

# Executive Agenda



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

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8 April 2019

## To the Members of the EXECUTIVE

<b>Councillors:</b>	M. A. Brunt	Leader of the Council
	G. J. Knight	Deputy Leader, Housing and Benefits
	R. H. Ashford	Leisure and Wellbeing
	Mrs. N. J. Bramhall	Property and Acquisitions
	J. E. Durrant	Community Safety
	K. Foreman	Planning Policy
	A. C. J. Horwood	Neighbourhood Services
	E. Humphreys	Business and Economy
	T. Schofield	Finance

For a meeting of the **EXECUTIVE** to be held on **THURSDAY, 18 APRIL 2019** at **7.30 pm** 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, 18 April 2019 in private for consideration of reports containing "exempt" information

1. **MINUTES** (Pages 7 - 22)

To confirm as a correct record the Minutes of the Executive meeting held on 18 March 2019.

2. **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

3. **DECLARATIONS OF INTEREST**

To receive any declarations of interest.

4. **STREET NAMING AND NUMBERING POLICY** (Pages 23 - 46)

**Executive Member: Portfolio Holder for Planning Policy**

To consider replacing the existing Street Naming and Numbering Policy with a revision that improves the opportunity for naming tributes to the deceased, particularly fallen service personnel.

5. **STATEMENT OF COMMUNITY INVOLVEMENT** (Pages 47 - 88)

**Executive Member: Portfolio Holder for Planning Policy**

The Statement of Community Involvement (SCI) is a document setting out when and how the Council will engage with stakeholders and residents on planning issues, including the determination of planning applications and the preparation of planning policy documents.

6. **EMPTY HOMES POLICY** (Pages 89 - 94)

**Executive Member: Deputy Leader and Portfolio Holder for Housing and Benefits**

The Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018 provides discretion for the council to increase Council Tax by up to 100% for long term empty properties. The Council intends to adopt this policy and implement from April 2020.

7. **UPDATE - DEVELOPMENT OF LEE STREET HORLEY SITE** (Pages 95 - 98)

**Executive Member: Deputy Leader and Portfolio Holder for Housing and Benefits**

This report updates Executive on progress to procure a modular construction company. It seeks approval for additional affordable housing s106 capital funding to secure appointment of the identified contractor.

8. **PROPERTY ACQUISITIONS**

**Executive Member: Portfolio Holder for Property and Acquisitions**

To consider any property acquisitions proposed.

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. **UPDATE - DEVELOPMENT OF LEE STREET HORLEY SITE (EXEMPT)** (Pages 99 - 102)

**Executive Member: Deputy Leader and Portfolio Holder for Housing and Benefits**

To consider exempt information in relation to the development of the Lee Street Horley site.

13. **PROPERTY ACQUISITIONS (EXEMPT)**

**Executive Member: Portfolio Holder for Property and Acquisitions**

To consider exempt information in relation to these proposals.

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# Agenda Item 1

Executive  
18 March 2019

Minutes

## **BOROUGH OF REIGATE AND BANSTEAD**

### **EXECUTIVE**

Minutes of a meeting of the Executive held at the New Council Chamber - Town Hall on 18 March 2019 at 7.30 pm.

Present: Councillors M. A. Brunt (Leader), G. J. Knight (Deputy Leader), R. H. Ashford, J. E. Durrant, A. C. J. Horwood, E. Humphreys and T. Schofield.

Also present: Councillors Mrs. R. Absalom, M. S. Blacker, V. W. Broad, J. M. Ellacott, J. C. S. Essex, N. D. Harrison and C. T. H. Whinney.

#### **109. MINUTES**

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

#### **110. APOLOGIES FOR ABSENCE**

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

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

#### **111. DECLARATIONS OF INTEREST**

None.

#### **112. COMMERCIAL GOVERNANCE REVIEW**

Councillor M.A. Brunt, Leader of the Council, invited the Executive to consider a report setting out the findings of the Commercial Governance Review Member Task Group. Councillor Ellacott, Chair of the Task Group, was invited to introduce the report and to outline the approach and key aspects of the review.

The Executive was informed that the review had sought to be forward facing and had identified lessons learned for the future. It was noted that the Task Group had undertaken a thorough review of previous commercial activities, including consultation with relevant Members and Officers, with additional advice from an independent consultant. It was identified that all Members had been updated during the course of the review, and thanks were offered to all those who had contributed to the process.

The Executive was asked to note that:

- The scope of the review was to consider the governance arrangements in relation to all commercial activities that the Council had been involved in, including Pathway for Care; RBBC Limited; Greensand Holdings Limited; Horley Business Park Development LLP.

# Agenda Item 1

Executive  
18 March 2019

Minutes

- The Task Group's methodology had sought an evidence led approach to its work and a series of key questions and lines of enquiry had been used to inform the review.
- The Task Group had undertaken a documentary review of Council/Committee reports and minutes while additional evidence was gathered from the Council's Chief Executive, Section 151 Officer, and the former Leader of the Council.
- Nine meetings / evidence gathering sessions took place between September 2018 and January 2019.

It was highlighted that the outcome of these meeting had informed the design of the proposed commercial governance framework, set out at Appendix D to the report presented, which the Task Group had recommended form the basis for future consideration of potential commercial activities. It was noted the framework comprised a checklist of issues and "golden rules" to be applied whenever the Council proposed to set up a commercial venture.

The Executive was informed that the draft commercial governance framework had been considered by the Overview and Scrutiny Committee in February 2019. RSM, the Council's Internal Auditors, had also offered suggestions on the framework. The Executive was asked to note that comments from the Overview and Scrutiny Committee and the report from the Internal Auditors had been appended to the report presented.

In response to questions, it was highlighted that the framework proposed establishment of a Commercial Ventures Sub Committee. It was noted that this would introduce a streamlined approach to the Council's company governance. The importance of supporting effective scrutiny of commercial activities was also highlighted.

The Leader of the Council thanked the Members of the Task Group and supporting Members and Officers for their work in conducting the 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

# Agenda Item 1

Executive  
18 March 2019

Minutes

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.

## 113. CORPORATE PLAN 2020-2025

Councillor G.J. Knight, Deputy Leader and Executive Member for Housing and Benefits, introduced a report setting out the Council's vision for the period 2020-2025. It was noted that the Corporate Plan formed part of the Council's Policy Framework and that a draft, set out in Annex 1 to the report presented, had been developed for discussion purposes. It was recognised that the content would be re-visited following the local elections in May 2019.

Councillor Knight explained that the existing Corporate Plan, adopted in late 2014, would run until 2020. The Executive was informed that significant progress had been made in delivering against these priorities. However, the context in which the Council operated had continued to change, with new opportunities, challenges and uncertainties.

To ensure Council activities and priorities remained relevant to the borough's residents and businesses it was noted that the revised Corporate Plan had been drafted to take account of the changing national, sub-national and local political, financial, social, environmental and economic landscape. The draft plan had been prepared taking into account a variety of factors, including: performance in delivering the current plan; updated baseline information about the borough's characteristics; the changing policy framework; and view of stakeholders and elected councillors.

Councillor Knight highlighted that the draft plan had been centred on Reigate and Banstead being an ambitious Council and that there were opportunities to make the borough an even better place to live, work, visit and do business.

Councillor Knight explained that the draft plan included objectives about: increasing housing choice for residents and local workers; creating stronger and safer communities; protecting the borough's most vulnerable residents; supporting towns, village centres and the local economy; and providing high quality green spaces and neighbourhood services.

In response to questions about a Motion on Climate Change, considered by Full Council in February 2019, it was explained in response to this debate that the draft Corporate Plan had been updated to include a new cross cutting commitment covering environmental sustainability. This included commitments on reducing waste and emissions, using natural resources more efficiently and reviewing plans in relation to carbon management.

The Deputy Leader and Executive Member for Housing and Benefits concluded by stating that in order to deliver future priorities the Council needed to generate additional funding and operate more efficiently. It was explained that this was why the draft plan had included objectives about financial sustainability and undertaking commercial activities in order to generate additional income.

# Agenda Item 1

Executive  
18 March 2019

Minutes

During the discussion a range of issues were considered, including:

- The resources required to deliver the new plan, including the need to invest to ensure the Council had the right skills to deliver priorities across the plan.
- The importance of the Council's forthcoming Capital Investment Strategy and general investment approach which would support delivery of the Council's objectives.
- Responding to the challenges faced by Surrey County Council.
- The importance of working in partnership and highlighting Horley Town Council and Salfords and Sidlow Parish Council as key partners in delivering the Council's objectives.
- The importance of good communication and implementing effective channel shift.

Councillor Knight confirmed further work would be undertaken, including informal consultation with councillors, before a revised draft was reported back to the Executive. It was also confirmed, as a key component of the Council's Policy Framework, that public consultation would be undertaken on the revised draft and that it would be considered by the Overview and Scrutiny Committee before it was adopted by Full Council.

**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.

## 114. TREASURY MANAGEMENT STRATEGY 2019-20

Councillor T. Schofield, Executive Member for Finance, reported on the current position in relation to the adoption of the proposed Treasury Management Strategy for 2019/20.

The report set out relevant statutory powers, issues (objectives, the current treasury management position, matters for consideration, financial reporting standards and

# Agenda Item 1

Executive  
18 March 2019

Minutes

prudential indicators) legal, financial and equalities implications, risk management and other considerations, consultation undertaken and policy framework factors.

The Treasury Management Strategy 2019/20, set out at Annex 1 to the report presented, consisted of four sections with appendices. Councillor Schofield provided information on each of the following:

- Introduction (Section 1)
- The Capital Prudential Indicators 2019/20 to 2023/24 (Section 2)
- The Borrowing Strategy (Section 3)
- Annual Treasury Investment Strategy (Section 4)
- Appendices

It was noted that each section had been prepared in accordance with the Council's Treasury Management Policy Statement. Councillor Schofield informed the Executive that this had been fully-updated to ensure compliance with changes to the Prudential Code, the Treasury Management Code of Practice and other regulations published during 2017 and 2018. It was highlighted that these changes were necessary to reflect the increasingly complex business models being adopted by local authorities in response to reductions in other funding streams.

The Executive Member for Finance explained that each section contained appropriate Prudential Indicators and highlighted that the Treasury Risk Management Assessment had been incorporated in Section 4, the Annual Treasury Investment Strategy.

The Executive was informed that the draft Treasury Management Strategy had been considered by the Executive in January 2019 and reviewed as part of the consultation by the Treasury Management Panel and the Overview and Scrutiny Committee in February 2019. Councillor Schofield provided an update in relation to changes to the final Treasury Management report, compared to the January draft, and explained that updated tables on counterparty list and minimum criteria per institution had been provided to clearly identify the duration and limits per counterparty.

In response to questions, it was explained that the Treasury Management Strategy 2019/20 would support the Council's forthcoming Capital Investment Strategy and general investment approach, which would in turn support the delivery of the Council's objectives.

**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.

## 115. OUTLINE CAPITAL INVESTMENT STRATEGY 2019/20

Councillor T. Schofield, Executive Member for Finance, submitted a report to outline the Council's approach to capital investment for the next five years.

Executive  
18 April 2019

# Agenda Item 1

Executive  
18 March 2019

Minutes

The Executive was informed that the Outline Capital Investment Strategy, set out in the report presented, formed an important part of the Council's governance arrangements and provided a mechanism by which investment and financing plans could be prioritised. It was explained that this would ensure capital decisions took full account of stewardship, value for money, prudence, sustainability and affordability. The Executive Member for Finance highlighted that the Strategy was intended to be read in combination with the Treasury Management Strategy.

It was noted that the Outline Strategy covered:

- How the Council's investment plans would support delivery of corporate priorities and key strategies, including the new Corporate Plan and Housing Strategy.
- How capital investment options would be evaluated.
- The importance of achieving a balance between capital investment that supported service delivery and investments that delivered financial return to support the budget.
- How the capital programme would be funded, ensuring it was affordable over the medium term.
- The management of risks.
- Plans to extend capital investment planning timescales from the short/medium-term to a longer period (10 years plus).

The Executive Member for Finance explained that the approach, set out in the report presented, had been subject to review by the Treasury Management Panel, at a workshop with the Council's treasury management advisors in February 2019, and had been reviewed by the Overview and Scrutiny Committee in March 2019.

In response to questions, the Executive was informed that in order to develop a final strategy, priority work streams included:

- Refreshing the Council's 5-year Medium Term Financial Plan.
- Evaluating the performance and risk profile of existing and planned capital investments.
- Developing supporting governance and decision-making frameworks.

It was highlighted that the initial Outline Capital Investment Strategy would be developed over the coming months as priorities in the new Corporate Plan and Housing Strategy were confirmed. The Final Capital Investment Strategy was therefore expected to be considered by the Overview and Scrutiny Committee, Executive and Full Council in September 2019.

**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.

# Agenda Item 1

Executive  
18 March 2019

Minutes

## 116. OUTLINE HOUSING STRATEGY FOR THE BOROUGH

Councillor G.J. Knight, Deputy Leader and Executive Member for Housing and Benefits, submitted a report providing an outline Housing Strategy for the Borough.

Councillor Knight explained that the outline strategy set out the Council's commitment to enabling increased housing choice for residents and for those working in the borough who wanted an opportunity to live where they worked but could not afford to do so.

The Executive was informed that the Council had continued to meet or exceed the Core Strategy target of delivering 460 additional homes a year. Councillor Knight explained that developments across the borough needed to provide affordable housing – 30% of all projects in excess of 14 homes and 35% on green field sites. It was also recognised that the National Planning Policy Framework had made it more difficult for developers to plead economic viability in order to avoid their obligation to provide affordable homes, yet it was noted affordability remained an issue.

Councillor Knight explained that the Council needed to explore various options and opportunities to increase housing choice. The outline strategy highlighted a need to explore a range of options, including: opportunities to agree housing delivery vehicles on a specific site basis; working with public land owners to redevelop underused/redundant land and to encourage owners of empty homes to return them to use; reviewing the Council's own land holdings for housing delivery potential; delivering supported housing for single homeless people with complex needs; and the need to review Core Strategy targets and density levels whilst maintaining good design.

During the discussion, a variety of matters were considered, including: the importance of energy efficiency and environmental sustainability; housing delivery targets; shared equity schemes; and the importance of learning lessons from other local authorities.

In response to questions, Councillor Knight stated that the final strategy would be considered by the Executive in September 2019 and would cut across several portfolios. It was noted that the strategy would support objectives in the emerging Corporate Plan (2020-2025) and would be supported, for appropriate projects, by the Capital Investment Strategy.

**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.

# Agenda Item 1

Executive  
18 March 2019

Minutes

## 117. GOVERNANCE TASK GROUP (CONSTITUTION)

Councillor J.E. Durrant, Executive Member for Community Safety and Chair of the Governance Task Group (Constitution), introduced the report as set out.

The Executive was informed that the Task Group had initially been established for a time-limited duration to review certain areas of the Constitution and related governance issues.

It was highlighted that the last in-depth review of the Constitution had taken place in 2014. The Task Group's review, with input from both Members (cross-party) and Officers, had therefore been timely. It also reflected the fact that from May 2019 the Council would be represented by 6 fewer councillors (45 as opposed to 51) following recommendations from the Local Government Boundary Commission.

Councillor Durrant explained that the Task Group's report provided recommendations on the following matters:

- Key decisions;
- Committee sizes, including a range of related matters, especially in relation to the Planning Committee;
- The role of the Employment Committee and Procedure Rules concerning Officer Employment; and
- Options for keeping the Constitution and related governance matters under review.

It was highlighted that in addition to receiving evidence from Members and Officers the Task Group had considered a range of documentary and other material including: Information from the Council's Constitution; Comparative data from Surrey Districts and CIPFA's Nearest Neighbours; Information from Knowles, a well-known manual of law and practice for Local Authority Meetings; and Options and modelling information for the future allocation of line Committee seats. It was noted that the findings from these activities had helped to inform recommendations set out in the report presented.

In response to questions, it was explained that the Task Group had deliberated long and hard over various matters associated with Planning Committee size, including options for decoupling the perceived link between the number of Wards on the Council and the seats on the Committee in order to demonstrate separation of responsibilities. It was noted much of this debate focused on how to remove allegations of perceived bias and predetermination. With this in mind, it was explained that the Task Group had put forward a stronger, more formalised and visible role for Ward Members debating applications at the Committee in their Ward.

Councillor Durrant concluded by highlighting that due to the tight reporting schedule some areas of work had not been progressed as planned. However, subject to relevant recommendations being approved, it was hoped that the work streams, set out in Annex 2 to the report presented, would be prioritised and taken forward during 2019/20.

# Agenda Item 1

Executive  
18 March 2019

Minutes

The Leader of the Council thanked the Members of the Task Group, including Councillor N.D. Harrison whose name had been omitted in error from the covering report, and supporting Members and Officers for their work in conducting the review.

## **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*

Executive  
18 April 2019

# Agenda Item 1

Executive  
18 March 2019

Minutes

*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**

# Agenda Item 1

Executive  
18 March 2019

Minutes

**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.**

Executive  
18 April 2019

# Agenda Item 1

Executive  
18 March 2019

Minutes

- (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.

