

BRIGHTON & HOVE CITY COUNCIL
OVERVIEW AND SCRUTINY ORGANISATION COMMITTEE

5.00PM – 14 NOVEMBER 2005

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Watkins (Chair); Councillors Allen, Edmond-Smith, Giebeler, Hamilton, Mallender, McCaffery, Pennington, Simson, G Theobald (Deputy Chair) and Young.

Also Present: Councillor Simon Burgess, Deputy Chair Policy and Resources Committee; Councillor Don Turner, Chair of Housing Committee; Councillor Brian Pidgeon, Member of Equalities Forum

PART ONE

ACTION

36. PROCEDURAL BUSINESS

36A. Declarations of Substitutes

36.1 There were none

36B. Declarations of Interest

36.2 Councillor Dee Simson said she was a Member of Housing Committee but had no prejudicial interest in items on the agenda

36C. Exclusion of Press and Public

36.3 The Committee 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 100A(3) or 100 1 of the Local Government Act 1972.

36.4 **RESOLVED** - That the press and public be excluded from the meeting during consideration of item 49.

37. MINUTES

37.1 **RESOLVED** - That the minutes of the meeting held on 19 September 2005 be approved and signed by the Chair.

38. PUBLIC QUESTIONS

38.1 There were none.

39. OLDER PEOPLES' COUNCIL ANNUAL REPORT 2004-2005

39.1 The Chair and Vice-Chair of the Older People's Council (OPC) presented their Annual Report for 2004 – 2005. (See minute book).

39.2 Members thanked the Chair and Vice-Chair and discussed some of the recent work of the OPC, its involvement in consultations on older people's issues, and its role in relation to the Council. The merits of further integration of the OPC with the Council were considered and the Committee asked for a report to the next meeting to consider recommending speaking rights for the OPC at Council and all Committees.

39.3 RESOLVED – 1) that the Annual report of the Older Peoples' Council be referred to full Council.

MvB

2) that officers be asked to report to January OSOC on the introduction of speaking rights for the Older People's Council at Council and its Committees.

PM

40. OVERVIEW/PERFORMANCE MONITORING – HOUSING AND CITY SUPPORT

40.1 The Committee welcomed Councillor Turner Chair of Housing Committee to discuss performance in Housing and City Support. Councillor Anne Meadows, Chair of Adult Social Care and Health was unfortunately unable to be present. (see minute book)

40.2 The Committee referred to the briefing note on Adult Social Care and wished to invite Councillor Meadows to OSOC when the national performance management information would be available early in 2006. Members remarked that two of the anticipated judgements at Band 2 ('ask questions about performance') by the Commission for Social Care Inspection (CSCI) related to the care of older people.

40.3 **RESOLVED** – that the 'overview' session for Adult Social Care take place at a future OSOC, following the reporting of national performance information to ASCH Committee.

**MvB/Cllr
Meadows/PL**

40.4 The Assistant Director, Housing Strategy presented the briefing note on Choice-Based Lettings as requested by the Committee (see minute book) and outlined the improvements made by the recent change from points-based housing allocation to a scheme based on broad bands of priority according to housing need.

40.5 The meeting discussed the improved rate of re-letting empty properties, the priority banding system, housing choices, waiting times for households and the standards expected where tenancies include a front or rear garden.

40.6 **RESOLVED** – that the report be noted.

40A. QUARTERLY PERFORMANCE REPORT FOR HOUSING AND CITY SUPPORT

40.7 The Performance Manager presented the Performance Indicators for the period ending September 2005. (See minute book) The Committee asked questions on rent arrears, equalities, gas safety and staff sickness.

40.8 The Head of Housing Management described the measures being taken by the new central debt recovery team to help reduce rent arrears and arrange appropriate repayment where necessary. OSOC requested a progress report in due course.

40.9 Asked about the number of overdue gas services city-wide, the Assistant Director Housing Management said the situation was now much improved. A new partnering gas service had been introduced which was committed to continue reducing the outstanding cases. Technicians were working additional time and new procedures were in place to ensure access to premises for safety checks. Progress would be reported to March OSOC.

