

COUNCIL – 11 FEBRUARY 2021

PETITION – TAXI LICENSING ARRANGEMENTS

Executive Summary

The Council has received a petition which asks the Council to *“Implement a system wherein a licensed taxi driver has the opportunity to appear before a committee and to make necessary adjustments for drivers due to the COVID pandemic.”*

In accordance with the Council’s arrangements for petitions, the matter has been referred for consideration by Full Council.

Recommendations

The Council is requested to consider the petition and determine accordingly.

Background Papers: None.

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Date Published: 5 February 2021

1.0 Introduction

- 1.1 A petition has been received which asks the Council to *“Implement a system wherein a licensed taxi driver has the opportunity to appear before a committee and to make necessary adjustments for drivers due to the COVID pandemic.”* The petition has been received through the Council’s online e-petition scheme and contains 438 confirmed signatories and 66 unconfirmed signatories.
- 1.2 The number of signatures exceeds the threshold required for a petition to be referred to a meeting of Full Council and accordingly the Petitioner or their nominee has been invited to present the petition at Council.
- 1.3 The petition has been submitted in the following terms:

“Implement a system wherein a licensed taxi driver has the opportunity to appear before a committee and to make necessary adjustments for drivers due to the COVID pandemic.”

At the last full council meeting, the comments from the legal and democratic services manager may have given the impression to council members that drivers do not want a committee-based system and would prefer the current system in place. We, the undersigned, would like to reaffirm our preference for a system where a driver has the opportunity to appear before the licensing committee and we would fully support a change in WBC licensing policy and scheme of delegation of authorities to allow it. Furthermore, the taxi trade has suffered greatly due to COVID-19 and while we fully appreciate the steps Licensing took during these times, we would also like to request two more changes. Taking the BTEC exam is an additional cost. Many drivers are not working at the moment and their careers remains uncertain. Thus we are petitioning WBC to grant an extension to the BTEC deadline. Secondly, some drivers have been issued licenses for six months due to their MOT, and although the government has granted MOT extensions, drivers have not been given extra time on their license. We request that licenses should be issued for a year, as is normally done, and not six months.”

- 1.4 The on-line petition went live on 4 December 2020 and ended on 21 January 2021.

2.0 Petitions Scheme

- 2.1 As the number of signatories exceeds 400, the petition falls to be debated at Full Council. In accordance with the Council’s scheme for dealing with petitions, the petitioner has been invited to attend the meeting and present the petition. The presentation of a petition is limited to not more than three minutes, and should be confined to reading out, or summarising, the purpose of the petition, indicating the number and description of signatories, and making supporting remarks relevant to the petition.
- 2.2 Following the presentation, Members will have the opportunity to ask questions of the petitioner. Thereafter, the Council will discuss the petition and determine what action, if any, is to be taken.

3.0 Officer Comments

- 3.1 A report proposing changes to licensing delegations was due to be considered at the Licensing Committee on 19 January 2021. This item was deferred by the Licensing Committee, and will now be considered at the next Licensing Committee meeting on 9 March 2021. The report takes account of discussions on this matter at the Licensing Committee on 6 October 2020 and Council on 15 October 2020. It recommends changes to the licensing delegations so that certain applications are reported to the Taxi Licensing Sub-Committee for determination.

Petition – Taxi Licensing Arrangements

3.2 The Petition asks the Council to extend the deadline by which drivers should have completed a BTEC on the role of the professional taxi and private hire driver. The deadline previously agreed by Council for this was 31 March 2021. However, as result of the COVID-19 pandemic, the Licensing Committee (at its meeting on 19 January 2021) extended the deadline until 31 March 2023.

3.3 The Petition also asks that licences should be issued for a year, not six months. As a result of remote working during periods of lockdown, the standard licence plates and badges are not issued when a licence is renewed. Instead, letters are sent which extend the “expired” licence by six months. When the lockdown ends, standard licence plates and badges are issued in the usual way. These replace the letters and run for the normal twelve months. Currently, there are approximately 30-40 licences subject to this procedure. These will be dealt with as a priority when the lockdown ends.

4.0 Implications

Financial

4.1 None

Human Resource/Training and Development

4.2 None

Community Safety

4.3 None

Risk Management

4.4 None

Sustainability

4.5 None

Equalities

4.6 None

Safeguarding

4.7 None

5.0 Conclusions

5.1 The outstanding issue raised in the petition is the extent to which applications are determined under delegated authority. This is due to be considered by the Licensing Committee on 9 March 2021, with any recommended changes being reported to Council on 8 April 2021. The views expressed in the petition can be considered as part of this process.

REPORT ENDS

COUNCIL – 11 FEBRUARY 2021

RECOMMENDATIONS OF THE EXECUTIVE

Executive Summary

The Council is invited to consider the recommendations from the meeting of the Executive held on 14 January 2021 and 4 February 2021, as set out in this report. The minutes of the Executive held on 4 February 2021 will be published in due course. The extract from the minutes of the meeting held on 14 January 2021 is set out in this report.

Procedure to be followed.

The Mayor will take the report on Council Tax 2021-22 (Agenda Item 8) first, together with the recommendations of the Executive meeting on 4 February 2021 relating to the following:

- A. General Fund, Service Plans, Budgets and Prudential Indicators 2021-22.
- B. Housing Revenue Account Budgets 2021-22.
- C. Investment Programme 2020-21 to 2024-25.
- D. Capital, Investment and Treasury Management Strategies.

The items above will be debated after the Leader of the Council's Budget Statement.

The remaining recommendations from the Executive, listed below and set out in detail later in this report, will be considered once the Council Tax for 2021-22 has been agreed.

The Executive held on 4 February 2021:

- E. Housing Management and Maintenance Service.

The Executive held on 14 January 2021:

- F. Notice of Motion – Cllr T Aziz – Viability of Affordable Homes.

