

BRISTOL CITY COUNCIL

**MINUTES OF A MEETING OF THE
OVERVIEW AND SCRUTINY MANAGEMENT BOARD
HELD ON 11TH JULY 2013 AT 6.00 P.M.**

P Councillor Bailey
P Councillor Champion-Smith
P Councillor Eddy
A Councillor Goulandris
P Councillor Hammond
P Councillor Holland
P Councillor Kent
P Councillor Khan
P Councillor Pickup
P Councillor Telford

Also in attendance :

The Mayor, George Ferguson (for question time).
Councillor Stone (questions to the Mayor)
Councillor Lovell (Chair of Neighbourhoods & Communities Commission)

OSB

**12.7/13 APOLOGIES FOR ABSENCE, SUBSTITUTIONS AND
INTRODUCTIONS**

Apologies for absence were received from Cllr Goulandris.

OSB

13.7/13 MAYOR/CABINET MEMBER QUESTION TIME

The Mayor replied to questions which had been submitted in advance of the meeting from Councillor Stone.
He then responded to a range of questions from members of the Board which were asked at the meeting.

A webcast of the Mayor's question time may be viewed on the Council's website at the following link :

<http://www.bristol.gov.uk/page/council-and-democracy>

OSB

14.7/13 PUBLIC FORUM

An item of public forum business was submitted by Mr Even C. Clarke in relation to the City Deal.

It was agreed that the item should be forwarded to the Executive Member for Finance and Corporate Services for a formal response.

OSB
15.7/13 **DECLARATIONS OF INTEREST**

There were no declarations of interest

OSB
16.7/13 **MINUTES - OVERVIEW AND SCRUTINY MANAGEMENT**
COMMITTEE – 6TH JUNE 2013

RESOLVED - that the minutes of the meeting of the Overview and Scrutiny Management Committee held on 6th June 2013 be confirmed as a correct record and signed by the Chair.

Matter arising :

In relation to minute 11.6/13 (b) and a query from Councillor Hammond, the Scrutiny Co-ordinator advised that the Whips had been asked to provide the names of members to serve on the proposed cross party group on arrangements for awarding community safety grants and the intention was to start meetings in October/November due to other priorities in the scrutiny work programme at the moment.

OSB
17.7/13 **WHIPPING**

No whipping was declared.

OSB
18.7/13 **CRIME NEEDS ASSESSMENT**

The Board considered a report of the Interim Service Director Safer Bristol Partnership and the Chair of Safer Bristol Partnership (agenda item no 8).

It was noted that the Chair of the Partnership was unable to attend the meeting and the Interim Service Director and Service Manager, Safer Bristol would answer questions.

Following a brief presentation, the following is a summary of the matters discussed:

- A member noted that the PCP and Chief Constable were to make a presentation at the Council meeting in September. That being so, it would be useful if members could be provided with a detailed overview of the intelligence gathering and analysis and what would be in the draft report for the Executive Board beforehand, in order that they were in a position to ask questions thereon at the Council meeting. It would also assist them in discussions at their neighbourhood partnerships and elsewhere. The Service Manager undertook to provide a briefing for members within the time table suggested;
- Another member commented that, as a member of the Police and Crime Panel, he had noticed that councillors in some other authorities appeared to be much more fully briefed on and engaged in the work of their respective CSP. He felt that as a representative of Bristol, it was appropriate that he was fully briefed on the key issues in this area of work.
- It was noted that Councillor Cook currently represented the Council on the Partnership. It was suggested that in view of the importance of this area of work, the Board should review the arrangements for councillor representation on the Partnership.

RESOLVED –

- (1) that the report be noted;**
- (2) that Bristol's representatives on the Avon and Somerset Police and Crime Panel be offered an informal briefing session with the Service Director of Safer Bristol on the current priorities for the Partnership and any other relevant issues to inform them in their role as Panel members , and**
- (3) that a members be provided with a summary of the information which is intended to be reported to the Executive Board of Safer Bristol in September, in order that they are in a position to ask detailed questions of the PCC and Chief Constable when they attend the September full Council meeting.**

DRUG POLICY IMPACTS – UPDATE FROM THE INQUIRY DAY

The Board considered a report of the Service Manager Crime and Substance Misuse and Service Manager Public Health Commissioning (agenda item no 9) updating members on issues arising from the inquiry day.

The Service Manager, Safer Bristol presented the report and he and the Service Manager, Public Health Commissioning then answered members questions thereon.