## 118. QUARTERLY PERFORMANCE REPORT (Q3 2018/19)

The Executive Member for Finance, Councillor T. Schofield submitted a report that detailed major variances on performance for the third quarter of 2018/19 in relation to the Council’s Key Performance Indicators, Revenue Budget Monitoring, Capital Budget Monitoring and Internal Audit. The report also provided an update on Key Performance Indicators and Strategic Risks for 2019/20. The Executive Member confirmed that 8 of the Council’s 14 Key Performance Indicators were on target, or within the agreed tolerance.

The Executive was informed that KPIs 4-8 were contextual homelessness indicators which had been introduced to reflect changes required under the Homelessness Reduction Act (2017). Councillor Schofield explained, as the impact of this legislation was uncertain, no target had been set for 2018/19.

In response to questions about KPI 3, in reference to the number of affordable home completions, it was explained that this was off target at the end of quarter 3. It was noted that against a target of achieving 75 affordable home completions by the end of the quarter, 60 had been achieved and it was recognised that achieving this target was largely outside of the Council’s control. However, at the end of the quarter 52 affordable dwellings were under construction and a further 31 had commenced within the quarter. With this in mind, Councillor Schofield indicated that the overarching target for the year (100) would be achieved.

With regards to the financial aspects within the report, it was noted that there was a healthy underspend on the revenue budget. It was explained that income from planning fees remained buoyant while rental income from commercial property investments was higher than originally forecast due to recent acquisitions. The Executive also noted that good progress was being made on the capital programme.

# Agenda Item 1

Executive  
18 March 2019

Minutes

The quarterly performance report was presented to the Overview and Scrutiny Committee on 14 March 2019 and Councillor Schofield advised that the Committee had raised a number of comments which had been addressed at the meeting.

During the discussion, the Executive noted that a number of internal audits had been completed during quarter 3. In terms of risk management, it was highlighted that no new strategic risks had been identified during the quarter.

Councillor Schofield concluded by explaining, as set out in Sections 6 and 7 of Annex 1 of the report presented, that the Council's Key Performance Indicators had been updated for 2019/20 and that the Council's Strategic Risks had been reviewed and revised for 2019/20.

**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.

## 119. OVERVIEW AND SCRUTINY COMMITTEE WORK PROGRAMME 2019/20

A report was submitted with the proposed 2019/20 work programme for the Overview and Scrutiny Committee. The work programme was appended to the report.

The Leader of the Council, Councillor M.A. Brunt, highlighted that the programme had been reviewed and supported by the Overview and Scrutiny Committee in February 2019 and that the Executive was being consulted, prior to consideration by Full Council in April 2019.

It was noted that the report set out relevant statutory powers, resource, legal and equalities implications and consultation undertaken. In response to questions, Councillor Brunt informed the Executive that he and the Chief Executive had been consulted during the preparation of the work programme and that it delivered a good range of activities that were achievable and added value to the work of the Council.

It was noted that the Overview and Scrutiny Committee had recognised the increased pressures facing the Council and had maintained a streamlined approach to ensure its work programme, and future activities, reflected the Council's priorities.

Councillor Brunt concluded by highlighting that Local Government continued to change and that as a result the Council would continue to monitor both its governance and scrutiny arrangements.

**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.

Executive  
18 April 2019

# Agenda Item 1

Executive  
18 March 2019

Minutes

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

## 120. COMPANIES PERFORMANCE UPDATE

The Leader of the Council, Councillor M.A. Brunt, introduced a report providing an overview of the performance of companies owned or part-owned by the Council. It was highlighted that this was the second of such updates and the first to include information direct from the Board of Directors of each Company. It was noted that these companies, as of March 2019, consisted of Greensand Holdings Ltd, Horley Business Park Development LLP, Pathway for Care Ltd and RBBC Ltd.

The Executive was informed that the report presented had been considered by the Overview and Scrutiny Committee on 14 March 2019. It was noted that the Committee had made a number of comments, including a request for additional company financial/performance information in future updates.

During the discussion a variety of matters were considered and it was noted that additional information had been set out in the exempt Part 2 report of the agenda.

As set out in the report presented, the Executive noted the importance of implementing recommendations from the Commercial Governance Review (considered earlier in the meeting under agenda item 4 – Commercial Governance Review 2018) and establishing a Commercial Ventures Executive Sub-Committee. It was also noted that the new Executive Sub-Committee would have a remit overseeing the Council's company activities and that a report, setting out terms of reference, would be considered by the Executive in April 2019.

**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.

## 121. DISPOSAL OF PROPERTY IN REDHILL

The Leader of the Council, Councillor M.A. Brunt, invited the Executive to consider the disposal of a property in Redhill. During the discussion, the following information was noted by the Executive:

- The property provided supported housing and was used as 5 self-contained bedsit residential units for adults with a mild or moderate learning difficulty or disability.
- The lessee, a registered charity, had long expressed an interest in purchasing the freehold.
- The disposal offered significant benefits in financial terms and also offered benefits to the broader community by ensuring the continued use of the property as supported living accommodation.
- The Council had commissioned a valuation of the property in accordance with s123 Local Government Act 1972 to ensure best consideration was obtained.

# Agenda Item 1

Executive  
18 March 2019

Minutes

- Subject to Executive approval, a sale figure had been agreed at the valuation level.

In response to questions, Councillor Brunt highlighted that the potential disposal had been assessed against the Council's Policy on Disposal of Property and Assessment Management Plan objectives. It was also explained that costs of holding the property, in terms of insurance and improvement work, had been evaluated.

It was noted that full details of the property, including details of the valuation and other financial implications had been set out in the exempt Part 2 report on the agenda.

**Clerk's note** – *at this point in the meeting (9.22pm) agenda item 13 (Disposal of Property in Redhill) was adjourned so that exempt information could be considered under agenda item 19 (Disposal of Property in Redhill – Exempt) ahead of making a decision.*

**Clerk's note** – *The minutes of the meeting reflect the order of business listed on the published agenda, not the order taken at the meeting.*

On conclusion of agenda item 19 (at 9.24pm) the Executive returned to agenda item 13 and;

**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.

## 122. PROPERTY ACQUISITIONS

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

## 123. STATEMENTS

None.

## 124. ANY OTHER URGENT BUSINESS

None.

## 125. 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

# Agenda Item 1

Executive  
18 March 2019

Minutes

interest in maintaining the exemption outweighed the public interest in disclosing the information.

## **126. 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.

## **127. DISPOSAL OF PROPERTY IN REDHILL (EXEMPT)**

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

## **128. PROPERTY ACQUISITIONS (EXEMPT)**

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

The Meeting closed at 9.25 pm

# Agenda Item 4

Street Naming and Numbering Policy



<b>SIGNED OFF BY</b>	Darren Wray, Head of IT
<b>AUTHOR</b>	Robert Steele, Geographic Information Manager
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<b>TO</b>	Executive
<b>DATE</b>	Thursday, 18 April 2019
<b>EXECUTIVE MEMBER</b>	Portfolio Holder for Planning

<b>KEY DECISION REQUIRED</b>	N
<b>WARDS AFFECTED</b>	(All Wards);

<b>SUBJECT</b>	Street Naming and Numbering Policy
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<b>RECOMMENDATION</b>
<ol style="list-style-type: none"><li><b>1. To revoke the existing Street Naming &amp; Numbering policy (dated October 2016)</b></li><li><b>2. To adopt the revised Street Naming &amp; Numbering (SNN) policy at Annex 1.</b></li><li><b>3. To reaffirm the delegation in the Constitution under Part 3b: Officer Scheme of Delegation, paragraphs 8.13, 8.14 and 8.15 with reference to street naming and numbering to the relevant Head of Service.</b></li></ol>
<b>REASONS FOR RECOMMENDATIONS</b>
The existing policy does not allow for naming tributes to recently-fallen service personnel. Neither does it clarify the Council's operational need to allocate addresses in certain circumstances. The current 70 year rule for memorial naming has exhausted the supply of locally historic and geographically appropriate names.
<b>EXECUTIVE SUMMARY</b>
It is proposed to replace the existing SNN policy with a revision that improves the opportunity for naming tributes to the deceased, particularly fallen service personnel. The existing policy is silent on the latter and requires a period of 70 years to have elapsed before names based on any deceased individual can be used.  Ideally naming tributes should be possible to fallen service personnel regardless of how recently they passed, as recognised recently with former resident Lance Corporal James Hill. Equally, in the interests of showing appreciation to other notable local residents, it is proposed to reduce the period after which anyone can be recognised for memorial naming from 70 to 40 years.

# Agenda Item 4

## Street Naming and Numbering Policy

The Council currently faces occasional operational issues as a result of not receiving a SNN application and unsuccessfully contacting property developers. This causes downstream problems for functions such as Council Tax and Waste Collection, who can be prevented from performing their duties. To avoid this it is proposed that in such circumstances the Council uses its power to allocate addresses, thus ensuring smooth and efficient downstream activities.

All changes are suggested based on national guidelines, good practise and peer-research. The new policy will provide a sound framework for the consideration of future SNN applications.

**Executive has authority to approve the above recommendation**

### STATUTORY POWERS

The Council operates a SNN policy to support its statutory duties under the Public Health Act 1925 (sections 17, 18 and 19).

### BACKGROUND

The Council's Scheme of Delegation sections 8.13 and 8.14 provides the Head of Service with responsibility for street naming and to make final decisions on new street names.

The Council has a statutory obligation to supply and maintain correct addressing for every property in the borough (currently circa 75,000). The processes are essential for the efficient functioning of postal and emergency services as well as the convenience and safety of the general public.

Internally, SNN updates the Council's authoritative Local Land & Property Gazetteer (LLPG) – the definitive address database. Maintaining a single, central LLPG relieves departments of this burden themselves (e.g. revenues, elections, waste).

Every Council's SNN work collectively forms part of the national addressing infrastructure and core reference datasets relied upon across public and private sectors.

### KEY INFORMATION

See Executive Summary

### OPTIONS

#### 1. Adopt new SNN policy

The existing policy does not allow for naming tributes to recently-fallen service personnel. Neither does it clarify the Council's operational need to allocate addresses in certain circumstances. The current 70 year rule for memorial naming has exhausted the supply of locally historic and geographically appropriate names. The revised policy will create a more robust up to date framework which will support the continuation of consistent decision making by the Council regarding SNN and a satisfactory service to the public.

#### 2. Retain existing SNN policy

This would make it difficult to recognise recently-deceased members of the community who've served their country and died in combat. It would also persist the issues identified in revenues and refuse as a result of new properties remaining un-addressed due to non-contact from developers.

### LEGAL IMPLICATIONS

The relevant legislation is set out in the Policy document. There are no legal implications arising

# Agenda Item 4

## Street Naming and Numbering Policy

directly from this report.
<b>FINANCIAL IMPLICATIONS</b>
There are no financial implications arising directly from this report.
<b>EQUALITIES IMPLICATIONS</b>
There are no equalities implications arising directly from this report.
<b>COMMUNICATION IMPLICATIONS</b>
There are no communications implications arising directly from this report.
<b>HUMAN RESOURCES IMPLICATIONS (if applicable)</b>
There are no human resources implications arising directly from this report.
<b>RISK MANAGEMENT CONSIDERATIONS</b>
Low (green) impact/likelihood risk to reputation of potentially recognising deceased individual whose public reputation later changes.
<b>OTHER IMPLICATIONS</b>
There are no other implications arising directly from this report.
<b>CONSULTATION</b>
GeoPlace (national land and property gazetteer custodians) have been consulted on the draft policy.
<b>POLICY FRAMEWORK</b>
This does not form part of the current policy framework and is open to the Executive to approve.
<b>BACKGROUND PAPERS</b>
Existing SNN policy (dated October 2016)

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# Street Naming and Numbering Policy and Guidelines

Reigate & Banstead Borough Council

March 2019

## Contents

1. Introduction .....	3
2. Purpose of policy .....	3
3. Legal framework .....	4
4. Operational guidance.....	5
4.1 Application process .....	5
4.2 Postal addresses .....	6
4.3 Right of appeal and complaints .....	7
4.4 Use of unapproved names for marketing .....	7
4.5 Street naming .....	7
4.5.1 Renaming existing streets .....	8
4.6 Premises naming or numbering.....	9
4.6.1 Numbering premises on a new street.....	9
4.6.2 Numbering or renumbering premises on an existing street.....	10
4.6.3 Naming or renaming premises on a new or existing street .....	10
4.7 Naming a street or building after a deceased person.....	11
4.7.1 Exceptions to naming a street or building after a deceased person.....	11
4.8 Street name plates .....	11
4.9 Exclusions .....	12
5. Summary .....	13
5.1 Contact details: .....	13
Appendix A - Legislation .....	14
Appendix B – Consultees and notifications.....	16
Appendix C – Street name suffixes.....	17
Appendix D – Street name plates .....	18
Appendix E – Charges .....	19
Appendix F – Pre-approved street prefixes .....	20

## 1. Introduction

Reigate & Banstead Borough Council has a statutory obligation to supply and maintain an official street name and premises name or number for every property in the borough. This enables a proper response by the emergency services, utility companies and public services. It ensures that all residents and property owners have a verifiable street name and premises name or number for service provision and postal delivery.

The Council's role in overseeing the authoritative Local Land & Property Gazetteer (LLPG) is pivotal to the management of address data nationally, through the National Land & Property Gazetteer (NLPG) and British Standard 7666. This provides the foundation for effective and efficient operation of a range of public and private services.

## 2. Purpose of policy

The purpose of this policy and subsequent guidance is to provide advice to all applicants, particularly developers, property owners and residents, on the naming and numbering procedure of Reigate & Banstead Borough Council (hereafter known as 'the Council').

The Policy defines:

- Legal framework for the operation of the Street Naming and Numbering (SNN) service
- Operational guidance for the delivery of the service

### **3. Legal framework**

The Council has adopted Sections 17, 18 and 19 of the Public Health Act 1925. Relevant extracts are shown in Appendix A.

Section 18 of the Public Health Act 1925 enables the Council to alter the name of a street and to give a name to an un-named street.

The Council does not have a statutory obligation to amend an existing premises name or number in line with property owners wishes; as such this is a discretionary service that we offer.

The adoption of Section 18 enables (under Section 93 of the Local Government Act 2003) charging for SNN services.

Under Schedule 14 to the Local Government Act 1972, paragraphs 23, all provisions of the Public Health Acts (PHA) 1875 to 1925 apply throughout England and Wales, subject to specified exceptions.

## 4. Operational guidance

Authority to perform the SNN function and fulfil the obligations of the Council under the Public Health Act 1925 is delegated to the relevant Head of Service within the Place Services Directorate. The final decision on all matters pertaining to SNN will be made by the Head of Service. The Head of Service is authorised to make amendments to this Policy in consultation with the relevant Executive member.

### 4.1 Application process

Applications for new or amended street names and premises names or numbers need to be submitted to the Council by the owner (or with written consent of the owner) of the affected properties. The application will be processed when all required information is received:

- Completed application [form](#).
- Site plan illustrating location of existing streets, proposed layout, access to properties and any bin store – including internal floor plans for sub-divided buildings.
- A digital CAD/GIS file for applications of 10 units or more.
- Planning application number – no new street names or premises names or numbers will be allocated without planning permission.

Developers should always apply directly to the Council at the earliest opportunity for the allocation of the official addresses, i.e. as soon as development starts. Failure to do so can impact on the abilities of occupants to arrange basic service provision.

The Council will complete all necessary paperwork and advise the applicant of the official street name or premises names or numbers in writing. The Council prefers applicants to suggest names for proposed new streets, but will provide a suitable name, if required. See *Street Naming* section.

On final delegated determination of the official address, the Council will notify the applicant along with other interested parties and the relevant internal and external bodies (see Appendix B). There are no statutory requirements for Local Authorities to provide details of changes of existing or new developments to any external organisations. However it is recognised that the provision and sharing of this information facilitates joined-up and better service delivery to residents and businesses.

All SNN delegated determinations become official as soon as possible, typically in the first working week of the following month.

If the Council allocates an address to premises which we believe does not have a valid form of planning permission, we will inform the Council's Planning Enforcement and the Fraud and Financial Investigation Team about the suspected change of use.

A variety of Council departments regularly monitor new developments in order to register properties on Council Tax (residential) or Non-Domestic Rates (commercial) databases. If it is identified at this time that an address has not been applied for a

SNN form will be sent to the developer and/or owner requesting an application to be completed. A temporary administrative address will be allocated for a 2 week period awaiting this application, allowing for the Council Tax to be set up.

Where no application has been received, prior to the premises being deemed substantially complete by Council Tax / Non-Domestic Rates; and the developer does not respond within two working weeks to a letter requesting that they make an application for SNN. The Council reserves the right to allocate the official street name or premises names or numbers to any street or premises. The developer may submit a retrospective application for development naming and numbering provided the development does not contain any new streets.

## **4.2 Postal addresses**

Royal Mail has no statutory responsibilities or powers to either name a street or to name, number, rename or renumber a premises. Royal Mail has sole responsibility for assigning a postcode and postal town following notification of new or amended address details by the Council.

