

Executive Agenda



Reigate & Banstead
BOROUGH COUNCIL
Banstead | Horley | Redhill | Reigate

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19 February 2020

To the Members of the EXECUTIVE

Councillors:	M. A. Brunt	Leader of the Council
	T. Schofield	Deputy Leader and Portfolio Holder for Finance
	T. Archer	Portfolio Holder for Investment and Companies
	R. H. Ashford	Portfolio Holder for Community Partnerships
	R. Biggs	Portfolio Holder for Planning Policy
	N. J. Bramhall	Portfolio Holder for Neighbourhood Services
	A. C. J. Horwood	Portfolio Holder for Wellbeing and Intervention
	E. Humphreys	Portfolio Holder for Place and Economic Prosperity
	G. J. Knight	Portfolio Holder for Housing and Benefits
	V. H. Lewanski	Portfolio Holder for Corporate Direction and Governance

For a meeting of the **EXECUTIVE** to be held on **THURSDAY, 27 FEBRUARY 2020** at **7.30 pm** or on the rising of the Commercial Ventures Executive Sub-Committee, if later, in the New Council Chamber - Town Hall, Reigate.

John Jory
Chief Executive

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Notice is given of the Executive's intention to hold part of its meeting on Thursday, 27 February 2020 in private for consideration of reports containing "exempt" information

1. **MINUTES** (Pages 7 - 14)

To confirm as a correct record the minutes of the Executive meeting held on 30 January 2020.

2. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

3. **DECLARATIONS OF INTEREST**

To receive any declarations of interest.

4. **MOTION FROM COUNCIL: FAIRTRADE** (Pages 15 - 22)

Executive Member: Portfolio Holder for Place and Economic Prosperity

To receive the report of the Executive Member for Place and Economic Prosperity.

5. **AGREE A CHANGE OF TENURE MIX AND ENTERING INTO A BUILD CONTRACT FOR THE PITWOOD PARK DEVELOPMENT** (Pages 23 - 28)

Executive Member: Portfolio Holder for Housing and Benefits

To receive the report of the Executive Member for Housing and Benefits.

6. **AGREE TO ADDITIONAL FUNDING AND SEEK DELEGATED AUTHORITY TO PROGRESS THE PLANNING AND BUILD STAGES OF THE LEE STREET DEVELOPMENT** (Pages 29 - 34)

Executive Member: Portfolio Holder for Housing and Benefits

To receive the report of the Executive Member for Housing and Benefits.

7. **AGREE A REVISED BUDGETARY BASELINE POSITION & ENTERING INTO A BUILD CONTRACT FOR THE CROMWELL ROAD DEVELOPMENT** (Pages 35 - 40)

Executive Member: Portfolio Holder for Housing and Benefits

To receive the report of the Executive Member for Housing and Benefits.

8. **OVERVIEW AND SCRUTINY COMMITTEE: PROPOSED WORK PROGRAMME 2020/21**

Chair of the Overview and Scrutiny Committee

Report to follow. The Overview and Scrutiny Committee meets on 20 February 2020, and the recommendation of that meeting will be published as an addendum.

9. **STATEMENTS**

To receive any statements from the Leader of the Council, Members of the Executive or the Chief Executive.

10. **ANY OTHER URGENT BUSINESS**

To consider any item(s) which, in the opinion of the Chairman, should be considered as a matter of urgency – Local Government Act 1972, Section 100B(4)(b).

(Note: Urgent business must be submitted in writing but may be supplemented by an oral report).

11. **EXEMPT BUSINESS**

RECOMMENDED that members of the Press and public be excluded from the meeting for the following item of business under Section 100A(4) of the Local Government Act 1972 on the grounds that:

- (i) it involves 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 outweighs the public interest in disclosing the information.

12. **EXEMPT REPORT - ITEM 5 - PITWOOD PARK DEVELOPMENT** (Pages 41 - 44)
13. **EXEMPT REPORT - ITEM 6 - LEE STREET DEVELOPMENT** (Pages 45 - 48)
14. **EXEMPT REPORT - ITEM 7 - CROMWELL ROAD DEVELOPMENT** (Pages 49 - 52)

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BOROUGH OF REIGATE AND BANSTEAD

EXECUTIVE

Minutes of a meeting of the Executive held at the New Council Chamber - Town Hall, Reigate on 30 January 2020 at 7.30 pm.

Present: Councillors M. A. Brunt (Leader), T. Schofield (Deputy Leader), T. Archer, R. H. Ashford, R. Biggs, A. C. J. Horwood, G. J. Knight and V. H. Lewanski.

Also present: Councillors J. C. S. Essex, R. Absalom, M. S. Blacker, P. Harp, N. D. Harrison, S. A. Kulka, N. C. Moses and R. S. Turner.

80. MINUTES

RESOLVED that the minutes of the Executive meeting held on 5 December 2019 be approved as a correct record and signed.

81. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bramhall and Humphreys.

82. DECLARATIONS OF INTEREST

There were none.

83. OBSERVATIONS OF THE OVERVIEW AND SCRUTINY COMMITTEE ON THE DRAFT BUDGET PROPOSALS FOR 2020/21

The Executive Member for Finance, Councillor Schofield, introduced the report setting out the outcome of the Overview and Scrutiny Committee's consideration of the draft budget proposals for 2020/21. He thanked the Members of the Overview and Scrutiny Committee, including the Budget Panel, for their engagement and robust challenge during the budget setting process. The budget proposals had benefitted from excellent Member engagement, aided as in previous years by thorough advance questions. The report and recommendations of the Panel were subsequently considered by the Overview and Scrutiny Committee in December and January.

The Chair of the Overview and Scrutiny Committee, Councillor Harrison, explained that the Committee considered that the budget proposals for 2020/21 were realistic, based on sound financial practices and reasonable assumptions. The impact of savings and growth proposals on service delivery were minimal and included service improvements. However, the Committee had observed that the overall increase in the Revenue budget would be unsustainable in the long term unless additional sustainable revenue income sources were found.

The Overview and Scrutiny Committee had subsequently noted the proposed funding for capital investments. The Minimum Revenue Provision (MRP) was forecast as £0.52m and the interest on borrowing £0.92m. This was a conservative estimate and actual costs would depend on the rate of capital spending.

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The Leader of the Council thanked the Members of the Budget Panel and the Overview and Scrutiny Committee for their considerations, which offered assurance to residents that the budget proposals had been subject to challenge. The Leader emphasised that the desire for commercial returns meant that investment had to come first, and that the capacity to deliver the Council's ambitions was under constant review.

In response to observations from Visiting Members, it was clarified that

- The Housing Strategy set out a change in direction for the Council and there would be substantial investment in affordable housing; and
- The response of the Executive to the Climate Change motion received by Council in September 2019, would be reported to the March meeting of the Executive.

RESOLVED: that the considerations of the Overview and Scrutiny Committee on the Budget Proposals 2020/21 and Capital Programme 2020 – 2025, be noted.

Reason for decision: To take account of the views of the Overview and Scrutiny Committee on their consideration of the Budget Proposals 2020/21 and Capital Programme 2020 – 2025.

Alternative options: Request that the Overview and Scrutiny Committee undertake additional scrutiny of all or part of the Budget Proposals 2020/21 and Capital Programme 2020 – 2025.

84. BUDGET 2020/21 AND CAPITAL PROGRAMME 2020 TO 2025

The Executive Member for Finance, Councillor Schofield, introduced the final revenue and capital proposals for 2020/21, which included a Council Tax increase of £5 for an average Band D Property, for recommendation to Council. The proposals had been carried out by Executive Members, supported by the Management Team and the Budget Advisory Group. The proposals had been subject to comprehensive review by Members of the Budget Scrutiny Panel and the Overview and Scrutiny Committee.

The Executive Member for Finance highlighted:

- That the Council had not received any revenue support grant for several years, which continued to present a short-term shortfall in income until regeneration and income regeneration projects became operational. Ring-fenced reserves had been established in recent years, as a mitigation, in recognition that commercial activities would be established.
- The budget proposals allowed for the continuation and growth of the high-quality services delivered by the Council, along with providing the capacity to deliver the ambitions set out in the new Corporate Plan.
- The Government's Provisional Settlement announcement in December 2019 had mitigated the previously anticipated impact of reduced business rates receipts in the short term, but the Council would still need to draw on £1.256m from reserves to present a balanced budget for 2020/21. The specific sum would be adjusted according to the outturn position for the forthcoming financial year. There had been a budget underspend in recent

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years which had made funds available in reserves for use next year, if required.

- The Council held a healthy level of reserves that would be available to mitigate future budget risks. This year, funds had been re-allocated between Earmarked Reserves and the General Fund Balance to ensure better alignment with forecast risks and opportunities. The healthy reserves position had enabled the Council to take advantage of the opportunity to make savings in the employer pension contribution by making advance payment for the next three years at a significant discount.
- Capital Investment Plans included a significant investment in property assets, and the establishment of investment funds to support the delivery of the Corporate Plan, Commercial Strategy and the Housing Delivery Strategy.

