

# Minutes of a meeting of the **Overview and Scrutiny Committee** held at the **New Council Chamber - Town Hall, Reigate** on **Thursday, 16 March 2023 at 7.30 pm.**

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

**Visiting Members present:** Councillors M. Brunt, R. Biggs, N. Bramhall, E. Humphreys, V. Lewanski, K. Sachdeva and T. Schofield

## **69 Minutes**

**RESOLVED** that the minutes of the meeting held on 23 February 2023 be approved and signed.

## **70 Apologies for absence and substitutions**

Apologies were received from Councillor Tary.

## **71 Declarations of interest**

There were no declarations of interest.

## **72 Leisure and Culture Strategy**

The Committee received a covering report and the Leisure and Culture Strategy.

Several advance questions on this item had been submitted prior to the meeting. The advance questions and their responses can be viewed here:

[Document Advance Questions and Answers OS 16 March 2023 | Reigate and Banstead Borough Council \(moderngov.co.uk\)](https://www.moderngov.co.uk/Document/Advance%20Questions%20and%20Answers%20OS%2016%20March%202023%20-%20Reigate%20and%20Banstead%20Borough%20Council)

The Committee thanked officers for their work on the Leisure & Culture Strategy and asked questions in the following areas:

### Research

Members asked for information on the research carried out to inform the strategy. It was confirmed that SWOT (Strengths, Weaknesses, Opportunities, Threats) analyses had been carried out, along with comparisons with leisure and culture services provided by other neighbouring local authorities, and ongoing market research.

The Executive Member for Leisure and Culture explained the scope of the strategy related not only to the Council's own provision through its leisure centres and the



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Harlequin Theatre, but also the wider leisure and cultural offer in the borough – for example parks and green spaces in the borough, the Archway theatre, and the Chipstead Playhouse.

### Relationship with GLL

The contract with GLL would end in May 2024 and options were being considered. A contract term of 15 years was the standard practice. Currently, an annual income of £260k was received from GLL as a management fee. The assets are owned by the Council, and the Council has responsibility for maintenance, while GLL runs the operational contracts. It was confirmed that the Council works with GLL to resolve residents' complaints and regular performance reports are received from GLL.

### Finances for Harlequin Theatre

Five years ago, the Council was subsidising the Harlequin with £700k. For this financial year, the target for subsidy had been set at £380k, but this was now forecast to be reduced to approximately £250k, through raising additional income. The intention was to reduce this further to a zero subsidy by 2025. It was reported that attendances had increased, and the variety of programmes offered had broadened.

A member expressed concern that on the basis of the strategy as presented for the Harlequin Theatre, there were current CIL capital bids totalling £1.75m.

### Sustainability

It was commented that sustainability was mentioned throughout the document but that the context of the word was not clear i.e., did this refer to environmental sustainability or financial sustainability? It was agreed that the wording would be reviewed.

### Conclusions

Members debated the contents of the strategy document as presented at some length, concluding that the strategy was a high-level document, encompassing an overall vision, the benefits, and four overriding objectives.

Officers confirmed that an implementation plan would follow with more operational detail.

The Committee agreed that the strategy as currently set out did not sufficiently and clearly identify how the stated objectives would be achieved, nor did it identify the weaknesses and challenges that would need to be overcome to do this. It also did not clearly identify the current offer to residents and what the Council aimed to provide in addition to the current offer.

The Committee in discussion with the Leader further considered it would be helpful for the Council to have a common agreement on what comprises a strategy - a strategy toolkit to identify how strategies are created and what they should include. (This was carried forward into the Overview & Scrutiny Committee Work Programme 2023/24.)

**RESOLVED** – that the Committee

Noted the report and the Leisure & Culture Strategy and made the following recommendations to Executive:

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- 1) The Leisure and Culture Strategy is reviewed and further developed to clearly identify the current leisure and culture offer to residents and what it aims to provide.
- 2) The Leisure & Culture Strategy is reviewed and further developed to identify how these objectives will be achieved.
- 3) The Leisure & Culture Strategy is reviewed and further developed to clearly identify the weaknesses and challenges in the current leisure and culture offer and how these will be overcome.

### **73 Community Infrastructure Levy SIP2 Assessment Process**

The Committee received the report on Community Infrastructure Levy SIP2 Assessment Process. The Executive Member for Planning Policy and Place Delivery thanked officers for their work on the methodology and process and invited Members to ask questions on the report. In response, the following clarifications were provided:

#### Bids from the previous SIP 2017 - 2022

Several of the bids from the previous round were not deliverable or the original bidders chose not to deliver. No bids were carried over into the current round, so this increased the amount of strategic CIL funding available for the current bids. Some of the bids have been re-submitted for this SIP.