Applicants are reminded that postal addresses are not geographically accurate descriptions, but routing instructions for Royal Mail staff. It is possible that postal addresses can contain names for villages and towns that may be several miles away from the actual location of their premises. Where applicants object to a locality name in their postal address, they are advised to contact the Royal Mail who have a procedure for adding or amending these details.

A piece of land cannot be given a postal address, only premises capable of receiving mail can be allocated a postal address for the purposes of delivering mail and services. Royal Mail will only register properties which have their own entrance and/or their own secure letter box.

The Council has no authority over the allocation of a postcode and postal town; these are defined by Royal Mail for their operational purposes. As part of the SNN procedure the Council will undertake the process of arranging for the allocation of a postcode and postal town on the applicant's behalf and inform the applicant and other interested parties. All other elements of an address (e.g. premises numbers, names, street names) are defined by the Council.

Royal Mail does not publish addresses on its website where the construction is not complete. This means that in some instances addresses that have been officially allocated and issued by the Council may not, for a while, be visible on the Royal Mail website. This may also mean that other organisations using the Royal Mail database (Postal Address File<sup>1</sup>) will also be unable to validate an address. The Council is not liable or responsible for third parties, including Royal Mail, updating their databases with official address information.

The allocation of postal addresses does not serve as confirmation that any building or structure has been authorised under Planning, Building Regulations or any other

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<sup>1</sup> <https://www.royalmail.com/sites/default/files/PAF-Code-of-Practice-211118.pdf>

legislation. Owners / Occupiers may be at risk of enforcement action if necessary approvals have not been obtained.

### **4.3 Right of appeal and complaints**

If any applicant or interested party wishes to appeal against a decision of the Council they should first seek to do so through the Council's official complaints procedure.

Applicants also have a right to seek redress through the Local Government Ombudsman or by way of appeal to the Magistrates Court.

### **4.4 Use of unapproved names for marketing**

A property developer or builder must not give any postal addresses, or postcodes, to potential occupiers (for example via solicitors or estate agents) before formal approval has been issued by the Council, because it is likely that any plot or unit naming/numbering system used will not meet the requirements of the Council.

If an application is submitted to the Council at a late stage and is subsequently rejected, numerous problems can arise, especially if purchasers have bought properties marketed under an unapproved name. It is therefore advisable to be cautious in the use of the names for marketing purposes if the name has not been officially accepted. The Council will not be liable for any costs or damages caused by failure to comply with this.

### **4.5 Street naming**

This policy applies to both public and private roads. All roads start their life as private until the Highway Authority (Surrey County Council) adopts them.

All applications for a street name go through a consultation process both internally and with Royal Mail. Once the street name prefix is agreed with the applicant, it will be passed to both Royal Mail and to the appropriate Ward Councillors for comment. Emergency services may also be consulted on large developments.

The applicant will be expected to provide street name suggestions for consideration. Preference will be given to street names with some connection to the site, either historical or geographical. If the applicant fails to provide a street name; the Council reserves the right to use a street prefix from an existing pre-approved list, or following research.

The naming of a street does not imply that the street will be adopted and become publicly maintained; this is decided by the Highway Authority.

All proposed street names must meet the following criteria:

- Does not duplicate an existing street or building name in the relevant postal sector (e.g. KT20 6).
- Is not offensive or aesthetically unsuitable.

- Is easy and straight-forward to spell/pronounce and not phonetically similar to an existing street within the postal sector (e.g. KT20 6).
- Avoid street names which include numbers.
- Avoid names and their combination with numbers that could be easily vandalised or altered.
- The use of North, West, and Upper etc. is only acceptable where the street is continuous and passes over a major junction and is an accurate description of the street's location.
- Avoids punctuation, including apostrophes.
- Does not promote a company, service or product – the only exception is if the company no longer exists and has historical context.
- Is not named after a living person. Proposals to name after a deceased person should follow the specific guidelines below.
- No street name should start with 'The'.
- Avoid use of tree names - unless the tree name has local relevance. The reasoning being that the Borough has an abundance of existing streets named after trees.

Any applications received will be checked against these criteria as part of the application process.

For large developments, a list of street names will be approved in advance and be allocated as the development progresses.

The Council will not adopt any unofficial marketing titles used by developers. It is strongly advised that prospective buyers are advised of this.

Permission to use the word 'Royal' or other names/titles of the Royal Family must be obtained from the Cabinet Office before a street naming application is submitted.

For recommended street name suffixes see Appendix C.

#### **4.5.1 Renaming existing streets**

On occasion the Council is required to rename an existing street. This will only be considered when there is confusion over a street name or premises name or numbering system causing a significant issue for emergency services, deliveries & visitors or the residents are unhappy with their street name. Renaming a street is always a last resort.

In such instances, it is the responsibility of those requesting the change to canvass existing residents, conduct a ballot and consult Royal Mail. This evidence should be submitted to the Council. To change a street name the Council requires 100% of premises owners to agree.

All costs, except in exceptional circumstances, associated with a name/number change will be met by those requesting the change.

Notification letters will be sent to occupiers if there is a change of street name, re-numbering or a numbering allocation to properties with just house names. In making such changes the Council is exercising statutory powers and its decision is final.

#### **4.6 Premises naming or numbering**

The Council will name or number premises in accordance with national guidelines and ensuring compliance with BS7666.

It is a legal requirement under the Public Health Act 1925 that there is adequate signage erected in a clear, prominent position showing any street names and sub names (for terrace or block names). On new developments, it is the developers' responsibility to erect the appropriate signage once the premises are ready for occupation.

In addition, where an occupier fails to display the appropriate signage within one week from receiving notice from the Council, they may be liable to a penalty under section 19 of the Public Health Act 1925 and section 37 of the Criminal Justice Act 1982. The Council may also choose to mark the properties with essential signage as per the official numbering scheme and reclaim the costs from the occupier.

##### **4.6.1 Numbering premises on a new street**

For all premises on new streets the Council will apply a numbering process in accordance with national guidelines. Premises will be numbered from the street on which the premises' primary access and delivery point are located. The following criteria must be met:

- All premises will be allocated a number – the Council will not consider name-only premises on new streets.
- Proper numbering sequence shall be maintained and numbers with superstitious, religious or cultural connotations will not be omitted.
- When an existing street is extended, where appropriate, the existing numbering sequence will continue.
- All flatted accommodation must be given individual numbers where possible, the sequence will depend on the front door locations of individual properties. e.g. Flats 1-5, 67 High Street.
- If a multiple occupancy building has entrances in more than one street, then each entrance can be numbered from the appropriate street, if required.
- A business name shall not take the place of a number or building name, where the business premises has a number e.g. 57 High Street will be displayed.
- Numbering will be allocated with even numbers on one side of the road and odd numbers on the other.
- Where a cul-de-sac is proposed, the numbering shall be consecutive and in a clockwise direction if possible.

#### **4.6.2 Numbering or renumbering premises on an existing street**

For all new development sites and for infill plots on existing numbered streets, the Council will apply a numbering process in accordance with national guidelines. Premises will be numbered from the street on which the premises' primary access and delivery point are located. The following criteria must be met:

- For new premises on streets with no existing numbering system, the Council will allocate a premises name in conjunction with the applicant
- When new premises are built on an existing street and there are no available numbers a letter shall be used as a suffix, e.g. 12A.
- Proper sequence shall be maintained and numbers with superstitious, religious or cultural connotations will not be omitted.
- The Council will not remove numbers from existing premises unless it is necessary to resolve existing duplication/identification problems.
- When a premises is converted into flats or subdivided, the new premises must be numbered. E.g. Flats 1-5, 67 High Street.
- A business name shall not take the place of a number or building name.
- Private garages or similar outbuildings will not be numbered.

#### **4.6.3 Naming or renaming premises on a new or existing street**

If a new premises owner wishes to rename a premises it is their responsibility to suggest names for consideration in the supporting application. All premises/building name applications go through a consultation process. Royal Mail will only accept name changes supplied by the Council.

We cannot formally change a premises name where the premises is in the process of being purchased, that is, until exchange of contracts, although we can give guidance on the acceptability of a chosen name.

Replacement premises are required to go through the SNN process, even when a single premises is demolished and rebuilt.

Proposed premises names must meet the following criteria:

- Does not duplicate the street name on which it is associated with unless there is a local or historical reason to do so.
- Does not duplicate an existing building name on the same street or postal sector (this will be checked as part of the application process).
- Is not offensive or aesthetically unsuitable.
- Is easy and straightforward to spell/pronounce.
- Is not named after a living person. Proposals to name after a deceased person should follow the specific guidelines below.
- If a premises has a number, it is not possible to replace the number with a name. Names are held in addition to the number.

It is recommended that the following themes are avoided for premises names as the proposed name is likely to be refused due to a saturation of properties using these themes:

- Trees
- Golf courses
- Castles
- Tudor dynasty

All building suffixes must be appropriate for new properties, for example, *Court* should be used on a building of relevant size and layout. The Building name should not mislead. Refer to appendix C for further information.

#### **4.7 Naming a street or building after a deceased person**

The Council will only name a street or premises as a memorial to a person that has been deceased for more than 40 years. Consideration will be given to the possible sensitivities that may arise from naming streets or premises after public figures, and to the possibility that the public perception of a deceased person may change in the future. The individual must also have a significant and demonstrable connection to the site in question. Surnames only will be used, as opposed to full names, to avoid confusion in times of emergency.

##### **4.7.1 Exceptions to naming a street or building after a deceased person**

The Council will only accept a proposal to name a street or premises after a recently deceased person where the individual died whilst on active military service either as a direct result of that service or from injuries sustained. A significant and demonstrable connection to the locality in question is essential. Written consent will be required from the deceased's relatives/estate.

The use of this exception will be given consideration and justifications will be required of the exceptional circumstances.

#### **4.8 Street name plates**

It is unlawful to erect a street nameplate until the street name has been confirmed in writing by the Council.

Maintenance of street nameplates only becomes the responsibility of the Council once a street has been adopted by Surrey County Council as the Local Highway Authority. The Council only has a responsibility to maintain nameplates at the entrance/exit of a street and repeaters as required.

The Council will erect and maintain street nameplates for roads as required and not for individual accesses or blocks of flats.

New street nameplates will be provided and paid for by the developer/proposer.

For further specifications on street nameplates see Appendix D.

## **4.9 Exclusions**

The Council is not responsible for the following:

- Postcodes – the Council does not issue Postcodes; this is the responsibility of Royal Mail. Royal Mail will not assign a postcode to new premises without official notification from the Council.
- Failed delivery of items to the official address – this is the responsibility of the delivery service.
- Third Party databases – the Council has no responsibility for, or control over, the way that third parties manage their address databases and the frequency with which they update them.
- Third Party maps (including satellite navigation systems and Ordnance Survey) not showing new properties, streets or roads.
- Having an officially allocated street name is not an indication that the road is publically maintained or will become adopted by the Highway Authority.

## 5. Summary

This policy sets out the operational framework for the delivery of the Council's SNN function. It also confirms delegation of authority to the Council's Head of Service for the official determination of applications for street naming and numbering, and the allocation and amendment of official street names, premises names and numbering sequences.

In addition, the SNN process can be broken down into the following steps:

1. The applicant (developer/homeowner) is asked to submit names for consideration to the Council's Address and Gazetteer Officer.
2. Submitted names are checked against this SNN Policy and the Council's LLPG.
3. After initial checks, the names are checked against Royal Mails PAF (and if appropriate the emergency services) for approval.
4. In the case of new street names, the names are also sent to local Ward Councillors for comment.
5. Once the Council has approved the street name or premises name/numbering sequence will be signed off, under delegated authority, by the Head of Service and official confirmation will be sent to the applicant (developer/homeowner).
6. All appropriate internal and external bodies will be informed by the Council.
7. The postcode will be allocated by Royal Mail.

### 5.1 Contact details:

Street Naming & Numbering,  
Reigate and Banstead Borough Council,  
Town Hall,  
Castlefield Road,  
Reigate,  
RH2 0SH

Email: [address.queries@reigate-banstead.gov.uk](mailto:address.queries@reigate-banstead.gov.uk)

Telephone: 01737 276000

Website: <http://www.reigate-banstead.gov.uk>

## Appendix A - Legislation

<http://www.legislation.gov.uk/ukpga/Geo5/15-16/71/part/II>

### **Public Health Act 1925: Section 17 - Notice to authority before street is named.**

- (1) Before any street is given a name, notice of the proposed name shall be sent to the urban authority by the person proposing to name the street.
- (2) The urban authority, within one month after the receipt of such notice, may, by notice in writing served on the person by whom notice of the proposed name of the street was sent, object to the proposed name.
- (3) It shall not be lawful to set up in any street an inscription of the name thereof —
  - (a) until the expiration of one month after notice of the proposed name has been sent to the urban authority under this section; and
  - (b) where the urban authority have objected to the proposed name, unless and until such objection has been withdrawn by the urban authority or overruled on appeal;and any person acting in contravention of this provision shall be liable to a penalty not exceeding level 1 on the standard scale and to a daily penalty not exceeding £1.
- (4) Where the urban authority serve a notice of objection under this section, the person proposing to name the street may, within twenty-one days after the service of the notice, appeal against the objection to a petty sessional court;

### **Public Health Act 1925: Section 18 - Alteration of name of street.**

- (1) The urban authority by order may alter the name of any street, or part of a street, or may assign a name to any street, or part of a street, to which a name has not been given.
- (2) Not less than one month before making an order under this section, the urban authority shall cause notice of the intended order to be posted at each end of the street, or part of the street, or in some conspicuous position in the street or part affected.
- (3) Every such notice shall contain a statement that the intended order may be made by the urban authority on or at any time after the day named in the notice, and that an appeal will lie under this Act to a petty sessional court against the intended order at the instance of any person aggrieved.
- (4) Any person aggrieved by the intended order of the local authority may, within twenty-one days after the posting of the notice, appeal to a petty sessional court.

**Public Health Act 1925: Section 19 - Indication of name of street.**

(1) The urban authority shall cause the name of every street to be painted, or otherwise marked, in a conspicuous position on any house, building or erection in or near the street, and shall from time to time alter or renew such inscription of the name of any street, if and when the name of the street is altered or the inscription becomes illegible.

(2) If any person . . . , pulls down . . . any inscription of the name of a street which has lawfully been set up, or sets up in any street any name different from the name lawfully given to the street, or places or affixes any notice or advertisement within twelve inches of any name of a street marked on a house, building, or erection in pursuance of this section, he shall be liable to a penalty not exceeding level 1 on the standard scale and to a daily penalty not exceeding £1.

<https://www.legislation.gov.uk/ukpga/2003/26/section/93>

**Local Government Act 2003: Section 93 - Power to charge for discretionary services**

(1) Subject to the following provisions, a best value authority may charge a person for providing a service to him if —

(2)

(a) the authority is authorised, but not required, by an enactment to provide the service to him, and

(b) he has agreed to its provision.

(2) Subsection (1) does not apply if the authority —

(a) has power apart from this section to charge for the provision of the service, or

(b) is expressly prohibited from charging for the provision of the service.

(3) The power under subsection (1) is subject to a duty to secure that, taking one financial year with another, the income from charges under that subsection does not exceed the costs of provision.

(4) The duty under subsection (3) shall apply separately in relation to each kind of service.

(5) Within the framework set by subsections (3) and (4), a best value authority may set charges as it thinks fit and may, in particular —

(a) charge only some persons for providing a service;

(b) charge different persons different amounts for the provision of a service.

(6) In carrying out functions under this section, a best value authority shall have regard to such guidance as the appropriate person may issue.

(7) The following shall be disregarded for the purposes of subsection (2)(b) —

(a) section 111(3) of the Local Government Act 1972 (subsidiary powers of local authorities not to include power to raise money),

(b) section 34(2) of the Greater London Authority Act 1999 (corresponding provision for Greater London Authority), and

(c) section 3(2) of the Local Government Act 2000 (well-being powers not to include power to raise money).

(8) In subsection (1), “enactment” includes an enactment comprised in subordinate legislation (within the meaning of the Interpretation Act 1978).

## **Appendix B – Consultees and notifications**

Internal bodies that may be informed of official SNN notifications include:

- Council Tax & Non-Domestic Rates
- Electoral Registration
- Environmental Health
- Fraud & Financial Investigation Team
- Land Charges
- Planning Development Control
- Planning Enforcement
- Refuse & Recycling

External bodies that may be informed of official SNN notifications include:

- BT Openreach
- Land Registry
- National Land & Property Gazetteer (NLPG)
- Royal Mail
- Scotia Gas Networks
- South East Coast Ambulance service
- Southern Building Control
- Surrey County Council
- Surrey Fire & Rescue
- Surrey Police
- Thames Water / Sutton & East Surrey Water

## Appendix C – Street name suffixes

The following suffixes will only be used as indicated:

- Street – any thoroughfare
- Road – any thoroughfare
- Way – major road
- Avenue – residential road
- Drive – residential road
- Grove – residential road
- Lane – residential road
- Rise – hillside only
- Row – usually a terrace of houses
- Crescent – crescent shaped roads only
- Close – cul-de-sac only
- Square – square only
- Hill – hillside only
- Terrace – terrace of houses
- Mews – officially a term for converted stables but may be considered for other small developments
- Gardens – subject to there being no confusion with any local open space
- Circus – large roundabout only

All pedestrian only routes should be named as follows:

- Walk
- Path
- Way

All Named Blocks should end with one of the following (in addition they should not begin with 'The'):

- House – residential or office blocks
- Court – residential blocks
- Point – high residential blocks only
- Tower – high residential or office block only
- Parade – row of shops/businesses

## Appendix D – Street name plates

All enquiries about street nameplates should be made to Customer Contact via our website.

