

Minutes of a meeting of the **Council** held at the **New Council Chamber - Town Hall, Reigate** on **Thursday, 30 March 2023 at 7.30 pm.**

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

Attended remotely: Councillors R. Absalom (Deputy Mayor), R. Biggs, R. Michalowski and D. Torra

Visiting Members present:

69 Minutes

RESOLVED that the Minutes of the meeting of Council held on 9 February 2023 be approved as a correct record and signed.

70 Apologies for absence

Apologies of absence were received from Councillors Harper, Harrison, Sachdeva, Tary and Thompson.

71 Declarations of interest

There were none.

72 Urgent business

There was no urgent business for Council to address.

73 Public questions

Three public questions were asked. Two were forthcoming from representatives of the 10th Redhill guides on litter bins and toilets. A further question was asked by Mr Edward Dwight on the Surrey Hills Area of Outstanding Natural Beauty. Responses were provided by the relevant Executive Members in accordance with Council Procedure Rule 2.14.



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

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

74 Questions by Members

Eight questions with notice were received from Members of the Council. One question was additional from Councillor (James) King. Oral responses were therefore received at the meeting to seven questions with a written response provided to question eight in accordance with Procedure Rule 2.15.8.

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| 1. | Councillor (James) King | Councillor Ashford, Executive Member for Community Partnerships | Antisocial Behaviour |
| 2. | Councillor Booton | Councillor Lewanski, Executive Member for Corporate Policy & Resources | EV charging rollout |
| 3. | Councillor Ritter | Councillor Schofield, Deputy Leader and Executive Member for Finance & Governance | Voter ID |
| 4. | Councillor Essex | Councillor Archer, Executive Member for Investment & Companies | Cafes in Redhill and Reigate Parks |
| 5. | Councillor Chandler | Councillor Archer, Executive Member Investment & Companies | Single Use Plastics |
| 6. | Councillor Proudfoot | Councillor Brunt, the Leader of the Council, on behalf of Councillor Sachdeva, the Executive Member for Leisure & Culture | Promotion of the arts |
| 7. | Councillor Sinden | Councillor Mrs Bramall, Executive Member for Neighbourhood Services | Commercial Recycling Services |
| Written responses to be given after the meeting | | | |
| 8. | Councillor (James) King | Councillor Biggs, Executive Member for Planning Policy & Place Delivery | Woodhatch Road/A217/Prices Lane Junction and Road Maintenance |

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

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75 Recommendations

RECOMMENDATIONS

Councillor Schofield, the Deputy Leader and Executive Member for Finance & Governance introduced the recommendation of the Executive from its meeting on 23 March 2023 (Minute 72/Quarter 2 2022/23 Performance Report). It was highlighted that whilst the Executive could approve business cases for additional projects in the Capital Programme, Council had to agree to add these extra schemes to the reported Capital Programme that it previously approved.

RESOLVED: that the recommendations of the Executive, from its meeting on 23 March 2023, (Minute 72/Quarter 3 Performance Report 2022/23), be adopted.

RESOLVED: that the recommendations of the Executive, from its meeting on 23 March 2023, (Minute 75/Risk Management Strategy), be adopted.

RESOLVED: that the recommendations of the Executive, from its meeting on 23 March 2023, (Minute 77/Council Chamber IT Upgrade), be adopted.

76 Statements

There were no statements made to Council.

77 Overview & Scrutiny Committee Annual Report 2022/23

The Overview & Scrutiny Committee Annual Report 2022/23 was introduced by Councillor Walsh in his capacity as Vice Chair. It was noted that the report set out the Committee's work over the last 12 months including looking at the Council's work to recover from Covid-19 and dealing with increased cost of living pressures to support the Borough's residents and keep services operating. The Committee's objective was to hold the Executive to account with all having presented their objectives by service area. The Committee continued to review the Council's performance through Key Performance Indicator data, budget monitoring, as well as quarterly and company performance reports. Additionally, comment continued to be given on draft strategies and policies. It was highlighted that the Committee had found the Council continued to focus on outcomes for residents and was responding well to ongoing financial pressures. Thanks was given on behalf of the Committee to all those who had supported it in its work.

RESOLVED: that the Overview & Scrutiny Committee Annual Report 2022/23 be approved.

