

<b>SIGNED OFF BY</b>	Head of Legal and Governance
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<b>TO</b>	Overview and Scrutiny Committee, Thursday 17 March 2022 Executive - Thursday 24 March 2022 Council – Thursday 7 April 2022
<b>DATE</b>	Thursday 17 March 2022
<b>LEAD MEMBER</b>	Chair of Overview and Scrutiny Committee

<b>KEY DECISION REQUIRED</b>	N
<b>WARDS AFFECTED</b>	(All Wards);

<b>SUBJECT</b>	Overview and Scrutiny Committee: Proposed Work Programme 2022/23
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<b>RECOMMENDATIONS</b>
(i) That the proposed Work Programme for 2022/23 as set out at Annex 1 and detailed in the report be approved.
<b>REASONS FOR RECOMMENDATIONS</b>
To agree a Work Programme for the Overview and Scrutiny Committee for the 2022/23 Municipal Year.
<b>EXECUTIVE SUMMARY</b>
The Overview and Scrutiny Committee proposed annual Work Programme 2022/23 sets out a programme of activity that is in line with the Council's priorities. The Work Programme for the coming year is considered and agreed by the Overview and Scrutiny Committee for consultation with the Executive.

Following consultation with the Executive and further consultation with the Leader, the Work Programme is submitted for approval by the Council so that it can be agreed before the start of the next Municipal Year.

## STATUTORY POWERS

1. The *Local Government Act 2000* (as amended) established Overview and Scrutiny Committees within the Leader with Cabinet model of governance. Subsequent legislation including the *Police and Justice Act 2006*, the *Local Government Public Involvement in Health Act 2007*, the *Local Democracy, Economic Development and Construction Act 2009*, the *Localism Act 2011* and the *Local Authorities (Overview and Scrutiny Committees) (England) Regulations 2012* has provided additional responsibilities on the Committee.

## BACKGROUND

2. As required by the Constitution, an outline of the Committee's work programme for the year is discussed between the Leader of the Council and the Chair of the Committee with representatives from the Management Team.
3. The Committee's work programme is designed to help it plan its business during the year and is set out in various categories in paragraphs 8 to 23.
4. To provide flexibility (to accommodate matters not contained within the work programme) the following protocol has been established: *"In addition to the Committee's agreed work programme it needs to allow flexibility for additional priority work that emerges during the course of the year. In those circumstances the Committee should be permitted to undertake that piece of work following consultation and agreement with the Chairman of the Committee and appropriate Executive Member and Management Team Manager. In the event that this is not possible a report should be made to the Executive requesting the inclusion of the issue within the work programme"*.
5. The prioritisation of the Work Programme may be adjusted by the Chair during the year to manage the business effectively.
6. An important element of the Committee's work is to ensure that it continues to assist the Council in driving forward the Corporate Plan's key objectives and priorities. The Committee's work programme is therefore designed in a constructive way to link with the Executive's work programme.
7. Annex 1 sets out a summary of the Committee's proposed Work Programme 2022/23 and further details are set out below.

## KEY INFORMATION

8. **Policy Framework consultations** – It is proposed that the Work Programme includes Policy Framework consultation documents as required by Policy Framework procedures within the Council's Constitution. There are no new Policy Framework consultations documents currently in progress, however any that emerge during the course of the year will be reported to the Committee.
9. A plan is prepared administratively which continues to identify all of the strategies/plans that will be reviewed by the Executive. Work is also underway to implement other important strategies such as the Commercial Strategy and Housing Delivery Strategy. Progress will be reported in line with the arrangements set out in those strategies. Where an updated strategy is being prepared, and where the proposed strategy is not significantly different, or where changes have been tested through Member briefings/seminars following consultation with the Chair and Vice-Chair, a formal report will not usually be brought to the Committee.
10. **Work Programme rolled forward from 2021/22** – The Committee is anticipated to complete its work programme in 2021/22, with no matters to roll forward.
11. **Portfolio Holder Objectives** – The Committee has continued to work closely with Executive Members during 2021/22 and has received presentations from Portfolio Holders on a number of the Council's priority work streams. The Committee proposes to continue this approach in 2022/23.
12. **Leader Updates** – To support effective cooperation of the Committee and the Executive, the Committee receives twice-yearly updates from the Leader of the Council on the Council's overarching activities and strategic objectives. The Committee proposes to continue this approach in 2022/23.
13. **Performance Management Monitoring Activities** – the Committee has a role to monitor the performance of the Council. Programme and project dashboards are made available each month on the ModernGov intranet library. The monitoring activities have been fulfilled by reporting on the following matters, which the Committee consider appropriate to continue for 2022/23:
  - Quarterly Revenue and Capital budget monitoring forecasts
  - Quarterly Service Performance Management Monitoring
  - Corporate Plan performance (annual basis).
14. **Panels for 2022/23** – In addition to the annual Budget Scrutiny Panel, the Local Plan Scrutiny Panel will meet, if required.
15. **Budget Scrutiny Panel** – The Committee has established an annual Budget Scrutiny Panel. . The Budget Scrutiny Review Panel held one meeting in 2021/22 (1 December 2021) and reviewed the Service and Financial Planning 2022/23 report and supporting documents. A streamlined approach, supported by an advance questioning process, continued to work well and allowed the Panel to conclude its work in one meeting.

