



<b>Signed off by</b>	Strategic Head of Legal and Governance
<b>Author</b>	Marie Crabtree, Democratic Services Officer
<b>Telephone</b>	01737 276657
<b>Email</b>	marie.crabtree@reigate-banstead.gov.uk
<b>To</b>	Overview and Scrutiny Committee
<b>Date</b>	Thursday, 14 March 2024
<b>Executive Member</b>	Councillor Nick Harrison, Chair of Overview & Scrutiny

<b>Key Decision Required</b>	N
<b>Wards Affected</b>	(All Wards)

<b>Subject</b>	Overview and Scrutiny Annual Report 2023/24
----------------	---

<b>Recommendations</b>
<p>(i) That the Annual Report of the Overview and Scrutiny Committee for this year be noted and recommended to Council.</p> <p>(ii) That any additional observations be made to Council on 28 March 2024.</p>
<b>Reasons for Recommendations</b>
<p>The Overview and Scrutiny Committee serves as a critical friend to the Council and Executive. Holding an authority's decision-makers to account is important to the successful functioning of local democracy, governance, and leadership. Effective scrutiny helps secure the efficient delivery of public services and drives improvements. The Annual Report of the Committee provides a summary of the work of the Committee during 2023/24 to Full Council for approval at its meeting on 28 March 2024.</p>
<b>Executive Summary</b>
<p>The Overview and Scrutiny Committee and its Scrutiny Panels examine whether Council services and policies are being delivered in the most efficient and effective way possible, and whether they are meeting the needs of local residents, businesses, and users of Council services.</p>

There are strong performance management arrangements in place and the Overview and Scrutiny Committee receives management information quarterly.

The Annual Report of the Committee provides a summary of the work of the Committee in 2023/24 to the Council. This report therefore supports awareness of the role and actions of the Committee by the Council.

**The above recommendations are subject to approval by Full Council.**

### **Statutory Powers**

1. The requirement for local authorities in England to establish overview and scrutiny committees is set out in sections 9F to 9FI of the Local Government Act 2000, as amended by the Localism Act 2011. The functions of the Committee are set out in the Council's Constitution and in the terms of reference of the Committee.

### **Background**

2. This Annual Report 2023/24 of the Overview and Scrutiny Committee sets out the work of the Committee in 2023/24. Membership and attendance information for the year is set out in Annex 1. The Committee's Annual Work Programme 2024/25 is set out in a separate report to the Committee for consideration by Executive on 21 March 2024 and approval by Full Council on 28 March 2024.

### **Annual Report**

3. This report reflects the work of the Committee as the Council continued to support the borough's residents and keep services operating at a high level in the midst of the increasing cost of living pressures. The Committee scrutinised this programme of work through updates to Committee meetings throughout the year.
4. This year, the Overview and Scrutiny Committee met eight times on 15 June 2023, 6 July 2023, 12 October 2023, 7 December 2023, 25 January 2024, 22 February 2024 and 14 March 2024. A Budget Scrutiny Panel was constituted and completed their work and recommendations in 2023/24. An Environmental Sustainability Strategy Review Panel was constituted and completed their work and recommendations in 2023/24.

### **Holding the Executive to Account**

5. Executive Members, the Managing Director, Directors, and Officers supported the Committee's scrutiny activities and attended meetings of the Committee throughout the year. Executive Portfolio Holders and Officers attended and supported the Budget Scrutiny Panel.
6. The Committee held the Leader and Executive Members to account through:  
The attendance of the Leader, the Deputy Leader and Portfolio Holders at the Committee or its Panels to explain how the Executive proposed to deliver its plans and strategies;

Portfolio Holders presenting and reporting on their work and objectives for each of their service areas and responding to questions from the Committee; and

Considering a number of proposed Executive decisions and providing commentary and recommendations to the Executive where judged appropriate.

