.
- 1.2 With the pilot project coming to an end in June 2009, it is appropriate for the Governance Committee to review the pilot and to decide whether or not to continue with the webcasting of meetings.

#### 2. RECOMMENDATIONS:

- 2.1 That the Committee approves the continued provision of webcasting based on the options outlined in paragraph 3.15 of the report
- 2.2 That the Committee approves the revised Webcasting Protocol attached at Appendix 2.

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

##### Review of the Project

- 3.1 Since September 2008, the council has regularly webcast a range of meetings with the objective of taking advantage of new technologies that allow local authorities to engage with the public in differing ways (appendix 1 gives a breakdown of viewing figures). Installation of the equipment took place in June 2008, with fixed cameras being installed in the two town halls and an R600 mobile webcasting unit being transported between the two sites as necessary. Training was also completed in June, and the webcasting of meetings began in September with:






- Full Council
- Cabinet

- Planning Committee
  - Overview & Scrutiny Commission
  - Unique events (such as the *Armed Forces Heroes* webcast)
- 3.2 At present there are approximately 50 local authorities in England and Wales which regularly webcast meetings, events and projects (see appendix 3).
- 3.3 The pilot project has been provided in partnership with Public-i, who are a company based in Hove and provide a number of authorities such as Bristol and East Sussex with a web casting facility. The system provided for a number of fixed cameras to be sited in the council chambers which then link to a portable base unit which feeds the information direct to Public-i's own server and then onto the internet. The portable system also enables smaller meetings to be web cast as there is a remote camera provided e.g. Cabinet Member meetings.
- 3.4 The Democratic Services and Scrutiny Teams undertook to facilitate the pilot project by supporting the web casting of meetings. Staff in both teams undertook training in the use of the equipment and have then managed the webcasting of individual meetings.
- 3.5 The webcasting of meetings provides an additional means of communicating the decision-making process and informing the electorate of the actions of the council. It provides access to those who are unable to attend Council meetings in person due to work, family or other commitments and thereby considerably extends the transparency of the Council's decision making. It is also in line with the Government's aim for local authorities to engage with the objectives set out in the Local Democracy, Economic Development & Construction Bill currently going through the House of Commons.
- 3.6 There is a potential to expand the use of the facility to enable two-way communication of issues and views, making use of e-petitions (which are a requirement for Councils in the Local Democracy Bill), on-line debating forums, giving information on projects and seeking views on developments.
- 3.7 The success of a project such as this can be measured in many ways, including the examination of viewing figures, seeking the opinions of those who have used the service for more detailed feedback, and a simple comparison of how many members of the public view the webcasts in comparison to the number of them who physically attend meetings.
- 3.8 During the pilot programme, the webcasting of council meetings has received little promotion (in order to give the Council time to get the systems right). Publicity would normally be considered key to the success or failure of a project such as this – if people do not know that they can view council meetings online, comparatively few will come across the service by chance. This is somewhat counterbalanced by the character of Brighton residents – politically curious, internet and technologically adept – and therefore the

programme has been more successful without the level of promotion that may be required to make a webcasting project successful in other areas.

3.9 Inevitably with the introduction of webcasting there have been some teething problems with the quality of picture & sound, loss of webcasts and access to them. Throughout the pilot project officers have worked with Public-i and Sound Advice (the company responsible for the microphone system), to address these problems. Further training for staff is planned in terms of the use of the cameras to provide for easier watching of broadcasts and the siting of the actual cameras in Hove Town Hall will be reviewed should the webcasting of meetings be extended.

3.9.1 Samples of recent viewing figures are as follows:





	Activity Type	Title	Live date	Activity	Live	Archive	Category
	Webcast	<u>Council</u>	19 Mar 2009	<b>166</b>	46	120	Full Council
	Webcast	<u>Overview &amp; Scrutiny Commission</u>	10 Mar 2009	<b>142</b>	15	127	Scrutiny
	Webcast	<u>Council</u>	30 Apr 2009	<b>140</b>	32	108	Full Council
	Webcast	<u>Planning Committee</u>	18 Mar 2009	<b>117</b>	28	89	Planning
	Webcast	<u>Planning Committee</u>	29 Apr 2009	<b>109</b>	50	59	Planning

**Activity** shows the total amount of viewings that each webcast has received; **live** is the number of live viewers watching the meeting as it takes place, and **archive** displays the number of viewings that have taken place after the meeting has concluded.

3.9.2 These figures are impressive and ably demonstrate a number of important pieces of evidence:

- There is a regular audience for the webcasting of B&HCC council meetings
- These meetings are watched live as well as after the meeting has concluded
- Significantly more people watch online than attend meetings in person

3.9.3 A look back at older webcasts that have been available to view online for a protracted period of time makes even more impressive reading:

	Activity Type	Title	Live date	Activity	Live	Archive	Category
	Webcast	<u>Council</u>	04 Dec 2008	<b>690</b>	60	628	Full Council
	Webcast	<u>Full Council Meeting</u>	09 Oct 2008	<b>628</b>	127	498	Full Council
	Webcast	<u>Planning Committee</u>	12 Dec 2008	<b>606</b>	199	406	Planning
	Webcast	<u>Planning Committee</u>	04 Feb 2009	<b>438</b>	288	150	Planning

As you can see, the 4<sup>th</sup> December Council webcast has received nearly 700 viewings since it was made available, which can only be considered a great success.






3.9.4 Finally, it is also possible to look at the numbers of unique visitors to B&HCC webcasts. Since October 2008 to May 2009, there have been a total of **39,576** separate viewings, with **3,083** unique visitors – meaning that over 3,000 different people have been taking an active interest in B&HCC’s democratic processes, that may otherwise have not done so – or been able to do so, if you consider those that are physically unable to attend meetings in person.

### Comparative statistics

3.10 When you consider these viewings statistics against other local authorities, whose webcasting projects are well established and receive a reasonable degree of promotion, it is not difficult to imagine that with a concerted engagement project in place and with marketing support; Brighton & Hove could become UK leaders in this kind of participation.

3.10.1 East Sussex County Council\*

East Sussex CC has been webcasting from the fixed installation in their Council Chamber since December 2003: *ESCC Sample viewing stats*

	Activity Type	Title	Live date	Activity	Live	Archive	Category
	Webcast	<u>County Council - 10 February 2009</u>	10 Feb 2009	<b>245</b>	58	187	Full Council
	Webcast	<u>Cabinet Meeting - 12 January 2005</u>	12 Jan 2005	<b>213</b>	0	212	Cabinet
	Webcast	<u>County Council - 31 March 2009</u>	31 Mar 2009	<b>209</b>	48	161	Full Council
	Webcast	<u>Cabinet Meeting - 26 January 2009</u>	26 Jan 2009	<b>203</b>	0	203	Cabinet
	Webcast	<u>Planning Committee - 25 March 2009</u>	25 Mar 2009	<b>172</b>	20	152	Planning



3.11 Bristol City Council has a proven track record of using new technology to broaden democratic engagement through webcasting, e-petitions, discussion forums and campaign creation, and is one of the leaders in eDemocracy in the UK. Whilst B&HCC's viewing figures are not currently at the same level, they still compare favourably, an examination of how Bristol has achieved these figures is detailed in appendix 4:

**Bristol CC sample viewing stats**

	Activity Type	Title	Live date	Activity	Live	Archive	Category
	Webcast	<u>Full Council (Extraordinary meeting)</u>	10 Feb 2009	543	170	372	Full Council
	Webcast	<u>Next Generation Roadshow - High speed broadband in your community</u>	31 Mar 2009	501	221	271	Conference
	Webcast	<u>Development Control (South and East) Committee</u>	18 Feb 2009	302	86	216	Development Control
	Webcast	<u>Full Council</u>	28 Apr 2009	287	118	169	Full Council
	Webcast	<u>Sustainable Travel Select Committee</u>	25 Feb 2009	274	30	241	Development
	Webcast	<u>Comprehensive Area Assessment seminar</u>	30 Mar 2009	249	48	201	Conference
	Webcast	<u>Full Council</u>	31 Mar 2009	244	73	171	Full Council

**The Case for Webcasting**

3.12 Why use video online?

3.12.1 Video is now a standard feature on many websites and increasingly the dominant medium for news and current affairs. With the launch of the BBC's iPlayer and similar technologies, the use of video online has attained a much higher level of general acceptance – allowing it to be utilised by local authorities as a significant way of reaching out to citizens.

