

# Executive

## Schedule of decisions

18 March 2019

Date of Publication: **21 March 2019**

Final date for Call-in under Overview & Scrutiny Procedure Rule 15: **28 March 2019**

Contact Officer: Democratic Services (01737 276182)

Democratic@reigate-banstead.gov.uk

### ITEM

#### 1. Minutes

**RESOLVED** that the Minutes of the Executive meeting held on 21 February 2019 be approved as a correct record and signed.

#### 2. Apologies for absence

**Executive Members:** Councillor Mrs N. Bramhall and Councillor K. Foreman.

**Non-Executive Members:** Councillor R.C. Newstead.

#### 3. Declarations of interest

None.

#### 4. Commercial Governance Review

**RESOLVED** that:

- (i) The findings of the Commercial Governance Review Member Task Group be noted.
- (ii) Subject to (iii) and (iv) below, the Commercial Governance Framework be adopted and implemented.
- (iii) The Overview and Scrutiny Committee's request (from its meeting on 14 February 2019) for the Commercial Governance Framework to be incorporated into the Constitution be supported and that this be built into a report to the next meeting of the Executive (18 April 2019) providing full governance arrangements for the dissolution of existing Sub Committees and the establishment of a Commercial Ventures Sub Committee.
- (iv) Once established, the Commercial Ventures Sub Committee, be tasked with considering the suggestions from the Internal Audit Report, set out in Appendix F of the report presented, when implementing the Commercial Governance Framework.

#### Reason for decision:

To set out the findings of a review of the Council's commercial activities and to support the

adoption of a good practice Framework and Checklist to guide future working and ensure lessons from past practice are implemented.

**Alternative options:**

To either adopt or reject the recommendations of the Commercial Governance Task Group.

**Lead officer:**

Director of Finance and Organisation

**5. Corporate Plan 2020-2025**

**RESOLVED** that:

- (i) The Draft Corporate Plan 2020-2025, set out at Annex 1 to the report presented, be approved for discussion with Council members following the local elections in May 2019, and prior to public consultation in accordance with the Council's Policy Framework Procedure Rules.
- (ii) The Motion presented to Full Council on 8 February 2019 regarding climate change be noted with the following actions agreed:
  - That the Draft Corporate Plan includes a new commitment in relation to environmental sustainability and climate change.
  - That the Council review, and as necessary update, its plans in relation to carbon management and local action on climate change.

**Reason for decision:**

The Corporate Plan forms part of the Council's Policy Framework. The draft plan, set out in the report presented, was developed for discussion purposes and would be re-visited following the borough's all-out elections in May 2019.

**Alternative options:**

To approve the Draft Corporate Plan 2020-2025 for discussion without incorporating any new commitments in relation to environmental sustainability or to not approve the draft Corporate Plan at all and request further work be undertaken before a revised draft is reported back to the Executive.

**Lead officer:**

Director of Finance and Organisation

**6. Treasury Management Strategy 2019-20**

**RECOMMENDED** that the Treasury Management Strategy for 2019/20 be approved.

**Reason for decision:**

To support the adoption of a Treasury Management Strategy for the 2019/20 financial period.

**Alternative options:**

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

**Lead officer:**

Director of Finance and Organisation

**7. Outline Capital Investment Strategy 2019/20**

**RESOLVED** that the Outline Capital Investment Strategy 2019/20 be approved.

**Reason for decision:**

To support the adoption of an Outline Capital Investment Strategy for the 2019/20 financial period.

**Alternative options:**

To not support the contents of the strategy or to defer the report and ask Officers to provide more information and/or clarification on any specific points

**Lead officer:**

Director of Finance and Organisation

**8. Outline Housing Strategy for the Borough**

**RESOLVED** that a Housing Strategy and Action Plan for the borough be developed and brought back to the Executive.

**Reason for decision:**

To support the draft Corporate Plan (2020-2025) objective of securing more homes that are affordable to local people. The outline Housing Strategy sets out the Council's commitment to enabling more housing choices for residents and those who work in the borough who may want the opportunity to live close to where they work but can't afford to do so.

**Alternative options:**

To proceed with a different scope, to defer the development of Housing Strategy until after the draft Corporate Plan (2020-2025) is adopted, or to not support the development of a Borough Housing Strategy at all.

