

# **MINUTES OF SCRUTINY COMMITTEE**

**20 NOVEMBER 2025**

## **PRESENT:**

### **Members of the Committee:**

Councillors Timms (Chair), Freeman, Hassell, Lawrence, New and Sayani

### **Officers:**

John Murphy (Chief Officer for Legal and Governance), Jon Illingworth (Chief Officer for Finance and Performance), Tom Kittendorf (Chief Officer for Leisure and Wellbeing) and Linn Ashmore (Democratic Services Officer)

## **20. MINUTES**

The minutes of the meeting held on 16 September 2025 were approved and signed by the Chair.

## **21. DECLARATIONS OF INTEREST**

There were no declarations of interest.

## **22. APOLOGIES**

Apologies for absence from the meeting were received from Councillors Parker, Srivastava and Thomas.

## **23. THE BENN HALL**

The Committee received a report (Part 1 – agenda item 4) regarding the background and booking process of The Benn Hall.

The Chief Officer for Leisure and Wellbeing attended the meeting and answered questions from the Committee.

During discussion some key points included were:

The booking process and the policy were covered under the Conditions of Letting (CoL). This was the legal framework covering a range of terms and responsibilities including the bookings process, how the hall was advertised, the right to cancel, fire precautions and security arrangements.

The Council has operated the Benn Hall from 2013 when it was brought back in house from an external operator. The management of the booking process was outlined:

- Initial enquiries were received by email or phone.
- A booking form is required to be completed that includes the CoL.
- The booking form is reviewed by the operational management team and confirmed when a deposit is taken.
- Full payment is required 2 weeks prior to the event taking place.
- Deciding on what would be advertised and whether the Benn Hall will process the ticketing.

- The operational management team have the right to cancel should it be required.
- The management were authorised to take any bookings that were included in the business plan that covered the 2023/27 period.
- Bookings are taken in accordance with the business plan and availability.

There were rules and governance in place relating to public sector equality duty and they ensure that any activity delivered does not cause any conflict with that duty and maintaining community harmony.

The committee asked a range of questions:

*Is there a filtering process. How is the policy applied?*

There were three venues within the Benn Hall and there was always a cross reference to the calendar. There were a number of regular bookings made in advance to 2028 for an assortment of fairs and markets. Other ad hoc requests were actioned as received.

Operational management had discretion over whether bookings aligned with the business plan and whether they were appropriate and aligned with what the service was trying to achieve for residents and the community.

Largely, decisions on bookings were made by the operational management team, but any queries on the suitability of a booking would be directed to Chief Officer level, or if necessary to the Chief Executive.

*Concerns were raised that events should be ethical and avoid any inflammatory or offensive material. How would this be dealt with?*

It was for the management team to understand the nature of the booking. It was important to have a fluid approach to future bookings and be aware of where opinions change over time.

*Is there a system in place to vet events and those taking part?*

Yes, bookings were normally made through professional production companies rather than individuals. An example was Five Star Theatre who deliver theatre shows and pantomimes. The hire was made by the production company who have their own terms and conditions.

There will be a requirement for management to vet the booking and check if it meets the business plan, the needs of the community and the aims of what they were trying to deliver as a commercial venue.

*A question was raised about the cancellation of an event that become publicised.*

The production company made a booking in 2024 and at that time this was taken on good faith. The cancellation that occurred was not due to a booking or standards issue. There was an issue around community tension that meant it was not safe to continue. This was due to public safety. It was acknowledged this was a question to be directed to the portfolio holder.

There was another cancellation of the same event in the Midlands beforehand. As a local authority there was a duty to respond to the community and what was presented as fact. In light of a leaflet distribution and community intelligence, a decision had to be taken whether the council was fulfilling its public sector equality duty and maintaining the safety of event delivery. If it is

believed an event cannot be held safely and the attendees are safe an operational decision must be made.

The Monitoring Officer clarified that the portfolio holder was the elected member for this policy. The officer was present to discuss the operational matters only.