Specifications are set out in the table below.

<b>Plates:</b>	3mm Composite		
<b>Plate depth:</b>	145mm, increased where required PLATE TO BE EXTENDED TO FIT 40mm EITHER SIDE INSIDE ROUTING		
<b>Lettering height:</b>	89mm Kindersley		
<b>Lettering colour:</b>	White		
<b>Border size:</b>	12.5mm	<b>Border colour:</b>	White
<b>Background colour:</b>	Dark Green	<b>Reverse colour:</b>	White
<b>Symbols:</b>	eg. 'No Through Road' to Diag.816.1, Pedestrians, Arrow, may be added if required		
<b>Crest:</b>	No		
<b>Finish:</b>	Non Reflective background. Printed – colour onto white. Anti-Graffiti over laminate		
<b>Drilling:</b>	Drilled every 150mm for supports, or six holes for wall fix		
<b>Strengthening:</b>	Plates secured to 150mm x 30mm recycled plastic backboards with screws every 150mm, white anti-vandal screws		
<b>Clips:</b>	2no. M8 s/s bolts per post to attach backboard to support. Bolt head and nut recessed into plastic, nut head to be capped		
<b>Supports:</b>	2no. per assembly, 1.35m x 80mm x 80mm recycled plastic. Square ends, square tops. END MOUNTED		
<b>Support finish:</b>	Solid Recycled Plastic	<b>Support colour:</b>	Black

## Appendix E – Charges

All fees and charges will be published on the Council's [website](#). Charging levels will be kept under review by the Head of Service in consultation with the relevant Executive member.

The Council does not currently charge for administration of the SNN process.

## **Appendix F – Pre-approved Street prefixes**

A list of recommended name prefixes is available on the Council's [website](#) and will be periodically refreshed as they are allocated and new research generates more. Due to historical and geographical links, some prefixes are only applicable to certain locations.

# Agenda Item 5

Statement of Community Involvement



<b>SIGNED OFF BY</b>	Head of Planning
<b>AUTHOR</b>	Billy Clements, Planning Policy Manager
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<b>EMAIL</b>	billy.clements@reigate-banstead.gov.uk
<b>TO</b>	Executive
<b>DATE</b>	Thursday, 18 April 2019
<b>EXECUTIVE MEMBER</b>	Portfolio Holder for Planning Policy

<b>KEY DECISION REQUIRED</b>	Y
<b>WARDS AFFECTED</b>	(All Wards);

<b>SUBJECT</b>	Statement of Community Involvement
----------------	------------------------------------

## RECOMMENDATIONS

- (i) **That the revised Statement of Community Involvement (SCI) (Annex 1) be adopted and take immediate effect**

## REASONS FOR RECOMMENDATIONS

Planning legislation requires that the Council prepares and maintains a Statement of Community Involvement (SCI) setting out how it will engage with the community on planning issues. Specifically, the Council is required to review and, where necessary, update the SCI within 5 years of the date of adoption. The previous SCI was adopted in October 2013 and, in the intervening period, changes in national legislation means there are new procedures and matters that must be covered in the SCI. Approving the updated SCI will ensure that the Council complies with its statutory duties.

## EXECUTIVE SUMMARY

The Statement of Community Involvement (SCI) is a document setting out when and how the Council will engage with stakeholders and residents on planning issues, including the determination of planning applications and the preparation of planning policy documents.

The previous SCI was adopted in October 2013 and, in line with national legislation, the Council must review and update this at least every 5 years.

Whilst the principles that underpin the SCI are broadly unchanged from the previous version, there have been changes in planning policy and legislation since the previous SCI

# Agenda Item 5

Statement of Community Involvement

was adopted which need to be reflected in an updated version. This includes:

- (i) new types of planning application (such as permitted development prior approvals and permissions in principle),
- (ii) changes in consultation procedures on planning applications and planning policy documents and
- (iii) new requirements in relation to Neighbourhood Planning.

In addition, the Council's overall approach to customer service and contact has continued to evolve, including digital services and the use of social media which need to be reflected in the SCI.

Adopting the updated SCI as per the recommendation will ensure that the Council's approach to engaging on planning matters is clear and fit for purpose.

**Executive has authority to approve the above recommendations**

## STATUTORY POWERS

1. The Planning and Compulsory Purchase Act 2004 (as amended) sets a statutory requirement for local planning authorities to prepare and maintain a Statement of Community Involvement (SCI). There are no statutory requirements to carry out consultation when preparing a Statement of Community Involvement.
2. The Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) set out the minimum requirements for community involvement in the preparation of Local Plans and Supplementary Planning Documents. These are reflected in the SCI. The Town and Country Planning (Development Management Procedure) (England) Order 2015 sets out the consultations to be undertaken in respect of certain types of planning application.
3. The Neighbourhood Planning Act 2017 inserted within the Planning and Compulsory Purchase Act 2004 a specific requirement for the SCI to set out the Council's approach to giving advice or assistance in relation to the preparation or modification of Neighbourhood Plans.
4. Once adopted, the Planning and Compulsory Purchase Act 2004 requires the Council to comply with the Statement of Community Involvement when dealing with planning applications and in preparing planning policies.
5. Under Article 4 of the Council's Constitution, the approval or adoption of any Development Plan Documents (DPD) is designated as a Full Council function. However, the Planning and Compulsory Purchase Act 2004 makes clear that the SCI is not a DPD but instead has a separate "standalone" status. In this respect, adoption of the SCI is an Executive function: this has consistently been the approach taken in the adoption of previous iterations of the SCI.
6. In undertaking consultations in relation to planning matters, the Council will also have regard to its obligations under any Human Rights, data protection or equalities legislation insofar as they are relevant to the matters and procedure in hand.

# Agenda Item 5

Statement of Community Involvement

## KEY INFORMATION

7. The Council's current Statement of Community Involvement was adopted following a decision of the Executive in October 2013.
8. National planning legislation requires that the Council must review the SCI within 5 years of the date of its adoption to assess whether it needs to be updated. This review was commenced in late 2018.
9. This review identified that, whilst the overall approach and principles that underpin the SCI remain appropriate and sound, there have been a number of legislative and circumstantial changes since its adoption that necessitate the document being updated.
10. Many aspects of the revised SCI are therefore unchanged from the previous 2013 version. In particular, the four overarching principles that underpin the SCI and the Council's approach to community involvement in planning - involving stakeholders early in the process, being open and transparent, reaching stakeholders in the right way, and providing meaningful feedback - remain relevant today.
11. Furthermore, the revised SCI does not seek to change the Council's established approach to consultation and notification on planning applications (including direct neighbour notifications) other than to incorporate the need to exclude public holidays from the 21-day statutory period in line with new national legislation.
12. The key changes that the revised SCI addresses are:
  - a) New types of planning approval regimes which have been introduced in the past 5 years, including Prior Approval applications and Permissions in Principle, each of which has specific consultation requirements not covered in the adopted SCI;
  - b) New requirements in the Neighbourhood Planning Act 2017 for SCIs to set out details of the advice and guidance which the Council will provide to those preparing/modifying neighbourhood plans;
  - c) Updated information regarding the "duty to cooperate" and statements of common ground; and
  - d) The general evolution of the Council's approach to customer contact, including the shift towards online services, digital information and more widespread use of social media, all of which are powerful tools in maximising the effectiveness of consultation activities
13. Addressing these points ensures that the document is up to date, fit for purpose and reflective of modern practices in consultation and public engagement.
14. The SCI provides a clear framework to enable the Council to meet, and in many cases, exceed the minimum statutory requirements for consultation on planning policies and applications. However, it seeks to avoid being unduly prescriptive to ensure that there is flexibility for the Council to tailor and adapt the approach, techniques and methods used to the circumstances and content of the consultation and the likely stakeholders involved.
15. In addition, the current SCI contains a number of references to guidance, advice, websites and third party organisations that have been rendered out of date by passage of time. The revised SCI covers these factual updates in addition to the

# Agenda Item 5

Statement of Community Involvement

substantive changes above. The presentation of the SCI has also been updated to provide key information in a more “at a glance” format, as well as ensuring that key “self-service” tools such as our Online Planning Register and Planning Policy Consultation Register are more clearly signposted.

## OPTIONS

16. The options available to the Executive are set out below:

Option 1: Adopt the Statement of Community Involvement (SCI) (Annex 1). This will ensure that the Council has a clear and up to date statement setting out its approach to community involvement in planning, thus providing certainty to stakeholders about what to expect. Adopting the SCI will ensure that the Council complies with its statutory duties and will enable resources to be focussed on preparing a new Local Plan Core Strategy. **This option is recommended.**

Option 2: Adopt the SCI but with amendments. This would still enable the Council to comply with its statutory obligations, but any amendments would need to satisfy the minimum consultation requirements and the basic content, which is prescribed in legislation. The SCI, as drafted, is considered to balance effective consultation with resource implications: any changes to it may result in resource/cost implications for the planning service that would need to be considered. This option is not recommended.

Option 3: Do not adopt the SCI. This will mean the Council has to continue to rely on the current SCI, which is out of date and does not reflect the latest legislative requirements. This option is not recommended.

## LEGAL IMPLICATIONS

17. Reigate & Banstead Borough Council is required to prepare and maintain a Statement of Community Involvement in accordance with the requirements of section 18 of the Planning and Compulsory Purchase Act 2004. The SCI must be reviewed and, where necessary updated, within five years of its adoption. This report seeks to ensure that the Council meets this requirement.

18. Once adopted, the Council is required to comply with the contents of the SCI when dealing with planning applications or in bringing forward Local Plan documents. Compliance with the SCI is an integral part of the legal compliance “tests” associated with the examination of a Local Plan document. Failure to comply with the SCI in preparing a Local Plan document therefore risks a plan being found deficient and therefore unadoptable.

19. There are no statutory consultation requirements necessary for the preparation of an SCI. Many of the changes compared to the previous SCI reflect changes in the national legislative position or planning regime since the previous version was adopted.

## FINANCIAL IMPLICATIONS

20. There are no direct additional financial implications associated with adopting the revised SCI, particularly as there are no fundamental changes in approach.

21. Costs associated with notification on planning applications are an established part of

# Agenda Item 5

Statement of Community Involvement

the budget for the Planning service. Costs associated with consultation activities on emerging planning policy documents, such as advertising, exhibitions and presentation materials are factored in when budgeting and seeking financial approval on a project-by-project basis.

## **EQUALITIES IMPLICATIONS**

22. The Statement of Community Involvement reflects the need for consultation exercises to be accessible to all, and provides a flexible framework and suite of tools that can be used to support this aim. The document specifically acknowledges the importance of reaching and engaging with “seldom heard” groups – including people with disabilities or those for whom English is an additional language - many of which overlap with particular equalities groups. On this basis, it is concluded that implementation of the SCI on individual consultations will ensure that there are no negative equalities impacts and will most likely give rise to positive effects for some groups.

## **COMMUNICATION IMPLICATIONS**

23. The Communications Team has been involved and has input into the preparation of the SCI.
24. Project specific communications plans will be produced to inform the development and consultation of individual planning policy documents; these will reflect the requirements of the SCI.

## **HUMAN RESOURCES IMPLICATIONS (if applicable)**

25. There are no anticipated human resources implications arising from the adoption of the SCI.

## **RISK MANAGEMENT CONSIDERATIONS**

26. There are no anticipated risks arising from the adoption of the revised SCI but numerous risks associated with non-adoption of the revised SCI as detailed above.

## **OTHER IMPLICATIONS**

27. No other implications have been identified.

## **CONSULTATION**

28. Internal consultation with relevant services, including Planning, Planning Policy and Communications has been undertaken as part of the drafting of the revised SCI.
29. There are no statutory consultation requirements necessary for the preparation of an SCI. Given this, and mindful of the nature of the changes compared to the previous SCI, no public consultation is proposed or considered necessary. This is consistent with the approach taken in the adoption of the previous SCI in 2013.

# Agenda Item 5

Statement of Community Involvement

<b>POLICY FRAMEWORK</b>
30. The SCI is a mandatory document. However, as it is not a Development Plan Document, adoption is an Executive function.
<b>BACKGROUND PAPERS</b>
None

# Statement of **Community Involvement** in Planning

**April 2019**

## Find out more about planning in Reigate & Banstead

### Sign up:

Planning Policy consultation register	<b>Using our online form:</b> <a href="https://my.reigate-banstead.gov.uk/service/Planning_Policy_Mailing_List">https://my.reigate-banstead.gov.uk/service/Planning_Policy_Mailing_List</a> <b>By emailing:</b> <a href="mailto:LDF@reigate-banstead.gov.uk">LDF@reigate-banstead.gov.uk</a> ; or <b>By letter:</b> using the postal address below
Online Planning Register	<a href="https://planning.reigate-banstead.gov.uk/online-applications/registrationWizard.do?action=start">https://planning.reigate-banstead.gov.uk/online-applications/registrationWizard.do?action=start</a>

### Online:

General planning information	<a href="http://www.reigate-banstead.gov.uk/planning">www.reigate-banstead.gov.uk/planning</a>
Planning policy	<a href="http://www.reigate-banstead.gov.uk/planningpolicy">www.reigate-banstead.gov.uk/planningpolicy</a>
Online planning application search	<a href="https://planning.reigate-banstead.gov.uk/online-applications/">https://planning.reigate-banstead.gov.uk/online-applications/</a>

### Social media:

Follow us on **twitter** @reigatebanstead  
Follow us on **Instagram** 'reigatebanstead'  
And find us on **Facebook** 'Love Reigate and Banstead'

### Contact us:

#### By email:

Planning applications	<a href="mailto:Planning.applications@reigate-banstead.gov.uk">Planning.applications@reigate-banstead.gov.uk</a>
Planning policy	<a href="mailto:LDF@reigate-banstead.gov.uk">LDF@reigate-banstead.gov.uk</a>
Community Infrastructure Levy (CIL)	<a href="mailto:CIL@reigate-banstead.gov.uk">CIL@reigate-banstead.gov.uk</a>
Planning enforcement	<a href="mailto:Planning.enforcement@reigate-banstead.gov.uk">Planning.enforcement@reigate-banstead.gov.uk</a>

#### By telephone:

01737 276000 (including Duty Planner)

#### In person by appointment:

Reigate Town Hall  
Castlefield Road  
Reigate  
Surrey  
RH2 0SH

## Contents

1. Introduction .....	2
1.1 What is a Statement of Community Involvement (SCI)? .....	2
1.2 How does the planning system work? .....	4
1.3 Our guiding principles for community involvement in planning .....	5
1.4 Where else can I get information on planning? .....	5
2. Community involvement in planning policy .....	6
2.1 What does planning policy include? .....	6
2.2 Who will we engage and consult in plan-making? .....	8
2.3 When will we consult and engage on plan-making? .....	9
2.4 How will we consult and engage on plan-making? .....	12
2.5 What will we do with the comments on planning policy documents? .....	16
2.6 Availability of adopted documents .....	17
3. Neighbourhood Planning .....	18
3.1 What is Neighbourhood Planning? .....	18
3.2 What is the process for preparing a Neighbourhood Plan? .....	19
3.3 What support may be available to those developing Neighbourhood Plans? .....	21
4. Community involvement on planning applications .....	23
4.1 Types of planning application .....	23
4.2 Engagement at the pre-application stage .....	23
4.3 Who & how will we consult once a planning application has been submitted? .....	26
4.4 What will we do with the representations received on planning applications? .....	29
4.5 Planning Appeals .....	31
4.6 Planning Enforcement .....	31
4.7 Brownfield Land Register and Permissions in Principle .....	32
5. Further information and advice on planning .....	34

## 1. Introduction

### 1.1 What is a Statement of Community Involvement (SCI)?

Planning is one of the Council's key responsibilities and it impacts upon us all. The homes we live in, the places we work, the open spaces where we relax and the roads we travel on can all be affected by planning decisions.

The planning process helps guide and manage the way in which our borough develops and changes in the future. It ensures that the needs of our residents are met in the right places whilst protecting those parts of the borough that make it an attractive place to live, work and visit.

It is therefore important that local people and organisations are able to engage and participate in the planning process, whether that is through our plan-making activities or through decision taking on individual planning applications.

To guide community involvement in planning, the Council is required<sup>1</sup> to publish a document, known as a Statement of Community Involvement (SCI).

The SCI explains how we will involve our communities, partners and other stakeholders in the planning process locally.

In particular, this SCI sets out; on what, with whom, how and when, we will consult and engage with stakeholders at different stages of the planning process.