The following is a summary of the matters discussed:

- A member enquired as to whether the new model identified in the report included action on alcohol abuse. It was confirmed that the budget (£10 m) covered both drugs and alcohol and that the new service was an integrated one for both drugs and alcohol. The focus of the action described in the paper was however, around reducing harm resulting from abuse of illegal drugs;
- In relation to opiate use and noting the cost of opiates, a member enquired as to how paying for opiates related to the reduction in drug abuse related crime. The officer explained that for every £1 spent on treatment, more than £4 was estimated to contribute to reductions in crime and other areas such as health;
- In response to a member question, the service manager explained that drug related deaths did include those of children. Serious case reviews / case conferences would always take place and there were good examples of shared learning and interagency working in such situations;
- Members discussed the arrangements for helping young people to make decisions around their own drug use. The Service Manager explained the arrangements that were made to communicate with young people using the new forms of social media, and the priority which was given to this for example, a campaign on twitter to raise awareness of newly emerging drugs;
- In relation to the commissioning of services, a member asked whether the Council could be assured that it would get

the best from new service providers through the re-commissioning process. The Service Manager indicated that a number of staff would be offered employment in the new service through TUPE arrangements and he was confident that an effective service would be provided in future. It was agreed that information should be provided to Board members about those organisations which had tendered for commissioned services in relation to drugs policy and been unsuccessful, and the reasons for this ;

- The Chair commented that there was concern amongst many members that the new commissioning arrangements were biased against small local provider groups with local knowledge, as only the big players had the capacity to bid for council contracts on account of their size and complexity. He proposed that the Board looked at arrangements for commissioning of services as a future project, in order to decide if the Council was getting a better deal in comparison with the previous arrangements;
- In response to a question about the extent to which the Council works with other authorities, the service manager explained that in addition to working with Brighton, the Council maintained regular contact and shared data with other core cities such as Liverpool, Newcastle, Leeds and Birmingham;
- A member inquired as to how the recent announcement by the Home Secretary on the illegalisation of KHAT might impact on drugs policy and management of abuse. The Service Manager explained that the new commissioned service providers were required to respond to new emerging drug issues as part of their contracts. He thought that the implication of this change in the law on resourcing could be significant and undertook to investigate what the impact might be.

After further discussion, it was;

RESOLVED –

That the report be noted.

**OSB
20.7/13**

NEIGHBOURHOODS UPDATE

The Board considered a report of the Service Director Neighbourhoods and Communities (agenda item no 10) concerning the neighbourhood partnerships review.

The Service Director , Neighbourhoods and Communities introduced the report and outlined the extent of the review consultation which had taken place, the number of responses received to the consultation, the main areas for improvement which had been identified in the review and the intended next steps. She explained that her report had previously been circulated at the June/July round of neighbourhood partnership meetings.

The following is a summary of the matters discussed in the ensuing debate:

- A member enquired as to whether there actually would be further delegation of decision taking to local level now that the Mayor was in office. The Service Director said that this would be the case; the Mayor was interested in increasing devolution; he was interested in the role which ward members played in their communities and in any event, if neighbourhood partnerships were to have a long term future, then further devolution of decision taking would be necessary;
- It was suggested that neighbourhood partnerships could play a greater part in meeting the needs of young people. There was already involvement in youth provision; could this not be extended so that Partnerships could be involved in /influence what local schools were doing, be they council provided, academies, trusts or free schools? There was currently a lack of local accountability.
- The involvement of Partnerships in the health and wellbeing agenda required further investigation and development. There was currently no local voice in this area of provision.
- The service director indicated that if neighbourhood partnerships were to pull their weight then they should have influence in both areas. She looked forward to a situation where public service providers wanting to conduct business in a local area, would automatically be routed through the neighbourhood partnership in the first instance. In relation to the health and wellbeing agenda, local engagement was already shaping up through the development of public health neighbourhood improvement teams;

- A member commented that the resourcing of neighbourhood arrangements required further review. The current area co-ordinators were struggling to deliver what the partnerships wanted now. It would be important to look again at how partnerships were resourced and how support staff could be most effectively deployed;
- Another member expressed concern that some parts of the Council still “did not get it” in relation to neighbourhood partnerships, which were seen as peripheral, only being responsible for small budgets and not involved in the big projects such as the South Bristol link;
- The Service Director acknowledged that a number of major decision areas did not currently require consultation /engagement with local communities. How to change the situation was not necessarily straight forward. It was partly a leadership issue but also one of changing process and practice – eg the constitution of the Council. If all leaders backed change then that would help to deliver I;
- A member commented on the “democratic deficit” on some neighbourhood partnerships particularly in terms of how neighbourhood representatives were selected. Representation was usually unrepresentative of the local community. Partners, be they elected or appointed were often from the same interest group or were simply like minded individuals. They self selected, worked well together, but that relationship often worked to prevent more diverse elements from their community getting involved .

After further discussion, it was:

RESOLVED –

That the report and the next stages of the neighbourhood partnership review be noted.