EXECUTIVE – 4 FEBRUARY 2021

A. GENERAL FUND, SERVICE PLANS, BUDGETS AND PRUDENTIAL INDICATORS 2021-22

RECOMMEND TO COUNCIL That

- i) the Revenue Estimates and Human Resource requirements for 2021/22 be approved;**
- ii) a Band D Council Tax for the Borough of Woking for 2021/22 of £250.46 be approved; and**
- iii) the Prudential Indicators at Appendix 3 to the report be approved, subject to any changes arising from consideration of the Investment Programme, revenue budgets and Final Government Settlement.**

B. HOUSING REVENUE ACCOUNT BUDGETS 2020-21

RECOMMEND TO COUNCIL That

- (i) the Housing Revenue Account budget for 2021/22 as set out in Appendix 1 to the report be approved; and**
- (ii) with effect from 5 April 2021, rents be increased by 1.5%.**

C. INVESTMENT PROGRAMME 2019-20 TO 2023-24

RECOMMEND TO COUNCIL That

- (i) the Investment Programme 2020/21 to 2024/25 be approved subject to reports on projects where appropriate;**
- (ii) the proposed financing arrangements be approved;**
- (iii) Thameswey Developments Ltd be authorised to take long term annuity funding, up to 50 years, for the Sheerwater project through its £115m facility with loans permitted to transfer to Thameswey Housing Ltd as the project progresses. The total long term loans drawn by the Thameswey Group for the Sheerwater project should not exceed the long term facility of £290m previously agreed (excluding THL revolving facility and TEL facility); and**
- (iv) a capital grant of £300,000 and revenue grant of £150,000 for 2021/22 be approved for Brookwood Cemetery.**

D. CAPITAL, INVESTMENT AND TREASURY MANAGEMENT STRATEGIES

RECOMMEND TO COUNCIL That

- (i) the Capital and Investment Strategies for 2021/22 be approved; and**
- (ii) the Treasury Management Prudential Indicators set out in table 1 of Section 4 of the Treasury Management Strategy and**

the MRP policy set out in Appendix A be approved, subject to any changes arising from consideration of the Investment Programme, revenue budgets and Revenue Support Grant Settlement.

EXECUTIVE – 4 FEBRUARY 2021

E. HOUSING MANAGEMENT AND MAINTENANCE SERVICE

RECOMMEND TO COUNCIL That

the proposal to bring Housing Management and Asset Management services back in-house and procure Housing Repairs and Maintenance works and services through third party contractors from 1 April 2022 be approved.

EXECUTIVE – 14 JANUARY 2021

F. NOTICE OF MOTION - CLLR T AZIZ - VIABILITY OF AFFORDABLE HOMES

At its meeting on 3 December 2020, the Council referred the following Notice of Motion to the Executive.

Councillor T Aziz

“Motion on viability of affordable homes

Since 2012 WBC has been relying on the opinion of a sole company to determine viability of affordable homes on site for developments. This has resulted in almost all cases being declared unviable by that company.

It’s good practise to seek multiple opinions and not limit to sole opinion.

This motion calls that WBC to employ services of more than one company to determine the viability of affordable homes in future developments before being presented to planning committee.”

Councillor Aziz attended the meeting and spoke in support of the Motion. It was noted that a Member Briefing on Viability Assessments in Planning Applications had been arranged on 1 February 2021. Regarding on site delivery of affordable homes, Officers advised that the Council’s policy had express provisions to set out the circumstances whereby developers could proceed without the full amount of affordable housing. The Executive was broadly supportive of the Motion and its purpose to maintain a panel of consultants, rather than to rely on a single consultant to determine viability. It was agreed that the Motion would be re-drafted outside of the meeting, including removal of criticism. The amended Motion would be agreed with the Leader of the Council and Councillor Aziz ahead of Council on 11 February 2021.

The Executive agreed that the Motion, as amended and agreed outside of the meeting by the Leader of the Council and Councillor Aziz, be supported. The revised wording of the Motion was agreed as “This Motion proposes that the Council maintains a select list of at least three suitably qualified companies to undertake the viability assessments of Planning Applications and ensure that they are used equally provided they have not been used by the applicant” accordingly the agreed revised Motion is set out in the recommendation below.

RECOMMENDED to Council

That the Council maintains a select list of at least three suitably qualified companies to undertake the viability assessments of Planning Applications and ensure that they are used equally provided they have not been used by the applicant.

Background Papers:

None.

Reporting Person:

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5 February 2021

REPORT ENDS

COUNCIL – 11 FEBRUARY 2021

VICTORIA SQUARE UPDATE

Executive Summary

The Council at its meeting on 30 July 2022 received and approved a confidential recommendation from the Executive to provide additional resources in respect of the Victoria Square Development. The Council received and considered a report from Victoria Square Woking Limited that set out the likely outturn of cost for the Victoria Square development based on the impacts of additional delays to deliver caused, amongst other things, by the Covid lockdown and changed working arrangements necessitated by Covid.

The Council on the 30 July 2020 authorised a £30m increase in the project contingency, total project cost and loan facility.

This report results from extensive work establishing the likely final cost of the project and taking into account a range of activities the Council would normally have financed by the Council but due to the significant revenue impacts of Covid cannot prudently do so.

The report sets out the update on the Project Budget now sought, the optional items that are currently included and report by the Hawnby Group on the financial viability of this significant regeneration project.

Appendix 1 of the report provides some images of the new spaces being created by this regeneration project. The quality of these spaces and activities should positively support the Council as part of its "Post Covid" economic recovery.

Appendices 2 and 3 of the report provide Project Mandates for the two elements of the increased project cost that are optional, Woking Town Centre Wayfinding (£1m) and Lockfield Drive/Victoria Wat Pedestrian/Cycle Bridge (£6m).

The Council is request to approve an overall Project Budget and Loan Facility of £700m as set out in the report.

Recommendations

The Council is requested to:

RESOLVE That

- (i) a provision of £1m be included in the project cost for Woking Town Centre Wayfinding, with implementation being subject to formal approval of detailed proposals by the Executive;**
- (ii) a provision of £6m be included in the project cost for Lockfield Drive/Victoria Arch Pedestrian/Cycle Bridge, with implementation being subject to formal approval of detailed proposals by the Executive; and**
- (iii) the Victoria Square Project Budget and Loan Facility be increased to £700m**

Reasons for Decision

Reason: To enable the successful completion of the Victoria Square regeneration project.

The Council has the authority to determine the recommendations set out above.

