

**BRIGHTON & HOVE CITY COUNCIL**  
**HEALTH & WELLBEING OVERVIEW & SCRUTINY COMMITTEE**

**10.30am 24 OCTOBER 2012**

**COMMITTEE ROOM 2, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Rufus (Chair)

**Also in attendance:** Councillor C Theobald (Deputy Chair), Cox, Marsh, Robins, Davey, Peltzer Dunn and Wakefield

**Other Members present:** Councillors

**PART ONE**

**33. PROCEDURAL BUSINESS**

**33A Substitutes**

33.1 Cllr Peltzer Dunn attended the meeting as substitute for Cllr Wealls; Cllr Davey attended the meeting as substitute for Cllr Sykes; Cllr Wakefield attended the meeting as substitute for Cllr Bowden.

**33B Declarations of Interest**

33.2 There were none.

**33C Exclusion of Press and Public**

33.3 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt material as defined in section 1001(1) of the said Act.

**33.4 RESOLVED –that the press and public be excluded from the meeting during consideration of Item 35.**

**34. CHAIR'S COMMUNICATIONS**

34.1 The Chair welcomed the attendance of a student from Longhill School accompanying Cllr Cox as part of a work experience programme.

- 34.2 The Chair expressed his disappointment at it having been deemed necessary to hold a call-in meeting in relation to this issue, noting that such a meeting would probably not have been called had all the members of the Children & Young People Committee (CYP) been in attendance when the issue was originally discussed.
- 34.3 In response to a query from Cllr Peltzer Dunn, the scrutiny officer, Giles Rossington, told members that the meeting papers had been sent out in an incomplete form to allow members time to read them. Since their despatch two additional items of information had been received: the draft legal implications contained in the call-in report had been signed off by the Council's lawyer, Andrew Peck; and an extract from the draft minutes of the October 15 CYP meeting had been approved and circulated.
- 34.4 It was also pointed out that Appendix 2 to the call-in report consisted of the report that *should* have been presented to the October 15 CYP meeting. This was identical to the report that was erroneously presented, save for there being additional text/information at points 3.8, 3.10, 3.12, 3.13 and 5.3. This additional information was italicised (save for the table at 3.12 which was also additional).
- 34.5 In response to a query from Cllr Marsh as to why no lawyer was present, Mr Rossington informed members that lawyers were not routinely present at scrutiny meetings, but that scrutiny staff could advise on constitutional matters pertaining to the call-in process. The department whose decision had been called in was responsible for deciding whether their lawyers should attend to answer substantive legal points relating to the decision.
- 35. CALL-IN REQUEST REGARDING A DECISION MADE AT 16.10.12 CHILDREN & YOUNG PEOPLE COMMITTEE: FAMILY GROUP CONFERENCE REVIEW**
- 35.1 As listed in the Part Two minutes.

The meeting concluded at Time Not Specified

Signed

Chair

Dated this

day of