### **Leader's Updates**

7. Councillor Biggs, Leader of the Council, provided a briefing on the work of the Council at the Committee meetings in September 2023 and January 2024.
8. At the September meeting, the Leader briefed the Committee on Council initiatives and projects, future challenges and engagement between the Executive and the Overview and Scrutiny Committee including leadership updates on continuing to address anti-social behaviour, the positive impact of The Rise on footfall in Redhill, funding from the Department of Levelling Up Communities and Housing to help provide additional temporary housing in the local area, the commencement of work on the outdoor fitness areas in Woodhatch, Lady Neville Recreation Ground and Priory Park, a new transformation plan for Redhill library, consultation on the next round of subway improvements in Horley, and continuing work on environmental sustainability.
9. At the January meeting, the Leader briefed the Committee on Council initiatives and projects, future challenges and engagement between the Executive and the Overview and Scrutiny Committee including leadership updates on the challenges presented by the unexpected closure of the Harlequin theatre, which had brought both a loss of income and a decrease in costs; the successful relocation of the pantomime; approval for a trial of an electric bin lorry and plans to transition waste fleet vehicles to Hydrotreated Vegetable Oil fuel; renewal of the Public Space Protection Order in Redhill; the Housing Policy amendment to support residents interested in downsizing to help make better use of local housing stock; the continuing influence of The Rise, offering new facilities for residents and attracting new businesses to the area; the Volunteer Awards in October 2023; the Business Awards in November 2023; the current light touch review of the Environmental Sustainability Strategy; engagement with stakeholders to inform the development of the next Corporate Plan for 2025-2030; consultation on the A23 Great Street Design Code and the Department of Levelling Up, Housing and Communities funding secured; and plans for the 50th anniversary of Reigate and Banstead Borough Council.

### **Executive Member Objectives and Updates**

10. Executive Members presented the work and objectives of their service areas to the Committee under the three corporate themes of Organisation, People and Place.

### **Organisation Executive Updates – 12 October**

11. Councillor Biggs, Leader of the Council, gave an overview of Communications & Customer Contact and the Corporate Plan Review. This included updates on the changing ways in which residents can contact the Council, the development of a

communications toolkit providing a library of resources for use by services, and the commencement of engagement with Members on the new Corporate Plan.

12. Councillor Lewanski, Deputy Leader and Portfolio Holder for Finance, Governance and Organisation, gave an overview of Finance, Governance and Organisation service areas. This included updates on Service and Financial Planning, the restructure of Organisational Development & Human Resources service, the successful implementation of voter ID at the May 2023 elections, future plans to review the Constitution and Code of Corporate Governance, replacement of the webcasting equipment in the New Council chamber, a national excellence award for the Council's counter-fraud team.
13. Councillor Andrew King, Portfolio Holder for Commercial and Community Assets, gave an oversight of the Council's commercial agenda, investments and companies, commercial strategy and other work overseen by the Partnership, Shareholder and Trustee Executive Sub-Committee (PSTESC). This included updates on the successful opening of Marketfield Way (The Rise) development, the continuing progress of the Council's exiting arrangements from its companies, PSTESC taking over formal responsibility for the overseeing of charities and ensuring compliance with annual trustee reporting requirements and making effective use of Council owned assets. The Committee receives regular reviews of the Council's property portfolio.
14. Councillor James King, Portfolio Holder for Corporate Policy and Resources, provided a briefing on Council's Performance Management, Corporate Policy, ICT and Data and Insight. This included updates on the approach to the development of Council strategies, work on the Corporate Assurance Framework, the progression of the IT Strategy. This will be followed by a review of the level of IT resource to help with IT project delivery, and the continuing work of the Data and Insight team.

#### **People Executive Member Updates – 25 January**

15. In January, the Committee received a briefing from the People Portfolio Holders on the People service areas.
16. Councillor Neame, Portfolio Holder for Housing & Support, gave an overview of the work on homelessness, housing options, housing register, refugee and asylum seeker accommodation, and housing delivery as well as the work of Family Support, Money Support and Refugee Settlement teams and the work of Housing Benefits and Fraud teams.
17. Councillor Biggs, Leader of the Council gave an overview of work on the three Leisure Centres, Leisure Development, Arts Development, and the Harlequin Theatre. The Council was working hard to continue to provide these services despite the challenges faced by the unexpected closure of the Harlequin Theatre.
18. Councillor Biggs, Leader of the Council, gave an update on the Council's work on Community Partnerships, including community centres, community partnership working with the NHS, and supporting the voluntary sector, as well as supporting food clubs, assisting with fuel poverty, and assisting in the delivery of the Household Support Fund.