**Lead officer:**

Director of People

**9. Governance Task Group (Constitution)**

**RECOMMENDED that:**

- (i) That the definition of a Key Decision, set out in Article 14 (14.3.2 – 14.3.4) of the Constitution should remain unchanged.
- (ii) That the membership of the Overview and Scrutiny Committee remain at 15 Members.
- (iii) That the membership of the Licensing and Regulatory Committee be reduced to 12 Members.
- (iv) That Members of the Executive be not allowed to be members or substitutes of the Planning Committee and that the Constitution be amended to reflect this.
- (v) That Members of the Planning Committee be not allowed to participate as

**Members of the Committee nor vote on any matters that relate to their own Wards and that the Constitution be amended to reflect this.**

**(vi) That the role of Ward Members at Planning Committee be changed to strengthen and formalise the role with the ability to make representations on behalf of their Ward constituents, with clarification provided in the Constitution on the following:**

**a. Providing any Ward Members with a time-limited opportunity (i.e. 3 minutes per Member with the Chair's discretion to adjust the time allowed and the frequency of contributions to the meeting) for input on each application considered by the Committee, requesting (but not moving) reasons for refusal\* and attendance at site visits.**

*\* A summary of how this would work in practices is:*

- Ward members can request reasons for refusal but not move motions.*
- Reasons for refusal would only be provided to the Member requesting them.*
- The content of those reasons for refusal (requested by ward members) can be put to the Planning Committee during their dedicated speaking slot.*
- The Chairman should maintain an independent role and therefore would not propose reasons for refusal motions on behalf of ward members.*
- Committee members may ask for reasons for refusal to be moved and voted upon, which may include those requested by Ward Members. In the event that no reasons for refusal are moved and the Committee do not agree the Officer Recommendation (e.g. to grant permission) then the matter would stand referred to the next meeting of the Committee for re-consideration.*

**b. A reserved seat be provided in the Chamber for use by Ward Members (including Planning Committee Members who are not able to take up their Committee seat if the application relates to their Ward), to advocate on behalf of their Ward on each relevant application.**

**(vii) That: (a) the Officer Scheme of Delegation be amended to increase the delegation to the Head of Service with responsibility for Planning to determine applications for commercial works not exceeding 250 sqm; and (b) That it be noted that the principle of referring matters to the Planning Committee, as set out in the Planning Protocol, would apply to a. (above).**

**(viii) That the membership of the Planning Committee be broadly representative of the geographic coverage of the Borough and that it be reduced from 19 Members to 15 with a further review 6 months after the first Planning Committee of 2019/20. This review should be carried out by the Governance Task Group in consultation with the Chair and Vice Chair of the Planning Committee.**

**(ix) That the membership of the Standards Committee remain at 5 Members and two Co-opted Members.**

**(x) That the membership of the Employment Committee remains as set out in the Constitution i.e. 5 Members at least one of which must be an Executive Member.**

**(xi) To ensure the Employment Committee makes a positive input to strategic recruitment and cultural development, the following roles and responsibilities be added to the terms of reference for the Employment Committee: (a) Oversight and engagement (with relevant Officers) in respect of the**

development of the Organisational Development Strategy – which includes the talent attraction/development/retention strategy for staff and the Council's Management Structure; (b) Establishing a critical friend role in relation to ensuring the Organisational Development Strategy is on track and fit for purpose. This should include consultation around the annual Service and Financial Planning process and Pay Policy Statement; (c) That the application of a. and b. (above) be detailed in an annual work programme to be agreed at the start of each Municipal Year by the Employment Committee.

- (xii) That Annex 1 of Procedure Rule 9 (Officer Employment Rules responsibility for functions) be amended with the following additions: (a) Direct Reports to the Chief Executive be recruited by the Employment Committee (taking into account the advice of the Head of Paid Service); (b) Employment Committee to be consulted and briefed on the disciplinary / dismissal arrangements (including any compensation agreements) for Direct Reports to the Chief Executive; (c) That the wording of "Other Employees\*" be amended to clarify that this includes Heads of Service; and (d) That the lead Member of the Executive be consulted and briefed in the recruitment of any Head of Service under their Portfolio.
- (xiii) That the membership, and terms of reference, of the standing "Task Group" be appointed annually at the Annual Council meeting applying the spirit of the political proportionality rules. The Task Group would agree its own Work Programme at its first meeting of the Municipal Year.
- (xiv) That a delegation be provided to reflect the wording set out in Paragraph 12\* of the Notes to the Officer Scheme of Delegation (Part 3b of the Constitution) to clarify the Monitoring Officer's role within the scheme.

*\*Paragraph 12 - The Monitoring Officer shall determine any issues as to the form and manner of the Scheme's operation, implementation or interpretation, for example, where clarification is required as to which officers can exercise a delegation or which Executive Member(s) must be consulted, or referred to in paragraph 6. above (ref new legislative provisions).*

- (xv) That the Monitoring Officer be authorised to update the Constitution in accordance with the tracked changes set out in Annex 4 to this report, to reflect the recommendations agreed by the Executive.
- (xvi) That a delegation be provided to the Monitoring Officer to make administrative and consequential amendments to the Constitution arising from the key principles of decisions taken by Council both in response to this report and any other adjustments to clarify points in the Constitution that do not change the key principle of its origin. The Governance Task Group Members would be consulted on the proposed changes two weeks in advance of their publication for any comments.

