

BRISTOL CITY COUNCIL

**MINUTES OF THE MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
HELD ON 21 MARCH 2013 AT 6.00 P.M.**

- P Councillor Brain (substituting for Councillor Hammond)
- P Councillor Campion-Smith
- P Councillor Comer (in the Chair)
- A Councillor Goulandris
- A Councillor Hammond
- P Councillor Hopkins
- P Councillor Kent
- P Councillor Pickup
- P Councillor Stevenson

Also present :

Councillor Green
Councillor Holland
Councillor Massey
Councillor Weston (Sustainable Development & Transport Commission)
Councillor Wollacott (Quality of Life Commission)

OSM

50.3 /13 APOLOGIES FOR ABSENCE, SUBSTITUTIONS AND INTRODUCTIONS

Apologies were received from Councillor Hammond and Councillor Bradshaw (SD&T Commission Chair)

OSM

51.3/13 DECLARATIONS OF INTEREST

There were no declarations of interest.

OSM

52.3/13 URGENT BUSINESS – ACCOMMODATION FOR EDUCATION PROVISION FOR DISADVANTAGED CHILDREN

The Chair gave notice of an item of urgent business concerning a request by the scrutiny working group on early years and early help services.

The Group were seeking OSM support for a request that 2 properties - 1, New Street, St Judes and Cashmore House which are currently available for re-use, be secured from the Council's estate for Children's Services use as nursery school premises for disadvantaged children.

Councillor Campion-Smith explained that whilst the proposal was to have formed one of the working group's final recommendations, the risk that the properties might be allocated elsewhere meant that it was necessary to bring the proposal forward.

A letter from the working group was circulated at the meeting and a copy is attached to the minute book.

After discussion, it was:

RESOLVED –

- (1) that the Strategic Leadership Team (SLT) be requested that the above-mentioned properties be transferred from the housing revenue account to CYPS as soon as possible in order that places can be offered to disadvantaged children from September 2013, and**
- (2) that the Committee be informed of the SLT's decision in relation to this matter.**

**OSM
53.3/13**

MINUTES - OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE MEETINGS ON 9TH AND 17TH JANUARY AND 12TH FEBRUARY 2013

- RESOLVED - that the minutes of the meetings of the Overview and Scrutiny Management Committee held on 9th and 17th January and 12th February 2013 be confirmed as a correct record and signed by the Chair.**

OSM

54.3/13 WHIPPING

No whipping was declared.

OSM 55.3/13 ORDER OF BUSINESS

The Chair, with the agreement of the Committee, agreed to take agenda item 9 – Drugs impact inquiry recommendations before item 8 – Health and wellbeing strategy.

OSM 56.3/13 REVIEW OF SCRUTINY ARRANGEMENTS

The Committee considered a report of the Service Director, Legal and Democratic Services concerning proposals for scrutiny arrangements in 2013/14 which had previously been discussed at the Scrutiny & Governance Member Working Group (agenda item no. 7).

The Committee also received:

- A referral from the Children’s Services, Quality of Life and Community Cohesion and Safety Scrutiny Commissions concerning the views of those bodies on the proposals;
- Comments which had been e-mailed by scrutiny co-optees on their view of the proposals;
- A submission from Cllr Negus on the proposals;

all of which have been attached to the minute book.

Councillor Weston reported the views of the Sustainable Development and Transport Commission on the proposals.

The Scrutiny Co-ordinator outlined the key features of the proposals as detailed in the report.

The following is a summary of the main points which were made during the ensuing discussion:

- Councillor Weston reported that the S&DT Commission’s key concern with the proposals was that any move away from a scrutiny commission structure would result in a loss of strategic vision of the subject area by backbench members. So, in the case of SD&T, there would no longer

be a body of members with a strategic overview and understanding of transport issues within the city. Instead, miscellaneous groups of members would be brought together to look at specific issues, more or less in isolation of the bigger picture. This could re-enforce a silo approach to working which would not be properly joined up. The convenor approach described in the report would not contribute to the retention of a pool of knowledge and expertise amongst back benchers;

