

## **DISCLAIMER**

**The attached minutes are DRAFT minutes. Whilst every effort has been made to ensure the accuracy of the information, statements and decisions recorded in them, their status will remain that of a draft until such time as they are confirmed as a correct record at the subsequent meeting.**



**Agenda Item No: 4A**

## **Bristol City Council**

### **Minutes of Overview and Scrutiny Management Board**

### **3 September 2015**

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#### **Members Present:-**

Councillors Pearce, Holland, Lovell, Mongon, Hopkins, Negus, Alexander, Melias, Telford and Joffe.

#### **Officers in Attendance:-**

Nicola Yates, City Director, Max Wide, Strategic Director, Business Change, Andrea Dell, Service Manager, Policy, Research and Scrutiny, Lucy Fleming, Scrutiny Co-ordinator, Nancy Rollason, Interim Deputy Monitoring Officer, Becky Pollard, Director of Public Health, Kay Russell, Strategic Planning Manager, Mark Wakefield, Service Manager, Performance, Information and Intelligence, Allison Taylor, Democratic Services.

#### **1. Apologies for Absence**

Apologies received from Councillors Goulandris and Bolton.

#### **2. Public Forum.**

There was no Public Forum.

#### **3. Declarations of Interest.**

There were no declarations.

**4. A. Minutes of 26 June 2015.**

Page 14.1<sup>st</sup> bullet point, line 8, replace 'at the immediate entrance' with 'to mitigate the effects of'...

**RESOLVED – that the minutes, subject to the amendment above, be agreed as a correct record and signed by the Chair.**

**B. Minutes of Call-In Sub-Committee 7 August 2015.**

**RESOLVED – that the minutes be agreed as a correct record and signed by the Chair.**

**5. Action Sheet.**

**RESOLVED – that the Action Sheet be noted.**

**6. Devolution.**

The Mayor, City Director, Strategic Director – Business Change and Service Manager, Policy, Research and Scrutiny were in attendance for this item.

The Mayor reported that much stronger relationships with the other three Unitary Authorities (UA's) had been developed. He believed that there had been an advance in mood and substance and that all UA's were pushing in the same direction. Work was currently underway on a developing a deal largely to do with transport, housing and strategic planning. This deal would also involve offering to take from the government 25 % on skills as an interim approach. This would be form a deal submission and the government would respond regarding the conditions of the deal.

The following points arose from discussion:-

- A Councillor stated that Bristol was attracting working age people who wanted to make a good living. People specifically relocated from London to areas like Bristol. Recently house prices in the more central areas of the City had rocketed. Some Victorian terraces had increased by 30 %. He could not accept the sort of devolution deal done elsewhere and believed that Bristol needed to be far more ambitious in what it asked for. The area was a net earner and other areas were not, it was therefore very disappointing if we were looking at similar deals;

- The Chair added that this influx on working age people put even more pressure on affordable housing. The population projection would go on for some time and have an impact on education;
- A Councillor urged for transport links to be in place before housing developments were in order to encourage public transport;
- A Councillor wished to be clear on what additional powers meant. Freeing the Council from red tape with respect to housing would require support from the public. It would be important to get engagement when powers were handed down. It was important for scrutiny to not have a start/stop approach to devolution and to engage more people in the debate;
- A Councillor observed that this was clearly a deal and there was a balance to be struck with economic advantage versus power and governance. He was already disturbed at the governance of the City Council and had concerns regarding the governance of the West of England Partnership. He believed that the bid needed to focus on a real environmental change of approach and this should be grasped as a fantastic opportunity to make real changes to this area. A measure of how we were involved in our environmental future should be part of that deal. He felt it was dangerous to take 25% on skills. The Mayor replied that this had been the advice given, skills built up incrementally was safer than taking a larger chunk. The conditions were set by the government, the risk was our choice;
- The City Director, in reference to the KPMG report, stated that the report indicated that the perception was that the area was doing very well and was a contributor rather than taker. Our place in the system will be disadvantaged by others moving faster with productivity. It was very important to deal with the barriers to productivity and growth which were transport, housing, skills and the labour market. This area had the basics and was attractive and
- The Mayor reinforced the point above. Housing was next on the development agenda. A lack of investment in transport and a block in housing affected productivity, along with skills. This was all about quality of life and a vision for the City;
- The City Director added that the KPMG report was evidence based and allowed us to prove what we knew to be true ie. the main barriers to productivity. Governance needed to be acceptable to both parties and strategic governance review would need to be undertaken. This was a prescribed process and would consider all possibilities ie. an Integrated Transport Authority. This would require a consultation process taking at least 9 to 12 months. The process would need to be agreed with the other Unitary Authorities. There would be plenty of opportunity to input into the process and it did not predetermine outcomes. The four leaders had already agreed their 3 overarching drivers which were:-
  - Geographic balance;
  - Productivity leading economic growth;

