



<b>Signed off by</b>	Head of Legal and Governance
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<b>To</b>	Overview and Scrutiny Committee - 16 March 2023 Executive - 23 March 2023 Council - 30 March 2023
<b>Date</b>	Thursday, 16 March 2023
<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 Proposed Annual Work Programme 2023/24
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<b>Recommendations</b>
(i) That the proposed Work Programme for 2023/24 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 2023/24 Municipal Year.
<b>Executive Summary</b>
The Overview and Scrutiny Committee proposed annual Work Programme 2023/24 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 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 2023/24 and further details are set out below.
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. **Strategies and Plans** - 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 the Leisure and Culture 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, then following consultation with the Chair and Vice-Chair, a formal report will not usually be brought to the Committee.

For 2023/24, it is proposed that the Committee works with the Executive to create a Strategy toolkit to guide how strategies are created and what they should comprise/include. Following this the Committee will consider the Council's proposed Greenspaces strategy.

10. **Work Programme rolled forward from 2022/23** – The Review of the work of the Greenspaces Team originally scheduled for January 2023 will be rolled forward to 2023/24, due to a management vacancy in the Greenspaces team; this item would be guided by and follow approval of the Greenspaces strategy discussed above.

The Leader's Update originally scheduled for March 2023 will also be rolled forward to 2023/24, due to additional urgent items being added to the March agenda.

11. **Portfolio Holder Objectives** – The Committee has continued to work closely with Executive Members during 2022/23 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 2023/24. The Committee will receive an update on the implementation of the Leisure & Culture Strategy.

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 2023/24.

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 2023/24:

- Quarterly Revenue and Capital budget monitoring forecasts
- Quarterly Service Performance Management Monitoring
- Corporate Plan performance (annual basis).

14. **Local Plan Update** – Group Leaders agreed that the Portfolio Holder for Planning Policy and Place Delivery should give six-monthly updates to Overview & Scrutiny Committee to monitor progress and address any issues arising from the Local Plan. These updates would take place in March and October, with the first taking place in October 2023.

15. **Panels for 2023/24** – In addition to the annual Budget Scrutiny Panel and the Local Plan Scrutiny Panel, three members of the Committee have been appointed to the Local Plan Advisory Group.
16. **Budget Scrutiny Panel** – The Committee has established an annual Budget Scrutiny Panel. The Budget Scrutiny Review Panel held one meeting in 2022/23 (29 November 2022) and reviewed the Service and Financial Planning 2023/24 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.
17. It is therefore suggested that the Panel's work in 2023/24 be based on considering the Provisional Budget proposals for 2024/25 (including any updated assumptions within the Medium Term Financial Plan, appropriate revenue projections and a progress report on the Capital Programme projections).
18. **Local Plan Scrutiny Review Panel** – The Local Plan Scrutiny Review Panel did not meet in 2022/23. A Local Plan Scrutiny Review Panel is planned for 2023/24 to review the Redhill and Horley Design Code.
19. **Externally Focused Overview and Scrutiny work** – The Committee has successfully undertaken scrutiny with and of partner organisations in recent years. The Committee has not at this stage identified any proposed work in this area for 2023/24.
20. **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 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 in developing this work.
21. In 2022/23 the Committee invited the Portfolio Holder for Community Partnerships, along with representatives of the Police and Community Safety Partnership and the CEO of East Surrey Domestic Abuse Services to this meeting (on 23 February 2023) to assist. It is proposed that the Committee continue to undertake this activity in 2023/24.
22. Members discussed a review of recycling, to include food waste and services to flats and social housing. It was agreed this review would be held as 'pending' following the anticipated Resources and Waste Strategy expected shortly from government, which was likely to require the revisions to the Council's own Waste Strategy.
23. **Council Corporate Scrutiny** – the Managing Director, 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.
24. In 2022/23, updates on Council-owned companies were considered by the Committee bi-annually. This is planned to continue.

25. **Call-Ins** – The Committee would also consider matters that have been called in for review. There were no Call-Ins of Executive decision in 2022/23.

### **Options**

26. The Executive has the option to support the proposed Overview and Scrutiny Work Programme 2023/24 as set out in the report.
27. 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 2023/24 to enable them to carry out effectively their scrutiny of the Executive.

### **Management Team Comments**

28. Management Team are supportive of the Work Programme proposed
29. 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**

30. 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**

31. 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**

32. 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.

33. 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.

34. 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**

35. 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**

36. 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**

37. 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 2023/24.