

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

2.00pm 16 JULY 2012

COMMITTEE ROOM 3, HOVE TOWN HALL

MINUTES

Present: Councillor Morgan (Chair)

Also in attendance: Councillor Cox (Deputy Chair), Brown, Buckley, Farrow, Follett, Hawtree, Marsh, K Norman and Phillips

PART ONE

1. APOLOGIES AND DECLARATIONS OF INTEREST

1.1 Councillor Warren Morgan the Chair of Overview and Scrutiny Committee welcomed everyone to the meeting including new members of the committee and members who had previously served on OSC or other scrutiny committees.

1.2 It was clarified that substitutes are allowed on OSC.

2. MINUTES OF THE PREVIOUS MEETINGS

2.1 Councillor Mo Marsh pointed out that she had been present at CTEOSC meetings on 1 March 2012 (OSC agenda page 17,) and on 29 September 2012 (OSC agenda page 201).

2.2 Minutes of the final meetings of OSC, ECSOSC and CTEOSC (as amended above at 2.1) were agreed and signed by the Chair.

3. CHAIRS COMMUNICATIONS

3.1 The Chair Councillor Warren Morgan noted that this committee was now the Overview and Scrutiny Committee, not Overview and Scrutiny Commission, though it was now a commissioning body. He was keen to invite all Members and organisations across the City to contribute to the Work Plan. The meeting were not now being webcast and it was important for political parties to work together on scrutiny.

3.2 Councillor Morgan congratulated the scrutiny team on winning the National award for Innovation for the second time, for the traveller strategy scrutiny review.

4. PUBLIC INVOLVEMENT

4.1 There were no petitions, written questions or deputations.

5. ISSUES RAISED BY COUNCILLORS

5.1 The Council Leader had asked for a scrutiny review of the Council Tax Support scheme; this would be dealt with under the Work Programme report.

6. EQUALITIES UPDATE REPORT

6.1 Equalities Coordinator Sarah Tighe-Ford introduced the Equalities Update report detailing the new Equality and Inclusion Policy and Action Plan 2012 - 2015, that combined and built on the former Equalities Policy and Single Equality Scheme. It defines the council's commitment to address equality and inclusion issues and also includes our agreed 'objectives' which we are required to produce under the Equality Act 2010. These objectives are grouped together under the five headings used in the Equality Framework for Local Government (a national assessment of local authorities' equalities work) which will make it easier for us to demonstrate how we are maintaining our 'excellent' level.

6.2 Consultation on the new Equality and Inclusion Policy and Plan had been done in line with the Community Engagement Framework and a lot of positive feedback had been received.

6.3 The 2012-2015 Action Plan was now being circulated widely. It showed both Corporate, and more specific Unit and Team objectives, aims and actions. Some examples of the range of work planned were VisitBrighton (p22 of the Action Plan) and Trading Standards teams (p24).

6.3 Six-monthly engagement was built into the Action Plan review process - this enabled feedback and tracking of progress against the agreed policy objectives, plus testing of improvements in practice. The Action Plan was a living document, that both reflected activities and also enabled accountability.

6.4 The Equality Impact Assessment process is now well established and has a central role, both in Council policy and service development and in evidencing how the Council meets its legal duties.

6.5 Answering questions the Equalities Coordinator pointed out that the potential impact of Council Tax Benefit changes and actions, was already included in the Plan and that the Equality Impact Assessment process is being followed as part of the development of the new system. She explained the role of City Inclusion Partnership as the city-wide equality and inclusion partnership under the city's Strategic Partnership. Its work links in closely with that of the City Engagement Partnership (formerly the 'Stronger Communities Partnership'). In the Workforce profile the language used as for headings (specifically referring to 'Sex profile' rather than 'gender profile') follows the terminology used for the 'protected characteristics' within the Equality Act 2010.

6.6 Mary Evans, Commissioner, Communities and Equality answered a query: drawing up guidance on the Armed Forces Covenant, including social care and health needs assessments, had taken longer than expected. It had taken time to collate data but a first draft had now been produced. Business and Community and Voluntary sectors were being consulted and a steering group was being formed. A report was due to be sent to Policy and Resources Committee in the autumn.

