

Bristol City Council Minutes of the Overview and Scrutiny Management Board

15 June 2016 at 6.00 pm



Members Present:-

Councillors: Charlie Bolton, Nicola Bowden-Jones, Tom Brook, Jude English, Geoff Gollop, Brenda Massey, Olly Mead, Steve Pearce, John Goulandris and Gary Hopkins

1. Welcome, Introductions and Safety Information

The Chair welcomed councillors and other attendees to the meeting.

2. Apologies for absence.

Apologies for absence were received from Councillors Gill Kirk, Graham Morris and Anthony Negus.

3. Membership of Board.

RESOLVED -

That it be noted that at the annual Council meeting on 31 May 2016, the following councillors were appointed to serve on the Board for 2016/17:

Councillor Charlie Bolton

Councillor Nicola Bowden-Jones

Councillor Tom Brook

Councillor Jude English

Councillor Geoff Gollop

Councillor Gill Kirk

Councillor Graham Morris

Councillor Brenda Massey

Councillor Olly Mead

Councillor Anthony Negus

Councillor Steve Pearce



4. Board Chair

RESOLVED -

That it be noted that at the annual Council meeting on 31 May 2016, Councillor Geoff Gollop was appointed as Chair of the Board for 2016/17.

5. Election of Board Vice-Chair

RESOLVED –

That Councillor Steve Pearce be elected as Vice-Chair of the Board for 2016/17.

6. Declarations of Interest

None declared.

7. Public Forum

None received.

8. Chair's Business

The Chair made the following opening comments:

- a. He paid tribute to the role played by Councillor Pearce in chairing the Board over the last 2 years.
- b. He particularly welcomed new councillors to the committee and stressed that, as the Chair of the Board, he would be open to discussing any suggestions around new approaches for further improving and developing the scrutiny role and function.

9. Minutes of the previous meeting.

RESOLVED –

That the minutes of the meeting of the Overview and Scrutiny Management Board held on 2 March 2016 be confirmed as a correct record and signed by the Chair.

10. Scrutiny Resolution and Full Council Motion Tracker

RESOLVED –



That the latest tracker document be noted.

11. Overview and Scrutiny Management Board Annual Business Report 2016/17

The Board considered the annual business report.

Following discussion in relation to meeting dates, the Chair suggested, and it was agreed, that an additional extraordinary Board meeting should be scheduled for late November / early December (noting that a Mayoral question time session would not be held during the hour before the December meeting).

The Board also agreed that, to enable it to be fully effective in its scrutiny co-ordination role, it would be preferable for 4 additional meetings to be held (8 meetings in all over the course of a Council year). It was accepted that the Mayoral question time session should take place at 4 of these meetings, on a quarterly basis. The intervening 4 meetings should take place as public meetings (rather than on an informal basis) in the interests of transparency and to ensure a full public record of proceedings. It was agreed that the Board's view on increasing the frequency of its meetings should be fed into the forthcoming constitutional review. Until the constitutional review was concluded, it was noted that additional, informal meetings of the Board should be held as required.

RESOLVED:

1. That the Board's terms of reference be noted.
2. That the meeting dates for 2016/17 be confirmed as follows:
 - 6.00 pm, 8 September 2016 (Mayoral question time to be at 5.00 pm on this date).
 - An extraordinary OSM Board to be scheduled for late November / early December.
 - 6.00 pm on 9 February 2017 (Mayoral question time to be at 5.00 pm on this date).
 - 6.00 pm on 6 April 2017 (Mayoral question time to be at 5.00 pm on this date).
3. That to enable it to be fully effective in its scrutiny co-ordination role, it would be preferable for the Board to meet 8 times over the course of a Council year. A Mayoral question time session should take place at 4 of these meetings, on a quarterly basis. The intervening 4 meetings should take place as public meetings (rather than on an informal basis) in the interests of transparency and to ensure a full public record of proceedings. The Board request that its view on increasing the frequency of its meetings should be fed into the forthcoming constitutional review. Until the constitutional review is concluded, it is noted that additional, informal meetings of the Board should be held as required.
4. That a Call-In Sub-Committee be established as per the proposal set out in paragraphs 4-5 of the report (7 members: 4 Labour; 1 Conservative; 1 Green; 1 Liberal Democrat).