- Environmental issues – this could include the assessment of carbon emissions.
- She reassured the Board that environmental issues were accepted as a key driver. These drivers would be the focus on future decisions on projects and on what leads to a deal. There would purposely be no list of projects in the deal as the West of England area had already either delivered, were in the process of delivery or had funded all but one of their transport infrastructure delivery plan. It was vital that the area did not get caught up in bidding for special projects ahead of proper work. The City deal had already been secured which would provide £500m in business rates. The Four UA's would pool money and determines projects locally. The area already had a good track record on delivery of infrastructure projects. Another vital element was people – getting people a long way from employment in to the market and getting those on low pay into better paid jobs. In the higher skills end, there was a need to continue productivity and attract and grow in professional services. In order to maintain the competitive advantage, it was necessary to determine what skills pots are most appropriate for growth. Our submission will detail this and it is for the government to indicate whether they want us to do this;
- A Councillor found the position disappointing, stating huge progress had been made with the City Deal which had been a step change in thinking. However, nothing in this pack showed ambition. We should be determining our rules not accepting the governments. This was a successful area which generated huge money for treasury and demonstrated that we were very different. People with money to spend were moving to the area and it was important to harness such opportunities. The ability to raise money was an essential part of a bid. The government had no interest in giving our area revenue raising powers but this did not mean that it should not be a long term ambition, if this was not included as a long term desire, than the bid was a waste of time;
- A Councillor stated that she was prepared to be tolerant about a bid without specific knowledge of it so long as the same bottom line was not lost when it came back. It was important not to forget the issue of a 'tale of two cities' and provide houses and jobs, She was encouraged that the other UA leaders were discussing this too;
- The City Director reported that a discussion had been had across the West of England regarding fiscal devolution and a view of advisors was that we were not in a position to state what we would do and there was no governance structure in place to receive it. She noted that Manchester had constituted their body 15 years ago and they had still not received any fiscal devolution. She was happy to make fiscal devolution an aspiration but not a condition. Such a condition would stifle the ability for conversation and it was important to manage expectation.

In summary, the Board highlighted their primary concerns as:-

- That the devolution of responsibilities should be ideally matched by money in equal measure;
- The question of governance – there was a lack of transparency in the LEP;
- The reluctance of the other three Unitary Authorities to share power with Bristol;
- The need to keep at the forefront at all times the following key issues:-
  - Housing;
  - Environment;
  - Transport;
  - Health care;
  - Skills and education;
  - Trade and productivity;
  - Employment;
  - Equalities.

**RESOLVED: that this minute be circulated at Full Council to inform its debate.**

**7. Scrutiny Resolution Tracker.**

The Scrutiny Co-ordinator reported that this paper arose at the request from Councillors.

It was agreed to add Full Council motions to the tracker and to put it on Alfresco.

**RESOLVED: that the report be noted.**

**8. Whipping.**

There was none.

**9. Chair's Business.**

It was noted that there would be an update on Young People at the Extraordinary meeting in October.

The Chair expressed great concern that there had not been any Mayoral Question Time submissions or Public Forum for this meeting. A Councillor observed that the public did not perceive this meeting to be of major importance and preferred to attend Full Council and the Scrutiny Commissions.

It was agreed that this matter be raised at the next Party Group Leads for discussion.

**10. Scrutiny Work Programme 2015/16.**

It was agreed that Business Change & Resources and Neighbourhoods Scrutiny Commissions be invited to the Place Inquiry Day on the Case for Culture.

It was agreed to add to items to be scheduled – Governance of Energy Service Co.

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

**11. Dealing with exempt/confidential information.**

The Interim Deputy Monitoring Officer introduced the report and invited questions. The following points arose:-