3.12.2 The growing sophistication of web users, across all age groups, means that straightforward, direct and unedited content can be used effectively to get

simple messages across. In addition, studio produced edited content is now a much more affordable means of communicating more complex ideas.

3.12.3 However, in many cases raw production values, such as those often seen on sites like YouTube, provide an authentic, transparent medium allowing the speaker to deliver a direct message in a believable context. Democratic webcasting of formal, live content is now a well established and proven medium, with over 50 Local Authorities webcasting regularly and with many more using the technology for specific events.

3.12.4 The general acceptance of video on the web now means that the public sector can implement the use of video much more extensively to compliment their strategic communications.

#### *The evolution of video on the web*

3.12.5 There are several factors that should be considered in making video available on the web and they have all progress at different rates over time. During the last 10 years, all of these factors have progressed at such a rate to allow online video to be accessible to all.

The elements include:

- Hardware, including cameras and computers
- Software, for encoding and managing video
- Bandwidth, for delivery
- Web browser compatibility for video player types.

#### *Webcasting democratic content*

3.12.6 The benefits of delivering local authority content in video format were identified while the technology was still in an early stage of development – Public-i was launched (as UKCouncil Ltd) in May 2000 expressly for this purpose – and as the elements described above have developed, so has the potential for delivering high-quality video content to more and more citizens. The webcasting of democratic content delivers several benefits that it is not possible to exploit via any other medium other than video:

- Increasing engagement with citizens.
- Encouraging greater levels of public participation and interest in democratic processes.
- Effectively utilising technology in an informative and effective way.
- Increasing the profile of the authority.
- Increasing trust, transparency and accountability.

3.12.7 However, simply making a video stream available to view online does not reflect the most desirable way of delivering *democratic* content to viewers. Content such as formal meetings and events should be delivered to the citizen as a fully realised package, so that it is transparent and accessible to the viewer. This means that, in addition to the video, viewers should have access to:

- Details of speakers.
- The ability to interact with the authority.
- Access to any supporting information used in the webcast, such as documents, links and presentations.

3.12.8 Finally, research shows that viewers are unlikely to watch an entire meeting online, and are more likely to want to view a specific agenda item that they may be interested in. Therefore, it is important to have a clear indexing system that allows viewers to instantly select the part of the meeting that they wish to view. Again, this is not possible by simply making a video file available to stream or download from the internet.

*Applications of webcasting for local authorities.*

3.12.9 In addition to making formal meetings available to view online, there are a number of other applications for webcasting to be considered by councils, and the equipment configuration currently supplied to you puts B&HCC in a very advantageous position to implement these.

3.12.10 The R600 system that the council currently leases from as part of the contract with Public-i represents the perfect solution formal webcasting requirements – the portability of the system, along with the fixed cameras in both Brighton and Hove Town Halls’ is the optimum configuration for webcasting democratic content from these locations.

3.12.11 In addition, providing an audio feed and hard-line internet connection is available, the R600 can be used in conjunction with the two mobile cameras to webcast from any location and used to webcast:

- Ward or parish meetings of interest
- Elections
- Mayor-making or other civic ceremonies
- Introducing a webcasting option to matrimonial, citizenship or similar services held in the Mayor’s Parlour and the town Halls.

3.12.12 The council also has a Canon XM2 Camcorder, and a wireless audio package. This can be used to capture any content including:

- Briefings, either external or internal, by Politicians or Senior Officers/Executive
- Interviews with members of the public (Voxpops)
- Public information films
- In conjunction with other Public-i engagement solutions

**Review of the Protocol**

3.13 The success of the webcasting of meetings has led to questions being raised over the use of images from web casts on other e-media forums such as You-Tube and Facebook.

- 3.14 A review of the current protocol issued to Members has been undertaken and a revised protocol has been drawn up for approval and is detailed in appendix 2 to the report.

### **Way Forward**

Following the success of the pilot project, the options open to the council are:

- 3.15 **Option 1** – To continue with the webcasting of Council, Cabinet, Planning Committee and the Overview & Scrutiny Commission meetings.
- 3.15.1 This option maintains the current provision and allows for other meetings such as one-off scrutiny reviews to be covered as well as the provision of video messages and other information. In discussing matters with Public-i, and having supported the pilot project they would like to re-new the contract for 21 months. This would take the provision of web casting up to the end of March 2011.
- 3.15.2 The proposed 21-month contract would provide a degree of certainty for both the council and Public-i and allow for other functions to be tried such as video clips/messages outlining council priorities or seeking views on proposals.
- 3.15.3 The cost of renewing the public-i contract for a further 21 months would be £46,500.
- 3.15.4 There is also a staff resourcing issue in terms of having to co-ordinate each webcast, set up the equipment and manage the actual webcast at the time of the meeting. The impact on staff resources for the pilot project has been recognised and it is proposed that a full-time post should be established within Democratic Services to meet the requirements. As such the proposal is to fund an apprentice as a Democratic Services Assistant, as part of the council's apprenticeship programme. The post holder would be primarily responsible for ensuring the webcasting of the four main meetings, but would also gain experience as a DSA within the team.
- 3.16 **Option 2** – To cease webcasting.
- 3.16.1 Ceasing to webcast meetings would mean that the required funding would not need to be identified for future years. The negative impact being a loss of openness and transparency for the decision-making process and public engagement with the council.
- 3.16.2 In terms of general feedback to date, there has been a positive response from the public and figures for viewing both live and archived meetings are comparable with other leading authorities (see appendix 1).

## **Conclusion**

- 3.17 The preferred option is Option 1 as this enables the continued provision of webcasting of meetings, which can be reviewed towards the end of the contract period and also enables further development of the resources and additional functionality such as specific messages and direct feedback on the council's web site. It also enables the council to engage directly with the public and thereby encompass the objectives of the Local Government, Economic Development and Construction Bill in terms of e-democracy.

## **4. CONSULTATION**

- 4.1 The Leaders Group have previously considered the proposal and supported the trial period to determine whether web casting would be a useful addition to the council's communication mechanisms with the residents of the city.
- 4.2 The Leaders Group has reviewed the pilot project and concluded that webcasting of the four meetings should be maintained and become a standard part of the council's provision and thereby have sufficient resources allocated to it.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 The agreed trial period together with the provision of cameras and associated equipment and installation works has cost £32k (£28,680 for web casting) and was met from one-off resources within the Strategy and Governance budget for 2007/08.
- 5.2 The cost to continue with the web casting of meetings with Public-i, amounts to £28,680k per annum based on the current 20hours per month for web casts. However, Public-i have offered a discount of over £5,000 for a 21-month contract which would amount to £46,500 to be paid in two instalments to account for each financial year.
- 5.3 The funding for 2009/10 at £20k (July 09 to March 10) would need to be met from the corporate contingency reserve, with the remaining £26,500k for 2010/11 to be met in the 2010 financial year. The corporate contingency was set at a level considered appropriate to cover the risks within the budget strategy and influenced by the Medium Term Financial Strategy; drawing against this reserve will place a higher risk on the balance of the reserve.

Finance officer consulted: Anne Silley

5 June 2009

### Legal Implications:

- 5.4 There are no legal implications associated with the report and appropriate guidance to Members and officers in respect of those meetings being webcast has been issued.

