

BRIGHTON & HOVE CITY COUNCIL
OVERVIEW & SCRUTINY COMMITTEE
2.00pm 28 JANUARY 2013
COMMITTEE ROOM 1, HOVE TOWN HALL
MINUTES

Present: Councillor Morgan (Chair)

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

PART ONE

29. APOLOGIES AND DECLARATIONS OF INTEREST

- Declarations of substitute – none.
- Declarations of interest – none
- Declarations of party whip – none
- Exclusion of press and public – as per agenda

30. MINUTES

The minutes were agreed,

31. CHAIRS COMMUNICATIONS

There were no Chair's Communications.

32. PUBLIC INVOLVEMENT

There was none.

33. MEMBER INVOLVEMENT

There was none.

34. TRANS EQUALITY SCRUTINY PANEL REPORT

- 34.1 Cllr MacCafferty introduced the report as Chair of the Scrutiny Panel. He thanked all the witnesses for their evidence which had at times been harrowing to listen to. People had felt able to describe very personal accounts that had helped the panel enormously in understanding the issues facing the trans community.

The panel report was contrasted with recent media coverage of trans issues, most notably comments made by Julie Burchill.

Cllr Mac Cafferty went on to thank Cllrs Morgan and Cobb for their contribution to the panel and the positive, cross-party manner in which it was conducted. Jay Stewart and Michelle Ross were thanked for their involvement and bringing to bear their knowledge and expertise to support the panel. Julia Riches and Mary van Beinum from the scrutiny team, Nicky Cambridge from the Communities and Equalities Team and Nick Douglas from the LGBT HIP were thanked for hard work in undertaking the review and developing the report.

- 34.2 The report shows the challenges facing individuals within the community on a daily basis across a huge range of issues, but it also shows there now exists within the council and partners a commitment to address these challenges. The test is whether the council does get on with it.
- 34.3 Cllr MacCafferty used the report as an example of how cross-party scrutiny can be a very valuable tool for the council. He asked the Committee to endorse the report and once again thanked all involved in the process.
- 34.4 Cllr Morgan expressed his thanks to all those involved in the process. As a panel member he had been most shocked by the sheer number of everyday situations that became very difficult to negotiate for trans individuals, e.g. banks, bureaucracy, appointments etc.

As Chair of OSC he would be ensuring that the report receives the prompt response it deserves and that the implementation of the recommendations is robustly monitored.

Cllr Morgan fully supported the report and its recommendations and formally moved the report.

- 34.5 Edward Whelan spoke to the report. The report was something which the council and trans community should be extremely proud of and it was a very thorough piece of work. The two main issues that need to be addressed are education and inclusion. There are still too many misunderstandings, especially where the press are involved, with other people trying to dictate how people should live their lives, what they should wear etc. Everyone should just be treated equally.
- 34.6 Steph Scott advised the Committee that the report is a fantastic outcome from having written to the council 15 months ago. It highlights all the necessary issues and shows that people are prepared to listen. The city will become more inclusive as a result of this piece of work and all involved should be very proud.
- 34.7 Cllr Hawtree spoke in support of the report, reflecting upon the initial negative coverage from the Argus. The report should be well publicised.

- 34.8 Cllr Marsh also spoke in support of the report, which represented a good start to along a journey. She asked that the report feed into any equalities review being undertaken.
- 34.9 Cllr Kennedy supported the report, highlighting that the Publicly Accessible Toilet Scrutiny Panel was already looking at toilet accessibility for all – one of the recommendations from the review.
- 34.10 Cllr Farrow supported the review and asked about the trans champion which he felt would be vital to prompting the key messages in the report. The trans champion will be for the Policy and Resources Committee to decide.
- 34.11 Cllr Cox welcomed the report, paid testament to the bravery of the witnesses, and agreed it was a very thorough process. He raised the issue of the financial implications and at what point in the process these should be addressed. He suggested it was hard to fully endorse a set of recommendations without fully understanding their cost; nowhere in the report was the issue of costs explored. Accepting that OSC had discussed this issue before he renewed a plea for more account to be taken of cost in developing scrutiny recommendations.
- 34.12 Cllr Morgan responded stating scrutiny needed freedom to do some ‘blue sky thinking’ and attaching costs to early in the process would reduce members flexibility to innovate. It is standard practice within scrutiny teams across the country. Seeking to accurately assess the financial implications of each recommendation would add drastically to the resources required by scrutiny.
- Adding costs to recommendations would also risk removing the freedom to choose how to implement a recommendation from the decision-maker, as with most recommendations there are a number of different ways of implementing it, which will all have different costs.
- 34.13 Members agreed the recommendation and endorsed the report and recommendations and referred it for consideration to the relevant decision-making bodies.