- Background Papers:** Confidential Report from W H Stephens for Victoria Square Woking Limited. – Not for publication but previously supplied to all Members of the Council
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- Date Published:** 5 February 2021

1.0 Introduction

- 1.1 The Victoria Square development is a major regeneration project within Woking Town Centre.
- 1.2 The project has been adversely affected by the need to replace the Red Car Park; this delayed the project from a planned October 2020 completion until May 2021. The Deed of Variation with Sir Robert McAlpine incorporating the Red Car Park in the project was agreed on 14 November 2019.
- 1.3 At the Victoria Square Oversight Panel (Panel) meeting on the 15 January the Panel was advised that there were delays in delivery of the project, particularly the new Red Car Park, and that the contingency was under pressure. Accordingly, it was advised that the adequacy of the contingency would be reviewed. Whilst this was underway, the COVID 19 crisis arose and has had a major impact on the progress of the project; the review was therefore extended to a potential for completion/opening being delayed from April/May 2021 until November/December 2021.
- 1.4 The Oversight Panel met on 1 June 2020 to review the position and a report was submitted to the Executive on 22 June 2020. The Executive met and considered a confidential report that updated it on the circumstances. The report sought an interim increase in the project contingency whilst more detail work was undertaken to establish the likely final delivery cost and the impact on the long terms finances for both the project and the Council.
- 1.5 The Council at its meeting on 30 July 2022 received and approved a confidential recommendation from the Executive to provide additional authority for expenditure in respect of the Victoria Square Development. The Council received and considered the recommendation from the Executive, which had been supported by a report from Victoria Square Woking Limited, that set out the forecast likely outturn of cost for Victoria Square based on the impacts of the delays to deliver the project caused, amongst other things, by the Covid lockdown and changed operation arrangements related to Covid. An increase of £30m was approved at that point on the advice that it would be sufficient to enable the project to proceed whilst more detailed work was undertaken.
- 1.6 This report now seeks approval of a revised project budget to reflect the increased cost of delivering this significant regeneration project in Woking town centre.

2.0 Victoria Square Oversight Panel 18 January 2021 and Member Briefing 21 January 2020

- 2.1 Two private sessions have enabled Members to consider in detail the challenges facing the delivery of the project. At these sessions, Members have received advice from various advisors.
- 2.2 Native, the Managing Agents for “The Marches” the 429 apartments included in the project was able to update Members on it positive market research and the level of interest it expects to receive in the residential offer that it considered to be of excellent quality. It also advised that it considered the “Earn Your Deposit” scheme that will operate at The Marches would help secure longer-term tenants. Images of the Residential properties are included in Appendix 3.
- 2.3 Hilton, who will manage the Hotel, also expressed positive views about the quality of the Hotel and it expressed a positive view on recovery in 2022 onwards as the Covid crisis is diminished by the vaccination programme. Images of the Residential properties are included in Appendix 3.

- 2.4 Nash Bond, one of the letting agents that work for Wolsey lace and Peacocks and is also marketing the new Victoria Square provided a realistic update on the retail market but advised that there remained positive interest from “sole traders” and smaller independent groups. The pre lets to Marks and Spencer, Italia Conti, Sports Bowl (relocation from Big Apple), Gails Baker, and Sketchers mean that a significant amount of space already has occupiers. Images of the quality of the commercial space already completed in the Victoria Square development, and within Wolsey Place, are included in Appendix 3. Nash Bond also reported on the positive effect of the Gordon Ramsay announcement about opening in Woking with news that two quality offers have been received for restaurant spaces that went into administration, Café Rouge and Carluccios; the names cannot yet be published.
- 2.5 WH Stephens has provided detailed financial reports on each element of the construction and development costs and answered questions posed by Members. Its detailed report identifies costs of just over £698m; hence, for determining a budget loan approval, £700m is sought.
- 2.6 The updated project cost includes a range of costs that would normally have fallen on Woking Borough Council. Because of the impacts of Covid on the Council’s finances it is not prudent to incur those costs but they are, in the main, considered essential. Appendix 4 sets out the advice to the Oversight Panel and the Member Briefing; only commercially sensitive information has been removed. Of these cost increases since May 2020 £11.8m are associated with the Council and are summarised below

1	The Wolsey Place Sainsbury interface with the Novum roof incorporated modifying the Sainsbury back office area and improving the roof and making the asset watertight and improving insulation.	2,000,000
2	Export House interface, reception, back of house and replacement roof top maintenance equipment.	1,300,000
3	Structural maintenance addressed during the refurbishment of Malls.	750,000
4	Refurbishment and Replanting Victoria Way Central Reservation from Lockfield Drive to the roundabout with Chertsey Road (but excluding the roundabout).	750,000
5	Provision for consequential changes with “Wayfinding” for Woking Town Centre and its approaches arising from the changes caused by the development of Victoria Square.	1,000,000
6	Provision for the Lockfield Drive cycle and pedestrian bridge connecting the improved Victoria Way cycle and footway provision with the canal towpath from the west of the Borough.	6,000,000
	Total	11,800,000

- 2.7 Items 1 to 4 are unavoidable but items 5 and 6 have an element of discretion.
- 2.8 Lockfield Drive/Victoria Way pedestrian cycle bridge and related works of widening the canal towpath and installing cycle facilities in part of Victoria Way (western side) is to enhance sustainable access to the town centre and other parts of the Borough. When joined with the provisions in the Victoria Arch scheme it will provide links to the south down to the Hoe Valley and links between there, the town centre and the east and west of the Borough along the canal towpath. It is a provision of £6m and will be subject to detailed consideration by

the Oversight Panel and approval by the Executive before implementation. The Project Mandate is set out at Appendix 2.

- 2.9 Woking Town Centre wayfinding is a provision to enable the Council to change signage to align with both Victoria Square and the consequences of the widening of Victoria Arch. It is a provision of £1m and will be subject to detailed consideration by the Oversight Panel and approval by the Executive before implementation. The Project Mandate is set out at Appendix 3.
- 2.10 Whilst it is a matter of discretion whether or not the Council wishes to undertake the two projects outlined at paragraph 2.8 and 2.9 it is recommended to do so, financed by Victoria Square, to enhance the sustainability of the town centre and provide further support to Post Covid economic. A decision to include a financial provision will not lead to the immediate implementation of either project, both will be reviewed by the Oversight Panel and be subject to Executive approval before implementation.