- A member expressed concerns about the Mayor's way of working with back bench members to date, which was to set up working groups of members selected by himself and with the expectation that they would come up with recommendations in periods of time that were as short as one week. If he was to properly engage with scrutiny, then requests for work should be directed through OSM, which would then be able to scope the work, agree time scales and devise terms of reference. Meanwhile, the Whips should be consulted regarding the members to serve on these bodies;
- Another member concurred that for pre-decision scrutiny and review to work effectively, then task and finish work in support of Cabinet priorities needed to be structured properly and thoughtfully, timescales to complete work should be realistic, and the work would need to be adequately resourced in terms of officer time etc;
- It was suggested that the abolition of 3 of the scrutiny commissions was an overreaction to the changed governance arrangements in the Council. A more phased approach might be preferable whereby task and finish approaches to scrutiny working were increased but the existing commissions were retained, albeit meeting less frequently (perhaps a couple of times per year). The commissions would identify work programmes for the year within their remits and would determine topics for scrutiny and how the work will be undertaken (working group, inquiry day etc);
- There were particular concerns about the proposed abolition of the Children's Services Commission, in view of importance of retaining a panel of experienced backbench members to oversee things such as adoption and safeguarding issues, attainment etc which were all subject

to national inspection regimes. There were also significant consequences in human terms, if things go wrong in this service area. All of these factors pointed to the merit of retaining an overview function for this whole area of provision;

- The Chair commented that the committee needed to decide whether the proposals in the report enabled scrutiny to be sufficiently “fleet of foot” to meet the current scrutiny requirements of the Council. This needed to be balanced against the capacity of members to engage fully in the structures which were set up, and having regard to other pressures on their time, including engagement locally through the neighbourhood partnership/committee arrangements;
- In relation to resources and member capacity, the Scrutiny Co-ordinator noted that over recent years, and notwithstanding moves away from formal meetings to more task and finish work, the average number of meetings per annum had remained roughly constant. On that basis it would be reasonable to assume that a manageable workload for members would continue to be at around the current level ;
- Concerns were expressed that the more informal approach to scrutiny as proposed in the report would be more difficult to manage by members with busy diaries. The scrutiny commission approach at least had programmed meetings over the year which enabled members to reserve dates in their diaries at the start of the year;
- A member noted a reference in the report to the effect that scrutiny work programmes should not exceed the capacity of current support staff. He felt that it would be difficult to agree a structure for delivering scrutiny until that capacity had been made clear;
- The Service Director, Legal Services commented that the Council had agreed a reduction of £290K in the budget for the Democratic Services work area and officers would shortly be coming forward with options for members to consider. Whilst members would need to set out their expectations as part of the current scrutiny review process, it was unlikely that any support which was

additional to that currently being provided, would be forthcoming;

- There was agreement about the need for pre-decision scrutiny and working with the executive to support policy development, but concerns were expressed as to how this would work in practice when there was so little in the Mayor's Forward Plan. The Service Director, Legal Services commented that members concerns about the Forward Plan had been reported back to SLT and the interim City Director would be reviewing the Plan with strategic directors. He confirmed that there had been no change in the previous criteria regarding the definition as to what constitutes a key decision and therefore what types of decision would be recorded in the Plan;
- It was suggested that, faced with limited officer resources and, understanding the way in which the Mayor had indicated that he intended to conduct business, scrutiny would need to adapt accordingly. It would need to utilize time more efficiently, and focus on the methods which were most effective. If a scrutiny commission structure was to be retained then it was unlikely that commissions which met no more than twice a year would work, because there would be insufficient time for members to build up effective working relations with each other;
- Reference was made to the submissions from co-optees. It was agreed that final proposals should be put to co-optees and particularly the equalities forums for their comments.

Members concluded that in order for changes to the scrutiny structure to progress, and be acceptable to members when presented at the Council AGM, then less radical measures needed to be considered, at least for 2013/14. There was general agreement that the proposals should include;

- Retention of the scrutiny commission structure but with one fewer scrutiny commission next year (Resources and Health, Care and Wellbeing as proposed in the report plus Children's Services, Environment and Transport);
- Formal meetings of each commission should take place not more than 4 times per year;

- Commission chairs should act between scrutiny commission meetings in a convenor role; they would work with the leads of the other parties on the Commission to develop work programmes and agree task and finish projects;
- Commission chairs would each be ex officio members of the Overview & Scrutiny Management Board (and with an expectation that they will attend O&SMB meetings);
- Structures should be sufficiently flexible to be able to respond to the challenges of and the policy development support required by the Mayor;
- Members of OSM should be prepared to “sell” the above proposals to their groups;
- Revised proposals for scrutiny in 2013/14 including details of the remits of the proposed commissions should be submitted to the next meeting of the Scrutiny and Governance Member Working Group on 10 April.

