

**BRIGHTON & HOVE CITY COUNCIL
OVERVIEW & SCRUTINY COMMISSION
2.00PM 1 FEBRUARY 2011
COUNCIL CHAMBER, HOVE TOWN HALL
DRAFT MINUTES**

Present: Councillors Mitchell (Chairman); Pidgeon (Deputy Chairman), Cobb, Elgood, Kennedy, Morgan, Peltzer Dunn, Wakefield-Jarrett and Janio

PART ONE

56. PROCEDURAL BUSINESS

56.1 Councillor Gill Mitchell, Chairman of Overview and Scrutiny Commission, reminded the meeting that proceedings were being webcast and kept on record.

56a Declarations of Substitutes

Councillor Tony Janio was substituting for Councillor Averil Older.

56b Declarations of Interests

There were none

56c Declarations of Party Whip

There were none.

56d 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.

57. MINUTES OF THE MEETING HELD ON 14 DECEMBER 2010

57.1 Subject to correction of Councillor Ann Norman's surname at minute 45.1, the minutes of the meeting held on 14 December were agreed and signed by the Chairman.

58. CHAIRS COMMUNICATIONS

58.1 There were none.

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

59.1 There were none.

60. SCRUTINY OF BUDGET PROPOSALS; A) BUDGET STRATEGY REPORT TO 9 DECEMBER 2010 CABINET; B) MINUTES OF O&S COMMITTEES; AND C)CVSF RESPONSE

60.1 The Director of Finance introduced the report which had previously been presented to 14 December OSC, prior to the Local Government Finance Settlement announcement. A budget gap of approximately £30million was now identified and work is in hand to address this.

60.2 The 17 February 2011 Cabinet report is being prepared and it is recognised that the timing would affect the scope for scrutiny of the proposals. Feedback from Members on this report would be welcomed.

60.3 Budget setting was particularly complex this year and arrangements for certain specific grants were still awaited. Some would be rolled into the general formula grant, or moved to the dedicated schools grant, while others would remain separate funding streams or be discontinued. Budget-setting was anticipated to be less complex for 2012/13 and 2013/14

60.4 Asked about decisions on the Council's reserves, the Director outlined the principles concerning the use of reserves. For example reserves could not be used as a 'one-off' measure without clear plans for future savings. The Council had a responsibility to meet legal requirements and to set a balanced budget. The table report paragraph 3.14 showed the reserves that were completely unallocated and the detailed position would be set out line by line in the final proposals.

60.5 Members expressed considerable disappointment that the Cabinet Member for Finance was not present to answer questions, in particular about the use of reserves (report paragraph 3.17); also that this report gave little opportunity for meaningful scrutiny.

60.6. Other local authorities had produced their budget books. Notwithstanding late information on grant funding streams, it was preferable for Members to work together as far as possible and delaying scrutiny was not helpful.

60.7 The meeting noted that, for the first time, more satisfactory budget scrutiny had been possible of the current year's budget proposals. The settlement for 2010/2011 had been known earlier and more details were present to scrutiny in December 2009. The timescales for 2011/12 budget were tighter.

60.8. It was agreed to reconvene OSC at a suitable time.

60.9 Answering a question on the extent of budget changes that could be made following the local election, the Director said that with the exception of Council Tax, changes could be made by the appropriate decision-making body. A new Cabinet would be able to make changes within the Council's Budget and Policy Framework. More significant changes could be made with the approval of full council.

60.10 The Director of Finance answered questions on the flexibilities and legal requirements concerning the use of Council reserves, giving examples of the approach to decision-making within different scenarios.

60.11 Asked if the high-level screening of Equalities impacts (EIAs) of the proposals could be provided, including cross-cutting impacts of reductions in different service areas, the Director told that meeting that clarification of the process and summary information was planned to be published alongside the budget report.

60.12 Members asked questions about individual specific grants such as the aids support grant and short breaks for children with disabilities.

60.13 Chris Todd, Community and Voluntary Sector Forum co-optee welcomed the commitment to sharing the EIAs. However equalities implications needed thorough consideration. Those that were available were of little help in guiding decision-making he said. In the case of personalisation, the EIA did not consider the impact on individual service users, but rather on the Council's budget.