In response to observations made by Visiting Members, it was noted that:

- There had been consultation on the new five-year plan promoting the delivery of more affordable housing and that the Executive was satisfied with the approach that it had taken to funding that initiative.
- The Executive was clear that it wanted to deliver homes for local people, and forthcoming developments would be a significant step toward that.
- The targets for housing completions were for the period of the Local Plan, and were robustly monitored by Government.

RECOMMENDED that:

- (i) **A Revenue budget requirement of £24.460 million for 2020/21 as set out in the report to Executive and supported by the Updated Medium-Term Financial Plan at Annex 1, which includes:**
 - **Revenue Budget Growth Proposals of £0.074 million (at Annex 1.1) in addition to the £2.12 million (net) that was previously reported in the November 2019 Budget report; and**
 - **An advance payment of £6.204 million for the secondary element of the employer's Local Government Pension Scheme contribution for 2020/21 to 2023/24;**
- (ii) **An increase in Reigate & Banstead's Band D Council Tax of £5.00 (2.20%);**
- (iii) **The planned use of £5.671 million (net) from the General Fund Balance; comprising:**
 - **Drawing £1.256 million from the General Fund Balance to support the 2020/21 Revenue Budget; and**
 - **Drawing £6.204 million from Reserves to fund the cost of the advance payment of the employer's secondary pension contribution for the three-year period to 2022/23**
 - **Transferring the £1.789 million allocation of New Homes Bonus funding for 2020/21 into Reserves.**
- (iv) **The recommended re-allocation of funds between Earmarked Reserves in 2020/21 as detailed in the report and at Annex 2;**

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- (v) **The latest Medium-Term Financial Plan at Annex 2**
- (vi) **A Capital Programme of £176.328 million for 2020/21 to 2024/25 as set out in the report and at Annex 3, including additional Capital Programme Growth Proposals of £82.655 million, supported by the Capital Strategy for 2020/21 at Annex 3;**
- (vii) **The Chief Finance Officer's report on the robustness of the Budget estimates and adequacy of Reserves.**

RESOLVED that the Chief Finance Officer to make any necessary final technical adjustments to the budget and Council Tax arising from final budget refinements or changes to Government funding.

Reason for decision: To ensure that the Council continued to plan and manage its resources well, deliver high standards of service and meet the aims and objectives of its Five-Year Plan for 2020-25 and supporting Strategies.

Alternative options: The Executive could accept, amend or reject any or all of the budget proposals. Any change could affect the level of Council Tax to be levied in 2020/21 which in turn would require changes to the recommendations to Council on 13 February.

85. **COUNCIL TAX SETTING 2020/21**

The Executive Member for Finance, Councillor Schofield, introduced the report and informed the Executive that the proposed Council Tax for 2020/21 would be the subject of a recommendation to the February Council meeting. That meeting would receive confirmation of the final precept levels from the County Council and the Police together with any necessary adjustments required.

RECOMMENDED that:

1. **It be noted that on 16 January 2020 the Council calculated:**

(a) **the Council Tax base 2020/21 for the whole Council as 61,128.8**

[Item T in the formula in Section 31B(3) of the Local Government Finance Act 1992, as amended (the "Act")] and,

(b) **for dwellings in those parts of its area to which a Parish precept relates:**

Horley Town Council	10,191.7
Salfords & Sidlow Parish Council	1,416.5

The 'tax base' is the number of Band D equivalent dwellings in a local authority area.

Detailed calculations of the Council Tax are set out in Annex 1, 2 & 3 of the report to Executive.

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2. Calculate that the Council Tax requirements for the Council's own purposes for 2020/21 (excluding Parish precepts) is £14,210,001
3. That the following amounts be calculated for the year 2020/21 in accordance with Sections 31 to 36 of the Act:
 - a. £85,196,176 – being the amounts which the Council estimates for the items set out in Section 32(2) of the Act taking into account all precepts issued to it by Parish Councils
 - b. £70,543,000 – being the aggregate of the amounts which the Council estimates for the items set out in Section 32(3) of the Act.
 - c. £14,653,176 – being the amount which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 32(4) of the Act as its Council Tax requirement for the year (item R in the formula in Section 32(4) of the Act).
 - d. £239.71 – being the amount at 3(c) above (Item R), all divided by Item T (1(a) above), calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year (including Parish
 - e. £443,176 - being the aggregate amount of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per the attached Appendix).
 - f. £232.46 - being the amount at 3(d) above less the result given by dividing the amount at 3(e) above by item T (1(a) above), calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates.
 - g.

Horley Town Council	£272.17
Salfords & Sidlow Parish Council	£259.64

Being the amounts given by adding to the amount at 3(f) above the amounts of the special items relating to dwellings in those parts of the Council's area mentioned above divided in each case by the amount at 1(b) above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

4. It be noted that the figures in the attached Appendix being the amounts given by multiplying the amounts at 3(f) and 3(g) above by the number which, in the proportions set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of dwellings listed in different valuation bands.

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5. It be noted that for the year 2020/21 Surrey County Council and Surrey Police have stated amounts in precepts issued to the Council, in accordance with Section 40 of the Act, for each of the categories of dwellings shown in Appendix 2.
6. Having calculated the aggregate in each case of the amounts 1 to 5, above, the Council, in accordance with Section 30(2) of the Act, hereby sets the amounts of Council Tax for the year 2020/21 for each of the categories of dwellings shown in Appendix 3.
7. Authorise the Chief Finance Officer to make any amendments to the Council Tax demands as might prove necessary as the result of changes to the estimated demands issued by preceptors on the Council's Collection Fund.

Reason for decision: The Local Government Finance Act 1992 sets out the requirement for local authorities to set a budget for the next financial year. This report provides the information to fulfil that requirement. Under the Constitution the Executive considers a proposed budget and Council Tax, before then making a recommendation on the appropriate level of Council Tax to full Council. Following consideration, Council may then authorise the budget and Council Tax.

Alternative options: The budget was based on a recommended Council Tax rise of £5.00 (2.20%) increase in 2020/21.

86. QUARTERLY PERFORMANCE REPORT (Q2 2019/20)

The Executive Member for Corporate Governance and Direction, Councillor Lewanski, presented the report on the Council's performance for Quarter 2 (July to September 2019). Of the 14 Key Performance Indicators reported during the quarter, 10 were on target or within the agreed tolerance, 2 were outside of tolerance, one was contextual and one was unable to report.

The Leader commended both the Finance and Performance Management teams in producing improved reports for Members to consider. A further improvement to the risk register would be to name both the lead officer *and* the Executive Member of each risk.

RESOLVED: that the Council's performance for the second quarter of 2019/20, be noted.

Reason for decision: To consider the Council's performance for the second quarter of the financial year 2019/20.

Alternative options: None.

87. CALENDAR OF MEETINGS 2020/21

Councillor Brunt, the Leader of the Council, presented a report with a proposed Calendar of meetings for the 2020/21 Municipal Year. The draft calendar drew upon experience, and consultation with Members and Officers to ensure that business

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would be accomplished efficiently. Accordingly, a new August meeting of the Executive had been introduced.

In response to a question, the Leader of the Council advised that the August meeting of the Executive would be subject to the statutory duty to give notice of any key decisions to be taken, in the same way that all Executive meetings were.

RECOMMENDED: That the Calendar of Meetings for the 2020/21 Municipal Year be approved.

Reason for decision: To establish a timetable to ensure the efficient and effective conduct of Council business for the forthcoming municipal year.

Alternative options: To amend the draft timetable set out.

88. STATEMENTS

There were none.

89. ANY OTHER URGENT BUSINESS

There was none.

90. EXEMPT BUSINESS

There was none.

The Meeting closed at 8.10 pm

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SIGNED OFF BY	Director of Place
AUTHOR	Catherine Rose, Head of Corporate Policy
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TO	Executive
DATE	Thursday, 27 February 2020
EXECUTIVE MEMBER	Portfolio Holder for Place and Economic Prosperity

KEY DECISION REQUIRED	N
WARDS AFFECTED	(All Wards);

SUBJECT	Motion from Council: Fairtrade
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RECOMMENDATIONS

That:

- (i) **The Council supports Fairtrade and welcomes initiatives by local communities in the borough to encourage the use of Fairtrade goods, including by seeking to achieve Fairtrade Town status**
- (ii) **The Council offers Fairtrade refreshment options within Council offices where possible, and explores opportunities to offer such products at other Council venues**
- (iii) **The Head of Legal and Governance be requested – in consultation with the relevant Executive member – to consider enhancing references to social value within the Council’s procurement documentation**

REASONS FOR RECOMMENDATIONS

To confirm the Council’s support for Fairtrade and ethical sourcing, and its support for local communities pursuing local initiatives to encourage the use of Fairtrade products.

EXECUTIVE SUMMARY

At its meeting on 31 October 2019, the Council resolved to refer a motion to the Executive for consideration. The motion, moved by Councillor Ritter, called on the Council to commit to a number of activities in respect of Fairtrade.