It was then:

RESOLVED - that revised proposals for overview and scrutiny in 2013/14 incorporating the features described above, be reported to the next meeting of the Scrutiny and Governance Member Working Group on 10 April.

**OSM
57.3/13**

DRUGS IMPACT INQUIRY RECOMMENDATIONS

The Committee considered an update report from the Safer Bristol Partnership on the actions taken on various issues following the inquiry day (agenda item no.9).

Barbara Coleman, Associate Director, Public Health presented the report.

The following is a summary of the key points arising from the discussion:

- Officers discussed the initiatives currently in train for

helping drug users. In particular, reference was made to the success of the drop in café/facility at St Mary Redcliffe Church;

- In relation to further research to reduce harms, reference was made to the work being undertaken at Brighton. The Chair asked that prior to a report being taken on to Council, the outcomes of the contact with Brighton and action being taken or intended as a result should be described, in an appendix to the paper;
- The possibility of “injecting rooms” as a managed environment for drug users was discussed and some members indicated that the possibility of moving towards this end within the parameters of the current law merited further investigation;
- Officers confirmed that Safer Bristol’s approach to drug users was one of trying to provide them with support. What was important was to put people on a path which moved them away from addiction and reduced reoffending;
- The report should identify all of the potential measures that were discussed at the inquiry day, and identify those which can be pursued and the action already taken or intended and those which cannot, as result of the current law.

After further discussion, it was :

RESOLVED - that a revised report be prepared for a future meeting which identifies all of the actions and outcomes which were agreed at the inquiry day, and showing which actions have been progressed and how and the outcomes too date; also those options which cannot currently be progressed due to the restrictions imposed by legislation.

(**Note** : Councillor Comer here vacated the chair and left the meeting. Councillor Stevenson, Vice Chair, then took the chair for the remainder of the meeting.)

HEALTH AND WELLBEING STRATEGY

The committee considered a report of the Director of Public Health concerning the draft Health and Wellbeing Strategy for Bristol (agenda item no.8).

Janet Maxwell, Director of Public Health presented the draft Joint Health and Wellbeing Strategy for Bristol and answered members questions thereon.

The following is a summary of the main issues that were raised :

- A member expressed concerns that the Strategy lacked specific references to the requirement for children to have access to healthy activities such as play and sports. Increasing numbers of youngsters were leaving primary education in an obese condition and therefore he considered that there should be specific measures aimed at reducing childhood obesity. There should be equivalent measures identified for reducing obesity in adulthood as well, including access to recreation;
- Noting the Director's response, the member felt that references to access to healthy activity were far too general – what was needed were some specific measures and indicators;
- Reference was made to the increasing birth rate within the Bristol area. A member enquired as to how responding to the health requirements of increasing numbers of toddlers and children would be catered for and how this would impact on the available resources. She felt that the impact of a big increase in the birth rate needed to be articulated in the strategy, as extra funding would be needed to cope with it;
- Officers commented that the Joint Strategic Needs Assessment Group (comprising both BCC and Health Service professionals) were currently looking at this sort of issue including impact on primary and secondary health care, housing need and so on. This joint working would inform the Strategy on an ongoing basis;
- Reference was made to health inequality across the

City and the view expressed that this needed to be measured in an accurate way in order that resources can be targeted effectively. Health issues were not restricted to certain parts of the community eg where there were large numbers of people on low incomes or unemployed. Studies showed that issues such as obesity were often prevalent in the more affluent parts of the community. Members suggested that ward based data should be utilised to help to target intervention;

- In relation to the next steps, officers advised that there would be a 12 week period of consultation ending on 10 May. During this period there would be opportunities for people to input via a survey and at meetings which would be taking place at various venues. This would be followed by a full analysis of inputs at the end of that period, lasting about a month and leading to a revised strategy being drafted and published in July.

After further discussion it was ;

RESOLVED - that progress with developing a draft health and wellbeing strategy for Bristol be noted and that an updated version of the Strategy will be available for further consideration following the conclusion of the public consultation period in May 2013.

OSM

59.3/13

RIPA QUARTERLY REPORT

The committee considered a report of Strategic Director, Corporate Services (agenda item no. 10) concerning authorisations granted to officers during the quarter 22/12/12 to 03/03/13 to carry out covert surveillance as authorised by the RIPA 2000 legislation.

After brief discussion, it was;

RESOLVED - that the report be noted.

(The meeting ended at 8.15 pm)

CHAIR