

Addendum

Executive

Dear Councillor,

Executive - Thursday, 14 December 2023, 7.30 pm

I enclose, for consideration at the meeting of the Executive to be held on Thursday, 14 December 2023 at 7.30 pm, the following Addendum - O&S Draft Minutes from 7 December 2023 meeting.

Mari Roberts-Wood
Managing Director

5. **Addendum - O&S Draft Minute - Observations on Budget Proposals 2024/25 - Budget Scrutiny Panel report(Pages 3 - 8)**

The Deputy Leader and Executive Member for Finance, Governance and Organisation.

6. **Addendum - O&S Draft Minute - Commercial Strategy Progress Update 2023(Pages 9 - 10)**

The Executive Member for Commercial and Community Assets.

8. **Addendum - O&S Draft Minute - Quarter 2 2023/24 performance report(Pages 11 - 14)**

The Executive Member for Corporate Policy and Resources, and the Deputy Leader and Executive Member for Finance, Governance and Organisation.

10. **Addendum - O&S Draft Minute - Marketfield Way Update - December 2023(Pages 15 - 16)**

The Executive Member for Place, Planning and Regulatory Services.

For enquiries regarding this addendum;

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Overview and Scrutiny Committee – 7 December 2023

Draft Minute 49 – Observations on Budget Proposals 2024/25 - Budget Scrutiny Panel Report

Members received the report from the O&S Budget Scrutiny Panel which met on 29 November 2023 to consider the provisional Budget proposals for 2024/25 and to make recommendations to the Executive in line with the Council's budget and policy procedure rules.

Councillor Harrison, Chair of the Budget Scrutiny Panel, summarised the findings from the Panel to the Committee, which were set out in the report to the Committee as an addendum to the agenda pack, and in the recommendations set out in the minutes of the Budget Scrutiny Panel meeting. He drew attention to the following:

- The changes to the Local Council Tax Scheme would be financed by changes to Council tax premiums on empty properties.
- The financial settlement from Government was yet to be published and that the Overview and Scrutiny Committee would have an opportunity to view and comment on any consequential changes to the budget at the Overview and Scrutiny Committee meeting on 25 January 2024, prior to the Executive meeting on 1 February 2024.
- The budget is balanced, but there are uncertainties.
- Proposed savings were not expected to have a significant impact on the scope or quality of service delivery.
- There were concerns regarding inflation.
- The importance of Council's Commercial Strategy to address future budget gaps.

He thanked the Portfolio Holder, the Chief Finance Officer and the Finance team for their report and responses to the advance questions.

Pay award

The Managing Director informed the committee that formal notification had been received from both Trade Unions that the pay offer for 2024/25 had been accepted.

Local Government Finance Settlement

The Chief Finance Officer informed the committee that a Local Government Finance Policy Statement had been received earlier in the week which gave an indication about the parameters around next year's funding for local government and the indication was that there would not be any significant or severe reductions. However, it would not be known how the funding envelope would be shared between the different tiers and types of authorities until later in December.

Members made comments and asked questions on the following areas:

Empty homes

It was confirmed that there were approximately 300 empty and furnished second homes.

Agenda Item 5

The Housing Department has started a 12 month pilot scheme to employ a part time officer to engage with social tenants that are interested in downsizing from family homes, freeing up homes for homeless families.

The officer would assist tenants with all aspects of their move. Six weeks into the project, there were thirty people interested in moving to more appropriate accommodation for them. As more tenants register their interest in moving, tenants can be matched with suitable homes in their own community. Following the one-year pilot project, consideration would be given to continuing to fund that role and potentially increase that resource.

Electric Vehicle charging points

It was confirmed that although there was no specific budget allocation for Electric Vehicle charging points in car parks. However, the Environmental Strategy had both capital and revenue allocations that could be used for schemes brought forward. Additionally, in-year approval of additional budget allocations was always possible for significant proposals.

Unlet commercial units

It was confirmed that terms were being discussed with tenants for the unlet units in The Rise and that unlet units at Wheatley Court were being marketed. Repurposing of vacant units for housing, was regularly considered across the property portfolio.

Housing benefit shortfall

It was confirmed that the shortfall in housing benefit had been an emerging theme over the last 2/3 years caused by a technical anomaly in housing benefit regulations, whereby the obligation to pay housing benefit on certain types of property, such as sheltered accommodation for those with complex needs, lies with the administering authority but has not been fully reimbursed by Government through the housing benefit subsidy. There has been an increasing gap between payments made and subsidies received which Government is aware of. Lobbying from local authorities is underway and a Parliamentary Select Committee has investigated the issue and recommended changes to the regulations.