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Fair trade - in general terms - seeks to assist producers in developing countries through the payment of higher prices and support for improved social and environmental standards. The Fairtrade Foundation in the UK is an independent non-profit organisation which promotes fair trade in the UK and awards 'Fairtrade Town' status.

This report considers the actions available to the Council in relation to Fairtrade. It concludes that the Council should support local communities that wish to pursue Fairtrade Town status; however it also notes that this will need to be balanced against delivery of other agreed Council priorities as set out in the new corporate plan. There will be some limited financial implications associated with the recommendation in this report to Fairtrade refreshment options at Council offices.

The report also recommends that – more generally – consideration should be given to enhancing social value considerations within the Council's procurement documentation. This will help embed not only consideration of Fairtrade options but also other ethical sourcing options.

The Executive has the powers to agree the recommendations.

STATUTORY POWERS

1. The Council has wide ranging powers to promote the economic, environmental and social well-being of the borough. These powers are derived from the Local Government Act 2000. Local authorities also have a best value duty to consider overall value, including economic, environmental and social value in relation to service provision. Social value is about seeking to maximise additional benefits that can be created by procuring or commissioning goods and services, above and beyond the benefit of merely the goods and services themselves.

BACKGROUND

2. At the Council meeting of 31 October 2019, Cllr Ritter moved a motion in respect of Fairtrade. The motion was seconded by Cllr Essex. The full text of the motion is available on the Council website¹. The motion called on the Council to:

“resolve to:

- *Commit to achieve 'Fairtrade Town' status, through support for the local Fairtrade steering group working on achieving this status for Reigate and in due course Redhill, Horley and Banstead, to achieve the status of a Fairtrade borough*
- *Actively promote Fairtrade locally, through support for local groups and churches, in the media including social media, and events, including during Fairtrade Fortnight*
- *Support local Fairtrade Schools, colleges and actively promote Fairtrade teaching materials in local schools and educational institutions*
- *Celebrate businesses already selling Fairtrade products and incentivising more of them to champion Fairtrade in the local community*

¹ <https://reigate-banstead.moderngov.co.uk/ieListDocuments.aspx?CId=136&MId=1416&Ver=4>

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- *Review its procurement policy, including its catering and refreshments offer, to ensure that Fairtrade produce is chosen wherever possible, and that Fairtrade considerations are included as a preference in any contracts going out to tender.”*

3. In accordance with Council Procedure Rule 2.17.3, the motion was referred to the Executive for consideration.

KEY INFORMATION

Introduction to Fairtrade

4. Fair trade - in general terms - seeks to assist producers in developing countries through the payment of higher prices and support for improved social and environmental standards.
5. The Fairtrade Foundation in the UK is an independent non-profit organisation which promotes fair trade in the UK. Its work includes licencing use of the Fairtrade logo and promoting Fairtrade products and public awareness.

Corporate priorities

6. Supporting ethical or fair trade is not explicitly included as a priority or commitment in Reigate & Banstead 2025, the Council's new corporate plan for the period 2020-2025. There are a number of relevant considerations within the plan, however:
 - a. A commitment to acting in environmentally responsible and sustainable way
 - b. A commitment to helping residents and businesses make a positive difference in our communities
 - c. A commitment to operating in a financially efficient and sustainable way.

'Fairtrade Town' status

7. The motion requests that the Council commit to achieve 'Fairtrade Town' status for Reigate and in due course Redhill, Horley and Banstead.
8. Fairtrade Town status is something that is awarded by the Fairtrade Foundation in response to applications from local communities. It is understood that a small group of local residents and business owners in Reigate have formed a steering group and are actively considering applying for Fairtrade status for the town.
9. In order to achieve 'Fairtrade Town' status, the steering group will need to demonstrate that a number of 'goals' have been achieved².
10. Thus, if local towns (such as Reigate) wish to apply for Fairtrade Town status they will need support from this Council; specifically:
 - a. A statement of support for Fairtrade and a commitment to use Fairtrade products wherever possible
 - b. The Council to take practical action in relation to this; and
 - c. A named Council representative on the Fairtrade steering group
11. In relation to the use of Fairtrade products by the Council:

² See <https://www.fairtrade.org.uk/get%20involved//In-your-community/Towns/Applying-for-Fairtrade-Town-Status>

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- a. **Offices:** At the moment, Fairtrade decaffeinated tea is provided across Council offices but other tea, coffee and hot chocolate choices are not Fairtrade branded. Information on consumption, along with cost information from our current suppliers, suggests that moving to Fairtrade tea, coffee and hot chocolate (excluding free/paid drinks vending machines) would command a cost premium of one quarter to one third of current costs.
- b. **Other Council venues:** The Council also provides catering at the Harlequin Theatre, and from Spring 2020 will be bringing its community centres (including associated catering) in house. Future catering arrangements could include the serving of Fairtrade products at these locations as well; however as above, these are likely to come with an associated additional cost.

Other support and promotion

12. The motion also suggests other ways in which the Council could actively support and promote Fairtrade, including through its media activity, and working with schools and businesses.
13. Responsibility for schools and education falls outside the Borough Council's remit. It is therefore not possible for the Council to support this element of the motion.
14. Whilst supporting Fairtrade is not identified as a priority in the Council's corporate plan, the Council could choose to take an active role in promoting Fairtrade locally (for example in some of the ways suggested in the motion). This would, however, either require additional resources or diversion of existing resources from delivering other corporate priorities. The alternative would be for local communities which are interested in Fairtrade to undertake their own activities to promote Fairtrade. This is an approach envisaged by the Fairtrade Foundation, which has published a range of information to enable local communities to do this, including to prepare local action plans.

Procurement

15. The motion also suggests that the Council review its procurement policy to ensure that Fairtrade produce is chosen wherever possible.
16. In taking procurement decisions, the Council can consider only matters that are relevant to what is proposed to be procured, and the extent to which it is proportionate to take those matters into account. The Council must also consider how what is proposed to be procured might improve the economic, social and environmental wellbeing of the borough.
17. It would not therefore be appropriate to amend procurement policy to reflect the motion wording; but it would be possible to take fair trade issues into consideration in relevant tenders.
18. The Council's procurement documentation already includes consideration of social value and explains that preference will be given to suppliers who can demonstrate their commitment to social value. It would also be appropriate to consider whether the reference to social value should be expanded upon in a broader way (for example to also take into account wider sustainable procurement considerations such as support for local suppliers).

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Conclusions and recommendations

19. Based on the above assessment, it is considered that it would be appropriate for the Council to support local communities that wish to pursue Fairtrade Town status, however this will need to be balanced against delivery of the agreed Council priorities as set out in the new corporate plan.
20. The following actions are therefore recommended:
 - a. That the Executive confirms that Reigate & Banstead Borough Council supports Fairtrade and welcomes initiatives by local communities in the borough to encourage the use of Fairtrade goods, including by seeking to achieve Fairtrade Town status
 - b. That the Council offers Fairtrade refreshment options within Council offices where possible and explores opportunities to offer such products at other Council venues.
21. To implement (b) it is proposed that a range of Fairtrade products be trialled initially across Council offices with a view to then phasing these in. In relation to other Council venues, further work will need to be undertaken to understand cost, quality and feasibility.
22. More generally, it is recommended that the Head of Legal be requested – in consultation with the relevant Portfolio Holder - to consider enhancing references to social value within the Council's procurement documentation.

OPTIONS

23. The following options are available to the Executive:
 - a. Option 1: Support the motion as presented to Full Council in October 2019. This option is not recommended, as (i) it goes above and beyond what the Council is able to do; and (ii) the resources required to fully implement the motion would be considerable and require staff or funding to be diverted from the delivery of agreed corporate priorities.
 - b. Option 2: Support the recommendations set out in this report. This option is recommended as it allows the Council to record its support for Fairtrade and commit to use Fairtrade products where possible. In this way, local communities interested in pursuing Fairtrade Town status can be reassured of the Council's backing.
 - c. Option 3: Do not support a motion in respect of Fairtrade. This option is not recommended. The Council has a responsibility to support and promote sustainable development and consider social value, and whilst the amended motion will have some limited cost implications these are considered acceptable.

LEGAL IMPLICATIONS

24. There are no direct legal implications arising from recommendation (i) or (ii).
25. In relation to recommendation (iii) the Head of Legal has oversight of the Council's procurement framework. The Council's approach to procurement is shaped by (and must be consistent with) the Public Services (Social Value) Act 2012, which requires

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public authorities to have regard to economic, social and environmental wellbeing in connection with public service contracts.

FINANCIAL IMPLICATIONS

26. Recommendation (ii) commits the Council to offering Fairtrade refreshment products in Council offices and exploring opportunities to offer Fairtrade products at other Council venues. As noted earlier in this report, Fairtrade products generally come at a cost premium. There will therefore be some limited revenue budget implications associated with the Council supporting this motion; these would need to be absorbed within existing revenue budgets.

EQUALITIES IMPLICATIONS

27. We have a statutory duty to consider and demonstrate equality issues in all of our decisions.
28. In the most general terms, the Council supporting Fairtrade and other ethical sourcing (as per recommendations (i) and (iii)) will have positive equality implications globally, but also potentially locally through the use of local suppliers. No equality implications have been identified with respect of recommendation (ii).

