

BOROUGH OF REIGATE AND BANSTEAD

EXECUTIVE

Minutes of a meeting of the Executive held at the New Council Chamber - Town Hall, Reigate on 13 September 2018 at 7.30 pm.

Present: Councillors M. A. Brunt (Leader), G. J. Knight (Deputy Leader), R. H. Ashford, Mrs. N. J. Bramhall, J. E. Durrant, K. Foreman, A. C. J. Horwood, E. Humphreys and T. Schofield.

Also present: Councillors Mrs. R. Absalom, M. S. Blacker, R. W. Coad, J. M. Ellacott, J. C. S. Essex, N. D. Harrison, R. Michalowski, Mrs. R. S. Turner and C. T. H. Whinney.

NOTE

The Executive stood in one minutes silence prior to the start of the meeting following the sad passing away of Councillor Mrs. M.R. Mill on 6 September 2018.

33. MINUTES

RESOLVED that the Minutes of the Executive meeting held on 19 July 2018 be approved as a correct record and signed.

34. APOLOGIES FOR ABSENCE

None.

35. DECLARATIONS OF INTEREST

None.

36. HOUSING ENFORCEMENT POLICY AND AMENDMENT TO THE OFFICER SCHEME OF DELEGATION

Councillor J.E. Durrant, Executive Member for Community Safety, introduced the report concerning a new Housing Enforcement Policy and some additions to the Officer Scheme of Delegation.

It was highlighted that a new Housing Enforcement Policy had been prepared to complement, and to sit alongside, the existing Environmental Health and Licensing Enforcement Policy. Councillor Durrant explained that this included options for the enforcement of housing standards, primarily in the private rented sector. It was noted that these included a number of new powers which could be used when regulating against criminal landlords and the licensing of Homes in Multiple Occupation (HMO's).

The Executive Member explained it was necessary to have a clearly stated policy on how various enforcement options, including both criminal and civil sanctions, would be applied. It was recognised that this would support all stakeholders as the policy would provide clear expectations on how housing standards related

enforcement work would be undertaken. In addition, it was highlighted that this would increase confidence in the process.

In terms of the amendments to the Officer Scheme of Delegation, it was explained that to enable the practical day-to-day functioning of a local authority, the Council could delegate its powers to committees, officers and others.

It was noted that the Officer Scheme of Delegation, set out in the Council's Constitution, delegated various powers and functions to senior officers, usually at Head of Service level. The importance of officers' delegated authority being clearly documented and evidenced was highlighted as this would ensure any enforcement action could be shown to be appropriately authorised. In response to questions, Cllr Durrant explained amendments to the scheme were required in order to incorporate new legislation, to ensure all necessary enforcement powers could be utilised.

During the discussion a number of matters were considered, including:

- The multiple regulatory requirements for fire safety in rented properties, including questions relating to sprinkler systems.
- Various issues, previously discussed by the Executive in September 2017, concerning the possibility of establishing a private rented landlords register.
- The importance of signposting and providing clear information to help tenants know when they were dealing with a reputable landlord.

The Executive Member for Community Safety confirmed that further information on each of these points would be provided via a written response.

RECOMMENDED that additions to the Officer Scheme of Delegation contained within the Council's Constitution, set out in Annex 2 of the report of the Director of Place in relation to Section 5 (Housing and other Residential Accommodation), be approved.

RESOLVED that the Housing Enforcement Policy, provided at Annex 1 to the report of the Director of Place, be approved.

Reason for decision: A documented housing enforcement policy was required to ensure clear and consistent enforcement decisions were taken in relation to the enforcement of housing standards. The Officer Scheme of Delegation should be kept up-to date. For that purpose it was necessary to add newly introduced legislation to ensure all necessary enforcement powers could be utilised.

Alternative options: To reject the recommendations and/or request amendments to the Annexes.

37. FLATS RECYCLING SERVICE

Councillor A.C.J. Horwood, Executive Member for Neighbourhood Services, introduced the report setting out the Council's approach, and continued support, to enhanced kerbside recycling facilities for flats and properties with communal bin areas.

The report before the Executive reaffirmed the Council's commitment to implementing an enhanced recycling service for 1873 flats, principally located in Redhill and Reigate, by the end of March 2019 (Phase 1). Furthermore, Councillor Horwood explained that the report was seeking agreement to plan for the introduction of services to an additional 2,300 flats across the borough during 2019/20 (Phase 2).

The Executive Member explained that the report provided further details on timescales, resources required and the anticipated recycling yield. It was also highlighted that the Overview and Scrutiny Committee had considered the report at their meeting on 6 September 2018. It was noted that this had provided a useful forum for discussion. It was explained that the Committee had raised a number of questions but had generally been supportive of the proposals set out in the report.

It was highlighted that following Phases 1 and 2 a business as usual approach would be taken in relation to rolling out recycling facilities to remaining flats across the borough. It was noted that this would require consultation, agreement and in some cases investment from flat owners.

During the discussion, both the Leader of the Council and Executive Member for Neighbourhood Services responded to various questions on the rollout of enhanced recycling services to flats across the borough.

Councillor Horwood concluded by providing clarity on the following sections of the report:

- The reference to financial arrangements between the Authority and Surrey County Council should have been removed from recommendation (iv) and sections 11, 14 and 26 of the report, as this element of the roll out was considered as business as usual.
- Section 6 of the report incorrectly made reference to Phases 1, 2 and 3. The report should have been updated as reference to increased recycling rates related to a roll-out to all flats.
- Option 3, set out in section 17 of the report, should have been removed as this work was considered as normal business.