**OSB
21.7/13**

LIVING WAGE INQUIRY – INTERIM REPORT AND RECOMMENDATIONS

The Board considered a report of the Scrutiny Co-ordinator concerning the recommendations of the Inquiry Day on the Living Wage (agenda item no 11).

The Chair commented on the outcomes of the Inquiry and stated that all participants in the Inquiry had accepted that the living wage was the only way forward. The issue now was how the proposals were taken forward and supported.

In relation to Appendix A to the report – pay grades for senior officer posts, a member inquired as to why the current Strategic Director, Corporate Services was entitled to a monthly lodging allowance. It was agreed that the Mayor should be asked to provide an explanation.

After further brief discussion, it was;

RESOLVED –

That the Mayor be recommended that;

- (a) The Mayor’s Bristol Fairness Commission considers the report of the Inquiry Day on the Living Wage with particular to reference to Appendix 1: Living Wage Principles and Appendix 2: Key Issues and Concerns;**
- (b) The Bristol Fairness Commission considers setting up a Living Wage Panel to consider how Bristol can move towards becoming a living wage city, and how this might be achieved, including seeking robust evidence from stakeholders;**
- (c) The Panel pays particular attention to the support and encouragement of small businesses and voluntary and community sector employees;**
- (d) In the meantime the Mayor supports officers working with Business West and KPMG to promote the living wage to employers in the City;**
- (e) The key focus of the Panel should be to explore and provide support for implementation of a ‘living wage’ external to the Council. As such, this should not reference the internal negotiations regarding the payment of a living wage to council employees as outlined in the Pay Policy statement for 2013/14 (Appendix 4) of the report of the Inquiry Day.**

22.7/13 OVERVIEW AND SCRUTINY MANAGEMENT BOARD WORK PROGRAMME SETTING 2013/14

The Board considered a report of the Service Manager, Democratic Services (agenda item no. 12) concerning progress with the scrutiny work programme for 2013/14.

In response to a question from a member, it was noted that in line with the agreement between the Whips, the Labour Group would take the Chair of the first of the select committees to be established and that Councillor Hammond was that Group's nomination.

After brief discussion, it was;

RESOLVED –

- (1) that the Board's own work programme and progress on agreed areas for in-depth scrutiny including a Select Committee on the role of the local authority in Education; an Inquiry Day on the Night Time Economy in Bristol and a cross party Community Safety Grants Review Panel as set out in the report be endorsed;**
- (2) that size and composition (2 Lab; 2 LD; 2 Con and 1 Green) of the proposed Select Committee on the Role of the Local Authority in Education be approved (there being no member voting against) and that Councillor Hammond be its Chair;**
- (3) that an extraordinary meeting of the Board take place on Thursday 15 August, 2013 to consider evidence from a range of expert witnesses on a potential local levy on large retail outlets, in line with full Council's resolution, in order that the outcomes of that session can be reported back to Council at its September meeting;**
- (4) that the overall scrutiny work programme for 2013/14 be approved;**
- (5) that officers look to bring forward the starting times for the Board and scrutiny commissions in next year's calendar of meetings, in order that an earlier start can be made in the new 2014/15 municipal year on scrutiny work programmes, and**

- (6) that Party Leaders promote within their Groups, the Mayor/Cabinet member question times that are hosted by the Board, with the objective of achieving a fuller turn out of members (and more questions) at the next session.**

OSB

23.7/13

MAYOR'S FORWARD PLAN

The Board considered the latest iteration of the Mayor's Forward Plan (agenda item no 13).

During discussion, reference was made to:

- whilst the Plan was far more comprehensive than it used to be, senior officers who prepare items for Cabinet approval need to be fully aware of the need for early engagement with scrutiny and normally well before final policy proposals are ready for submission. This was particularly important with current staffing constraints, and avoided the need for "last minute" chasing of information;
- the Board looked forward to receiving at its next meeting, a schedule of those delegated officer decisions which have been taken and where expenditure is in excess of £100,000 as promised at the last meeting, and
- that when the Constitution is next reviewed, reference should be made to the value of decisions which need to be forward planned (delegated officer decisions as well as key decisions) and the required method of reporting on those decisions.

RESOLVED –

- (1) that the Mayor's Forward Plan be noted; and**
- (2) that the Board's expectations as set out above, be drawn to the attention of the City Director.**

OSB

24.7/13

SCRUTINY ANNUAL REPORT

The Board considered a report of the Chair of Overview and Scrutiny Management Board (agenda item no. 14) setting out the Scrutiny Annual Report 2012/13.

RESOLVED –

That the Scrutiny Annual Report be endorsed and referred to the next meeting of Full Council on 10 September.

(The meeting ended at 9.00 pm)

CHAIR