

For general release

Meeting: Overview and Scrutiny Organisation Committee
Date: 17 January 2005
Report of: Director of Cultural Services
Subject: Update on Current Scrutiny Reviews and EOSP and HOSP
Ward(s) affected: All

1. Purpose of the report

1.1 To report the progress made on current scrutiny reviews, and to update Members on developments in the scrutiny function including the Education and Health Overview and Scrutiny Panels and replies to scrutiny recommendations from the executive committees.

2. Recommendations

2.1 That the report be noted.

3. Scrutiny Reviews Currently in Progress

3.1 Hove Centre Lettings Policy Scrutiny Panel

3.1.1 The Scrutiny Panel for Hove Centre Lettings Policy Chaired by Councillor David Watkins. Councillor Watkins has been discussing the contents of the draft report with the report author. It was hoped that the report would be available for the meeting in January but although the report is reaching a final stage it was not available to ensure that the requirements of access to information were met. The report will now be submitted to the next meeting in February.

3.2 The Dome Scrutiny Panel

3.2.1 The Dome Scrutiny Panel report is on the agenda for this meeting.

3.3 EB4U Scrutiny Panel

3.3.1 The first meeting of the Panel has not yet taken place, as the membership has not yet been finalised.

4. Education Overview and Scrutiny Panel (EOSP)

- 4.1 The panel received a number of reports for their information relating to standing items, Service audits carried out during the period 1 September - 31 October 2004 and a summary of OFSTED reports received for the Summer / early Autumn term. On this occasion the appendices containing detailed information relating to the contract between the Council and a third party and to other financial matters was considered whilst the public were excluded by virtue of the fact that they contained "Exempt" information. It was noted that in future all information relating to service audits would be considered in public session unless it was otherwise exempt as on this occasion.
- 4.2 The Panel received an interim report prepared by the Standing Advisory Council for Religious Education in Brighton and Hove (SACRE) which was presented by Derek Bastide, the Chair. Additionally, the Panel received information relating to the SEN Review which was currently progressing and on which they would receive further updates at the process progressed and relating to the OPFSTED 14 - 19 Area Inspection: Post Inspection Plan.
- 4.3 In respect of the COMART PFI Scrutiny which was continuing, reference was made to correspondence received from a Member of the Public requesting that all meetings should be open to the public in the interests of transparency and to facilitate local democracy and accountability. The Head of Law was in attendance for consideration of this item and it was explained that whilst falling into one of those areas not covered by the Council's constitution the decision lay with the panel itself as to whether or not it wished to hold its meetings in public or not, there was a presumption however that meetings would be held in public whenever this was practicable and the information to be disclosed was not exempt. Members of the Panel concurred in that view but explained that to date the background information received and submissions of evidence given had been exempt by virtue of the fact that they had referred to or contained detailed contractual information relating to legal matters entered into between the Council and a third party, under those circumstances it would have been inappropriate for this information to be disclosed to the public or discussed within the public domain. It was noted that the final report setting out the findings of the Panel would be a public document.
- 4.4 The Chair of the COMART PFI Scrutiny Panel, Councillor Wrighton confirmed that the Panel had given considered thought to whether or not it would be appropriate for the meetings to be held in public and had been unequivocally of the view that to date this had not been appropriate. It was stressed however that the Panel intended to hold all discussions in public where it was appropriate to do so and confirmed in response to a request of the EOSP Chair, Councillor Hamilton that they would continue to decide on a meeting by meeting basis whether or not it was

appropriate to hold their meetings in public session, based on the nature of the information likely to be considered. It was noted that the Panel anticipated that their final report would be available for consideration at the EOSP meeting scheduled to take place on 8 March 2005.

5. Comart PFI Scrutiny Panel

- 5.1 It was explained that to date a number of further information gathering meetings had taken place and the Panel had also begun to interview witnesses and to assess any areas / aspects on which they required further information. There was a detailed debate in response to correspondence received from a member of the public regarding whether or not meetings of the COMART PFI Scrutiny Panel should be open to the public. Details relating to this are set out in paragraphs 4.3 and 4.4 above. It was noted that it was anticipated that the report setting out the Panel's findings and any recommendations they deemed appropriate would be available for consideration at the meeting of the EOSP scheduled to take place on 8 March 2005 and that this when published would be a public document.

6. Health Overview and Scrutiny Panel (HOSP)

- 6.1 There has been one meeting since the last meeting of the Committee. A copy of the draft minutes appears elsewhere on the agenda.
- 6.2 The Joint Committee that has been established with East and West Sussex County Councils to consider the response to the NHS consultation on Best care, best place has met on two occasions and had agreed to meet a further 3 times. The Committee will also carry out a number of site visits.
- 6.3 The Joint Committee will be responding and commenting on the consultation process together with the detailed proposals. HOSP will also be considering the proposals as they affect Brighton and Hove and may well decide to submit separate comments.

7. Requests for scrutiny/letters to OSOC

- 7.1 No requests have been received.

APPENDIX 1

Meeting/Date	17 January 2005 Overview and Scrutiny Organisation Committee
Report of	Director of Cultural Services
Subject	Progress on scrutiny reviews
Wards affected	All

Financial implications

There are no direct financial implications arising from this report.

Legal implications

There are no direct legal implications arising from this report.

Corporate/Citywide implications	Risk assessment
There are no direct corporate/citywide implications arising from this report.	No risk assessment has been undertaken in relation to this report.
Sustainability implications	Equalities implications
There are no direct sustainability implications arising from this report.	There are no direct equalities implications arising from this report.
Implications for the prevention of crime and disorder	
There are no direct implications for the prevention of crime and disorder arising from this report	

Background papers

None

Contact Officer

John Chard - Members Support Manager, 29 - 1227