Lawyer consulted:

Abraham Ghebre-Ghiorghis 5 June 2008

Equalities Implications:

- 5.5 There are no equalities implications arising from the report; however the provision of webcasting does enable greater access to meetings and the decision-making process for those people who have internet facilities and are unable to attend the meetings.

Sustainability Implications:

- 5.6 There are no sustainability implications arising from the report.

Crime & Disorder Implications:

- 5.7 There are no crime & disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 5.8 The provision of webcasting does enable an additional means of informing the electorate of the decisions being taken by the council; however the investment in necessary technology to maintain the service will need to be regularly evaluated against the actual use of the facility by the public.
- 5.9 With the webcasting of meetings, and in particular the Planning Committee, there is the possibility that recorded evidence will be used in appeal hearings and there is a degree of uncertainty about the level to which such evidence would be taken into account by the appeal hearing. This does place an importance on the knowledge and behaviour of Members at such meetings, to ensure that the decision-making process is not compromised and therefore open to challenge in this way.
- 5.10 The importance of training of Members is therefore something that needs to be addressed and a robust training programme put in place.

Corporate / Citywide Implications:

- 5.11 There are no corporate or citywide implications arising from this report.

**SUPPORTING DOCUMENTATION**

**Appendices:**

Appendix 1 – Analysis of webcasts

Appendix 2 – Revised Protocol

Appendix 3 - List of webcasting Authorities

Appendix 4 – Bristol City Council and East Sussex County Council case studies

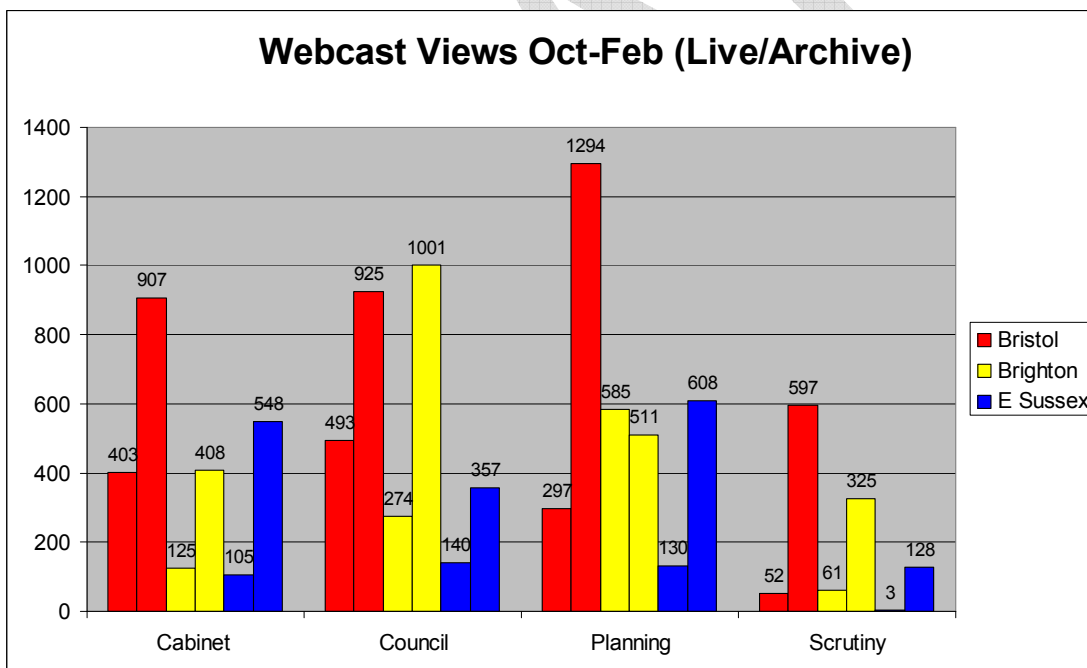
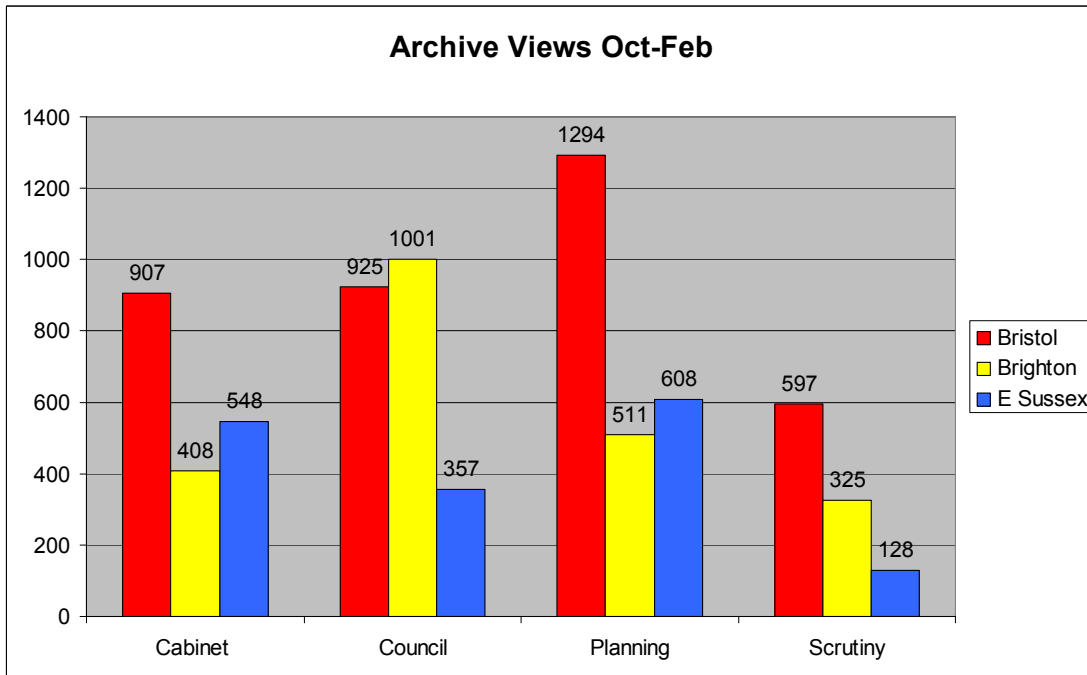
**Background Documents**

None

## Brighton &amp; Hove Webcast Figures:

Month	Committee	Date	Live	Archive	Total
October	Council	09-Oct-08	127	492	622
	Cabinet	16-Oct-08	44	121	165
	Overview & Scrutiny	21-Oct-08	26	155	181
	Planning	22-Oct-08	15	5	20
			<b>212</b>	<b>773</b>	<b>985</b>
November	Planning	12-Nov-08	84	135	219
	Cabinet	20-Nov-08	41	129	170
			<b>125</b>	<b>264</b>	<b>389</b>
December	Overview & Scrutiny	02-Dec-08	10	114	124
	Planning	03-Dec-08	29	98	127
	Council	04-Dec-08	70	726	796
	Planning	12-Dec-08	199	359	558
	Cabinet	18-Dec-08	24	147	171
			<b>332</b>	<b>1444</b>	<b>1776</b>
January	Planning	14-Jan-09	54	157	211
	Cabinet	15-Jan-09	16	175	191
	Overview & Scrutiny	20-Jan-09	10	113	123
	Council	29-Jan-09	77	192	269
			<b>157</b>	<b>637</b>	<b>794</b>
February	Overview & Scrutiny	03-Feb-09	15	81	96
	Planning	04-Feb-09	288	147	435
	Cabinet	12-Feb-09	21	100	121
	Planning	25-Feb-09	35	12	47
	Council	26-Feb-09	60	75	135
			<b>419</b>	<b>415</b>	<b>834</b>
March	Overview & Scrutiny	03-Mar-09	9	61	70
	Overview & Scrutiny	10-Mar-09	15	110	125
	Cabinet	12-Mar-09	9	78	87
	Planning	18-Mar-09	28	80	108
	Council	19-Mar-09	46	109	155
			<b>107</b>	<b>438</b>	<b>545</b>
April	Planning	08-Apr-09	31	55	86
	Cabinet	23-Apr-09	32	31	63
	Planning	29-Apr-09	50	35	85
	Special Council	30-Apr-09	107	18	125
	Council	30-Apr-09	32	37	69
			<b>252</b>	<b>176</b>	<b>428</b>
May	Council	14-May-09	67	19	86
	Planning	20-May-09	25	27	52
	Cabinet	21-May-09	22	10	32
			<b>114</b>	<b>56</b>	<b>170</b>
	<b>Total</b>		<b>1718</b>	<b>4203</b>	<b>5921</b>

