

**Minutes of the Overview and Scrutiny Committee
7 July 2020**

Present:

Councillors:

C.L. Barratt	N.J. Gething	T. Lagden
J.H.J. Doerfel	M. Gibson	V.J. Leighton
J.T.F. Doran	A.C. Harman	L. E. Nichols
R.D. Dunn	I.T.E. Harvey	O. Rybinski
T. Fidler	N. Islam	D. Saliagopoulos

In attendance: Councillors M. Attewell, C. Barnard, R. Barratt, C. Bateson, S. Buttar, R. Chandler, S. Dunn, K. Grant, J. McIlroy, A. Mitchell, B. Noble, J. Sexton, R.W. Sider BEM and R.A. Smith-Ainsley.

118/20 Appointment of Chairman

It was proposed by Councillor L. Nichols and seconded by Councillor S. Dunn that Councillor T. Fidler be appointed Chairman of the Overview and Scrutiny Committee for the municipal year 2020-21.

It was proposed by Councillor N. Gething and seconded by Councillor M. Gibson that Councillor V.J. Leighton be appointed Chairman of the Overview and Scrutiny Committee for the municipal year 2020-21.

Resolved that Councillor V.J. Leighton be appointed Chairman of the Overview and Scrutiny Committee for the municipal year 2020/21.

119/20 Minutes

The minutes of the meeting held on 21 January 2020 were approved as a correct record.

120/20 Appointment of Vice Chairman

It was proposed by Councillor V.J. Leighton and seconded by Councillor I. Harvey that Councillor O. Rybinski be appointed Vice-Chairman of the Overview and Scrutiny Committee for the municipal year 2020-21.

It was proposed by Councillor R. Dunn and seconded by Councillor L. Nichols that Councillor T. Fidler be appointed Vice-Chairman of the Overview and Scrutiny Committee for the municipal year 2020-21.

Resolved that Councillor O. Rybinski be appointed Vice-Chairman of the Overview and Scrutiny Committee for the municipal year 2020/21.

121/20 Disclosures of Interest

There were none.

122/20 Call-in of Cabinet decisions

No Cabinet decisions had been called in.

123/20 Role of Overview and Scrutiny

The Committee had been provided with two documents from the Constitution for reference: Part 3(f) Terms of Reference and Part 5(b) Overview and Scrutiny Procedure Rules.

The Chairman confirmed that there should be opportunities in the coming year for the Committee to undertake all its functions as set out in the terms of reference which included at paragraph 2a) To assist the Council and the Cabinet on policy issues generally including the initiation and development of new policies and strategies.

Members of the Committee were concerned that the statutory 5 days' notice for the agenda papers gave them insufficient time to consider the issues raised before the meeting.

The Committee requested that consideration was given to their receiving documentation 10 working days before the meeting date where practicable. In addition to providing sufficient time to consider the issues, this would enable them to notify officers of questions on the items in advance of the meeting.

The Chairman agreed to liaise with the Deputy Chief Executive on the practicalities of adopting this approach and report back to the Committee in advance of the next meeting.

124/20 Provisional Revenue Outturn Report 2019/20

The Chief Finance Officer outlined the report on the 2019/20 provisional revenue outturn and responded to Committee members' queries.

A Member requested information on previous year's staffing recharges to KGE and information on how these had changed, in future reports, so that the Committee could better understand how KGE had affected costs of the Council.

The Committee queried the apparent difference in the treatment of carry forwards relating to software. The Chief Finance Officer offered to provide a written response on the matter.

Resolved to:

1. note the 2019/20 provisional revenue outturn and the carry forwards totalling £204,200.

2. receive further information on Knowle Green Estates recharges for staffing costs, in future monitoring reports.

125/20 Provisional Capital Outturn Report 2019/20

The Chief Finance Officer presented a report on the 2019/20 provisional capital outturn and responded to Committee members' queries.

Members raised concerns about: the accuracy of future expenditure requirements, whether the Committee should review reasons for carry forward requests, the apparent inconsistency of such requests and the resulting difficulty in scrutinising the report. A member proposed that the Committee should include scrutiny of the Council's project accounting in relation to the capital budget as part of its work programme.

Resolved to:

1. note the 2019/20 provisional capital outturn and the carry forwards totalling £76,525,900; and
2. propose that scrutiny of the Council's project accounting in relation to the capital budget be included in the Committee's work programme.

126/20 Treasury Management Outturn Report 2019/20

The Deputy Chief Accountant outlined the Treasury Management Strategy outturn report on treasury performance for 2019/20, covering the Council's activities in the borrowing and investment market and the associated monitoring and control of risk.

A Member queried the way in which the report was presented and the methodology of calculations on total returns on investments. The Chief Finance Officer advised that the Deputy Chief Accountant had raised this issue with the Council's treasury advisors following similar remarks made at a previous meeting. Arlingclose had confirmed that the Council had undertaken its calculations on this issue correctly. The Chief Finance Officer also offered to take on board the members' points to consider them further and report back in writing to the Committee.

The Chief Finance Officer also responded to a question about alternative sources of funding and offered to provide the Committee with the Council's response on the Public Works Loan Board consultation in due course.

Resolved to:

- 1) note the report; and
- 2) receive a written response to queries raised by members of the Committee on this report.