3.0 Advice from the Director of Finance

- 3.1 As set out in this report the Victoria Square regeneration project has incurred additional costs through delays in the construction, the impact of the Covid-19 pandemic and inclusion of additional scope.
- 3.2 A financial model was built in 2016 to assist the Council in assessing the long-term cashflows ahead of approving the project. During the construction period, the financial model has been routinely updated with changes to assumed income and updates to the planned construction. In 2020, at the outset of the pandemic, a detailed update of the modelling was launched using the expertise of the team at Hawnbly that had built the model.
- 3.3 A key element of the scope was to update the model with the latest construction costs and to reconcile the impacts between the previous version (2017) and the new base case. Preliminary costs forecasts prepared by the project team were initially used in the summer of 2020. As these have been refined the model has been updated to reflect the latest position, however the total costs has not varied substantially from that update which was reported to the Council in July 2020.
- 3.4 Some additional costs have been included which had been previously assumed to be covered by the Council. With the current financial uncertainty the Council could not commit to undertaking these works in the timescales originally proposed. Completing these works would improve the environment in which Victoria Square operates and it is therefore proposed that the project incorporates this additional scope.
- 3.5 The update also included a review of income and other assumptions integral to the model. Initial income assumptions were updated to ensure they remained realistic and where tenants for the commercial spaces have been identified, the agreed arrangements have been incorporated. The average void period has been increased across the commercial units reflecting the more difficult market conditions. Residential rents have been held at the 2017 assumed levels, losing several years of assumed income inflation from the model. The delay in opening also means less income is generated over the model period.
- 3.6 The financial modelling slides attached at Appendix 5 detail the impact of the increased costs and the reduction in income over the 50 years of the modelling. The table below provides a summary:

Impact over 50 years	£m
Programme Delay	108
Covid-19	194
Bandstand Mall & WBC Assets	75
UK Leaving the EU	5
Construction Delay	44
Commercial Lease Update	85
Residential Rental Income	44
Reduced PWLB Borrowing Rate	-253
	302

- 3.7 The project from the outset was a regeneration of the town centre, not an investment. The costs of land assembly, public realm works and improvements to the town centre mean that the income generated would not cover the operational and financing costs for some time. The valuation of the finished property was also expected to be less than the associated construction costs and debt for many years.
- 3.8 In the updated model the date at which income covers operational and financing costs (operating profit) has moved from 2031 in the 2017 model to 2036. The date at which the sale value would cover outstanding debt has moved from 2051 in the 2017 model to 2062 in the updated model. This is shown in the graphs in Appendix 5.
- 3.9 The model assumes sale of the assets in 2071 at the end of modelling period (5 years construction plus 50 years operating). A summary of the current forecast position compared to the 2017 forecast is set out in the table below.

	2017 £m	2021 £m
Assumed Sales Value	686	644
Outstanding Debt	-108	-420
Net Cash on Sale	578	224

- 3.10 Whilst the time taken for the development to move into a positive operating position has extended, it is forecast that by the end of the model debt remaining is reduced to £420m. This represents approximately 65% of the asset value. The model makes allowance for major repairs at £2m plus inflation every 10 years.
- 3.11 The updated model provides improved analysis functionality. Sensitivity analysis has been undertaken with the results summarised below.

Summary of Sensitivity Analysis	Peak Debt £m	Operating Profit (year)	Valuation exceeds debt (year)	Net Cash on sale in 2071 £m
2017 Model	515	2031	2051	578
2021 Base Model	648	2036	2062	224
Residential 5% reduction in initial rental	656	2038	2063	183
Residential 10% reduction in initial rental	665	2041	2065	142
Residential inflation reduced by 0.5% (to 1.9%)	656	2039	2065	137
Residential inflation reduced by 1% (to 1.4%)	666	2051	2067	58
All income inflation reduced by 0.5%	661	2044	2069	26
Commercial Areas 25% reduction	791	not before 2071	not before 2071	-318
Interest costs 2.44% for remaining loans	753	2051	2070	-5
Residential 3% increase in initial rental	644	2035	2061	249

Sensitivity Notes:

Peak debt is the forecast maximum debt outstanding for the project. It will be affected by the timing of the sale of the Car Park to the Council (£58m).

Operating Profit is when the income generated by the residential, commercial and hotel assets exceeds the running costs and financing costs. This mostly coincides with the date of Peak Debt except where there is planned major refurbishment in the model.

The date the valuation exceeds the outstanding debt on the asset represents the forecast date when selling the asset would be cash repay all loans. The long- term annual increase in sales value of the residential units is 2%.

The model assumes that the assets are all sold in 2071. Net cash on sale of the asset is the amount of cash remaining after any outstanding debt is paid off.

- 3.12 Two of the scenarios provide a negative outcome at the end of the 50 years. The scenario where all commercial rents are reduced by 25% scenario is not considered of significant concern as it is unlikely that such a reduction would be accepted over the full life of the modelling without action taken to repurpose the space.
- 3.13 Interest rates being incurred at 2.44% for the remaining debt relating to the scheme is also considered unlikely. Current rates available through the PWLB are circa 1.75% and the Council's Treasury Management advisors forecast low rates for the foreseeable future. The model assumes 50 year annuity loans which are broadly equivalent to the rate of a 25 year maturity loan.

Forecast rates for maturity loans (certainty rate)

	Mar-21	Jun-21	Sep-21	Dec-21	Mar-22	Mar-23	Mar-24
Bank rate	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%	0.10%
5 yr PWLB rate	0.80%	0.80%	0.80%	0.80%	0.90%	0.90%	1.00%
10 yr PWLB rate	1.10%	1.10%	1.10%	1.10%	1.20%	1.20%	1.30%
25 yr PWLB rate	1.50%	1.60%	1.60%	1.60%	1.60%	1.70%	1.80%
50 yr PWLB rate	1.30%	1.40%	1.40%	1.40%	1.40%	1.50%	1.60%

- 3.14 The remaining scenarios modelled provide at least a small surplus of cash over debt at the end of the 50 year period. This includes where Inflation on all income streams reduced by 0.5% where the asset value is still forecast to be marginally greater than the underlying debt. The focus has been on assessing the downside risk, however a positive variance of 3% increase in initial residential rents has been provided for information.
- 3.15 The assumptions in the base model are prudent and reasonable over the 50 year period being considered. There is scope for negative variations in the assumptions which, whilst leading to a longer period before the project is profitable, still result in a valuable asset at the end of the period. The project remains viable.
- 3.16 It is essential that the construction be completed as soon as possible to minimise the continued increase in costs and to start the generation of income from the various assets. This will require access to an increase in the loan facility from the Council. Any further delay will add to the financial pressures set out in this report.

- 3.17 The Investment Programme and Prudential Indicators, also to be considered by the Council at this meeting, reflect the construction costs set out in this report including the £58m cost of the car parks shown as a cost to the Council. It is proposed that the loan facility be increased to cover the total costs of construction including the car park and financing costs. This will allow some flexibility as to the timing of the transfer to the Council.
- 3.18 Overall the regeneration continues to meet the objectives of transforming the town centre, joining the 2 shopping centres, providing new housing and attracting further business and visitor interest in the town.