COMMUNICATION IMPLICATIONS

29. Internal communications activity (and external where appropriate) will be carried out in respect of recommendation (ii).

RISK MANAGEMENT CONSIDERATIONS

30. No risks have been identified associated with the recommended actions.

CONSULTATION

31. Executive members have been informally consulted in the preparation of this report.

POLICY FRAMEWORK

32. As outlined earlier in this report, supporting ethical or fair trade is not explicitly included as a priority or commitment in Reigate & Banstead 2025, the Council's new corporate plan for the period 2020-2025. There are a number of relevant considerations within the plan, however, including:
- a. A commitment to acting in environmentally responsible and sustainable way
 - b. A commitment to helping residents and businesses make a positive difference in our communities

BACKGROUND PAPERS

1. Motion to Full Council, 31 October 2019 - <https://reigate-banstead.moderngov.co.uk/ieListDocuments.aspx?CId=136&MId=1416&Ver=4>

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2. Reigate & Banstead 2025: Our Five Year Plan – www.reigate-banstead.gov.uk/rbbc2025

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Agenda Item 5



SIGNED OFF BY	Director of People
AUTHOR	Penny Craig, Senior Development Manager
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TO	Executive
DATE	Thursday, 27 February 2020
EXECUTIVE MEMBER	Portfolio Holder for Housing and Benefits

KEY DECISION REQUIRED	Y
WARDS AFFECTED	Lower Kingswood, Tadworth and Walton;

SUBJECT	Pitwood Park Development: agreement of a change of tenure mix and entering into a build contract.
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RECOMMENDATIONS
<p>(i) The updated forecast expenditure and income for the scheme be accepted and approved.</p> <p>(ii) The Head of Housing be authorised in consultation with the:</p> <ul style="list-style-type: none"> • Head of Finance • Head of Legal and Governance • Executive Member for Housing & Benefits • Executive Member for Finance • Executive Member for Investments and Companies <p>a) To enter into a contract to build with the recommended contractor.</p> <p>b) To appoint and enter into contracts (as required) with any remaining consultants or suppliers to allow the contract to progress to completion including unit sales.</p> <p>c) Enter into an agreement with the chosen Housing Association for the transferral of affordable housing units.</p> <p>d) To amend the tenure mix at a later stage (as required) with up to a maximum of 100% of the scheme being retained by the Council with a condition that the scheme expenditure remains within the approved capital budget of £6,448,000 as detailed within the exempt report in Part 2 of the agenda.</p>

Agenda Item 5

(iii) The Head of Housing be authorised in consultation with the:

- **Head of Legal & Governance**
- **Executive Member for Housing & Benefits**
- **Executive Member for Finance**
- **Executive Member for Investment and Companies**

a) To enter into any Easements, Licences, Covenants or Wayleaves as required on the development.

b) Complete Party Wall agreements as required on the development.

c) Authorise the sale of new homes on this development.

REASONS FOR RECOMMENDATIONS

In April 2018 the Executive approved a report seeking permission to proceed with a mixed tenure development of 25 houses and flats together with associated external works at Pitwood Park. The report provided information on the projected financial return to be expected from the sale of the new homes.

Starter Homes secondary legislation from Central Government has not been issued and, as a result, a revised tenure mix is required on this project. It is also necessary and prudent to reflect a revised financial position as there were a number of assumptions within the previous appraisal which have required updating.

The recommended approvals are now required to facilitate the delivery of this project.

The delivery of the project meets the Corporate priority of making the Borough a great place to work and live. It also supports the Executive's commitment to deliver housing that meets the needs of local people, as 11 of the dwellings on this site are proposed to be sold via a Housing Association partner on a shared ownership basis.

EXECUTIVE SUMMARY

- Pitwood Park is an important regeneration opportunity in Preston and the Council owned site is identified as needing investment/redevelopment. The former building that occupied the site has been demolished. The building was vacant and in poor condition.
- The Executive identified the site as a priority site for meeting the local housing affordability challenge.
- The revised appraisal has been undertaken incorporating a tenure change. The previously appraisal allowed for 17 dwellings to be sold as starter homes. The appraisal made several assumptions which are no longer supported.
- Regardless of the ability to achieve the profit margin previously assumed, the Council is no longer able to deliver the starter home product as secondary legislation, due to be issued by Central Government, has been postponed indefinitely. As such a revised tenure mix, incorporating market sale homes and shared ownership properties (which may be sold onto a Housing Association and marketed by them) is recommended.
- The full financial implications of the tenure variation are included in the exempt report in Part 2 of this agenda

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Executive has authority to approve the above recommendations

STATUTORY POWERS

The Council has no statutory obligation to undertake this work but has general powers of competence under section 1 of the Localism Act 2011 to do anything that individuals with full capacity generally may do, subject to the provision of the Act.

BACKGROUND

1. In April 2018 the Executive received a report seeking permission to proceed with a mixed tenure development for 25 houses and flats together with associated external works. The report provided information on the proposed tenure mix and the projected financial return to be expected from the sale of the new homes.
2. This report explains why a variation to that tenure mix is now required and presents a revised capital budget baseline position to reflect this tenure change.

KEY INFORMATION

Updated Financial Forecasts

3. The financial forecast which gained approval in April 2018 is no longer considered accurate. The appraisal provided within the previous report is now 18 months old. Some of the factors have changed, and some of the assumptions made within that report are no longer supported.
4. Local Housing Market: We have received indicative valuations from local Estate Agents who are advising that there has been a slight downturn in the housing market. Further advice given has indicated that a gross margin allowing for a market downturn should be factored into our development appraisals, as assuming achieving 100% of sales values is a high-risk strategy.
5. Land Costs: The original appraisals did not incorporate the value of purchasing the long leasehold on the site. This has now been shown to fully represent the purchase costs associated with this scheme.
6. Assumptions made in the original report that require amendment: the original appraisals were modelled based on assumptions that new homes would sell immediately, and that those buying the starter homes would all buy increased shares up to 100% within 15 years. Industry advice is that this cannot be relied upon, and this level of 'staircasing' is not evident. A more prudent position is now adopted by many housing associations and Local Authorities who develop new homes, which is that schemes must work without equity sales in the long-term.

Requirement to Amend Tenure Mix

7. Starter Homes: to date the government has not enacted the necessary secondary legislation that would make it possible for developers to market new homes as 'Starter Homes' as was intended by the Housing and Planning Act (2016). Consequently, we cannot market the homes as Starter Homes within the legislative regime which was not created, and as such we need to change the intended tenure mix. Any alternative is required under our DMP (Policy DES6) to deliver a minimum of 30% affordable housing, as also required by our Housing Delivery Strategy.

Agenda Item 5

Alternative tenure mixes were presented to Leaders at their meeting in January 2020, and the preferred option of 11 x shared ownership units (to be sold via a Housing Association partner) and 14 x market sale homes gained support. This variation alters the anticipated amount that the Council can expect back in receipts.

8. Benefits of collaborating with a Housing Association: It is our recommendation that the shared ownership homes be sold onto a Housing Association, with the remainder being sold by the Council for market sale via a sales agent. This joint approach minimises the Council's exposure to the risks of the housing market. It will also act to strengthen the relationship between the Council and the Housing Association selected.

Financial Position

9. The revised assumptions relating to the expenditure and income associated with this project are shown in the exempt report within Part 2 of this agenda.

OPTIONS

10. Option 1 (**Recommended Option**)- Proceed with the development based on the sale of 11 x shared ownership units to a Housing Association and to sell 14 x units on the open market, approve the recommendations listed, and agree the revised baseline position including the ability to amend the tenure mix further if this is seen as beneficial to the Council.
11. Option 2 – Proceed with the development based on a different shared ownership/sale ratio from Option 1. **This is not the recommended option** because the risk profile and costs are both higher for the Council.
12. Option 3- To not proceed with the development. **This is not the recommended option** as the original building on this site has been demolished and the site is vacant. Not proceeding would detract from our regeneration aims and may also lead to the Council incurring reputational damage with the public, as well from contractors who have tendered for this development opportunity.

LEGAL IMPLICATIONS

13. The Council has general powers of competence under Section 1 of the Localism Act 2011 to undertake any activity which an individual with full capacity may undertake. This includes improving service provision and quality of life in identified regeneration areas by developing the Council's own land.
14. The Council must show that the commercial activity would benefit its area, and that the profit generated by such an activity is only ancillary to the general benefit to the residents. However, if profit is the main driver, a special purpose company must be created for that purpose.
15. In this case, the primary objective of the scheme is to achieve regeneration aims in an area identified as requiring improvement, and shows the Council contributing to delivering new housing units and contributing to the overall housing target of a least 460 homes a year being built across the Borough.

FINANCIAL IMPLICATIONS

Agenda Item 5

16. The capital and revenue implications of the proposals have been set out above and in more detail in the exempt report in Part 2 of the agenda.
17. The project can be delivered within the previously-approved Capital Programme allocation of £6,448,000.

