

BRISTOL CITY COUNCIL
Overview and Scrutiny Management Board
11th July 2013

Title: Overview and Scrutiny Work Programme 2013/14

Report of: Service Manager Democratic Services

Ward: City-wide

Officer Presenting Report: Shana Johnson, Scrutiny Co-ordinator
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Recommendations

That the Board:

- 1. Review its own work programme and note progress on agreed areas for in-depth scrutiny (Appendix 1 and paragraphs 5 – 12)**
- 2. Agree the proposed size and membership of the Select Committee on the Role of the Authority in Education (as this is not in accordance with political proportionality rules it will require no members of the Board voting against)**
- 3. Agree a proposal for taking forward an evidence session on a levy on large retail outlets as requested by Full Council on the 18th June (paragraphs 10 - 12)**
- 4. Review and endorse the overall scrutiny work programme for 2013/14 (Appendix 2)**

Summary

The report provides detail of:

Proposed overview and scrutiny activity for 2013/14 (Appendices 1 and 2)

Progress against establishing specific task and finish bodies agreed by the Overview and Scrutiny Board in June.

A request to the Board from Full Council (18th June) for scrutiny to investigate the idea of seeking powers for a levy on large retail outlets, as proposed by Local Works and as part of a submission to Government under the Sustainable Communities Act (Paragraph)

Appendix 1 – Overview and Scrutiny Management Board Work Programme
Appendix 2 – Composite Overview and Scrutiny Work Programme 2013/14

Policy

1. Under the Local Government Act 2000 the Council is required to establish an Overview and Scrutiny function. The Overview and Scrutiny Management Board is the parent committee for the scrutiny function and is the vehicle for coordinating the overall scrutiny work programme on behalf of the Council.

Consultation

2. Over June/July Overview and Scrutiny Commissions have met and agreed their work programmes for 13/14. A composite work programme is attached at Appendix 2 setting out all scrutiny activity across commissions and proposed task and finish bodies (Select Committees, Working Groups, Inquiries)

Overview and Scrutiny Management Board Work Programme

3. The Board's work programme is attached at Appendix 1. As agreed at the Board meeting in June each meeting will be preceded by a Cabinet Question Time. The Agenda will have a standing item on the overview and scrutiny work programme, including any additional requests for scrutiny activity and the current Forward Plan/ major delegated decisions.
4. The Board also agreed to sponsor the following in-depth scrutiny reviews:

A Select Committee on the Role of the Authority in Education

5. Following a meeting of the Chair and lead members of the Children, Young People and Families Scrutiny Commission it is proposed that the Select Committee should comprise 7 members (2 Labour, 2 Liberal Democrat, 2 Conservative, 1 Green). Terms of Reference are being drawn up and a first meeting is proposed for mid-July to agree the work programme. A Cabinet Report on Education Direction in Bristol will be considered by Cabinet on the 25th July to agree, for consultation, a draft Education Strategy for Bristol in the context of changing roles for local authorities and increased diversity of providers of education. The draft strategy, if agreed by Cabinet, will then be the focus of a wide consultation with key stakeholders, including scrutiny, headteachers, governors and other relevant partners in the city.
6. It is important that the Select Committee complements this work and this will be an opportunity for a collaborative approach between the Executive and Scrutiny to a key issue for the authority.

An Inquiry Day on the Night Time Economy

7. This will take place in October and a Steering Group has been appointed made up of the following councillors to plan the Inquiry:

Cllr Danielle Radice
Cllr Chris Windows
Cllr Jeff Lovell
Cllr Neil Harrison

A cross-party Community Safety Grants Review Panel

8. As part of its crime and disorder scrutiny function the Management Board agreed the establishment of the above cross party panel (Membership 1:1:1:1)

9. The aim of the Panel will be:

- To review current projects funded by the Police and Crime Commissioner to reduce crime and increase community safety and how well they are meeting their objectives and agreed outcomes. (6 month review)
- To make recommendations in relation to proposed projects for funding from the Police and Crime Commissioner in 14/15

The Panel will meet three times from October to December.

