

BRIGHTON & HOVE CITY COUNCIL
OVERVIEW & SCRUTINY COMMISSION
4.00PM 27 APRIL 2010
COUNCIL CHAMBER, HOVE TOWN HALL
MINUTES

Present: Councillors Mitchell (Chairman); Alford, Elgood, Meadows, Older, Peltzer Dunn, Pidgeon (Deputy Chairman), Wakefield-Jarrett and Kennedy

PART ONE

89. PROCEDURAL BUSINESS

89a Declarations of Substitutes

Councillor Kennedy was substituting for Councillor Randall and Councillor Meadows was acting as substitute for Councillor Morgan.

89b Declarations of Interests

There were none.

89c Declaration of Party Whip

There were none.

89d Exclusion of Press and Public

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

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

90. MINUTES OF THE PREVIOUS MEETING

90.1 **RESOLVED;** that the minutes of the meeting held on 16 March 2010 be agreed and signed by the Chairman.

91. CHAIRMAN'S COMMUNICATIONS

91.1 With the agreement of the Chairman and the Commission item 95 was taken before item 93.

92. PUBLIC QUESTIONS/LETTERS FROM COUNCILLORS/REFERRALS FROM COMMITTEES/ NOTICES OF MOTION REFERRED FROM COUNCIL

92.1 It was noted that a referral from Health Overview and Scrutiny Committee appears as item 99 on the agenda.

93. VOLUNTEERING STRATEGY

93.1 The City Volunteering Strategy was introduced by John Routledge, the Council's Head of Communities and Steve Lawless, CEO of Impetus, the Brighton & Hove-based charity which provides direct support services to local people experiencing disability and/or disadvantage.

93.2 The Strategy had been adopted by the Local Strategic Partnership on 30 March and was due to be considered at July Cabinet.

93.3 Work on developing the action plan to meet the six strategic priorities was currently under way across partners in the three sectors. This was an opportunity for some agencies including the Council that are looking to reconfigure, to include common criteria in commissioning services and include agreed actions within their work programmes.

93.4 The report stressed the importance of volunteering for the City, the wide impact within communities and potential for further development across areas in addition to adult social care, one of the main service areas involved at present. In particular volunteering can be one of the most successful ways into employment.

93.5 Members discussed the overall value of volunteering to the City, LAA target on increasing volunteering, resourcing the action plan, the challenges of capturing added value to services without displacing paid staff, the support and management of volunteers building capacity and transferable CRB checks for people who volunteer for more than one organisation. The roles of Community Base, the Resource Centre and Job Centre Plus in relation to the Strategy were clarified.

93.6 Noting that women are more likely to volunteer than men the Commission asked that the action plan includes in more detail the diversity of volunteers and how this could be addressed.

93.7 **RESOLVED** that the City Volunteering Strategy be commended and comments above at 93.6 be taken into account in progressing the action plan.

94. MANDATORY DEVELOPMENT FOR PLANNING COMMITTEE

94.1 The Head of Development Control and Democratic Services Manager introduced the report on Mandatory Development for the Planning Committee. Until now, mandatory development had been once per two years with a refresher course if requested. The proposed mandatory training would be twice per year in view of the new roles of Members in pre-application discussions. Potential dates would be brought forward once the proposals had been agreed.

94.2 Members referred to Continuing Professional Development for the Professions and so welcomed the proposal for additional training. Even further development sessions could be arranged, some members said.

94.3 Members agreed with proposals set out at report para 3.8 and noted that the decision-making route for approval is via Governance Committee and Full Council.

94.5 **RESOLVED**; that the proposed approach to mandatory development for Planning Committee be agreed.

95. REPORT OF STREET ACCESS SCRUTINY REVIEW

95.1 The Chair of the Scrutiny Panel on Street Access Issues Councillor Rufus introduced the report, detailing the background to the evidence and findings, and setting out some examples of innovative approaches. It was pleasing that organisations such as the Federation of Disabled People, local businesses and other partners were willing to work together in support of the aims of the review.

95.2 He answered questions: on the difficulties in distinguishing between public and private land; in taking enforcement action in cases where licensed areas are exceeded by only a small distance; and resourcing enforcement.

95.3 Other queries would be referred to technical officers;

- How are public thoroughfares deal with, that pass through large waiter-bases sitting out areas? (Report recommendation 2C)
- Could more relaxed planning restrictions be considered regarding hanging advertisements boards to help reduce highway obstruction?

95.4 Recommendations on staff resourcing (11), compulsory guidance (6) and provision of on-road cycle parking (7) were especially welcomed. Councillor Elgood who had requested the review and other members of the Commission spoke in support of the report, and thanked the Panel and officers.