### **Place Executive Member Updates – 14 March**

19. In March 2024, the Committee received a briefing from the Place Portfolio Holders on the Place service areas.
20. The Leader, Councillor Biggs was unable to attend the meeting, but officers answered questions on the Council's ongoing work to support local businesses.
21. Councillor Michalowski, Portfolio Holder for Place, Planning, and Regulatory Services, provided an update to the Committee on the Council's work within Place, Planning and Regulatory services.
22. Councillor Avery, Portfolio Holder for Neighbourhood Services, gave an update on her portfolio areas, including Waste and Recycling.
23. Councillor Moses, Portfolio Holder for Environment and Sustainability, gave an update on the Council's work in her portfolio area.
24. The Committee welcomed the opportunity to examine in detail the work of Executive Portfolio Holders, to test the relationship of this work to the Council's corporate objectives and to scrutinise the performance of the Council's services.

### **Annual Community Safety Partnership Scrutiny – 'Crime and Disorder'**

25. On 22 February, the Committee held an annual meeting as part of its scrutiny responsibilities under the Crime and Disorder Reduction Act 1998 and the Anti-Social Behaviour, Crime and Policing Act 2014. Councillor Biggs, Leader of the Council, gave an overview of the Council's work with Surrey Police and Surrey County Council over the last year.
26. The Surrey Police Borough Commander for Reigate and Banstead, Inspector Jon Vale, and Sergeant Rob Staplehurst attended as key community safety partners.
27. The Committee questioned the speakers on a wide range of community safety issues, such as anti-social behaviour, Violence Against Women and Girls, communication between residents and the Police, keyless car theft, County Lines, engaging with minority communities, retail crime and youth engagement.
28. The Community Safety Team also gave a presentation on the work of the Community Safety Partnership. The Committee questioned the team on a wide range of community safety issues, such as identifying and tackling problems, fly tipping, youth provision and ways in which Councillors can help with community safety issues.

### **Review of the work of the Greenspaces Team**

29. On 22 February, the Committee received a presentation on the work of the Greenspaces Team from Councillor Moses, Portfolio Holder for Environment and Sustainability and the Greenspaces Team.
30. The Committee questioned the speakers on a wide range of Greenspaces and Countryside issues, such as management plans, managing Ash Dieback, wildlife surveys, grass cutting methods, and made suggestions on alternative ways of grass cutting and hedge management. Committee members were encouraged to bring

their suggestions and comments to the forthcoming consultations on the Greenspaces Strategy.

### **Performance Monitoring**

31. The Committee continued to monitor the Council's performance. This included reviewing the following information:
  - Service Performance Management (quarterly)
  - Key Performance Indicators (KPIs) (quarterly)
  - Revenue and Capital Budget Monitoring (quarterly)
  - Treasury Management (quarterly)
  - Update on the Corporate Plan 2020-25 (Reigate and Banstead 2025 Annual Report 2022/23).
  - Environmental Sustainability Strategy – Annual Progress Report 2023
32. The quarterly performance reports and KPIs showed that the Council continued to meet the majority of its Key Performance Indicators. Any comments from the Committee on performance were reported to the Executive for their consideration. Treasury Management activities were included in the Revenue and Budget monitoring reporting for the first time, and the Council remained in a good financial position.
33. More detailed reporting information on the work of Council services was provided via programme dashboards available on the Members' area of the ModGov intranet.