Motion from Full Council – Levy on large retail outlets

10. Full Council meeting on the 18th June agreed the following motion:

“Bristol City Council notes the campaign being run by ‘Local Works’ entitled ‘Save our communities from large supermarkets’. The campaign specifically asks councils to submit the following proposal under the Sustainable Communities Act’

‘That Government gives local authorities the power to levy a new local rate of 8.5% on large retail outlets in their area with a rateable value not less than £500,000 and the power to use the revenue collected to improve local economic activity, local services and facilities, social and community well-being and environmental protection.

Council notes that within Bristol such a levy could raise up to £1.6 million from the city’s largest supermarkets alone and potentially a much larger figure from ‘all the large retail outlets’ referred to by the campaign (Council

notes that supermarkets cannot legally be singled out for the purposes of the levy).

Council believes that the idea of seeking powers for a levy on retail outlets should be explored and requests that the Overview and Scrutiny Management Committee delegate this inquiry to the relevant scrutiny commission and report back to Council in September.”

11. In order to report back to Council in September and to provide a steer to Local Works within the same timeframe it is proposed to hold a meeting of the Overview and Scrutiny Management Board in August and to use this as an evidence session. A background report will be prepared by officers and the following witnesses invited to attend:

- Association of Town and City Management
- Rep from Northern Ireland where a levy has been introduced
- Tesco/Sainsbury
- Local Works
- Rep from Bristol City Council
- Federation of Small Businesses
- Destination Bristol
- Business West

12. As part of submissions under the Sustainable Communities Act Councils also need to facilitate stakeholder engagement. It is suggested that Ask Bristol is used to facilitate a dialogue with interested stakeholders and individuals.

Risk Assessment

Overview and Scrutiny is a key vehicle for delivering local accountability. It is therefore essential to ensure there are effective overview and scrutiny arrangements in Bristol which can contribute positively to good governance and potentially increase public confidence and involvement in the democratic process.

Equalities Impact Assessment

The scrutiny function has a key role to play in assisting the Council in meeting its public sector equality duties and to ensure that the views of different communities and members of the public are taken into account in the development and delivery of services. Task and Finish Groups such as Inquiry Days, Select Committees and Working Groups need to ensure assessment of equalities impact forms an integral part of their work both in terms of scoping topics, gathering evidence and formulating recommendations.

Legal and Resource Implications

Section 21 Local Government Act 2000 requires that the council's executive arrangements include one or more scrutiny committees with the power to:

- review or scrutinize decisions made, or other action taken, in relation to the discharge of any council function (including executive and non-executive functions)
- make reports or recommendations to the council in relation to any council function or other matters which affect the authority's area or inhabitants of that area
- review and scrutinize matters relating to the health service in its area including matters referred to it by a local involvement in health network
- consider matters referred to it by a councillor under the council's "councillor call for action" process.

The arrangements must meet the requirements of the Localism Act 2011, the Police Reform and Social Responsibility Act 2011 and the Health and Social Care Act 2012

Legal comment provided by Shahzia Daya, Service Manager and Deputy Monitoring Officer

Appendices

Appendix 1 Overview and Scrutiny Management Board Work Programme 2013/14

Appendix 2 Composite Overview and Scrutiny Work Programme 2013/14

Local Government (Access to Information) Act 1985

Background papers

None

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Bristol Scrutiny

APPENDIX 1

Bristol City Council Overview and Scrutiny Management Board Draft Work Programme 2013/14

Meeting Date/Time	Agenda Items	Comment/Outcome
6 th June	Annual Business Report 2013/14	To agree the Annual Business Report
6.00pm	(1) Cabinet Question Time (1 hour) with Cllr Geoff Gollop Deputy Mayor and Cabinet Member for Finance and Corporate Services	Pre-submitted questions from non-executive, non-Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non-executive members – 20 mins
	Work Programme Setting Session and advice to Commissions Topics for in depth review	To consider in depth scrutiny review topics for 13/14 and prioritize issues for the overall scrutiny work programme
	<i>Format for next Cabinet Question Time</i>	
11 th July 6.00pm	Overview and Scrutiny Work Programme 13/14 – Ongoing Review	To review and prioritize the work programme and any additional requests for scrutiny input
	Forward Plan and Major Delegated Decisions	To consider the Forward Plan and appropriate scrutiny input (how and when)
	Report from the Living Wage Inquiry	To agree the report and recommendations to The Mayor