95.5 Some Members considered that car parking on pavements should be considered for review in the future.

95.6 The Commission asked about penalties for not conforming to licensing conditions and whether current or future licenses could be withdrawn under certain circumstances.

95.7 **RESOLVED** (1) That the Commission endorse the Scrutiny panel report

(2) That the report recommendations be referred to the council's Executive and to appropriate partner organisations

(3) To add the progress of the recommendations to the Commission's work plan.

96. REPORT OF THE DIGNITY AT WORK SCRUTINY PANEL

The special circumstances for non-compliance with Council Procedure Rule 7, Access to Information Rule 5 and Section 100B (4) of the Local Government Act as amended (items not considered unless the agenda is open to inspection at least five days in advance of the

meeting) were that the final draft report of the scrutiny panel was not available in time to meet the standard publication deadline.

96.1 The OSC Chairman who also chaired the Dignity at Work Scrutiny Panel presented the report of findings and recommendations to the Commission.

96.2 The scrutiny review had played a central part in developing a new key council policy that was drawn up in response to concerns from staff. Importantly, staff representatives had said they had now had an adequate chance to comment on the draft strategy.

96.3 **RESOLVED;** (1) that the Commission endorse the Panel's report

(2) that the report recommendations be referred to the Council's Governance Committee to adopt the policy.

97. UPDATE ON OVERVIEW AND SCRUTINY COMMITTEES

97.1 The Chairman told the meeting it had been agreed that Chairs of Overview and Scrutiny Committees would be invited, one per OSC meeting, to update the Commission on the background to their current O&S work, and future plans for their Committees. The 2010- 2011 work plan for Adult Social Care and Housing Overview and Scrutiny Committee was included with the agenda papers.

97.2 Councillor Meadows, ASCHOSC Chair gave a summary of all the areas covered during the year. The scope of her Committee was particularly wide and involved some of the most vulnerable people in the City, including older people and those with learning difficulties and mental health conditions.

97.3 She had asked officers to arrange initial training at the start of each Committee linked to future ASCHOSC work. While this added to the length of each meeting the briefings formed a good basis for subsequent Member questions. An event was held on learning disabilities using a different format based on information 'stalls' that Members could walk around.

97.4 Cabinet Members and senior officers of partner organisations had attended the Committee. A scrutiny panel on student housing and a select committee on dementia had been initiated within ASCHOSC and a Panel on autism was getting under way.

97.5 Because few decisions within the service areas were deemed 'key' items, lists of 'non-key' decisions are to be made available in future.

97.6 Whilst a lot of ground had been covered there was much to do. For example for the future Councillor Meadows said she would like to see better links with the LSP and Chairs of partnerships in discussions at O&S meetings.

97.7 The Commission agreed that a list of non-key decisions in other areas would likely be helpful in informing O&S Committees' work plans.

97.8 RESOLVED that similarly to ASCHOSC, other O&S Committees consider requesting lists of 'non-key' decisions for their future work plans

98. OSC WORK PLAN

98.1 The OSC work plan was noted.

99. REFERRAL FROM HEALTH OVERVIEW AND SCRUTINY COMMITTEE

99.1 The Overview and Scrutiny Commission considered the referral from 14 April Health Overview and Scrutiny Committee (HOSC) on a proposed scrutiny review of alcohol-related hospital admissions.

99.2 HOSC itself could establish a scrutiny panel and confirm its findings; whereas establishment of a formal Select Committee would need approval by OSC. A select committee may be more appropriate to investigate the cross-cutting issues and if established would refer its final report to OSC.

99.3 Members were concerned to ensure there would be no unnecessary overlap with the June 2009 scrutiny review on Reducing Harm to Children and Young People and that the scope of the review would be well-focused.

99.4 Members felt that recommendations would focus mainly on how agencies can work together to reduce the number of people requiring hospital treatment for alcohol-related problems.

99.5 RESOLVED (1) that a Select Committee be established on reducing the number of people requiring hospital treatment for alcohol-related problems.

(2) that the Select Committee should report back to OSC.

100. ITEM TO BE FORWARDED TO CABINET MEMBER, CABINET OR FULL COUNCIL

100.1 It was noted that the Dignity at Work recommendations would be passed to the Governance Committee to adopt the policy. The Street Access scrutiny report would be passed to the Executive for reply and then to full Council. The Development for Planning would be considered by the Governance Committee and on to full Council. The Draft Volunteering Strategy was due to be presented to Cabinet.

The meeting concluded at 5.40pm

Signed

Chair

Dated this

day of