The Chair identified a further recommendation to Executive on the budget proposals to be to work with other local authorities, and to lobby government, directly and through the Local Government Association. This was agreed by the committee.

Local housing allowance

It was confirmed that there was an issue regarding housing benefit being available only to fund accommodation linked to the Local Housing Allowance which has not increased in line with rents over recent years, resulting in a decreasing number of properties affordable for residents on low income for which they could claim housing benefit. This contributed to the number of families and households on low income having to present as homeless.

RESOLVED that in response to the Service and Financial Planning 2024/25 report and supporting documents to Executive on 16 November 2023, the following observations and Recommendations from the Budget Scrutiny Panel, and approved by the Overview and Scrutiny Committee on 7 December 2023, be submitted for consideration by the Executive, that:

Agenda Item 5

- (i) The national and local policy context (Annex 1) and significant financial uncertainties at this stage in the budget-setting process were noted, along with the associated uncertainties and risks.
- (ii) The service proposals set out in this report which seek to respond to this context and deliver our corporate priorities, be noted.
- (iii) The draft service business plans for 2024/25 to 2026/27 be noted.
- (iv) The Panel tested the explanations in the Budget report for year on year changes in the revenue budget (savings, income and growth) in the context of the actual expenditure for the previous year and current year in respect to the services to be provided.
- (v) The Panel found the Budget proposals to be reasonable and in relation to the budget consultation and subject to the outstanding issues and risks commented on below, the Panel considered the following to be achievable, realistic, and based on sound financial practices:
 - a. Medium Term Financial Plan Forecasts and proposed actions to address the forecast Revenue Budget gap (Annex 2);
 - b. Service Revenue Budget growth proposals totalling £0.943 million, savings of (£1.719) million and additional income of (£0.540) million (Annex 3);
 - c. Continued funding support for Banstead Commons Conservators for a further three years (2024/25 to 2026/27);
 - d. Central Revenue Budget savings and growth proposals totalling (£0.376) million, and £1.75m provision for the 2024/25 pay award (Annex 3);
 - e. Agreement of a new 10 year Section 136 agreement with Horley Town Council;
 - f. Revenue Issues, Risks and Opportunities totalling £0.964 million, to be funded from earmarked Reserves as necessary;
 - g. Revenue Reserve Balances at 1 April 2023 of £35.474 million (Annex 6.1); and
 - h. A forecast balanced Revenue budget for 2024/25, subject to final confirmation of the outstanding items.
- (vi) The Capital Programme Growth proposals totalling £3.175 million (Annex 4) was reviewed. (This is revised down from the original £3.986 million)
- (vii) The Fees & Charges Policy (Annex 5) was noted.
- (viii) The Reserves Policy (Annex 6.2) was noted.
- (ix) The Panel supported the following changes to the Local Council Tax Support Scheme to be adopted from 2024/25:

Agenda Item 5

- a. Removal of the maximum award of 90% Council Tax liability for 1,800 households and increasing the award to 100%;
 - b. Removal of the minimum requirement for a household to qualify for £5 per week before support is provided;
 - c. Expansion of support awards to cover full Council Tax liability for residents in Bands F to H;
- (x) The Panel supported the following changes Council Tax premiums on empty properties to be adopted from 2024/25:
- a. Removal of the empty homes discount of 28-days where a property becomes empty and unfurnished;
 - b. For empty and furnished second homes – charge 200% council tax after the first 12 months; and
 - c. For long-term empty properties – commence charging the 100% premium after 12 months.
- (xi) The Panel noted that the proposals at recommendation (x) would fund the proposals at recommendations at (ix)
- (xii) The Panel noted that assumptions and individual budgets were to be reconsidered following the December Government financial settlement announcement; consequently, the Panel did not draw a final conclusion on the overall Budget proposals for 2024/25. The Panel looks to receive an update on these items in January. Besides Government funding, the principal areas of uncertainty and risk are: homeless support/ temporary accommodation, housing benefit subsidy, recycle income/costs and the Government's proposals for resources and waste; the Harlequin/RAAC, and final confirmation of other grants received.
- (xiii) The changes made in the final Budget 2024/25 proposals to Executive on 1 February will also be an agenda item for discussion at Overview and Scrutiny Committee on 25 January 2024.
- (xiv) The Panel noted that the proposed savings were not expected to have a significant impact on service scope or quality.
- (xv) The Panel expressed concerns about general inflationary pressures in the UK economy – 10% in the previous year and currently 6%, well above the Bank of England 2% target, and suggested this may put further upward pressures on the cost of goods and services and the annual pay award.
- (xvi) The Panel noted that for several years, the Council has been pursuing its Commercial Strategy to help address budget gaps in future years, as Government funding is further reduced. It noted that additional income from The Rise is included in the revenue budget, with potential for further increases when all units are fully let. Furthermore, Government guidance and experience elsewhere means that the Council is cautious about further expansion of