Meeting Date/Time	Agenda Items	Comment/Outcome
	Review of Crime and Disorder Reduction Partnership (Safer Bristol) Crime Needs Assessment	As part of the statutory scrutiny function to review performance of Safer Bristol and consider if there are issues requiring further review/investigation
	Update on recommendations from the Drug Policy Impact Inquiry (further information was requested by members following the OSM meeting in March).	To review progress against recommendations
	Scrutiny Annual Report	
	Neighbourhood Partnership Review	To consider the outcome of the NP Review
	<i>Format for next Cabinet question time</i>	
12 th September 6.00pm	(2) Cabinet Question Time Cllr Gus Hoyt – Assistant Mayor for Neighbourhoods, Environment and Council Housing (provisional)	1 hour – Pre-submitted questions from non-executive, non- Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non- executive members – 20 mins
	Overview and Scrutiny Work Programme 13/14 – Ongoing Review	To review and prioritize the work programme and any additional requests for scrutiny input
	Forward Plan and Major Delegated Decisions	To consider the Forward Plan and appropriate scrutiny input (how and when)
	Crime Needs Assessment	To review the final crime needs assessment
	<i>Format for next Cabinet Question Time</i>	

Meeting Date/Time	Agenda Items	Comment/Outcome
17 th October Or 15 th October – request date change	(3)Cabinet Question Time – The Mayor – provisional	1 hour – Pre-submitted questions from non-executive, non- Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non- executive members – 20 mins
6.00pm	Overview and Scrutiny Work Programme 13/14 – Ongoing Review	To review and prioritize the work programme and any additional requests for scrutiny input
	Forward Plan and Major Delegated Decisions	To consider the Forward Plan and appropriate scrutiny input (how and when)
	Mayoral Fairness Commission – Interim Report	
	The Role of the Authority in Education – Select Committee Report	
	<i>Format for next Cabinet Question Time</i>	
21 st November 6.00pm	(4)Cabinet Question Time Cllr Brenda Massey – Assistant Mayor for Children, Young People and Education	1 hour – Pre-submitted questions from non-executive, non- Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non- executive members – 20 mins
	Overview and Scrutiny Work Programme 13/14 – Ongoing Review	To review and prioritize the work programme and any additional requests for scrutiny input

Meeting Date/Time	Agenda Items	Comment/Outcome
	Forward Plan and Mayor Delegated Decisions	To consider the Forward Plan and appropriate scrutiny input (how and when)
19 th December 6.00pm	(5) Cabinet Question Time – The Mayor	1 hour – Pre-submitted questions from non-executive, non- Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non- executive members – 20 mins
	Overview and Scrutiny Work Programme 13/14 – Ongoing Review	To review and prioritize the work programme and any additional requests for scrutiny input
	Forward Plan and Major Delegated Decisions	To consider the Forward Plan and appropriate scrutiny input (how and when)
16 th January 6.00pm	(6) Cabinet Question Time – Cllr Mark Bradshaw Assistant Mayor for Transport, Planning and Strategic Regeneration (provisional)	1 hour – Pre-submitted questions from non-executive, non- Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non- executive members – 20 mins
	Overview and Scrutiny Work Programme 13/14 – Ongoing Review	To review and prioritize the work programme and any additional requests for scrutiny input
	Forward Plan and Major Delegated Decisions	To consider the Forward Plan and appropriate scrutiny input (how and when)