### **Advance Questions**

34. The Advance Questioning procedure is in use for the Overview and Scrutiny Committee. This allows members of the committee to submit questions in advance of the meeting based on the information received in the agenda pack, which is published five clear working days before the meeting. Advance questions are then forwarded to the relevant officers to provide written responses which are then circulated to committee members the day before the committee meeting and are published in the Council's web library. This procedure allows Council officers and Executive Members to prepare detailed answers to questions arising regarding the agenda item and to provide these detailed answers during the meeting.
35. The Advance Questioning procedure was used to support Member questions on quarterly performance reports as well as advance questions on published reports and presentations in advance of formal Committee meetings (such as Portfolio Holder briefings).
36. The Managing Director, Directors, Chief Finance Officer, Monitoring Officer, and relevant Heads of Service supported meetings of the Overview and Scrutiny Committee to answer additional questions on the Council's performance or via written answers.
37. The Committee also keeps an "Action Tracker", a register of questions raised in meetings which require further research before they can be responded to. Answers

are given subsequently in writing and reviewed at subsequent meetings of the Committee, to ensure issues are addressed.

### **Strategy and Policy Development**

38. The Committee commented on the following draft strategies and policies:

- Medium Term Financial Plan 2024/25 - 2028/29
- Treasury Management Strategy 2023/24
- Commercial Strategy
- Capital Investment Strategy 2024/25 to 2028/29
- Annual Environmental Sustainability Strategy

### **Treasury Management**

39. This year, Overview and Scrutiny Committee took over responsibility for overseeing the Council's Treasury Management from Audit Committee. Committee members undertook Treasury Management training on 8 June 2023 and were consulted on the Treasury Management Strategy, Investment Strategy, and Capital Strategy for 2023/24 at their meeting on 15 June 2023. Quarterly treasury management updates were provided as part of the Performance Monitoring reports.

40. The Committee received Treasury Management training from the Council's treasury advisors (Arlingclose) on 5 March 2024.

41. At its meeting in March 2024, the Committee reviewed the Treasury Management Strategy 2024/25, before being submitted to Executive and Council for approval.

### **Companies Performance**

42. The Committee received two Companies Performance Update reports on the progress of companies owned and part-owned by the Council in July 2023 and December 2023.

43. The Summer update reported that the Horley Business Park Development LLP was expected to be dissolved, with a Settlement Agreement between members of the LLP underway. Also, that the Council continued to seek critical business information from Pathway for Care Limited in order to review its performance.

44. The Winter update reported that preparations were being made in anticipation of Greensand Holdings Limited being dissolved, with its assets likely to be transferred to direct ownership by the Council.

45. Also that Horley Business Park Development LLP was on track to be dissolved by way of a Members Voluntary Liquidation.

46. The report confirmed that Pathway for Care Limited was technically insolvent, and the redemption date of April 2023 for the Council's £1.1 million preference shares had not been honoured.

## **Commercial Strategy**

47. In December 2023, the Committee received a progress update on work aligned with delivery of the Council's Commercial Strategy and objectives. Progress in 2023/24 had included completion of The Rise development at Marketfield Way, a contribution of an additional £700k to the revenue budget from Council property income, and additional income of nearly £540k from planned updates to fees and charges.

## **Calendar of Meetings 2024/25**

48. The Committee received and considered the Calendar of Meetings for 2024/25, before it was presented to Council for approval on 20 February 2024.

## **Budget Scrutiny Review Panel**

49. Councillor Biggs, Leader of the Council, and Councillor Lewanski, Deputy Leader and Portfolio Holder for Finance, Governance and Organisation, with the Managing Director and Chief Finance Officer, attended the Budget Scrutiny Panel on 29 November 2023, to support the Panel's review of Service and Financial Planning for 2024/25. These councillors and officers also attended the Committee meeting when the report of the Budget Scrutiny Panel was considered, to further support this process, and respond to questions from the Committee.
50. The Budget Scrutiny Review Panel reviewed the Service & Financial Planning 2024/25 report. The Panel undertook a robust review of the draft budget proposals and considered 82 advance questions along with further questions and comments that were raised at the meeting.
51. The Panel recognised and appreciated the significant amount of work that had gone into preparing the draft revenue and capital budget for 2024/25 and concluded that the proposals were achievable and realistic and based on sound financial practices and reasonable assumptions. The Panel noted that proposed savings were not expected to have significant impact on service scope or quality.
52. The Panel noted the national and local policy context and significant uncertainties at that stage of the budget-setting process. It noted that the Service and Financial Planning 2024/25 report forecast a balanced Revenue Budget for 2024/25 subject to final confirmation of outstanding items.
53. The Panel supported changes to the Local Council Tax Support Scheme to be adopted from 2024/25 and the changes to Council Tax premiums on empty properties to be adopted from 2024/25.
54. The Panel expressed concern about general inflationary pressures in the UK economy, which put short-term inflation well above the Bank of England target and suggested this would put further upward pressures on the cost of goods and services and the annual pay award.
55. The Panel noted that the use of earmarked reserves, to fund housing benefit shortfalls, could only be a one-off action and not a permanent solution.