6.7 Overview and Scrutiny Committee asked that a summary be provided of pay grade, broken down by gender.

6.8 Councillor Warren Morgan, Chair and member of the current Trans Equality scrutiny panel asked that the main issues from that review be incorporated into the Action Plan in a timely way. He thanked the officers for their work and report.

6.9 RESOLVED: a) That the progress made be noted.

b) That OSC continue to receive regular updates on the Equality and Inclusion Policy, Action Plan and consultation processes and feedback, to include the outcome of the Trans Equality Scrutiny Review when agreed.

c) OSC requests further information on pay grade according to staff gender.

7. SUPPORT FOR THE RETAIL SECTOR SCRUTINY PANEL

7.1 Councillor Gill Mitchell, former Overview and Scrutiny Commission Chair and Chair of the Support for the Retail Sector scrutiny review, introduced the Panel's report. She was pleased that it had been a productive review, covering many key issues.

7.2 The Panel objectives had been taken from the Streets Ahead event in 2011. The Panel Members had heard from a wide range of witnesses and there had been many good suggestions. The officers had worked hard and there had been publicity for the Panel's work not only via press release, local newspapers and the website but also for the first time 'live chat' social media had been used for the scrutiny review, that had been particularly successful.

7.3 The Panel had featured on Latest TV. Tesco and Sainsburys gave information and other evidence was still arriving at the time the report was being drafted. The findings of the Portas independent review also fed into the scrutiny.

7.4 Parking and transport topics were mentioned by all who spoke to the Panel. There were discussions on the levels of rent and business rates and landlords viewed as inflexible in difficult financial times. 'Pop up' shops and short term lets were seen as a good idea for otherwise hard to fill empty properties. The Council's retail premises had a 100% occupancy rate. Some retail areas eg North Laine raised signage as an issue and some felt they lacked a distinctive 'feel' or band.

7.5 There was a call for a city centre retail strategy. The post of city centre manager that had formerly been in place, was missed as a point of contact and liaison for traders with the Council.

7.6 Trader Associations and the Business Improvement District were mostly well regarded by those who belonged; but not necessarily by other traders. They were particularly useful in achieving economies of scale and common procurement eg waste collection services. Supermarkets had expertise to share for instance in working with communities, setting up traders associations.

7.7 There was a call for more flexibility and shorter timescales within the planning processes eg for change of use of premises, with a suggestion that provisions of the Localism Act be used to support retailers more. There were divergent views on street markets; these were regarded as more likely to be supported if they could be specifically 'themed.' It was therefore suggested that the Council should lobby for local regulatory powers over markets. Some retail areas felt they were not being promoted widely enough. The effect of on-line trading was also investigated. Some independent traders would benefit from help and advice on this.

7.8 Councillor Gill Mitchell thanked the officers especially Sharmini Williams Scrutiny Officer for her excellent support of the Panel.

7.9 In considering the report OSC agreed to exclude debate on the City's parking policy, that was being dealt with elsewhere.

7.10 Members discussed signage, charity shops, coffee shops and the profile of some out-of-centre retail areas. It was felt that street markets added to the City's vibrancy.

7.11 Minutes of the Panel meeting with Tesco, held after the three scheduled public meetings, was available as part of the evidence.

7.12 The Committee asked what was known about what makes a successful shopkeeper – this was a skill that perhaps could be acquired by training. In this regard there would be much to learn from charity shops, that did attract shoppers to Brighton & Hove.

7.12 Answering questions, Councillor Mitchell told the meeting that the commercial agent knew the qualities that made a successful retail outlet. Market testing was essential – start-ups would be advised to undertake enough early research. A speaker from the Chamber of Commerce was well-informed about national and local retail studies. Landlord advice (eg regarding terms and conditions) was seen as necessary, though this may not be a council function. There needed to be clarity about where traders could get information and advice.

7.13 Signage for the North Laines area could be dealt with under the Brighton Station Gateway proposals.

7.14 The Council had prepared a bid for Round 2 of the Portas Pilots on the London Road area which closed at the end of June and more information would be forwarded to OSC Members.