Meeting Date/Time	Agenda Items	Comment/Outcome
	<i>Format for next Cabinet Question Time</i>	
20 th February 6.00pm	Overview and Scrutiny Work Programme 13/14 – Ongoing Review	To review and prioritize the work programme and any additional requests for scrutiny input
	Forward Plan and Major Delegated Decisions	To consider the Forward Plan and appropriate scrutiny input (how and when)
	(7)Cabinet Question Time Cllr Barbara Janke – Assistant Mayor for Health and Social Care Cllr Simon Cook – Assistant Mayor for Leisure, Tourism, Licensing and Community Safety	1 hour – Pre-submitted questions from non-executive, non- Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non- executive members – 20 mins
	<i>Format for next Cabinet Question Time</i>	
20 th March 6.00pm	(8) Cabinet Question Time – The Mayor	1 hour – Pre-submitted questions from non-executive, non- Board Members – 20 mins Questions from Board Members – 20 mins Open questions from non- executive members – 20 mins
	Annual Overview and Scrutiny Review	Evaluation of the overview and scrutiny arrangements and proposals for 14/15
	Forward Plan and Major Delegated Decisions	

Bristol Overview & Scrutiny 2013/14 – Summary of Work Programmes as at July 2013

Month	Other Scrutiny Activity	Overview & Scrutiny Management Board	Health, Well-Being & Adult Care Scrutiny Commission	Children Young People and Families Scrutiny Commission	Sustainable Development and Transport Scrutiny Commission	Resources Scrutiny Commission	Neighbourhoods and Communities Scrutiny Commission
May	23 rd May Licensing Policy Scrutiny Board EMRO's Night Time Levy CIA Bedminster/Southville			Week Beginning 6 th May Early Years Review Panel Final Meeting	28 th May Residents Parking Schemes		
June	7 th June Annual Meeting West of England Joint Scrutiny Committee 7 th June – Licencing Policy Scrutiny Board 10 th June – Living Wage Inquiry 28 th June Joint Ambulance Committee	6 th June Review overall scrutiny work programme, agree topics for in depth review and provide advice to commissions on priorities Question Time with Cabinet Member for Finance and Corporate Services	11 th June Joint Protocol between Health Scrutiny and Health and Wellbeing Board Children's Cardiac High Dependency Unit at Children's Hospital Bristol Acute Services Review Implementation of NHS 111 Lansdowne Unit, Blackberry Hill Hospital	17 th June Report and Recommendations Inquiry into Improving Services for Children and Young People with SEN/Disabilities Report from the Review Group on Early Help	20 th June Community Transport Commissioning BRT AVTM Report Residents Parking Schemes	21 st June Changing Bristol Portfolio Update – 6 monthly update Bus Rapid Transport System – Financial Implications of changes Residents Parking Schemes – Financial Model Bristol Region City Deal (Forward Plan item)	

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			Bristol Community Health Quality Account			Bristol Workplace Project 2014/15 Budget Scrutiny Process	
July	<p>Scrutiny Review Panel on Affordable Housing (2)</p> <p>Cabinet Member Cross Party Working Group on Under Occupancy Charge</p> <p>The Role of the Authority in Education Select Committee (sponsored by the OSMB July – October)</p>	<p>Forward Plan Overview and scrutiny work programme 13/14</p> <p>Scrutiny Annual Report</p> <p>Report from the Living Wage Inquiry</p> <p>Crime Needs Assessment</p> <p>Update on Drug Policy Impacts Inquiry</p> <p>Neighbourhood Partnership Review</p>	<p>22nd July Commissioning Strategy for Intensive Floating Support Services (Mental Health and HIV) – For pre-decision scrutiny prior to decision by Mayor on 25/7/13</p> <p>Care Quality Commission – presentation on proposals for joint working with health scrutiny</p> <p>Health and Social Care Transformation</p>			<p>19th July Combined Revenue Outturn and Outcome Performance Reports – 2012/13</p> <p>Revenue Budget Monitoring – 1st Quarter 2013/14</p> <p>Capital Programme Monitoring – 1st Quarter 2013/14</p> <p>Treasury Management Annual Report for 2012/13</p> <p>Council Tax Reduction Scheme – Review and Options for 14/15</p>	<p>8th July Quality of Life Survey</p> <p>Monitoring the implementation of the recommendations of the Museums & Archives Select Committee</p> <p>City Sports & Active Recreation Strategy and action plan</p>

