

Agenda

Council

Thursday, 1 December 2022 at 7.30 pm

New Council Chamber, Town Hall, Reigate



Members will assemble at the Town Hall, Reigate. Members of the public and Officers may attend remotely.



Members of the public may observe the proceedings live on the Council's [website](#).

Members of Reigate and Banstead Borough Council are respectfully summoned to attend a meeting of the Borough Council on Thursday, 1 December 2022 at 7.30 pm.

Prior to the commencement of the meeting, prayers will be said by the Mayor's Chaplain

Mari Roberts-Wood
Managing Director

For enquiries regarding this agenda;

Contact: 01737 276182

Email: democratic@reigate-banstead.gov.uk

Published 23 November 2022

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

- 1. Minutes** (Pages 5 - 10)
To sign the Minutes of the meeting of the Council held on 27 October 2022.
- 2. Apologies for absence**
To receive any apologies for absence.
- 3. Declarations of interest**
To receive any declarations of interest.
- 4. Urgent business**
To consider any urgent business.
- 5. Public questions** (Pages 11 - 12)
To consider any questions received from members of the public under Council Procedure Rule 2.14.
- 6. Questions by Members**
To consider any questions received from Members of the Council under Council Procedure Rule 2.15.
- 7. Recommendations** (Pages 13 - 14)
To receive and consider the recommendations of the Council's Executive, Committees and Sub-Committees for decision including:
Executive meeting held on 17 November 2022
 - Minute 40 – Governance of the Council's charitable trusts*Related Committee agenda, reports and minutes are available [here](#).*
- 8. Statements**
To receive any statement from the Leader of the Council, Members of the Executive, Chairmen of Committees or the Managing Director.
- 9. Council Tax Base 2023/24** (Pages 15 - 20)
For Council to approve a Council Tax Base for 2023/24 for the purpose of setting the Collection Fund budget.
- 10. Constitution update** (To Follow)

For Council to receive recommendations for approval on amendments to the Constitution and Scheme of Delegation.

11. Leader's announcements

To receive any announcements by the Leader of the Council.

12. Mayor's announcements

To receive any announcements from the Mayor.



Our meetings

As we would all appreciate, our meetings will be conducted in a spirit of mutual respect and trust, working together for the benefit of our Community and the Council, and in accordance with our Member Code of Conduct. Courtesy will be shown to all those taking part.



Streaming of meetings

Meetings are broadcast live on the internet and are available to view online for six months. A recording is retained for six years after the meeting. In attending any meeting, you are recognising that you may be filmed and consent to the live stream being broadcast online, and available for others to view.



Accessibility

The Council's agenda and minutes are provided in English. However, the Council also embraces its duty to anticipate the need to provide documents in different formats, such as audio, large print or in other languages. The Council will provide such formats where a need is identified prior to publication or on request.



Notice is given of the intention to hold any part of this meeting in private for consideration of any reports containing "exempt" information, which will be marked accordingly.

Minutes of a meeting of the **Council** held at the **New Council Chamber - Town Hall, Reigate** on **Thursday, 27 October 2022 at 7.30 pm.**

Present: Councillors F. Kelly (Mayor) and M. A. Brunt (Leader); R. Absalom (Deputy Mayor), T. Schofield (Deputy Leader), T. Archer, J. Baker, R. Biggs, M. S. Blacker, J. Booton, N. J. Bramhall, J. S. Bray, G. Buttironi, P. Chandler, V. Chester, M. Elbourne, J. C. S. Essex, P. Harp, N. D. Harrison, G. Hinton, J. Hudson, E. Humphreys, A. King, J. P. King, S. A. Kulka, V. H. Lewanski, N. C. Moses, C. M. Neame, S. Parnall, A. Proudfoot, R. Ritter, K. Sachdeva, S. Sinden, C. Stevens, M. Tary, R. S. Turner and S. T. Walsh

Attended remotely: Councillors Z. Cooper and S. McKenna

Visiting Members present:

32 Minutes

RESOLVED that the Minutes of the meeting of Council held on 22 September be approved as a correct record and signed.