12. Devolution

The Board considered a report setting out the background to the report on West of England devolution that was due to be considered by the Cabinet and Full Council (and Bath and North East Somerset Council and South Gloucestershire Council) on 29 June 2016.

Key points raised / discussed:

- a. The Cabinet and Full Council reports on this issue would be published on 21 June, including the full detail of the devolution scheme. Given this, it was proposed that today's Board meeting would stand adjourned, and would reconvene at 5.00 pm on 27 June to enable the Board to comment on the detail of the government proposals, and in order that the Board's views could then be documented and included as part of the Cabinet and Full Council consideration of the proposals.
- b. It was noted that North Somerset Council had determined that it did not support the devolution proposals. It was anticipated that although North Somerset would not be part of a devolution deal, if agreed, an ongoing joint working relationship with North Somerset would be maintained.
- c. Following discussion, and whilst noting that ultimately the decision on the acceptance of the devolution proposals was an executive decision, the Board agreed that it was essential (in terms of assisting councillor and public understanding in advance of the 29 June Cabinet and Full Council meetings) that officers ensured there was absolute clarity about the executive decision that the Mayor and Cabinet would be asked to take on 29 June, and about the status and role of the Full Council in relation to the decision to be taken. In particular, it was essential to clarify whether or not it would be possible for the Full Council to suggest amendments to any recommendations contained in the report, or to propose / vote on any other suggested amendments. It would be essential to ensure clear procedural advice to councillors on these matters in advance of the Cabinet / Full Council meeting. The agreed process needed to be very clear, not least in the interests of ensuring that proceedings were easily understandable to the public. It was noted that the process adopted should also be broadly consistent with the executive decision-taking approach to this matter in Bath and North East Somerset (the process would be different in South Gloucestershire as that authority had reverted to the committee system).
- d. The Full Council meeting on 29 June was an Extraordinary Full Council meeting. Under the constitution, public forum statements and questions could be submitted to this meeting, provided they related specifically to the business of the meeting.
- e. It was noted that a series of councillor briefings had been arranged on the detail of the devolution proposals. The report to be published on 21 June would include as much information as possible on the financial aspects and implications of the government's proposed deal. The published scheme would also include details about the key aims of encouraging economic growth for the region, tackling traffic congestion and the housing and skills agendas. In terms of economic growth, it was fully recognised that it was essential to target the type of growth that also took full and appropriate account of equalities and



environmental considerations. A package of devolved powers was proposed around transport, housing and skills.

f. The Chair expressed the personal view that whilst it was important to ensure a fully open debate about the proposed deal, it was also essential to realise that a powerful opportunity was available here for securing additional funding for the region under the devolution proposals. The proposals might not form a “perfect” solution but were likely to form the best opportunity available under the current government in terms of additional resources.

At the conclusion of their consideration of this item, the Board

RESOLVED –

That further consideration of the devolution proposals take place at the reconvening of this Board at 5.00 pm on 27 June 2016.

13. Scrutiny Work Programme Update

The Board considered a report seeking agreement on the arrangements for setting the scrutiny work programme.

The Chair and Board members welcomed the recommendations as set out in the report, and additionally commented as follows:

- a. Where appropriate, scrutiny commissions should look at cross-cutting matters jointly, to ensure best and most effective use of both councillor and officer time.
- b. It would be important to carefully plan and manage individual meeting agendas, so that sufficient time was allowed of the discussion of selected agenda items.
- c. It would be important to encourage transparency, honesty and openness as key principles underlying the scrutiny role – in circumstances where there was “bad news” or mistakes to report, the emphasis should be on sharing these matters quickly and openly – the emphasis should be then be on fixing the matter at hand and learning lessons.
- d. Once the scrutiny work programme was determined, a business-like approach needed to be adopted, with appropriately robust discipline on the timing of agenda items and reports. An appropriate level of flexibility would need to be retained, however, recognising the need for scrutiny to be able to respond to events and circumstances as they arose.
- e. It was particularly important to ensure the early involvement of scrutiny wherever this was appropriate. Early, strong and effective scrutiny (with careful planning of dates would over time have the



effect of helping to strengthen the executive decision process. It was essential to avoid situations where scrutiny views were sought “too late” in the process. The proposal around aligning the scrutiny work programme with the Mayor’s Forward Plan and the Council’s budget setting processes over a 4 year period was particularly welcomed.