4.0 Implications

Financial

- 4.1 The financial implications are clear and necessitate an increase of the Project Cost to £700m and the Loan Facility to £700m; an increase of £130m.
- 4.2 The longer-term implications has been assessed through the modelling update. This has confirmed, as set out in the advice from the Director of Finance that “The project remains viable” (paragraph 3.15). In addition the advice concludes that “Overall the regeneration continues to meet the objectives of transforming the town centre, joining the 2 shopping centres, providing new housing and attracting further business and visitor interest in the town” (paragraph 3.18).

Human Resource/Training and Development

- 4.3 Additional work will arise in preparing the financial model, reviewing its outcomes and reporting upon its results.

Community Safety

- 4.4 There are no new community safety issues raised by this report. The social distancing required in the context of COVID 19 so as to ensure the safety of the workforce has given rise to the increase in both delay and cost.

Risk Management

- 4.5 The extensive risk management arrangements remain in place for the project. The implications of COVID 19 have increased the financial risks for the Council, particularly its ability to acquire the new Red and Green car parks upon completion. This will continue to be reviewed.

Sustainability

- 4.6 There are no new sustainability issues raised by this report.

Equalities

- 4.7 There are no new equality issues raised by this report.

Safeguarding

- 4.8 There are no new safeguarding issues raised by this report.

5.0 Consultations

5.1 The Victoria Square Oversight Panel and the Member Briefing have been engaged in preparing the information for this report.

REPORT ENDS

Schedule of Images

The Victoria Square development will join the Peacocks and Wolsey Place centres together and form one integrated centre to be known as “Victoria Place” when it opens later in 2021.

The images included here, are either design representations or photographs

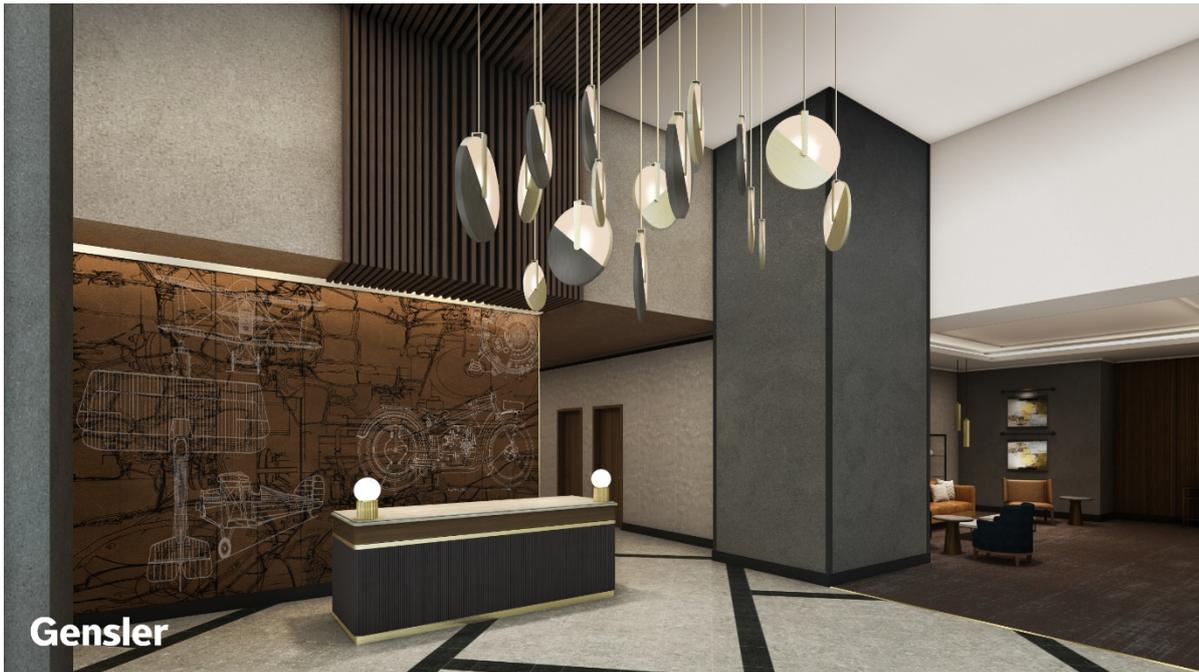
Hotel

The hotel images are all design representations

External view from the Lockfield Road junction with Victoria Way.



Ground Floor entrance lobby accessed from Victoria Way.



Hotel Reception at Level 7 which is accessed by Lift from the Ground Floor Lobby or via the bridge link from the replacement red car park.



The lobby café “Glow” at the Level 7 reception level.



The restaurant “Oxbo” at Level 21



The bar “The Loft” at Level 22.



Retail

There are no design representations for retail as each occupier designs its own fit out. The images scheduled here are photographs of work undertaken by Victoria Square or associated with it to demonstrate the quality of space that is being produced.

Refurbished Wolsey Walk West showing the new Boots.



Boots Interior



New H&T in Wolsey Walk West



New H&T in Wolsey Walk West – Showing refurbished Mall with Boots nearby



Specsavers in Wolsey Place Central Square



Residential

The following are photographs of the first residential apartments that have been fitted out in “The Marches” the residential part of Victoria Place.