33 Apologies for absence

Apologies for absence were received from Councillors Adamson, Ashford, Avery, Harper, Michalowski and Torra.

34 Declarations of interest

There were none.

35 Urgent business

There was no urgent business for Council to address.

36 Public questions

No questions were submitted by members of the public.

37 Questions by Members

Agenda Item 1

Council, Thursday, 27th October, 2022

Five questions with notice were received from Members of the Council with response provided in accordance with Procedure Rule 2.15.8.

	Question by	To be answered by	Subject
1.	Councillor Ritter	Councillor Brunt, Leader of the Council, on behalf of Councillor Ashford, the Executive Member for Community Partnerships	Charities and the cost-of-living crisis
2.	Councillor Essex	Councillor Neame, Executive Member for Housing & Support	Surrey County Council's county-wide strategy on housing, accommodation and homes
3.	Councillor McKenna	Councillor Neame, Executive Member for Housing & Support	Temporary mortgage support and evictions protection
4.	Councillor Chandler	Councillor Archer, Executive Member for Investment & Companies	Temperature control in Council buildings
5.	Councillor Sinden	Councillor Mrs Bramhall, Executive Member for Neighbourhood Services	More and reduced cost allotments

Note: For more information on the response to Council questions, please see the following page on the Council's website:

<https://reigate-banstead.moderngov.co.uk/ecCatDisplay.aspx?sch=doc&cat=13260>

38 Local Plan - Local Development Scheme

Councillor Biggs, the Executive Member for Policy and Place Delivery introduced the Local Plan – Local Development Scheme and the recommendations to Council. It was noted that the existing Local Plan Core Strategy together with the Development Management Plan were scheduled to run until July 2027. It was therefore necessary to commence work on a new Local Plan setting out the vision and policies for development beyond 2027. This would fulfil the statutory requirement as well as allow development to be steered towards the most appropriate locations, to set ambitious environment sustainability requirements, help attract investment in infrastructure and respond to changes in legislation and demographics. The first stage in the development of a new Local Plan was to agree a Local Development Scheme, establishing a formal timetable to gather evidence through consultation with a range of stakeholders. It was proposed to return to a single plan rather than continuing with a disaggregated Core Strategy and Development Management Plan. This would be more efficient and effective as it would necessitate only a single consultation process.

Agenda Item 1

Council, Thursday, 27th October, 2022

It was emphasised that Members would be provided with opportunities to engage in the process of developing the new Local Plan.

Having received his request to talk to the item, the Mayor invited Cllr Harrison to speak. The Councillor expressed his concern about the possibility of not achieving the new Local Plan within the required five-year period such that the Council were to lose control of its planning policy. The evidence of what had happened to other Councils under such circumstances was cited with it being highlighted that Local Development Scheme lacked any contingency.

The Mayor invited other Members to speak but none were forthcoming.

In response, Councillor Biggs noted the need to work as a whole Council to make sure that the next Local Plan was achieved by the July 2027 deadline.

RESOLVED:

- i) To agree and publish the new Local Development Scheme and thereby commence work on a new Local Plan; and
- ii) To agree to consider the budget growth proposals, as part of service and financial planning for 2023/24, to establish a budget for preparation of a new Local Plan.

39 Recommendations

RESOLVED that the recommendation of the Executive, from its meeting on 20 October 2022, (Minute 30/Treasury Management Strategy Outturn) be adopted.

40 Statements

Councillor Mrs Bramhall provided Council with a statement on the success of Greenspaces Team in the *South & South East in Bloom* competition. In summary the following awards were achieved:

- Gold: Earlswood Common, Redhill Memorial Park, Redstone Cemetery, Reigate Priory Park
- Silver Gilt: Reigate Castle Grounds, Reigate Garden of Remembrance, Reigate Heath, Tanyard Meadow
- Silver: Lady Neville Park

Councillor Neame provided Council with a statement on the decision agreed by the Executive at its meeting on 20 October 2022 to spend an additional £4m on emergency and temporary accommodation in the Borough. It was intended that this would be used to purchase one *House of Multiple Occupation* for single people and eight properties within the Borough to keep families local, within their social networks and children able to remain at their existing schools. Additionally, the Councillor informed Council that Wheatley Court had won an award for being the best large social housing development in the South East.

