



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

Signed off by	Chief Finance Officer
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To	Overview and Scrutiny Committee
Date	Thursday, 12 October 2023
Executive Member	Deputy Leader and Portfolio Holder for Finance, Governance and Organisation

Key Decision Required	N
Wards Affected	(All Wards);

Subject	Constitution of Budget Scrutiny Panel 2023/24
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RECOMMENDATIONS
<p>(i) To agree the membership of the Budget Scrutiny Panel and the timetable for scrutiny of the Budget for 2024/25 as set out in the report;</p> <p>(ii) To agree the scope of the Budget Scrutiny Panel's work during 2023/24.</p>
REASONS FOR RECOMMENDATIONS
To ensure that agreed budget-setting processes are followed.
EXECUTIVE SUMMARY
<p>To consider the membership, timetable, and scope of work of the Budget Scrutiny Panel during 2023/24.</p> <p>The Executive, at its meeting on 23 March 2023, supported the Committee's request in the Overview & Scrutiny Committee's Annual Work Programme 2022/23 for the Budget Scrutiny Panel to be re-established for 2023/24. The Overview & Scrutiny Committee's Annual Work Programme was approved at Council on 30 March 2023.</p> <p>The Committee is therefore requested to agree activity for the Panel for 2023/24.</p> <p>This will focus on consideration of the draft Revenue Budget and Capital Programme proposals for 2024/25.</p>

Overview & Scrutiny Committee has authority to approve the recommendations.

STATUTORY POWERS

1. A formal scrutiny panel or working group is defined as a “sub-committee”.
2. Section 102 of the Local Government Act 1972 states that a sub-committee “*may consist of such persons (whether members of the appointing authority or authorities or not) appointed for such term as may be determined by the appointing authority or authorities*”.
3. Section 9 of the Local Government Act 2000 states:
 - i. “*An overview and scrutiny committee of a local authority, or a sub-committee of such a committee, may not include any member of the authority's executive*”.
 - ii. “*An overview and scrutiny committee of a local authority, or any sub-committee of such a committee, may include persons who are not members of the authority.*” (‘Co-opting’)

Constitution Requirements

4. Procedure Rule 5 (5.2.1) of the Council’s Constitution: “*All Councillors except Members of the Executive may be Members of the Overview and Scrutiny Committee and Panels appointed by it.*”
5. Procedure Rule (5.3.1) of the Council’s Constitution: “*The Overview and Scrutiny Committee or its Panels shall be entitled to appoint a number of people as non-voting co-optees.*”
6. Requirements for membership of the Budget Scrutiny Panel (which is a formal body and therefore defined as a sub-committee) are:
 - i. No Executive Members
 - ii. Any other Member of the Council can be appointed to the Budget Scrutiny Panel, with full voting rights on the Budget Scrutiny Panel.
 - iii. People who are not Members of the authority can be co-opted, but without voting rights.
 - iv. Members who are not appointed to the Budget Scrutiny Panel may attend those meetings as ‘visiting Members’ without any voting rights.

KEY INFORMATION

Membership Selection Criteria

7. Although there is no formal requirement for Members of the Budget Scrutiny Panel to be members of the Overview and Scrutiny Committee, it is advisable as these

Members have received scrutiny training and will be better equipped to ask questions about the draft budget proposals.

Political Proportionality

8. The Budget Scrutiny Panel is a 7 Member panel. Political proportionality requirements do not apply to scrutiny panels; however, the Overview & Scrutiny Committee has always sought to apply the principles.
9. Group Leaders are asked to put forward nominations for Panel membership and the Overview and Scrutiny Committee determines the membership.
10. For 2023/24 membership is proposed as follows:
 - Conservative Party: 4 Members
 - Green Party: 2 Members
 - Residents' Association: 1 Member

Nominations

11. The Committee is asked to consider and approve the nominations for Membership of the Panel, and the following nominations have been received:
 - Conservative Party: Councillors Blacker, Buttironi, Green and Dwight
 - Green Party: Councillors Chandler and Essex
 - Residents; Association: TBC

Outstanding nominations will be confirmed at the O&S Committee meeting.