EQUALITIES IMPLICATIONS

18. There are no equalities implications arising from this proposal.

COMMUNICATION IMPLICATIONS

19. Communications will respond to any media enquiries which may arise due to the delay to the proposed start-on-site.

RISK MANAGEMENT CONSIDERATIONS

20. The main risks for the Council in undertaking development are in terms of construction cost changes and market fluctuations.
21. However, in this case, these risks have been considered. The construction cost has been produced further to an OJEU compliant tender, and subject to the successful tenderer entering into contract, will be fixed. Market sales costs have been revised and up-to-date sales values incorporated into the appraisal. An appraisal reflecting a drop in sales values is also included in the exempt report in Part 2 of this agenda.
22. Risk has been partially mitigated by our proposal to transfer a number of the units to a Housing Association for a fixed cost. It continues to be our intention to sell market sales homes off-plan, so that income can be secured at the earliest point.

OTHER IMPLICATIONS

- There are no further implications to be considered.

CONSULTATION

23. The Portfolio Holder for Housing and Benefits has been consulted regarding these proposals.

POLICY FRAMEWORK

24. The Adopted Core Strategy (2014) identifies that moderate development and growth in the Preston Regeneration Area will help to bring about social, economic and/or environmental improvements that will benefit people who have fewer advantages than those in the rest of the borough.

BACKGROUND PAPERS

1. Reigate and Banstead Local Plan: Core Strategy (2014) - http://www.reigate-banstead.gov.uk/downloads/file/3073/adopted_core_strategy_july_2014

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2. Corporate Plan 2015-20 - http://www.reigate-banstead.gov.uk/council_and_democracy/about_the_council/plans_and_policies/corporate_plan/index.asp

Agenda Item 6



SIGNED OFF BY	Director of People
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TO	Executive
DATE	Thursday, 27 February 2020
EXECUTIVE MEMBER	Portfolio Holder for Housing and Benefits

KEY DECISION REQUIRED	Y
WARDS AFFECTED	Horley West and Sidlow;

SUBJECT	Lee Street Development: confirmation of the updated capital budget forecast and seek authority to progress the planning and build stages.
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RECOMMENDATIONS

That:

- (i) **The updated capital scheme forecast including the allocation of a further £234,000 Section 106 funding be accepted and approved.**
- (ii) **The Head of Housing be authorised in consultation with the:**
 - **Head of Finance**
 - **Head of Legal and Governance**
 - **Executive Member for Housing & Benefits**
 - **Executive Member for Finance**
 - **Executive Member for Investment and Companies**
- a) **To enter into a contract to build with the recommended contractor (further to a successful outcome at Planning Committee and a compliant tender process), subject to a planning consent being granted and costs falling within the approved capital budget detailed within the exempt report in Part 2 of the agenda.**
- b) **To appoint and enter into contracts (as required) with any remaining consultants or suppliers to allow the contract to progress to completion.**

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(iii) The Head of Housing be authorised in consultation with the:

- **Head of Legal & Governance**
 - **Executive Member for Housing & Benefits**
 - **Executive Member for Finance**
 - **Executive Member for Investment and Companies**
- a) **To enter any Easements, Licences, Covenants or Wayleaves relating to the development.**
- b) **Complete Party Wall agreements as required on the development**
- c) **Authorise new leases granted or entered into by the Council on this development.**

REASONS FOR RECOMMENDATIONS

The scheme presented to Executive in June 2018 was deferred at Planning Committee in October 2019. Further dialogue between Members and Officers highlighted that an increase to unit sizes to meet National Space Standards, and a more traditional construction approach would be favoured.

These amendments have been made and agreement is now sought from Executive to approve the updated scheme budget and a further Section 106 funding allocation of £234,000 in order to see the project through to practical completion and proceed with the development process, subject to planning permission being achieved on the revised design.

EXECUTIVE SUMMARY

- The proposed Lee Street development is required to help house single people. Since the Homelessness Reduction Act, enacted in April 2018, Housing Services has been assisting an increasing number of single people and this trend is expected to continue.
- Several proposals have historically been undertaken for this site, providing designs for a variety of different construction methods. Given the lack of appetite to continue with a SIPS (structural insulated panels system) design, a revised scheme to be delivered in a more traditional brick-built design has now been undertaken. The pre-tender estimate for a traditional scheme is higher than for the SIPS scheme due to the knock-on implications on areas such as foundation design.
- Regardless of the higher construction costs, an increase in budget would have been requested to accommodate both the increase to the SIPS build costs (as the preferred tender submission exceeded the pre-tender estimate), and for professional costs which were not detailed in the original report to Executive.

Executive has authority to approve the above recommendations

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STATUTORY POWERS

The Council has no statutory obligation to undertake this work but has general powers of competence under section 1 of the Localism Act 2011 to do anything that individuals with full capacity generally may do, subject to the provision of the Act.

BACKGROUND

Original Proposal

1. The proposal which was deferred at October's Planning Committee included 4 x 1-bedroom bungalows, intended for single people. The properties were designed to be delivered as SIPS construction. Construction time is typically shorter with a SIPS build as the external envelope can be built quite quickly, they have excellent insulating properties, and life-cycle costs tend to be lower than with traditional construction methods. However, the initial outlay can often come in higher than traditional construction methods for smaller projects.
2. Concurrent with the previously submitted planning application, the construction of the project was put out to tender, in accordance with our procurement procedures. Three tenders were received. The lowest tenderer, despite coming in slightly below the pre-tender estimate (PTE), was not considered to have the required experience to deliver the SIPS system and was not recommended by our Employer's Agent. The recommended tenderer was 12.48% higher than the pre-tender estimate. The third contractor priced themselves out of the tender. The three estimates are included in the exempt report in Part 2 of the agenda.
3. The application to develop 4 x 1-bedroom bungalows was itself a revised proposal. A historic proposal for this scheme, delivering 2 x 2-bedroom bungalows, had been rejected as tenders for that proposal had come in 35% higher than pre-tender estimates, and as such, delivering an alternative "innovative" scheme was hoped to reduce build times, and as such reduce costs.

KEY INFORMATION

Revised Position

4. The scheme has now been revised to increase each unit by the 1m² required to meet National Space Standards and has been redesigned to allow it to be constructed using a brick built "traditional" construction approach.
5. The PTE for this has come in slightly higher than the estimate for the SIPS designed scheme. Our Employer's Agent has detailed that the increase in costs is due to the necessary change to piled foundations (required because of the impact on the 'loading' from changing materials) and associated main contractor on-costs, the change to a design and build form of contract incurring main contractor's design fees, and a small increase due to inflation.
6. It is recommended in this report that the Council proceed with the revised position to ensure that there is no further spend on project redesign and associated consultant fees.

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7. Submission of an amendment to the planning application is underway to revise the design and materials. Approval is now sought to progress to tender stage and enter into a build contract with the most financially advantageous contractor, dependent on receiving a positive outcome at Planning Committee, and subject to the scheme adhering to the financial position detailed in the exempt report in Part 2 of the agenda.

Affordable Housing Commitment

8. The Council remains committed to providing housing of all sizes and tenure. The recently adopted Development Management Plan (September 2019) states, “housing choice and flexibility are important considerations for those living or seeking to live in the borough” and “providing a range of types of homes encourages more balanced communities”.
9. The Council’s Housing Delivery Strategy (December 2019) specifically outlines that “whilst single people with complex needs are a relatively small group the numbers are increasing and accommodation options remain extremely limited or non-existent”, this scheme can help some of this cohort’s pathway to independence once tenancy ready. The Council’s Housing Register currently has 261 households listed as requiring 1-bedroom accommodation; 238 of these are single people. This is out of a total of 870 households on our waiting list.
10. Despite the rise in anticipated scheme costs for Lee Street and the requirement for a larger amount of funding, the Council remains committed to providing single-person low-cost rented accommodation on this site. It is unlikely that other housing providers would deliver this size and tenure of home, and as such, given that there is no requirement for the Council to buy the land, this should maximise the opportunity to use the space to deliver a much-needed house type.
11. Details relating to the rent levels are set out in the exempt report in Part 2 of the agenda. The rents have been kept low in recognition that the individuals being housed are likely to be on very low incomes. These homes are intended as short-term “move on”, to be let on short-term tenancies. They are intended to provide a springboard for people who may currently be in difficult housing circumstances, prior to moving onto more permanent long-term housing.

OPTIONS

12. Option 1 (**Recommended Option**)- Proceed with the development based on the revised traditional brick and block approach, and approve the updated budget requirement and the further Section 106 funding allocation as outlined in the exempt report in Part 2 of the agenda.
13. Option 2- Revert to the previous position of delivering the units via a SIPS system. **This is not a recommended option** as re-designing the scheme to meet National Space Standards in this built form will incur further architectural fees, and the Council will incur a further time delay which may lead to additional inflationary costs.

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14. Option 3- Not proceed with the development. **This is not a recommended option** as the site is sitting vacant and can be better utilised for housing purposes. Not proceeding may incur reputational damage with the public as well given that this site has been promoted historically.