41 Motion: The cumulative impact of emergency sewerage discharges

Councillor Chandler proposed the motion making the following points:

Agenda Item 1

Council, Thursday, 27th October, 2022

- Concern expressed about the number of spills happening in the local area and that these may be exacerbated further local development.
- This was compared with Thames Water stating, as a consultee for new developments, that there was sufficient capacity within the Borough the Council's development plans. Had wanted to highlight this discrepancy to Council.
- Called on the need for proactive action to sort out why there were so many emergency spills and whether this would worsen as a result of further development.
- Called for the number of discharges to be monitored and to require Thames Water to respond to the Council on planning applications and the likely effect of spills.

Councillor Sinden seconded the motion and called on the Planning Team to use its expertise to ensure that any new development had sufficient sewage and drainage to be able to cope with the extra load.

The Mayor confirmed that it was convenient and conducive to the conduct of business to allow the motion to be addressed at the meeting.

Councillor Brunt, the Leader of the Council, responded to the motion on behalf of the Executive making the following points:

- Agreed that the number of emergency sewerage discharges was a concern.
- Had undertaken his own research to verify the number of spills and the effect these were having on the quality of rivers and streams.
- Highlighted difficulties with the data provided; the volume of the spills or what these contain was not included. Only the number and the time length of spills was provided.
- Noted that whilst the Council was obligated to protect the whole of the local community, it did not have the powers to regulate or impose penalties on those carrying out the discharges. Rather the responsibility was with the Environment Agency. Welcomed that the Environment Agency was imposing new requirements to reduce the impact of wastewater discharges but called on the Government to do more.
- As the Local Planning Authority, the Council had a role to assess applications in accordance with Development Management Plan Policies including that they do not have unacceptable pollution impacts.
- It was the role of the Environment Agency, as a statutory consultee, to independently assess the water quality impact of proposed developments. Therefore, it was not clear why the Council would employ its own consultants to do the same job.
- Development Management Plan Policies also made it clear that the focus for planning decisions should be whether the proposed development was an acceptable use of land rather than the control of processes and/or emissions which were subject to separate pollution control regimes. Planning decisions should be made assuming that those regimes were operating effectively.
- It was thought that there was little information that could be added by the Council paying for its own monitoring of spills.
- The Council was only in a position to request and not require that Thames Water consider discharge data in its response to any proposed development.

Agenda Item 1

Council, Thursday, 27th October, 2022

The Mayor informed Councillor Brunt that he had exceeded the time allocated for him to speak in response to the motion but that as no other speakers had registered to speak, he was welcome to proceed with the time allocated for him to speak immediately before Councillor Chandler's final speech. Councillor Brunt continued and noted:

- Reports on major planning applications did already set out responses from Thames Water, the Environment Agency as well as local flood authorities along with how surface water drainage was managed.
- How planning applications were reported and assessed was a matter for the Planning Committee or the Development Management Advisory Group rather than Full Council but this matter had not been raised with the Committee.
- Therefore, whilst he agreed with residents and Members that there was more to be done by water companies to eliminate water spills, he was not able to support the motion. This was because the recommendations it contained would not achieve meaningful change or protection.

Councillor Chandler exercised his right to speak immediately before the vote on the motion. The Councillor was heartened that his concern for the quality of water and the protection of residents was shared. It was acknowledged why the specific recommendations in the motion were not supported and it was hoped that it would be possible to look for ways to ensure that water companies improve the infrastructure including not just for new developments but also existing and older properties.

The Mayor conducted the vote on the motion by show of hands. Fifteen votes were received in support of the motion with twenty-one votes against and five abstentions. The motion was therefore rejected.

42 Leader's announcements

Councillor Brunt, the Leader of the Council, had no announcements to make.