It applies to both plan-making (planning policy) and determining planning applications (Development Management) and provides brief guidance to explain how the planning system works and what stakeholders and residents can expect if they choose to get involved.

### What does the Government say on a community engagement and SCIs?

The National Planning Policy Framework 2018 (NPPF) sets out the Government's planning policies. It must be taken into account in the preparation of development plans and planning application decisions.

The NPPF states that the planning system should be easier to understand, more accessible and with a commitment to involving all who are interested in planning. It should "be shaped by early, proportionate and effective engagement between plan-makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees"<sup>2</sup>; and to meet legislation<sup>3</sup> plans should be

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<sup>1</sup> Under the Planning and Compulsory Purchase Act 2004

<sup>2</sup> NPPF paragraph 16(c)

<sup>3</sup> Section 39(2) of the Planning and Compulsory Purchase Act 2004

“prepared with the objective of contributing to the achievement of sustainable development<sup>4</sup>.”

The Planning Practice Guidance provides additional advice on who should be involved in preparing Local Plans. It sets out that Council’s should “identify and engage at an early stage with all those that may be interested in the development of content of the Local Plan, including those groups who may be affected by its proposals but who do not play an active part in most consultations”.

### **Monitoring and review of the SCI**

This document replaces the Council’s previous SCI that was adopted in 2013.

We will monitor the effectiveness of our approach to consultation and engagement. Where possible, this SCI is flexible so that we can adapt our approach to changes in policy and legislation or to ensure we are able to take advantage of additional, new or innovative approaches to publicity and engagement which might improve our ability to reach the right people at the right time.

In accordance with legislation, this SCI will be reviewed within 5 years<sup>5</sup> of its adoption to assess whether it remains up to date.

### **How does the SCI link to the Council’s engagement outside of planning?**

The Council as a whole carries out a range of community engagement as part of its work. This goes beyond issues related to planning alone.

Wherever possible, we will also work with other Council departments to ensure that a consistent and coordinated approach is taken to consultation. Where appropriate, joint consultations between departments will be considered to share resources and provide a joined-up approach to engagement.

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<sup>4</sup> NPPF paragraph 16(a)

<sup>5</sup> The Town & Country Planning (Local Planning) (England) Amendment Regulations 2017

## 1.2 How does the planning system work?

There are two key parts to the local planning system - Planning Policy and Development Management.

**Planning Policy** is concerned with producing the local planning documents and policies that are used to guide development in our borough. These documents must conform to relevant Government guidance, and there are specific regulatory procedures that must be followed during their preparation. Planning policy also includes **Neighbourhood Planning**, which gives local communities direct power to develop plans to guide development and growth in their local area.

**Development Management** is responsible for processing and determining planning applications, along with other applications including works to trees, advertisements and listed buildings. The team also provides pre-application planning advice. The Planning Enforcement team investigates and takes appropriate action in respect of breaches of planning control.

### Making decisions on planning matters – the role of Council Committees

Council Committees play a key role in decision-making for both planning policies and planning applications.

In line with the Council's Constitution, draft planning policy documents are normally considered by the Executive Committee as part of their approval for carrying out public consultation. The decision to adopt a Local Plan document following examination is taken by Full Council. The decision to adopt Supplementary Planning Documents (SPDs) is taken by the Executive.

In addition, the Council's Overview and Scrutiny Committee, through the LDF Scrutiny Panel, provides for review and oversight of emerging Local Plan documents.

The majority of decisions taken by the Council on planning applications are delegated, which means they are made by officers. This is so that decisions can be taken in an efficient and timely manner to fit with timescales set by the Government. However, decisions on larger applications are taken by the Planning Committee, and in rare cases, smaller applications are also referred to Planning Committee for consideration.

All Council committee meetings are open to the public and the agendas and minutes for each are published on our website. Our Executive, Planning and Overview & Scrutiny Committee meetings and Full Council are webcast – these are advertised in advance on our website and can be viewed at [www.reigate-banstead.gov.uk/webcasting](http://www.reigate-banstead.gov.uk/webcasting).

### 1.3 Our guiding principles for community involvement in planning

**Figure 1** below sets out the principles which underpin our approach to community involvement in planning.

#### Figure 1: Our principles for community involvement in planning

##### Involving stakeholders early in the process

- Encouraging and facilitating engagement in the plan-making process so that stakeholder and community views can shape and influence policy rather than react to it
- Promoting and maximising pre-application involvement in planning applications and pre-application consultation by developers, so that there is meaningful opportunity for community views and aspirations to be factored into the final proposals

##### Being open and transparent

- Being clear and honest about the purpose and scope of consultations so that stakeholders have a clear understanding of what they can influence from the start
- Ensuring that relevant information and consultation materials are made available to stakeholders
- Publishing consultation materials that are clear and concise, avoiding unnecessary jargon

##### Reaching stakeholders in the right way

- Ensuring the consultation exercises are inclusive of all those parts of the community that may be affected
- Choosing appropriate ways to raise awareness and involve people, including those who may traditionally be harder to reach
- Making best use of digital and social media techniques to maximise the ease, speed and accessibility of consultations

##### Providing meaningful feedback

- Fully considering the results of consultations and the comments received
- Providing appropriate feedback so that it is clear how consultations responses have influenced outcomes, and if not, why
- Evaluating and monitoring the effectiveness of consultation exercises and adapting

### 1.4 Where else can I get information on planning?

There are a number of organisations who provide independent information and advice on the planning system and who can advise on how best to get involved and on putting forward views. These are listed in **Section 5**.

## 2. Community involvement in planning policy

### 2.1 What does planning policy include?

Planning policies sit at the heart of the “plan-led” planning system. National legislation includes within it a requirement that all planning decisions must be taken in line with adopted local planning policies (known as the “Development Plan”) unless material considerations indicate otherwise.

The Council is responsible for preparing the planning policy documents which are used to guide development and determine individual planning applications to deliver sustainable development<sup>6</sup> in their area.

There are two main types of local planning policy documents:

- Local Plans (or Development Plan Documents (DPDs))
- Supplementary Planning Documents (SPDs)

Local planning policies are required to be generally consistent with national planning policy which is set out in the National Planning Policy Framework (NPPF).

#### Local Plans or Development Plan Documents (DPDs)

Local Plans (or DPDs) are documents that set out the vision and framework for future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure as well as safeguarding the environment and resources and ensuring good design.

Local Plans are intended to make clear what is intended to happen in an area, generally looking 15-20 years ahead, where and when this will occur and how it will be delivered. This is normally done through a combination of:

- Strategic policies which set out the overall strategy, pattern and amount of development (such as the number of new homes) and infrastructure required as well as key policies for conserving and enhancing important landscapes, biodiversity and heritage.
- Non-strategic policies that set out more detailed criteria on specific issues, such as design principles or local shops.
- Site allocations which specify sites where development will be supported.

Preparing a Local Plan comprises a number of stages, as required by the planning legislation<sup>7</sup>. **Figure 2** details the opportunities for stakeholder engagement at each stage in preparing a new Local Plan/DPD.

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<sup>6</sup> As required by Section 33A of 2004

<sup>7</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012 – Part 6

### Supplementary Planning Documents (SPDs)

Supplementary Planning Documents (SPDs) are intended to build on the Local Plan by providing additional guidance and advice on specific topics and/or the implementation of particular policies. SPDs cannot set new policy.

Preparing a SPD also comprises a number of stages; however, unlike a Local Plan/DPD, an SPD is not subject to examination. A summary of the process for preparing an SPD and the opportunities for stakeholder engagement is set out in **Figure 3**.

### Other planning guidance frameworks

The Council may also approve other planning guidance and development briefs for specific sites. These are not statutory but are intended to help people apply adopted policies. Their preparation often involves dialogue with stakeholders such as service providers. These may be published for public consultation before approval, although this is not a statutory requirement.

### Neighbourhood Development Plans and Orders

In addition, local communities can work together to prepare Neighbourhood Plans and Neighbourhood Development Orders to guide development in their local area. More detail on these, and the process, engagement and consultation involved in their preparation, is set out in **Section 3**.

## 2.2 Who will we engage and consult in plan-making?

Planning legislation<sup>8</sup> sets out specific organisations (known as “statutory consultees”) which must be consulted on the preparation of Local Plan documents. This includes neighbouring Councils, Surrey County Council, utility companies and Government bodies such as Highways England and Historic England. These consultees will always be notified as part of our plan-making activities.

In addition, through our consultations, we will seek to engage as widely as possible with any other stakeholders who may have a role or interest in shaping future development and growth in the borough. This includes:

- local residents
- residents’ associations and community groups
- local businesses
- specific interest groups
- landowners and developers

Anybody interested in being involved as our planning policies develop can register for updates on our Planning Policy Consultation Register (see below).

### Planning Policy Consultation Register

The Council maintains a database of individuals, organisations and groups who have previously expressed an interest in being kept up-to-date with, and involved in, the production of any development plan documents.

Being on this register is the best way to ensure that you are notified of our engagement and consultation activities on planning policy documents.

Any individual or organisation can request to be added to the database to be notified of planning policy related consultations through the following means:

- **Using our online form:** [https://my.reigate-banstead.gov.uk/service/Planning\\_Policy\\_Mailing\\_List](https://my.reigate-banstead.gov.uk/service/Planning_Policy_Mailing_List)
- **By emailing:** [LDF@reigate-banstead.gov.uk](mailto:LDF@reigate-banstead.gov.uk); or
- **By letter:** using the postal address at the beginning of the document.

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<sup>8</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

## 2.3 When will we consult and engage on plan-making?

### Engaging stakeholders in preparing our evidence base

Whilst the statutory consultation stages below are the main formal opportunity for stakeholders to provide their views on emerging planning policy documents, we are also committed to meaningful engagement throughout the plan-making process

These activities will be carried out on a more ad hoc basis throughout the plan-making process, but with a particular focus on the earlier stages to help inform our thinking as it develops and enrich our evidence gathering on specific topics. This could include, for example, holding a consultation event with businesses and business groups to understand the local economy and business needs, or a questionnaire to sports clubs to ascertain the demand for sports facilities.

### Formal statutory consultation stages

Planning legislation sets out the statutory stages in the preparation process for each type of planning document. These include when we must formally publish the document for public consultation and for how long. Different documents have different requirements, as set out in **Figures 2 and 3**.

The timetables for our emerging planning policy documents will be set out in our Local Development Scheme (LDS).

#### The Local Development Scheme (LDS)

In accordance with legislation, we publish and maintain an up-to-date Local Development Scheme (LDS) setting out the timetable for producing various Local Plan documents. The LDS provides a useful starting point for stakeholders and the community to understand the likely timing of formal consultation exercises.

The requirements set out in planning legislation will always be met and, in many cases, we will seek to go beyond these minimum requirements in order to promote greater community involvement in plan making. This might include:

- carrying out additional round(s) of formal consultation to seek focussed views on a new or significant policy or proposal;
- extending the length of a consultation beyond the statutory timeframe.
- carrying out additional, ad hoc activities such as those set out in **Figures 2 and 3** (over and above the statutory notification and publication requirements)

We will seek to avoid scheduling formal statutory consultations during periods when people are likely to have reduced availability to engage (e.g. public holidays). However, this cannot always be avoided. In rare instances, we may consult for an extended period, to ensure stakeholders have adequate opportunity to comment.

The Council maintains a record of current and recent **formal** consultations. This can be viewed at: <http://www.reigate-banstead.gov.uk/consultations>

**Figure 2: Summary of stages in preparation of Local Plan or Development Plan Document (DPD)**

<p><b>Preparation of the evidence base</b></p> <ul style="list-style-type: none"> <li>- Targeted early engagement with relevant stakeholders in the preparation and gathering of evidence</li> </ul>		
<p><b>Public participation in the scope of the Local Plan/DPD (minimum 6 weeks)</b>  <i>As a minimum:</i></p> <ul style="list-style-type: none"> <li>- Notification to specific and general consultees, and others who have asked to be notified</li> <li>- Publish documents online and make them available at the Council's offices</li> </ul>		Regulation 18
<p>Consideration of representations received</p> <ul style="list-style-type: none"> <li>- May include further evidence gathering and informal engagement as per preparation stage</li> </ul>		
<p><b>Publication of the Local Plan/DPD for public consultation (minimum 6 weeks)</b>  <i>As a minimum:</i></p> <ul style="list-style-type: none"> <li>- Notification to specific and general consultees, and others who have asked to be notified</li> <li>- Publish documents online and make them available at the Council's offices</li> </ul>		Regulation 19
<p>Consideration of representations received</p>		Regulation 20
<p><b>Submission of Local Plan/DPD to the Secretary of State</b></p>		Regulation 22
<p><b>Examination of the Local Plan/DPD by an Independent Planning Inspector (appointed by the Secretary of State)</b></p> <ul style="list-style-type: none"> <li>- Inspector will consider representations received.</li> <li>- The Inspector will normally invite those who have expressed an interest to participate in hearing sessions to discuss/debate their issues and concerns</li> <li>- Anyone can attend to observe the hearings but only those invited by the Inspector can participate in discussions.</li> <li>- Further public consultation may be carried out as part of the examination if any changes to the Local Plan/DPD arise from the examination (subject to Inspector's advice).</li> <li>- At the end of the examination process, the Inspector will issue a report to the Council with recommendations.</li> </ul>		Regulation 24
<p><b>Adoption of the Local Plan/DPD by the Council</b></p> <ul style="list-style-type: none"> <li>- Notification to specific and general consultees, and others who have asked to be notified of the intention to adopt</li> <li>- Publish documents online and make them available at the Council's offices</li> </ul>		Regulation 26
<p><b>Monitoring and review</b></p> <ul style="list-style-type: none"> <li>- Targeted engagement with relevant stakeholders may be undertaken as part of monitoring the effectiveness of the document</li> </ul>		

**Figure 3: Summary of stages in preparation of a Supplementary Planning Document (SPD)**

**Preparation of the evidence base**

- Targeted early engagement with relevant stakeholders in the preparation and gathering of evidence

**Publication of the SPD for public consultation (minimum 4 weeks)**

*As a minimum:*

- Notification to specific and general consultees, and others who have asked to be notified
- Publish documents online and make them available at the Council's offices

Regulation 12

**Consideration of representations received and drafting of final SPD**

- May include further evidence gathering and informal engagement as per preparation stage

**Adoption of the final SPD by the Council**

Regulation 24

## 2.4 How will we consult and engage on plan-making?

### Engaging stakeholders in preparing our evidence base

As above, in addition to formal statutory consultation periods, we will usually seek to engage and gather views of stakeholders to inform our evidence at the early stages of plan-making.

These engagement exercises will normally be focussed and their scope tailored to understand particular issues and gather evidence to support a robust plan. Opportunities to be involved in such engagement will be appropriately publicised or we may directly approach specific groups who we think may have an interest.

Methods typically used include presentations/forums, workshops and surveys/questionnaires. We will seek to ensure the consultations follow the community involvement principles set out in **Figure 1**.

In addition to specific engagement activities by the Planning Policy team, we may also make use of existing wider Council consultation and engagement activities, such as Residents Surveys, to gather broader views to inform the early plan-making stages. These will normally be used to understand wider community sentiment on more general issues, rather than detailed or technical issues.

We understand that people will have differing views at a consultation stage, but our focus is on encouraging early engagement to gain valuable local insight and so that, where possible, we can respond early to community views.

### Seeking formal comments through public consultation

Planning legislation<sup>9</sup> sets out the minimum requirements for public participation during statutory consultations on planning policy documents. As a minimum, we will always:

- Directly notify, by email or letter:
  - Statutory or general consultees specified in relevant planning legislation; and
  - Anyone else who has expressed to us a specific interest in being involved as the document develops, including individuals and businesses who have asked to be on our Planning Policy Consultation Register.
- Make documents available for inspection at the Council's main offices.

However, in line with the principles in **Figure 1**, we will aim to go above and beyond this in order to make consultations, surveys and supporting evidence transparent and accessible to all. The various methods which we might use to raise awareness and maximise opportunities for people to engage are set out in **Figure 4**. These will be chosen on a case-by-case basis.

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<sup>9</sup> The Town and Country Planning (Local Planning) (England) Regulations 2012

We encourage all parties to make comments electronically where possible and we will normally publish online surveys or email response forms to enable this. We also accept comments and representations by email or post. Any party making comments must provide a name and address for comments to be valid.

During formal statutory consultation exercises, it is important that comments are received before the close of the consultation; otherwise they are unlikely to be accepted.

### **Maximising accessibility of our consultations and reaching the seldom heard**

Whilst planning can affect us all, it can also be a complex and technical subject and the evidence supporting planning policies can often be lengthy. This can act as a barrier to engagement.

We will make every effort to ensure that our consultation materials are clear and easy to understand and that key issues and significant or potentially controversial proposals can be easily identified. Leaflets, briefing notes and non-technical summaries may be published alongside consultation documents to help present the most important information.

In addition, there are individuals and groups in our communities who may have greater difficulty accessing consultations or who may be less likely to make their views. These groups, sometimes known as 'seldom heard' may nonetheless be able to offer important and valuable insight to inform our planning policies.

