

BOROUGH OF REIGATE AND BANSTEAD

EXECUTIVE

Minutes of a meeting of the Executive held at the New Council Chamber - Town Hall, Reigate on 19 September 2019 at 7.30 pm.

Present: Councillors M. A. Brunt (Leader), T. Schofield (Deputy Leader), T. Archer, R. H. Ashford, R. Biggs, N. J. Bramhall, A. C. J. Horwood, E. Humphreys, G. J. Knight and V. H. Lewanski.

Also present: Councillors R. Absalom, M. S. Blacker, J. C. S. Essex, S. A. Kulka, S. McKenna, S. Sinden and C. T. H. Whinney.

38. MINUTES

RESOLVED that the minutes of the Executive meeting held on 18 July 2019 be approved as a correct record and signed.

39. APOLOGIES FOR ABSENCE

Executive Members: None.

Non-Executive Members: Councillor N. Harrison and Councillor S. Parnall.

40. DECLARATIONS OF INTEREST

Councillor N. Bramhall declared a non pecuniary interest in Item 11 (Any other Urgent Business – Loans of funds to Greensands Holdings Limited) in respect of her capacity as Deputy Cabinet Member for Property at Surrey County Council.

41. CAPITAL INVESTMENT STRATEGY

Councillor T. Schofield, Deputy Leader and Executive Member for Finance, introduced the latest version of the Council's Capital Investment Strategy. It was noted that the Strategy formed a key part of the Council's governance arrangements and provided a mechanism by which investment and financing plans could be prioritised.

Councillor Schofield explained that the Strategy was intended to be an integral part of the Council's Policy Framework and would ensure capital decisions took account of stewardship, value for money, prudence, sustainability and affordability.

In response to questions it was explained that:

- An outline Strategy had previously been approved by the Executive at the start of the financial year.
- The updated version, set out in Annex 1 to the report presented to the Executive, reflected the outcome of excellent work that had been carried out

over recent months to further develop the Council approach to capital investment. It was highlighted that this had been overseen by the new Commercial Ventures Executive Sub-Committee and Officer Board.

- The Strategy would be integral to service and financial planning and should be read in conjunction with the Corporate Plan, and supporting strategies, the Commercial Investment Strategy, Capital Programme, Medium Term Financial Plan, Treasury Management Strategy Statement and Asset Management Plan.

It was noted that the Overview and Scrutiny Committee had considered the Capital Investment Strategy 2019/20 on 12 September 2019. The Leader of the Council thanked the Committee for its questions and highlighted that a number of observations had been circulated to the Executive by the Chair of the Overview and Scrutiny Committee ahead of the meeting. This included feedback and questions on a variety of matters, including: the work plan and next steps; issues being considered by the Commercial Ventures Executive Sub-Committee; progress in relation to investments in property and capital scheme developments over the last five years; capacity issues / gaps in permanent staff across the property team; options in relation to the purchase of shares and the provision of loans. The input from the Committee was welcomed and it was noted that these observations had been fully captured in the minutes from the meeting.

RECOMMENDED that the Capital Investment Strategy 2019/20 be approved.

Reason for decision: To support the adoption of a Capital Investment Strategy for the 2019/20 financial period.

Alternative options: To either defer the report and ask Officers to provide more information and/or clarification on any specific points or to not support the contents of the report.

42. ADOPTION OF THE REIGATE & BANSTEAD DEVELOPMENT MANAGEMENT PLAN (2018-2027)

Councillor R. Biggs, Executive Member for Planning Policy, introduced the report and explained that the Reigate and Banstead Development Management Plan (DMP) was the second part of the Council's Local Plan. The Executive was informed that the DMP set out detailed development management policies and site allocations that were required to achieve the development objectives and targets in the already adopted Core Strategy. The following points were noted:

- The report presented to the Executive represented the culmination of a number of years of preparation, including extensive public and stakeholder consultation, joint working and public examination by an independent Planning Inspector.
- The Inspector's Final Report, received in July 2019, concluded that, subject to a number of modifications, the DMP was legal compliant and sound, and could therefore be adopted by the Council.
- The hard work of all those involved in the process.

The Executive Member for Planning Policy highlighted that the main modifications, which the Inspector had recommended as being necessary to make the plan sound, were acceptable. In response to questions, it was explained that these modifications, which needed to be accepted in order to adopt the DMP, had in the

main been put forward proactively by the Council during the examination process and had been subject to public consultation.

