



<b>Signed off by</b>	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, Thursday 16 March 2023
<b>Date</b>	Thursday, 16 March 2023
<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 2022/23
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<b>Recommendations</b>	
(i)	<b>That the Annual Report of the Overview and Scrutiny Committee for this year be noted and recommended to Council.</b>
(ii)	<b>That any additional observations be made to Council on 30 March 2023.</b>

<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 2022/23 to Full Council for approval at its meeting on 30 March 2023.</p>

## **Executive Summary**

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.

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 2022/23 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 2022/23 of the Overview and Scrutiny Committee sets out the work of the Committee in 2022/23. Membership and attendance information for the year is set out in Annex 1. The Committee's Annual Work Programme 2023/24 is set out in a separate report to the Committee for consideration by Executive on 23 March and approval by Full Council on 30 March.

## **Annual Report**

3. This report reflects the work of the Committee as the Council continued the recovery work from the COVID-19 global pandemic emergency and the increasing cost of living pressures to support the borough's residents and keep services operating. The Committee scrutinised this fast-changing programme of work through updates to Committee meetings throughout the year.
4. This year, the Overview and Scrutiny Committee saw a return to meetings in person held in the New Council Chamber, Town Hall. One planned meeting was cancelled as it was scheduled for 8 September 2022, the day that Her Majesty the Queen died. The business from this meeting was largely carried forward to the following meeting on 13 October, however, an additional meeting was held on 9 November to accommodate the remainder of this business. The full Committee met eight times on 16 June 2022, 14 July 2022, 13 October 2022, 9 November, 8 December 2022, 19

January 2023, 23 February 2023 and 16 March 2023. A Budget Scrutiny Panel was constituted and completed their work and recommendations in 2022/23.

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

### **Leader's Updates**

7. Councillor Brunt, Leader of the Council, provided a briefing on the work of the Council at the Committee meeting in October 2022. 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 Financial Sustainability Plan, progress on the Marketfield Way development, Cromwell Road housing development, a £4million investment agreement for emergency and short-term local accommodation, the development of a new Leisure & Culture Strategy, an update on the work of the Refugee Support Team with both Ukrainian and Syrian refugees, cost of living support and continuing work on environmental sustainability. The Leader's update scheduled for March 2023 has been postponed until June 2023.

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

8. 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 – 9 November**

9. Councillor Schofield, Deputy Leader and Portfolio Holder for Finance and Governance, gave an overview of Finance and Governance service areas. This included updates on Service and Financial Planning, continuing COVID-19 budget impacts, Medium-Term Financial Plan 2022/23 to 2024/25, the preparation of a new Procurement & Contract Management Strategy, and the introduction of Voter ID.

10. Councillor Archer, Portfolio Holder for Investment and Companies, gave an oversight of the Council's commercial agenda, investments and companies, commercial strategy and other work overseen by the Commercial Ventures Executive Sub-Committee. This included updates on the Marketfield Way (The Rise) development and making effective use of Council owned assets.
11. Councillor Lewanski, Portfolio Holder for Corporate Policy and Resources, provided a briefing on Council's Performance Management, Corporate Policy, ICT, Organisational Development and HR, Legal and Customer Contact areas. This included the IT Strategy, approved by Executive on 24 March 2022, the new draft HR & OS Strategy and the continuing work of the Data Insight Team

### **People Executive Member Updates – 19 January**

12. In January, the Committee received a briefing from the People Portfolio Holders on the People service areas.
13. Councillor Neame, Portfolio Holder for Housing & Support, gave an overview of the work on the Housing Delivery Strategy, housing support, homelessness as well as the work of Family Support, Money Support and Refugee Settlement teams and the work of Housing Benefits and Fraud.
14. Councillor Sachdeva, Portfolio Holder for Leisure & Culture gave an overview of Leisure Centres and Leisure Strategy as well as the Harlequin. The new Leisure & Culture Strategy would be delivered early in 2023, aiming to reduce the level of funding required by The Harlequin by increasing its revenue streams.
15. Councillor Ashford, Portfolio Holder for Community Partnerships, gave an update on community and voluntary work as well as an update on the progress of the three Community Centres in Banstead, Woodhatch and Horley and the Council's response to cost of living pressures.