#### Deliverability

In responding to the failure of these previous bids, the new assessment appraisal criteria gave a much higher ranking to certainty and effective delivery, reducing somewhat the criteria of Value for Money and Match Funding. Progress on funded projects would continue to be reviewed and assessed on an annual basis.

#### Assessment of business plans

In assessing bids there had to be a balance between the information provided and work undertaken by the Council at the initial bidding stage. Analysis of applicants' detailed business plans was not part of the initial bid process; business plans and other matters such as legal requirements would be followed up and assessed as part of the ongoing monitoring of implementation.

#### Scoring strategy

Assessing the "need" for a project on an individual basis was complex and difficult, and this is why a range of different criteria had been adopted. Additionally, the Council is looking to benefits being delivered to the wider community, reflecting a wider definition of needs.

#### Annual review

There would be an annual process to check what was being delivered against what was expected, and the status of projects.

## Funding

It was confirmed that funding would be drawn down as each project progressed, and that further analysis of projects would take place before money was paid over, to maintain confidence that the project could be delivered, and that any match-funding or any other funding was in place. Continuing checks would also be made on delivery and deliverability.

Applicants would need to ensure that their bids built in appropriate contingencies into their costings. It was confirmed that the Council retained an overall CIL contingency budget that will be considered at the annual review.

## Comments

The Committee welcomed the focus on deliverability so that “quick wins” could be made and the benefits of CIL visible to residents. However there was some concern that an over-emphasis on delivery could be to the disadvantage of larger and more complex projects which might give greater long-term benefit to the community.

Members suggested holding a reserve list or pipeline for possible projects which could be introduced should one of the approved bids falter or when better information was available.

It was noted that Members of Overview & Scrutiny and others would like more involvement in the CIL process in future.

**RESOLVED** – that the Committee

- i. Noted the approach taken by officers in the assessment of funding bids for the Community Infrastructure Levy Strategic Infrastructure Programme 2023-2027.
- ii. Made the observations set out above to the Executive when the proposed funding allocations for Strategic Infrastructure Programme 2023-2027 is scheduled for agreement.

## **74 Place Portfolio Holders Briefing**

The Committee received presentations and briefings from the three Portfolio Holders responsible for the following areas of the Council’s services: Economic Prosperity, Planning Policy and Place Delivery, and Neighbourhood Services.

Several advance questions on this item had been submitted prior to the meeting. The advance questions and their responses can be viewed here:

[Document Advance Questions and Answers OS 16 March 2023 | Reigate and Banstead Borough Council \(modern.gov.co.uk\)](#)

Portfolio Holder for Economic Prosperity, Councillor Humphreys, thanked the team of officers, and gave an overview of work over the past year and invited Members to ask questions on the portfolio briefing provided in the agenda pack. In response, the following clarifications were provided:

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### Monthly newsletter

The monthly newsletter, which contains information from the Council on community issues as well as business issues, was distributed to 2.5k people, approximately a third of the business community. It was confirmed that whenever the Council was in communication with any business, it sought the authority to check whether the business was receiving the newsletter and if not, asked for consent for the business to be added to the distribution list.

### Business Support Grants

Business Support Grant recipients were surveyed on an annual basis, and the measures were business survival rate and whether the business creates employment. In general terms, the employment rate creation was very high. It was testament to this Council that the programme has been running for such a long period of time and the organisation has shown such a high level of commitment; many organisations start similar schemes but give up quite early.

### Reigate and Banstead Works

This is a website promoting job opportunities in Reigate and Banstead and serves to promote inward investment and to promote the area as a whole. It also provides up-to-date information on job opportunities, ways in which people can improve their skills, routes into employment and returning into the job market. There is a subsidiary element called Start, focused on schools, to help with careers advice and guidance to full-time students.

Portfolio Holder for Planning Policy and Place Delivery, Councillor Biggs, thanked the team of officers, and gave an overview of work over the past year and invited Members to ask questions on the portfolio briefing provided in the agenda pack. In response, the following clarifications were provided:

### Gatwick Northern Runway DCO

The Council had been working closely with the other boroughs and districts surrounding Gatwick. The first round of consultations with Gatwick had been lacking in the detail of information required, which was made that clear in the initial response. Further information had been received, but it was costing the Council and all councils involved, a significant amount of time and money to obtain the advice needed and Gatwick have not provided sufficient support. Specialist advice had been sought and all elements were being carefully examined. A detailed analysis and a robust response were underway.