35. BUDGET SCRUTINY PANEL REPORT

- 35.1 Cllr K Norman introduced the Budget Scrutiny Panel Report. He advised members this was the second year he has chaired the Budget Scrutiny Panel; both times looking at a budget brought forward in challenging conditions. Brighton & Hove City Council, like all local authorities, needed to respond to the wider economic realities in relation to the resources received from Government as well as those raised locally.
- 35.2 The role of this panel was to review the administration’s draft budget proposals by critiquing and commenting upon them. There were five evidence gathering sessions with each of the lead members and committee chairs. The proposals had less detail than last year and discussions were at times more philosophic and reflective of issues such as models of service delivery and the possibilities of partnerships, pooled budgets and trading companies rather than looking at specific proposals.

- 35.3 Cllr Norman thanked all the witnesses, panel members, representatives from the community, voluntary and business sectors for their participation in this process.
- 35.4 Cllr Norman suggested that the budget scrutiny needed a rethink as the outcomes did not justify the amount of time devoted to the process. Whilst elements of the process worked well, other parts needed to be changed.
- 35.5 Cllr Hawtree commented on the paradoxes within the process in having both a scrutiny and political process through which to develop a budget. He was glad there was now general acceptance a two year budget was a good thing and that the involvement of the third and business sectors should be built upon. He was in favour of an on-going dialogue with regards to the budget throughout the year.
- 35.6 There was debate as to the merits of a more political budget setting process with Cllr Farrow and Marsh highlighting the benefits of a robust debate at council, whilst other members, such as Cllr Kennedy seeing some merit in a less political process.

The scrutiny process does allow for a transparent look at potential changes to the budget, and for partners in the city to comment on proposals.

- 35.7 It was agreed to endorse the report and forward it to Policy and Resources Committee.
- 35.8 It was requested that a report be brought to OSC in the summer outlining potential budget setting processes, building upon the involvement of the community and voluntary and business sectors, participatory budgeting and enhanced public consultation.

36. OSC DRAFT WORK PLAN/SCRUTINY UPDATE

- 36.1 The Head of Scrutiny introduced the report highlighting the current scrutiny and policy panels being undertaken and the OSC work programme through to May 2013.
- 36.2 Cllr Farrow asked as to the progress of the panel on Cultural Activity for Older People. It was agreed to provide a written answer.

The meeting concluded at 2.50pm

Signed

Chair

Dated this

day of

Response to Overview and Scrutiny recommendations

Overview & Scrutiny Committee Recommendation	Recommended Response	Comments
1. The early publication of proposals and the multi-channel approach to engagement of Members and the public aids a transparent budget setting process. It is recommended that this is continued.	To agree	Agreed.
2. A further look needs to be given as to the best manner in which to improve the budget development process. This should include: <ul style="list-style-type: none"> • Consideration of a longer-term collaborative approach with key partners • The role of scrutiny and service committees • The consultative process with residents • The level and range of data published to allow a deeper understanding of proposals 	To agree	There is general agreement that while the approach taken to developing options, consulting and scrutinising the budget has worked well over the last two years a fresh look is needed given the scale of the challenges facing the council over coming years. A review of the process will be undertaken and a revised approach recommended to Policy & Resources Committee at the outset of the next budget setting process in June 2013.
3. The continued commitment to undertake Equality Impact Assessments is to be welcomed and the quality continues to improve with the inclusion of mitigatory action, however more work is required to ensure the consistency of all EIAs.	To agree	There is ongoing commitment to continuously improve the EIA process.
4. Budget reductions should be made in relation to priority, impact, quality of service and value for money. In-house services should not be protected at the expense of those provided externally merely because they are council-run; the reverse is also true.	Noted	All Members are entitled to form their own views about policy on service delivery taking into account a wide range of factors. It is rare for any member to take a fixed view on a particular approach, rather they will consider the merits of a proposal on a case by case basis.

5. Funding provided to the third sector should be monitored. This should be published with the draft budget proposals.	To agree	This information has been provided to the CSVF and Scrutiny but it is agreed that this will in future be provided earlier along with publication of the budget proposals.
6. The budget papers present some excellent examples of working between directorates to deliver savings e.g. adult social care and housing regarding extra care housing. It is not always clear however, that the cross-cutting impacts of cuts have been considered in relation to corporate priorities. The holistic and longer term impact of budget changes need to be considered.	To agree	As for 2 above, consideration of this will be included in a review of the process and recommendations made to Policy & Resources Committee at the outset of the next budget setting process.
7. The council needs to be mindful of the local market-place within which it procures and the need for healthy local competition.	Noted	It is recognised that a diverse range of providers can provide significant added value to the council.
8. A letter signed by all political group leaders should be sent to Government highlighting the problems caused by the late announcement of budget information.	To agree	This proposal will be taken to the cross-party Budget Review Group for consideration and action if agreed by all group leaders.
9. The publication of a two-year budget for 2012/13 and 2013/14 was a welcome step forward and should be repeated for 2014/15 and 2015/16.	To agree in principle	This is the intention but is subject to having sufficiently robust financial information in good time for both years in order to present meaningful proposals.