The Executive Member for Planning Policy highlighted that adoption of the DMP was an important step and would bring significant benefits, including:

- Replacement of the existing 2015 Borough Local Plan, which together with the Core Strategy, would ensure the Council had a comprehensive, robust and up to date Local Plan.
- Reinforcing the Council's commitments to remaining a plan-led authority.
- The introduction of a range of new policy requirements which would support the Council in achieving high quality development that would maximise the benefits to local residents.
- Ensuring the Council had a clear strategy to bring forward the right development sites, in the right places and at the right time in order to meet local needs.

During the discussion a variety of matters were considered, including issues in relation to the accommodation needs of Gypsies, travellers, and travelling showpeople; Redhill aerodrome; the Inspector's report into the DMP; the benefits of adopting the DMP; superseded policies; policies that would be used to assess planning applications for new developments; policy designations, including areas where a particular approach to new development would be taken; issues in relation to site allocations; requirements in relation to having an up to date policies map in order to show how policies set out in the DMP would apply across the borough; and the pressures and challenges associated with development.

In addition, a variety of cross-cutting themes were considered in relation to sites, policies and numbers while the role of the Development Management Advisory Group (DMAG), especially in relation to helping to deliver the vision and objectives of the Core Strategy with regards to protecting the natural and historic environment, was also considered.

RECOMMENDED that:

- (i) The Inspector's Report, set out at Appendix 1 to the report presented to the Executive, be noted and the Development Management Plan (Appendix 2) incorporating the main modifications recommended by the Inspector and additional modifications (Appendix 3), be adopted with immediate effect.**
- (ii) The 'saved' (i.e. those not already withdrawn) policies of the Reigate and Banstead Borough Local Plan 2005 and policy CS15 of the Core Strategy 2014 specified as superseded in Annex 2 of the Development Management Plan be withdrawn with immediate effect.**

RESOLVED that:

- (i) The Reigate and Banstead Policies Map be updated to reflect the policies, allocations and designations of the Development Management Plan in line with the maps set out in Appendix 4 to the report presented to the Executive.
- (ii) The Head of Planning be authorised, in consultation with the Portfolio Holder for Planning Policy, to make any necessary additional modifications to the Development Management Plan and Policies Map to ensure factual accuracy and clarity prior to adoption/publication.

Reason for decision: The Development Management Plan is an important part of ensuring the borough has an up-to-date Local Plan. Adopting the DMP ensures the Council has up to date policies for determining planning applications and provides certainty for residents, developers and other local stakeholders as to the type of development that will and will not be acceptable across the borough.

Alternative options: To not approve the adoption of the Development Management Plan. Adopting the DMP without incorporating all of the Main Modifications set out in the Inspector's report, or with alternative Main Modifications, is not an option. This is because Section 23 (3) and (4) of the Planning and Compulsory Purchase Act 2004 dictates that, where the appointed Inspector recommends Main Modifications, the Council must only adopt the document with these Main Modifications incorporated.

43. PRIVATE SECTOR HOUSING: FINANCIAL ASSISTANCE FOR ADAPTATIONS & REPAIRS

Councillor N. Bramhall, Executive Member for Neighbourhood Services, introduced a report setting out an update in relation to the Council's Private Sector Housing: Financial Assistance for Adaptations and Repairs Policy.

It was explained that the revised policy, set out in Annex 1 to the report presented, had been updated to reflect current and future circumstances, particularly increases in external funding for housing adaptations. It was highlighted that annual increases in the government's allocation of capital funds for disabled adaptations had resulted in a substantial underspend of ring-fenced funds. In response to questions, it was explained that these funds could not be used for other purposes and that guidance existed concerning the application of discretion to allow best use of these increased funds.

It was noted that the proposals:

- Benefited vulnerable residents and would enable them to remain living at home safely and in their own communities for as long as possible.
- Made the best use of increased Better Care Funding which had been provided by central government for Councils to develop local responses to meet need from residents who required practical assistance in order to remain living at home, primarily via the Disabled Facilities Grant.
- Supported the recommendations of the Surrey Foundations Adaptations and Equipment Review 2017.

Councillor Bramhall informed the Executive of the benefits of the revised policy and explained that the proposals would: enable the Council to spend more of its increased government allocation for disabled adaptations; would reduce the growing underspend; and would help more people access the adaptations they required more quickly. In conclusion, it was highlighted that the updated policy would benefit those in need of having their homes adapted, as well as families and wider communities who provided help and support to older and disabled residents.