LEGAL IMPLICATIONS

15. The Council has general powers of competence under Section 1 of the Localism Act 2011 to undertake any activity which an individual with full capacity may undertake. This includes improving service provision and quality of life.

FINANCIAL IMPLICATIONS

16. The capital and revenue implications of the proposals have been set out above and in more detail in the exempt report in Part of the agenda.

17. In order to see the project through to practical completion an additional £234,000 will be required to be allocated from Section 106 funding.

EQUALITIES IMPLICATIONS

18. There are no equalities implications arising from this proposal.

COMMUNICATION IMPLICATIONS

19. Communications will respond to any media enquiries which may arise due to the delay to the proposed start-on-site.

RISK MANAGEMENT CONSIDERATIONS

20. The main risk for the Council in undertaking development re in terms of construction cost changes and market fluctuations.

21. However, in this case, the se risks have been considered. We have received a PTE to give us an indication of what the build costs are likely to be. We will undertake a competitive tender exercise to procure a contractor and will fix the price upon entering into contract. In addition, a decision to utilise a JCT Design & Build contract on this project will further minimise the level of risk that the Council is exposed to.

22. Given the level of demand on our Housing Register there is minimal risk of the properties not being let upon completion.

OTHER IMPLICATIONS

- There are no further implications to be considered.

CONSULTATION

23. The Portfolio Holder for Housing and Benefits has been consulted regarding these proposals.

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POLICY FRAMEWORK

24. Our Vision: This development helps us to meet our vision to make the borough a great place to live, work in, do business in and visit.
25. People Objectives: This development helps us to meet our objective to deliver homes that can be afforded by local people and provides a wider choice of tenure, type and size.

BACKGROUND PAPERS

1. Corporate Plan 2015-20 - http://www.reigate-banstead.gov.uk/council_and_democracy/about_the_council/plans_and_policies/corporate_plan/index.asp
2. Housing Delivery Strategy 2020-2025 - http://www.reigate-banstead.gov.uk/info/20040/housing/550/housing_strategies/3
3. Development Management Plan 2020- 2025 - http://www.reigate-banstead.gov.uk/info/20380/current_planning_policy/888/development_management_plan

Agenda Item 7



SIGNED OFF BY	Director of People
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TO	Executive
DATE	Thursday, 27 February 2020
EXECUTIVE MEMBER	Portfolio Holder for Housing and Benefits

KEY DECISION REQUIRED	Y
WARDS AFFECTED	Redhill West and Wray Common;

SUBJECT	Cromwell Road Development: confirmation of the updated capital budget forecast and entering into a build contract
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RECOMMENDATIONS
<p>That:</p> <p>(i) The updated capital budget forecast be accepted and approved.</p> <p>(ii) The Head of Housing be authorised in consultation with the:</p> <ul style="list-style-type: none"> • Head of Finance • Head of Legal & Governance • Executive Member for Housing & Benefits • Executive Member for Finance; and • Executive Member for Investment and Companies <p>To enter into a contract to build with the recommended contractor.</p> <p>(iii) To appoint and enter into contracts (as required) with any remaining consultants or suppliers to allow the contract to progress to completion including unit sales.</p> <p>(iv) To amend the tenure mix at a later stage (as required) with up to a maximum of 100% of the scheme being retained by the Council with a condition that the scheme expenditure remains within the approved capital budget of £6,448,000 as detailed within the exempt report in Part 2 of the agenda.</p>

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(v) The Head of Housing be authorised in consultation with the:

- **Head of Legal & Governance**
 - **Executive Member for Housing & Benefits**
 - **Executive Member for Finance; and**
 - **Executive Member for Investment and Companies**
- a) **To enter any Easements, Licences, Covenants or Wayleaves as required on the development.**
- b) **To Complete Party Wall agreements are required on the development.**
- c) **Authorise new leases granted or entered into by the Council on the development.**
- d) **Authorise the sale of new homes on the development.**

REASONS FOR RECOMMENDATIONS

The baseline financial forecast for the scheme, as presented to the Executive in April 2018 is no longer considered to be an accurate forecast of delivery costs. An exercise to re-baseline the project has been undertaken and a summary of the position is within the exempt report in Part 2 of the agenda.

Should the revised baseline be considered acceptable the recommended approvals are required to facilitate the delivering of this project.

Delivery of this project meets the Corporate priority of making the Borough a great place to work and live. It also supports the Executive's commitment to deliver housing that meets the needs of local people, as half of the dwellings on this site are proposed to be sold on a shared equity arrangement.

EXECUTIVE SUMMARY

- Cromwell Road is an important regeneration opportunity in Redhill and the Council owned site, identified as needing investment and redevelopment.
- Approval was given by the Executive in April 2018 to proceed with the development. The financial forecasts presented within that appraisal have been reconsidered and a revised appraisal has been undertaken as certain assumptions that had been used are no longer considered supportable or current.
- The revised appraisal indicates that a lower level of surplus will be generated by the development. However, the intention to deliver 50% of the units for shared equity sale and 50% for market sale remains.
- Approval of the revised financial baseline position is sought, as well as approval to enter into a build contract with our recommended contractor to deliver the project. Approval of additional items are also required to ensure the smooth delivery of the project.

Executive has authority to approve the above recommendations

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STATUTORY POWERS

The Council has no statutory obligation to undertake this work but has general powers of competence under section 1 of the Localism Act 2011 to do anything that individuals with full capacity generally may do, subject to the provision of the Act.

BACKGROUND

1. In April 2018 the Executive received a report seeking permission to proceed with a mixed tenure development for 32 flats with retail space at ground floor together with associated external works. The report provided information on the projected financial return to be expected from the sale of the new homes.
2. This report provides a revised financial baseline position and seeks approval to proceed to build contract based on the updated financial position.

KEY INFORMATION

Variation to original financial forecasts

1. The financial model which supported the decision to proceed with the scheme in April 2018 is no longer considered accurate. The appraisal provided within that report is now 18 months old and some factors have changed.
2. **Local housing market-** we have received indicative valuations from local Estate Agents who are advising that there has been a slight downturn in the market. Further advice has indicated that a gross margin allowing for a market downturn should be factored into our development appraisals, as assuming achieving 100% of sales values is a high-risk strategy. Details of this are included within the exempt report in Part 2 of this agenda.
3. **Updated build costs-** the build costs indicated within April 2018's committee paper are not in line with current advice provided by our consultants and have not proved to be accurate at tender stage.
4. **Unsupportable assumptions made-** the original appraisals were modelled based on assumptions that new homes would sell immediately, the rental unit would be let directly upon completion, and purchasers of shared equity units selling up triggering a release of capital back to the Council by year 15. Industry advice is that this cannot be relied upon, and that in reality this level of "staircasing" is not evident. A more prudent position is now adopted by many housing associations and local authorities who develop new homes, which is that schemes must work without relying on equity sales in the long-term. The appraisal within this report has been modelled using an industry-recognised development appraisal software, giving a greater degree of accuracy and considers factors such as timing of sales, interest payments, and timing of payments to the main works contractor.

Revised Financial Position

5. The revised financial model shows that the scheme can be delivered within the current approved budget allocation (£10,107,300) in the Capital Programme 2020/21 to 2024/25.
6. The Executive report in April 2018 anticipated that a certain profit (on cost) would be achieved. It is our current assumption that a reduced profit of profit (on cost) is

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achievable if today's assumed sales values are achieved. If we factor in the recommended gross margin (which reflects the risk of not achieving the inputted sales values) the profit margin drops further.

7. The tenure mix assumed remains as 50% market sale and 50% shared equity. The tenure mix proposed continues to deliver homes which are accessible to those on lower incomes. If it is considered that the profit margins are inadequate, then a revised tenure mix could be considered. Equally a revised tenure mix could be accommodated if the Council wishes to increase the number of affordable units delivered.
8. The Housing Delivery Strategy approved in December 2019 outlined the Council's ambitions to continue to provide a wider choice of tenure, type and size of housing, and to do this partly through our own housing delivery programme. This development, encompassing the range of tenures, helps to deliver on these ambitions.
9. It is recognised that whilst this scheme, in isolation, is likely to return a lower surplus than previously forecast, if consolidated with the Pitwood Park project, the combined projects do generate a profit (on-cost) whilst producing a total of 27 homes for discounted market sale out of the 57 proposed to be delivered (11 units for shared ownership at Pitwood Park and 16 units for shared equity at Cromwell Road).
10. Details of profit margins, total scheme costs, and a breakdown of the scheme appraisals are included within the exempt report in Part 2 of the agenda.

OPTIONS

11. **Option 1 (Recommended Option)** - Proceed with the development based on the sale of 50% of the units on a shared equity basis and accept a lower profit level than reported to Executive in 2018, with the ability to amend the tenure mix at a later stage if considered beneficial.
12. **Option 2**- Take a purely commercial approach and sell more units for market sale to generate an increased profit margin. **This is not a recommended option** as the Council is in the position to use its property activities not only to generate profit but also to contribute to wider social and environmental objectives.
13. **Option 3**- Not proceed with the development. **This is not a recommended option** as the original building has been demolished and the site is sitting vacant. Not proceeding may lead to reputational damage with the public as well as the contractors who have tendered for this development opportunity.