*What is the rationale for cancelling a booking and not paying compensation? How often has this power been used?*

The CoL sets out the power to cancel any booking at any time at the council's discretion. This was known by the hirer, and they have no recourse to claim. The hire fee was returned to the production company for a recent cancellation.

This was the first cancellation the Chief Officer for Leisure and Wellbeing was involved in.

*As a result of cancelling, this may result in other hirers being put off and commercial viability could be affected. What levels of risk are there in terms of commercial viability and what is being done to mitigate against that?*

The five-year business plan sets out the aims of what was being attempted to achieve and support the town centre. There was a good working relationship with local companies and production companies.

Most weekends were booked in advance for events and shows into 2027/28, placing the Benn Hall as the venue of choice for people of Rugby to see commercial events and activities. The level of risk was an operational management matter.

*How are the values and standards applied?*

By achieving compliance with the Equality Act and assessing whether an event could cause community tension or disharmony among different groups. This could result in taking a decision on whether to accept a booking.

There were also a raft of different bookings from blood taking on a monthly basis, corporate room hire and community events. There was a very varied programme of activity that was supplemented by ticketed commercial events, working with known partners, or new partners, looking at what they are wishing to deliver.

A decision may be taken where there were similar events to avoid diluting the offer. The aim was to try and achieve a balance and meet the business plan objectives.

A point was raised about creative arts for the local economy and wellbeing and whether higher end shows should be attracted if there was potential for an improved scope.

The maximum room capacity for a touring show was 450 seats. At £30 per head that would raise £15,000 income from ticket sales. Different types of production companies were happy knowing the ceiling possible. Having a different offer would involve a move to have rake seating and a larger auditorium and more bars. At present, the main hall has comparable shows and events to other civic halls across the area. The current facilities may not be able to fulfil the requirements of a higher end show production.

In terms of town centre regeneration, there was no doubt the Benn Hall was well placed in the town with a good parking provision and access to dining venues.

Arts culture music and entertainment have a huge role to play in people's health and wellbeing. Rugby was well served in that respect. That focus delivers a big impact.

The programme was shaped by the business plan and the type of venue. It has a community hall function for the residents coming via a bequeathment from the Benn family. It caters for different opportunities and tastes for people to engage in including a wide diversification of activity.

There was a need to balance the economics with the societal effect.

**RESOLVED THAT** – the Chief Officer for Leisure and Wellbeing be thanked for attending. It was agreed that careful consideration and a proactive approach was needed for the booking process and that point should be put forward to the portfolio holder.

## **24. FINANCE AND PERFORMANCE MONITORING AT 30 SEPTEMBER (QUARTER 2)**

The Committee received a report (Part 1 – agenda item 5) regarding a summary of the financial position of the General Fund and the HRA and highlights the achievement of the KPI's as at 30 September.

The Chief Officer for Finance and Performance was present and answered questions from the committee.

During discussion some of the points raised were:

The report included the draft position for quarter 2 as the report was not due for submission to Cabinet until 1 December.

Regarding the operational challenges and red KPIs, the new process introduced for the 2025/26 municipal year would result in the responsible officer completing a suite of seven questions. The report highlighted five red KPIs. The outcomes of the responses to the questions asked would determine what corrective action was going to take place, recognising some may take time.

There were plans and policies in place to address the long term. It was unlikely the benefits would be seen for a number of months. Resource and sickness issues had impacted on the level of food inspections taking place, but it was hoped that performance would now improve.

Analysis on sundry debt had taken place and this had found a lot of historical debt that was hindering performance and affecting KPI reporting. That KPI was being split into current year debt outstanding for 28 days and to look at the corrective action on historical debt. This should result in the positive performance taking place for in year collection and over time the improved performance of the historical debt.

The new way of working will take a couple of months to bed in. Each quarter, reports on the progress of the red rated KPIs will be required. The system will adapt and change as needed. The information will be available shortly.

A question was raised about significant variances in staffing costs. One service area of note was Legal and Governance with a high spend on agency staff.

There was a focus area for each quarter for budget monitoring. Staffing was the focus area again for quarter two. Fifty eight percent of spend was on staffing.