### **Place Executive Member Updates – 16 March**

16. In March 2023 the Committee received briefings from the three Place Portfolio Holders on the Place service areas.
17. Councillor Biggs, Portfolio Holder for Planning Policy and Place Delivery, provided an update to the Committee, on the Council's work within the Planning Policy and Local Plan, CIL, Transport, Building Control and Place Projects & Delivery.
18. Councillor Humphreys, Portfolio Holder for Economic Prosperity, provided a briefing on the Council's ongoing work to support local businesses.
19. Councillor Bramhall, Portfolio Holder for Neighbourhood Services, gave an update on her portfolio areas which included Environmental Health, Licensing, Waste and Recycling, Greenspaces, Fleet management and Cleansing services.

20. 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'**

21. On 23 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 Ashford, Portfolio Holder for Community Partnerships gave an overview of the Council's work with Surrey Police and Surrey County Council over the last year.
22. The Surrey Police Borough Commander for Reigate and Banstead, Inspector Alex Macguire attended as a key community safety partner.
23. Michelle Blunsom, CEO of East Surrey Domestic Abuse Services, attended as a key community safety partner.
24. The Committee questioned the speakers on a wide range of community safety issues such as tackling domestic abuse, the issuing of Community Protection Notices, the specialist Proactive Team, anti-social behaviour, and exploring current activity areas and priority concerns.

### **Performance Monitoring**

25. 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 Management (quarterly)
  - Budget Monitoring (quarterly)
  - Update on the Corporate Plan 2020-25 (Reigate and Banstead 2025 Annual Report 2021/22).
  - Environmental Sustainability Strategy – Progress Report 2022
26. The quarterly performance reports and KPIs showed that the Council continued to respond well to pressures following the pandemic and the recovery work with officers across the organisation redeployed to assist critical services where still required and to continue to work to maintain 'business as usual' services for residents. Any comments from the Committee on performance were reported to the Executive for their consideration.
27. 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**

28. 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
29. 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).
30. The Managing Director, Directors, 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.
31. 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**

32. The Committee commented on the following draft strategies and policies:
  - Medium Term Financial Plan 2022/23 - 2026/27 (through the budget scrutiny process)
  - Commercial Strategy Part 2
  - Capital Investment Strategy 2022/23
  - Annual Environmental Sustainability Strategy
  - Local Plan Development Scheme
  - Leisure & Culture Strategy
  - Community Infrastructure Levy Strategic Infrastructure Programme 2 Assessment Process

## **Companies Performance**

33. The Committee received two Companies Performance Update reports into the progress of companies owned and part-owned by the Borough Council in June 2022 and December 2022.  
The Spring update informed members that the future strategy for Greensand Holdings Limited was under review and that the Horley Business Park Development LLP was not considered to be performing in line with expectations. It was also

reported that the Council was seeking management information from Pathway for Care Limited in order to review its performance.

The Winter update informed committee members that a resolution had been reached in principle, regarding the Horley Business Park Development LLP and that an agreed approach would be progressed in order to move forward in a way which aligns with the Council's objectives. Information on the performance of Pathway for Care Limited had not been provided, despite requests to company management.

### **Calendar of Meetings 2023/24**

34. The Committee received and considered the Calendar of Meetings for 2023/24. Comments from the committee regarding holding meetings outside of Surrey school holidays were considered and the calendar was amended and later agreed at Council on 9 February 2023.

### **Work of the Banstead Common Conservators**

The Committee received a presentation from the Banstead Common Conservators at their meeting on 9 November 2022. Lucy Shea, Clerk to the BCC, Vic Broad, Chair of the BCC and David Hatcher, member of the BCC, gave an update to Members which included information on site management, active wildlife monitoring, visitor numbers and public engagement, as well as the challenges of fly tipping and anti-social behaviour.