40.10 Members were disappointed at the Council's underperformance against PIs on equalities matters. Councillor Burgess agreed and said the council needed to be more proactive on minorities and disabilities issues. The Race Equalities Scheme was under review.

40.11 Councillor Turner assured members that gas servicing was one of the main priorities for Housing. He said it was also useful to discuss rent arrears and repayments and turnaround on letting empty properties as these were also key issues for the Directorate at present.

40.12 RESOLVED – (1) that the work of the new central debt recovery team be reported to a future OSOC meeting.

MvB

(2) that an update be provided on new gas contractor service – to be reported to OSOC March 6th 2006.

MvB/PM

40B. CORPORATE COMPLAINTS UPDATE – HOUSING AND CITY SUPPORT

40.13 The Committee considered a report of the Director of Strategy and Governance providing information about complaints received

during quarters 1 and 2 of 2005/2006 for services provided by Housing and City Support (HCS) and compares this information with available data for 2004/2005. (See minute book)

40.14 Members were interested in the work of the new Estate wardens, the residential caretaking service and a census to help identify elderly and/or vulnerable residents who may need help, for example with rubbish collection.

40.15 **RESOLVED** – (1) that the report be noted

40C. ESSEX PLACE SCRUTINY REVIEW – FINAL REPORT

40.16 The Committee considered a report of the Director of Housing and City Support to 18th October 2005 Housing Management Sub Committee setting out the progress and changes since December 2002. (See minute book)

40.17 This was in effect the final report on implementing the recommendations of the scrutiny review which reported in May 2002.

40.18 Members welcomed the report and in particular the asset management programme which includes building and repair work and links with the stock condition programme, plus other positive developments on record keeping.

40.19 The scrutiny recommendations had now been achieved and the review 'signed off.' The committee intended to sign off other completed reviews where possible.

40.20 Councillor Theobald had received a letter from a tenant who was concerned about inspections; this was passed to the Assistant Director for reply.

PM

40.21 On behalf of the Committee the Chair thanked Councillors Burgess and Turner, the Director and all officers involved in the overview item.

40.22 **RESOLVED** – that the recommendations of the 2002 Essex Place scrutiny review no longer need to be monitored separately.

41. REQUEST FOR SCRUTINY – LEACH COURT BOILERS

41.1 The Committee considered a request for scrutiny from Councillor Forester and a report of the Director of Housing and City Support concerning the actions taken upon failure of the communal heating system boilers at Leach Court and Patching Lodge. (See minute book)

41.2 Because of time constraints Councillor Forester had had to

leave the meeting before the matter was called. Members felt that some of her concerns may have been addressed in the overview session when gas servicing improvements were discussed. However officers were asked to provide a progress report to March 6th OSOC when Councillor Forester would also be invited to speak about her request; at suitable timing on the agenda.

41.3 **RESOLVED** – that a progress report be provided to March 6th OSOC.

**MvB/PM/Cllr
Forester**

42. DEAF AND BLIND ACTION GROUP RECOMMENDATIONS

42.1 The Committee considered a report of the Director of Strategy and Governance concerning the referral from 10 October Equalities Forum of the report of the Action Group established in 2002 to consider deaf, blind and deaf/blind issues. (See minute book)

42.2 Councillor Pidgeon, a Member of the Equalities Forum explained his concerns about street clutter including A-boards and wheelie bins which could cause obstruction especially for the blind and elderly. He felt that the recommendations of the Action Group had been disregarded and that a full scrutiny review was needed to investigate the outcomes of the report. He asked in particular about developments on publicity for reporting pavement obstructions, liaison with police on cars parked on pavements and how many blind or deaf people had been recruited by the Council.

42.3 Equalities Forum Member Councillor McCaffery said it would be disappointing if the Action Group recommendations had not been taken into account, particularly as a wide range of specialists had been involved over a considerable time in producing the report.