### A23 Design Code

The Design Code would be presented to Local Planning Advisory Group (LPAG), probably in April 2023, and would be presented to Executive, followed by a consultation for a minimum of four weeks. Under the Council's own guidance, it would be taken under a supplementary planning documents approach. It would then be brought to Council for adoption in the autumn 2023.

It was confirmed that the A23 Design Code would focus on the Redhill to Horley section as this was the area experiencing the greatest transitions.

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### Merstham Recreation Ground

The plans for Merstham recreation ground were due to be considered by the Planning Committee in April 2023; subject to consent, it would be put out to tender with the intention of commencing the work later this coming financial year.

It was confirmed that there was an intention to create a pavilion with a refreshments kiosk.

### Car parking study

A car parking study was planned to examine off-street car parking i.e., public car parks, to establish whether they are situated in the right areas, whether there is sufficient car parking and to establish the quality of car parking. The aim would be to better understand whether car parks are fit for purpose and whether any improvements need to be made, as well as to establish whether any car parks are surplus to requirements so that the Council could begin looking to redevelop those areas.

Portfolio Holder for Neighbourhood Services, Councillor Bramhall, thanked the team of officers, and gave an overview of work over the past year and invited Members to ask questions on the portfolio briefing provided in the agenda pack. In response, the following clarifications were provided:

### Food waste recycling

Reigate and Banstead has the highest number of flats of any Surrey borough, over 13,500, and of those approximately 5,800 are not on the food waste recycling service; however, every new development comes straight on to service. The new Government Waste and Resources Strategy was expected this year, and it was suggested that steps to improve recycling be addressed following publication of the strategy.

Food waste recycling rates across East Surrey had plateaued at 43% and the Surrey Environmental Partnership would be working on encouraging residents to recycle more of their food waste.

### Dog waste bags, dogs off the lead and dog walkers

The cleansing team has worked hard to raise awareness through communication campaigns to encourage dog owners to behave responsibly. A dog warden patrols green spaces regularly and can issue tickets.

Dog walkers are permitted to walk six dogs; however Public Space Protection Orders (PSPOs) would be reviewed this year, providing an option to reduce the number, possibly to four, which is considered more manageable. Consideration could be given to amending byelaws with regard to dog walkers requiring a licence.

### Volunteer litter picking groups

The Council has a daily routine for litter picking which continues in areas where volunteer litter picking groups exist. There may be areas where less litter needs to be collected after one of the groups has been out litter picking, but litter is a constant issue in the Borough that is being addressed. It was hoped that if the CIL bid for "Big Belly" bins – solar compaction bins was successful, this would reduce the reliance on emptying bins daily and will provide capacity to focus on other areas.

Transfer of highways maintenance to Surrey County Council

Wildflower planting had taken place on the highway verges near the A217 in the past; Surrey County Council (SCC) would be taking over the maintenance contract for these areas and planned to expand wildflower planting.

Three vacancies had been TUPEd to SCC; no members of staff had been TUPEd. It was confirmed that grass verge cutting would become the responsibility of SCC. RBBC had been supplementing the contract with additional works until now at the borough council's expense. Communication lines were open to understand how SCC would deliver highways maintenance and this would be communicated to residents.

The Chair thanked all the Portfolio Holders and encouraged members of the committee to contact Portfolio Holders directly with any further questions that arose.

**RESOLVED** that the Committee noted the Place Portfolio Holder updates and observations for consideration by Executive Members as set-out in the minutes.

**75 Quarter 3 2022/23 performance report**

The Executive Member for Corporate Policy and Resources presented the Quarter 3 Performance Report 2022/23 covering the period October to December 2022.

Of the ten KPIs reported on, eight were within target or within the agreed tolerance. Two indicators were off target and outside of their tolerance and were therefore red rated.

The two KPIs that were off target (KPI 3 – Staff turnover and KPI 10 - Recycling) were the same as those off target and discussed in Quarter 2 reporting. Although these performance indicators continued outside of target and tolerance, the underlying issues remained the same.

The existing ten KPIs reported on in 2022/23 would continue through to 2023/24 with contextual updates. New KPI 11 (Number of visits to the Council's leisure centres) and new KPI 12 (Reduction in the Council's carbon footprint) would be reported on in Quarter 4 2022/23 and KPI 13 (Accepted number of stage 1 complaints) would be added for 2023/24.

