

Minutes of a meeting of the **Overview and Scrutiny Committee** held at the **New Council Chamber - Town Hall, Reigate** on **Wednesday, 9 November 2022 at 7.30 pm**.

Present: Councillors N. D. Harrison (Chair); S. T. Walsh (Vice-Chair), H. Avery, M. S. Blacker, G. Buttironi, M. Elbourne, J. C. S. Essex, G. Hinton, N. C. Moses, S. Parnall, A. Proudfoot, R. Ritter, M. Tary and R. S. Turner

Visiting Members present: Councillors T. Archer, V. H. Lewanski and T. Schofield



33 Apologies for absence and substitutions

Apologies for absence had been received for Councillor A. King. There were no substitutes present.

34 Minutes

Minutes of the previous meeting held on 13 October 2022 were approved.

35 Declarations of interest

Councillor Moses declared a non-pecuniary interest in item 4 - Presentation on the Work of the Banstead Commons Conservators, as she is a member of the Banstead Commons Conservators, appointed by the Council.

36 Presentation on the Work of the Banstead Commons Conservators

The Committee received a presentation from the Banstead Commons Conservators (BCC) delivered by Lucy Shea, Clerk to the BCC, Vic Broad, Chair of the BCC and David Hatcher, member of the BCC.

Several advance questions had been asked relating to the presentations. The advance questions and responses can be viewed here:

[Document Advance Questions OS 9 November 2022 | Reigate and Banstead Borough Council \(moderngov.co.uk\)](https://www.moderngov.co.uk/Document-Advance-Questions-OS-9-November-2022-Reigate-and-Banstead-Borough-Council)

Following the presentation, Members asked additional questions:

Litter - Members noted that there are two litter bins, maintained by the Council, on the commons and asked whether there are any bins to dispose of dog waste and whether there is a problem with dog waste bags being left in trees and on the ground. It was

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

reported that there are no bins provided for dog waste and that visitors were generally very respectful. Discarded dog waste bags, although an issue, were not a significant problem. The BCC were also fortunate that local residents were willing to clear any litter they found on the commons.

Damage from vehicles - Members asked what action is taken to support recovery from damage made by vehicles on Banstead Downs. It was reported that although BCC had attempted to arrange a meeting to discuss the problem with partner organisations such as Natural England, Plantlife, RBBC, the Police and the Jet Enforcement Team, this had not been possible, and BCC did not have the resources to deal with the problem alone. Working with Surrey Police has meant that there is a Police presence on some Saturdays and Section 59 notices can be issued to owners of vehicles found on the Commons. The Section 59 means that a repeat offender can have their vehicle seized.

Members asked what measures are in place to prevent vehicles accessing the commons. It was explained that fencing cannot be erected, but boundaries are built up and inspected on a regular basis, making them prohibitive to four-wheeled vehicles. Preventing access for motorbikes is more challenging. BCC work together with the Police to tackle the problem of motorbikes.

Site Management Plans - Members asked whether any of the sites other than those attributed the title Site of Special Scientific Interest (SSSI) had special status and whether all the sites had site management plans and to what standard the management plans need to be produced. It was confirmed that Banstead Heath has Historic Landscape Value (HLV) status. The BCC believe that all sites should have site management plans and have applied for funding to produce site management plans next year, as the current plans are out of date. Work programmes which address the tasks across the four sites are in place; each site has a schedule of work which is carried out each year and the work is reviewed depending on how the habitats are evolving and what work needs to be carried out in terms of scrub maintenance and woodland maintenance. The SSSI sites are under Higher Level Stewardship with Natural England, which attracts a grant and prescribes specific management.

Members asked whether RBCC, as the landowner, would sign off the site management plans when they have been produced and would the site management plans specify a minimum level of required work or a target level. It was confirmed that the site management plans would contain a geological and ecological background to each site, with a ten-year management programme to help maintain and improve the habitats. Each site would be split into compartments detailing works to be carried out for each separate habitat annually as well as less frequent projects, which would require additional funding.

Members asked whether all areas were in favourable condition for Higher Level Stewardship or whether there were areas in need of improvement. It was confirmed that the units under BCC management are judged as favourable under the Higher Level Stewardship; the favourable condition is achieved by having the correct ratio of scrub to grassland and the number of herb species in existence. Areas of High Level Stewardship are managed in the same way as those without it. There are also Limited Intervention Zones where no work is carried out and the woodland is in control. Additional habitats improvements could be made across all four sites, and this could be explored and costed in the site management plans.