56. The importance of the Council's Financial Sustainability Plan to address future budget gaps was also noted.
57. The Panel noted that, in the Financial Accounts, a £1.1million provision has been made for credit loss with regard to the investment in Pathway for Care. This would be funded from the Commercial Risks and Volatility Reserve.
58. The Budget Scrutiny Panel report and recommendations was reported to the main Committee at its meeting on 7 December 2023. The Committee debated the findings including the Housing Benefit subsidy shortfall and the Government's recently announced increase in the Local Housing Allowance.
59. The Committee resolved to support the recommendations of the Budget Scrutiny Panel report which went to Executive for consideration at its meeting on 14 December 2023, with the additional recommendation to work with other local authorities, and to lobby government, directly and through the Local Government Association on the challenges of the shortfall in reimbursement for housing benefit payments.
60. At the Overview and Scrutiny Committee meeting on 25 January 2024, an update on the Budget and Capital Programme 2024/25 was presented to Members. It was reported that the net impact of minor adjustments to Service Budgets resulted in a net growth of £0.134million. Treasury Management budget income forecasts had been reduced by £0.055 million. The forecast budget pressure for the shortfall in housing benefit subsidy had been reviewed and reduced by £0.270 million but remained a significant risk. These changes had made it possible to reduce the call on reserves. Increased Minimum Funding Guarantee Grant from Government had offset a decrease in New Homes Bonus Grant and Services Grant. The budget for 2024/25 was therefore balanced.
61. Members asked questions about the balance on the IT Strategy Reserve and how it would be used.
62. The Committee noted the updated elements of the Budget and had no further observations to make to Executive on 1 February 2024.

### **Environmental Sustainability Strategy Review Panel**

63. Councillor Moses, Portfolio Holder for Environment and Sustainability, with the Head of Corporate Policy, Projects and Performance and Sustainability Project Officer, attended the Environmental Sustainability Strategy Review Panel on 12 February 2024, to support the Panel's review of the Environmental Sustainability Strategy and Action Plan. Councillor Moses and the officers also attended the Committee meeting when the Environmental Sustainability Strategy Review was considered, to further support this process, and respond to questions from the Committee.
64. The Environmental Sustainability Strategy Review Panel reviewed the Council's Environmental Sustainability Strategy and Action Plan Report and supporting documents. The Panel undertook a robust review of the strategy proposals and

considered 21 advance questions along with further questions and comments that were raised at the meeting.

65. The Environment Sustainability Strategy Review Panel minutes and the updated Environmental Sustainability Strategy and Action Plan were reported to the main Committee at its meeting on 14 March 2024.
66. Following the Environmental Sustainability Strategy Review Panel, the Committee reviewed the revised Environmental Sustainability Strategy and action plan at the March Committee meeting, before being presented to Executive on 11 March 2024.

### **Local Plan Update**

67. In October 2023, the Committee received an update on the development of the new Local Plan, setting out the current position and the proposed way forward. The current Local Plan would end in 2027 and the Council would be working towards the new style of local plan.
68. A second Local Plan update was presented to the Committee on 14 March 2024.

