

# **ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE**

**Agenda Item 11**  
Brighton & Hove City Council

Subject: Towards a Scrutiny Work Programme 2008 - 2009  
Date of Meeting: 16 June 2008  
Report of: Director of Strategy and Governance  
Contact Officer: Name: Mary van Beinum Tel: 29-1062  
E-mail: mary.vanbeinum@brighton-hove.gov.uk  
Wards Affected: All

## **FOR GENERAL RELEASE**

### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 For Members to suggest matters to be included in a draft work programme for the committee, based on the terms of reference and functions of the committee as set out elsewhere on this agenda.

### **2. RECOMMENDATIONS:**

- (1) To note the various ways items can be contributed to the committee's work programme;
- (2) To include in its developing work programme, items brought forward from the former Overview and Scrutiny Organisation Committee; monitoring street trees scrutiny recommendations, and the use of green roofs on new developments.
- (3) To suggest matters to be included in a draft work programme for the committee.

### **3. BACKGROUND INFORMATION**

- 3.1 It is intended that each Overview and Scrutiny Committee develop its own work programme for the year in coordination with the Overview and Scrutiny Commission. Each Committee has an item on its first

agenda to consider its own work programme. An initial framework with Committee dates is included at Appendix 1.

3.2 There are a number of ways in which items may come to be included into an overview and scrutiny draft work programme;

- All members will have access to the Council's Forward Plan and may wish to suggest key decisions from the Plan for inclusion in the Overview and Scrutiny work programme;
- Additionally, the committee chairman may wish to consider the Council's Forward Plan at each Chairman's meeting and put forward any items he/she sees fit;
- Cabinet Members/Cabinet/Regulatory Committee Chairmen may refer items to the committee for examination and comment;
- Part 6, paragraph 13 of the Constitution states that the overview and scrutiny committees shall also respond, as soon as their work programme permits, to requests from the Council and if it considers it appropriate, the Cabinet/Cabinet Committees to review particular areas of Council activity.
- Any Member of the committee can notify the Head of Scrutiny that they wish to have an item included on the agenda of the next possible meeting. The committee will then determine whether it wishes to pursue the suggested item and in what way.
- The committee may also receive requests from any other Councillors and suggestions from officers for particular topics to be scrutinised. Any Councillor may submit a letter for inclusion on the agenda for any overview and scrutiny committee.
- So- called 'Legacy' items or matters brought forward from 2007-2008; may be included in the OSC or Overview and Scrutiny work programme. More detail on specific legacy items is given below.
- The 19 Plans and Strategies which make up the Budget and Policy Framework are listed in part 3.1 (3.02) of the Council's Constitution and are included at Appendix 2 to this report. Those of particular importance to this committee are: -
  - Crime and Disorder Reduction Strategy;
  - Local Transport Plan;

- Plans with Development Plan Document status which together comprise the Local Development Framework and the Waste and Minerals Development Framework;
- Statement of Licensing Policy pursuant to Licensing Act 2003;
- Statement of Gambling Policy pursuant to the Gambling Act 2005.
- Food Law Enforcement Service Plan
- Health and Safety Annual Service Plan

Although approval of the Budget and Policy framework is a Full Council function, it is envisaged that the appropriate Overview & Scrutiny Committee(s) or the Commission will consider draft proposals before their submission to full Council for approval. The Cabinet should take into account any response from an Overview & Scrutiny Committee or the Commission and from relevant stakeholders when determining its final proposals for submission to Full Council in regard to any of the Plans and Strategies.

- The Community Safety Forum is guided in the constitution to refer scrutiny-type items, in accordance with the meaning of section 19 of the Police and Justice Act 2006, to the committee. It is important to note that section 19 has not yet been brought into force. More information is provided elsewhere on the agenda. See item 12.

- 3.3 The Overview and Scrutiny draft work programme also needs to allow for flexibility to determine matters as they arise such as requests for scrutiny and call-in.