One Bed Apartment Shower Room



One Bed Apartment Kitchen



One Bed Apartment Bedroom



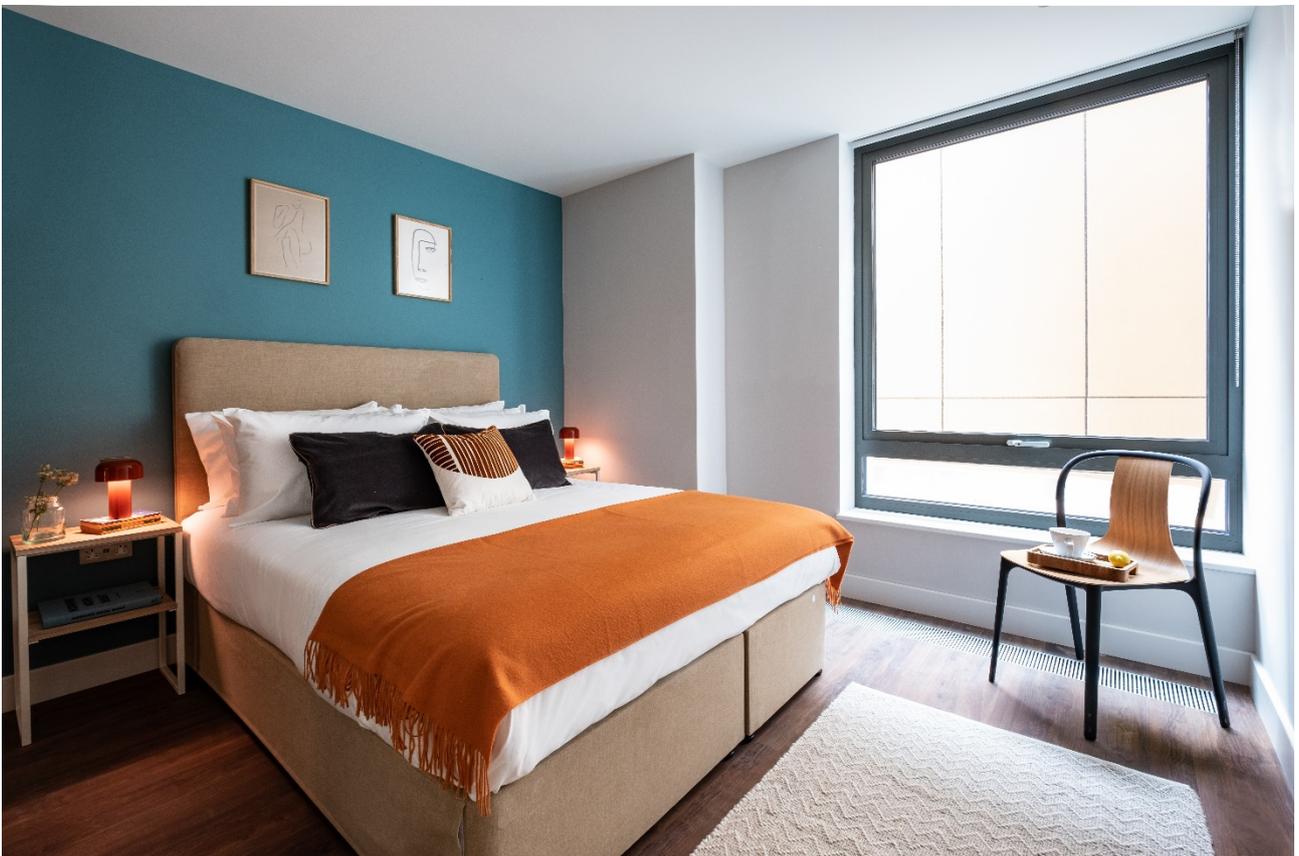
One Bed Apartment Living Space



Two Bed Apartment Shower Room



Two Bed Apartment Bedroom



Two Bed Apartment Living Space



Two Bed Apartment Kitchen and Living Space



Project Mandate for Lockfield Drive and Victoria Way pedestrian and cycleway link

Prepared by:	Ray Morgan	Project Name:	Lockfield Drive and Victoria Way pedestrian and cycleway link
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1. What is the project?

The project has three key elements –

1. The widening of the Basingstoke Canal towpath from the Bridge over the canal at Well Lane to the Lockfield Drive Bridge over the Canal;
2. The provision of a pedestrian/cycle bridge over the canal and adjacent to the exiting accessed by a DDA compliant access ramp from the widened canal towpath and down to the pedestrian/cycle path on Victoria Way
3. The conversion of the highway verge adjacent to 1 Forge End (Cap Gemini building) up to the Forge End junction to join with the revised highway layout being constructed and to be constructed as part of both the Victoria Square development and the Housing Infrastructure project widening Victoria Arch

2. What are the objectives of the project?

To support the Council’s sustainable transport objectives of reducing reliance on the motor car and providing enhance pedestrian and cycle access between the residential areas of the Borough and the town centre, bus and railway station.

Upon completion the scheme, taken together with the Victoria Square works and the Housing Infrastructure works, will connect the canal tow path through the Borough (East/West) with the network of pedestrian and cycle improvement already provided through the Hoe Valley, via Woking Park, and enable further improvements in local areas connecting with these key routes.

3. Who will be involved in the project?

This should include the anticipated **Project Manager** and **Project Sponsor** as a minimum.

Person:	Role within project:	SharePoint Access:
Ray Morgan	Initial Sponsor	Yes
Other people to be determined if proposal is supported by Council		Will vary

4. What is the proposed timetable for this project?

What are the proposed start and end dates of the project?

If supported by Council it is proposed to progress the design, provided detailed cost information and seek signoff of the detailed project by the Executive in 2021/22.

Delivery, if approved, would be procured in 2022/23 and delivered in 2023/23 to coincide with the target completion for Victoria Arch replacement by 31 March 2024.

5. Estimate of project cost

Do you have an idea of how much this project will cost to deliver? If so please provide an indication here. The figures used at this stage will not be taken as 100% accurate.

The scale and complexity of the structural issues involved to ensure that the new bridge and the existing road bridge could be separately maintained as required by the highway authority to ensure public safety is significant. Taking into account the experience gained in providing the Chertsey Road canal towpath link bridge by the Lightbox a provision sum of £6m has been assumed.

6. Funding?

Please indicate what funding has been identified: Section 106 monies, revenue budgets, a successful funding bid or grant etc. If funding has not yet been identified clearly state this fact.

The proposal before the Council on 11 February is that the provision of £6m be allowed in the revised funding available to Victoria Square Woking Limited for its development to enable it to pay for the Bridge, by way of financial contribution, if progressed by the Council.

7. Strategic Assessment Score?

Use the Strategic Assessment Spreadsheet to produce a draft priority score for the proposed project.

To be reviewed after Council on 11 February 2021

8. Any other comments?

Are there any other issues/comments you feel should be recorded at this stage?

Surrey County Council as part of its sustainable transport objective initiated the proposal in its bid for funding from EnterpriseM3. The Borough Council supported the initiative and agreed to pay for the bridge link from S.106 or CIL contributions from town centre development. At the time the bridge was provisionally priced at £800,000. but no consideration had been given to the design or technical challenges in achieving it.

Whilst the anticipated developer interest in investing in the town centre has arisen none have yet secured a Planning Consent resulting in the anticipated housing they would provide CIL and other contributions are unlikely to arise in the short term to help pay for this and other infrastructure.

9. Has the mandate been agreed with the Sponsor?

Yes – for the purpose of reporting to Council as part of the Victoria Square Update

Project Mandate for Woking Town Centre Way Finding

Prepared by:	Ray Morgan	Project Name:	Woking Town Centre Way Finding
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1. What is the project?

The project is to ensure that signage in and around the Woking town centre, both pedestrian and vehicular, is updated to take account of changed location and direction caused by the Victoria Square development and Victoria Arch widening.

2. What are the objectives of the project?

To support residents and visitor arriving in and moving around Woking town centre.

3. Who will be involved in the project?

This should include the anticipated **Project Manager** and **Project Sponsor** as a minimum.