Noting the above comments, the Board:

RESOLVED:

1. That a scrutiny work programme workshop be held in September 2016, and that this work programme, where appropriate and possible, be extended up to 2020, whilst also ensuring that there are sufficient opportunities to respond to arising / upcoming issues and pre-decision scrutiny.
2. That, in the interim period from July to September 2015, scrutiny should continue with arising / upcoming pre-decision scrutiny items as required (West of England devolution being one example), development opportunities for new scrutiny members, and a focus on the setting of the 2016-20 work programme.
3. That the scrutiny work programme be evidence based and aligned to the budget setting processes and the Mayor’s Forward Plan and Vision.

14. Mayor's Forward Plan

The Board reviewed the latest update of the Mayor’s forward plan.

The following key points were raised / noted:

- a. The Mayor’s forward plan would be reviewed at each OSM board meeting.
- b. In light of the earlier discussion at this meeting, the Chair suggested and it was agreed that the Board should make a formal referral to the 4 July Cabinet around the issue of the scrutiny work programme being aligned to the Mayor’s forward plan and the Council’s budget planning processes.

The wording of the referral to the Mayor and Cabinet was agreed by the Board as follows:

*“The OSM Board believes the Mayor’s Forward Plan is fundamental to the Council’s decision making and the involvement of back bench members in the scrutiny process.
To be effective, the Forward plan needs to be populated with accurate information of both regular reports, such as the quarterly monitor, annual policy statements and key decisions.*

The Board recognises that when there is a change in administration, there will be a period of adjustment, but all decisions should be capable of scrutiny which means they must be in the Forward Plan with sufficient notice. For example, two items brought to the new Mayor’s first Cabinet were not on the last



administration's last forward plan, so scrutiny could not have examined them before the decision was taken.

However, the role of scrutiny in policy development is key and that requires the plan to be forward thinking. Ideally, with the Full Council and Mayor in place for the next 4 years, the forward plan would identify key decisions that need to be taken over the next 4 years.

For OSM to effectively plan the scrutiny work programme, it would be helpful if the forward plan could be fully updated for the next 12 months, within the next month, and provisionally updated for the next 4 years by the end of August.

There is also one specific issue which is key to our scrutiny role. As the new Mayor has already indicated, the medium term financial plan is going to involve major decisions. Could we have an early indication of the time frame in which these proposals will be available for scrutiny?"

c. It was noted that Cathy Mullins, Interim Service Director – Policy, Strategy and Communications would be designated as the Council's statutory scrutiny officer.

d. It was noted that a key decision report was scheduled for the 29 June Cabinet seeking approval to support capital development of culture venues in the city, with a particular focus on Colston Hall. In discussion, it was agreed that it would be important to understand the role / input of the Business Change and Resources Scrutiny Commission in relation to this decision, particularly in relation to the commission's role in monitoring significant capital spend. It was agreed that consideration of this particular issue should also be adjourned from this meeting, with a view to relevant officers being asked to attend the reconvened Board meeting on 27 June to respond to questions from Board members on this matter.

RESOLVED –

1. That the formal referral regarding around the issue of the scrutiny work programme being aligned to the Mayor's forward plan and the Council's budget planning processes, as set out in b. above be submitted the 4 July Cabinet meeting.

2. That, as per d. above, at the reconvened meeting on 27 June, arrangements be made for officers to be available to respond to Board members' questions in relation to the 29 June Cabinet report on supporting the capital development of the city culture venues.

15. Mayoral Commission on the elimination of the gender and race pay gap.

The Board considered a report seeking their response to the Mayor's request that scrutiny be involved in establishing a Mayoral commission to eliminate the gender and race pay gap, with a view to reporting back to Mayor on a way forward.



RESOLVED –

1. That the Board welcomes the Mayor's request that it should be involved in establishing a Mayoral commission to eliminate the gender and race pay gap, and that this accordingly should become one of the Board's priorities.
2. That officers prepare a report for the Board on a proposal to take this work forward. As a first step, the Board suggests that this should include evidence being documented on the Council's own position and practice in relation to these issues.

16. Date of next Meeting.

8 September 2016 at 6.00 pm.

It was also agreed that, given the earlier discussion, this meeting of Board be formally adjourned, and reconvened at 5.00 pm on 27 June at 5.00 p.m. to enable the Board to give further consideration to the following issues:

1. West of England devolution.
2. The 29 June Cabinet report on supporting the capital development of city culture venues.

CHAIR _____