Agenda Item 5

commercial activity. The Panel noted that the Commercial Strategy was now more focussed on generating income through the Council's areas of strength, such as service provision, rather than investment in commercial assets. It was noted that outside of The Rise, there are not yet specific proposals for additional revenue in development for 2025/26 and beyond.

(xvii) The Panel noted that the use of earmarked reserves, to fund housing benefit shortfalls, could only be a one-off action and not a permanent solution.

(xviii) The Panel noted that in the Financial Accounts, a £1.1million provision has been made for credit loss with regard to the investment in Pathway for Care. This would be funded from the Commercial Risks and Volatility Reserve.

With the additional recommendation from Overview and Scrutiny Committee (xix) to work with other local authorities, and to lobby government, directly and through the Local Government Association on the problem of the shortfall of reimbursement of housing benefits.

The Committee thanked the Portfolio Holder and officers for the substantial work in preparing the Budget 2024/25 report and for the written responses to the 82 advance questions from Members.

RESOLVED that Overview & Scrutiny Committee approved the minutes of the Budget Scrutiny Panel meeting held on 29 November 2023.

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Overview and Scrutiny Committee – 7 December 2023

Draft Minute 50 – Commercial Strategy Progress Update 2023

Councillor Andrew King, Portfolio holder for Commercial and Community Assets, introduced the second annual update on the Council's Commercial Strategy.

Part one of the Commercial Strategy was agreed in November 2020 and part two in December 2021. As set out in the Commercial Strategy, all the Council's commercial activity is guided by three principles, first, that it is ethical and meets the Council's statutory responsibilities; secondly, commercial decisions will be robust, consistent and supported by due diligence; and third, that income will be used to support financial sustainability and services for residents.

Within this year's report is an overview of the changing context in which the Council operates and its influence on commercial activities. As the overview identifies, national guidance and controls on commercial activity by local authorities, now more closely steer the available investment approaches. As a result, there is an increased emphasis on ensuring that investment and commercial activities should directly serve the Council's role in benefiting their local areas.

For this Council, this renewed emphasis aligns with its wider objectives and principles. As set out in the report, consideration of commercial matters is now primarily taking place within the context of the Council's Financial Sustainability Programme, updates on which are provided as part of the quarterly reporting to this Committee and the Executive.

The goals within the Commercial Strategy of effective management of assets and investments, operating in a financially efficient manner, and reviewing opportunities for investment to benefit the Borough, remain relevant, but there should also be awareness of this change in operational context and the move towards focusing on commercial activities as part of the broader approach that is the Council's Financial Sustainability Programme.

In terms of this year's activity, the Council's commercial activity can be broken down into two main areas - commercial assets and commercial services.

Progress this year has continued to be positive, with achievements, including

- The completion of The Rise development at Marketfield Way, with more information provided in the parallel report to the committee.
- A contribution of an additional £700k towards the revenue budget from Council property assets and
- Additional income of nearly £540k from planned updates to fees and charges.

Work is also continuing on other elements, with improvements now made on property reporting, a review of potentially underutilised assets underway, and consideration being given to a framework for future development activities. There is also note of the approval of acquisition of additional temporary and emergency accommodation, which will both improve the service the Council can offer and reduce the costs associated with relying on external provision.

As identified in the previous annual report, there has been a move away from the use of company structures to support commercial activities, with potential company structures around housing activity and revenues and benefit work no longer viewed as required. More information on existing companies is available in the Winter 2023

Agenda Item 6

Companies Performance Update. Work on improvements to contract management procurement are also continuing with more information provided in an annex to Q2 Internal Audit Progress report, also being considered by the Audit Committee.

The Council will continue to work towards effective delivery of commercial matters in the coming year, and commercial and investment activity will form an important thread within the Council's Financial Sustainability Programme.