#### **Reaching the 'seldom heard'**

Whilst 'seldom heard' groups may change over time, examples include:

- People of working age who, due to work and family commitments, have very limited periods of free time in which to involve themselves in wider issues (the time-limited)
- People of school age who are too young to belong to recognised consultation organisations
- People of limited mobility, through either age or disability
- People whose first language is not English
- People with sight or hearing impairment
- People without a permanent address including Gypsies and Travellers.

When planning consultations, we will carefully consider ways to maximise opportunities to engage with 'seldom heard' groups and overcome barriers to participation. Measures which may be used to could include:

- Using alternative methods to written or text-based consultation; such as face-to-face meetings or workshops, or drop-in sessions/exhibitions and ensuring that these are held at appropriate times of day/days of the week and in appropriate, accessible locations.
- Maximising the availability, flexibility and reach of online consultation opportunities for those unable to access Council services or offices during normal

working hours. This might include providing shorter online or interactive surveys for those who are “time poor”, online video summaries of key issues, and publicising consultations effectively using a wide range of social media.

- Making documents available, on request, in different languages and accessible formats (e.g. large print or audio versions), ensuring that online materials are screen-reader friendly and that video content has appropriate subtitling.
- Utilising Parish/Town Councils, other local groups and associations (where they exist) to assist in increasing awareness at local level, particularly as they have existing communication networks within their areas.
- Working with other departments, such as our Community Development team, in order to maximise outreach during consultations.

### Figure 4: Methods of publicity and engagement which may be used in planning policy consultations

#### Publicity and “awareness raising”

**Reigate & Banstead Borough Council website** – progress on our planning documents and information about current consultations will be publicised on the Council's website. This will also be the place where documents, including background evidence and response forms, will be made available to download during the consultation process.

**Direct notifications** – emails and letters sent directly to statutory bodies, relevant groups and other stakeholders notifying about a particular stage of plan making or consultation. In some circumstances, targeted or borough-wide “mailshots” may be used to raise awareness of consultations.

**Social media** – posts and publicity regarding formal consultation events may be promoted on our Facebook page, Twitter feed, LinkedIn and Instagram profiles.

**Borough News** – where possible (and subject to lead-in times) updates may be provided in our Borough News magazine that is distributed to homes across the borough twice a year.

**E-newsletters** – electronic newsletters are published by various departments across the Council as a means of sharing news and information. These will be used, where appropriate, to help promote planning consultations and engagement exercises.

**Local media** – media releases to local newspapers, radio stations, online media and to hyperlocal sites and newsletters may be issued to promote consultations and latest news.

**Leaflets, posters and flyers** - these may be distributed to promote consultations and summarise information on consultations. Information may also be circulated to Parish/ Town Councils and residents' associations for display on community notice boards or in community newsletters.

**Promotion by other departments – “word of mouth”** – we may share information and briefings regarding emerging planning policy documents amongst other Council departments so that they can promote and publicise them through their existing networks. This might include through Business Engagement, Community Development or Regeneration.

**Presentations and forums** – we may give presentations to appropriate groups, organisations and stakeholders to target particular people in the community who may be interested in how proposals affect a particular issue or local area.

**Councillor seminars and briefings** – helps disseminate information about the Local Plan process to Ward Councillors and elected members to support them in leading on raising awareness and engaging with their local residents and their community.

## Figure 4 (continued): Methods of publicity and engagement which may be used in planning policy consultations

### Methods of engagement and collecting feedback

**Surveys, questionnaires and feedback forms** – surveys, questionnaires and feedback forms may be used to canvass views on emerging planning documents. Response forms will normally be made available to capture comments at formal statutory consultation stages.

**Workshops and focus groups** – opportunities for discussions of specific topics and documents in groups, potentially supported by presentations and other visual material. These may take the form of ‘Planning for Real’ exercises. Workshops may particularly be used at earlier stages of preparation or to focus on exploring specific topics.

**Exhibitions and road shows** – public exhibitions and displays for local residents regarding emerging planning policy documents can act as a means of publicity but also an opportunity for collecting informal feedback. Exhibitions may be manned at times, enable residents to directly discuss and provide informal feedback to Council Officers. Materials will generally be made available to enable those attending exhibitions to leave formal comments.

**Council meetings** – where appropriate and/or where required by our constitution, we will take our emerging plans to relevant Council meetings for feedback and approval.

### The “duty to cooperate”

The “duty to cooperate” is a legal duty<sup>10</sup> which requires the Council to engage constructively, actively and on an on-going basis with neighbouring authorities and other (prescribed) public bodies to tackle “larger than local” issues. This includes challenges such as meeting needs, delivering infrastructure or protecting important landscapes. The duty is intended to make Local Plans more effective.

At the early stages of document preparation, the Council will work with the duty to co-operate bodies to understand which aspects of the plan they wish to be engaged with and how. This may also provide an opportunity for joint working and establishing a shared evidence base.

With specific reference to the duty to co-operate, methods of engagement to be applied throughout the plan making process will include the following:

- notification emails/letters;
- information requests/exchange of data;
- meetings, discussions and workshops, including through existing joint working arrangements such as Surrey Planning Officers Association and Gatwick Diamond
- written agreements/statements of common ground<sup>11</sup>

<sup>10</sup> Section 110 of Localism Act 2011 and 33A of the Planning and Compulsory Purchase Act 2004

<sup>11</sup> NPPF paragraph 27

## 2.5 What will we do with the comments on planning policy documents?

All formal comments received as part of a planning policy consultation process will be collated, analysed and taken into account in the decisions made by and on behalf of the Council.

The Council will not normally respond to comments and representations received on an individual basis. In exceptional circumstances, we may contact a person or organisation who made the comments in order to ensure we fully understand their views and/or specific issues they raise.

Comments will be reviewed and considered by Council Officers. Where appropriate, the Council may propose changes to the draft document or may take some other action (such as reviewing/updating evidence) to address points raised during the consultation. However, there may also be instances where the Council considers that it is not appropriate to amend the plan to accommodate the views of a respondent, for example if a proposed change is contrary to national planning policy.

The outcomes of any formal consultation will be published on the Council's website. A Statement of Consultation will be prepared for each statutory consultation stage setting out the comments received (usually as a summary) and the Council's response to those comments. It will also set out if and how the issues were addressed.

In the case of Local Plans/DPDs, the respondent may be given the opportunity to convey their views to an independent Planning Inspector at an Examination into the soundness of the plan either in writing or by appearing at a hearing.

For all written formal comments received during a consultation period, the Council will:

- Record the comments received and points raised;
- Provide acknowledgement of receipt (if electronic) or if otherwise requested by the respondent;
- Collate and make available any comments.
- Notify anyone who has responded to a consultation of the next statutory stage;
- When submitting a document to the Secretary of State notify those people who have requested to be notified of submission, by email or letter;
- Send the Planning Inspector those comments received during the regulation 19 consultation for a Development Plan Document.

We cannot accept confidential, anonymous or late comments in response to formal statutory consultations. In accordance with data protection legislation, we will not publish personal or confidential information (such as contact details) provided to us as part of comments. All respondents are also encouraged to ensure that representations only contain material that they are happy to be made publically available.

We also reserve the right not to publish any comments or parts of comments that are not considered suitable for public view, including comments that are offensive, personal or defamatory.

## 2.6 Availability of adopted documents

Adopted Local Plan documents (or DPDs), SPDs and other documents such as the Local Development Scheme and SCI, will be published on the Council's website.

Copies will also be made available for inspection at the Council's main offices and libraries. Paper copies will also be available to purchase (in order to recover costs).

## **3. Neighbourhood Planning**

### **3.1 What is Neighbourhood Planning?**

Neighbourhood planning was introduced by the Localism Act 2011. It is a way for communities to come together - through a local parish/ town council, or separately designated Neighbourhood Forum – to develop a shared vision the future of the places where they live and work. Neighbourhood planning includes a numbers of tools including Neighbourhood Development Plan, a Neighbourhood Development Order or Community Right to Build Order.

#### **Neighbourhood Development Plans (NDP)**

Neighbourhood Development Plans allow communities to establish policies and allocations for development of land in their area. They can be very simple or go into considerable detail. Neighbourhood Development Plans must go through independent examination and a local referendum; once agreed, they become part of the development plan and would be taken into account in determining planning applications in that area.

National policy makes clear that Neighbourhood Plans are intended to be a positive tool to support growth. Specifically, it states that Neighbourhood Plans cannot promote less development than is set out in the Council's Local Plan, nor can they be used to undermine the strategic policies of the Council or block development which is already part of the Local Plan. They can however promote more growth, or influence where it goes and what it will look like.

#### **Neighbourhood Development Orders or Community Right to Build Order**

If a community wishes to simplify the process for allowing development, it can also produce a Neighbourhood Development Order or a Community Right to Build Order. These can be instead of, or in conjunction with, a Neighbourhood Plan and can be used to grant planning permission (full or outline) for certain types of development in specified areas. Such orders, however, cannot remove the need for other permissions such as Listed Building or Conservation Area consent.

### 3.2 What is the process for preparing a Neighbourhood Plan?

Neighbourhood Planning is either taken forward by Town/Parish Councils, or areas without Parish Council by 'Neighbourhood Forums'<sup>12</sup>.

The process of preparing a Plan or Order is designed to be led by the community. As such, whilst preparing their draft Neighbourhood Plan, the neighbourhood planning body is responsible for carrying out public consultation and engaging with the local community and wider stakeholders. If you live or work within an area developing a Neighbourhood Plan, there will therefore be opportunities to get involved and influence the content of the emerging Plan. **Figure 5** below summarises the key stages in the preparation of a Neighbourhood Plan, including the various consultation opportunities to have your say.

Once a draft of the Neighbourhood Plan has been completed, it must be submitted to the Council. At that point, the Council will carry out a period of formal consultation and then submit the plan for independent examination. The Council will also organise the referendum following the examination and the subsequent adoption. These processes will be carried out in accordance with the relevant Regulations.

The Council will update details of the progress of each Neighbourhood Plan or Order on its website. It will also publish examiners reports and any associated decision notices.

**Figure 5: Summary of stages and responsibilities in the preparation and adoption of a Neighbourhood Plan**

Designating a Neighbourhood Forum or Area	<p><b>Early engagement</b></p> <ul style="list-style-type: none"> <li>- Informal community consultation undertaken by the local community to understand appetite, aims and ambitions from neighbourhood planning</li> <li>- Community seeks advice from the Borough Council as to whether NP is the right way forward to address the communities aspirations</li> <li>- Informal community consultation on the boundaries of any prospective neighbourhood planning area undertaken by the local community</li> </ul>	
	<p><b>Neighbourhood Forum/Neighbourhood Area application</b></p> <ul style="list-style-type: none"> <li>- Community makes an application to be designated as a Neighbourhood Forum (if unparished) or to designate a Neighbourhood Area</li> <li>- First step in progressing with a Neighbourhood Plan</li> </ul>	Regulations 5 & 8
	<p><b>Designation of Neighbourhood Forum or Neighbourhood Area</b> Minimum 6 weeks consultation undertaken by the Borough Council <i>As a minimum:</i></p> <ul style="list-style-type: none"> <li>- Publish details of application online along with information about how interested parties may make representations; however, additional targeted notifications and publicity in the relevant area may also be undertaken</li> </ul> <p>Borough Council publishes details of decision to designate (or not) online.</p>	Regulations 6, 7, 9 & 10

<sup>12</sup> Neighbourhood Forums are community groups, including local residents, that are designated to take forward Neighbourhood Planning in areas without Parishes

**Figure 5 (continued): Summary of stages and responsibilities in the preparation and adoption of a Neighbourhood Plan**

Preparing the Neighbourhood Plan	<p><b>Preparation stage</b></p> <ul style="list-style-type: none"> <li>- Local community gathers evidence to inform and prepare the Neighbourhood Plan</li> <li>- Engagement with, and surveys of, the local community, relevant stakeholders should form a key part of this evidence gathering</li> <li>- Draft Neighbourhood Plan prepared by local community</li> </ul>	
	<p><b>Pre-submission consultation on Draft Plan</b></p> <p>Minimum 6 weeks consultation undertaken by the neighbourhood planning body</p> <p><i>As a minimum:</i></p> <ul style="list-style-type: none"> <li>- Notify and send a copy to the Borough Council</li> <li>- Notify specific consultation bodies in Neighbourhood Planning Regs</li> <li>- Publicise the plan in a manner which is likely to bring it to the attention of people who live, work or carry on business in the area</li> </ul>	Regulation 14
	<p><b>Finalise and submit Draft Plan</b></p> <ul style="list-style-type: none"> <li>- Prepare consultation statement summarising responses received</li> <li>- May include further evidence gathering and informal engagement as per preparation stage</li> <li>- Prepare formal documentation including basic conditions statement and any necessary environmental assessments</li> </ul>	Regulation 15
	<p><b>Public consultation on Submission Plan</b></p> <p>Minimum 6 weeks consultation undertaken by the Borough Council</p> <p><i>As a minimum:</i></p> <ul style="list-style-type: none"> <li>- Notify specific consultation bodies in Neighbourhood Planning Regs and those who have responded previously</li> <li>- Publicise the plan in a manner which is likely to bring it to the attention of people who live, work or carry on business in the area</li> </ul>	Regulation 16
	<p><b>Submission of Neighbourhood Plan for Independent Examination</b></p>	Regulation 17
	<p><b>Examination of Neighbourhood Plan by an Independent Examiner (appointed by the Council)</b></p> <ul style="list-style-type: none"> <li>- Examiner will consider representations received</li> <li>- Examiner will assess whether</li> <li>- Further public consultation may be carried out as part of the examination if any changes to the Local Plan/DPD arise from the examination (subject to Inspector's advice).</li> <li>- At the end of the examination process, the Inspector will issue a report to the Council with recommendations.</li> </ul>	Regulation 18
	<p><b>Local Referendum</b></p> <ul style="list-style-type: none"> <li>- Organised and run by the Borough Council</li> <li>- Vote held in the neighbourhood area only – if more than 50% of those voting are in favour, the plan comes into force</li> </ul>	Neighbourhood Planning (Referendums) Regulations 2012
	<p><b>Adoption of the Neighbourhood Plan by the Borough Council</b></p> <ul style="list-style-type: none"> <li>- Publicise adoption ("making") online and notify any persons who asked to be notified</li> </ul>	Regulation 19

  

	Denotes stages and consultations which will be led and organised by the Borough Council
	Denotes stages and consultations which will be led and organised by the local community/neighbourhood group

### 3.3 What support may be available to those developing Neighbourhood Plans?

#### What support can the Council offer?

Whilst the local community is responsible for preparing the plan, the Council will provide appropriate on-going advice and support throughout the process.

The Neighbourhood Planning Act 2017 introduced a new requirement for SCIs to set out how the Local Planning Authority will support groups undertaking neighbourhood plans.

As a starting point, the Council will nominate a member of the Planning Policy team to act as the main point of contact between the Neighbourhood Planning Group and the Council.

Support and guidance will be made available in several formats, **with the emphasis on helping the community to develop their own knowledge and skills to prepare the plan**, rather than direct involvement by the Council. This approach will help to maximise the independence and local ownership of the Plan. Support available may, depending upon the requirements of the community, include:

- Initial advice or seminars regarding the process for preparing a Plan or Order, including the respective roles of the Council and neighbourhood planning body
- Initial support in scoping the matters which can/cannot be addressed through the Plan or Order, and/or other options which may exist for achieving the aspirations/objectives of the community
- Sharing existing evidence documents, data and intelligence held by the Council which may be relevant to the area; and ‘signposting’ to other useful sources of data such as the Office of National Statistics, etc.
- Providing guidance (as required) on project management issues such as timetabling (including sharing any template tools), writing effective specifications/briefs for consultancy support and undertaking consultation/engagement events
- Providing advice on relevant legislative or regulatory requirements, including Strategic Environmental Appraisal, and on any relevant case-law
- Practical assistance such as GIS mapping (where appropriate and resources permit)
- Sharing examples of best practice from plans elsewhere
- ‘Signposting’ to other sources of support (including financial) and training, and supporting the community in making funding applications as appropriate
- Providing informal advice on ensuring conformity with existing national/local policy and ensuring policies/site allocations are fit for purpose and deliverable
- Responding, on a formal basis, to specific consultations on the emerging and draft Plan or Order
- Facilitating access to other teams/departments within the Council, or in partner organisations, if specialist input is required.
- Advice on the referendum process, including campaigning

Town/Parish Council's and other neighbourhood planning bodies will be strongly encouraged to keep their own websites up to date and assist by making sure documents are available locally and providing appropriate local publicity.

