

BOROUGH OF REIGATE AND BANSTEAD
OVERVIEW AND SCRUTINY COMMITTEE

Minutes of a meeting of the Overview and Scrutiny Committee held at the Remote - Virtual Meeting on Thursday, 27 August 2020 at 7.00 pm.

Present: Councillors N. D. Harrison (Chair), S. T. Walsh (Vice-Chair), M. S. Blacker, G. Buttironi, J. C. S. Essex, K. Foreman, J. Hudson, N. C. Moses, S. Parnall, J. E. Philpott, K. Sachdeva, S. Sinden, R. S. Turner and J. S. Bray (Substitute)

Also present: Councillors

16. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Cllr J. Paul. Cllr R. Feeney was substituted by Cllr J. Bray.

17. DECLARATIONS OF INTEREST

There were no declarations of interest.

18. CALL-IN OF ENVIRONMENTAL SUSTAINABILITY EXECUTIVE DECISION MADE ON 28 JULY 2020

Chair, Cllr N. Harrison, welcomed Members to the meeting and introduced the procedure to consider the call-in request of the [Executive Decision 'Environmental Sustainability' made on 28 July 2020](#). The call-in was therefore the only substantive item of business on the agenda. The purpose of this meeting was for the Committee to scrutinise a decision which those members who signed the call-in request believed to be contrary to the authority's decision-making principles rather than to scrutinise the strategy. It was confirmed that the environmental sustainability strategy and action plan would come for scrutiny at Overview and Scrutiny Committee at its meeting on 9 December 2020.

The call-in organiser, Cllr J. Essex, presented the call-in, and set out his reasons for calling in the decision for review. The signatories to the Call-in were: Cllr H. Brown, Cllr J. Essex, Cllr S. Kulka, Cllr S. McKenna, Cllr S. Sinden and Cllr R. Ritter. Scientists had reported recently that one trillion tons of ice (equivalent to an area the size of the UK) have melted worldwide since 1994. Increasing global temperatures every decade required an urgent response.

The call-in form was provided to the Committee and set out in Annex 2 of the report. In summary, the reasons for the call-in were that the decision was not taken in accordance with the decision-making principles that were set out in the Constitution:

- Presumption in favour of openness (Article 14.2.4) – no council scrutiny of item, no wider sight of minutes to cross-party task group meetings, no evidence of public consultation on the action plan.
- Clarity of aims and desired outcomes (Article 14.2.5) – not clear how the action plan meets overarching objectives and query on adequacy of targets.

The Caller-in included the following points:

- The paper to Executive on 28 July 2020 did not respond directly to the climate change emergency motion that was presented at Full Council on 26 September 2019.
- Minutes of meetings of the cross-party task group and evidence of public consultation on the strategy before it went to Executive (separate to the Corporate Plan consultation) had not been made available.
- The strategy and action plan should be benchmarked against sustainability action plans in other councils such as Waverley Borough Council and Stroud District Council.

The Executive Member for Neighbourhood Services Cllr N. Bramhall, responded to the Caller-in and included the following points:

- February's meeting of Overview and Scrutiny included a full review of the Neighbourhood Services portfolio including an update on environmental sustainability strategy, with the offer to come back to present an update at a future meeting.
- No responses had been received on the environmental sustainability draft strategy when it had been sent to all Members for comment.
- Objectives to respond to environmental concerns were included in the report.
- The task group meetings had been well attended by Members. Environmental consultants had engaged openly with Members and spoken at the Member briefing. It was confirmed that the task group minutes would be shared and circulated. Pressure of work responding to the Covid-19 emergency had led to a delay in this.
- The Executive had considered the climate emergency motion in an open and transparent way and had voted unanimously not to declare a climate emergency.

Head of Corporate Policy, Catherine Rose, responded to the Caller-in and stated that the aims and objectives of the strategy were clear and the decisions in question had been taken openly, and transparently, and in line with the Constitution. The report explained how Council members had been involved in the development of the strategy, confirmed the results of a recent public consultation and highlighted opportunities for future engagement. It also explained how the strategy and action plan will be monitored and reported on, including to the Overview and Scrutiny Committee, clearly set out that the strategy will be kept under review and updated regularly to ensure its overarching visions and objectives are delivered. The meeting report was considered in public and discussed at length at the Executive meeting on 28 July 2020 and the report recommendations were agreed in that public forum.

