



<b>SIGNED OFF BY</b>	Director of Finance and Organisation
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<b>TO</b>	Overview and Scrutiny Committee
<b>DATE</b>	Thursday, 14 February 2019
<b>EXECUTIVE MEMBER</b>	Leader of the Council

<b>KEY DECISION REQUIRED</b>	N
<b>WARDS AFFECTED</b>	(All Wards)

<b>SUBJECT</b>	Overview and Scrutiny Committee Work Programme 2019/20
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<b>RECOMMENDATIONS</b>
(i) that the proposed Work Programme for 2019/20 as set out at Annex 1 and detailed in the report be approved (taking account of the Management Team's comments) for recommendation to the Executive and the Council.
<b>SUMMARY</b>
To consider the proposed Work Programme for the Overview and Scrutiny Committee for 2019/20 and to forward the programme and any comments to the Executive.

### 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.

2. 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 this report refers to those discussions where appropriate.
3. Following consultation with the Executive the work programme is submitted for approval by the Council so that it can be agreed at the beginning of the Municipal Year.

### **A Balanced approach to the Committee's Responsibilities**

4. The Committee's work during 2018/19 continued to reflect the streamlined approach that the Council has adopted to managing its processes. This includes using mechanisms such as Seminars and Portfolio Holder Panels.
5. As required by the Constitution, an outline of the Committee's work programme for 2019/20 was discussed between the Leader of the Council and the Chairman of the Committee with representatives of the Management Team. The purpose of this meeting was to seek a balanced approach to the work programme, whilst retaining the principles of good governance that underpin the Committee's activities. The outcomes of that meeting are reflected in this report and in the proposed work programme.

### **Developing a work programme**

6. 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 12 to 42.
7. 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".*

The prioritisation of the Work Programme may be adjusted by the Chairman during the year to manage the business effectively.

8. 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.
9. The Council's Corporate Plan is currently undergoing review, and an updated plan is scheduled to be published this year, following consultation. The activities of the Committee may therefore be adjusted, as outlined in paragraph 7, to reflect any revisions to the Council's key objectives and priorities.

10. A task group has been established to review the Council's governance and constitution. Once this review has been conducted, the activities of the Committee may therefore be adjusted, as outlined in paragraph 7, to reflect any revisions to the Council's governance and constitutional arrangements.
11. Attached at Annex 1 is a summary of the Committee's proposed Work Programme and further details are set out below.

**A. Policy Framework consultations**

12. It is proposed that the Work Programme includes Policy Framework consultation documents as required by Policy Framework procedures within the Council's Constitution. There is no longer a legal requirement to publish a Leader's Forward Plan, but a plan is prepared administratively which continues to identify all of the Strategies/Plans that will be reviewed by the Executive. Where the proposed strategy is not significantly different, or where they have been tested through Member briefings/seminars following consultation with the Chairman and Vice-Chairman, a formal report will not usually be brought to the Committee.

**B. Work Programme Rolled Forward from 2018/19**

13. The Committee is anticipated to complete its work programme in 2017/18, with no matters to roll forward.

**C. Executive Member Objectives**

14. The Committee has continued to work closely with Executive Members during 2018/19 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 2019/20.
15. To further support effective cooperation of the Committee and the Executive, the Committee is now also receiving biannual updates from the Leader of the Council on the Council's overarching activities and strategic objectives. The Committee proposes to continue this approach in 2019/20.

**D. Audit activities**

16. The Committee's Audit activities proposed for 2019/20 are to consider:
  - (a) the annual Internal Audit report for 2018/19;
  - (b) the annual ISA 260 External Audit report for 2018/19;
  - (c) the monitoring of individual audit reports through quarterly performance reports;  
and
  - (d) the Internal Audit Plan for 2020/21.
17. Where the Chairman agrees that there are no significant issues therein requiring attention, it will be their decision whether the annual Internal Audit report be considered formally at a meeting of the Committee.

18. As established in 2018/19, changes to guidance around the External Audit process require this to be reported to the Executive in July. As the audit process will only conclude very shortly prior to this point, it is therefore necessary for the findings of the External Audit process to be considered by the Committee subsequent to this date, at the next available meeting. The External Audit report for 2018/19 would therefore be considered by the Committee in September 2019.

