

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

Present: Councillors E. Humphreys (Mayor) and R. Biggs (Leader); J. Baker (Deputy Mayor), V. H. Lewanski (Deputy Leader), R. H. Ashford, H. Avery, M. S. Blacker, J. Booton, J. S. Bray, P. Chandler, V. Chester, Z. Cooper, J. C. S. Essex, K. Fairhurst, B. Green, P. Harp, R. Harper, N. D. Harrison, G. Hinton, J. Hudson, F. Kelly, S. Khan, A. King, J. P. King, S. A. Kulka, S. McKenna, N. C. Moses, S. Parnall, A. Proudfoot, R. Ritter, K. Sachdeva, S. Sinden, M. Smith, C. Stevens, M. Tary, C. Thompson, J. Thorne, D. Torra and S. T. Walsh



38 Minutes

RESOLVED that the minutes of the Council meeting held on 21 September 2023 be signed as an accurate record.

39 Apologies for absence

Apologies for absence were received from Councillors Adamson, Buttironi, Dwight, Elbourne, Michalowski and Neame.

40 Declarations of interest

There were none.

41 Urgent business

There was none.

42 Public questions

A public question was asked by Alderman Christopher Whinney on the subject of retrofitting local housing stock. A response was provided by the relevant Executive Member 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>

43 Petition: Save The Oriental in Merstham

The Lead Petitioner, Councillor Khan, addressed Council, making the following observations:

- The removal of small shops has had a negative effect on efforts to address social deprivation in Merstham. It has caused detriment to the elderly, disabled, financial compromised and care givers. The loss of these shops made a significant negative contribution to an established community when many were doing what they could to resist social decline.
- Mrs Susan Wong, the owner of The Oriental, had cooked for Merstham for 23 years and felt that the Council did not care for local businesses. Other shop owners felt that businesses were being destroyed by Landlords with reduced lease length times being used to close businesses.
- The Council was called on to take action, to:
 1. Immediately use an Article 4 Direction to remove Permitted Development Rights for change of use without waiting for a retail needs survey. It was already known that the community needed the shops which were at risk.
 2. Use its ability to invest to purchase the parade of shops.
 3. Apply for the parade to become an Asset of Community Value

Councillor Michalowski, the Portfolio Holder for Place, Planning and Regulatory Services, had given his apologies to the meeting. The response to the petition was therefore provided by Councillor Biggs, the Leader of the Council, who made the following comments:

- The parade of shops in Merstham, which was the subject of the petition and debate, was not owned by the Council. Such parades played an important role in creating a sense of place for communities as well as providing important services for residents. This was why the Council had consistently objected to the expansion of Permitted Development Rights which had removed the rights of Councils to resist the removal of such local facilities.
- The Local Plan would continue to be used to as far as possible protect local shops. However, developments could not be assessed against the Council's own policies. Rather, there was a fixed standard for Permitted Development Rights which if passed, meant the development had to be passed.
- A commitment had already been made to explore the potential of an Article 4 Directive to remove Permitted Development Rights for shops across the Borough. This was the only option available to the Council to resist the conversion of shops. Sadly, the evidence needed and the consultation required, meant that the shortest period for a Directive to be gained to remove Permitted Development Rights was a year. It typically took up to two years for a directive to be confirmed and the evidence needed for an application to be made needed to be robust.
- There was support for affordable rents and favourable rental terms but these were not within the Council's powers. The Council's Economic Prosperity Team would be asked to reach out to the Landlord to see if there was anything that could be done to allow the Oriental to remain or other units to be restored.
- All of the action requested within the petition was already being undertaken by the Council. Whilst it was not possible for the Council to get involved in individual planning proposals or to prevent evictions, it was possible for the Council to object to the expansion of Permitted Development Rights, explore the use of Article 4 Directions and engage with the Landlord to reach agreements for the benefit of the Community. On which basis, support was given to the petition.
- The wording of the petition was read out in full.

One Member had registered to speak on the petition. Councillor Blacker made the following comments:

- He supported retaining the Oriental which had existed for possibly 50 years, longer than stated in the petition.
- Highlighted all the shops and services that had been lost from the parade due to rent increases by the Landlord. But stressed that there was nothing the Council could do to stop this occurring.
- Called on Councillor Khan and the other Merstham Councillors, to look at making the parade into an Asset of Community Value. Councillor Blacker offered his support in this endeavour but noted the need to find the funding required to initially purchase this from the owner.
- It was not desirable that the shops be turned into flats. This could cause a significant issue with parking.

Councillor Biggs confirmed his support for the petition.

Councillor Biggs proposed and Councillor Lewanski seconded a motion for the Council to accept the petition.

RESOLVED that the Council accept the petition.

44 Questions by Members

Twelve questions with notice were received from Members of Council. One was additional and therefore, in accordance with Procedure Rule 2.15.8, was to receive a written response following the meeting. Two were on the same subject and therefore, in accordance with Procedure Rule 2.15.7, were grouped together and received a joint response.