The agency spend variance versus staff variances were being compared. There was a net position on overall underspend.

There have been vacant posts for the Chief Officer for Legal Governance, Legal Services Manager and Financial Services Manager that were covered by agency staff. Those roles come at a substantial premium. There was now a permanent Chief Officer for Legal and Governance, but the other roles were still vacant.

There was an issue with long term sickness over the summer affecting the Accounts Payable team. This had an impact on the payment of invoices. A decision was made to inject extra resources into that team and there were no longer delays.

Sometimes favourable variances result from unfilled vacancies, but this can result in consequences for service delivery and reputation.

The aim was to analyse KPIs against the financial position to view the correlation. This could result in allocating funds to resolve the situation. The financial position is reported but commentary around financial health is added in consultation with the Chief Officer and portfolio holder.

It would be useful to connect the two factors more.

The way the capital programme is reported covers the years of the spend are profiled. Some schemes span multiple years. A line for reprofiling was included and if a spend needs reprofiling this involves moving the budget from one year to the next.

The budget setting process does not include setting the capital programme. When a request was made, a separate business case was presented to Cabinet and as part of that report a forecast was included. Sometimes the timing does not match the expectation. It can have an implication on General Fund. If a spend was not incurred in the original profile a budget saving could be acquired but not needed at that point. There was also potential to affect the General Fund and treasury management. Robust forecasts from budget managers were needed. The message was that there could be an impact on service and strategic decision making if the forecasts were not robust.

The timetable for local government reorganisation could result in planning two more financial years. From a budget setting perspective this would continue in a similar way to previously. The council needs to be a safe and legal operation. The potential funding situation had just been received, and work would be carried out on this.

Based on the timetable provided, in October 2026 there will be a Structural Changes Order from the Secretary of State which will put controls in place. There will be a cap on capital spend of £1m. From a capital programme perspective, the current projects will continue. There will be a short window for adding new and significant items onto the capital programme.

There was a healthy level of reserves in the General Fund and the HRA. The key was the business rates equalisation reserve of £16m. Over the past couple of years this has supported balancing the budget and funding services. The reserve will not increase any further and will start to be utilised.

Within the MTFS, the reserve risk assessment and balance of reserve would be considered including the forecast to and from reserves and potential risks facing the organisation. This council's action was no different to neighbouring authorities.

Reserves were earmarked for specific purposes. In theory these would transfer across for the same purpose as intended unless the shadow council made a different decision.

Regarding the town centre regeneration reserve. Of the original £5m allocated, the last forecast was around £1.5m to be earmarked. That could be a decision around budget setting and later on in the process.

The Committee asked that this point be brought back.

The balance was around £33m in the General Fund reserve. The time to utilise the reserves was shortening and the focus was on understanding the potential risks on the horizon, and it was key the organisation remains safe and legal. Making further provision into the reserve would impact on the savings targets.

The council still needs a balanced budget each year and it was for the shadow council to make future decisions on reserves.

At the moment, the council generates around £11m in business rates. This will reset from 1 April 2026 and £3m could be kept.

There was a funding reform also taking place and work to carry out transitioning to the unitary model.

Once the letter was received in October 2026, restrictions would be put in place.

The Autumn budget was due next week, and the published settlement deal was due on 18 December. A draft budget report would be submitted to Cabinet in January 2026.

**RESOLVED THAT** – the update be noted.

## **25. OVERVIEW AND SCRUTINY WORK PROGRAMME**

The Committee received a report (Part 1 – agenda item 6) regarding the overview and scrutiny work programme.

It was agreed that the following items would be include on the agenda for the January meeting:

- Budget setting and fees and charges;
- A report on town centre regeneration.

An item be added to the work programme on the topic of fly tipping and data on the impact of the Recycling Centre opening restrictions.

A request was made that funding for community groups should be clarified.

It was noted that the expected information on the grey belt was due to be shared through an all-councillor briefing.

**RESOLVED THAT** – the topics included on the work programme were agreed as minuted above.

**CHAIR**