Monitoring Officer, Caroline Waterworth, confirmed that the Call-in itself was valid. On reviewing the material and the decision-making process, the Monitoring Officer

was satisfied that the Executive decision was taken properly and in accordance with the Council's constitutional requirements. Similarly, the Monitoring Officer was satisfied that there was no breach of the requirement of presumption of openness, the report was published in advance, debated fully at a public meeting, with an offer to share the task group minutes. The overarching strategy aims in the Executive report were clear. It included the opportunity to revisit the strategy on the recruitment of the Environmental Sustainability Officer and implementation of the action plan. The alternative course of action to scrutinise the strategy and plan at the Overview and Scrutiny Committee was agreed.

Leader, Cllr M. Brunt, recognised that the call-in by Overview and Scrutiny was an important process. He was satisfied that the Executive decision had been thoroughly reviewed and was made in the right way. Executive members would seek to engage with all Members and there was a confirmed opportunity at a later date to scrutinise the Environmental Sustainability strategy and action plan and Executive decisions.

Visiting Members' observations included the following points:

- The cross-party task group met once before receiving the draft action plan. Members wanted more input in the action plan following the workshop presentation.
- Members were disappointed with the initial consultation and wanted input in particular from younger people in the Borough. They welcomed the statement that there would be further public consultation going forward.
- Members had responded to the draft strategy.
- Wildlife friendly verges were referred to in the report, but this had not been addressed formally.
- Target dates in the action plan were not specific.

Committee Members asked questions of the Caller-in, the Executive Member for Neighbourhood Services and the Head of Corporate Policy in relation to the call-in. Committee Members' comments included the following observations:

- They wholly supported the comments on the need to adapt and make changes to the Council's policy on environmental sustainability as this work and new ways to address pollution and waste were vitally important issues for present and future generations.
- The strategy and action plan would be reviewed by Overview and Scrutiny Members at the December meeting and Members welcomed this. An annual review of the action plan was in place to monitor progress and projects going forward.
- The work the Borough Council had carried out on the environmental sustainability strategy and action plan so far had been an important piece of work. Members felt that the initial response and work showed that it was leading other district councils in this area.
- The strategy and action plan had been a publicly available document, with discussion and agreement to it at a public meeting.
- It had been an open and transparent process with a cross-party group of Members part of the task group. Eight Members had attended the task group workshop with their comments discussed with the environmental consultants.

- Communication of the planned work should feature in the borough newsletter to residents as well as being publicised through social media channels.
- Members wanted to contribute fully to future debates as this topic was of huge importance to residents. They thanked Members and officers for their work to date.

Cllr J. Essex made a point of clarification that a response had been prepared by Green Group Members to the draft strategy and action plan; Officers confirmed that this response had not been received. It was noted that it was unfortunate that the timing of the circulation of the final draft strategy coincided with the start of the Council's emergency response to the Covid-19 pandemic. Cllr J. Essex also clarified that a formal request to see the task group minutes had been made. It was confirmed again that these minutes would be circulated.

It was noted that the person recruited to the new post of environmental sustainability officer would work with Members informally in addition to the formal scrutiny of the strategy and action plan.

It was identified that the call-in process had followed the Constitution. The Governance Task Group reviewed any proposed amendments to the Constitution which were then approved by Council.

Committee Chair, Cllr N. Harrison, summarised the debate.

The following motion (Recommendation 1 in the report) that the Overview and Scrutiny Committee allow the Executive decision on 'Environmental Sustainability' made at its meeting on 28 July 2020 to be implemented without further delay was proposed by Cllr S. Walsh and seconded by Cllr J. Bray.

A roll call of Members was taken. It was:

RESOLVED – that the Executive decision 'Environmental Sustainability' made on 28 July 2020 be implemented without further delay.

Cllr N. Harrison thanked Members for their contribution to the debate and thanked officers for their work in preparing for the meeting.

The Meeting closed at 8.28 pm