Election of Chair of the Panel

12. The Chair of the Panel will be elected at the beginning of the Budget Scrutiny Panel meeting.

Number of Meetings and Access

13. The Budget Scrutiny Panel will meet once per year.
14. Meetings of the Panel are open to any Councillor to attend; however a non-Panel Member does not have the same constitutional entitlement to access information or vote as Members of the Panel. Access to Panel documents will be limited to Panel members as will the function of submitting advance questions. This maintains the principle set out above that the Panel should be politically balanced. Non-Panel Members attending the Panel meeting, with the agreement of the Chair and Panel, may contribute by way of question and comment. Other members of the Overview & Scrutiny Committee will have the opportunity to ask questions at the December O&S meeting where the Panel's report will be presented.

Timetable

15. The timetable for development of budget proposals for the coming year is as follows:

Date	Meeting
Thursday 16 November 2023	Executive meeting To approve the draft budget for 2023/24 for formal consultation
Wednesday 29 November 2023	Budget Scrutiny Panel meeting to consider and review the draft budget proposals and review Members' Advance Questions and written responses.
Thursday 7 December 2023	Overview & Scrutiny Committee meeting To receive the report of Budget Scrutiny Panel
Thursday 14 December 2023	Executive meeting Including receiving the O&S Budget scrutiny report and recommendations
Thursday 1 February 2024	Executive meeting To approve the Proposed Budget for 2024/25 and Council Tax for recommendation to Full Council
Tuesday 20 February	Council meeting Council to consider the Budget and Council Tax recommendations from Executive for 2024/25

Role of the Overview and Scrutiny Committee

16. The Panel's activity will be to consider and respond to the draft budget proposals for 2024/25 published by the Executive at its meeting on 16 November 2023. As in previous years this is expected to focus on providing an opportunity for Panel members to review the draft budget proposals, raise questions, receive written responses, and have an opportunity to meet to discuss them.
17. The Overview and Scrutiny Committee will consider the report of the Budget Scrutiny Panel at its meeting on 7 December 2023 and make recommendations on the draft budget for 2024/25, for consideration by the Executive in line with the Council's Policy Framework and Procedure Rules.

LEGAL IMPLICATIONS

18. There are no additional legal implications arising from the recommendations in this report.

FINANCIAL IMPLICATIONS

19. There are no additional financial implications arising from the recommendations in this report. Budget Scrutiny is a key activity in the budget-setting timetable.

EQUALITIES IMPLICATIONS

20. 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.
21. 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.
22. The Committee, and the Budget Scrutiny Panel, should ensure regard is given to these duties by considering them through the course of its work. This should include considering:
- How budget proposals impact on different groups within the community, particularly those that share the protected characteristics;
 - Whether the impact on particular groups is fair and proportionate;
 - Whether there is equality of access to services 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.

COMMUNICATION IMPLICATIONS

23. There are no additional communication implications arising from the recommendations in this report. Budget Scrutiny supports effective communication of budget proposals to key stakeholders.

RISK MANAGEMENT CONSIDERATIONS

24. There are no additional risk management implications arising from the recommendations in this report. The Panel will consider whether potential risks associated with the budget proposals have been addressed.

HUMAN RESOURCES IMPLICATIONS

25. There are no additional human resources implications arising from the recommendations in this report. The Panel will consider any proposals for changes to the funded staff establishment.

CONSULTATION

26. Budget Scrutiny contributes to effective communication of the budget proposals.

POLICY FRAMEWORK

27. Budget Scrutiny is a key element of the annual service & financial planning process to develop the budget and ensure that the Council is able to deliver the Corporate Plan and services to residents and businesses.

Background Papers

[Overview and Scrutiny Annual Work Programme Report 2023/24](#)

[Annex 1 Overview and Scrutiny Annual Work Programme 2023/24](#)