60.14 As regards front-loading of the budget reductions to 2011/2012, the Director of Finance replied that a more even spread over the 4-year period of the Comprehensive Spending Review had been expected. The Local Government Association had made representations about the challenge to local authorities in implementing the changes within the timescale. Nationally the overall reductions amounted to approximately 25% in all departments, with the exception of Health and Department for International Development.

60.15 Councillor Warren Morgan, Chairman of ECSOSC referred to the draft minutes at Appendix C and pointed out the concern at the low level of scrutiny that was possible on this year's proposals, expressed by the Committee (minute 37.7). The £2.27 million Environment savings required was not an up-to-date figure.

60.16 ECSOSC was concerned that there should not be a reduction in the number of parking enforcement officers and had asked for more information on the funding of council-owned car parks. Car Club parking bay charges had been discussed in the context of increasing the take-up of sustainable transport. ECSOSC had asked that Car Clubs be added to the work plan.

60.17 The Commissioner Community Safety had outlined the savings in this report and the prioritisation of early intervention however there were unanswered questions on the further savings that would be needed.

60.18 Councillor Tony Janio Deputy Chair ECSOSC had congratulated officers in identifying savings thus far and giving reassurances as far as possible about the protection of frontline services. He told OSC that as a substitute member on budget CYPOSC he had called for an officer report on closer working with the third sector on services for children and young people.

60.19 Councillor Amy Kennedy, Chair of CTEOSC said the main budget impacts within the remit of the Committee appeared at this stage to relate only to Renaissance funding which had been prepared for, and supported employment. The Committee had asked for more detail of the future of supported employment services used by some 200 people, and the best use of the Castleham building, which was owned by the Council.

60.20 Chris Todd referred to Appendix F and said that CVSF was pleased to be co-opted to the Committee for discussions on the budget as it gave the Council an opportunity to hear from key stakeholders about some potential impacts of budget reductions. He said it would be helpful to know the scale of the impact of the additional savings which will be required and asked to what extent these were already known.

60.21 He stressed the importance of avoiding cuts to preventive services which would be a false economy in the longer term; and looked forward to closer working on decision-making, stating that discussions with CVSF had become 'quieter' around budget-setting time, when they should be getting 'louder.' Co-production should be right at the heart of the process, he said.

60.22 Contractual roll-overs carried significant risks in the view of CVSF, putting re-commissioning or de-commissioning in a difficult position later on.

60.23 CVSF welcomed avoiding cuts to the voluntary sector. Contracting to the voluntary sector produced opportunities not always immediately apparent such as achieving better value for money by drawing in additional funding and contracts from various trusts and other bodies. These would otherwise would be lost to the City.

60.24 Chris Todd commented that it would be helpful to receive an update on the Prevention and Wellbeing Strategy referred to at ASCHOSC (appendix B minute 47.20).

60.25 The Director of Finance replied to queries on the proportion of savings proposed in the areas of Equalities and Communities which appeared to be relatively high compared with Human Resources (Appendix F 3a Environment and Community Safety.)

60.26 Equalities and Communities had been reliant on short-term grant funding, assuming £450,000 of which was being lost. The proposals showed £250,000 being replaced from core funding which would represent a net gain in resources from the Council's budget (though not total resources) for Equalities and Communities.

60.27 Savings being generated under proposals for Human Resources took into account the prudential borrowing arrangements for implementing the new HR and Payroll system.

60.28 Clarification on issues raised about investment in car parks would be circulated to Members.

60.29 The Head of Scrutiny clarified that the CVSF report, Appendix F, was published here for the first time.

60.30 RESOLVED: That the Commission

(i) notes the draft minutes from the Overview and Scrutiny Committee Meetings and agrees to send these to Cabinet

(ii) Notes the CVSF response and agrees to forward it to Cabinet

(iii) Agrees on specific issues it wishes to raise with Cabinet based on O&S Committee minutes and the CVSF response, as minuted above.

(iv) Instructs officers to review the budget setting process for 2012/2013 with a view to improving the scrutiny process.