### **What other sources of advice, support and guidance exist?**

There is a range of valuable, independent advice and guidance for communities and groups preparing neighbourhood plans, including:

- Planning Practice Guidance: <https://www.gov.uk/guidance/neighbourhood-planning--2>
- Neighbourhood Planning Support website (provided by Locality): <https://neighbourhoodplanning.org/>
- Neighbourhood Plans Road Map (provided by Locality): [https://neighbourhoodplanning.org/wp-content/uploads/NP\\_Roadmap\\_online\\_full.pdf](https://neighbourhoodplanning.org/wp-content/uploads/NP_Roadmap_online_full.pdf)
- Planning Help – Neighbourhood Plans (by CPRE): <https://www.planninghelp.cpre.org.uk/improve-where-you-live/shape-your-local-area/neighbourhood-plans>

In addition, **Locality** also currently offers direct support to neighbourhood planning groups, including in the form of financial grants and technical support. More information about this independent support is available from: <https://neighbourhoodplanning.org/apply/>

## 4. Community involvement on planning applications

A planning application is a means by which someone applies for permission from the Council to develop land. The Council is responsible for most planning decisions that are made throughout the Borough, although in some limited instances (such as minerals or waste proposals), the County Council makes the decision.

On average the Council determines approximately 2,000 planning (and related) applications a year, ranging from household extensions and fences to major new housing estates and business premises. These planning decisions shape the nature of the areas where people live, work and spend their leisure time.

### 4.1 Types of planning application

There are two main types of planning application – applications for full planning permission and applications for outline planning permission.

In addition to planning applications, the Council also processes a wide range of other applications relating to:

- approval of reserved matters
- discharges of condition,
- amendments to proposals that already have planning permission
- lawful development certificates
- prior notifications and approvals for some permitted development rights,
- non-planning consents (such as advertisement consent, listed building consents and consents required under a Tree Preservation Order)
- Environmental Impact Assessment (EIA) screening/scoping requests.

### 4.2 Engagement at the pre-application stage

National policy guides all parties to take maximum advantage of the pre-application stage to improve the efficiency, effectiveness and outcomes of the planning process.

In this respect, the Council strongly encourages applicants to carry out early engagement with both the Council and the local community before submitting a planning application. Involvement in the pre-application process provides the best opportunity to make a real difference to proposals, as well as avoiding unnecessary delays and costs for all parties.

#### Pre-application advice

Early discussion of a proposal with the Council in the form of a pre-application discussion can:

- Help identify key opportunities and challenges associated with a particular site;
- Help the applicant to understand how planning policies and other requirements may affect their proposal;

## Annex 1: Statement of Community Involvement

- Verify the information required to be submitted with the application;
- Reduce the likelihood of submitting invalid applications;
- Identify the need for specialist involvement; and
- Raise the quality of development;

General planning advice is also available from the Duty Planner, a telephone service which currently<sup>13</sup> operates between 10am and 1pm Monday to Friday. However, the extent of advice which the duty planner can provide is limited and we are unable to advise on specific proposals or the potential of a particular site via this service.

For specific schemes/proposals, the Council offers a formal pre-application advice service, providing either written advice or an opportunity to meet with a designated Planning Officer to discuss proposals. Further information above the pre-application process, including the necessary forms and fees information, is available at: [http://www.reigate-banstead.gov.uk/info/20243/before\\_you\\_apply/115/pre-application\\_planning\\_advice](http://www.reigate-banstead.gov.uk/info/20243/before_you_apply/115/pre-application_planning_advice).

Sometimes these discussions will have to be kept confidential due to commercial sensitivity.

### **Pre-application community consultation**

The purpose of community engagement at the pre-application stage is to help identify issues so that any subsequent planning application is processed more quickly and the determination process is smoother. In particular, community engagement by applicants can:

- Identify any issues that may be considered in any formal application;
- Inform Members and the public of a development proposal at an early stage in the process;
- Inform planning officer pre-application discussions with the developer;
- Enable the developer to shape an application at the outset to respond to community issues and help to reduce local opposition.

We strongly encourage applicants or developers, particularly on larger schemes, to consult and engage with the local community before submitting planning applications which are likely to generate public interest. Such consultation should be accessible and clear to the whole community.

Pre-application consultation provides an opportunity for applicants and developers to find out the views of local residents about their development proposals, and allows the local community to make suggestions which can then be taken into account by the developer in finalising their planning application.

In most cases, the Council expects applicants to carry out their own pre-application consultation. This should be effective in bringing draft proposals to the attention of

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<sup>13</sup> As at March 2019 – but may be subject to change and review according to future demand and resources.

the public, the local Town or Parish Council and other affected parties and provide opportunities for them to make comments. The extent of public engagement prior to application should be tailored to the scale and nature of the proposals. In all cases, the Council strongly encourages applicants to discuss their emerging proposals on a 1-2-1 basis with direct neighbours. However, for larger applications (and particularly for major development) more extensive engagement would be expected. Effective ways of doing this include public exhibitions, workshops and other forums providing specific opportunities for comments to be made. Discussions with Parish/Town Councils, local residents' associations and with elected Councillors are also encouraged for larger proposals.

The Council will expect applicants to submit details of the pre-application consultation they have undertaken as well as an explanation on how the responses have been taken into account, alongside their planning application. The Council will consider this information prior to making a decision.

### Planning Performance Agreements (PPAs)

A Planning Performance Agreement (PPA) is a tool that the Council and applicants can use to agree timescales, actions and resources for handling particular applications. They can be used on most types of development but are particularly useful for larger, more complex planning applications. PPAs typically cover the pre-application and application stages and provide an opportunity to:

- establish a programme of bespoke pre-application advice – normally through a series of meetings - to identify and discuss key issues and to inform the design development of a proposal in the build up to submission of an application
- identify the resources and skills to be involved at the pre-application and application stage (including normally a dedicated case officer)
- set out a clear and agreed timescale for reaching a decision once it is submitted

In order for all parties to gain maximum benefit from a PPA, it is essential that they facilitate close engagement between the Council, developers, key consultees and the local community. The PPA will provide an opportunity for identifying the approach to community engagement and who should be involved.

Developers will be expected to cover the costs of the PPA, which will be in addition to any subsequent planning application fee for the proposed development.

### 4.3 Who & how will we consult once a planning application has been submitted?

Once a planning application is submitted, planning legislation<sup>14</sup> sets out the statutory publicity requirements for different types of planning applications.

The method of publicity depends upon the type and scale of the development proposed in the application. Each application has an initial statutory consultation period of 21 days (excluding public holidays). The methods of publicity and consultation include:

- **Neighbour notifications** – we individually notify, by letter, all those properties (residential or non-residential) directly bordering and abutting the boundary of the application site.
- **Site notices** – if a site notice is statutorily required it would be posted in at least one place on or near to the land that the application relates. Every effort will be made to post site notices in a location which is visible to the general public and those passing the site. If the site is large, or if its geography is such that it may be accessed or appreciated from a number of roads, more than one site notice may be posted. This will be at the discretion of the Planning Officer. In exceptional circumstances, where the ownership of land adjoining an application site is uncertain, a site notice may also be posted at the discretion of the Planning Officer. The site notice will set out how to comment on the application and any deadlines.
- **Press notice** – certain applications are advertised through a public notice in the local press.

The consultation and notification methods we will use for different types of application are summarised in **Figure 6**.

In addition to the local community, we will also consult a range of internal and external consultees as part of the application process. Some of these consultees are specified in legislation; however, we may also consult others such as the County Highway Authority on transport matters or specialists in environmental health, trees, ecology and heritage conservation depending upon the nature of the application.

#### Online planning register

All applications, and their associated documentation, are also made available to view on the Council's website via the online planning register. You can use the register to:

- Follow the progress of an application,
- View associated plans and documents,
- Make comments on an application,
- View the application report and decision notice,
- See if appeals have been lodged and any decisions made,
- See recent planning history and property details, including maps and constraints.

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<sup>14</sup> Mainly the Town and Country Planning (Development Management Procedure) Order 2015

### Making the most of the online planning register

Our website provides a function which allows residents and stakeholders can register to set up their own tailored planning search. This service is an excellent way to ensure that residents are kept informed of applications that may affect them. This can be by reference to certain criteria (e.g. types of application, status, ward) or alternatively any applications within a particularly defined geographic radius, and offers the option for individuals to be notified by email of any new applications meeting these criteria. Guidance notes are available on the website to explain how to use this functionality. More information is available at:

[http://www.reigate-banstead.gov.uk/info/20085/planning\\_applications/112/weekly\\_list\\_of\\_planning\\_applications](http://www.reigate-banstead.gov.uk/info/20085/planning_applications/112/weekly_list_of_planning_applications)

### Amended Plans

National policy and Practice Guidance makes clear that Council's should work proactively with developers through the decision-making process. As part of this, in some instances, the Council may negotiate with developers through the application process to secure improvements to proposals and applications to address issues or policy conflicts. This may result in amended plans being put forward during the course of the application.

We decide whether amended plans need to be given publicity on the individual circumstances of each case. Any amendments that will significantly affect the appearance or layout of a proposal would generally follow the same procedure as that for the original application except that only 14 days rather than 21 is allowed for comments to be made.

If a new planning application is required, this will be subject to new public consultation.

**Figure 6: Summary of planning application consultation requirements**

Type of Application	Consultation/notification methods			
	Site notice	Neighbour notification letter	Press notice	Online planning register
<b>Planning applications</b>				
Major development (10+ homes or 1,000sqm or more)#	✓	✓	✓	✓
Minor development (less than 10 homes or 1,000sqm)#		✓		✓
Householder developments		✓		✓
Certificate of Lawfulness for Existing Use/Development		✓		✓
Certificate of Lawfulness for Proposed Use/Development		✓		✓
Permitted Development prior notifications and approvals	✓	✓		✓
<b>Specific issues*</b>				
Development accompanied by an Environmental Statement (under EIA Regulations)^	✓	✓	✓	✓
Development affecting a Listed Building (including Listed Building Consent)	✓	✓	✓	✓
Development affecting the character or appearance of a Conservation Area	✓	✓	✓	✓
Development affecting a public right of way	✓	✓	✓	✓
Departure from the development plan	✓	✓	✓	✓

# including full, outline and minor material amendment applications (section 73)

\*additional publicity requirements may be triggered to meet specific legislative requirements if a planning application gives rise to any of the specific issues identified

^^ note that the statutory consultation period for an application subject to Environmental Impact Assessment is increased to 30 days from the standard 21 days.

## 4.4 What will we do with the representations received on planning applications?

### Ensuring representations are valid and relevant

We cannot accept confidential or anonymous comments in response to planning applications, so it is important that those making comments include a name and contact address within their response.

In accordance with Data Protection legislation, we will not publish the personal or confidential information (such as email address and phone number) which is provided us as part of comments on planning applications. However, respondents are also encouraged to ensure that the content of their representations only contains materials that they are happy to be made publically available as comments will be published on the Council's online planning register. We also reserve the right not to publish any comments or parts of comments that are not considered suitable for public view, including comments that are offensive, personal or defamatory.

When making its decision, the Council can only take into account comments relating to **material planning considerations**. A summary of the most common material considerations (not exhaustive) is set out in **Figure 7** below along with some issues which cannot be taken into account.

Figure 7: Summary of common material planning considerations

Material planning considerations	Non-material planning considerations
<ul style="list-style-type: none"> <li>• Adopted local and national planning policies</li> <li>• Policies in emerging Local Plans</li> <li>• Previous appeal decisions and case law</li> <li>• Loss of sunlight or daylight</li> <li>• Overshadowing</li> <li>• Loss of outlook</li> <li>• Overlooking and loss of privacy</li> <li>• Highways issues such as traffic generation, congestion and safety</li> <li>• Noise and disturbance resulting from the proposed use (including hours of operation)</li> <li>• Smells and fumes</li> <li>• Compatibility of the layout, building design and appearance with the surrounding area</li> <li>• Loss of, or effect on, trees</li> <li>• Impact on ecology, nature conservation or biodiversity</li> <li>• Effects on listed buildings, Conservation Areas or other historic assets</li> <li>• Risk of flooding</li> <li>• Deficiencies in infrastructure such as drainage or a lack of school spaces</li> <li>• Contamination or the storage and handling of hazardous materials</li> <li>• Local financial considerations such as additional income from grants, Council Tax or the Community Infrastructure Levy</li> </ul>	<ul style="list-style-type: none"> <li>• Matters controlled by Building Regulations such as structural stability and fire precautions</li> <li>• Matters covered by licences</li> <li>• Private issues between landowners such as boundary disputes, damage to property, private rights of access and covenants</li> <li>• Rights to light</li> <li>• Problems arising from the construction period such as noise, dust and hours of working which are covered by Control of Pollution Acts.</li> <li>• Loss of property value</li> <li>• Loss of a private view</li> <li>• Factual misrepresentation of the proposed development</li> <li>• Opposition to business competition</li> </ul>

### Making a decision

Following the end of the consultation period, we will consider any comments received and make a decision on the application.

Although representations on a planning application will not be acknowledged or replied to on an individual basis, all valid responses will be fully considered in the assessment and determination of the application.

Matters raised in the representations will be discussed and addressed through the Planning Officers report on the application.

In accordance with legislation, the decision we make on a planning application will be based on the adopted development plan policies unless other material planning considerations dictate otherwise.

The majority of planning applications are determined by officers under delegated powers. A small number of applications are decided by the Council's Planning Committee. Applications presented to Planning Committee will be accompanied by a written report and officer recommendation. The operation of the decision-making process is governed by the Council's Constitution which is available at:

[http://www.reigate-banstead.gov.uk/info/20205/plans\\_and\\_policies/278/the\\_constitution](http://www.reigate-banstead.gov.uk/info/20205/plans_and_policies/278/the_constitution)

### Speaking at Planning Committee

When applications are presented to Planning Committee, there may be an opportunity for members of the public and applicants to speak in support of, or against, the application.

All requests to speak at Planning Committee must be made in advance via the Council's online system except in exceptional circumstances.

More information and advice about speaking at Planning Committee meetings is available on our website at: [http://www.reigate-banstead.gov.uk/info/20085/planning\\_applications/100/speaking\\_at\\_planning\\_meetings](http://www.reigate-banstead.gov.uk/info/20085/planning_applications/100/speaking_at_planning_meetings).

Planning Committee meetings are public, so any interested parties can attend and watch proceedings, even if they do not wish to speak. Our meetings are also currently webcast as set out in **Section 1**.

## 4.5 Planning Appeals

If planning permission is refused for a development, the applicant (the person who submitted the planning application) can appeal to the Planning Inspectorate. The Planning Inspectorate is a Government agency and is independent of the Council.

Applicants can also appeal if permission was granted subject to conditions that they considers to be unacceptable or unnecessary and if the Council failed to reach a decision on the application within the Government prescribed time limit.

Everyone who was notified of the original application or submitted comments will be informed if an appeal is made. They also have the opportunity to make further written comments, except in the case of Householder Appeals where the Inspector makes the decision based solely on all the information on the original application file. Any additional comments must be made directly to the Planning Inspectorate and details of how to do this will be included on the notification letter.

Planning appeals can be dealt with in three ways: written representations, informal hearing or public inquiry. For appeals that are to be decided by informal hearing or public inquiry, interested parties are also given the opportunity to appear before the Inspector at the hearing or inquiry to put forward their views.

The Inspectorate will consider the evidence and decide whether the Council's decision was correct. The Inspector's decision is binding and can only be challenged in the High Court.

Third parties who are aggrieved about a planning decision (either by the Council or Inspector) do not have the right to appeal; their only recourse is to challenge the decision through the High Court.

## 4.6 Planning Enforcement

In some cases, breaches of planning control can arise. This might include:

- Development occurring without the necessary planning permission in place
- Conditions on a planning permission not being complied with
- Development not being built in accordance with the plans which have been approved.

In these situations, the Council has powers of investigation and enforcement. Our role in, and approach to, enforcing planning regulations in our Local Enforcement Plan 2018.<sup>15</sup> The Local Enforcement Plan is designed to help all stakeholders and the local community understand how planning enforcement works, how to make a complaint, and sets out the timescales for investigations and subsequent action. In terms of involvement, it also contains details of how we will keep stakeholders and customers informed during the enforcement process.

<sup>15</sup> Available at: [http://www.reigate-banstead.gov.uk/info/20043/planning/99/planning\\_enforcement](http://www.reigate-banstead.gov.uk/info/20043/planning/99/planning_enforcement).

## 4.7 Brownfield Land Register and Permissions in Principle

### Brownfield Land Register

The Council has a duty<sup>16</sup> to publish a Brownfield Land Register of previously developed (or brownfield) land suitable for housing. Registers comprise two parts:

- **Part 1** includes all previously developed land/sites of 0.25ha or larger (or which are capable of supporting at least 5 dwelling) which the Council has assessed as being appropriate for residential development (taking account of suitability, availability and achievability). This will include sites with planning permission as well as sites without.
- **Part 2** comprises only those sites in Part 1 which the Council has decided would be suitable for a grant of Permission in Principle for residential development.

There are no statutory consultation requirements associated with the entry of land onto Part 1 of the Register nor do we propose to undertake any specific consultation at this stage.

Legislation<sup>17</sup> sets out the publicity and consultation requirements associated with the entry of land onto Part 2 of the Register. These requirements will be met in full.

Our approach to notification and consultation on brownfield land register entries is set out in **Figure 8**.