#### **E. Performance Management Monitoring**

19. In addition to the audit activities listed above, the Committee has a role to monitor the performance of the Council. This has been fulfilled by reporting on the following matters, which the Committee consider appropriate to continue for 2019/20:
- Revenue, Capital and Service Performance Management Monitoring (quarterly)
  - Risk Management performance (six monthly)
  - Five Year Plan performance (six monthly)

#### **F. Panels for 2018/19**

20. It is proposed that two Panels be re-established for 2019/20 as follows:

##### **Budget Scrutiny Review Panel**

21. The Committee has established a Budget Scrutiny Review Panel each year on a task and finish basis. The Budget Scrutiny Review Panel held one meeting in 2018/19 and reviewed the proposed budget for 2019/20 (Medium Term Financial Plan). A streamlined approach, supported by an advance questioning process, continued to work well and allowed the Panel to conclude its work in one meeting.
22. It is therefore suggested that the Panel's work in 2019/20 be based on the consideration of the Provisional Budget proposals for 2020/21 (including any updated assumptions within the Medium Term Financial Plan, appropriate revenue projections and a progress report on the Capital Programme projections).
23. To support additional consideration of strategic budget matters, it is also proposed that early consideration of the Council's budget objectives and priorities be undertaken by the Committee at its April meeting, at the end of the 2018/19 municipal year. The comments of the Committee emerging from this meeting will then be available to be considered during the earlier stages of the development of the 2020/21 budget.

##### **Local Plan Scrutiny Review Panel**

24. The Local Plan Panel did not meet in 2018/19, as the Council's Development Management Plan was undergoing consideration by the planning inspectorate during this period, and there was therefore no detailed work for the Panel to undertake.

25. The Council will be conducting a review of its Core Strategy in 2019/20, and it is therefore proposed that the Local Plan Panel be re-established to consider this.

#### **G. Housing Association Performance**

26. In 2017/18 the scrutiny arrangements around housing association performance were updated to reflect the Council's new Strategic Partnership Agreement with Raven Housing Trust and new legislative requirements. An update on the new partnership was therefore provided to the Committee as part of a portfolio holder briefing by the Portfolio Holder with responsibility for Housing. It is proposed that this arrangement continue for 2019/20

#### **H. Externally Focussed Overview and Scrutiny work**

27. The Committee has successfully undertaken scrutiny with and of partner organisations in recent years (see also paragraphs 14, 25 and 29).
28. In June 2018 the Committee activities of community facility providers GLL. The Committee continues to consider this a beneficial piece and work, which contributes towards facilitating and encouraging strong communication between external partners working to the common goal of best serving local residents.
29. The Committee proposes during 2019/20 to consider a range of external challenges and partners as part of its input to the development of the Council's new Corporate Plan. Consultation is expected to take place between May and September 2019.

#### **I. Crime and Disorder Scrutiny**

30. 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 a scrutiny activity of crime and disorder matters once every 12 month period. The Committee has worked well with partners such as the Police and Surrey County Council on developing this activity.
31. In 2018/19 the Committee invited the Executive Member for Community Safety, along with representatives of the Police and Community Safety Partnership to this meeting to assist it in its consideration of the topic. Consideration of the Community Safety Plan was therefore undertaken by the Committee, supported by the Executive Member for Community Safety.
32. It is proposed that the Committee continue to undertake this activity in 2019/20, with regard to those matters considered to be of most significance to the Council in the coming year.

**J. Joint Scrutiny of Surrey-wide Strategic matters**

33. Although there is a collaborative scrutiny arrangement in place to consider Surrey wide strategic matters, to date no topics have met the criteria. At present there is no activity for the Committee in this area.

**K. Council Corporate Scrutiny**

34. The Chief Executive, Leader and Chairman of the Overview & Scrutiny Committee considered the need for scrutiny, balanced with the need to protect the need for confidentiality to enable the corporate entities to operate competitively.
35. In 2018/19, updates on Council owned companies were considered by the committee on a six monthly basis. An update was considered by the Committee in October 2018 and another is due to be considered in March 2019.
36. A Commercial Governance Review Member Task Group was established in 2018. This group has been undertaking a review of the commercial arrangements established by the Council. It is anticipated that this group will be producing a number of recommendations for the Council's future commercial governance, which may include recommendations on the role of the Committee. In response to these recommendations, the activities of the Committee may therefore be adjusted, as outlined in paragraph 7, to reflect any revisions to the Council's commercial governance arrangements.
37. It is proposed that the Committee continue to receive a paper on post completion outcomes achieved from the projects undertaken through the Council's property company.