LEGAL IMPLICATIONS

14. The Council has general powers of competence under Section 1 of the Localism Act 2011 to undertake any activity which an individual with full capacity may undertake. This includes improving service provision and quality of life in identified regeneration areas by developing the Council's own land.
15. The Council must show that commercial activity would benefit its area, and that the profit generated by such an activity is only ancillary to the general benefit to the

Agenda Item 7

residents. However, if profit is the main driver, a special purpose company must be created for that purpose.

16. In this case, the primary objective of the scheme is to achieve regeneration of a prominent site within the Borough and meets a key objective within our current 5-year plan to "...invest in our town and village centres, so they continue to be places where people choose to live, work, do business and visit".

FINANCIAL IMPLICATIONS

17. The budget implications of the updated scheme proposals have been set out above and in more detail in the exempt report in Part 2 of the agenda.
18. The scheme can be delivered within the current approved budget allocation (£10,107,300) in the Capital Programme 2020/21 to 2024/25.

EQUALITIES IMPLICATIONS

19. There are no equalities implications arising from this proposal.

COMMUNICATION IMPLICATIONS

20. Communications will respond to any media enquiries which may arise due to the delay to the proposed start-on-site.

RISK MANAGEMENT CONSIDERATIONS

21. The main risks for the Council in undertaking development are in terms of construction cost changes and market fluctuations.
22. However, in this case, these risks have been considered. The construction cost has been produced further to an OJEU compliant tender, and subject to the successful tenderer entering into contract, will be fixed. Market sales costs have been revised and up-to-date sales values incorporated into the appraisal. An appraisal reflecting a drop in sales values is also included in the exempt report in Part 2 of this agenda.
23. It continues to be our intention to sell homes off-plan and to let the commercial unit ready to be fitted out and occupied upon completion, so that income can be secured at the earliest point.

OTHER IMPLICATIONS

24. There are no further implications to be considered.

CONSULTATION

25. The Portfolio Holder for Housing and Benefits has been consulted regarding these proposals.

POLICY FRAMEWORK

26. Our Vision: This development helps us to meet our vision to make the borough a great place to live, work in, do business in and visit.

Agenda Item 7

27. People Objectives: This development helps us to meet our objective to deliver homes that can be afforded by local people and provides a wider choice of tenure, type and size.
28. Place Objectives: This development helps us to meet our objective to invest in our town centres, and to use our own assets to provide new retail and new homes in our town centres.

BACKGROUND PAPERS

1. Reigate & Banstead 2025

Agenda Item 8



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TO	Executive
DATE	Thursday, 27 February 2020
LEAD MEMBER	Chairman of Overview and Scrutiny Committee

KEY DECISION REQUIRED	N
WARDS AFFECTED	(All Wards);

SUBJECT	Overview and Scrutiny Committee: Proposed Work Programme 2020/21
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RECOMMENDATIONS
(i) That the proposed Work Programme for 2020/21 as set out at Annex 1 and detailed in the report be approved.
REASONS FOR RECOMMENDATIONS
To agree a Work Programme for the Overview and Scrutiny Committee for the 2020/21 Municipal Year.
EXECUTIVE SUMMARY
<p>The Overview and Scrutiny Committee proposed Work Programme 2020/21 sets out a programme of activity that is in line with the Council's priorities. The Work Programme was considered and agreed by the Overview and Scrutiny Committee at its meeting on 20 February 2020. This report requests the Executive to consider its work programme for 2020/21, and to support the programme for recommendation to Council.</p> <p>Following consultation with the Executive the work programme is submitted for approval by the Council so that it can be agreed before the start of the Municipal Year.</p>

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STATUTORY POWERS

1. The *Local Government Act 2000* (as amended) established Overview and Scrutiny Committees within the Leader with Cabinet model of governance. Subsequent legislation including the *Police and Justice Act 2006*, the *Local Government Public Involvement in Health Act 2007*, the *Local Democracy, Economic Development and Construction Act 2009*, the *Localism Act 2011* and the *Local Authorities (Overview and Scrutiny Committees) (England) Regulations 2012* has provided additional responsibilities on the Committee.

BACKGROUND

2. The Committee's work during 2018/19 continued to reflect the streamlined approach that the Council has adopted to managing its processes. This includes using mechanisms such as Seminars and Portfolio Holder Panels.
3. As required by the Constitution, an outline of the Committee's work programme for 2020/21 was discussed between the Leader of the Council and the Chairman of the Committee with representatives of the Management Team. The purpose of this meeting was to seek a balanced approach to the work programme, whilst retaining the principles of good governance that underpin the Committee's activities. The outcomes of that meeting are reflected in this report and in the proposed work programme.
4. The Committee's work programme is designed to help it plan its business during the year and is set out in various categories in paragraphs 9 to 30.
5. To provide flexibility (to accommodate matters not contained within the work programme) the following protocol has been established: *"In addition to the Committee's agreed work programme it needs to allow flexibility for additional priority work that emerges during the course of the year. In those circumstances the Committee should be permitted to undertake that piece of work following consultation and agreement with the Chairman of the Committee and appropriate Executive Member and Management Team Manager. In the event that this is not possible a report should be made to the Executive requesting the inclusion of the issue within the work programme"*.
6. The prioritisation of the Work Programme may be adjusted by the Chairman during the year to manage the business effectively.
7. An important element of the Committee's work is to ensure that it continues to assist the Council in driving forward the Corporate Plan's key objectives and priorities. The Committee's work programme is therefore designed in a constructive way to link with the Executive's work programme.
8. Annex 1 in this document sets out a summary of the Committee's proposed Work Programme and further details are set out below.

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KEY INFORMATION

9. **Policy Framework consultations** – It is proposed that the Work Programme includes Policy Framework consultation documents as required by Policy Framework procedures within the Council’s Constitution. There are no new Policy Framework consultations documents currently in progress.
10. A plan is prepared administratively which continues to identify all of the strategies/Plans that will be reviewed by the Executive. In 2020/21, emerging strategies could include the Council’s well-being strategy and the Council’s response to Gatwick Airport’s proposals for the increased use of its existing emergency runway. Work will also be underway to implement other important strategies, such as the housing strategy and environmental strategy. Where the proposed strategy is not significantly different, or where they have been tested through Member briefings/seminars following consultation with the Chairman and Vice-Chairman, a formal report will not usually be brought to the Committee.
11. In 2020/21, emerging strategies could include the Council’s environmental strategy and the Council’s response to Gatwick Airport’s consultation on the increased use of its existing emergency runway. Where the proposed strategy is not significantly different, or where they have been tested through Member briefings/seminars following consultation with the Chairman and Vice-Chairman, a formal report will not usually be brought to the Committee.
12. **Work Programme Rolled Forward from 2019/20** – The Committee is anticipated to complete its work programme in 2019/20, with no matters to roll forward.
13. **Portfolio Holder Objectives** – The Committee has continued to work closely with Executive Members during 2019/20 and has received presentations from Portfolio Holders on a number of the Council’s priority work streams. The Committee proposes to continue this approach in 2020/21. It proposes to consider the future services planned for the three Community Centres in Banstead, Woodhatch and Horley after they are brought back in-house on 1 April 2020.
14. **Leader Updates** – To further support effective cooperation of the Committee and the Executive, the Committee is now also receiving biannual updates from the Leader of the Council on the Council’s overarching activities and strategic objectives. The Committee proposes to continue this approach in 2020/21.
15. **Audit Committee activities** – The Committee’s Audit Committee activities proposed for 2020/21 are to consider: (a) the annual Internal Audit report for 2019/20; (b) the Internal Audit Plan for 2020/21 and Charter (c) the monitoring of Quarterly Progress Reports during 2020/21 (d) the External Auditor’s Plan for auditing the 2019/20 statement of accounts (e) the External Auditor’s ISA 260 report following conclusion of the 2019/20 statement of accounts audit (f) the Treasury Management Strategy 2020-21.