Comparison with Bristol and East Sussex County Council





## Revised Webcasting Protocol

### 1.0 Agenda Front Sheets and Signage at Meetings

- 1.1 Advanced notice of the intention to web cast a meeting will be given on each agenda with the inclusion of the following:

“WEBCASTING NOTICE

This meeting may be filmed for live or subsequent broadcast via the Council’s web site. At the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1988. Data collected during this web cast will be retained in accordance with the Council’s published policy (*Guidance for Employees’ on the BHCC website*).

Therefore by entering the meeting room and using the seats around the meeting tables, you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured they should sit in the public gallery area.

If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.”

- 1.2 In addition signs will be displayed inside and outside the meeting room (see overleaf).

### 2.0 Conduct of meetings

- 2.1 At the start of each meeting to be filmed, an announcement will be made to the effect that the meeting is being web cast, and that the Chairman may also terminate or suspend the web casting of the meeting, in accordance with this protocol. This will be confirmed by the Chairman making the following statement:-

“I would like to remind everyone present that this meeting will be broadcast live to the internet and will be capable of repeated viewing.”

### 3.0 Termination or suspension of web cast

- 3.1 The Chairman of the meeting has the discretion to terminate or suspend the web cast if, in his/her opinion, continuing to web cast would prejudice the proceedings of the meeting.

This would include:

- (i) Public disturbance or other suspension of the meeting;
- (ii) Exclusion of public and press being moved and supported;
- (iii) Any other reason moved and seconded and supported by the Committee.

3.2 No exempt or confidential agenda items shall be webcast.

#### **4.0 Access to Webcasts**

4.1 Subject to paragraph 4.2 below all archived webcasts will be available to view on the Council's website for a period of six months. Meetings are recorded onto DVD, which will be stored in accordance with records management procedures.

4.2 Archived webcasts or parts of web casts shall only be removed from the Council's website if the Monitoring Officer considers that it is necessary because all or part of the content of the webcast is or is likely to be in breach of any statutory provision or common law doctrine, for example Data Protection and Human Rights legislation or provisions relating to confidential or exempt information.

4.3 If the Monitoring Officer has decided to take such action he must notify all elected Members in writing as soon as possible of his decision and the reasons for it.

4.4 The Council expects the Chairman and the Monitoring Officer to ensure that all meetings are conducted lawfully. Therefore, the Council anticipates that the need to exercise the power set out above will occur only exceptionally.

4.5 The actual webcasts and archived material, and copyright therein, remain the property of the Council, and the right to copy, issue, rent, perform, communicate or adapt any of the webcast or archived material is restricted as follows:

- (i) Any Member wishing to use a web cast or part thereof on their individual council web pages may do so as long as the whole agenda item is displayed; however, should they wish to post any material onto externally based media such as You-tube or Facebook, prior written approval must be obtained from the Head of Democratic Services;
- (ii) The use of a webcast or part thereof by any person who is not an officer or Member of the council is prohibited without the prior written approval of the Head of Democratic Services;
- (iii) A DVD copy of a webcast can be obtained for a fee of £75 from Democratic Services and shall not be altered in any way or played in public.

4.6 Any elected Member who is concerned about any webcast should raise their concerns with the Head of Democratic Services or the Monitoring Officer.

#### **5.0 Review & Monitoring**

5.1 Operation of the webcasting will be monitored and reviewed from time to time and reported to the Governance Committee.

## **WEBCASTING**

**PLEASE NOTE THAT BRIGHTON &  
HOVE CITY COUNCIL MAY  
BROADCAST THIS MEETING LIVE ON  
ITS WEBSITE AND THE RECORD  
ARCHIVED FOR FUTURE VIEWING  
YOUR PICTURE MAY BE INCLUDED IN  
THE BROADCAST / RECORD  
ACCESSIBLE AT**

**[www.brighton-  
hove.gov.uk/yourcouncil/webcasts/default.htm](http://www.brighton-hove.gov.uk/yourcouncil/webcasts/default.htm)**

**FOR FURTHER INFORMATION, PLEASE CONTACT  
MARK WALL, HEAD OF DEMOCRATIC SERVICES (01273  
291006 e-mail [mark.wall@brighton-hove.gov.uk](mailto:mark.wall@brighton-hove.gov.uk)**

List of webcasting authorities

Appendix 3:

Aylesbury Vale District Council	New Forest District Council
Barnsley Metropolitan Borough Council	Newcastle City Council
Braintree District Council	North East Derbyshire District Council
Brentwood Borough Council	Pembrokeshire County Council
Brighton & Hove City Council	RMT
Bristol City Council	Royal Borough of Kensington & Chelsea
British Medical Association	Royal College of Physicians Ireland
Buckinghamshire County Council	South Holland District Council
Cardiff City & County	South Oxfordshire District Council
Castle Point District Council	South Yorkshire Joint Authority
Cherwell District Council	St Albans City & District Council
Council of the Isles of Scilly	Staffordshire County Council
Devon & Cornwall Police Authority	Staffordshire Moorlands District Council
Devon County Council	Stroud District Council
Donegal County Council	The Hemming Group
Dublin City Council	Tunbridge Wells Borough Council
Dun Laoghaire Rathdown Council	Waverley Borough Council
East Sussex County Council	West Lindsey District Council
Epping Forest District Council	West Sussex County Council
Essex County Council	Wicklow County Council
Hertsmere Borough Council	Worcestershire County Council
Kent County Council	London Borough of Camden
Kingston upon Hull City Council	London Borough of Croydon
Lancashire County Council	London Borough of Haringey
Leicester City Council	London Borough of Hounslow
Lincolnshire County Council	Mole Valley District Council
Local Government Association	Moray Council

Case Study 1: Bristol City Council

Bristol City Council has a proven track record of using new technology to broaden democratic engagement.

**Welcome to Bristol City Council's webcasting site**

Bristol City Council is webcasting a range of meetings to improve public access to our democratic processes, and to be more accountable to the citizens of Bristol.

This is part of a 2-year pilot, supported by the EU's e-Participate project.

**We'd love to hear your ideas!**

Complete our **online survey** about webcasting.

- View all archived webcasts
- Search for a particular webcast
- Find out more about e-democracy in Bristol

**What is a Webcast?**

A webcast is a transmission of audio and video over the internet. Through the use of your internet connection (either broadband or via a dial-up modem) and Windows Media Player you can view the meetings live from the comfort of your own home on your PC and Apple Mac. If you have problems viewing our webcasts, please see the Help and FAQ section.

Should you miss a meeting, or would like to view a section of the meeting again, then you can view the archive of the webcast. The archives allow you to view the meeting at you leisure and, through the use of the index points, allow you to jump to a specific agenda point or speaker.