61. INTELLIGENT COMMISSIONING

61.1 The Commissioner Community Safety noted that the three Intelligent Commissioning Pilots had been the subject of a scrutiny workshop for OSC on 7 December as reported back to the Commission on 14 December. It had been a long session that dealt with all three subjects; Drug-related deaths, Domestic Violence and Alcohol-related Harm; on the draft needs assessments and service and costs mapping information.

61.2 Separate workshops were now being planned for three dates to be confirmed in March. The workshops would look at the proposed high-level outcomes for the City and the commissioning recommendations which would be challenging.

61.3 Asked how the budget position would affect the commissioning recommendations, the Commissioner said that the needs analysis indicated that reconfiguring services towards an emphasis on early intervention would not necessarily need new resource allocation. For example the skills of the City's workforce, be they Council staff or Health, Police and Probation Service, were key in identifying and responding appropriately to service users.

61.4 Lead Commissioners were in discussions regarding the service areas where additional resources may be required.

61.5 RESOLVED That the update be noted.

62. FUTURE OF SCRUTINY; REPORT TO GOVERNANCE COMMITTEE

(This report was considered after item 63)

62. 1 The Head of Scrutiny Tom Hook introduced the report on the future of scrutiny, in the context of the introduction of intelligent commissioning, the new council structure and changes in legislation. He anticipated a more flexible scrutiny function, moving towards a focus on partnership working and more workshop-style sessions.

62.2 Members discussed the proposals and expressed some preference for Option 1 (paragraph 3.26). It was suggested that greater engagement in scrutiny by Strategic Directors would be beneficial.

62.3 Councillor Warren Morgan, Chairman of ECSOSC, asked that the scrutiny of Crime and Disorder be reviewed. He referred to the Community Safety Forum chaired by the Executive, and the risk of duplication.

62.4 Chris Todd welcomed a move for greater involvement of the Community and Voluntary Sector that would bring added value to scrutiny and to working with partners he said.

62.5 RESOLVED That the Commission agrees in principle the direction of travel as set out in the report and instructs officers to further develop proposals for a partnership-based commissioning- friendly scrutiny function.

63. CITY PERFORMANCE PLAN AND BHCC ORGANISATIONAL HEALTH REPORT

(This item was taken after Item 61)

63.1 Paula Black the Head of Analysis and Performance gave a slide presentation on progress in developing the City Performance Plan (CPP) and BHCC Organisational Health Report. The CPP had been requested by the Local Strategic Partnership and Public Service Board to monitor progress against City outcomes.

63.2 There was now no requirement to choose priorities from the National Set of performance indicators, according to new government guidance. The CPP would be focussed on outcomes agreed locally and not driven by targets. It would be based on priorities agreed in the Sustainable Community Strategy and how it is to be monitored will be agreed at a later stage. It will be in place in April and subject to review after a year.

63.3 Some Members felt that previous indicators were of value especially as they had been developed to reflect a range of viewpoints. Others were particularly pleased that national targets and performance indicators, which could be seen as inflexible, were not now a requirement.

63.4 Asked about the information that would be needed to monitor performance and the impact of the loss of national targets, the Head of Analysis and Performance said that outcomes and priorities would be set by Lead Commissioners and the Delivery Units with input from Members. Former performance indicators could still be retained if they were useful.

63.5 There was now flexibility for example, on milestones, indicators and distance travelled. This type of information could be included in the suites of monitoring data.

63.6 The CPP was a performance management tool not reported to Government and had no rewards attached so it was not anticipated that it would be taken to full Council.

63.7 Members asked how performance information would be reported to scrutiny and to the public and how transparency could be assured.

63.8 The Head of Policy Performance and Analysis stated that Scrutiny would be included in the CPP reporting timetable. The Cabinet and the Public Service Board would receive six-monthly updates.

63.9 OSC has the opportunity to scrutinise the proposals at an afternoon workshop on 18 March.

63.10 **RESOLVED** that the update be noted

64. SCRUTINY WORK PLAN

64.1 The Chairman thanked Members and officers for their input into all the scrutiny Panels that were working very well.

64.2 RESOLVED that the work plan was noted.

65. ITEMS TO GO FORWARD TO CABINET MEMBER, CABINET OR FULL COUNCIL

65.1 There were none.

The meeting concluded at 3.20pm

Signed

Chair

Dated this

day of