42.4 The meeting noted that the Action Group report had been considered by the Adult Social Care and Health Committee in June 2003 and that the Joint Head of Performance and Development had provided an outline of action taken within Housing and City Support in response to the recommendations. The Action Group report did not appear to have been presented to other committees.

42.5 The Assistant Director Cityclean said there had been consultation with the Disabled Access Advisory Group and with other representatives of visually impaired and blind community. Cityclean had carefully considered the placement of wheelie bins and had made individual arrangements where necessary to avoid blocking pavements. The collection system complied with good practice in the walking environment and with the 2002 national inclusive mobility guidelines.

42.6 Members agreed to establish a small scrutiny panel of three

Members to include Councillors Dee Simson and Juliet McCaffery, plus a Member from one of the two minority groups.

42.7 OSOC noted the wide involvement of specialist representatives in the Action Group and agreed that the Panel should not review the detail of their eight recommendations. However street clutter should be taken to mean all types of obstructions to pedestrians.

42.8 **RESOLVED** – That a 3-Member scrutiny panel be established to investigate:

- the extent to which all the deaf blind and deafblind Action Group recommendations have been formally agreed within the council.

- the extent to which all the deaf blind and deafblind Action Group recommendations have been implemented;

and to identify what further action is needed if any, to take forward the eight recommendations.

The review would not be prolonged by re-visiting the detailed content of the recommendations of the specialist Action Group. However for the purposes of the scrutiny review pavement obstructions would be taken to mean all types of obstacles in the walking environment, some of which may not have been considered by the 2002 report.

43. BRIEFING NOTE: AN APPROACH TO LEASING SMALL COMMERCIAL PREMISES

[Note; Item 43 was brought forward and considered after item 39 on the agenda.]

43.1 The Estates Manager presented information in the briefing note on small commercial leases following the resolution at 19th September OSOC. He explained how the improvements identified would enable the social issues involving council property that had arisen in the particular case, to be taken into account in future. (see minute book).

43.2 Members welcomed the improvements and felt the summary should be reported to Policy and Resources Committee for information. Councillor Burgess Deputy Chair of Policy and Resources agreed and said it was important that the framework for marketing was right. It would be useful for P&R to receive the report.

43.3 It was asked whether it was appropriate for a key operated disabled public convenience to have been converted to a flower stall, whether alternative disabled public conveniences were

available within a reasonable distance, and how the decision was taken.

43.4 **RESOLVED** – (1) that the briefing note be reported to Policy and Resources Committee.

MvB/MW/RB

(2) that an officer report as minuted at 43.3 above be requested to a future meeting of OSOC.

MvB

44. OSOC FORWARD PLAN: OVERVIEW/PERFORMANCE MONITORING: FINANCE AND PROPERTY

44.1 Members did not identify any specific matters on Finance and Property for discussion at the following meeting.

45. OSOC FORWARD PLAN: COMPLETED SCRUTINY REVIEWS

45.1 The Committee considered a list of completed scrutiny reviews and letters from OSOC to Committees, to identify those which may need to be monitored as regards outcomes of the agreed recommendations. (See minute book.)

45.2 **RESOLVED** – officers be requested to report to the January 16th OSOC meeting with a brief update following the Patcham Place scrutiny review and letter to May 2005 Environment Committee on Planning Enforcement.

MvB/KH/MB

46. REPORT OF THE eb4U SCRUTINY PANEL

46.1 The Committee considered a report of the eb4U Scrutiny Panel which presented the findings and recommendations for approval. (See minute book)

46.2 The Chair of the Panel indicated that although she and the Panel were happy with the report as it stood, she wished to consider some issues that had arisen since the report was agreed.

46.3 **RESOLVED** – 1) That it be noted that the eb4U Scrutiny report recommendations are to be taken as requests in order to respect the autonomy of the NDC Partnership (eb4U) and eb4u Ltd;
2) That the report be approved, but that the Scrutiny Panel be authorised to look further into the matters indicated by the Panel Chair, who will report back as necessary to the next meeting of the Overview & Scrutiny Organisation Committee;
3) That the recommendations Monitoring Form attached as Appendix 3 be completed by Policy & Resources Committee upon their review of the report.
4) That the report, together with any response from the Policy & Resources Committee be submitted to the next available full Council meeting.

