

**BRIGHTON & HOVE CITY COUNCIL**  
**OVERVIEW & SCRUTINY COMMITTEE**  
**2.00pm 10 SEPTEMBER 2012**  
**COUNCIL CHAMBER, HOVE TOWN HALL**  
**MINUTES**

**Present:** Councillor Morgan (Chair)

**Also in attendance:** Councillor Cox (Deputy Chair), Brown, Buckley, Farrow, Follett, Hawtree, Marsh, K Norman and Duncan

**PART ONE**

**10. PROCEDURAL BUSINESS**

10.1 Councillor Ben Duncan was substituting for Councillor Alex Phillips.

**11. MINUTES OF THE MEETING HELD ON 16 JULY 2012**

11.1 At minute 6.9(c) a note on pay grades by gender had been circulated to OSC Members.

11.2 At minute 8.7 (2) a briefing on flooding will be provided.

11.3 The minutes of the meeting held on 16 July were agreed and signed by the Chair.

**12. CHAIRS COMMUNICATIONS**

12.1 The Chair Councillor Warren Morgan welcomed Roger French, Chair of Brighton & Hove Strategic Partnership and everyone to the meeting.

12.2 Councillor Morgan was pleased to announce that the Trans Scrutiny Panel of which he was a Member has won the LGBT Staff Forum History award. The Panel had visited Trans support groups during the summer and would be hearing from more speakers including service providers at three meetings on 20, 25 and 27 September.

**13. PUBLIC AND MEMBER INVOLVEMENT**

13.1 Suggestions for subjects for scrutiny were included in Item 21 on the Committee's Work Plan.

**14. BRIGHTON & HOVE STRATEGIC PARTNERSHIP 12 MONTH ACTIVITY REPORT**

14.1 Roger French OBE DL Chair of the Brighton & Hove Strategic Partnership (BHSP) introduced the 12-month activity report for the over-arching Partnership that brought together

different parts of the public sector as well as private, business, community and voluntary, having a co-ordinating role for wide-ranging work across the city.

14.2 BHSP was responsible for developing and driving action on the Sustainable City Strategy, launched in May 2010 that would be re-visited again during 2013 – 2014. It was well-placed to facilitate discussions around controversial issues. In the context of recent weekend traffic congestion - organising and progressing the relatively new Transport Partnership was a particular focus of work at present, bringing together all interested parties around the table.

14.3 The City Council was represented on all the family of partnerships that were all highly active. There was close working with overview and scrutiny on city-wide issues.

14.4 Roger French said the Partnership was vibrant and positive. An external audit showed the Partnership to be good, strong and mature. He described the review of the Partnership structure that was now looking at groupings under headings of 'Policy' 'Outcome' and 'Delivery' and outlined latest developments for example the City Performance Plan, City Engagement Partnership and Citytracker survey.

14.5 The Brighton & Hove Child Poverty Strategy had been agreed and the Inward Investment Prospectus should be signed off by the year end.

14.6 Answering questions: Roger French said the BHSP did indeed work 'smartly,' was strategic but aware of the detail and could show that it achieved its objectives.

14.7 Regarding the alcohol intelligent commissioning pilot and membership of the related programme board, it was noted that a joint scrutiny review with HWOSC would be considered later in this agenda within the OSC Work plan.

14.8 The Urban Biosphere project showed the strength of the Partnership approach; it was supported unanimously and was a credit to those involved and to the City as a whole.

14.9 Head of Partnership and External Relations Simon Newell answered a question from the Chair Councillor Warren Morgan on attracting inward investment in environmental industries and all business sectors. The City's proximity to Gatwick airport was an attraction for overseas investment. The prospectus was available on the BHSP website and due to be launched formally at the October meeting of the Economic Partnership.

14.10 Councillor Follett who served on the Transport Partnership said this was of great benefit and a good example to enable informed conversations on the challenges faced by the City. He was optimistic about the Partnership work in Brighton & Hove and it should be applauded, he said.

14.11 On behalf of the Committee the Chair Councillor Warren Morgan thanked Roger French for presenting the report and answering questions.

## **15. ANNUAL PERFORMANCE UPDATE OF THE COUNCIL'S CORPORATE PLAN 2011/12**

*(note that this item was considered after item 16)*

15.1 Head of Policy and Performance Richard Butcher Tuset introduced the Annual Update of the Council's Corporate Plan.

15.2 Members commented on the reduction of conservation areas at risk.

**15.3 RESOLVED** that the progress made against the performance indicators in the Corporate Plan, be noted.

## **16. CITY PERFORMANCE PLAN 2011/12 REPORT**

*(Note that this item was considered before Item 15 on the agenda)*

16 Head of Policy and Performance Richard Butcher Tuset introduced the City Performance Plan (CPP) 2011/2012 Report that had been considered at July Policy and Resources Committee and full Council. The CPP was 'owned' by the BHSP and a key part of the Performance and Risk Management Framework that monitored how we do as a City and Council.