A link to the minutes from this meeting can be found below:

[Agenda for Overview and Scrutiny Committee on Wednesday, 9th November, 2022, 7.30 pm | Reigate and Banstead Borough Council \(moderngov.co.uk\)](#)

### **35. Budget Scrutiny Review Panel**

Councillor Brunt, Leader of the Council, and Councillor Schofield, Deputy Leader and Portfolio Holder for Finance and Governance, attended the Budget Scrutiny Panel on 29 November 2022, to support the Panel's scrutiny of the Council's Service and Financial Planning for 2023/24. These councillors also attended the Committee meeting at which the report of the Budget Scrutiny Panel was received and considered, to further support this process, and respond to questions from the Committee.

36. The Budget Scrutiny Review Panel reviewed the Service & Financial Planning (Provisional Budget) 2023/24 report. The Panel undertook a robust review and considered 76 advance questions along with further questions and comments that were raised within the meeting.

37. The Panel recognised and appreciated the significant amount of work that had gone into preparing the service and financial plans for 2023/24 and concluded that the budget proposals were achievable and realistic and based on sound financial practices and reasonable assumptions.

38. 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 2023/24 report forecast a balanced Revenue Budget for 2023/24 subject to final confirmation of outstanding items. The Panel noted that the Budget for 2022/23 included the use of £2.407 million funding from earmarked Reserves, as necessary, and that the use of these Reserves was necessarily a one-off source of funding.

The Panel reviewed savings proposals in service delivery: reduced funding for voluntary organisations, although not expected to have a significant impact on service scope or quality, the Panel were concerned about the impact on residents and urged the Council to communicate with residents about available assistance. The Panel recommended that the Local Council Tax Support Scheme be reviewed during 2023/24 and the outcome be reported as part of Service & Financial Planning for 2024/25. The Panel expressed concern about recent inflationary pressures which put short-term inflation well above the Bank of England target and suggested this would put unbudgeted upward pressure on the cost of goods and services and on personnel costs. The Budget Scrutiny Panel report and recommendations was reported to the main Committee at its meeting on 8 December 2022. The Committee debated the findings including budget savings, Environmental Sustainability funding and the announcement from government that district councils could increase Council Tax by 2.99% without a referendum. The Committee resolved to support the recommendations of the Budget Scrutiny Panel report which went to Executive for consideration at its meeting in December 2022.

39. At the Overview and Scrutiny Committee meeting on 19 January 2023, an update for the Committee on the Budget and Capital Programme 2023/24 was given to Members. It was reported to the Committee that the Government settlement had been positive. The positive measures included the allocation of a new grant to achieve the Government's aim of all authorities having an extra 5% in core spending power. This minimum funding guarantee and the ability to increase Council Tax by a further 1% had achieved a positive overall impact on the 2023/24 budget. This made it possible to avoid drawing on reserves as much as had been anticipated when the budget was previously reviewed by the Committee in December 2022. Members asked questions on Council Tax and Business Rates income, the Government Funding Risk Reserve, Economic Pressures Reserve. The Committee noted the updated elements of the Budget and provided observations to Executive on 26 January 2023.

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

40. 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.

41. There were no Call-Ins of Executive Decisions during 2022/23.

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**

42. The Chair and Vice-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 2022/23 was discussed with the Leader.

### **Conclusion**

43. 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 2022/23 and in developing its annual work programme for the coming year 2023/24 has sought to continue this.

44. 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 2023/24 to 2027/28 and the Leisure & Culture Strategy.

### **Options**

45. The Committee has the option to support the Annual Report of the Overview and Scrutiny Committee 2022/23 and make any additional observations.

46. The Committee has the option not to support the Annual Report of the Overview and Scrutiny Committee 2022/23. This is not the recommended course of action.

### **Legal Implications**

47. 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**

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

## **Equalities Implications**

49. 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.

50. 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.

51. 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**

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

## **Consultation**

53. 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.

## **Annexes**

54. Annex 1 - Overview and Scrutiny Committee 2022/23 - Membership and Member Attendance