The Portfolio holder for Commercial and Community Assets, invited Members to ask questions and comment on the Commercial Strategy Progress Update Report 2023 provided in the agenda pack.

In response to the questions raised, the following clarifications were provided:

Commercial Assets

The net budget improvement of £688,000 was from a mixture of assets, including The Rise, and further lettings from the park cafes, as well as the increase in fees and charges. The information had been included in the budget report and would be recirculated.

RESOLVED that Overview & Scrutiny Committee:

Noted the Commercial Strategy Annual Progress Report at Annex 1. There were no observations made to the Executive.

Overview and Scrutiny Committee – 7 December 2023

Draft Minute 48 – Quarter 3 2023/24 performance report

The Committee received the Performance Reports for Quarter 2 2023/24 including the Key Performance Indicators (KPIs) and Budget Monitoring forecasts Quarter 2 2023/24, both for revenue and capital. The reports were due to be presented to the Executive on 14 December 2023.

Key Performance Indicators

Of the ten KPIs reported on, eight were on target or within agreed tolerances. Two KPIs were off target: KPI 6 – housing completions, and KPI 7 – Net affordable housing completions. Although Affordable housing completions had not met their target within this quarter, in Quarter 2, 52 dwellings were completed, 40 at market rate and 12 affordable. The majority of completions had come from the developments at the Horley North West Sector and 136 Brighton Road, Hooley.

Advance Questions

Several advance questions on the Key Performance Indicators had been submitted prior to the meeting. The advance questions and their responses can be viewed here:

[Document Advance Questions and Answers OS 7 December 2023 | Reigate and Banstead Borough Council \(modern.gov.co.uk\)](#)

The following clarifications were provided:

KPI 10 – The percentage of household waste that is recycled or composted

Although the target for KPI 10 had not been met for several quarters, it was explained that this target was set by the Surrey Environmental Partnership and was a stretch target, which the Council aspires to achieve. The Council was currently reviewing how the service is delivered and considering how to best make changes to ensure that the new Government waste and recycling guidelines will be met. This includes a full recycling roll-out to all households in the borough. The Chair added that this was one of the uncertainties identified by the Budget Scrutiny Panel.

Finance

Councillor Lewanski, Deputy Leader and Portfolio Holder for Finance, Governance and Organisation, gave an overview of the Quarter 2 Budget Monitoring set out in the report, which also included an update on the quarter's treasury management activities.

At Quarter 2 the projected full year outturn is £21.911m against a management budget of £23.194m resulting in an underspend for the year of £1.283m (5.5%).

Details of the more significant budget variances were set out in the report.

At this stage in the year there were no significant areas of concern, but further work is being carried out to look into the adverse variances.

The full year Capital Programme forecast at the end of Quarter 2 of £27.074m is 26% below the approved Programme for the year.

The variance is predominantly as a result of £9.752m slippage.

Agenda Item 8

The reasons for the slippage at this stage were primarily because of updated forecasts of the time required to deliver the larger programmes.

Capital spending plans were based on information available at the start of 2023 and, six months later, some timescales have been revised.

The Portfolio Holder also confirmed that the balance of the £30.0 million that was previously approved for investment in Housing schemes remains available but not yet committed. Reference to this was omitted in the report; that would be corrected in the next update.

Annex 5.1 sets out the treasury management position to the end of September 2023. It confirms that treasury activities are in line with the Strategy that Council approved in July 2023 and that was reported to O&S and Executive in June 2023 following a Member briefing with the Council's treasury advisors Arlingclose.

The Portfolio Holder highlighted the fact that the return on the Council's investments continued to outperform similar authorities, and this was a key factor contributing to the favourable revenue budget outturn forecasts.

Several advance questions on the Revenue Budget, Capital Expenditure and Treasury Management updates had been submitted prior to the meeting. The advance questions and their responses can be viewed here:

[Document Advance Questions and Answers OS 7 December 2023 | Reigate and Banstead Borough Council \(moderngov.co.uk\)](https://www.moderngov.co.uk/Document/Advance-Questions-and-Answers-OS-7-December-2023-Reigate-and-Banstead-Borough-Council)

The Deputy Leader and Executive Member for Finance and Governance, Councillor Lewanski invited Members to ask questions and comment on the Quarter 2 2023/24 Performance Report provided in the agenda pack.