**What's On**

**Future Webcasts**

"What Money Means" showcase  
Wed, 1st Jul 2009 @ 13:00

**Recent Webcasts**

Cabinet  
Thu, 30th Apr 2009 @ 18:00

Revisiting the Role of Bristol Schools in their Communities  
A seminar exploring the role of schools in being more open and outward looking. Case studies from schools in Bristol are used.  
Wed, 29th Apr 2009 @ 16:30

Full Council  
Council discussed the future of local post offices, and processing housing benefit claims.  
Tue, 28th Apr 2009 @ 18:00

Sustainable Travel Select Committee  
The Committee agreed the final draft recommendations report.  
Wed, 22nd Apr 2009 @ 18:00

Cabinet  
Cabinet met at Knowle West Media Centre. Among the items agreed was the acquisition of Stoke Park by the

BCC webcast Full Council, Cabinet, Planning, Development Control and Select Committee webcasts, and in addition to this regularly film and then webcast special events, such as *Revisiting the Role of Bristol Schools in their Communities*, and *Launch of South Bristol Digital Neighbourhoods*.

In conjunction with Public-i, Bristol CC are also pioneering other methods of engagement, such as e-petitioning and online discussion forums, via a dedicated website, designed and developed by Public-i – [www.askbristol.com](http://www.askbristol.com)

Home | Viewfinder | Consultation finder | E-petitions | Webcasting | Noise | About | Contact

**Ask Bristol**

The current discussion topic is **Traffic Noise Pollution**.

Tell us if you are affected by traffic noise pollution where you live on our discussion forum and plot your favourite quiet areas of the city on the interactive noise map.

Your views will feed in to the implementation of DEFRA's noise action plan for Bristol. Find out more about traffic noise pollution at [www.bristol.gov.uk](http://www.bristol.gov.uk)

**JOIN UP & ASK**

**SIGN IN**

User

Password

[Register](#)  
[Password reminder](#)







**ONE TO WATCH...**

**Traffic Noise Pollution** - Join in the 'Viewfinder' discussion now.

noise  
Cabinet  
30 April 2009  
ROAD SAFETY IN BEDMINSTER ROAD  
Voluntary and Community Sector Infrastructure Support Needs Survey

AskBristol is unique in that it engages members of the public in a number of different ways, but then ties these together to form a complete picture. For example, a member of the public may feel strongly enough about an issue to go online to AskBristol to sign a petition; they can then discuss the issue online with other users, and ultimately see the issue discussed live in council via a webcast.

Not only does this approach reflect a comprehensive and popular service, but by following the example route, traffic can be driven to the webcasting section via other methods. This can result in some enviable viewing statistics:

	Activity Type	Title	Live date	Activity	Live	Archive	Category
	Webcast	<a href="#">Full Council - Budget meeting</a>	24 Feb 2009	<b>1796</b>	223	1544	Full Council
	Webcast	<a href="#">What does my body need me for? - Daniel C. Dennett</a>	20 Mar 2009	<b>1464</b>	581	855	Other
	Webcast	<a href="#">E-Democracy Day - Modern methods of governance - democracy in action or mob rule?</a>	31 Oct 2007	<b>591</b>	0	565	Other
	Webcast	<a href="#">State of the City debate 2008 and Full Council</a>	02 Dec 2008	<b>573</b>	0	571	Full Council
	Webcast	<a href="#">Full Council (Extraordinary meeting)</a>	10 Feb 2009	<b>545</b>	170	374	Full Council
	Webcast	<a href="#">Next Generation Roadshow - High speed broadband in your community</a>	31 Mar 2009	<b>502</b>	221	272	Conference

As discussed, it is not unrealistic to state that with a concerted online engagement strategy and appropriate marketing, such viewing figures are easily obtainable by B&HCC and could be exceeded, marking the council as progressive, innovative and open.

### Testimonial

Philip Higgins, Corporate Consultation Manager, and Cllr Terry Cook from Bristol City Council have compiled a number of reports to ascertain the success of their webcasting project, and have discovered the following, via an ongoing evaluation by survey:

**82% of users agree – “Webcasting is making the council more open and accountable for its actions”**

**59% of users agree – “I better understand the work of the council and councillors after watching a webcast”**

And from members of the Bristol public:

**“A huge step forward for open local democracy in Bristol”** – Female, 47 years

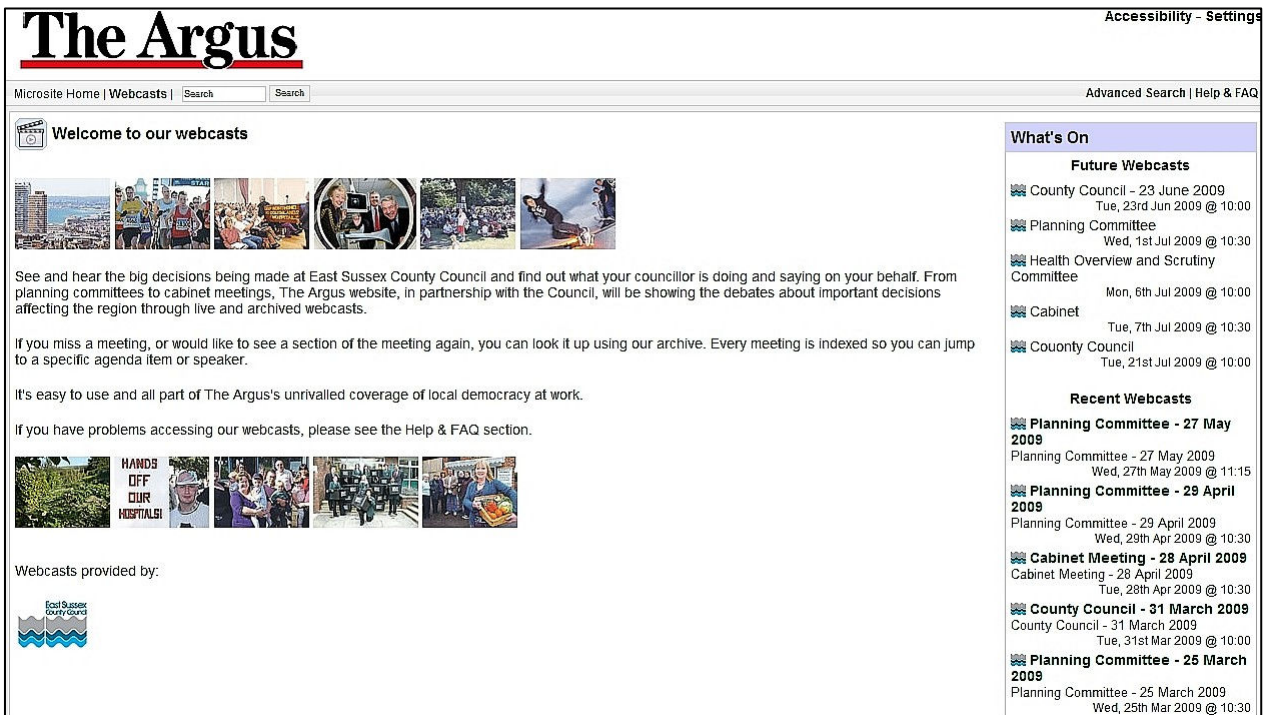
**“Really good idea and good effort”** – Male, 29 years

Case study 2: East Sussex County Council

ESCC have been a webcasting client for many years, and are a good example of an established, regularly webcasting authority that has embedded the service in the consciousness of their citizens. In addition, they have established a partnership with local press to further expand the profile of their service.