47. PROPOSALS FOR AUDIT PANEL

47.1 The Principal Solicitor presented a report of the Director of Strategy and Governance proposing the creation of an Audit Panel, to be a standing Panel of the Overview & Scrutiny Committee (OSOC) and the Education Overview and Scrutiny Panel (EOSP). (See minute book)

47.2 Members noted the existing involvement of the Head of Internal Audit in the Committee's work and felt it would be useful to build more links with the audit function to help identify matters if necessary for closer consideration by the scrutiny committees.

47.3 The Committee noted that the agenda included an internal audit report in Part 2 of the meeting; and queried the possible range of attendees at the proposed audit panel meetings and the availability of audit panel papers, for example on ward issues.

47.4 Members welcomed the proposals. They were keen to be proactive in identifying matters of concern and agreed it was important to maintain a non-political approach.

47.5 **RESOLVED** – That, subject to Policy and Resources Committee approval, the proposal for an Audit Panel and the terms of reference set out in Appendix 3 be approved.

MvB/JH/MW

48. HOSP TERMS OF REFERENCE AND SCRUTINY UPDATE

48.1 The Committee considered a report of the Director of Strategy and Governance seeking approval for proposed amendments to the terms of reference of the Health Overview and Scrutiny Panel (HOSP) as resolved at 11 October HOSP and to report the progress made on current scrutiny reviews, and developments in the overview and scrutiny function including the Education and Health Overview and Scrutiny Panels. (See minute book)

48.2 Notes of the meeting between OSOC Members and the Chairs of the Executive Committees had been circulated. (See minute book)

48.3 **RESOLVED** – A) That the following terms of reference as amended and shown in bold italics be agreed for submission for approval to Policy & Resources Committee:

MvB/MW/JC

(1) To scrutinise matters relating to the health of the Authority's population and contribute to the development of policy and **service** to improve health and reduce health inequalities.

(2) To undertake all the statutory functions of the scrutiny committee in accordance with Section 7 and regulations

under that section, of the Health and Social Care Act 2001, relating to reviewing and scrutinising health service matters.

- (3) To review and scrutinise the impact of the Authority's own services and of key partnerships on the health of its population.
- (4) To encourage the council as a whole and its executive committees and sub-committees and through the Overview and Scrutiny Organisation Committee to take into account the implications of their policies and activities on health, and health inequalities.
- (5) To make reports and recommendations to the National Health Service, ~~patients' representatives~~, the council, the executive committees and sub-committees ~~and other scrutiny committees~~ the **Overview and Scrutiny Organisation Committee**, and to other relevant bodies and individuals.
- (6) To monitor and review the outcomes of its recommendations.
- (7) In all of the above, **to liaise with other bodies that represent patients' views in order** to seek and take account of the views of the local population.

- B) That a further meeting with the Chairs of Committees be held at 2pm on Wednesday January 18th.
- C) That a Scrutiny Members Workshop session be considered at a future meeting.

MvB/MW

MvB

PART TWO

49. INTERNAL AUDIT – HALF-YEAR PROGRESS REPORT 2005/2006

49.1 The Head of Internal Audit presented the report of the Director of Finance and Property informing Members on internal audit work carried for the first half-year and performance against the Internal Audit Plan for 2004/05. (See minute book)

49.2 **RESOLVED** - That the findings of internal audit work contained in this report, in particular areas for improvement, be noted.

50. ITEMS TO REMAIN EXEMPT FROM DISCLOSURE TO THE PRESS AND

PUBLIC

50.1 **RESOLVED** - That item 49 remain exempt from disclosure to the press and public.

51. ITEMS TO GO FORWARD TO COUNCIL

51.1 **RESOLVED** - that the Annual report of the Older Peoples' Council be referred to full Council in accordance with Procedure Rule 20.3a.

The meeting concluded at 20.40

Signed

Chair

Dated this

day of

2006