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						2014/15 Budget Scrutiny Process ELENA programme (Forward Plan item) Update on Bristol Workplace Project Residents Parking Schemes – Financial Model Public Convenience (toilets) Service – acceptance of tender for 15 year contract	
Aug	23rd August Licensing Policy Scrutiny Board	Evidence Session Retail Business Levy					
Sept	West of England Joint Scrutiny Committee	12th September Forward Plan Overview and Scrutiny Work	17th September Recommendations from Adult Safeguarding Select	9th September Workshop session on School Organisation Plan (early years, secondary and	Early September Rail Opportunities Inquiry 19th September	20th September Outcome Performance Reports – 1 st Quarter 2013/14	

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		<p>Programme</p> <p>Crime Needs Assessment</p> <p>Cabinet Question Time – Cllr Gus Hoyt – Assistant Mayor for Neighbourhoods, Environment and Council Housing (provisional)</p>	<p>committee (incorporated into Bristol Safeguarding Adults Board business plan)</p> <p>Proposals for Frenchay Health and Social Care Centre – substantial variation assessment</p> <p>CCG and BCC commissioning plans</p> <p>Health and Social Care Community Supported Accommodation (Forward Plan item)</p> <p>Health and Social Care Accommodation Strategy for Mental Health and Learning Disability (Forward Plan item)</p> <p>Bristol Acute Services</p>	<p>specialist) Provisional Schools Results</p> <p>Annual Safeguarding Review</p> <p>Trading with Schools (Report for Cabinet)</p>	<p>Update on Air Quality recommendations (to include Low Emission Zone/s)</p> <p>Update on Walking Strategy</p> <p>Highways Maintenance Standards Working Group update on recommendations (for information only)</p>	<p>Welfare Reform – Financial Impact</p> <p>Discretionary Business Rate Relief Policy</p> <p>Financial pressures associated with Deregulated Tenancies</p> <p>Changing Bristol – Portfolio Update</p>	

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			Review Health and Social Care Transformation				
Oct	Inquiry into the Night Time Economy (sponsored by the OSMB)	Overview and Scrutiny Work Programme Forward Plan Cabinet Question Time – The Mayor (provisional) Update from Mayoral Commissions The Role of the Authority in Education Select Committee Report	15th October Health and Social Care Transformation	Working Group – Schools Results	Green Capital /environmental issues Workshop	18th October Revenue Budget Monitoring – 2 nd Quarter 2013/14 Capital Programme Monitoring – 2 nd Quarter 2013/14	1st October Update Report on progress against the recommendations of the QOLSC report on Housing and Welfare Reforms
Nov	Community Safety Grants Cross Party Group (3 meetings)	Overview and Scrutiny Work Programme	19th November	Adoption Inquiry			

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		Forward Plan Cabinet Question Time – Cllr Brenda Massey – Assistant Mayor for Children, Young People and Education					
Dec	Licensing Policy Scrutiny Board	Overview and Scrutiny Work Programme Forward Plan Cabinet Question Time – The Mayor	18th December Medium Term Financial Strategy and Budget 2014/15	16th December Children First Programme – 6 monthly review of progress Troubled Families – Review of progress Preliminary Review of the Youth Links Contract Early Years/Early Help Scrutiny Review Group Report – Response from Assistant Mayor	19th December Planning Review Buses Review Strategic Waste Update	13th December Outcome Performance Reports – 2 nd Quarter	10th December Monitoring the implementation of the recommendations of the Informal & Adult Learning
Jan	West of England Joint Scrutiny Committee	Overview and Scrutiny Work Programme Forward Plan	21st January	Working Group on Post 16 Issues: Raising Participation Age, Work Readiness, Skills and Careers Advice. Possibly	Employment and Enterprise Strategy: update on recommendations/ possible feedback on	6th January 2014/15 Budget Scrutiny Meeting 1	