- A Councillor observed that there was a need to get the balance right regarding what tax payers were allowed to know and what had to be held back. There was a distinction between exempt information and privileged information. It ought to be possible to whereby the unexempt information is contained in the report and the exempt information is appended. In a recent Call In Sub-Committee Councillors had been in the ludicrous position of talking around the subject in order to keep the public in the room. With respect to the report on the Port Call In he believed the exemption process had seriously affected the Council's legal position and that the Council had done wrong by not making the information available;
- A Councillor agreed with the points made above. He referred to the unprecedented position of a cross-party press release as a result of information not made available to members on the Arena. He noted that the report did not specify who made the decision regarding what was commercially sensitive so that the person could be challenged;
- A Councillor agreed with the previous comments adding that he believed the Board had asked for clarification on who makes the decision regarding what decisions were exempt;
- The Interim Deputy Monitoring Officer reported that as part of the Decision Pathway, officers advised at DLT and SLT and the issue of confidentiality was considered at every stage. The public interest test was applied so that there was a balance between open and confidential matters. Officers would always advise that reports should be in the public domain if they could be. It was very unusual circumstances for a report to be wholly exempt. The Council was operating in an increasingly commercial environment hence the consideration of exempt matters more frequently. Officers gave their advice on a case by case basis;

- A Councillor suggested that there must be a mechanism to challenge the Monitoring Officer's decision on such matters such as Party Group Leaders meeting;
- The Service Director – Business Resources suggested that a further paper could be produced setting out the process to challenge a decision but emphasised that the decision was ultimately for the Monitoring Officer;
- A Councillor observed that there appeared to be a lot less trust given to Councillors then there had been in the past. The breakdown of trust was not acceptable. Councillors were entitled to privileged information to carry out their job;
- A Councillor suggested that redacting parts of documents would be simple way forward;
- The Deputy Monitoring Officer reported that Councillors needed to establish a 'need to know' which the Monitoring Officer would decide on an individual basis, though Scrutiny Councillors had a pre-established need to know. This was as set out in the Code of Conduct;
- A Councillor was extremely concerned that the default position for non-Scrutiny members was to not see exempt papers;
- A Councillor echoed this, stating that this created an unnecessary layer for the Monitoring Officer. All Councillors should have a pre-established need to know, not simply Scrutiny Councillors.

**RESOLVED - that officers develop a mechanism for Councillors to challenge Monitoring Officer decisions with respect to decisions on exempt information.**

## **12. Inequality in life expectancy in Bristol.**

The Director of Public Health was in attendance for this report. She made the following opening comments :-

- Life expectancy trends for both men and women in Bristol have not been sustained in recent years;
- There was no simple reason for this trend and a great deal of work was being done to tackle lifestyle premature mortality causes such as smoking, heavy drinking and drugs. Work continued to strengthen and target these interventions as well as addressing other harmful lifestyles. Some groups did all these things as well as no physical exercise which compounded the problem;
- There were a number of initiatives involving Bristol Clinical Commissioning Group and the Health and Wellbeing Board to tackle these inequality issues. It was anticipated that a strategy for dealing with harmful alcohol



consumption would be in place in the next 3/5 years. Significant progress was being made with the roll out of NHS health checks;

- Bristol was not alone in this trend as there were similar experiences across the region and it was unclear why this was happening.

The following points arose from discussion :-

- The Chair asked whether population trends could be a cause and was informed that Bristol's population was younger than the rest of the South West and this could not account for the trend as the premature mortality was from the mid-life group;
- A Councillor was particularly concerned that the statistics were particularly bad for women in deprived areas. She asked how these women could be targeted as they were less likely to visit their GP, and suggested that extra effort be made to reach them. She added that the life expectancy in Bristol was an appalling stain and had not been addressed for years. Giving people skills to get a job and earning potential and therefore a better life was crucial to improved life expectancy;
- The Director of Public Health replied that there had been a lot of targeted work for this group from three community development teams. It was noted that women were more likely to visit their GP than men. These groups tackled early smoking and promoted the uptake of other cancer screening programmes. There was evidence that the uptake of these had slightly dropped;
- Interventions were aimed to not make individuals feel bad about themselves and were therefore developed to engage and educate;
- Social isolation had a huge impact on health and work was taking place with Neighbourhood Partnerships to create close knit communities;
- The link to economic poverty and poor health had been clearly documented. There was concern that the welfare reforms would have an impact on health. The ability to mitigate some of these impacts was beyond local control;
- A Councillor reported that people living in more deprived areas did not have so many positive things around them and therefore effective public health would be interventions such as parks and swimming pools. In response the Director of Public Health stated that messages had been reframed to reflect a positive approach within communities. Her office had now taken over responsibility for school health and she was keen to look at sports development so that the positivity was reflected in the early years;
- She confirmed that investing in public facilities was good value for money as it got people to be active and meet people. Physical activity was encouraged in travel arrangements to public facilities as well as the activities within them;
- Targeted work was being undertaken along with Bristol Ageing Better for the 60/65 age group. Initiatives such as exercise prescriptions were available although consistency across the city was needed;
- With respect to the cuts imposed on the health system, she believed it would be 6.2 % of the grant though this remained unclear. The health team had

been restructured and was under resourced but there was flexibility regarding the cuts. She did not expect a significant impact on service delivery. She was keen to draft a Statement of intent on public health priorities and would work closely with each Scrutiny Commission on public health input;

- A Councillor observed that alcohol and smoking trends had decreased while cancer had increased and questioned what were the reasons for this. He also highlighted the issue of mental wellbeing and how poverty caused little respite from it, this needed to be tackled. In response, the Director of Public Health stated that mental wellbeing was a priority. Social prescribing targeted social isolation. There was a compelling economic argument for investing in physical activity initiatives.