43 Mayor's announcements

In his announcements, the Mayor reminded Members that business attire was the dress code for all attending Council including remotely. The success of the Reigate and Banstead Volunteer Awards Ceremony was celebrated and the contribution of individual volunteers and teams to the life of the Borough highlighted. Members were reminded of arrangements for Remembrance Sunday and informed that the Town Hall building would be suitably illuminated as a mark of respect to all who had served and continued to serve. Details of the rescheduled event to unveil the Ark Royal ensign were provided (to take place at the Town Hall from 2:30pm on Saturday 19 November 2022).

Members were invited to attend the Mayor's Carols by Candlelight Service at Holy Trinity Church in Redhill on Sunday 17 December 2022. They were also encouraged to support the Mayor's fundraising activities including Burns Night on Saturday 28 January 2023, a luncheon event hosted by the Mayoress on Monday 24 April 2023 and a *Dress to Impress Ball* on Saturday 13 May 2023.

Agenda Item 1

Council, Thursday, 27th October, 2022

The meeting finished at 8.37 pm

Reigate and Banstead Borough Council

Meeting of Council 1 December 2022

Public Questions

Verbal responses to be given at the meeting			
	Question by	To be answered by	Subject
1.	Mr Christopher Whinney	Councillor Lewanski, the Executive Member for Corporate Policy	Retrofitting insulation

Agenda Item 5

Mr Christopher Whinney will ask the **Executive Member for Corporate Policy and Resources, Councillor Lewanski**, the following question:

Question 1: Retrofitting insulation

In the Autumn Statement the Government re-affirmed its intention to mitigate Climate Change and continue measures to reduce use of energy. It has put aside considerable funds to encourage Local Authorities to retrofit dwellings in their Boroughs.

In 2021/22 90 low-income households were retrofitted in Reigate & Banstead, so for 2022/23 what amount of central funds were tendered for and funds actually received to date and how many dwellings have been retrofitted to date and how many still to be retrofitted, please?

What is the intention of RBBC for 2023/24?

Cllrs and interested persons have indicated concern on lack of sufficient number of operatives capable of installing such systems etc. Would the forthcoming reply include some comment on training for operatives, please?

Recommendations from the Executive – 17 November 2022

Minute
reference
40

GOVERNANCE OF COUNCIL'S CHARITABLE TRUSTS

The Executive Member for Investment and Companies, Councillor Archer, introduced the report and explained that the Council was the sole trustee for seventeen charitable trusts, which were registered with the Charity Commission.

To promote good governance and to demonstrate that there was a clear separation between the Council's role as the municipal authority and the Council's role as trustee, officers recommended that the terms of reference of the Commercial Ventures Executive Sub-Committee be extended so that it fulfilled the role of trustee in the charitable trusts where the Council was the sole trustee.

It was therefore proposed that the Commercial Ventures Executive Sub-Committee be renamed as the Partner, Shareholder and Trustee Sub-Committee.

The six main duties of trustees were:

- To ensure a charity is carrying out its purpose for the public benefit;
- To comply with the charity's governing document and the law;
- To act in the charity's best interests;
- To manage the charity's resources responsibly;
- To act with reasonable skill and care; and
- To ensure the charity is accountable

The terms of reference and functions of the new sub-committee would be guided by the Charity Commission's principles, as follows –

- To promote compliance by charity trustees with their legal obligations in exercising control and management of the administration of their charities.
- To promote the effective use of charitable resources.

Online training on governance of charitable trusts would be delivered to committee members and officers in November 2022.

The Executive Member commended the recommendations to the Executive, and upon a vote it was –

Recommended to Council:

Agenda Item 7

- 1) That, in accordance with Article 15 of the Constitution, Full Council approves the extension of the terms of reference of the Commercial Ventures Executive Sub-Committee, subject to paragraph (2) below, by incorporating the terms of reference as shown in Appendix 1 to this report.**
- 2) That the Monitoring Officer be authorised to take all necessary action to finalise the terms of reference to be included in the Council's Constitution and to make such other consequential amendments to the Constitution as the Monitoring Officer deems appropriate.**
- 3) The Commercial Ventures Executive Sub-Committee be renamed as the Partner, Shareholder and Trustee Sub-Committee.**