**L. Call-Ins**

38. The Committee would also consider matters that have been called in for review. The inclusive approach adopted by the Executive to include the Overview and Scrutiny Committee in its work has assisted to reduce the number of matters Called-In. In this way the Committee's views can often be considered before the Executive decision is made.
39. There were no Call-Ins of Executive decisions in 2018/19.

**M. Councillor Calls for Action**

40. The Committee is responsible for considering any Councillor Calls for Action (CCfA) received. The Committee has adopted a procedure for reviewing the inclusion of Calls for Action in its work programme.

## **N. Scrutiny of the Public Sector Board**

41. The Council previously established a Public Sector Board with Surrey County Council to consider joint priorities, and in particular, joint regeneration projects. However, as these projects have been delivered the PSB has not met for the last 2 years. At the time of writing, Surrey County Council is reviewing its engagement with Borough and District Councils, which may lead to additional activity in this area.
42. At this stage, therefore, there is no specific scrutiny requirement regarding the Public Sector Board in 2019/20, but will be an option for the activities of the Committee to be adjusted, as outlined in paragraph 7, to reflect any changes in this respect.

### **Management Team comments**

43. Management Team is supportive of the Work Programme proposed.
44. 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.

### **Resource Implications**

45. 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 leading to duplication. 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.

### **Finance Implications**

46. 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.

### **Legal Implications**

47. There are no immediate legal implications arising from this report.

### **Equalities Implications**

48. 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.
49. 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.
50. 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.

### Options

51. The Committee has the option to approve, add to or remove items from the proposed work programme as set out in the report. If the Committee is minded to increase significantly the Work Programme in a way which would increase the support required for the Committee's activities, a further report will be needed.

### Conclusions

52. The Overview and Scrutiny Committee Proposed Work Programme 2019/20 sets out a programme of activity that is in line with the Council's priorities. This report requests the Committee to consider its work programme for 2019/20, and to support the programme for recommendation to the Executive and the Council.

**Overview and Scrutiny Committee: Draft Work Programme 2019/20**

No.	Subject	Proposals	Management Team comments
(i)	<b>Policy Framework Consultations</b>	To consider Policy Framework consultation documents.	Supported
(ii)	<b>Work Rolled Forward</b>	No proposals.	-
(iii)	<b>Executive Member Objectives</b>	To receive presentations from Executive Members. To receive biannual updates from the Leader of the Council.	Supported
(iv)	<b>Audit Activities</b>	To consider the following audit activities: <ul style="list-style-type: none"> <li>• The annual Internal Audit report for 2018/19;</li> <li>• The annual External Audit report for 2018/19;</li> <li>• Quarterly reports relating to individual audit reports;</li> <li>• The Internal Audit Plan for 2020/21.</li> </ul>	Supported
(v)	<b>Performance Management Monitoring</b>	To consider performance by reporting on the following as appropriate: <ul style="list-style-type: none"> <li>• Revenue, Capital and Service Performance Management Monitoring (quarterly);</li> <li>• Risk management performance (six monthly).</li> <li>• Five Year Plan performance (six monthly)</li> </ul>	Supported
(vi)	<b>Scrutiny Panels</b>	That the following Panels be re-established in 2019/20: <ul style="list-style-type: none"> <li>• Budget Scrutiny Panel</li> <li>• LDF Scrutiny Panel</li> </ul>	Supported
(vii)	<b>Joint Scrutiny</b>	No countywide joint scrutiny is programmed.	Supported
(viii)	<b>Externally focussed work</b>	To consider a range of external challenges and partners to provide input to the development of the new Corporate Plan. Consultation on the plan is expected to take place between May and September 2018.	Supported

No.	Subject	Proposals	Management Team comments
(ix)	<b>Call Ins; Councillor Calls for Action</b>	To consider Call-Ins and Councillor Calls for Action.	Supported
(x)	<b>Crime and Disorder Scrutiny</b>	To continue to undertake 'Crime and Disorder' scrutiny activity once every 12 months.	Supported
(xi)	<b>Council Corporate Scrutiny</b>	To consider updates on the performance of Council companies on a 6 monthly basis.  To undertake any additional scrutiny requirements as identified in by the governance review process.	Supported
(xii)	<b>Public Sector Board</b>	No proposals at this time.	-