16.2 The data-gathering process covering all areas of work in the City, was long and complicated. Results from the Citytracker survey in November, would be added into the report at a later stage.

16.3 The report was a chance to note the areas of good work, note 'amber' areas and 'red' or off-target areas and seek reassurance where necessary about work in progress to move towards 'green.'

16.4 Progress had been made in the 'conference' economy, educational attainment, alcohol-related disorders, first time entrants to the youth justice system, persistent and prolific offenders, child obesity, meeting the decent homes standard and bringing empty properties back into use.

16.5 There were concerns about young people not in education, employment or training (being addressed eg via the apprenticeship scheme) and homelessness and rough sleeping that was challenging to tackle. Working with the community and voluntary sector a homelessness fund for single people with complex needs was being sought from Lottery funding.

16.7 Alcohol-related violence incidents were decreasing, though alcohol-related health issues seemed to be increasing.

16.8 Councillor Ben Duncan, Chair of the Community Safety Forum (CSF) reminded the meeting that the incidence and reporting of disability hate crime (CPP2.8) is regularly presented in detail to CSF.

16.9 The Committee discussed the trends in GCSE achievement (CPP3.1).

16.10 Some Members questioned the monitoring and recording process regarding homelessness and rough sleepers and suggested a wider definition and new survey method be used. Number of people in bed and breakfast accommodation was queried. Results of the 2011 census soon to be available, would be helpful.

16.11 The meeting heard a scrutiny review of homelessness was being set up by HWOSC. Councillor Duncan asked that the potential effect of the new law making squatting a criminal offence, be included in this.

16.12 Members discussed the role of scrutiny in considering performance reporting – working with strategic partners and looking both at the strategic level and the detailed level, how data is collected, the types of measurements and whether further information is needed.

16.13 Options for performance reporting for scrutiny would be presented to a future OSC meeting.

**16.14 RESOLVED;** 1) that the areas of good progress in the City Performance Plan progress report be noted.

2) that future activity and barriers outlined in the CPP report Appendix 2 in areas of concern, be noted.

3) that options for performance reporting for scrutiny, be brought to a future OSC meeting.

## **17. ORGANISATIONAL HEALTH ANNUAL REPORT**

17.1 Members noted the Organisational Health Report 2011/2012.

## **18. PROPOSAL FOR BUDGET SCRUTINY PANEL**

18.1 Introducing the report proposing a Budget Scrutiny Panel the Head of Scrutiny Tom Hook said the 2012/2013 budget scrutiny process has been the best so far especially since the Community and Voluntary Sector Forum (CVSF) had been closely involved. It was being proposed this year to include an additional co-optee from the business sector.

18.2 The Chair Councillor Warren Morgan had been contacted by CVSF regarding appointing co-optees to the Panel.

18.3 Members commented on the purpose and focus of scrutinising the budget as set out in report paras 3.7 – 3.9 and welcomed CVSF feedback in the 2012/2013 budget scrutiny review. The meeting heard that co-optees received officer advice and briefings but were not provided with funding.

18.4 Councillor Ken Norman, Chair of this year's Panel said it was a helpful process; all Cabinet Members and Strategic Directors had been invited to speak on each area of the budget, and the CVSF had raised important questions.

18.5 The Head of Scrutiny clarified that Committee Chairs and senior officers would be called on to give their evidence with opportunities for in-depth questions and challenge to the proposals.

**18.6 RESOLVED;** 1) that a Scrutiny Panel be established to consider 2013- 2014 budget proposals.

2) that the Head of Scrutiny in consultation with the Chairs and Deputy Chairs of OSC and HWOSC, be delegated to find co-opted members from the community and voluntary, and business sectors, to the serve on the Panel.

## **19. PROPOSAL FOR OSC URGENCY SUB COMMITTEE**

19.1 The Head of Scrutiny Tom Hook spoke on the terms of reference of the Committee and a proposal to establish an OSC urgency Sub-Committee. It was noted that OSC was not a decision-making body but did have powers eg to endorse scrutiny panel reports. Members agreed the recommendations.

19.2 **RESOLVED:** 1) that the OSC Terms of Reference be noted.