### **Lessons Learnt – Pitwood Park, Cromwell Road and Lee Street**

69. At the Overview and Scrutiny Committee meeting held on 12 October 2023, the Committee received a report setting out a project overview for the three recent housing delivery projects at Pitwood Park, Cromwell Road and Lee Street, including the Council's key reflections and learnings from these recent housing delivery projects undertaken between October 2020 and August 2022.

### **Marketfield Way Update**

70. A report containing an update on the progress of the Marketfield Way project was presented to Overview and Scrutiny Committee on 7 December 2023.
71. The report highlighted the challenges of the project, which had been overcome, but had led to delays and cost increases. The Rise was now open, welcoming thousands of people every day; the residential part of the development had been sold to the Council's private sector partner and over 70% of the commercial floorspace had been let, with letting agreements for the remaining units underway.
72. Continued discussion of the Marketfield Way project took part in a Part 2 session of the meeting reviewing timescales, budgets, and costs. The project was subsequently funded by an additional capital bid of £4.2 million, approved at the full Council meeting in February 2024.

### **Call-in of Executive Decisions**

73. Call-in is a provision of the Local Government Act (2000) that enables councillors on Overview and Scrutiny committee to ensure that the principles of decision making set out in the council's Constitution are adhered to. It allows Overview and Scrutiny committees to require the council's Executive to reconsider a decision which has been made, but not yet implemented.

Call-in is only intended to be used in exceptional circumstances.

74. There were no Call-Ins of Executive Decisions during 2023/24.

This indicates that there is a good working relationship between Overview and Scrutiny and Executive, in which Overview and Scrutiny are consulted on forthcoming Executive business avoiding use of the call-in procedure.

### **Operational arrangements**

75. The Chair of the Committee had regular meetings with the Managing Director (Mari Roberts-Wood), Director (Luci Mould), Chief Finance Officer (Pat Main), and relevant Heads of Service. This focused the planning and delivering of the Committee's work programme. In accordance with the Overview and Scrutiny Committee's Procedure Rules, the Committee's work programme for 2024/25 was discussed with the Leader.

### **Conclusion**

76. The Committee recognises that the Council continues to focus on outcomes for residents and businesses and is responding well to continuing financial pressures and managing its processes in an efficient manner. The work of the Overview and Scrutiny Committee has maintained a streamlined approach in 2023/24 and in developing its annual work programme for the coming year 2024/25 has sought to continue this.
77. The Committee has worked hard on behalf of the Council and community in scrutinising the Council's decision-making process, holding Executive Members to account, and monitoring the Council's performance, as well as contributing to strategic policy development such as the Capital Investment Strategy 2024/25 to 2028/29.

### **Options**

78. The Committee has the option to support the Annual Report of the Overview and Scrutiny Committee 2023/24 and make any additional observations.
79. The Committee has the option not to support the Annual Report of the Overview and Scrutiny Committee 2023/24. This is not the recommended course of action.

### **Legal Implications**

80. There are no immediate legal implications arising from this report. The Overview and Scrutiny Committee is a strategic function of the authority and central to the organisation's corporate governance.

### **Financial Implications**

81. There are no direct financial implications arising from the annual report.

### **Equalities Implications**

82. 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.

83. 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.

84. 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.

### **Communication Implications**

85. There are no significant communications implications arising from this report.

### **Environmental Sustainability Implications**

86. There are no significant environmental sustainability implications arising from this report.

### **Risk Management Considerations**

87. There are no significant risk management implications arising from this report.

### **Consultation**

88. In accordance with the Overview and Scrutiny arrangements contained in the Council's constitution, the Committee's Annual Report was discussed with the Chair and Vice-Chair of the Overview and Scrutiny Committee.

### **Policy Framework**

89. There are no policy framework implications.

### **Background Papers**

1. Corporate Plan 2025 - [https://www.reigate-banstead.gov.uk/info/20205/plans\\_and\\_policies/280/reigate\\_and\\_banstead\\_2025](https://www.reigate-banstead.gov.uk/info/20205/plans_and_policies/280/reigate_and_banstead_2025)
2. Annex 1 – Overview and Scrutiny Committee 2023/24 – Membership and Member Attendance