

# **ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE**

## **Agenda Item 38**

Brighton & Hove City Council

**Subject:** **Older People and Community Safety:  
Proposal for Scrutiny Panel**

**Date of Meeting:** **10 November 2008**

**Report of:** **The Director of Strategy and Governance**

**Contact Officer:** Name: Mary van Beinum Tel: 29-1062  
E-mail: Mary.vanbeinum@brighton-hove.gov.uk

**Wards Affected:** All

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report sets out proposals for a scrutiny panel to investigate and make recommendations on Older People and Community Safety.

#### **2. RECOMMENDATIONS:**

- 2.1 That a cross-party scrutiny panel on Older People and Community Safety be established.
- 2.2 That the Panel comprise four elected BHCC Councillors plus one non-voting co-optee member of the Older People's Council.
- 2.3 That the remit of the Panel as set out in Appendix 1 be agreed.
- 2.4 That Members suggest additional consultees to be contacted for initial views on the scope and desired outcomes of the scrutiny review, for consideration at the Panels' first scoping meeting.

### **3. BACKGROUND INFORMATION**

- 3.1 The 15 October ECSOSC meeting agreed that the working group comprising Councillors Morgan, Janio and Davey would meet to discuss a topic suitable for scrutiny review to be set up by the parent committee ECSOSC.
- 3.2 The working group on 7 October supported by the Acting Head of Scrutiny, Scrutiny Link Officer and Assistant Director, Public Safety considered a range of suggestions.
- 3.3 The subject of Older People and Community Safety had been raised at the Community Safety Forum meeting on 6 October. The working group felt that a scrutiny panel would provide a good opportunity to investigate the views of older people in this regard and to make positive recommendations based on particular concerns that may emerge.
- 3.4 To help shape the scope of the scrutiny, initial consultees will be contacted prior to the scoping meeting for their written comments on the main concerns of elderly people regarding community safety and the desired outcomes for the review.
- 3.5 The Committee is asked to suggest further initial consultees to add to the list below:
  - 1) Cabinet Member and all Councillors
  - 2) Police
  - 3) Age Concern
  - 4) Pensioners' Association
  - 5) Partnership Community Safety Team
  - 6) BME, LGBT, other minority elder groups
  - 7) Council Officers: Adult Social Care, Sheltered Housing
  - 8) Other
- 3.6 An extract from the Constitution on Scrutiny Reviews forms Appendix 2 to this report.

### **4. FINANCIAL & OTHER IMPLICATIONS:**

#### Financial Implications:

- 4.1 None directly in relation to this report.

#### Legal Implications:

- 4.2 The proposed formation and composition of the Panel complies with the arrangements for Ad Hoc Overview and Scrutiny Panels set out in Part 6.1 of the Constitution.

Lawyer consulted: Oliver Dixon

Date: 27 October 2008

Equalities Implications:

4.3 None directly in relation to this report.

Sustainability Implications:

4.4 None directly in relation to this report.

Crime & Disorder Implications:

4.5 None directly in relation to this report

Risk and Opportunity Management Implications:

4.6 None directly in relation to this report

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Appendix 1: Suggested remit of scrutiny Panel
2. Appendix 2: Extract from the Constitution re: scrutiny reviews

## APPENDIX 1

|   |  |
|---|--|
| Subject for scrutiny/ reason            | <p>What are the effects of crime on older people and what can be done to help older people feel safer in the community?</p> <p>To help maintain older peoples' independence and reduce where possible the need for support services.</p> <p>Issue raised at 6 October 2008 Community Safety Forum.</p> |
| Size of Panel                           | Four elected Members of BHCC plus Older People's Council co-optee (non-voting) if wished.  |
| Suggested scope                         | <p>To what extent are the views of older people known, regarding community safety?</p> <p>Do older people have specific concerns about safety in the community?</p> <p>How can older people be helped to feel safer in the community?</p>  |
| Initial background information required | <p>Demographic information</p> <p>Work of the Local Area Teams (LATs)</p> <p>Initial information on Older People's concerns</p>  |
| Research                                | Other Local Authorities  |
| Initial Witnesses/ Evidence from        | See para 3.5   |
| Meetings                                | <p>Three meetings in public:</p> <ol style="list-style-type: none"> <li>1) Setting the scene - background information/data etc</li> <li>2) Gathering further written and verbal evidence and engaging with witnesses, groups and older people</li> <li>3) Agreeing report/recommendations</li> </ol>   |
| Expected outcomes                       | Recommendations to maximise opportunities to enable older people to feel safer in the community  |
| Reporting route                         | Environment Cabinet Member Meeting   |