7.15 It was clarified that the findings and recommendations of the scrutiny review would be reported to October Policy & Resources (P&R Committee).

7.16 Members agreed that it would be useful to circulate the report to appropriate Council Committees plus community groups, Local Action Teams and other organisations across the City.

7.17 Some Members queried the feasibility of costing the implementation of these and other scrutiny recommendations and a report was requested to the next OSC meeting.

7.17 RESOLVED 1) that the report of the Scrutiny Panel on Support for the Retail Sector be referred to Policy and Resources Committee, requesting that a lead officer be given responsibility for responding to all the recommendations;

2) that following P&R, the report be circulated to other appropriate Council Committees and relevant organisations across the City;

3) that a report on the feasibility of costing the implementation of scrutiny recommendations be provided to OSC.

8. SCRUTINY AND NEW GOVERNANCE ARRANGEMENTS

8.1 The Head of Scrutiny Tom Hook introduced the report on new governance arrangements and the work of OSC, that was now primarily a commissioning body. There was a flow of scrutiny work from Members, officers and partners and it was for the Committee to decide its work programme; item 9 on this agenda.

8.2 In addition to its commissioning and coordinating role, OSC was the designated Crime and Disorder Committee as required under the Police and Justice Act 2006 and was responsible to undertake scrutiny of flood and coastal erosion plans as required by the Localism Act.

8.3 OSC also had the power to call in decisions (Any 5 Members of the Council, from a minimum of two political groups may request that a decision be called in for Scrutiny) and to determine any Councillor Calls for Action that may be raised by any one Member of the Council, as set out in the Constitution.

8.4 The Chair Councillor Warren Morgan stated that he and Councillor Ben Duncan would be serving on the Sussex Police and Crime Panel. He planned to invite the new Sussex Police Commissioner to speak to OSC at a suitable time after being elected.

8.5 Members discussed the role of OSC as regards flood protection and asked for an update briefing, following the workshop and visit to Brighton Marina undertaken by ECSOSC last year.

8.6 There were some areas of overlap between the two scrutiny committees; Councillor Morgan said he would ask that the recommendations of the Trans Scrutiny Panel, of which he was a Member, also be referred to HWOSC.

8.7 RESOLVED: (1) that the role of OSC be noted.
(2) That a briefing on flood protection be provided to OSC Members.

9. OVERVIEW AND SCRUTINY WORK PROGRAMME

9.1 The Head of Scrutiny Tom Hook introduced the report on Overview and Scrutiny Work Programme.

9.2 In the coming years OSC would receive key reports such as the Corporate Plan, Performance Plan and others that form part of the Council's Budget and Policy Framework; some of these were 3- or 4-year plans. OSC would also be invited to commission specific scrutiny work as necessary.

9.3 The Chair said a balance would need to be found between policy development and other scrutiny work relating to the Council's Forward Plan, at the same time being flexible enough to leave space for other issues as they emerge. OSC could commission different types of scrutiny

activities other than full scrutiny reviews - such as workshops or one-day panels such as the Winter Service Plan scrutiny.

9.4 After a comprehensive debate Members agreed to change the start time of the Committee from 4pm to 2pm.

9.5 Members discussed the Council Leader's request for scrutiny of the proposed council tax support scheme. A Panel would look at a draft scheme, the consultation results and the potential impact on the City including an Equalities Impact Assessment. Members noted that any Panel would need to be convened in September and adhere to a timetable that enabled reporting back to 11 October Policy & Resources.

RESOLVED: (1) that the draft work programme at Annex 1 be agreed.

(2) That the Budget and Policy Framework items that will need scrutiny prior to decision be noted, and added to the work programme as they arise (Annex 2).

(3) That all Members, partner organisations and senior officers be consulted for suggestions for scrutiny.

(4) That the 'Cultural Provision for Older People' Panel suggestion be investigated for progressing through the WHO Age Friendly City initiative (Annex 3) and reported back to 10 September OSC.

(5) That a scrutiny panel into council tax benefit changes be established following a request from the Council Leader, Cllr Jason Kitcat (Annex 4 & 5).

The meeting concluded at 3.45pm

Signed

Chair

Dated this

day of