ESCC have a fixed (F600) system in their council chamber, and webcast Full Council, Cabinet, Planning Committee and Health Overview & Scrutiny meetings. In addition, they have formed a partnership with Sussex Police Authority, who webcast their main monthly meeting from the chamber, and also the online counterpart to *The Argus* newspaper:



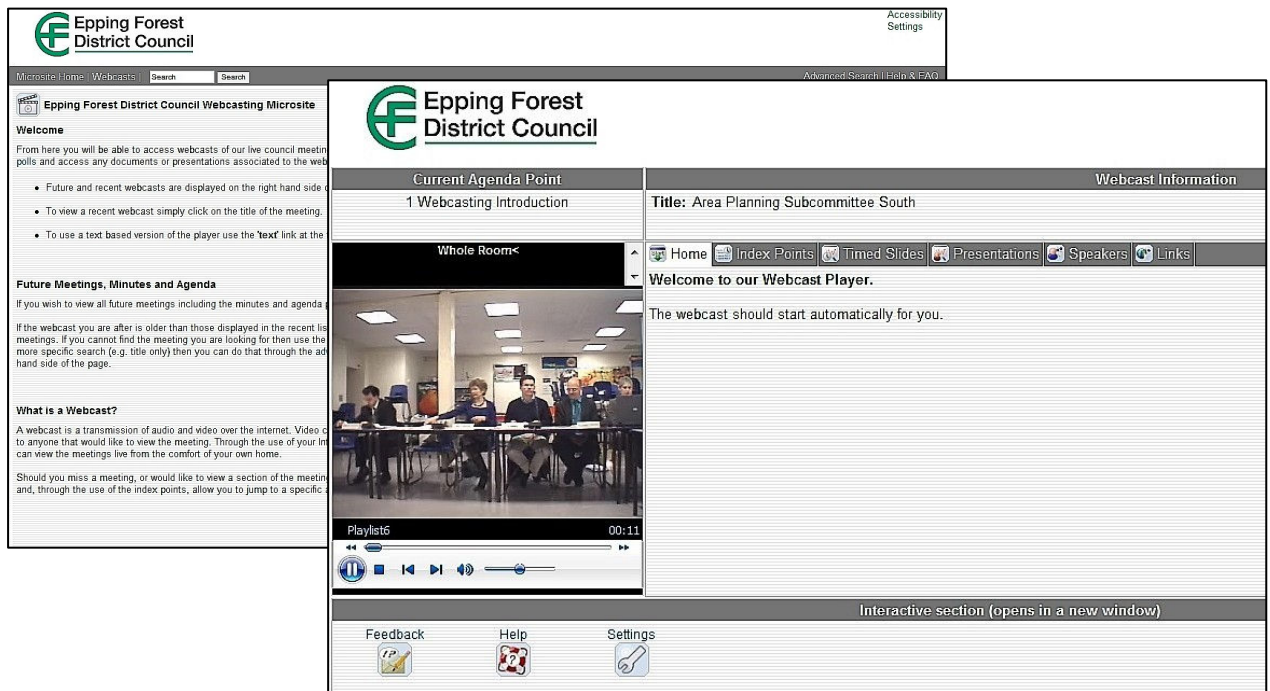
This partnership has generated the following additional viewings to their webcasts, since January 2009, at no cost to the authority:

<b>Total visitor sessions</b>	<b>2753</b>
<b>Total unique visitor addresses</b>	<b>466</b>

In addition to the presence of the dedicated The Argus microsite, the partnership also provides editorial references in the body of the paper version, where relevant to a particular story – driving even more traffic to the webcasts and further raising the profile of the service. B&HCC can utilise this approach to generate higher awareness.

**Case Study 3: Epping Forest District Council**

EFDC are a good example of a webcasting authority that uses their equipment to its fullest potential, to create a highly varied and interesting library of content for their citizens. Similarly to B&HCC, they have fixed cameras in the chamber which they use in conjunction with an R600 mobile unit, which they regularly use to capture ‘off-site’ meetings, such as planning.



Content produced and webcast from their chamber includes Full Council, Cabinet and Overview & Scrutiny. They also use the mobile aspect of their equipment to capture area meetings – such as Area Planning meetings, District Development Control Committees, etc.

In addition, EFDC make good use of the tagging features included within the webcasting software, which not only ensures that their citizens can quickly and easily get to the content that they are interested in, it also makes their content ready to be ‘set free’ in the online environment, which is very much the next step in the evolution of democratic webcasting and engagement.










Promotion of the webcasting service, attention to detail such as this, and passionate staff who believe strongly in that online engagement is key to a local authority’s communication strategy has again resulted in impressive viewing figures:

**Tag cloud**

Click here to get an RSS feed of tagged webcasts.

Cabinet , Corporate Management , Council , **Democracy** , Elections , External Partnerships , **Financial Management** , Grant Aid , Performance Management , **Planning and Building Control** , **Public Relations** , Scrutiny , Transport and Highways , Waste Management



	Activity Type	Title	Live date	Activity	Live	Archive	Category
	Webcast	<u>Cabinet</u>	06 Oct 2008	<b>1296</b>	54	1221	Cabinet
	Webcast	<u>Council</u>	28 Oct 2008	<b>1097</b>	230	864	Full Council
	Webcast	<u>Christmas and New Year Message 2008</u>	17 Dec 2008	<b>634</b>	0	620	Your Council
	Webcast	<u>Civic Awards 2008</u>	19 Mar 2008	<b>509</b>	0	500	Other
	Webcast	<u>James Akawsaw Gronniosaw - an African Prince</u>	14 Jan 2008	<b>503</b>	0	493	Other
	Webcast	<u>Olympic Flag Raising Ceremony</u>	26 Aug 2008	<b>502</b>	0	463	Other
	Webcast	<u>Cabinet</u>	14 Jul 2008	<b>443</b>	9	422	Cabinet
	Webcast	<u>Council</u>	25 Sep 2008	<b>438</b>	12	424	Full Council
	Webcast	<u>Essex Scrutiny Conference</u>	22 Oct 2008	<b>339</b>	0	339	Scrutiny

## Testimonials

“Staffordshire Moorlands District Council has been webcasting meetings ‘live’ since September 2007. During that time, over 10,000 people have tuned in to view meetings – an impressive figure, and a great tribute to the people of the area who have taken the opportunity to see what their elected representatives have been discussing and the decisions they have been making. This has resulted in a significant increase in interest throughout the district with regard to meetings and the Council as a whole.

A key benefit of webcasting to the Authority, as well as increasing interest in meetings, has been that the reporting of meetings has become far more accurate and coverage in the local press has been extremely favourable. In addition, officers and Members have found that they can save valuable time finding information and cross-checking minutes by viewing meetings again online. Feedback from the public – evidenced by calls into the local radio station, letters to the local papers and correspondence directly to the Council – has largely been positive, with citizens commending the Council for being open enough to allow their meetings to be shown live and over the Internet.

Finally, in a period of financial pressure, webcasting and other multimedia tools offer the prospect for the Council of identifying efficiency savings. These have come through savings in travel costs (less people need to attend

meetings in person); the use of paper-based information systems (there is no longer the need to send out agendas to as many people or to even print agendas in some cases, as they are all available electronically); postage costs; and savings on staff costs. These are important points for a Council which is constantly striving to find efficiency savings in all areas of the business.”

- Mark Bailey, Policy Manager (Staffordshire Moorlands DC)

#### Further testimonials

“This is long awaited. It enables those who wish to see and hear what the authority has to say, rather than through pages of text.”

“This is fantastic!!! It did cheer me up no end! It is more personal and everyone wanted to see it so it's an excellent communication method”.

“Brilliant system. Very easy to jump to what I want”.

“I have managed to find my way round your system and find it v impressive. As a School Governor we are interested in using this technology for our schools”.

- OFFICERS, CAMBS COUNTY COUNCIL

“I think it's been very good for showing the smoke and mirrors side of councils because I didn't know what to expect before I became a councillor a couple of years ago and certainly it's a lot more democratic and transparent than you are always led to believe.”

- UK COUNCILLOR

“By watching the webcast citizens are for the first time getting an idea of how decisions are being made and not just being told the results”

“Thank you for the webcasts; they are very interesting & a great resource for people to be able to see during working hours. This is a good way to become more accountable.”

- UK CITIZENS

You do a public meeting and the public ought to know. So I'm all for it, the more I see of this the better I think it is for democracy.”