**RESOLVED** that:

- (i) Chair training be provided to all line Committee Chairs, Vice Chairs, Mayor and Deputy Mayor.
- (ii) All Employment Committee Members (including Substitute Members) to receive appropriate mandatory Member Learning and Development on equality and diversity in employment and related recruitment matters (e.g. fair recruitment processes, interviewing skills, etc.) in advance of sitting as a member of the Committee to ensure they can positively contribute to the Committee and the development of the Council's culture.

- (iii) All Executive Members to receive mandatory Member Learning and Development on equality and diversity in employment and recruitment matters.
- (iv) In addition to the mandatory Licensing and Regulatory training at the start of the Municipal Year, all Licensing and Regulatory Committee Members should attend “refresher training” half way through the year.
- (v) A standing cross-party “Task Group” be established to provide a Forum for the continued review of governance matters by the Council.
- (vi) That the Planning Committee be requested, at its first meeting of the 2019/20 Municipal Year, to review its Planning Protocol to consider introducing wider scope for questioning / speaking at meetings (including the public) and to reflect, subject to Full Council approval, Recommendations vi(a). and vi(b). above.
- (vii) The request for the arrangements for Licensing and Regulatory Sub-Committee Chairs remaining at 5 (the existing number) be considered by the Licensing and Regulatory Committee at its first meeting of the 2019/20 Municipal Year.

**Reason for decision:**

To set out the findings from the Governance Task Group (Constitution) to ensure Council business is well managed and that decisions are taken effectively and efficiently, in accordance with statutory requirements.

**Alternative options:**

To approve/support only some of the proposed changes set out in the report presented or defer making a decision and request further work be undertaken on any aspect of the proposed amendments.

**Lead officer:**

Head of Legal and Governance

**10. Quarterly Performance Report (Q3 2018/19)**

**RESOLVED** that the performance outlined in the quarterly performance report to December 2018 be noted and the revised Key Performance Indicators for 2019/20 and Strategic Risks for 2019/20 be approved.

**Reason for decision:**

To consider the performance for the third quarter of the financial year 2018/19 and to ensure appropriate arrangements for performance monitoring and risk management were in place for 2019/20.

**Alternative options:**

None.

**Lead officer:**

Director of Finance and Organisation

**11. Overview and Scrutiny Committee Work Programme 2019/20**

**RECOMMENDED** that the Overview and Scrutiny Committee Work Programme for 2019/20 be adopted.

**Reason for decision:**

To support the adoption of a work programme for the Overview and Scrutiny Committee for the 2019/20 Municipal Year.

**Alternative options:**

To add to or not support the adoption of the Overview and Scrutiny Committee work programme for 2019/20.

**Lead officer:**

Director of Finance and Organisation

**12. Companies Performance Update**

**RESOLVED** that the performance of companies owned or part owned by the Council be noted.

**Reason for decision:**

To consider the performance of companies owned or part owned by the Council, as of March 2019.

**Alternative options:**

To ask officers to provide additional information to assist consideration of the performance of companies owned, or part-owned, by the Council as of March 2019.

**Lead officer:**

Chief Executive

**13. Disposal of Property in Redhill**

**RESOLVED** that:

- (i) The disposal of a property in Redhill to the existing lessee, as referred to in the exempt Part 2 report, be authorised.
- (ii) The Director of Finance and Organisation, in consultation with the Executive Member for Property and Acquisitions and Executive Member for Finance, be authorised to agree final terms of the sale.

**Reason for decision:**

To release latent value from an asset while ensuring the use of the property, as supported living accommodation, is retained.

**Alternative options:**

To renew the lease of the property to the existing tenant or obtain vacant possession and either convert or demolish the property and rebuild.

**Lead officer:**

Director of Finance and Organisation

**14. Property Acquisitions**

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

**Lead officer:**

Director of Finance and Organisation

**15. Statements**

None.

**16. Any other urgent business**

None.

**17. Exempt business**

**RESOLVED** that members of the press and public be excluded from the meeting for agenda items 18 (Companies Performance Update – Exempt) and 19 (Disposal of Property in Redhill – Exempt) under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

**18. Companies Performance Update (Exempt)**

**RESOLVED** that the exempt information in relation to the performance of companies owned, or part owned, by the Council be noted.

**Lead officer:**

Chief Executive

**19. Disposal of Property in Redhill (Exempt)**

**RESOLVED** that the exempt information in relation to the disposal of a property in Redhill be noted.

**Lead officer:**

Director of Finance and Organisation

**20. Property Acquisitions (Exempt)**

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

**Lead officer:**

Director of Finance and Organisation

**Meeting closed at 9.25 pm**

**Distribution (Electronically):**

All Councillors (eMembers Room) and Management Team including the Chief Executive, S151 Officer, Monitoring Officer and Communications and Information Manager