**EXTRACT FROM PART 6.2 OF THE COUNCIL'S CONSTITUTION**

**Code of Practice for Scrutiny Reviews**

- 2.1 Overview and Scrutiny Committees will adopt a cross-party approach and attempt to reach a consensus where possible on their findings.
- 2.2 Where an Overview and Scrutiny Committee conducts an investigation or review, it may ask people to attend to give evidence at meetings which are to be conducted in accordance with the following principles:
- (a) the investigation should be conducted fairly and all Members of the Committee be given the opportunity to ask questions of attendees, and to contribute and speak;
  - (b) as far as possible the process should be a positive experience for all concerned. Questioning should not be adversarial and those assisting the Committee by giving evidence should be treated with respect and courtesy;
  - (c) witnesses may be provided with a briefing note on the format and conduct of the meeting;
  - (d) the investigation should be conducted so as to maximise the efficiency of the investigation or analysis. This may include providing outline questions and details of any documents required to witnesses in advance.
  - (e) notwithstanding the provisions of the Access to Information Rules, witnesses may if they wish give their evidence privately or in writing.
  - (f) at the end of questioning witnesses should be invited to revisit any points raised or make any general comments. They should also be provided with a copy of any report to which their evidence has contributed.

**3. Members and officers giving account**

- 3.1 An Overview and Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions. As well as reviewing documentation, in fulfilling the Scrutiny role, it may require any Member and/or any senior officer to attend before it to explain in relation to matters within their remit:
- (a) any particular decision or series of decisions;
  - (b) the extent to which the actions taken implement Council policy; and/or
  - (c) their performance;
- and it is the duty of those persons to attend if so required.
- 3.2 The provision at 3.1 above shall apply only to a Member or to a senior officer to whom powers are specifically delegated in the Council's Scheme of Delegation to Officers at part 7 of this constitution.
- 3.3 Any Member or officer who is required to attend before an Overview and Scrutiny Committee shall be given reasonable notice of the date of their attendance. Where, in exceptional circumstances, the Member or

officer is unable to attend on the required date, then the Overview and Scrutiny Committee shall after consultation with the Member or officer arrange an alternative date for attendance.

- 3.4 Where an officer appears before an Overview and Scrutiny Committee to answer questions, their evidence should as far as possible be confined to questions of fact and explanation relating to policies and decisions. Officers may explain what the policies are, the justification and objectives of those policies as the decision makers see them, the extent to which those objectives may have been met, and how administrative factors may have affected both the choice of policy measures and the manner of their implementation. Officers may be asked to explain and justify advice they have given to Members prior to decisions being taken.
- 3.5 As far as possible officers should avoid being drawn into discussion of the merits of alternative policies where this is politically contentious. Any comment by officers on the Council's policies and decision makers' actions should always be consistent with the requirement for officers to be politically impartial.

#### **4. Attendance by others**

- 4.1 An Overview and Scrutiny Committee may invite people other than Members or officers of the Authority to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, stakeholders and representatives from other parts of the public sector. Attendance by such persons is optional.

#### **5. Public involvement/transparency of the process**

- 5.1 Overview and Scrutiny Committees meet in public in accordance with the Access to Information Rules in Part 8 of this constitution. They will seek to foster consultation and involvement by local communities and where appropriate will consider when beginning a review how best the public and stakeholders can be invited to contribute - for example as service users, witnesses, expert advisers, local community representatives or co-opted members.

#### **6. Liaison with Executive Members**

- 6.1 The Overview and Scrutiny function is able to work independently of the Executive. However, this does not mean that the relationship should be adversarial. Rather Overview and Scrutiny should act as a 'critical friend' and work with the Cabinet Members in pursuit of the Council's aims and to ensure the effective operation and planning of its business.