16. It is therefore suggested that the Panel's work in 2022/23 be based on considering the Provisional Budget proposals for 2023/24 (including any updated assumptions within the Medium Term Financial Plan, appropriate revenue projections and a progress report on the Capital Programme projections).
17. **Local Plan Scrutiny Review Panel** – The Local Plan Scrutiny Review Panel met once in 2020/21, to consider the public consultation responses to the draft Supplementary Planning Document on Sustainable Construction. The Council is not currently preparing an update to the Core Strategy or new Local Plan but will need to look at the Horley Business Park Supplementary Planning Document (SPD) at a Local Plan Scrutiny Review Panel.
18. **Externally Focused Overview and Scrutiny work** – The Committee has successfully undertaken scrutiny with and of partner organisations in recent years. The Committee proposes during 2022/23 to consider a range of external challenges with partner organisations, including Banstead Commons Conservators.
19. **Crime and Disorder Scrutiny** – The Committee is the 'crime and disorder' scrutiny committee for the purposes of the Police and Justice Act 2006. This requires the Committee to undertake a scrutiny activity of crime and disorder matters once every 12-month period. The Committee has worked well with partners such as the Reigate and Banstead Borough Commander, Surrey Police and Surrey County Council on developing this work.
20. In 2021/22 the Committee invited the Portfolio Holder for Community Partnerships, along with representatives of the Police and Community Safety Partnership to this meeting (on 24 February 2022) to assist it in its consideration of the topic. Consideration of the Community Safety Plan was therefore undertaken by the Committee, supported by the Portfolio Holder for Community Partnerships. It is proposed that the Committee continue to undertake this activity in 2022/23.
21. **Council Corporate Scrutiny** – the Head of Paid Service, Directors, Leader and Chair of the Overview & Scrutiny Committee considered the balance between effective scrutiny, with the need to protect commercial confidentiality and enable the Council's services to operate competitively.
22. In 2021/22, updates on Council-owned companies were considered by the Committee bi-annually. An update was considered by the Committee in October 2021, and another was considered at its meeting on 17 March 2022.
23. **Call-Ins** – The Committee would also consider matters that have been called in for review. There were no Call-Ins of Executive decision in 2021/22.

## OPTIONS

24. The Executive has the option to support the proposed Overview and Scrutiny Work Programme 2022/23 as set out in the report.
25. The Executive has the option not to support the proposed work programme as set out in the report and request it to be reconsidered. This is not recommended as the

Committee would not then have a scrutiny work programme in place for 2022/23 to enable them to carry out effectively their scrutiny of the Executive.

## **MANAGEMENT TEAM COMMENTS**

26. Management Team are supportive of the Work Programme proposed.
27. The work of the Committee is clearly a valuable part of the overall checks and balances needed to ensure that the authority makes decisions that are robust and challenged with the best interests of the community and the delivery of quality services at the heart of this remit.

## **LEGAL IMPLICATIONS**

28. There are no immediate legal implications arising from this report. However, if the proposed Work Programme is not adopted then this will mean that the work of the Council will not have the overview and scrutiny that is a strategic function of the authority and central to the organisation's corporate governance. The Work Programme provides councillors, who are not in decision-making roles, a work plan to set out what and how it wants to hold the Executive publicly to account over the coming year.

## **FINANCIAL IMPLICATIONS**

29. There are no direct financial implications arising from the recommendations set out in this report. Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications then these will be highlighted at that time.

## **EQUALITIES IMPLICATIONS**

30. The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
  - Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
  - Advance equality of opportunity between people who share those protected characteristics and people who do not;
  - Foster good relations between people who share those characteristics and people who do not.
31. The three parts of the duty applies to the following protected characteristics: age; disability; gender reassignment; pregnancy/maternity; race; religion/faith; sex and sexual orientation. In addition, marriage and civil partnership status applies to the first part of the duty.
32. The Committee should ensure that it has regard for these duties by considering them through the course of its work. This should include considering:

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
- Whether the impact on particular groups is fair and proportionate;
- Whether there is equality of access to service and fair representation of all groups within the Borough;
- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

## **RESOURCE IMPLICATIONS**

33. The main role of the Council in considering the Overview and Scrutiny Committee's Work Programme is to ensure that the work streams are appropriate and not duplicating ongoing work. More importantly the Council must ensure appropriate resources are available to add value to that Work Programme and balance the demands of the Committee against the overall priorities of the Council. Given the proposed work programme, no specific resource implications beyond those planned are anticipated.

## **CONSULTATION**

34. In accordance with the Overview and Scrutiny arrangements contained in the Council's Constitution, the Committee's future work programme was discussed with the Leader and the Chair/Vice-Chair of Overview and Scrutiny.

## **POLICY FRAMEWORK**

35. Policy framework considerations are noted in paragraph 8 and 9.

## **ANNEX**

Annex 1 sets out a summary outline of the proposed O&S Annual Forward Work Programme 2022/23.