Person:	Role within project:	SharePoint Access:
Ray Morgan	Initial Sponsor	Yes
Other people to be determined if proposal is supported by Council		Will vary

4. What is the proposed timetable for this project?

What are the proposed start and end dates of the project?

The project needs to be implemented during 2020/21 to coincide with the Victoria Place.

5. Estimate of project cost

Do you have an idea of how much this project will cost to deliver? If so please provide an indication here. The figures used at this stage will not be taken as 100% accurate.

The detailed design of the locations for and the signage, both of changes to building and directions, is yet to be undertaken but based on experience of other major town centre redevelopments a provision of £1m is proposed.

Approval to implement the scheme will be sought from the Executive after consultation with the Victoria Square Oversight Panel.

6. Funding?

Please indicate what funding has been identified: Section 106 monies, revenue budgets, a successful funding bid or grant etc. If funding has not yet been identified clearly state this fact.

The proposal before the Council on 11 February is that the provision of £1m be allowed in the revised funding available to Victoria Square Woking Limited for its development to enable it to pay for the town centre way finding, by way of financial contribution, if progressed by the Council.

7. Strategic Assessment Score?

Use the Strategic Assessment Spreadsheet to produce a draft priority score for the proposed project.

To be reviewed after Council on 11 February 2021

8. Any other comments?

Are there any other issues/comments you feel should be recorded at this stage?

None

9. Has the mandate been agreed with the Sponsor?

Yes – for the purpose of reporting to Council as part of the Victoria Square Update

Copy of briefing note to Oversight Panel and Private Member Briefing.

NB Excludes commercially sensitive data that was included in the original note.

Victoria Square Members Briefing 21 January 2021

Note from

Ray Morgan, Chief Executive

Leigh Clarke Director of Finance

Total Project Costs

The total project cost is some £700m as outlined in the W H Stephens forecast out-turn cost report. The W H Stephens January 2021 report, which updates the May 2020 report, previously reported to Council, shows a forecast out-turn increase from £673m to £698m. A copy of the W H Stephens confidential report has previously been supplied to all Members and will be redistributed in support of this report..

The forecast out-turn includes a number of variance and provision which were not included in the May 2020 report. Of the increase, £11.8m is attributed to Council related costs that it is now proposed the company should meet given the financial pressures facing the Council. A copy of the briefing note submitted to the Oversight Panel is attached for information, its shows the cost movement of £25m from May 2020 and explains the £11.8m.

Two major items totalling £7m are included in the £11.8m; one relates to town centre signage the other to pedestrian cycle facilities. Both of these items will be subject to separate consideration and approval by the Council Executive during 2021/22 but are included here so that provision is made to enable the items to be progressed. If the project does not bear these costs, the Council will not be in a financial position to progress them. These are outlined below:-

Town Centre Signage

The £1m provision for town centre signage is subject to future detailed consideration by the Oversight Panel and approval by the Executive.

Lockfield Drive Pedestrian/Cycle Bridge

The £6m provision for the pedestrian/cycle bridge across the canal at Lockfield Drive bridge will join the canal towpath with a new footway/cycleway to the west of Victoria Way linking with the new Victoria Arch.

Summary of Financial Implications

As outlined in the W H Stephens Forecast Out-turn report and the Financial Model. The project has been impacted by:

- Increased costs of construction.
- Longer construction period with associated costs and delay in income.
- Lower forecast rental income (at least at the start) due to uncertain economic environment on completion.

Mitigated by:

- A lower PWLB interest rate now achievable.

Financial Modelling

Modelling the revised costs and more conservative assumptions shows:

- Higher peak debt (dependent on the timing of the sale of the car parks to the Council).
- Additional years to achieve operational profit (where income covers operational and financing costs).
- Additional years to achieve break even position for sale of the asset.
- However, after 50 years, it is projected that Council will own the asset worth more than the outstanding debt.
- Sensitivity analysis prior to commencing the project showed that debt may not have been fully repaid by the end of the model. The 2017 model forecast it would be 2031 before annual income covered costs.
- The variances have been more significant than envisaged, however income is forecast to reduce outstanding debt only a few years later.
- The Council can continue with the project based on the revised budgets.

Investment Programme

- A number of Council projects have been temporarily suspended from the Investment Programme until the Council's medium term financial position (post pandemic) is more secure.
- Until the future is clearer, it is not possible for the Council to commit to additional town centre works.
- The Victoria Square project incorporating some of these costs would enable the continued investment in the town.

Request to Council

The Council will be requested to authorise the total project cost, based on the forecast out-turn of £700m and a full Loan Facility of £700m.

**Copy of Report to
Victoria Square Oversight Panel 18 January 2021
Briefing Note on W H Stephens Cost Plan Update**

W H Stephens has updated its May cost plan; the latest version has been circulated with this note. The attached appendix highlights the changes since the May report.

This note seeks to bring out the notable changes for discussion.

The continuing challenges posed by Covid has put more cost pressures on the project and increased the risk of delay. The project team are doing their utmost to keep Sir Robert McAlpine on course to enable the centre to open in the autumn but contract practical completion is currently indicating December 2021.

Items 1 & 2 of the W H Stephens report sets out the net movement of an additional construction related cost.

Item 3 of the W H Stephens report sets out the net movement of an additional development related cost of £12,187,100. The major issue relates to the need to acquire the Bandstand Mall units from Peacocks at a cost, including taxes, of £7,950,000. This was previously reported in a confidential report to the Executive. The conversion of the former Fantails Nightclub, an area under the control of the Council as part of the Arts & Entertainment area of the Peacocks, was agreed by the company to accommodate the public performances by Italia Conti. This reduced the demand on the number of weeks use in the Rhoda McGaw Theatre. The new venue will be controlled by the Council and provide additional performance space for community groups. There have been additional costs incurred in respect of incorporating Thameswey's services into the development; it is recognised Thameswey would be economically disadvantaged if it had to finance those costs. Finally, and as a direct cost of delay the disturbance costs payable to the Peacocks and the Council for units in Bandstand Mall, Market Walk and Wolsey Walk, so as to enable rent reductions, has increased.

Item 5 of the W H Stephens report sets out the net movement of an additional development related cost of £11,800,000. This relates to costs that may otherwise have fallen on the Council.

Covid has also changed the Council's own financial position and put its revenues at risk. Whereas there were costs, which Victoria Square could reasonably have expected the Council to pay the Chief Executive has advised the Company that it will not be possible for the Council to do so. The cost update therefore includes a range of costs that could, in other circumstances, have been financed by the Council from loan.

