

Geoff Raw – Chief Executive
Brighton & Hove City Council

4th September 2019

Dear Geoff

We are submitting this letter under Council Procedure Rule 23.3 to be included on the agenda for the Audit and Standards Committee meeting of 17th September 2019.

At our request, Committee authorised an audit into matters relating to school transport based on the reasons outlined in our letter dated 2nd July. Cllr. Wares had one meeting with the Audit team on 6th August 2019 to explain the audit request and answer any questions.

We understand that on the 17th September, the audit report will be presented to Committee for consideration. Other than the meeting referred to above we have had no briefings on the findings/ recommendations, no advance copy of the report and no invitation to attend Committee to be able to speak to the report or even just to be told what it says.

Several of our initial concerns related to the lack of information being shared with Members, the lack of transparency, the secrecy and the outright disregard of the role of Councillors by the Administration and Council.

This disregard was further epitomised following Policy, Resource & Growth Committee on 11th July 2019 when we raised a series of questions during the debate on the item seeking endorsement of the use of urgency powers. During the debate we were prevented from asking questions that may have provoked further debate and questions and potentially led to a different decision being reached. Instead, we were directed to ask the questions following which the Director and Administration would provide answers. Almost eight weeks later no answers have been provided.

We contest that the Council with the Administration seem to be choosing to obscure the issues and resist being transparent and open to scrutiny. The manner in which the audit report is being published, denying the requestors any chance to scrutinise and compile a considered representation, seems to be designed to further keep the matter secret and away from Member and public scrutiny which is not consistent with the principles for decision making in article 11 of the constitution, including the presumption in favour of openness.

To that end, we have no faith, given the circumstances, that the audit report can be truly considered independent and therefore request that this Committee instructs the

matter be investigated by an external body. If constitutionally we were entitled to ask for a Public Enquiry, we would. This is not to question the professionalism of the audit investigation team involved, but we believe the circumstances within which the report is being prepared are not conducive to independent scrutiny.

It is also our intention to take further advice with a view to reporting the initial concerns and the audit to the Local Authority Ombudsman.

As the Committee charged with overseeing compliance with the code of Corporate Governance, a key aspect of which includes appropriate adherence to the constitutional decision-making processes, we would urge the Committee to commission this third party audit so that it can either satisfy itself that everything is being done properly or that any shortcomings are addressed.

Yours sincerely

Cllrs. Lee Wares and Mary Mears