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

**13. Delivering the Corporate Plan: Performance Report for 2015/16: Quarter 1.**

The Service Manager – Performance, Information and Intelligence was in attendance for this report and made the following opening comments :-

- The style of report had been amended to provide detailed commentaries for focussed discussion;
- There were 17 indicators for 1<sup>st</sup> quarter 15/16, 4 of which were on target and 13 below target. Performance improvement had been evidenced in 8 targets whilst 6 had declined.

The following points arose from discussion:-

- A Councillor referred to Green Capital indicator on programme of events to celebrate Bristol as European Green Capital 2015 and stated that this was a week indicator and questioned who determined the success of an event;
- A Councillor referred to indicator BCP092, increased number of affordable homes delivered in Bristol, and asked who decided on the target level. He believed the target was not ambitious and set to be achievable. He was informed that this depended on size of numbers. The target process set out neighbouring UA's and England's targets and SLT took a view of a reasonable target based on this information;
- A Councillor observed that BCP010 – increase the number of private sector dwellings returned into occupation, illustrated the same non ambitious target as green arrow indicated improvement but the performance was worse than last year;
- It was noted that BCP008 – reduce number of households temporarily housed in emergency accommodation per night, continued to worsen and People Scrutiny Commission would focus on this and would be discussed at a forthcoming Housing Inquiry Day;

- A Councillor observed that if these indicators were to have any value it was vital to be clear on the direction of travel as the arrows meant very little. He also asked where the measures were derived ie. the Mayor's vision or Cabinet targets. With respect to quality of life information he stated that the perception of performance was very important. There needed to be a method of being consistent with what was measured and how it was measured;
- A Councillor agreed with this stating that public perception was an important factor and this was not being reflected;
- A Councillor noted that the rule used to be that the target should never be less than the previous years so that it was more ambitious every year. She referred to BCP151 – number of tourists to the city - and asked whether Destination Bristol had been involved in the discussion as this figure did not accord with figures she had seen. She was informed that the Shaun the Sheep Trail and Balloon Fiesta had not been included in these figures;
- The Service Manager reported that targets were set by SLT. Every effort was made for realistic targets but this was always in the balance. He was happy to suggest that this be reviewed. There were 600 Indicators so the document made available to OSMB had been significantly narrowed down. Many Indicators were looked at in greater detail by their respective Scrutiny Commissions along with OSMB observations.

**RESOLVED – that the performance report for Quarter 1 of 2015/16 be noted.**

#### **14. Fairness Commission Update Report.**

The Strategic Planning Manager reported that the recommendations of the Commission had been captured in five broad headings and were being addressed through the plans of the Partnership Boards and through work streams currently underway.

The following discussion points arose:-

- A Councillor noted that the living wage had been adopted for the Council and that therefore proposed that a living wage city be incorporated into the recommendations. In response, it was reported that a full assessment of the implications in relation to the budget was still being undertaken;
- A Councillor expressed concern regarding early years provision as early interventions brought about good outcomes. The Strategic Planning Manager replied a great deal of work had been undertaken by the Learning City Board on intergenerational learning from each age group. Learning City also used community buildings to engage with schools. There would be a celebrating age festival in the Autumn and a Children's Services Action Plan was in development;

- A Councillor observed that there was little in the recommendations on race and disability fairness;
- A Councillor asked what was being delivered now that would not have been delivered if it had not been for the Fairness Commission and was informed that the Commission has influenced how the Boards operated, it was portrayed as a partnership approach but the Commission has made a difference;
- It was noted that there were geographical hotspots with respect to looked after children. The Strategic Planning Manager reported that there was a need to focus more detailed work on South Bristol.

**RESOLVED – that the update on the actions taken following the Fairness Commission be noted.**

**15. Government's Summer Budget and implications for the Council.**

It was agreed that this item be deferred to the next meeting.

**11. Date of next meeting.**

It was noted as 4 February 2016.

END: 3.45pm

(Chair)