2) that the establishment be approved, of an Urgency Sub-Committee consisting of the Chair and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), the exercise its powers in relation to any matter of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee

## **20. FINANCIAL IMPLICATIONS OF SCRUTINY REPORTS**

20.1 The Head of Scrutiny Tom Hook set out the report on the financial implications of scrutiny reports as requested at the previous meeting.

20.2 This showed that, as for Brighton & Hove, in other local authorities financial implications of scrutiny recommendations are not normally specified at the recommendation stage but rather when the decision-makers consider the recommendations and seek necessary resources. Reasons for this are included in the report.

20.3 OSC Chair Councillor Warren Morgan said affordability can sometimes be directly taken into account. The scrutiny review of the Winter Service Plan, that he had chaired, did consider the costs of implementing all the recommendations.

20.4 OSC Deputy Chair Councillor Graham Cox reinforced that scrutiny recommendations did need to be realistic.

20.5 It was generally felt that scrutiny recommendations, developed from received evidence, had to be seen in a wider budget context and ought not be constrained solely by existing financial circumstances of a service area.

20.5 **RESOLVED;** 1) that Members note the report

2) that due attention be given to financial implications during the scrutiny panel process and in developing recommendations

3) that scrutiny panel are not require formally to cost all recommendations.

## **21. OSC DRAFT WORK PLAN/SCRUTINY UPDATE**

21.1 The Head of Scrutiny Tom Hook introduced the report on the OSC Draft Work Plan and Suggestions for Scrutiny Panels

21.2 Members noted the draft work plan and discussed how to progress suggestions received for scrutiny panels.

21.3 Regarding establishing a joint scrutiny panel with HWOSC on alcohol, based on the Intelligent Commissioning pilot and the Big Debate earlier this year; some members felt enough was already being done by and with health organisations, Sussex Police and the licensed trade. Alcohol was a big part of the business and social scene in the City. Councillor Ben Duncan, Chair of the Licensing Committee supported the scrutiny suggestion and others spoke in favour, especially since the recommendations would go not only to Committee but also to key Partner organisations. Members resolved to agree to this request; groups would be asked for member nominations to the Panel.

21.4 Considering scrutiny of the Community Safety Forum, Councillor Ben Duncan as Chair of CSF said the performance of the CSF was a separate issue from the performance of community safety measures. The Police and Crime Commissioner (PCC) would be responsible from November for the setting of Community Safety budgets.

21.5 Issues were raised such as reporting community safety concerns, how partners worked together in practice, and how the community was involved and felt it would be useful to investigate community safety and the work of the CSF.

21.6 OSC Chair Councillor Warren Morgan had served on the Council's cross-party forum on the new Constitution and reminded the meeting that the establishment of the CSF had been affirmed only recently, in May this year. He suggested that the request be put on hold until after the election of the PCC. Members agreed to revisit the suggestion as part of the Committee's future work plan.

21.7 In considering the provision of public toilets, and acknowledging the 2012/2013 budget debate and financial pressures, some Members had concerns about people with health conditions, older people, children and visitors for whom accessible public toilets were particularly important. It was fully agreed that this was a suitable topic for scrutiny.

21.8 On the principle of shared services, some Members had reservations; this approach could be impractical and not necessarily good value for money. However it may be possible to make savings under some circumstances and experience from other local authorities, local partners or other organisations could be drawn upon.

21.9 There were wide-ranging views on the potential of scrutinising shared services and Members agreed that it would be difficult to achieve a consensus on the matter, and that it was a large and complex issue.

21.10 The Chair Councillor Warren Morgan suggested there may be alternative ways to consider shared service proposals other than scrutiny and following further discussion it was agreed to refer the request on, to Policy and Resources Committee.

21.11 The Committee noted that CVSF has requested a scrutiny review of implementing the Social Value Act 2012 and agreed to do this. Groups would be contacted for member nominations.

21.12 With reference to the Housing Capacity of the City, several members said there was risk of duplication as this was being dealt with as part of the City Plan. Members generally considered that there would be no added value that a scrutiny review could bring to the subject. The request was not agreed.

**21.13 RESOLVED:**

- 1) that the OSC work plan and progress of work on current scrutiny panels be noted.
- 2) that two scrutiny reviews be agreed : of public toilet provision ( Appendix 3) and Implementing the Social Value Act 2012 (Appendix 5)
- 3) That a joint scrutiny panel on alcohol with HWOSC be agreed.
- 4) That requests for reviews of child sexual exploitation and weekend cover in hospitals are referred to HWOSC for consideration
- 5) That the request for scrutiny of shared services (Appendix 4) be referred on to Policy and Resources Committee.

The meeting concluded at 4.20pm

Signed

Chair

Dated this

day of