#### **4. LEGACY ITEMS FOR CONSIDERATION**

##### Update on Street Trees scrutiny review recommendations

- 4.1 At its January 2007 meeting, OSOC agreed to a request by former Councillor Edmond-Smith to carry out a review of Street Trees in Brighton & Hove. The Councillors nominated to sit on the Panel were Councillor Young (Chair), and Councillor Elgood, and former Councillors Hazelgrove and Paskins. The proximity of the local elections meant that this was designed as a 'light-touch' review and it completed its evidence-gathering before the local elections in May.

- 4.2 Recommendations related to:-

- a) The arboriculture budget and sources of income
- b) Removal and commercial disposal of hazardous street trees

- c) Draft Tree and Woodland Strategy
- d) Inspection and maintenance of Council-owned street trees
- e) Annual Stock report
- f) Integrated working in areas close to street trees
- g) Education and publicity
- h) Trees on Housing land
- i) Good practice in new street tree planting
- j) Unnecessary application of asphalt to tree bases

4.3 The Scrutiny Panel's report was endorsed, with an addition to a recommendation concerning the budget for tree provision on Council land, by OSOC at its meeting on 16 July. The Environment Committee replied to the recommendations of the final report on 13 September 2007 and an officer report back to overview and scrutiny on implementation of the agreed actions has been requested for around a year after that date.

4.4 It is good practice for action on agreed scrutiny recommendations to be monitored, therefore it is suggested that this is scheduled for the next meeting of this committee on 15 September 2008.

#### Green roofs on new developments

4.5 The 10 March 2008 former Overview and Scrutiny Organisation Committee received a report on Flooding Preparedness. During discussion, the use of 'green roofs' on new developments was raised as a potential way of reducing flood risk. The committee resolved that an officer report be requested on the issue. It is proposed that this committee requests a report for its next meeting on 15 September 2008.

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

### Financial Implications:

5.1 None directly in relation to this report.

### Legal Implications:

5.2 None directly in relation to this report.

### Equalities Implications:

5.3 None directly in relation to this report.

### Sustainability Implications:

5.4 None directly in relation to this report.

Crime & Disorder Implications:

5.5 None directly in relation to this report.

Risk and Opportunity Management Implications:

5.6 None directly in relation to this report.

Corporate / Citywide Implications:

5.7 None directly in relation to this report.

**SUPPORTING DOCUMENTATION**

Appendices:

1. Suggested outline OSC work programme for 2008 - 2009
2. List of documents forming the Budget and Policy Framework

Background Documents

15 May 2008 Council Constitution

ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

Item Type	Meeting Date				
	16 June 2008	15 September 2008	10 November 2008	26 January 2009	23 March 2009
<b>Substantive Items</b>	Towards a Work Programme	Draft ECSOSC Work Programme			
	Local Development Framework Core Strategy – Revised Preferred Options	Street trees scrutiny review; monitoring			
	Local Development Framework Core Strategy – Background Studies	Green Roofs on New Developments			
		Street Lighting			
<b>Information Items</b>	Terms of Reference and Procedure Rules				
	Scrutiny and the Council's Forward Plan				
	Update on Local Authority Crime and Disorder Committees				

**List of Budget and Policy Framework Documents**

(a) Policy Framework.

The policy framework means the following plans and strategies:-

(i) those required by law to be adopted by full Council:-

- Annual Library Plan;
- Best Value Performance Plan;
- Children and Young People's Plan;
- Community Strategy;
- Crime and Disorder Reduction Strategy;
- Local Transport Plan;
- Plans with Development Plan Document status which together comprise the Local Development Framework and the Waste and Minerals Development Framework;
- Youth Justice Plan
- Statement of Licensing Policy pursuant to Licensing Act 2003;
- Statement of Gambling Policy pursuant to the Gambling Act 2005.

(ii) those which the Council has determined should be adopted by full Council as part of the Policy Framework:

- Food Law Enforcement Service Plan;
- The plan and strategy which comprise the Housing Investment Programme;
- Adult Learning Strategy;
- City Employment and Skills Plan;
- Sustainability (Local Agenda 21) Strategy;
- The Council's Corporate Plan;
- Inclusive Council Policy;
- Health and Safety Annual Service Plan;
- Local Area Agreements.

(b) Budget. The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the council tax and decisions relating to the control of the Council's borrowing requirement, the control of its capital expenditure and the setting of virement limits.