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

Shared lesson learning - Members asked what opportunities exist for shared lesson learning with the Council regarding operational practices in green spaces. It was confirmed that quarterly liaison meetings are held with the Countryside and Woodlands Manager which present an opportunity to examine and question the work of the BCC. BCC also planned to work collaboratively with the team to develop the site management plans and it was hoped that this would provide an opportunity for the Council to better understand the four areas under BCC's care, which would also help with the management duties. The Greenspaces Team have been working more closely with BCC over the last twelve months and supported BCC's CIL funding application for management plans.

Use of cattle - Members asked whether the use of cattle had been considered, as on Colley Hill. It was confirmed that the use of cattle had been discussed with Natural England but would not be suitable due to the steep slope and size of the site. However, it was hoped that with the development of the new site management plans, the use of cattle might be explored on Banstead Heath, however temporary fencing would need to be erected and moved with the cattle, which would be problematic and would have cost implications.

Ash Dieback - Members asked whether some trees are more resilient to Ash Dieback. It was confirmed that some trees, but not a great number, were showing resilience; the more mature trees showed resilience for a longer period but then deteriorated quickly. Only those trees that would cause a risk to the public or buildings, paths and roads should they fall, were felled, or treated. Members further asked if a replacement programme was in place to replace affected ash trees with resilient ash trees. It was confirmed that this was likely to be put in place if a resilient species was identified.

Challenges - Members asked what the biggest challenges are to BCC and how they are being addressed. BCC confirmed that the biggest challenges are finances and resources. BCC are limited in how they raise funds; as they are a statutory body rather than a charity, they rely heavily on funding from the Council and from bodies such as Natural England. The lack of resources makes it difficult to deliver the work programme. The wildlife and habitats, such as ground nesting birds, are disturbed by dogs and large numbers of visitors to the commons. There is a need for additional funding and the Chair of BCC called for a specific budget to be attributed to BCC.

The Chair of Overview and Scrutiny Committee thanked the Banstead Commons Conservators for their presentation. He would encourage the BCC and the Executive to work together to examine resources.

RESOLVED that the Committee:

Noted and commended the work undertaken by the Banstead Commons Conservators.

37 Organisation Portfolio Holders Update

Members received briefings from the Organisation Portfolio Holders overseeing three areas of the Council's work – Corporate Policy & Resources, Finance & Governance, and Investment & Companies.

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

The presentations from each of the Executive Members / Portfolio Holders were published on the Council's website as part of the Committee's agenda pack which can be viewed here:

[Choose agenda document pack - Overview and Scrutiny Committee 9 November 2022 | Reigate and Banstead Borough Council \(moderngov.co.uk\)](#)

Several advance questions had been submitted regarding the Portfolio Holder Updates. The advance questions and responses can be viewed here:

[Document Advance Questions OS 9 November 2022 | Reigate and Banstead Borough Council \(moderngov.co.uk\)](#)

Councillor Lewanski, Portfolio Holder for Corporate Policy & Resources gave an overview of the Council's work.

Corporate Policy and Projects and Performance - work carried out included supporting on the Financial Sustainability Programme and associated workstreams, fees and charges, the second annual update Environmental Sustainability report, work to develop a programme of work to reduce overall energy use and carbon emissions from Council buildings including an energy survey, work to encourage and support residents and businesses to become more sustainable, introduction of member champion scheme

IT – the IT Strategy was approved by Executive on 24 March 2022 with key areas being disaster recovery capability, improving cyber defences and the telephony system. All these upgrades would be completed by the end of the Municipal year.

Human Resources and Organisational Development – the new draft OD & HR Strategy is underway with the main themes of financial sustainability and workforce planning, staff performance and reward, operational excellence, culture, equality & inclusion, and effective use of data. Councillor Lewanski praised the effort involved in the implementation of the mourning period for the late Queen and noted a need to improve the Civic Protocol in future. The rise in the volume of phone calls received by the Customer Contact Team and the subsequent increase in staff abuse was pointed out.

Data and Insight – the Data & Insight Team continues to support corporate policies such as the Financial Sustainability Programme and provides data and insight to inform key Council activities and projects. A Tool & Technology review was undertaken resulting in plans to adopt PowerBI.

Members made observations and asked questions on the following areas:

Data Insight – Members asked what the cost of Data Insight is and how is this measured in terms of benefit to the Council. It was confirmed that the cost of the Data Insight Team was very small. The work of the team allows the Council to pinpoint groups of residents for communications, resulting in mailshots to relevant residents rather than all residents, as well as provide services that are most beneficial to residents. A great deal of the team's work is to support the Financial Sustainability

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

Programme, a key element of which is monitoring efficiencies and the cost of achieving them. There may be opportunities to sell this service in future.