78 Overview and Scrutiny Committee Work Programme 2023/24

The Overview & Scrutiny Committee Work Programme for 2023/24 was introduced by Councillor Walsh in his capacity as Vice Chair. It was confirmed that the Committee

had consulted with the Leader of the Council on its work programme which was proposed to Council for approval.

RESOLVED: that the Overview & Scrutiny Committee Work Programme 2023/34 be approved.

79 Audit Committee Annual Report 2022/23

The Audit Committee Annual Report for 2022/23 was introduced by Councillor King, in his capacity as Chair. Thanks were given to all the Committee Members, Council Officers and representatives of the Southern Internal Audit Partnership (SIAP). Specific thanks were given on behalf of the Committee to Mr Robert Coyle who was the Independent Member up until his resignation. It was highlighted that the Committee had consider SIAP's opinion for 2021/22, requested further information on audit reports and reasons for outstanding management actions, as well as receiving quarterly updates on Risk Management and Treasury Management. It was described how there had been robust discussions at Committee meetings with it being highlighted that changes would be made to the Committee's remit so that scrutiny of Treasury Management would transfer to the Overview & Scrutiny Committee in line with CIPFA guidance. In 2023/24, the Committee expected to consider the delayed audited Statement of Accounts for 2020/21 and 2021/22 in addition to the accounts for 2022/23.

RESOLVED: that the Audit Committee Annual Report for 2022/23 (inclusive of the Committee's Work Programme for 2023/34) be approved.

80 Leader's announcements

The Mayor informed Council that this item would be preceded by that on Constitution Updates to allow for a better flow of business at the meeting. (The minutes are presented in the order detailed on the published agenda.)

The Leader of the Council announced Councillor Baker as the Deputy Mayor Elect. It was noted that Councillor Baker would use the opportunity to build on his work with the Armed Force Covenant.

Councillor Tary was described as on the road to recovery.

The Leader took the opportunity of his last address to Council to highlight the privilege and challenge of his role. He expressed pride in having served his Ward and gave thanks to his Executive for their support. Councillor Schofield, the Deputy Leader and Executive Member for Finance & Governance, was given specific mention for his work on the Council's finances. It was noted that Reigate & Banstead had the lowest level of spending on debt in Surrey and one of the lowest in the country. Thanks were given to Group Leaders with their joint working and cooperation highlighted, and all Members for their support not just in his capacity as Leader but for his whole term as a Member. The Managing Director, Management Team and all staff were thanked with it being stressed that getting things done was only possible due to the work of officers with thanks given going a long way. The participation of the Guides earlier in the meeting had given him hope for the future. The Leader gave thanks to his wife, Lisa, a former Councillor, and to all the families of Councillors for the sacrifice they made to

enable their civic participation. It was described how he planned to continue to be involved in his community. The Leader requested that his thanks to Members, Officers and residents for the support he had received during the 18 years and 10 months he had served as a Councillor and the five years as Leader be recorded in the minutes.

81 Constitution Updates

82 Audit Committee and Overview & Scrutiny Revised Terms of Reference

The Mayor informed Council that this item would precede that for the Leader's Announcements to allow for a better flow of business at the meeting. (The minutes are presented in the order detailed on the published agenda.) It was noted that the proposal was to reduce the number of Members on the Committee from nine to five and to remove responsibility for scrutiny of the Treasury Management Strategy from the Audit Committee and for this to be reallocated to Overview & Scrutiny Committee. The Mayor highlighted that notice of an amendment had been received. Democratic Services had been asked to prepare a procedure note for this to be addressed. This had been circulated to all Group Leaders in advance of the meeting with the request made that this should be followed.

Councillor Schofield, the Deputy Leader and Executive Member for Finance & Governance, introduced and proposed the recommendations. It was explained that the Audit and the Overview & Scrutiny Committees undertook important functions on behalf of the Authority to help maintain standards of good governance and accountability. It was required to regularly review their remit to ensure they were meeting local needs whilst complying with external guidance and standards. Audit Committees were particularly in the spotlight given serious governance failures elsewhere. As a result, there were two recommendations being made: 1) to reduce the Audit Committee down to five members plus an independent member and ensure they all received the detailed training and briefings needed, and 2) to move responsibility for oversight of Treasury Management back to the Overview & Scrutiny Committee in response to revised guidance from Chartered Institute of Public Finance & Accountancy (CIPFA). It had been discussed that the Treasury Management Scrutiny Panel would be re-established.