Signed off by	Chief Finance Officer
Author	Jacqueline Aboagye, Finance Manager Simon Rosser, Head of Revenues, Benefits and Fraud
Telephone	01737 276302 01737 276478
Email	jacqueline.aboagye@reigate-banstead.gov.uk simon.rosser@reigate-banstead.gov.uk
To	Council
Date	Thursday, 1 December 2022
Executive Member	Deputy Leader & Portfolio Holder for Finance and Governance

Key Decision Required	Y
Wards Affected	(All Wards);

Subject	Council Tax Base 2023/24
----------------	--------------------------

<p>Recommendations</p> <ul style="list-style-type: none"> (i) That Council approve a Council Tax Base for 2023/24 for the purpose of setting the Collection Fund budget of 63,495.31 Band D equivalents, this being a net increase in the Tax Base compared to 2022/23 of 1.96%; (ii) That Council delegate authority to the Chief Finance Officer in consultation with the Deputy Leader & Portfolio Holder for Finance & Governance to make further adjustments to the final Tax Base where necessary to reflect any changes in the underlying assumptions and report the outcome to Executive in January.
<p>Reasons for Recommendations</p> <p>The Tax Base has to be determined for the following financial year before 31 January each year and reported to the Department for Levelling Up, Housing & Communities and precepting authorities. This is in accordance with the Local Authorities (Calculation of Tax Base) Regulations 1992.</p>

Agenda Item 9

The Council's Constitution requires that the Council Tax Base is approved by the Full Council

Executive Summary

The Council Tax Base is the measure of the relative taxable capacity of each of the three separate tax-raising areas of the Borough:

- Reigate & Banstead Borough as a whole;
- the Horley Town Council area; and
- the Salfords & Sidlow Parish Council area.

It becomes the basis for council tax setting for all precepting authorities including the County Council and Police & Crime Commissioner.

The number of dwellings in each area which are in the valuation list at 12 September was submitted to the Department for Levelling Up, Housing & Communities (DLUHC) in October. This has then been adjusted according to local knowledge to become the Tax Base for council tax setting purposes for the next financial year.

The recommendation is that the Band D equivalent Tax Base be adopted for each area as follows:

Area / Town / Parish	Band D 2022/23	Band D 2023/24	% Change
Reigate & Banstead Borough Council	62,274.70	63,495.31	+1.96%
Horley Town Council	10,766.20	10,991.72	+2.09%
Salfords and Sidlow Parish Council	1,434.10	1,443.97	+0.69%

Council has authority to approve the recommendations.

Statutory Powers

1. Section 67 of *The Local Government Finance Act 1992* (as amended by Section 84 of the *Local Government Act 2003*) requires a local authority to determine its Council Tax Base for the following financial year before 31 January each year.

Background

2. The Council Tax Base comprises:
 - a. the total number of dwellings expected to be in occupancy during the financial year at their relevant bandings A-H;
 - b. less expected reliefs e.g. single person discounts and disabled reliefs;
 - c. add premiums e.g. empty home premium; and
 - d. less expected Council Tax Support.

Expressed as units of the Band D Council Tax.

3. Individual dwellings are placed in bands by the Valuation Office Agency from A to H according to their relative market value. The Council is notified of those bandings as each property is added to the listing.
4. The council tax charged to occupants of those dwellings is then increased or decreased proportionately according to the following ratios:

Band	Ratio
A	6/9
B	7/9
C	8/9
D	9/9
E	11/9
F	13/9
G	15/9
H	18/9

5. The status of council tax billpayers themselves can then mean that the council tax bill is reduced according to their circumstances, and the reliefs they may be able to claim, as well as eligibility for the Local Council Tax Support Scheme.
6. Reigate and Banstead Borough Council is both a Billing Authority and a Collecting Authority for council tax.
7. As Billing Authority it uses the Tax Base to set a Council Tax requirement and the level of Band D Council Tax for this borough.
8. The Tax Base is used to support other authorities in one of two ways:
 - Major preceptors such as the County Council and Police & Crime Commissioner include this Tax Base within their Tax Base as a whole to calculate their overall Council Tax Requirement; and

Agenda Item 9

- Town and Parish Councils set a precept based on their element of the total Council Tax Base.