In response to these updates, and to ensure clarity, the Executive Member for Neighbourhood Services moved an amendment to recommendation (iv), which was agreed and it was therefore;

RESOLVED that:

- (i) The overall success of the rollout of the enhanced kerbside recycling scheme, agreed by the Executive in December 2010, be noted.
- (ii) The Council's continued support for the rollout of enhanced recycling services to flats across the borough be reaffirmed.
- (iii) The Strategic Head of Neighbourhood Services, in consultation with the Executive Member for Neighbourhood Services, be authorised to roll out Phase 1 and plan for, and roll out Phase 2.
- (iv) It be noted providing kerbside recycling for the remaining properties would be considered as part of a process of continued improvement, recognising rollout would be challenging and may not prove cost effective.

Reasons for decision: To provide an update on the delivery of an extended kerbside recycling scheme, including recycling services for flats, to ensure government recycling targets were achieved and to reduce the amount of residual waste sent for disposal.

Alternative options: To choose not to continue with the roll out of kerbside recycling to flats or to implement enhanced services to all flats more quickly with significant additional resource.

38. QUARTERLY PERFORMANCE REPORT (Q1 2018/19)

A report was submitted with financial monitoring information for the first quarter of 2018/19. The report also provided the headline issues on major variances in relation to the Council's overall performance for the period.

Councillor T. Schofield, Executive Member for Finance, reported that eight of the fourteen Key Performance Indicators (KPIs) were on target or within agreed tolerances for the period.

The Executive Member for Finance highlighted that KPIs 4-8 were contextual homelessness indicators, introduced to reflect changes required by the Homelessness Reduction Act (2017). Due to uncertainty about the impact of this legislation it was noted that no target had been set. However, it was explained performance during 2018/19 would be used to inform targets for 2019/20.

In reference to the number of affordable home completions, the Executive was informed that KPI 3 was off target for the quarter. In order to achieve this target it was recognised that the Council was dependent on the performance of private developers.

On the financial side, the Executive Member for Finance confirmed that there was a small overspend on the revenue budget. In response to questions, Councillor Schofield explained this had predominantly been driven by the loss of income from a car parking contract. It was noted that the capital programme had progressed successfully.

Councillor Schofield concluded by informing the Executive that the Overview and Scrutiny Committee had considered the Council's performance at their meeting on 6 September 2018. It was noted that the Committee had raised a number of questions, including matters relating to business rates retention and the allocation of Community Infrastructure Levy funds. The Executive Member for Finance confirmed that further information on each issue would be provided via a written response.

RESOLVED that the performance outlined in the report of the Director of Finance and Organisation be noted.

Reason for decision: To consider the performance for the first quarter of the financial year 2018/19.

Alternative options: None.

39. UPDATE ON ACQUISITION OF FREEHOLD IN REDHILL

Councillor Mrs N.J. Bramhall, Executive Member for Property and Acquisitions, provided an update on the acquisition of a property investment in Redhill.

Councillor Mrs Bramhall explained, following Executive approval being obtained in July 2018, that the owner of the subject property had advised the Council of some amendments to the proposed terms of the sale. It was noted that this included an increase to the gross purchase price.

The Executive was informed that detailed consideration had been given to the vendor's required changes, which included obtaining advice from several independent property experts. The Executive Member for Property and Acquisitions explained that a purchase of the property on the revised terms was still considered a good acquisition for the Council.

It was noted that full details of the amendments and the financial implications had been set out in the exempt Part 2 report on of the agenda.

Clerk's note – *at this point in the meeting (at 8.20pm) agenda item 7 (Update on Acquisition of Freehold in Redhill) was adjourned so that exempt information, agenda items 11 (Exempt Business) and 12 (Update on Acquisition of Freehold in Redhill – Exempt), could be considered ahead of making a decision.*

Clerk's note – *The minutes of the meeting reflect the order of business listed on the published agenda, not the order taken during the meeting.*

On conclusion of agenda item 12 (at 8.35pm) the Executive returned to agenda item 7 and;

RESOLVED that further to the Executive approval in July 2018, to proceed with the acquisition of a property investment in Redhill at the revised price detailed in the exempt Part 2 report.

Reason for decision: To obtain Executive authority to proceed with a freehold acquisition in Redhill on revised terms to secure additional income to support the Council's 5 Year Plan objective to become financially self-sufficient.

Alternative options: Investigate alternative property acquisitions, investigate a joint venture on the purchase or do nothing.

40. PROPERTY ACQUISITIONS

There was no business to be considered under this agenda item.

41. STATEMENTS

None.

42. ANY OTHER URGENT BUSINESS

None.

43. EXEMPT BUSINESS

RESOLVED that members of the press and public be excluded from the meeting for agenda item 12 (Update on Acquisition of Freehold in Redhill – Exempt) under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

44. UPDATE ON ACQUISITION OF FREEHOLD IN REDHILL (EXEMPT)

RESOLVED that the exempt information in relation to the acquisition of a property investment in Redhill be noted.

45. PROPERTY ACQUISITIONS (EXEMPT)

There was no exempt business to be considered under this agenda item.

The Meeting closed at 8.37 pm