RESOLVED that the Private Sector Housing: Financial Assistance for Adaptations and Repairs Policy, set out in Annex 1 to the report presented to the Executive, be adopted.

Reason for decision: To update the Private Sector Housing: Financial Assistance for Adaptations and Repairs Policy to reflect current and future circumstances, particularly increases in external funding for housing assistance, to maintain independence for older and disabled residents.

Alternative options: To make further amendments to the proposed policy or to not approve the updated policy.

44. QUARTERLY PERFORMANCE REPORT (Q1 2019/20)

Councillor V. Lewanski, Executive Member for Corporate Direction and Governance, reported on the Council's performance up to the end of Quarter 1 2019/20. The Executive was informed that ten of the fourteen Key Performance Indicators (KPIs) were on target while it was noted the report provided information on issues of major variances in relation to the Council's overall performance for the period.

In response to questions, updates were provided in relation to KPI 1 (the proportion of key customer transactions that took place online versus those taking place over the telephone), KPI 2 (the number of residential completions), and KPI 14 (the percentage of household waste that was recycled and composted).

Councillor Lewanski informed the Executive that no new strategic risks had been identified. However, it was highlighted that due to the UK's upcoming exit from the European Union an update on the Brexit strategic risk had been provided in the report presented to the Executive.

On the financial side, the Deputy Leader and Executive Member for Finance confirmed that the revenue budget was forecast to be underspent by £774,000 (just under 5%). Updates were provided on the positive variances in relation to refuse and recycling and costs associated with senior management. Further information was also provided in relation to the adverse variances concerning the Harlequin, the increased use of agency staff and unbudgeted recruitment costs.

In term of the Capital Programme, the Executive was informed that the Council was broadly on track, with a forecast variance of just over £74,000 (0.3%). However, the Deputy Leader and Executive Member for Finance informed the Executive that there was a need to increase investment in the maintenance of the Council's building stock following the completion of a Buildings Condition Survey which had been carried out by external consultants. It was noted that this would be achieved by:

- Virement of budgets from lower priority schemes already within the capital programme to the higher priority schemes identified by the buildings condition survey of £130,000, and
- Cost pressures for 2019/20 requiring the approval of an additional budget allocation of £340,000.

It was also noted that an additional cost pressure for 2019/20 included the need to allocate £50,000 for the Handy Persons Scheme which formed part of the Council's Private Sector Housing: Financial Assistance for Adaptations and Repairs policy.

It was highlighted that the Overview and Scrutiny Committee had considered the Quarterly Performance Report (Q1 2019/20) on 12 September 2019. The Leader of

the Council thanked the Committee for its questions and highlighted that a number of observations had been circulated to the Executive by the Chair of the Overview and Scrutiny Committee ahead of the meeting. This included feedback and questions on a variety of matters, including: the total number of residential completions; household waste; and working with the Portfolio Holder for Corporate Direction and Governance in order to establish a new set of key performance indicators. The input from the Committee was welcomed and it was noted that these observations had been fully captured in the minutes from the meeting.

RESOLVED that the Council's performance for the first quarter of the financial year 2019/20 be noted.

Reason for decision: To consider the Council's performance for the first quarter of the financial year 2019/20.

Alternative options: None.

45. **APPOINTMENTS TO OUTSIDE BODIES 2019/20**

The Leader of the Council, Councillor M. Brunt introduced a report concerning the annual appointment of representatives to serve on outside bodies. The Executive was informed that the Council appointed representatives to serve on numerous outside bodies, including local community stakeholders and regional / national organisations with whom the Council shared a mutual interest in either supporting or delivering public services for residents.

The Leader of the Council informed the Executive that Group Leaders' had been provided with details of the vacancies in June and that nominees for uncontested vacancies had been appointed under delegated authority in July. It was also noted that some contested vacancies had been resolved in consultation with Group Leaders' and appointed under delegated authority.

In response to questions, Councillor Brunt explained that the remaining contested vacancies had been set out in Annex 1 to the report presented. It was highlighted that following publication of the agenda, and following further discussion with Group Leaders', that the following nominations had been withdrawn and as a result these vacancies were no longer contested:

- Councillor R. Absalom for Reigate and Banstead Women's Aid (withdrawn)
- Councillor M. Blacker for the YMCA East Surrey Adult Services Sub-Committee (withdrawn); and
- Councillor C. Whinney for the Reigate Heath Management Steering Group (withdrawn).