Staff turnover - Members noted that staff turnover pre-pandemic was 11% and asked what the figure is currently and what measures are in place to reduce this. It was confirmed that staff turnover was currently at 13% and was monitored and reported quarterly to the Employment Committee. Public Sector turnover nationwide was currently 10-15%. Certain areas within the Council, such as Refuse and Recycling, enjoy a very low rate of staff turnover. Following the pandemic, people are making significant life choices which may account for some of the turnover. Staff turnover is being monitored closely and a new process is in place to investigate the need for vacancies before advertising. Members further asked whether exit interviews took place. It was confirmed that exit interviews were undertaken and were conducted by Human Resources to elicit honest responses. Temperature checks and staff surveys were also in place.

Buildings Survey – Members asked for the key findings from the buildings survey. It was confirmed that the document was still in draft form and would be shared with Members once it had been finalised.

IT – Members asked whether the cloud-based database was backed up. It was explained that the cloud-based system was a term for hosting technical infrastructure off site. If a problem occurred, the system would automatically be directed to another service off site to enable service to continue.

Communications – Members asked what “reputational management” is. It was explained that reputational management was the management and promotion of reputation. The Communications Team deal with reactive media activity and manage certain situations to avoid them reaching the media, as well as managing questions on social media.

Hybrid working – Members asked what was meant by a collaboration space for staff and members. There are two floors in the main building, one of which maintains larger personal working spacing for those members of staff still cautious about returning to the working environment. The other is a more collaborative space where staff work more closely together and can spend time together as teams.

Abuse of staff – Members were saddened to hear of the increase in abuse of staff and asked what processes were being put in place to support staff who have suffered abuse. There was a consolidated list of clients of concern and there was work in place to produce a clear policy of acceptable and non-acceptable behaviour. When the internal processes were in place, a communications campaign would be embarked on. An employee assistance line was available for counselling; peer to peer conversations were being considered.

Councillor Schofield, Portfolio Holder for Finance & Governance gave an overview of the Council’s work.

Finance – Following another challenging year emerging from COVID, a balanced revenue budget was produced for 2021/22 despite income losses, and allowances were made in the 2022/23 budget for projected income losses. The Capital Programme continued to be delivered within budget despite inflation pressures. The

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

Financial Sustainability Programme continued to be closely monitored by Councillor Schofield and the Leader of the Council. New Government funding, such as the Household Support Fund, energy rebates and Homes for Ukraine Funding had successfully been distributed.

Revenues, Benefits & Fraud – Council Tax collection had been affected by COVID and a backlog of accounts requiring recovery was now being worked through. The Counter-Fraud Team won the national IRRV category for Excellence in Counter fraud.

Legal & Governance – Three reports would be going to Council in 2023 to approve and adopt a new Procurement & Contract Management strategy, to create a Procurement Board and to approve and adopt a new employee code of conduct. Legal Services continued to provide high quality advice to all services. Democratic & Mayoral Services supported the organisation with civic duties in remembrance of the late Queen. A reasonable assurance was awarded for the Decision Making & Accountability Audit in October 2022. The Electoral team was preparing for the introduction of Voter ID.

Members made observations and asked questions on the following areas:

Procurement – Members asked how much of current procurement is carried out via the Surrey County Council portal. It was confirmed that a professional review of procurement meant that procurement would be carried out more efficiently in future, using contract management. The Council was currently being supported by ORBIS, due to staff shortages. The aim was to be as self-sufficient as possible, however recruiting a procurement officer had proved challenging. Assistance was being received from CIPFA in producing the procurement strategy, which would determine the necessary resources needed to deliver the strategy. A written response regarding the levels of procurement via ORBIS and via RBBC would be provided following the meeting.

Review of charitable trusts - Members asked what problems have been discovered from the review of charitable trusts. Officers had searched the archives to retrieve information on the charitable trusts and now that this information had been uncovered, charitable trusts would be managed properly in future. Specific problems had not been identified from the review, but the exercise had highlighted the need for greater visibility. This has led to the proposal to manage charitable trusts in a different way, through Commercial Ventures Executive Sub Committee (CVESC), providing more focus and examination of each trust in a centralised and corporate way, with more engagement with the Charity Commission, to ensure trusts are operating in the most beneficial way for the Council and its residents. The Chair suggested that some small charitable trusts could be moved to the Surrey Community Trust who have expertise in managing small charitable trusts.

Members asked when the documents for the charitable trusts would be published to consider how they could be used. It was confirmed that the documents had been presented to CVESC and would be presented to the Executive the following week, and the Council in December. Members would have the opportunity to understand the information collated and to raise questions at these meetings. Some trusts were historic, and the future of these trusts could be reviewed to make them more relevant to the original intentions of the charitable trusts and to modern times. Some of the

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

smaller trusts could possibly be used in a different way or passed to another organisation to take responsibility for them.

Members suggested that a map showing the location of charitable trusts and the balance of funds in each account would be helpful, as well as an asset register, showing other buildings and land that might be Council-owned.