Councillor (James) King seconded the recommendations.

The Mayor invited contributions from Group Leaders but none were forthcoming.

The Mayor invited contributions from all other Members but none were forthcoming.

Having seconded the recommendations, Councillor (James) King was invited to speak to them but declined the opportunity.

The Mayor invited Councillor Booton to propose his amendment to the recommendations. It was explained that this was to limit the reduction in the number of Audit Committee members to seven as opposed to the proposed five. This was described as more logical. Average Audit Committee attendance was 80% which in practice, based on a membership of five would mean four members attending with any substitutes not having had sufficient training to have a good understanding. However, with a membership of seven, meetings would benefit from five members based on current attendance rates. It was stressed that success would depend on availability to

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attend training. One training session received a 70% attendance rate. With only five Committee members, this would mean on average only four people attending. With a larger Committee of seven, this would result in five members attending any training. A Committee of seven would be much more pragmatic and would preserve diversity of thought.

Councillor Chester seconded the amendment to the recommendations and reserved the right to speak.

In accordance with Article 15 (Paragraph 15.2) of the Council's Constitution, the Monitoring Officer confirmed the proposed amendment was lawful and constitutional.

The Mayor invited Group Leaders to speak on the proposed amendment.

Councillor Brunt, the Leader of the Council, thought there were better ways to ensure diversity of thought and ensure sufficient attendance at Audit Committee meetings. Increasing the quoracy of the Audit Committee to five would ensure that there were always sufficient members in attendance. Additionally, that training for the Audit Committee should be made mandatory. On which basis the amendment was not supported and Members were encouraged to support the recommendations as originally proposed.

Councillor Essex, in his capacity as the Leader of the Green Group, explained how he agreed with the Leader and that arrangements for the Audit Committee should be consistent with those for other Committees. If the membership and quoracy were both set at five, a 100% quoracy would rarely be achieved. Therefore, the Councillor supported a quoracy of five and a Committee size of seven. This was thought needed given the Audit Committee would be scrutinising three sets of accounts during the next municipal year.

In the absence of Councillor Harrison, Councillor Bray spoken on behalf of the Resident Association Group. The Audit Committee was described as one of the most technical. As a result, it was not a matter of putting a lot of people on the Committee. Rather, the Audit Committee required five people who were adequately trained. The suggestion of in-person training was greatly welcomed with this being made compulsory including for substitutes supported. Increasing the number of Members would not resolve these issues.

Councillor Chester sought confirmation that Audit Committee substitutes would be trained and the quoracy for the Committee set at five.

The Mayor invited all other Members to speak on the amendment.

Councillor Walsh expressed his support for the comments made by Councillor Bray and the Leader that the original recommendations should be implemented and the Audit Committee have five members with the key skills required.

Having seconded the amendment and reserved the right to speak, the Mayor invited Councillor Chester to speak. It was explained that given the complexity and gravity of the material being considered it would be ideal to have a broad spectrum of members on the committee who along with substitutes were well trained. Concerned was expressed about the reduction in numbers down to five. It was recommended that the

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Committee needed to be fully reflective of all parties. It was hoped that Council would be able to find the middle ground.

Having seconded the original recommendations, Councillor (James) King was invited to respond to the debate on the amendment but declined the opportunity.

Having proposed the amendment, The Mayor invited Councillor Booton to respond to the debate. The concerns being raised were appreciated. It was not a matter of throwing more people at the Committee. It currently comprised nine members all of whom brought different qualities and experiences to their role. Reducing it by four members was doing it a disservice. No rationale for the reduction in members was proposed in the original recommendation other than the provision of bespoke training which could be readily provided to a greater number. A larger membership would give diversity of thought and allow all political parties a seat at the table. A reduction from nine to five members was drastic. A reduction down to seven for the new municipal year and five in 2024/5 was suggested as a compromise which would support a niche talent pool to be developed. If Councillors were willing to give their time to the Audit Committee, they should not be restricted from doing so. The original recommendation was stopping four colleagues from coming back to the table next year.