	Question by	To be answered by	Subject
--	--------------------	--------------------------	----------------

Council, Thursday, 30th November, 2023

1.	Councillor McKenna	Councillor (A) King, the Executive Member for Commercial & Community Assets	Reinforced Aerated Autoclave Concrete (RAAC)
2.	Councillor Smith	Councillor (A) King, the Executive Member for Commercial & Community Assets	Reinforced Aerated Autoclave Concrete (RAAC)
3.	Councillor Sachdeva	Councillor Neame, the Executive Member for Housing Support	Homelessness
4.	Councillor Essex	Councillor Neame, the Executive Member for Housing Support	Right to Buy
5.	Councillor Sinden	Councillor Ashford, the Executive Member for Communities, Leisure & Culture	Safer Streets funding
6.	Councillor Booton	Councillor Moses, the Executive Member for Environment & Sustainability	Replacement of felled trees
7.	Councillor Proudfoot	Councillor Moses, the Executive Member for Environment & Sustainability	Greenspaces management plans
8.	Councillor Ritter	Councillor Moses, the Executive Member for Environment & Sustainability	Biodiversity obligations
9.	Councillor Chandler	Councillor Avery, Executive Member for Neighbourhood Services	Litter bin requests
10.	Councillor Khan	Councillor Michalowski, the Executive Member for Place, Planning & Regulatory Services	Permitted Development Rights
11.	Councillor Tora	Councillor Michalowski, the Executive Member for Place, Planning & Regulatory Services	Licensing obligations
Written responses given after the meeting			
12.	Councillor Khan	Councillor Ashford, the Executive Member for Communities, Leisure & Culture	Youth Work

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>

45 Statements

Councillor Harp gave a statement in his capacity as the Chair of the Standards Committee. It had received the annual report of the Monitoring Officer on complaints against Councillors. These were noted to have increased by 100% on the previous year moving from two to four but this was still a low base. A review of the Councillors' Code of Conduct had been initiated with a view to possibly bringing this into line with the version produced by the Local Government Association. A new Equality, Diversity and Inclusion training provider was being sought. It had been agreed that Members could use mobile phones in the Chamber given the switch to a bring your own device strategy with advice given for all devices to be used appropriately at meetings.

With the proximity to the end of the calendar year, the Managing Director expressed thanks on behalf of the staff to all Councillors for their commitment to their roles.

46 Motion

A motion on Climate Change was proposed by Councillor Essex who made the following comments:

- The petition called for the declaration of a climate emergency by the Council. This had been done by all the Council's immediate neighbours. This should be considered as part of the ongoing review of the Council's Environmental Sustainability Strategy. Clearer targets and actions should be developed so that residents would be able to know how the Council was tackling climate change locally.
- The Council's strategy on Climate Change should be aligned with that produced by Surrey County Council and its expertise utilised.
- The Mission Zero report, Chaired by the Rt Hon Chris Skidmore MP, had found that half or more of emission reductions were within the control or influence of Councils. Therefore, the Council had a clear role to play from the bottom-up.
- There was still a role for Government to play in removing blockages, providing funding and establishing an enabling framework through legislation.
- The Climate and Ecology Bill was progressing through Parliament. The Council was urged to give this support as it sought to bridge the gap between the Government's promises on Climate Change and its actions. Action was needed nationally, at a county level and locally in order to tackle climate change.

The motion was seconded by Councillor Booton.

In accordance with Procedure Rule 2.17.3, the Mayor gave notice that the motion was going to be referred to the Executive for consideration, without any further debate taking place at the meeting.

47 Council Tax Base 2024/25

Council, Thursday, 30th November, 2023

The motion to approve the recommendations contained in the officer's report was proposed by Councillor Biggs and seconded by Councillor Lewanski.

RESOLVED by recorded vote that Council:

1. Approve a Council Tax Base for 2024/25 for the purpose of setting the Collection Fund budget of 64,252.3 Band D equivalents, this being a net increase in the Tax Base compared to 2023/24 of 1.19%; and
2. Delegate authority to the Chief Finance Officer in consultation with the Deputy Leader & Portfolio Holder for Finance & Governance to make further adjustments to the final Tax Base where necessary to reflect any changes in the underlying assumptions and report the outcome to Executive in January.

48 Appointment of an Independent Member to the Audit Committee

The motion to approve the recommendation to appoint an Independent Member of the Audit Committee, was proposed by Councillor Kelly in his capacity as Chair of the Audit Committee and seconded by Councillor Lewanski.

RESOLVED that Mr Tommy Hyun be appointed as the Independent Member to the Audit Committee.

49 Leader's announcements

At the start of the festive season, the Leader gave thanks on behalf of Members to all the Council's staff. The fantastic job done by Council staff was exemplified by a new home being found for the panto with just a couple of weeks' notice. It was requested that the Managing Director pass on massive thanks to all the staff and the best wishes of Members for the Council's 50th anniversary year.

It was also announced that that Councillor Humphries was nominated as the Mayor for 2024/25.

50 Mayor's announcements

Fulsome thanks were given to all those who supported the Borough's Remembrance events. A successful Race Night event had been held raising £1,300 for the Mayor's charities (the Lucy Rayner Foundation and the Royal British Legion). Notice was given of a Community Carol Services at Banstead Methodist Church from 10:30am on Sunday 17 December 2023. Two further fundraising events were to be held; a Quiz Night at the Town Hall on Thursday 22 February 2024 and a charity lunch with special guest speaker at Ciao Italia in Banstead hosted by the Mayoress. Members were encouraged to keep informed of events through the new Mayor's Facebook page and the weekly ReMember e-bulletin.

The meeting finished at 9.09 pm