

COUNCIL – 16th April 2015

RECOMMENDATIONS OF THE EXECUTIVE

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MARKETFIELD WAY – THE CONSTRUCTION OF A MIXED USE DEVELOPMENT COMPRISING CINEMA, A1, A2 AND A3 RETAIL, TOGETHER WITH 93 RESIDENTIAL FLATS AND UNDERCROFT CAR PARKING

A report was submitted on proposals for the Council to take an active role in the development and regeneration of Marketfield Way, one of the principal regeneration sites in Redhill. The report before the Executive set out the options for taking the project forward.

The Executive Member for Property and Regeneration, Councillor Mrs N.J. Bramhall informed the Executive of the detailed proposals for the development that would further enhance Redhill's town centre; improve the night time offer through the provision of a cinema and restaurants and provide additional major retail outlets and increased residential provision.

It was noted that the Council had undertaken an OJEU compliant procurement exercise to select a Developer for the Marketfield Way site with Co Plan Estates being the preferred choice as the Development Manager and Project Manager.

The Executive Member indicated that the most economically advantageous procurement route was for the Council to take an active development role by funding the project with key stage sign off to ensure that the risk was carefully managed. The financial criteria associated with the project was provided in a report in the exempt part of the meeting. It was envisaged that the development would provide a long term revenue income stream to the Council.

It was noted that preliminary interest in the development had been strong which had confirmed the viability of the scheme.

RECOMMENDED that:

(i) the development of the Marketfield Way site be progressed, subject to the strategy set out in this report and further key stage sign off by the Property Services Manager in consultation with the Portfolio Holders for Finance and Property and Regeneration;

(ii) the Marketfield Way development be approved within the Capital Programme on the basis of the resource requirements of the project as set out in the exempt report in Part 2 of the Executive agenda.

RESOLVED that:

(i) the project be progressed in accordance and within the financial parameters set out in the exempt report in Part 2 of the Executive

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agenda;

(ii) the Property Services Manager be authorised, in consultation with the Portfolio Holders for Finance and Property and Regeneration, to:

(a) make suitable arrangements to finance the Marketfield Way development subject to key stage sign off being determined by the Executive;

(b) agree terms and sign Development Management and Project Management service agreements with property Developer Coplan Estates Limited (including members of the professional team identified in the bid), and within the budget envelope set out in the exempt report in Part 2 of the Executive agenda;

(c) procure necessary consultants to enable an application for planning permission for the scheme to be made, and the tendering of the project to suitable main construction contractors, subject to the Council's and OJEU procurement requirements and key stage sign off set out in the report to the Executive and the budget envelope set out in the exempt report in Part 2 of the Executive agenda;

(d) agree terms and conclude conditional agreement for leases and leases with commercial tenants including cinema operators, A1, A2 and A3 occupiers;

(e) agree and conclude necessary disposal, ground lease and funding agreements with suitable developers/investors/end user organisations for the development of the residential housing;

(f) undertake, if judged necessary, preparatory work for the making of a Compulsory Purchase Order ('CPO') subject to a further Executive report to approve the principle of CPO; and

(g) report further to the Executive to progress the appropriation of the Council's land interests as may be necessary to progress the scheme.

Reasons for decision:

Marketfield Way is one of the principal regeneration sites in Redhill Town Centre. Provision of a cinema together with a selection of restaurant, retail and residential uses will enhance town centre provision and will have a significant impact on improving the night time economy.

These decisions will enable a key Council objective to be implemented by placing the necessary building contracts, professional appointments, agreement for leases, leases, land transfers and budgetary provisions to enable the construction of the development, site assembly and funding that is required to support the Corporate Plan objective.

Alternative options: To not progress the development, but seek a developer and funder to do so, or to do nothing.

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AMENDMENT OF THE OFFICER SCHEME OF DELEGATION

The Executive Member for Licensing and Enforcement, Councillor J. Durrant introduced the report to the Executive explaining that the Officer Scheme of Delegation contained within the Constitution was in need of updating to accommodate new and repealed legislation and organisational changes in relation to the Environmental Health, Community Safety and Planning sections of the Scheme.

The Executive received an Annex listing and explaining the reason for each of the proposed changes to the Scheme of Delegation. It was noted that one of the proposed changes was a specific amendment to paragraph 5.20 of the Scheme that enabled a continuation in the utilisation of the home repair capital budget (at existing financial levels) to make grants or loans to organisations delivering relevant services. It was noted that these services were a Home Improvement Agency (HIA) function provided under contract to the Council and funded by Surrey County Council through its 'Supporting People' programme.

It was noted that a written response would be provided to Councillor N.D. Harrison in relation to the proposals for section 7.3 of the Scheme of Delegation.

RECOMMENDED that:

- (i) the changes to the Officer Scheme of Delegation contained within the Constitution as set out in Annex 1 to the report be approved; and**
- (ii) the changes to paragraph 5.20 of the Scheme of Delegation as set out in paragraphs 13 to 16 of the report be approved.**

Reasons for decision:

The Officer Scheme of Delegation needs to be kept up-to-date and for that purpose it is necessary to remove reference to some repealed legislation, add some newly introduced legislation and correct a few errors and omissions.

It was considered appropriate to amend one particular officer delegation in order to enable the home repair capital budget to be right-sized.

Alternative options:

- a) To amend the proposed changes to the Scheme of Delegation.
- b) Agree one or other of the recommendations and return the matter to officers for re-consideration.
- c) Agree neither recommendation.

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**OVERVIEW AND SCRUTINY COMMITTEE: ANNUAL REPORT
2014/15**

Councillor B.A. Stead presented his Annual Report on the activity of the Committee during 2014/15. The report concluded that this activity, whilst maintaining a streamlined approach which had been appropriate to the ongoing economic pressures facing the Council, had added great value.