- UK COUNCILLOR

“This is an opportunity to show the public that what we do is not only worthwhile but also effective and to see democracy at work. It is open house. The problem is that in the past decisions were made behind close doors. This is changing. The more openness the better. This means more accountability as politicians can no longer say one thing when canvassing and do another in the chamber. Now citizen can verify if they keep their promise.

- COUNCILLOR, FINGAL

<b>Subject:</b>	<b>Membership of South East England Councils (SEEC)</b>	
<b>Date of Meeting:</b>	<b>7 July 2009</b>	<b>Governance Committee</b>
	9 July 2009	Cabinet
<b>Report of:</b>	<b>Acting Director of Strategy &amp; Governance</b>	
<b>Contact Officer:</b>	<b>Name: Anthony Zacharzewski</b>	<b>Tel: 29-1295</b>
	<b>E-mail: anthony.zacharzewski@brighton-hove.gov.uk</b>	
<b>Wards Affected:</b>	<b>All</b>	

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report recommends that Brighton & Hove City Council joins the new regional body "South East England Councils" following the discontinuation of the South East England Regional Assembly (SEERA) at the end of March 2009.
- 1.2 This is an opportunity for the city council to maintain a high level of involvement with the South East England Development Agency (SEEDA) in the economic development of the South East region through the production of a new Single Regional Strategy.

#### 2. RECOMMENDATIONS:

- 2.1 That the **Governance Committee** approve Councillor Mary Mears as the representative for Brighton & Hove City Council, subject to the Cabinet approving recommendation 2.3 below.
- 2.2 That **Cabinet** note the extract of the proceedings of the Governance Committee held on 7 July 2009.
- 2.3 That **Cabinet** approve that Brighton & Hove City Council become a member of South East England Councils (SEEC).

#### 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Brighton & Hove City Council has been invited to join the South East England Councils (SEEC). This is the representative body of councils in the South East of England which, working with SEEDA, will replace the former South East England Regional Assembly (SEERA) that was discontinued in March 2009.

- 3.2 Joining SEEC represents a significant opportunity for councils to influence economic development in the South East through the creation of a Single Regional Strategy, on which work will begin in the autumn of 2009. The draft 2009/10 business plan and objectives for SEEC is found in Appendix 1.
- 3.3 Subscription costs will be no more than 25% of the membership costs formerly paid by council to SEERA due to lighter support arrangements. Technical support and guidance will be provided to SEEC by the Local Authority Chief Executives (LACE) support group, which includes colleagues from county, unitary and district councils.
- 3.4 It is noted that a General Election may impact on these arrangements, but that this should not deter us from joining this regional forum, particularly given the current regional, national and international economic context.
- 3.5 It is therefore recommended to Cabinet that we confirm the request to join SEEC and attend the first AGM on 15 July where the draft business plan will be considered.
- 3.6 Governance Committee are asked to approve that the Leader, Councillor Mary Mears, represent Brighton & Hove City Council on SEEC, subject to approval of membership by Cabinet.

#### **4. CONSULTATION**

- 4.1 The Management Team and Leadership have been consulted.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 The cost to Brighton & Hove City Council to join SEEC is £5,082 for 2009/10. The scale of charges used by SEEC is proportionate to the size of the local authority. As stated in the report, costs are 25% of previous SEERA subscription (£20,328 for Brighton & Hove City Council in 08/09) which is within the budget provision held by the Culture & Enterprise directorate.

*Finance Officer Consulted: Nigel Manvell*

*Date: 16/06/09*

##### Legal Implications:

- 5.2 Under the Council's Constitution the decision to join is made by Cabinet but the issue of in year external appointments is made by Council or the Governance Committee.

*Lawyer Consulted: Abraham Ghebre-Ghiorghis*

*Date: 16/06/09*

Equalities Implications:

- 5.3 SEEC has been established to represent and promote the views and interests of local government in the region. Through SEEC, Brighton & Hove will have opportunity to raise equality and inequality issues at a sub-regional and regional level.

Sustainability Implications:

- 5.4 Involvement in SEEC will allow Brighton & Hove to influence sustainable economic and social development within the wider region.

Crime & Disorder Implications:

- 5.5 The work programme for SEEC in 2009/10 includes the production of a report to inform councils of current and emerging crime and disorder issues in the South East in order to formulate an appropriate response. This may impact on the city's current approach.

Risk and Opportunity Management Implications:

- 5.6 Joining SEEC presents an opportunity to share best practice and influence regional policy for economic and social development. This is particularly important given the affects of the current recession.

Corporate / Citywide Implications:

- 5.7 Joining SEEC will provide an opportunity to represent the best interests of Brighton & Hove City Council and the city as a whole through regional discussion in order to influence national and European policies and resource allocation.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S)**

- 6.1 Not applicable.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 Not applicable.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. South East England Councils, Draft Business Plan 2009/10

### **Documents In Members' Rooms**

None

### **Background Documents**

None

# **SOUTH EAST ENGLAND COUNCILS**

## **DRAFT BUSINESS PLAN 2009/10**

**APRIL 2009**

(Updated 27.4.09)

## **INTRODUCTION**

### **The Role and Status of South East England Councils (SEEC)**

As a result of the Government's Sub National Review of Economic Development and Regeneration (SNR), changes have been made to the regional architecture, and in particular to the way in which regional planning, transport, housing and economic development functions are carried out across the English regions. The most significant changes are a new 'joint responsibility' between the Regional Development Agencies and a new body of local authority Leaders from the region to develop and sign off a single Regional Strategy. This new single strategy will replace the existing regional spatial and regional economic strategies. As a consequence of the new arrangements, the existing Regional Assemblies are also being abolished.

In the South East, the Regional Assembly (SEERA) has already been wound up and replaced by the South East England Councils (SEEC). The Development Agency and the new South East England Leaders' Board (SEELB) are working together to establish new arrangements to discharge their joint responsibilities. A new South East England Strategy Board and South East England Partnership Board form the major governance arrangements to deliver the new joint responsibilities.

SEEC has been established to represent and promote the views and interests of local government in the region. It has a wide remit, not just to provide an input into the development and implementation of the Single Regional Strategy. It will, amongst other things, ensure effective representation of local authority interests on regional, national and international bodies, will scrutinise the activities of other agencies at the regional level and will provide a forum for the consideration and determination of regional issues including strategic policies and investment priorities.

There were significant objections to the original Government consultation on SNR which proposed that unelected Regional Development Agencies should alone be responsible for signing off the strategy. Now that changes have been incorporated to make this a joint responsibility, SEEC will be able to provide the vital democratic input which properly represents all communities and residents across South East England.

### **The Status of this Business Plan**

This draft Business Plan has been prepared by the SEEC Executive Board. It will be considered for adoption at the Plenary meeting of all councils in South East on 15<sup>th</sup> July 2009.

In drawing up this Business Plan the Executive Board has recognised that the recently established arrangements for regional planning may change in the not too distant future. It has therefore endeavoured to "future proof" the work of SEEC. The Business Plan will therefore be kept under review throughout 2009/10 and may be subject to change.



## SEEC Objectives

1. To be the democratically representative voice of South East England.
  - a. To arrange meetings of the Plenary of Member Councils in the South East; its Leaders' Board\* and appropriate sub-committees and working groups.
  - b. To nominate members to serve on appropriate national and regional boards, committees and working groups.
  - c. To influence national and European policies and resource allocation.
2. To provide a framework for co-ordinated action by South East England Councils, or groups of councils, on issues of regional or sub-regional significance.
3. To receive regular reports on the "state of the region" and to formulate an appropriate response by Councils.
4. To contribute to the development, implementation and monitoring of regional strategic policies, which at present are represented by the single Regional Strategy.
  - a. To ensure that the views of the Councils are established as the guiding principles in the development of the Strategy through its representation on the Partnership and Strategy Boards.
  - b. To ensure that the agreed strategy is implemented through the Planning 'Panel', Regional Transport, Housing and Regeneration, Economic Development and Skills Boards and any other such boards as may be established.