127/20 Pavement Parking

The Chairman advised the Committee that officers had invited a representative from Surrey County Council to provide a report for the Committee on the legal position of pavement parking, their policy on dealing

with pavement parking and what they were doing to promote alternatives to car use.

The County Council had declined to attend the Committee meeting but provided the report of the Parliamentary Transport Committee on pavement parking and the evidence and recommendations submitted by Surrey County Council to the Government Select Committee, as included in the agenda papers for this meeting.

The Committee questioned whether the Spelthorne Joint Committee Parking Task Group might have any comments on Surrey County Council's response to the Government's report on pavement parking or suggestions which this Committee might discuss at a future date.

Resolved to:

1. Note the report; and
2. Refer the matter to the Spelthorne Joint Committee Parking Task Group, for their comments and any further suggestions for consideration by the Committee.

128/20 Work Programme

Councillor Ian Harvey left the meeting during consideration of this item.

The Committee considered and noted the review of the work it had undertaken in the past year, subject to the inclusion of an informal briefing received on 2 June 2020 on the Council's development programme.

The Chairman reminded the Committee of the task groups which it had set up in the previous year and asked members to confirm if they wished the work of the task groups to continue and if any new members to the Committee wished to join them.

The Task Groups and membership were confirmed as:

- Fly tipping – Cllrs C. Barratt, T. Fidler, N. Gething and M. Gibson
- Celebration of Life Centre - Cllrs J. Doerfel, R. Dunn and L. Nichols. The members of the group requested that Cllr B. Noble, who was no longer a member of the Committee, could continue to serve on it. It was confirmed that Cllr Noble could be co-opted to serve on the task group.

Neither of the members on the 'free off peak parking in Staines' task group wished to continue, so this group would not proceed. Members suggested that the Surrey Joint Committee's Parking Task Group be asked to include consideration of this topic in its work.

A member queried whether a task group had been set up to look at ethical investments. The Chairman believed that this was covered by the remit of the Leader's task group on climate change and that this would be confirmed by officers.

The Chairman advised the Committee that a number of outstanding items from the postponed March meeting would be included on the future work programme, as there was insufficient time to include them on the agenda for this meeting.

The Chairman invited the Committee to identify further topics of interest/concern for inclusion in the work programme for 2020/21. She referred them to the key criteria for selecting topics as identified by South East Employers:

- Is it a Key issue for the public, likely to result in improvements?
- Is the issue strategic and significant?
- Is the topic within the Community or Corporate priority area?
- Is it likely to lead to effective outcomes?

Members raised the following topics for inclusion in the Committee's work programme:

- Capital Budget and project accounting
- Overview of commercial property investments
- Service area deep dive
- Green sustainable jobs in Spelthorne post COVID-19

The Chairman asked members to contact Committee Services with any further suggestions, on receipt of the key criteria for selecting topics issued by South East Employers.

The Chairman advised that she and the Vice-Chairman would meet with officers to review the suggestions against the standard criteria for assessing their significance for, and value to, the Council's communities. A draft work programme would then be prepared for agreement by the Committee at its September meeting.

Resolved to:

1. note the review of the work undertaken by the Committee in 2019-20 subject to the inclusion of an informal briefing received on 2 June 2020 on the Council's development programme;
2. co-opt Councillor B. Noble to the Celebration of Life Centre Task Group;
3. not proceed with the free off-street parking in Staines task group but to put this suggestion forward for consideration by the Surrey Joint Committee Parking Task Group; and
4. receive a draft work programme for 2020-21 at the September meeting of the Committee.

129/20 Exempt Business

Resolved to move the exclusion of the Press and Public for the following item in view of the likely disclosure of exempt information within the meaning of Part 1 of Schedule 12A to the Local Government Act 1972, as amended by the Local Government (Access to Information) Act 1985 and by the Local Government (Access to information) (Variation) Order 2006.

130/20 Presentation on KGE Business Plan

The Chairman took this item later on the agenda, as it was likely to reveal exempt information as defined by Paragraph 3 of Schedule 12A to the Local Government Act 1972, as amended.

Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Councillor J. McIlroy made a brief statement on his appointment as councillor representative on the Board of Directors of Knowle Green Estates and the future direction of the company before leaving the meeting.

The Committee received a presentation on the current Business Plan from the Chief Finance Officer (CFO).

During this item, the Committee having sat for 3 hours, it was moved, seconded and **resolved** to continue to the end of the business on the agenda.

Officers and Howard Williams, as a Non-Executive Director of KGE, responded to questions from members in relation to Project Management and monitoring of accounts, auditing of accounts and provision of affordable housing.

The CFO offered to provide additional information in future to assist members' understanding of the impact of the KGE business plan both on the Company and on the Council's accounts.

Resolved to note the presentation.

131/20 Exempt update on commercial and retail rent situation

Paragraph 3 – Paragraph 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

The Chief Finance Officer provided a verbal update on the March and June quarters' rents received for investment and retail properties owned by the Council.

He noted that councillors had been provided with weekly high level updates on the position since the start of the COVID-19 pandemic. The Chief Finance Officer reminded the Committee that the Elmsleigh Centre had been acquired by the Council for regeneration purposes rather than as an investment and although there was a shortfall in rent payments, these were covered by sinking funds in the short term.

A member requested that the full facts on the position with rent deferrals and sinking fund scenarios be provided to councillors.

Resolved to:

1. note the update; and
2. request that sinking fund scenarios are shared with councillors.