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		Cabinet Question Time – Cllr Mark Bradshaw Assistant Mayor for Transport, Planning and Strategic Regeneration (provisional)		jointly with SD&T Commission.	Education and Skills Mayoral Commission. Possibly jointly with CYPF Commission.	8th January 2014/15 Budget Scrutiny Meeting 2 13th January 2014/15 Budget Scrutiny Meeting 3 24th January <i>Cabinet Budget meeting is on 23rd January 2014</i> <i>Full Council Budget Meeting is 18th February 2014</i>	
Feb		Overview and Scrutiny Work Programme Forward Plan				28th February Revenue Budget Monitoring – 3 rd Quarter 2013/14	

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		<p>Cabinet Question Time – Cllr Barbara Janke – Assistant Mayor for Health and Social Care</p> <p>Cllr Simon Cook – Assistant Mayor for Leisure, Tourism, Licensing and Community Safety</p>				<p>Capital Programme Monitoring – 3rd Quarter 2013/14</p> <p>Changing Bristol Portfolio Update – 6 monthly update</p>	
March	West of England Joint Scrutiny Committee	<p>Overview and Scrutiny Work Programme</p> <p>Forward Plan</p> <p>Cabinet Question Time – The Mayor</p>	<p>4th March</p> <p>BCH Quality Account – key themes</p>	<p>3rd March</p> <p>Joint meeting with the Youth Select Committee to review the Youth Links contract</p>	<p>13th March</p> <p>Democratising Cycling Inquiry update on recommendations/ & Cycling Strategy</p> <p>High St Inquiry update</p> <p>Air Quality Strategy Proposals</p>	<p>21st March</p>	<p>4th March</p> <p>Annual Report from Homes 4 Bristol and the Bristol Housing Partnership</p> <p>Annual Report from the Housing Management Board</p>
April			15th April			11th April	

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			Modernising Mental Health Services – outcome of procurement process			Outcome Performance Reports – 3 rd Quarter 2013/14	
Items Not Yet agreed			<p>Patient flows and planning for winter pressures</p> <p>Community Health Services contract renewal</p> <p>Children’s Health Services (including CAMHS) contract renewal</p> <p>HSC Revenue budget update</p> <p>Specialised Commissioning: Paediatric cardiology Children’s Neurological Services Adult Congenital Heart</p>	<p>Remodelling Specialist Provision, including SEN Strategy & indicative Capital Investment requirements- July 2013</p> <p>Service Thresholds – October 2013 Cabinet Report</p> <p>Children’s homes and short breaks for disabled children – Nov 2013</p> <p>Core IT Solution and Investment – autumn 2013, date tbc</p>	<p>Inquiry on Food Production and Land use. Proposed to be jointly held with Health Scrutiny and the Food Policy Council and should cover protection of allotment sites and agricultural land within the City boundary and green belt. Cllr Tess Green</p>	<p>Review of costing and funding options for the South Bristol Home Waste Recycling Centre</p> <p>Bristol East Pool</p> <p>2014/15 Budget Scrutiny Process</p> <p>Personalisation of adult social care funding – financial implications</p> <p>The impact of actual and predicted population growth on financial resources and service planning</p> <p>The importance of external funding for</p>	<p>Impact of withdrawal of the Mobile Library Service</p> <p>City Sports & Active Recreation Strategy and action plan</p> <p>Bristol Rehousing Scheme</p> <p>Ashton Court Options Appraisal</p> <p>Discretionary Licensing – 12 month review of pilot schemes</p> <p>Monitoring of the recommendations of the Select Committee on Enforcing Tenancy</p>

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			<p>Disease</p> <p>Prioritisation of national specialised service specifications</p> <p>Vascular services review</p> <p>Cystic fibrosis services review</p> <p>Mental Health provision (medium and high level and secure services)</p> <p>Sexual Health</p> <p>Quality Accounts</p> <p>Rehabilitation Review – possibility of collaborative meeting with North Som and South Glos</p> <p>Patient Transport</p>			<p>job and wealth creation</p> <p>Council Tax Reduction Scheme 14/15 – Final Options (Pre decision scrutiny)</p>	<p>Conditions</p> <p>Monitoring the implementation of the recommendations of the Informal & Adult Learning</p> <p>Flexible Tenancies</p> <p>City Sports & Active Recreation Strategy and action plan</p>

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