### Permission in Principle

The Permission in principle (PIP) consent route is an alternative way of obtaining planning permission for housing led development. The PIP consent route has two stages:

- The **permission in principle** (PIP) stage which establishes whether a site is suitable in principle
- 2. The **technical details consent** (TDC) stage is when the detailed development proposals are assessed.

Granting technical details consent has the effect of granting planning permission.

There are two ways in which we can grant permission in principle:

- Upon receipt of a valid application for any site that might accommodate a minor (less than 10 homes) housing-led development
- By entering a site in Part 2 of our Brownfield Land Register (BLR) which will trigger a grant of permission in principle for that land providing the statutory requirements set out in legislation are met. (Note: This is the only route by which brownfield sites capable of accommodating major development (over 10 homes) can achieve PIP.)

Legislation<sup>18</sup> sets out the publicity and consultation requirements associated with applications for 'permission in principle' or 'technical details consent', the latter of

<sup>16</sup> As specified in Town and Country Planning (Brownfield Land Register) Regulations 2017

<sup>17</sup> Regulation 6 of the Town and Country Planning (Brownfield Land Register) Regulations 2017

which mirrors a standard planning application. These requirements will be met in full as set out in **Figure 8**.

**Figure 8: Summary of Brownfield Land Register and Permission in Principle notification requirements**

Type of Application	Consultation/notification methods			
	Site notice	Notify prescribed bodies	Neighbour notification letter	Online (Council website)
Entry of land onto Part 1 of the Brownfield Land Register				
Entry of land onto Part 2 of the Brownfield Land Register	✓	✓		✓
Application for Permission in Principle	✓	✓		✓
Application for Technical Details Consent	✓	✓		✓

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<sup>18</sup> The Town and Country Planning (Permission in Principle) Regulations 2017 (as amended)

## 5. Further information and advice on planning

### Planning Aid (RTPI)

Planning Aid is a service provided by the Royal Town Planning Institute (RTPI) which offers independent and professional planning advice to individuals and communities on planning issues. Planning Aid also offers an online Knowledge Base with information about a wide range of common planning issues.

Website: [www.rtpi.org.uk/planning-aid/](http://www.rtpi.org.uk/planning-aid/) or [planningaid.zendesk.com/hc/en-us](https://planningaid.zendesk.com/hc/en-us)

### Locality

Locality is a national membership network which offers to support to local community organisations. Locality currently offers extensive advice, guidance and support in relation to Neighbourhood Planning.

Website: [locality.org.uk/services-tools/neighbourhood-planning/](http://locality.org.uk/services-tools/neighbourhood-planning/)

### The Planning Portal

The Planning Portal is a 'one-stop-shop' for planning information. It provides information on the planning system, including a helpful guide on when planning permission is required. The Planning Portal also provides a planning application submission service.

Website: [www.planningportal.co.uk](http://www.planningportal.co.uk)

### Ministry of Housing, Communities and Local Government (MHCLG)

The MHCLG is the Government department which currently has responsibility for all issues related to the planning system. The MHCLG website provides access to national policy, statistics and latest news relating to planning.

Website: [www.gov.uk/mhclg](http://www.gov.uk/mhclg)

### The Planning Inspectorate

The Planning Inspectorate processes planning appeals and holds examinations into planning policy documents and the Community Infrastructure Levy (CIL).

Website: [www.gov.uk/government/organisations/planning-inspectorate](http://www.gov.uk/government/organisations/planning-inspectorate)

Email: [enquiries@pins.gsi.gov.uk](mailto:enquiries@pins.gsi.gov.uk)

Postal Address: The Planning Inspectorate, Room 3 O/P, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN

Telephone: 0303 444 5000

### National Planning Policy Framework and Planning Practice Guidance

The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these should be applied. The NPPF must be taken into account when preparing Local Plans and deciding planning applications. The Planning Practice Guidance provides further detailed information on how to implement the national policies.

NPPF: <https://www.gov.uk/guidance/national-planning-policy-framework>

Planning Practice Guidance: <https://www.gov.uk/government/collections/planning-practice-guidance>

# Agenda Item 6

Empty Homes Policy



<b>SIGNED OFF BY</b>	Director of People
<b>AUTHOR</b>	Simon Rosser, Head of Revenues, Benefits and Fraud
<b>TELEPHONE</b>	01737 276478
<b>EMAIL</b>	Simon.Rosser@reigate-banstead.gov.uk
<b>TO</b>	Executive
<b>DATE</b>	Thursday, 18 April 2019
<b>EXECUTIVE MEMBER</b>	Deputy Leader and Portfolio Holder for Housing and Benefits

<b>KEY DECISION REQUIRED</b>	Y
<b>WARDS AFFECTED</b>	(All Wards);

<b>SUBJECT</b>	Empty Homes Policy
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<b>RECOMMENDATIONS</b>
<p>(i) That the Council agree that from 1 April 2020 homes that have been empty and substantially unfurnished for more than two years and less than five years will be charged a Council Tax long term empty premium equivalent to 100% of the Council Tax in addition to their current Council Tax.</p> <p>(ii) That the Council agree that from 1 April 2020, homes that have been empty and substantially unfurnished for five years and more will be charged a Council Tax long term empty premium equivalent to 200% of the Council Tax.</p>
<b>REASONS FOR RECOMMENDATIONS</b>
<p>The government believes that these changes could help to reduce the number of empty homes by incentivising owners to bring their properties back into use and therefore help to meet the current housing shortage in the borough with the secondary benefit of raising additional revenue for the borough residents in the interim.</p>

## EXECUTIVE SUMMARY

In accordance with the Local Government Act 2012, the Council already charges a Council Tax premium in respect of properties that have been empty for more than two years. Currently the premium is set at 50%, the maximum allowed under the 2012 legislation. This has been in place since 1 April 2013.

The policy is to encourage owners to bring these properties back into use, and to address the current shortage of housing within the borough.

The amounts that local authorities can charge for the long term empty premium has recently been changed with the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018, which received Royal Assent on 1 November 2018. The new rules came into force from 1 April 2019.

In addition to raising more Council Tax, any homes that could be brought back into use would help to ease the housing shortage and have a positive affect on the number of people approaching the Council for housing.

There will be a financial implication on the owners on long term empty properties, but in cases where an owner demonstrates financial hardship, existing legislation allows the Council to reduce the Council Tax charge at its discretion.

**The above recommendations are subject to approval by Full Council.**

## STATUTORY POWERS

1. The Local Government Finance Act 1992 provides for local authorities to levy and collect Council Tax.
2. The proposals in this report are permitted under the Rating (Property in Common Occupation) and Council Tax (Empty Dwellings) Act 2018.

## BACKGROUND

3. From 1 April 2013 the Council has been charging an empty homes premium of 50% for domestic properties that have been empty for over two years.
4. The premium cannot apply to homes that are empty due to the occupant living in armed forces accommodation for job related purposes, or to annexes being used as part of the main property. Furthermore, there are specific exemptions within the legislation in relation to properties left empty for a specific purpose, for example when a person goes into care.
5. It is not the intention of the legislation or the council to penalise home owners who are struggling to rent or sell a property in a depressed market, and earlier government guidance from 2013 makes it clear the premium should not be used to penalise owners of homes that are genuinely on the market for sale or rent. It will therefore be up to the Council to look at individual cases and grant exemptions where appropriate.
6. The Act allows local authorities to further increase the premium to 300% from April 2021 where a property has been empty and substantially unfurnished for ten years. This is not part of this report, but will form part of the Council Tax setting process for 2021/22.

## KEY INFORMATION

### Numbers of Properties

7. In April 2013 there were around 150 properties that were affected by the long term empty premium, and at 29 March 2019 this figure had reduced to 56 properties that were being charged the current 50% premium. This generates additional Council Tax of £53,603 from these properties. Based on the same number of empty properties, by increasing the premium to 100%, a further £53,603 would be generated from April 2020 (based on the 2019/20 Council Tax charge). However, the primary aim is to reduce this number of properties by bringing them back into use.
8. The legislation permits the premium to be increased to 200% for properties that have been empty and substantially unfurnished for at least five years from April 2020. As at 29 March 2019 this would affect 30 of the 56 properties mentioned in paragraph 8. To apply both premiums, it would generate additional Council Tax of £106,457.
9. The properties currently subject to the 50% premium are a combination of properties owned by housing associations, private companies and private individuals.

### Impact on Residents and Services

10. The increase of the premium from 50% to 100% and 200% will not have any significant impact on the Council or its services. There may be some impact on Council Tax recovery, but this is likely to be minimal and will be absorbed by the existing recovery team.
11. As an example, for an average Band D property (outside of Horley or Salfords & Sidlow), the annual Council Tax is £1,941.53. With a 100% premium this would increase the chargeable amount to £3,883.06, and a 200% premium would increase the charge to £5,824.59.
12. The additional Council Tax will be proportioned between the Council and its preceptors, Surrey County Council and Surrey Police.
13. The impact of these changes on residents of the borough will be minimal, as this will only affect around 0.1% of the properties within the borough.

## OPTIONS

14. Option 1 – Preferred Option - to apply the increases to the premiums for long term empty properties from April 2020, at both the 100% increase and 200% rates. This is the recommended option. By notifying the owners at an early stage, the Council would be able to give owners reasonable notice of the increase, and work with the owners where needed to assist them in finding people to occupy the homes.
15. Option 2 - to apply only the increase of 100% to all long term empty properties from April 2020, and to further consider the additional increase in subsequent years, in respect of properties that have been empty for five years or more. This is not recommended, as the Council would not be fully utilising the full incentives available from April 2020, in line with legislation.
16. Option 3 - to apply neither increase from April 2020. This would not provide any incentive for the owners to bring the properties back into use, and it is unlikely to see any major change in the number of long term empty properties.

<b>LEGAL IMPLICATIONS</b>
17. There are no specific legal implications for this report.
<b>FINANCIAL IMPLICATIONS</b>
18. The additional council tax income paid will be accounted for in the Collection Fund for 2020/21 onwards and allocated to precepting authorities in line with their respective shares.
<b>EQUALITIES IMPLICATIONS</b>
19. There are no equalities implications arising from this report. Any individual cases which do give rise to equalities concerns can be considered under additional discretionary powers contained within legislation.
<b>COMMUNICATION IMPLICATIONS</b>
20. The proposed changes will come into effect from April 2020, and in the period prior to this, the Council will communicate with all the property owners that could be affected, to advise them of the forthcoming changes to the Council Tax charges. Further publicity will be included on the relevant pages of the Council's website, and can be included within other publications that are sent out by the Council.
<b>HUMAN RESOURCES IMPLICATIONS (if applicable)</b>
21. There are no human resources implications arising from this report.
<b>RISK MANAGEMENT CONSIDERATIONS</b>
22. There is a risk that additional Council Tax will be harder to collect from owners, but there is legislation and recovery processes in place to facilitate this.
<b>OTHER IMPLICATIONS</b>
23. There are no further implications in respect to this report.
<b>CONSULTATION</b>
24. A full consultation exercise is not required, and the increases will only affect a low number of property owners. Owners who will be affected will be contacted directly about the changes.
25. Consultation has been made with the Leader and Deputy Leader and Portfolio Holder for Housing and Benefits.
<b>POLICY FRAMEWORK</b>
26. The determination of the Council Tax is a function of full Council under the Council's constitution (Article 4.12).

<b>BACKGROUND PAPERS</b>
There are no background papers.

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# Agenda Item 7

Update – Development of Lee Street Horley Site



<b>SIGNED OFF BY</b>	Director of People
<b>AUTHOR</b>	Alison Robinson, Housing Strategy and Performance Manager
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<b>EMAIL</b>	Alison.Robinson@reigate-banstead.gov.uk
<b>TO</b>	Executive
<b>DATE</b>	Thursday, 18 April 2019
<b>EXECUTIVE MEMBER</b>	Deputy Leader and Portfolio Holder for Housing and Benefits

<b>KEY DECISION REQUIRED</b>	Y
<b>WARDS AFFECTED</b>	Horley West;

<b>SUBJECT</b>	Update - Development of Lee Street Horley Site
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<b>RECOMMENDATIONS</b>
(i) <b>Approve the increase of total budget allocation of Section 106 contributions for the Development of Lee Street Horley site as set out in paragraph 11 of the Exempt Report on the Executive Agenda.</b>
<b>REASONS FOR RECOMMENDATIONS</b>
This development site will deliver four additional affordable housing units for single people on a disused site. It will support the Council's commitment to deliver additional housing for local people and will be funded by Section 106 contributions.
<b>EXECUTIVE SUMMARY</b>
It is proposed that this small site delivers four small single person homes built using modern construction methods. A number of modular build companies have been explored. It is clear that many companies are geared to volumetric builds at significant scale and have not expressed an interest in this small project. Two modular procurement frameworks have also been explored. A tender exercise has been completed through the NHS Modular Building Framework. The costs of the project are higher than anticipated and an increased Section 106 funding allocation is required to undertake the development project. The full financial details are set out in the Exempt Report in the Executive Agenda. This report seeks agreement for the allocation of additional funding which will be met Section 106 receipts received by the Council in lieu of on-site affordable housing delivery.

# Agenda Item 7

Update – Development of Lee Street Horley Site

**Executive has authority to approve the above recommendations**

## **STATUTORY POWERS**

1. The Council has statutory obligations to prevent homelessness and has homelessness duties to households under the Homelessness Reduction Act 2017, Localism Act 2011, Homelessness Act 2002 and Housing Act 1996. The delivery of these homes will assist the Council to meet these duties.

## **BACKGROUND**

2. An Executive Report in September 2015 set out a proposal to develop two semi-detached bungalows on this site. The budget was approved and planning permission granted. However, little interest was generated through a competitive tender exercise and, of those received, costs were significantly higher than expected and above the approved budget.
3. In June 2018, a further Executive Report outlined a revised development scheme for the site as a result of a re-focus of the Council's homelessness priorities. Given progress on reducing expenditure on Emergency Accommodation (EA) and the development of the Massetts Road scheme, the decision to prioritise this site for single people and deliver homes using off site construction methods was made. Additional budget for the scheme was approved by Executive to progress this project.

## **KEY INFORMATION**

### **Current position**

4. Since June 2018 a number of modular build companies and procurement models have been explored to understand this industry further and identify the most appropriate option. From this process it became clear that many large modular companies are geared up to deliver volumetric builds at great scale. Due to the size of this scheme, they have not expressed an interest in partnering with us and therefore smaller companies have been explored.
5. Further research identified a Modular Building Procurement Framework. This Framework was explored in detail. However only one of the five companies operating in the South East in this Framework expressed an interest in the project. Unfortunately, the interested company did not respond to further contact from the Council.
6. A second Modular Building Procurement Framework, the NHS Modular Build Framework, was identified as a potential source of contractors. A tender competition exercise was completed. The details of the outcome are set out in the exempt report in Part 2. The most significant outcome of this process has been to confirm that the cost of procurement exceeds the budget approved by Executive in June 2018. There is a requirement seek approval to the allocation of additional funding if the off-site construction project is to be progressed.

# Agenda Item 7

Update – Development of Lee Street Horley Site

## **OPTIONS**

7. Option 1 is to approve the additional funding allocation as set out in the exempt report in Part 2 of the agenda. This is the recommended option as it will enable progression of the scheme to deliver four single person affordable homes for local people which will support the priorities outlined in the Outline Corporate Plan and Outline Housing Strategy.
8. Option 2 is to not authorise the allocation of additional funding and instead undertake a further review of the site and of the type of housing it should deliver. This is not the recommended option because our priority is to deliver a housing option for single people on this small site.
9. Option 3 is to dispose of the site. This is not the recommended option; this is a small constrained site with limited development options which would limit its value. The Council has already invested in works to prepare the site and to develop a scheme. The opportunity exists for the Council to maximise use of the site to help single person households in need of affordable housing.

## **LEGAL IMPLICATIONS**

10. There are no specific legal implications related to this report.

## **FINANCIAL IMPLICATIONS**

11. The financial implications of the recommendations are set out in the exempt report in Part 2 of the agenda.

## **EQUALITIES IMPLICATIONS**

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

## **COMMUNICATION IMPLICATIONS**

13. There are no significant communication implications arising from this proposal.

## **RISK MANAGEMENT CONSIDERATIONS**

14. The main risks in terms of undertaking this development are in terms of construction cost changes. A competitive tender process has been undertaken for the works. A contract mechanism has been included to enable renegotiate the price in the event of unforeseen circumstances and this is reflected in the allocation of project budget contingency for unexpected costs.
15. There remains a risk costs could increase if unexpected ground conditions are identified. The project will be closely monitored at every stage to enable management of any financial or other risks and reported monthly through the internal project management system.

# Agenda Item 7

Update – Development of Lee Street Horley Site

## **CONSULTATION**

16. All Executive Members have been consulted about the proposals in this report. The Strategic Property Advisory Officer Group has also been consulted.

## **POLICY FRAMEWORK**

17. The scheme is aimed at low paid or unemployed single people and includes support to support them into employment or to improve their existing employment prospects. It directly supports the Council's Five Year Plan priority to support residents into employment. It also supports the Outline Corporate Plan to deliver more affordable homes in the borough and the Outline Housing Strategy.

## **BACKGROUND PAPERS**

None