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16. **Performance Management Monitoring Activities** – In addition to the audit activities listed above, the Committee has a role to monitor the performance of the Council. Programme and project dashboards are made available each month on the Modern.Gov intranet library. The monitoring activities (including planned investments) have been fulfilled by reporting on the following matters, which the Committee consider appropriate to continue for 2020/21:
 - Quarterly Revenue and Capital budget monitoring forecasts
 - Quarterly Service Performance Management Monitoring
 - Risk Management performance (six monthly)
 - Five Year Plan performance (annual basis).
17. **Panels for 2020/21** – It is proposed that Budget Scrutiny Panel be re-established for 2020/21.
18. **Budget Scrutiny Review Panel** – The Committee has established a Budget Scrutiny Review Panel each year on a task and finish basis. The Budget Scrutiny Review Panel held one meeting in 2019/20 and reviewed the proposed budget for 2020/21 Medium Term Financial Plan). A streamlined approach, supported by an advance questioning process, continued to work well and allowed the Panel to conclude its work in one meeting.
19. It is therefore suggested that the Panel's work in 2020/21 be based on the consideration of the Provisional Budget proposals for 2021/22 (including any updated assumptions within the Medium Term Financial Plan, appropriate revenue projections and a progress report on the Capital Programme projections).
20. To support additional consideration of strategic budget matters, it is also proposed that consideration of the Council's budget objectives and priorities in the Medium Term Financial Plan proposals be undertaken by the Committee at its July meeting.
21. **Local Plan Scrutiny Review Panel** – The Local Plan Panel met in 2019/20, to consider the public consultation responses to the draft Supplementary Planning Documents on Affordable Housing, Barn and Farm Conversions, Historic Parks and Gardens and Reigate Shopfront. As the Council is not currently preparing an update to the Core Strategy or new Local Plan there will be no need for a Local Plan Scrutiny Review Panel. One will be re-established should this position change.
22. **Externally Focused Overview and Scrutiny work** – The Committee has successfully undertaken scrutiny with and of partner organisations in recent years. The Committee proposes during 2020/21 to consider a range of external challenges with partner organisations. It may consider the public consultation on the future services of Epsom and St Helier Hospitals NHS Trust.
23. **Crime and Disorder Scrutiny** – The Committee is the 'crime and disorder' scrutiny committee for the purposes of the Police and Justice Act 2006. This requires the Committee to undertake a scrutiny activity of crime and disorder matters once every 12-month period. The Committee has worked well with partners such as the Police and Surrey County Council on developing this activity.

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24. In 2019/20 the Committee invited the Portfolio Holder for Community Partnerships, along with representatives of the Police and Community Safety Partnership to this meeting to assist it in its consideration of the topic. Consideration of the Community Safety Plan was therefore undertaken by the Committee, supported by the Portfolio Holder for Community Partnerships. It is proposed that the Committee continue to undertake this activity in 2021/22, with regard to those matters considered to be of most significance to the Council in the coming year.
25. **Joint Scrutiny of Surrey-wide Strategic matters** – Although there is a collaborative scrutiny arrangement in place to consider Surrey wide strategic matters, to date no topics have met the criteria. At present there is no activity for the Committee in this area.
26. **Council Corporate Scrutiny** – the Chief Executive, Leader and Chairman of the Overview & Scrutiny Committee considered the need for scrutiny, balanced with the need to protect the need for confidentiality to enable the corporate entities to operate competitively.
27. In 2019/20, updates on Council-owned companies were considered by the Committee on a six-monthly basis. An update was considered by the Committee in October 2019 and another is due to be considered in March 2020. It is proposed that the Committee continue to receive a paper on post-completion outcomes achieved from the projects undertaken through the Council's property company.
28. **Call-Ins** – The Committee would also consider matters that have been called in for review. The inclusive approach adopted by the Executive to include the Overview and Scrutiny Committee in its work has assisted to reduce the number of matters Called-In. In this way the Committee's views can often be considered before the Executive decision is made. There were no Call-Ins of Executive decisions in 2019/20.
29. **Councillor Calls for Action** – The Committee is responsible for considering any Councillor Calls for Action (CCfA) received. The Committee has adopted a procedure for reviewing the inclusion of Calls for Action in its work programme.
30. **Scrutiny of the Public Sector Board** – The Council previously established a Public Sector Board with Surrey County Council to consider joint priorities, and, joint regeneration projects. However, as these projects have been delivered the PSB has not met for the last three years. At the time of writing, Surrey County Council is reviewing its engagement with Borough and District Councils, which may lead to additional activity in this area. At this stage, therefore, there is no specific scrutiny requirement regarding the Public Sector Board in 2020/21, but will be an option for the activities of the Committee to be adjusted, as outlined in paragraph 5, to reflect any changes

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OPTIONS

31. The Executive has the option to support the proposed work programme as set out in the report.
32. The Executive has the option not to approve the proposed work programme as set out in the report and request it to be reconsidered. This is not recommended as the Committee would not then have a scrutiny work programme in place for 2020/21 to enable them to carry out effectively their scrutiny of the Executive.

MANAGEMENT TEAM COMMENTS

33. Management Team is supportive of the Work Programme proposed.
34. The work of the Committee is clearly a valuable part of the overall checks and balances needed to ensure that the authority makes decisions that are robust and challenged with the best interests of the community and the delivery of quality services at the heart of this remit.

LEGAL IMPLICATIONS

35. There are no immediate legal implications arising from this report. However, if the proposed Work Programme is not adopted then this will mean that the work of the Council will not have the overview and scrutiny that is a strategic function of the authority and central to the organisation's corporate governance. The Work Programme provides councillors not in decision-making roles a work plan to set out what and how it wants to hold the Executive publicly to account over the coming year.

FINANCIAL IMPLICATIONS

36. There are no direct financial implications arising from the recommendations set out in this report. Should any of the work undertaken by Overview and Scrutiny generate recommendations with financial implications then these will be highlighted at that time.

EQUALITIES IMPLICATIONS

37. The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
 - Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
 - Advance equality of opportunity between people who share those protected characteristics and people who do not;
 - Foster good relations between people who share those characteristics and people who do not.
38. The three parts of the duty applies to the following protected characteristics: age; disability; gender reassignment; pregnancy/maternity; race; religion/faith; sex and

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sexual orientation. In addition, marriage and civil partnership status applies to the first part of the duty.

39. The Committee should ensure that it has regard for these duties by considering them through the course of its work. This should include considering:
- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
 - Whether the impact on particular groups is fair and proportionate;
 - Whether there is equality of access to service and fair representation of all groups within the Borough;
 - Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

RESOURCE IMPLICATIONS

40. The main role of the Council in considering the Overview and Scrutiny Committee's Work Programme is to ensure that the work streams are appropriate and not leading to duplication. More importantly the Council must ensure appropriate resources are available to add value to that Work Programme and balance the demands of the Committee against the overall priorities of the Council. Given the proposed work programme, no specific resource implications beyond those planned are anticipated.

CONSULTATION

41. In accordance with the Overview and Scrutiny arrangements contained in the Council's Constitution, the Committee's future work programme was discussed with the Leader and the Chair/Vice-Chair of Overview and Scrutiny this report refers to those discussions where appropriate.

POLICY FRAMEWORK

42. It is proposed that the Work Programme includes Policy Framework consultation documents as required by Policy Framework procedures within the Council's Constitution. There are no new Policy Framework consultations documents currently in progress.
43. A plan is prepared administratively which continues to identify all of the strategies/Plans that will be reviewed by the Executive. In 2020/21, emerging strategies could include the Council's environmental strategy and the Council's response to Gatwick Airport's consultation on the increased use of its existing emergency runway. Where the proposed strategy is not significantly different, or where they have been tested through Member briefings/seminars following consultation with the Chairman and Vice-Chairman, a formal report will not usually be brought to the Committee.

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Annex 1 - Overview and Scrutiny Committee: Proposed Work Programme 2020/21

No.	Subject	Proposals	Management Team comments
(i)	Policy Framework Consultations	To consider Policy Framework consultation documents.	Supported
(ii)	Work Rolled Forward	No proposals.	-
(iii)	Portfolio Holder Objectives	To receive presentations from Portfolio Holders. To receive biannual updates from the Leader of the Council.	Supported
(iv)	Audit Committee Activities	<p>To consider:</p> <p>(a) the annual Internal Audit report for 2019/20</p> <p>(b) the Internal Audit Plan for 2020/21 and Charter</p> <p>(c) the monitoring of Quarterly Progress reports during 2020/21</p> <p>(d) the External Auditor's Plan for auditing the 2019/20 statement of accounts</p> <p>(e) the External Auditor's ISA 260 report following conclusion of the 2019/20 statement of accounts audit.</p> <p>(f) the Treasury Management Strategy 2020-21 and mid-year review.</p>	Supported

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No.	Subject	Proposals	Management Team comments
(v)	Performance Management Monitoring Activities	To consider: <ul style="list-style-type: none"> • Quarterly Revenue and Capital budget monitoring forecasts • Quarterly Service Performance Management Monitoring • Risk Management performance (six monthly) • Five Year Plan performance (annual basis). 	Supported
(vi)	Scrutiny Panels	That the following Panels be re-established in 2020/21: <ul style="list-style-type: none"> • Budget Scrutiny Panel 	Supported
(vii)	Joint Scrutiny	No countywide joint scrutiny is programmed.	Supported
(viii)	Externally focused work	To consider a range of external challenges with partner organisations.	Supported
(ix)	Call Ins; Councillor Calls for Action	To consider Call-Ins and Councillor Calls for Action.	Supported
(x)	Crime and Disorder Scrutiny	To continue to undertake Crime and Disorder scrutiny activity once every 12 months.	Supported
(xi)	Council Corporate Scrutiny	To consider updates on the performance of Council companies on a six-monthly basis.	Supported
(xii)	Public Sector Board	No proposals at this time.	-

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