The relationship of SEEC with the Partnership and Strategy Boards, and the various regional boards so far established is set out in Appendix 1.

5. a. To communicate the work of SEEC and its various boards, sub-committees and working groups to all member councils to enable individual councils to provide input as appropriate to issues under consideration and to be kept informed of decisions taken.
- b. To communicate the work of SEEC to appropriate outside bodies (including national Government and the Government Office for the South East (GOSE) and to the general public.

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\* including a representative of the National Parks

## KEY ACTIVITIES FOR 2009/10

	ACTIVITY	DESIRED OUTCOME
<b>Objective 1: The democratically representative voice of South East England</b>		
1.1	Establish the basis of a relationship with the LGA	The LGA is better able to represent the views of South East England Councils
1.2	Support members who are nominated to serve on national and regional boards and to receive timely feedback on issues considered and decided	The views of SEEC members are influential in shaping policies and decisions.
1.3	Establish an appropriate mechanism to monitor and influence European policies and funding	SEEC is better able to influence emerging European policies and European funding for the South East is maximised.
1.4	Review the structure and membership of Improvement and Efficiency South East (IESE)	The funding available from the Regional Improvement and Efficiency Partnership is directed to the issues of highest priority in the South East.
1.5	Establish appropriate scrutiny of SEEDA	The wider activities of SEEDA are better understood by SEEC members and SEEC's views are taken into account.
<b>Objective 2: Provide a framework for co-ordinated action</b>		
2.1	Increase involvement in the Inter-Regional Forum, the English Regions Network and in meetings of the GLA and ERA	Views of SEEC are better understood by surrounding areas and there is greater co-ordination across the greater South East.
2.2	Establish an appropriate mechanism for handling migration issues at the regional level	There is better understanding of the implications of migration and skills, training, workforce planning, housing, social cohesion and child protection. Opportunities for external funding are maximised.
2.3	Co-ordinate action by groups of councils to maximise the benefits of London Olympics 2012	The benefits to the South East are maximised and problems minimised.
<b>Objective 3: Monitoring the state of the region</b>		
3.1	Consider an annual report on the state of the region prepared by the South East England Strategy Unit (SEESU)	SEEC is better informed of the latest trends and developments in the South East and formulates an appropriate response.

3.2	Consider a report on health and well being issues in the South East	SEEC is better informed of current and emerging issues and formulates an appropriate response.
3.3	Consider a report on crime and disorder issues in the South East	SEEC is better informed of current and emerging issues and formulates an appropriate response.
<b>Objective 4: The development and implementation of regional strategic policies</b>		
4.1	Respond to the final version of the South East Plan	If appropriate, SEEC develops a collective response to the Government's plans.
4.2	Establish with SEEDA the Partnership and Strategy Boards	Organisational arrangements for the preparation of the Single Regional Strategy are established and members briefed on their respective roles.
4.3	Respond to Government consultation on the Reviews of Aggregates and Gypsies and Travellers	Opportunity for SEEC to make its views known to the public and secure an invitation to the EiPs.
4.4	Participate in the Examinations in Public into Aggregates and Gypsies and Travellers	The submitted policies are tested for robustness in a formal examination.
4.5	Commence work on the preparation of a single Regional Strategy	SEEC establishes the guiding principles for the development of the Strategy.
4.6	Contribute to a Regional Planning 'Panel'	SEEC provides advice to the Strategy Board on spatial planning issues and to members on the preparation and co-ordination of LDFs in the region.
4.7	Agree a prioritised programme of transport investment through the Regional Transport Board.	SEEC's views are reflected in transport priorities.
4.8	Agree a prioritised programme of housing and regeneration investment through the Regional Housing and Regeneration Board.	SEEC's views are reflected in housing and regeneration priorities.
4.9	Contribute to a Regional Economic Development and Skills Board	SEEC's views are reflected in the work of the Board.
<b>Objective 5: Communicate the work of SEEC with its members, partners and the public</b>		
5.1	Develop and implement a Communication Strategy	SEEC members are better informed and have an opportunity to contribute to the work of SEEC partners and the public are better informed of the value of SEEC.

## **FINANCIAL PLAN**

This financial plan has been drawn up on the following assumptions:

1. Funding for the preparation of the Single Regional Strategy will be provided by CLG and managed by SEESU.
2. Subscription levels for SEEC will be no more than 25% of the subscription levels formerly paid by councils to SEERA.
3. The support arrangements for SEEC will be “light touch” and separate from those of SEESU, although may be accommodated alongside them. They will comprise an office manager (part-time?), a policy officer, a communications officer (part-time) and administrative support.
4. Additional support will be provided by the Local Authority Chief Executives across the region supported by appropriate Directors drawn from Counties, Unitaries and Districts. The Directors can draw on their technical support as necessary.

<b>Income</b>	<b>Indicative Budget (£000's)</b>
Subscriptions (74 Councils)	150,000
<b>Expenditure</b>	<b>Indicative Budget (£000's)</b>
Staff	
- Communications Manager (p/t)	20,000
- Policy Officer (f/t)?	35,000
- Office Manager (p/t)?	20,000
- Office Support (p/t)?	15,000
Meeting and Conference costs	10,000
Accommodation	10,000
Post and Printing	2,500
Office Overheads	5,000
Research/Commissions	20,000
Contingencies	12,500
<b>Total Spend</b>	<b>£150,000</b>

## RELATIONSHIP BETWEEN SEEC AND SEEDA IN THE PREPARATION OF A REGIONAL STRATEGY FOR SOUTH EAST ENGLAND

The South East England Regional Assembly was dissolved on 31 March 2009. This resulted from the Government's plans to streamline regional working arrangements as part of its Sub-national Review (SNR) of Economic Development and Regeneration. Responsibility for regional planning now rests with a new model of joint governance by local government - in the shape of **South East England Councils (SEEC)** – and the **South East England Development Agency (SEEDA)**.

There will be a joint body to prepare a Single Regional Strategy – joining up, and building on, the Assembly's South East Plan and SEEDA's Regional Economic Strategy. SEEC and SEEDA will work closely with delivery agencies, such as the Highways Agency, and stakeholder groups.

There will be **two decision-making boards**:

- The high-level **South East England Partnership Board** comprising four SEEDA board members and eight members of South East England Leaders' Board (SEELB) – the executive committee of SEEC.

This Board will be responsible for:

- Commissioning and signing-off the Single Regional Strategy
- Signing-off the regional delivery plan
- Signing-off the annual monitoring report

This Board becomes the regional planning body until the SNR legislation is passed. During this interim period (whilst the Partnership Board is the RPB) a representative of the National Parks will be co-opted on to the Board

- The **Strategy Board** comprising:  
Members - four SEEDA Board members and eight SEELB members  
Observers - four Delivery Partners (statutory agents such as the Environment Agency) and two Stakeholders

This Board will be responsible for:

- High level steering of the Regional Strategy process and content
- The allocation of CLG funding for the regional strategy and signing-off the business plan/budget
- Integrating investment priorities
- Ensuring alignment between strategy and delivery
- Ensuring sustainable growth is at the heart of the regional strategy
- Developing a single evidence base
- Ensuring effective engagement with stakeholders and public
- Overseeing any continuing work required on implementing the South East plan

Supporting the decision-making Boards, there will be **Delivery Boards** (eg Transport Board), together with a small number of '**Working Groups**' to help steer specific aspects of the Regional Strategy and support the Strategy Board.

A group is currently considering the detail around the roles and membership of the delivery boards and the working groups, and the relationship between them.

**Stakeholders** have played an important part in the development of current regional strategies in the South East. They will continue to play an important role in the new regional strategy process at both the 'member' and 'technical' levels, but won't be part of the formal decision-making process.

The exact details of Stakeholder involvement will be agreed in the near future.





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