



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

<b>SIGNED OFF BY</b>	Director of Place
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<b>TO</b>	Commercial Ventures Executive Sub-Committee
<b>DATE</b>	Thursday, 5 December 2019
<b>EXECUTIVE MEMBER</b>	Portfolio Holder for Investment and Companies

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

<b>SUBJECT</b>	Project Baseball, December 2019
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<b>RECOMMENDATIONS</b>
<p>1. That the Director of Place, in consultation with the Head of Legal and Governance, the Head of Finance &amp; Assets, the Chair of the Commercial Ventures Executive Sub-Committee and the Executive Members for Place &amp; Economic Prosperity, Finance and Neighbourhood Services, be authorised:</p> <ul style="list-style-type: none"><li>a) To proceed with the next planned activities associated with the identified opportunity, as referred to in the Part 2 section of this agenda, as a strategic project to support the delivery of the Council's Corporate Plan objectives.</li><li>b) To fund the pursuance of the planned activities from the Corporate Plan Delivery Fund in order to support delivery of the Corporate Plan and Investment Strategy, as set out in the Part 2 section of this agenda.</li></ul>
<b>REASONS FOR RECOMMENDATIONS</b>
<p>To obtain authority to proceed with the next proposed activities and the associated budget to support the identified project. This will support the Council's Corporate Plan objectives as set out in the exempt Part 2 section of this agenda.</p>
<b>EXECUTIVE SUMMARY</b>

This report seeks authority to proceed with the project. It is considered that the opportunity as a strategic project will support the delivery of the Council's Corporate Plan objectives through its future potential use, and offers the potential to generate income for the Council.

As a strategic project, the opportunity is not without risk, and it is possible that the full extent of the identified potential benefits may not be realised. In taking this decision, Executive Members should take account of the possible risks and potential benefits and make a judgement on the appropriate considerations.

Details of the opportunity, the financial and risk implications, and the Council's proposed approach are set out in the exempt Part 2 section of this agenda. This information is exempt on the grounds that it relates to the financial and business affairs of the Council, and the public interest in maintaining the exemption is judged to outweigh the public interest in disclosing the information.

**The Commercial Ventures Executive Sub-Committee has authority to approve the above recommendations.**

## **STATUTORY POWERS**

1. Section 2 of the Local Government Act 2000 gives Local Authorities a general power of competence to act in the furtherance of the economic, social or environmental wellbeing of their area. The exercise of that power is specifically linked, in section 4 of the act, to works required in the furtherance of community and corporate plan objectives.
2. This opportunity is anticipated to provide economic, social and environmental enhancements to the wellbeing of the area for the reasons set out in the exempt Part 2 section of this agenda.
3. These enhancements will further the objectives of the Council's Corporate Plan.

## **BACKGROUND**

4. The Council's Corporate Plan contains a number of objectives aimed at ensuring the borough is a great place to live and work.
5. Pursuance of the identified opportunity would enable the Council to support the delivery of these objectives, as is set out in the exempt Part 2 section of this agenda.
6. In addition to supporting the Council's Corporate Plan Objectives of ensuring the borough is a great place to live and work, the proposed opportunity potentially also provides the opportunity for the Council to generate funding to support other services.
7. By way of general context for the consideration of investments, funding for Local Authorities has reduced in recent years, and there is a risk of further significant reductions to available funding from 2021/22 onwards. Simultaneously, the demands faced by Local Authorities have increased in many areas.

## KEY INFORMATION

8. Key information on the project, including the potential benefits to the borough is included within the exempt Part 2 sections of the agenda.

## OPTIONS

9. The options available to the Commercial Ventures Executive Sub-Committee are set out below:

Option 1: Authorise the pursuance of the project, the associated delegations and use of funding. This is the recommended option. The Council will thereby undertake the planned activities associated with the opportunity, which will support the delivery of the Corporate Plan.

Option 2: Do nothing. This is not the recommended option as it would not support the Corporate Plan objectives.

10. Further detail on the options is set out within the exempt Part 2 section of this agenda.

## LEGAL IMPLICATIONS

11. As identified in the Statutory Powers section of this report, the Council has the power to act in the furtherance of the economic, social or environmental wellbeing of the area.
12. There is no legal duty to consult the public on any commercial terms of the project. These are matters for the authority. The Executive is entitled to determine them at its discretion, notwithstanding any previous decisions it has made, having considered the contents of this report.
13. Legal advice shall be sought as necessary throughout the pursuance of the project.

## FINANCIAL IMPLICATIONS

14. The proposed opportunity for which authority is sought in this report offers the potential to generate a financial return for the Council. However, there are also financial risks inherent in the proposed opportunity, and Executive Members should consider these in making their decision.
15. Further detail on the financial implications is included within the exempt Part 2 sections of the agenda.

## EQUALITIES IMPLICATIONS

16. The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
  - Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
  - Advance equality of opportunity between people who share those protected

characteristics and people who do not;

- Foster good relations between people who share those characteristics and people who do not.

17. The three parts of the duty applies to the following protected characteristics: age; disability; gender reassignment; pregnancy/maternity; race; religion/faith; sex and sexual orientation. In addition, marriage and civil partnership status applies to the first part of the duty.

18. The Committee should ensure that it has regard for these duties by considering them through the course of its work. This should include considering:

- How policy issues impact on different groups within the community, particularly those that share the nine protected characteristics;
- Whether the impact on particular groups is fair and proportionate;
- Whether there is equality of access to service and fair representation of all groups within the Borough;
- Whether any positive opportunities to advance equality of opportunity and/or good relations between people, are being realised.

19. Further detail on the equalities implications are set out in the Part 2 section of this agenda.

## **COMMUNICATION IMPLICATIONS**

20. Implications relating to the communications have been explored as part of the development of the case for the investment opportunity. Further detail of communications matters are set out in the exempt Part 2 section of this agenda.

## **RISK MANAGEMENT CONSIDERATIONS**

21. As a strategic project, the opportunity is not without risk, and it is possible that identified potential benefits may not be realised exactly as anticipated. Details of the risk management considerations are set out in the exempt Part 2 section of this agenda.

## **CONSULTATION**

22. The Leader of the Council and Executive Members with responsibility for Place & Economic Prosperity, Finance, and Investment & Companies have been consulted with regard to the recommendations of this report.

## **POLICY FRAMEWORK**

23. As identified, the proposed opportunity would support the delivery of the Council's Corporate Plan objectives through providing enhancements to the local area.

24. The proposed project is in line with the Council's Outline Capital Investment Strategy 2019/20.