Members asked whether there were charitable trusts where the Council is joint trustee. This information would be provided at a later date. The charities where the Council is a sole trustee had been prioritised.

Revenues Benefits & Fraud - Members asked for details of the external agreements which had brought £570k of income. This income had been generated from contracts with other local authorities. A written response with details of the income would be supplied following the meeting. This could be further discussed at the Budget Scrutiny Panel meeting, and the People Portfolio Holder presentation at the January O&S Committee meeting would provide an opportunity for a more in-depth discussion. In addition to generating income, this function provided opportunities for staff development which aided staff retention. Profit-making is not permitted for these services, however the income can be used to off-set running costs of the service.

Land Charges – Members asked whether the land charges function was providing opportunities to increase revenue or whether the HM Land Registry used the data to provide themselves with an opportunity to increase their revenue. It was unknown how land charges would impact income generation; once detailed discussions had taken place with the Land Registry, the information could be reported back to the Portfolio Holder and more widely, with clearer revenue implications. A written response would be provided when more information was available.

Councillor Archer, Portfolio Holder for Investments & Companies gave an overview of the Council's work.

The focus in the last twelve months had been on ensuring effective use of assets owned by the Council and maximising income streams, rather than seeking new investment opportunities. Excellent progress over the past year had been made in filling voids, including three long-standing voids. Good progress had been made at Marketfield Way (The Rise).

Members made observations and asked questions on the following areas:

Marketfield Way (The Rise) – Members asked whether units were likely to be more leisure focussed rather than retail focussed. It was confirmed that negotiations were underway with a mix of tenants to provide leisure, food, and beverages, with a mix of well-known and local businesses. This would improve the night-time economy.

Rented Properties – Members asked the level of business rates the Council is saving due to Stripey Stork occupying Beech House. A written response would be supplied with this information.

Members asked whether the level of vacant spaces falling to 3.4km² included Beech House and which properties remain vacant and for what period of time they have been vacant. It was confirmed that this figure did include Beech House. Vacant properties

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

were Regent House 3rd Floor Suite C (475m²) which was a fraction of the total building size; Forum House, Redhill 3rd Floor South (148m²) which was also a small part of that building; Wheatley Court ground floor which is a commercial unit and is a new building, for which tenants are currently being sought; Linkfield Street (300m²); and Beech House. The current void list was the lowest it had been for a considerable time. A written response regarding the length of time of these vacancies would be supplied following the meeting.

The Chair commented that the Committee would like to see the full project costs and results of the Rise once the project reached completion.

Wheatley Court – Members expressed concerns that the approach to Wheatley Court had been changed and the decrease in revenue that this change would bring. It was confirmed that this project was not originally intended to generate revenue and that it was good practice to keep projects under review to ensure benefits to residents. The site remained a Council asset and was generating a revenue stream, as well as providing homes for thirty-two residents on the housing waiting list. This project had also resulted in £8million from Homes England to contribute towards building costs, due to the type of tenure offered.

Harlequin Theatre – Members asked whether the Harlequin Theatre should be considered by the Investment & Companies Portfolio Holder to be used for commercial income, such as hosting conferences, as well as cultural and leisure activities. It was confirmed that the building came under the remit of the Investment & Companies Portfolio, but the activities of the Harlequin theatre came under the remit of the Leisure & Culture Portfolio. A Leisure and Culture Strategy was being produced to consider future options for the Harlequin Theatre and other such assets.

Greensands – Members asked whether a lump sum was being given to Greensands or whether a sum was being made available to draw down from as work continued. It was confirmed that a loan would be made available secured against the assets owned by Greensands.

At 10.30pm Members agreed to continue the meeting to complete the remaining business on the agenda.

Horley Business Park – Members noted the statement that a small area of the Horley Business Park land might be used as a Gatwick construction compound if Gatwick is to expand and asked the size of this piece of land. It was confirmed that the Council had been approached to have a discussion regarding a very small piece of land, but the rationale and details of the proposition were not yet known.

RESOLVED that the Committee:

Noted the Portfolio Holder Updates on activities undertaken within the Organisation Portfolio service and policy areas.

38 Overview & Scrutiny Work Programme Schedule 2022/23

Members considered the Forward Work Programme 2022/23 for the Committee. It was noted that the Leisure and Culture Strategy appeared on the work programme for

Overview and Scrutiny Committee, Wednesday, 9th November, 2022

December, but that the strategy would not be ready by this date and was expected early in 2023.

RESOLVED that the Committee:

Noted its proposed Forward Work Programme 2022/23 and the action tracker.

39 Executive

It was reported that there were no items arising from the Executive that might be subject to the “call-in” procedure in accordance with the provisions of the Overview and Scrutiny Procedure Rules.

40 Any other urgent business

There was no urgent business.

The meeting finished at 10.32 pm