9. As a Collecting Authority, Reigate and Banstead collects council tax for all preceptors and distributes these funds to them according to an agreed timetable during the year.
10. At the end of the financial year Reigate and Banstead calculates the surplus or deficit on the Council Tax Collection Fund for the year, being the difference between the Band D average Tax Base x Band D Council Tax and the amount actually collected in year. The relevant proportion of any surplus or deficit then becomes a call on the General Fund for the precepting authorities in the following financial year. It is therefore important to set a reasonable estimate for the Council Tax Base to support sound financial planning for the precepting authorities.

Key Information

Calculations

11. The 12 September 2022 Tax Base has been adjusted for:
- Estimates of the number of taxpayers likely to receive Local Council Tax Support; and
 - Estimates of the collectability of council tax due during the year.
12. The assumptions supporting the 2023/24 Tax Base forecasts are:
- That Local Council Tax Support for pensioners will be stable across the period; and
 - The collectability and non-payment adjustment will be at 0.28% of the Tax Base.

Table 1 – DETAILED TAX BASE FORECAST	Reigate & Banstead Borough	Horley	Salfords and Sidlow
Tax Base as at 12 September 2022	67,019.80	11,660.30	1,499.10
Less: Local Council Tax Support Claims	(3,541.92)	(690.37)	(50.93)
Plus: Growth – New Homes	205.67	54.59	-
Gross Tax Base	63,683.54	11,024.52	1,448.17
Less: Non-Collection allowance	(188.23)	(32.80)	(4.2)
Tax Base for Budgeting	63,495.31	10,991.72	1,443.97

13. The 2023/24 Tax Base compares to 2022/23 as follows:

Table 2 – COMPARISON WITH PRIOR YEAR TAX BASE	2022/23	2023/24	Movement
Tax Base as at 14 September	65,955.00	67,019.80	1,064.80
Less: Local Council Tax Support Claims	(4,012.30)	(3,541.92)	470.38
Plus: Growth - New Homes	519	205.67	(313.33)
Gross Tax Base	62,461.70	63,683.54	1,221.84
Less: Non-Collection allowance	(187)	(188.23)	(1.23)
Tax Base for Budgeting	62,274.70	63,495.31	1,220.61

Options

14. The methodology for setting the Council Tax Base must be robust and estimates must be based on reasonable assumptions. These are explained above.

Option 1: Council can approve the recommended Council Tax Base for 2022/23 for the purpose of setting the Collection Fund budget. This is the recommended option.

Option 2: Council can reject the recommended Council Tax Base for 2022/23 for the purpose of setting the Collection Fund budget and/or request additional information. This is not recommended because it would place the authority and preceptors at risk of failing to meet statutory deadline of 31 January for approving the 2022/23 council Tax Base.

Legal Implications

15. The calculation of the Tax Base must be in accordance with Regulation 4 of the Local Authorities (Calculation of Council Tax Base) Regulations 1992.

Financial Implications

16. Determining the Council Tax Base is a fundamental part of the Council's budget setting process. The Tax Base is central in determining the amount of Council Tax income that will be raised, representing a significant proportion of the Council's revenue resources for the coming financial year.

Equalities Implications

17. There are no specific equalities implications arising from this report.

Environmental Sustainability Implications

18. There are no specific environmental sustainability implications arising from this report

Communication Implications

Agenda Item 9

19. There are no specific communications implications arising from this report
Risk Management Considerations
20. There are no specific risk management implications arising from this report
Consultation
21. There is no consultation requirement associated with the recommendations in this report. The approach to annual budget consultation is set out in the Service & Financial planning report to Executive each autumn.
Policy Framework
22. The Corporate Plan includes the priority 'be a financially self-sustaining Council'. The decision on the level of council tax each year is taken as part of the annual budget-setting process.
Background Powers
None