In response to the questions raised, the following clarifications were provided:

Capital Programme

The Chief Finance Officer confirmed that slippage had been higher in previous years due to the challenges of delivering complex large-scale projects, such as The Rise, and the pandemic had also had an impact on general delivery of capital programme projects. Project managers were learning and improving. The budget is a financial representation of plans and intended activities; budget holders are consulted in detail and challenged as part of annual budget-setting to set realistic timeframes for procurement of goods and services.

Summary

The Chair summarised that there were some substantial favourable revenue variances and some one-off items in the current year, which had been discussed by the Budget Scrutiny Panel. Uncertainties remain but they would be reviewed again in the January budget report.

RESOLVED that the Overview & Scrutiny Committee:

- i) Noted Key Performance Indicator (KPI) performance for Q2 2023/24 as detailed in the report and at Annex 1 and made observations to the Executive.
- ii) Noted the Revenue Budget and Capital Programme forecasts for Q2 2023/24 as detailed in the report and at Annexes 2, 3 and 4 and made observations to the Executive.

Agenda Item 8

- iii) Noted the Quarter 2 Treasury Management Performance Update for 2023/24 at Annex 5 and made observations to the Executive.

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Overview and Scrutiny Committee – 7 December 2023

Draft Minute 52 – Marketfield Way Update – December 2023

Councillor Michalowski, Portfolio Holder for Place, Planning and Regulatory Services, gave an update on Marketfield Way as set out in the report.

The report provided an update on progress to deliver the Marketfield Way project since it was last considered by Executive in December 2019.

Acting as developer over the last four years, the Council has overcome numerous challenges to bring this project forward to get to this stage. The most significant challenge had been the huge uncertainty brought about by the pandemic. The Council made a conscious and deliberate decision to press ahead with entering into a building contract shortly after the pandemic hit and, when there was huge global uncertainty. The pandemic resulted in the Council not being able to secure early pre-lets on any of the commercial space; the cinema operator was lost, and complex logistical challenges were faced to ensure safe working on site. While a fixed rate contract was in place, when changes were made, this resulted in cost increases due to high build cost inflation not only because of pandemic but also the Ukraine crisis.

Complex engineering challenges were also faced, including the relocation of a power sub-station, statutory services, and the build over of a large public sewer.

These factors ultimately resulted in delay and consequential cost increases for the project. The pandemic and the cost of living crisis have resulted in much more uncertainty for prospective tenants and has brought about less rental income than originally forecast.

Despite these challenges, this Council has now completed the main build. The residential part has been sold to the Council's private sector partner; over 70% of the commercial floorspace has been let, and letting agreements are currently being secured on the remaining three units.

The new development, The Rise is now well and truly open for business, welcoming thousands of people every day. The Rise is already home to over 100 people who benefit from living in the heart of Redhill with its excellent transport links. The palatable difference this Council's commitment to the project our investments is making to the regeneration of Redhill in line with the Council's corporate objectives is now being realised.

The Rise has become a true leisure destination alongside the Harlequin with a forecast of 400,000 visitors to The Light this year. Residents' views are that they love the new leisure facilities. Footfall in town is substantially increased, bucking national trends. More people are visiting the town from a wider catchment. More people are staying longer, and businesses report that trade is up.

The Portfolio Holder thanked both past and current Members and officers of the Council, as well as the local community, for their continued support in bringing this project forward. He stated that this project is a clear example of how, through intervention, the public sector can deliver a true place-making project that makes a great difference to the lives of local residents and businesses.

Agenda Item 10

Several advance questions on the Marketfield Way Update – December 2023 had been submitted prior to the meeting. The advance questions and their responses can be viewed here:

[Document Advance Questions and Answers OS 7 December 2023 | Reigate and Banstead Borough Council \(moderngov.co.uk\)](#)

The following clarifications were provided:

Surveys and Footfall and Dwell Times

It was confirmed that the surveys had been carried out in-house with over 1,000 responses received.

The Harlequin

It was confirmed that alternative Council venues were being used as much as possible to accommodate community groups displaced from The Harlequin.

This item was scrutinised more fully during the exempt part of the meeting due to the confidential nature of the discussion.

RESOLVED that Overview & Scrutiny Committee:

- i) Noted the progress that has been made to deliver Stage 4 of the project, in relation to scheme implementation, construction, residential sale and commercial lettings;
- ii) Noted the initial economic, social and environmental benefits that have been derived;
- iii) Noted the details set out in the Part 2 report.