The Committee noted that attendance had generally been lower in 2014/15 than in previous years. The Committee noted that further information relating to attendance would be added to the Annual Report.

The Committee expressed its thanks to Councillor Stead for his Chairmanship throughout 2014/15. The Chief Executive and Deputy Chief Executive were also thanked by the Committee for their regular attendance at its meetings.

RECOMMENDED that the Committee's Annual Report for 2014/15 be noted.

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**COMMUNITY INFRASTRUCTURE LEVY: DRAFT CHARGING
SCHEDULE**

The Executive Member for Planning and Development, Councillor T. Schofield introduced the report to the Executive that covered the next steps towards introducing a Community Infrastructure Levy (CIL) particularly the consultation on a draft charging schedule and its submission for independent examination.

It was noted that some changes had been proposed to the draft charging schedule from those provided in the preliminary schedule that was presented to the Executive in November 2014 to ensure that the charges were robust, reflected the most up to date evidence and were capable of progression to adoption. The changes arose from the public consultation, feedback from the LDF Scrutiny Panel and advice from external consultants including the latest information about the local market and costs of development.

The Executive Member advised the Executive that these changes were necessary to strike the right balance between the need to maximise infrastructure funding and the need to support delivery of the development and affordable housing set out in the Council's adopted Core Strategy, particularly by ensuring that schemes in the town centre regeneration areas were not undermined. It was noted that these changes reflected the main tests that would be applied by the Planning Inspector at examination stage.

The Executive noted that CIL would be an important tool for the Council and that the charges proposed could generate up to £24 million to put towards infrastructure needs and improve the quality of life for residents.

Following further debate it was

RECOMMENDED that the Draft Charging Schedule be approved by Full Council for submission to independent examination.

RESOLVED that:

(i) the Draft Charging Schedule (DCS) (Annex 1) be approved for statutory public consultation and that the Planning Policy, Economic Prosperity and Parks Manager, in consultation with the Executive Member for Planning and Development, be authorised to make any necessary minor amendments to the document prior to public consultation and submission; and

(ii) the draft infrastructure list (Annex 4) and draft position statement on the use of CIL and section 106 agreements (Annex 5) and other supporting evidence be approved for the purpose of consultation.

Reasons for decision: In order to introduce a Community Infrastructure Levy (CIL) in the Borough, the Community Infrastructure Levy Regulations 2010 (as amended) require that a Draft Charging Schedule (DCS) is published for statutory public consultation. The DCS must then be subject to formal independent examination. The results of the statutory consultation will be provided to the examiner.

Alternative options: Suggest an alternative DCS for consultation and submission, or do not approve the DCS for consultation or recommend to full Council for submission.

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TREASURY MANAGEMENT STRATEGY 2015/16

Councillor G.J. Knight, Executive Member for Finance reported on the current position in relation to the adoption of the proposed Treasury Management Strategy for 2015/16.

The report set out relevant statutory powers, issues (objectives, the current treasury position, matters for consideration and prudential indicators) legal, financial and equalities implications, risk management and other considerations, consultation undertaken and policy framework factors. The report had four Annexes:

- An Investment Strategy
- A Borrowing Strategy
- A Cash Management Strategy
- Risk Management Assessment

It was noted that the draft Strategy had been considered by the Executive in January and reviewed as part of the consultation by the Treasury Management Portfolio Holder Panel and by the Overview and Scrutiny Committee.

The Executive Member stated that there was one change proposed to the operation of the Investment Strategy for the year, which related to the length of time money would be invested. The proposal was that this be increased from one year to a maximum of three years within the constraints outlined in the report. This change to the Council's operational arrangements would enhance the Council's focus on counterparty security and assist the Council in achieving the best return on its investments.

It was noted that there were 2 changes proposed to the Borrowing Strategy, which related to the Minimum Revenue Provision Statement and the borrowing limits, and were both designed to support the Council's more commercial approach to property investments whilst ensuring that a prudent approach was adopted at all times.

The Executive Member advised the Executive that all 3 changes had been supported by the Portfolio Holder Panel, the Overview & Scrutiny Committee and by the Council's external treasury advisors, Capita Asset Services which would ensure that the Council delivered the best possible value for money for its residents, whilst protecting its reserves.

The Cash Management Strategy remained unchanged.

To comply with the Code of Practice on Treasury Management the Council has to approve annually prudential indicators and a Treasury Management Strategy that reflected the Council's expected operations in this area for the 2015/16 financial year.

RECOMMENDED that the Treasury Management Strategy 2015/16 be approved.

Reasons for decision: To adopt a current Treasury Management Strategy for the 2015/16 period.

Alternative options: To not support the contents of this report or to defer it and ask Officers to provide more information and/or clarification on any specific points.

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**OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME
2015/16**

A report was submitted with the proposed 2015/16 work programme for the Overview and Scrutiny Committee. The report set out relevant statutory powers, information on the work programme and how it had been prepared, resource, legal and equalities implications and consultation undertaken. The draft work programme was appended to the report.

The Leader of the Council, Councillor V. Broad informed the Executive that he and the Chief Executive had been consulted during the preparation of the work programme and that it delivered a good range of activities that were both achievable and adding value to the work of the Council.

The Committee had continued to recognise the increased pressures on the Council and had maintained a streamlined approach to its activities to ensure that its work programme reflected the Council's priorities.

RECOMMENDED that the Overview and Scrutiny Committee work programme for 2015/16 be adopted.

Reasons for decision: To agree a work programme for the Overview and Scrutiny Committee for the 2015/16 Municipal Year.

Alternative options: To not adopt the Overview and Scrutiny Committee work programme for 2015/16.