Having proposed the original recommendations, the Mayor invited Councillor Schofield to respond to the debate on the amendment. It was highlighted that consultation on the recommendations had taken place with the Chair of Audit, Group Leaders and the members of the Audit Committee with general agreement and understanding of the rationale gained. The Committee needed to be a focused group. Its remit represented a very technical area, with interest and ability needed. The recommendations would give the diversity of input and thought needed especially with the addition of an Independent Member. Making training mandatory and resetting the quoracy for the Committee would need to be discussed. The Committee would remain politically balanced again ensuring diversity.

The Mayor detailed the recommendations with the proposed amendment:

- Amend the Audit Committee's Membership to seven elected Members plus one Independent Member; and
- Amend the Audit Committee's Terms of Reference to remove responsibility for scrutiny of the Treasury Management Strategy and associated reports. Consequentially, to amend the Overview & Scrutiny Committee's Terms of Reference to add responsibility for Treasure Management scrutiny.

The recommendations with the amendment were put to the vote and were defeated.

The Mayor detailed the recommendations as originally proposed:

- Amend the Audit Committee's Membership to five elected Members plus one Independent Member; and
- Amend the Audit Committee's Terms of Reference to remove responsibility for scrutiny of the Treasury Management Strategy and associated reports. Consequentially, to amend the Overview & Scrutiny Committee's Terms of Reference to add responsibility for Treasure Management scrutiny.

The recommendations as originally proposed were put to the vote and approved.

RESOLVED: that Audit Committee and Overview & Scrutiny Committee Terms of Reference be revised as originally proposed.

83 Request to change the Constitution to allow Executive Members to sit on the Planning Committee

The Mayor informed Council that the update to the Constitution concerning allowing Executive Members on the Planning Committee had been withdrawn. This followed a consultation held with Planning Committee members resulting in the request being amended and members asking for more time for this to be considered. It was anticipated that this would return to Council for consideration in the new municipal year.

84 Mayor's announcements

The Mayor informed Council of his 30th Anniversary Twinning Association visit to Brunoy in France along with plans to celebrate the forthcoming Coronation of King Charles III. An event to thank volunteers at East Surrey Hospital was detailed and the Mayor's *Dress to Impress Ball* to be held on Saturday 13 May 2023 was further promoted.

A number of tributes were then made to staff members. The Managing Director led congratulations to Max Eggleston-Whyte on achieving her Business Administration Level 3 Diploma. The Mayor handed out certificates to Andy Nash and Duane Kirkland to respectively recognise their efforts to support local charity fundraising and celebrate the Platinum Jubilee/commemorate the death of her late majesty, The Queen. The Managing Director recognised the long service of three retiring staff members: Frank Etheridge, the Strategic Head of Neighbourhood Services who had served the Council for 34 years, David Chiverton, the Cleansing Operations Manager, who was retiring after 36 years of dedicated service and Bob Curd, the Council's Courier, who had worked at the Council for 50 years.

Councillor Brunt, the Leader of the Council, paid tribute to those Members who were retiring. Councillor Turner was described as one of the hardest working Councillors who had remained as committed to being a Councillor as the first day she was elected. Councillor Mrs Bramhall was noted for her determination to achieve the best for the Borough, the passion she brought to her role and her extraordinary commitment to residents. Councillor Absalom's role as Mayor and Deputy Mayor was acknowledged as well her championing of all things Reigate. Gratitude for his work on the Council's assets and properties was expressed to Councillor Archer. His work on The Rise development was highlighted along with his support for residents.

Councillor Bray expressed her thanks to the retiring Members but especially Councillor Turner who had been her Deputy Mayor.

The Mayor stood to give thanks to Councillor Brunt, the Leader of the Council, on the occasion of his last Council meeting before retiring. The Managing Director expressed thanks to the Leader on behalf of Council staff. It was highlighted that the Leader should feel rightly proud of his legacy including establishing the approach to the Financial Sustainability Programme.

Councillors Blacker, Essex and Kulka also expressed their thanks to the Leader with the changes he had brought to the way business was conducted acknowledged.

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All retiring Members were presented with a certificate and gift.

The meeting finished at 9.37 pm