In addition, the Executive was informed that Councillor N. Bramhall had been nominated as the representative for the Reigate Heath Management Steering Group and that Councillor M. Blacker had been nominated as deputy.

The following matters were highlighted as important in reaching a decision: the need to ensure the most suitable applicant was selected having regard to the requirements of the appointment, applicable local knowledge, and the skills and attributes of the nominee. The Executive reviewed all nominations and;

RESOLVED that:

- (i) The following Councillors be appointed to serve on outside bodies for 2019/20:
- Councillor K. Sachdeva for East Surrey Community Mediation;
 - Councillor D. Allcard and Councillor M. Blacker (Deputy) for the Redhill Aerodrome Consultative Committee;
 - Councillor S. Fenton for Reigate and Banstead Women's Aid;
 - Councillor N. Bramhall and Councillor M. Blacker (Deputy) for the Reigate Heath Management Steering Group;
 - Councillor R. Absalom for the Surrey Hills AONB Board;
 - Councillor J. Philpott for the YMCA East Surrey Adult Services Sub-Committee;
 - Councillor F. Kelly for the YMCA East Surrey Children's Services Sub-Committee;
 - Councillor F. Kelly for the YMCA East Surrey Housing Services Committee; and
 - Councillor M. Blacker for the YMCA East Surrey Youth Services Sub-Committee.
- (ii) The vacancies, set out in Annex 1 of the report presented, for Age Concern (Merstham, Redhill and Reigate), the Downland Liaison Group, the South East Reserve Forces' and Cadets' Association, and the Surrey Civilian Military Partnership Board be noted.

Reason for decision: To ensure Council representation on a range of organisations/bodies across the Borough.

Alternative options: To appoint any other combination of nominees listed within the schedule, set out at Annex 1 of the report presented, ask officers to seek new nominations or to not appoint any representatives.

46. PROPERTY ACQUISITIONS

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

47. STATEMENTS

None.

48. ANY OTHER URGENT BUSINESS - LOANS OF FUNDS TO GREENSAND HOLDINGS LIMITED (PART EXEMPT)

The Leader of the Council, Councillor M. Brunt reported that he had agreed to accept an item of urgent business in relation to loan of funds to Greensand Holdings Limited and asked Councillor T. Archer, Executive Member for Investment and Companies to introduce the report.

Councillor Archer explained that the loan was to enable Greensand Holdings Limited, a property company wholly owned by the Council, to pursue a time sensitive business opportunity.

The Executive was informed that this authorisation was subject to further consultation with relevant Members and Officers and was dependent on completion of due diligence.

Councillor Archer explained that the details of the opportunity had been set out in the exempt report in the Part 2 section of the agenda. In response to questions, it was highlighted that the business opportunity presented had not been known to the Council 5 clear days in advance of the meeting. As a result, it was noted that the report had been published under special urgency grounds, in line with the Constitution, and with the permission of the Chair of the Overview and Scrutiny Committee.

Clerk's note – *at this point in the meeting agenda item 11a (Any Other Urgent Business – Loans of funds to Greensand Holdings Limited) was adjourned so that the exempt information, presented under agenda item 11b, could be considered 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 the exempt item the Executive returned to agenda item 11a and;

RESOLVED that:

- (i) The exempt information in relation to Loans of funds to Greensands Holdings Limited be noted.
- (ii) The Head of Legal and Governance, in consultation with the Head of Finance and Assets, the Leader of the Council, the Members of the Commercial Ventures Executive Sub-Committee, and the Executive Member for Place and Economic Prosperity, and subject to the completion of relevant due diligence, be authorised to finalise and enter into a loan agreement with Greensand Holdings Limited on the terms proposed in the exempt report set out in the Part 2 section of the agenda.

Reason for decision: To obtain Executive authority to allow Greensand Holdings Limited the financial basis to explore time sensitive business opportunities.

Alternative options: To not authorise the Head of Legal and Governance to finalise and enter into a loan agreement with Greensand Holdings Limited.

49. EXEMPT BUSINESS

RESOLVED that members of the press and public be excluded from the meeting for agenda item 11b (Loans of funds to Greensand Holdings Limited – Exempt) under Section 100A(4) of the Local Government Act 1972 on the grounds that: (i) it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act; and (ii) the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

50. PROPERTY ACQUISITIONS (EXEMPT)

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

The Meeting closed at 8.27 pm