The Executive Member for Corporate Policy and Resources, Councillor Lewanski invited Members to ask questions on the Quarter 2 2022/23 Performance Report provided in the agenda pack. In response, the following clarifications were provided:

KPI 3 – Staff Turnover

Staff turnover was at 18%. Actions previously reported to the Committee continue. The Council continued to work to make RBBC an employer of choice with good work relationships and flexibility, as well as good pay and terms and condition, in the face of a buoyant market.

The Deputy Leader and Executive Member for Finance and Governance, Councillor Schofield, provided some Expenditure and Funding headlines:

## **Revenue Budget**

At Quarter 3 the projected full year outturn was £18.532m against a management budget of £20.062m resulting in an underspend for the year of £1.530m (7.6%). This was a further improvement of £581k over the previous quarter. Details of the more significant budget variances were set out as usual in the report.

## **Capital Programme**

The full year Capital Programme forecast at the end of Q3 of £31.99m was (55.6%) below the approved Programme for the year. The variance was as a result of £39.86m slippage and a £0.25m net underspend.

The reasons for the significant forecast slippage at this stage was primarily because, while substantial budgets had previously been allocated for investment in Housing developments, the related business cases had not yet been developed. These would follow in due course as strategies in these areas are implemented.

The Deputy Leader and Executive Member for Finance and Governance, Councillor Schofield invited Members to ask questions and comment on the Quarter 3 2022/23 Performance Report provided in the agenda pack. In response, the following clarifications were provided:

### Overall

Members commented positively on the favourable variances for car parking (£306k) and waste and recycling (£628k) but sought re-assurance on the overspend (-£633) in Revenue & Benefits and Housing Support, particularly in the light of the 2023/24 budget.

### Revenue & Benefits and Housing Support

Housing Benefit budgets for 2023/24 had been examined in depth with consideration given to the level of subsidies available and the level of benefits that were obliged to be awarded. The forecasts were in line with the expectations built into next year's budget. This was a complicated funding regime, and the Council would strive to keep the budget in line with the funding received.

### Procurement

A review of procurement was currently underway and security concerns, such as the resilience and security of CCTV equipment, were critical to how policies in this area were formulated. Officers agreed to provide written feedback on the measures that were in place to ensure that systems and equipment were not exposed to unauthorised intrusion risks.

## **RESOLVED** – that the Committee

- I. Noted the Key Performance Indicators performance for Q3 2022/23 as detailed in the report and in Annex 1 and made observations to the Executive;
- II. Noted the Key Performance Indicators to be reported on in 2023/24 as detailed in Annex 1.1 and made observations to the Executive;



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- III. Noted the Budget Monitoring forecasts for Q3 2022/23 as detailed in the report and at Annexes 2 and 3 and the progress update on the Financial Sustainability Programme at Annex 4 and made observations to the Executive.

#### **76 Overview and Scrutiny Annual Report 2022/23**

Members received and approved the Overview and Scrutiny Annual Report 2022/23 to be recommended to Council.

**RESOLVED** – that the Committee

- I. Noted the Annual Report of the Overview and Scrutiny Committee for this year and recommended it to the Council.
- II. Made any additional observations to the Council on 30 March 2023.

#### **77 Overview and Scrutiny Annual Work Programme 2023/24**

It was noted that quarterly reporting on treasury management was likely to transfer to Overview & Scrutiny in 2023/24, in accordance with new guidelines.

It was agreed that a Local Plan Scrutiny Panel should meet to examine the Redhill to Horley Design Code. This was likely to take place in September 2023.

The following additional topics for scrutiny for 2023/24 were agreed:

- To work with the Executive to create a strategy toolkit to identify how strategies are created and what they should comprise/include.
- A review of recycling, to include food waste and recycling services to flats and social housing, pending the new Government Waste and Resources Strategy. Agreed to hold this topic as a pending item.
- A broader review of the Greenspaces strategy ahead of the review of the work of the Greenspaces team.

During this item, the time reached 10.30pm and the Committee agreed to continue the meeting to complete all the outstanding business.

**RESOLVED** – that the Committee

- I. Received and approved the proposed Overview and Scrutiny Annual Work Programme 2023/24 with the addition of the above additional items for scrutiny.
- II. Noted the Action Tracker.

#### **78 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 Rule.

**79 Any other urgent business**

There was no urgent business.

The Leader of the Council, Councillor Brunt thanked the Overview & Scrutiny Committee for their valuable views throughout his term as Leader. The Chair, on behalf of the Committee, thanked the Leader for his remarks, and also for his service as Leader and positive approach in dealing with the Committee.

The meeting finished at 10.46 pm