The items, shown as item 5 on the W H Stephens summary of changes which it is proposed the company will finance instead of the Council are set out in the table below :-

	£
1 The Wolsey Place Sainsbury interface with the Novum roof incorporated modifying the Sainsbury back office area and improving the roof and making the asset watertight and improving insulation	2,000,000
2 Export House interface, reception, back of house and replacement roof top maintenance equipment	1,300,000
3 Structural maintenance addressed during the refurbishment of Malls	750,000

Victoria Square Update

4	Refurbishment and Replanting Victoria Way Central Reservation from Lockfield Drive to the roundabout with Chertsey Road (but excluding the roundabout)	750,000
5	Provision for consequential changes with Woking Town Centre and its approaches arising from the changes caused by the development of Victoria Square	1,000,000
6	Provision for the Lockfield Drive cycle and pedestrian bridge connecting the improved Victoria Way cycle and footway provision with the canal towpath from the wets of the Borough	6,000,000
	Total	11,800,000

Of the £11.8m the £6m to meet the cost of the new footway/cycle bridge could be avoided. However when considering it in the context of the wider project and the immense benefit it will provide by improving cycle and pedestrian access to the west of the town, and in due course to the south when Victoria Arch is widened it is considered that the bridge should still be pursued. If it is not financed as part of Victoria Square, the proposal will need to be abandoned as the Council cannot afford to directly finance it.

Ray Morgan
Chief Executive
15 January 2021

Victoria Square Financial Model January 2020

A copy of the Financial Model slides are included as a landscape document



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VICTORIA SQUARE Financial Model – Update

January 2020



VICTORIA SQUARE - Financial Model

Background

The Council decided to proceed with the scheme in December 2016 and the construction contract was awarded to Sir Robert McAlpine Ltd. Several significant scheme design changes have taken place and delayed the delivery of the project to October 2021. The Covid19 shut down of the project has further delayed the project.

As part of a separate engagement in May 2016 and November 2017, we developed a financial analysis to assist the Council in analysing and understanding the financial, commercial and economic implications of the proposed Victoria Square development scheme.

In June this year we were asked to carry out a detailed review of the existing financial analysis and build a new financial model with your amended assumptions, reflecting recent changes made to the development scheme ahead of the Executive meeting when the revised timeline and cost model will be presented for further review and approval.

The Team engaged to carryout the financial analysis is the same team originally employed by EY in 2016 and are now working for Hawnby Group.

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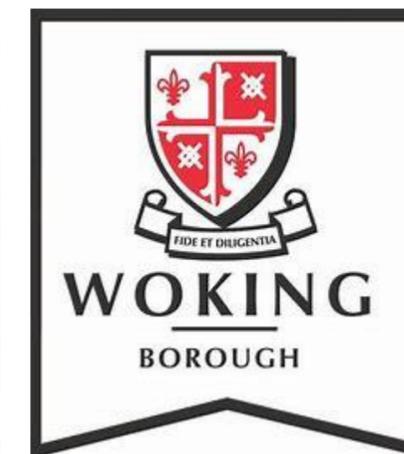


Marc Roberts
Director



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Our role

Activities:

- Analyse the latest data and assumptions for the scheme
- Establish any structural and functionality changes that need to be made to the financial analysis spreadsheets
- Update the financial analysis for the latest data and assumptions
- Develop a summary reconciliation of the cash flow forecast between the previous version of the analysis and the updated analysis, breaking down the impact of the assumption changes
- Update the assumptions log

Work products:

- An updated summary of the financial analysis outputs
- Updated assumptions log
- Summary reconciliation

The Victoria Square development is on track for phased completion by the end of 2021.

The Economic Landscape

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Retail Industry

Disturbances in the Retail industry over 2018-2020 as key players have undergone restructuring and renegotiated leases. This includes the collapse of Toys 'R Us, who were scheduled to be a key tenant of the development.

UK Leaving the EU

The UK's vote to leave the EU has has impacts on the cost of the construction, both in terms of materials and labour.

COVID-19

BREAKING | UK economy shrank by 2.6% in November

The economy contracted as government lockdown restrictions reduced activity, official figures show.

BREXIT



How will the third national lockdown impact residential sales, shops and gyms?



The Economic Landscape

UK Leaving the EU

The UK's vote to leave the EU

2021 Model – Victoria Square:

- ✓ The model makes a working assumption that residential rents are held at 2017 levels and increase by 2.4% per annum
- ✓ Interest rate reduced to reflect achieved and forecast financing costs
- ✓ The GIA for the scheme has increased 47,647sqft to include the former Toys 'R' Us unit
- ✓ WH Stephens January 2021 updated cost plan reflected in the model
- ✓ The model assumes that the freehold of the Band Stand Mall is acquired for £8m
- ✓ Target opening of the scheme delayed until October 2021
- ✓ The model contains updated rental values provided by Victoria Square Woking Ltd ("VSW")
- ✓ The average void period for commercial properties has been increased
- ✓ Operational costs for the Toys 'R' Us space have been updated with new values provided by VSW
- ✓ The model includes increased sensitivity functionality

reduction in economic activity.

How will the second national lockdown impact residential sales, shops and gyms?

The Economic Landscape

UK Leaving the EU

The UK's vote to leave the EU

2021 Model – Victoria Square:

✓ WH Stephens January 2021 updated cost plan reflected in the model

Development Costs
£648.11M

£648.11m + £50.2m = £698.31m



Originally: £514.26M

Construction Cost + Interest = Total Forecast Out-Turn January 2021

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indus

rest

collapse of Toys 'R Us, who were scheduled to be a key tenant of the development.

Economic uncertainty due to pandemic leading to substantial global job losses and a reduction in economic activity.

XIT

16d 5h 57m 23s

How will the second national lockdown impact residential sales, shops and gyms?



Financing Costs

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Impact of reduction in project rates on total finance costs over 55 year period**		Impact of Financing Reduction	
	Average Project Rate	Percentage Saving	Cost of borrowing
Base Case****	2.44%	-	£859m
Revised project rate 2.44% reducing to 1.75%*** (effective 1 st October 2020)	1.75%	30%	£627.96m (-£231.04m)

*Over a comparable 55 year period

**Illustrative calculation, applied PWLB borrowing only

*** An assumed blended rate over the 55 year term

**** Interest rate applied up to Q4 2020



Victoria Square Development

Woking Borough Council & The Moyallen Group

Model Excludes Wolsey Place

Construction Costs & Peak Debt

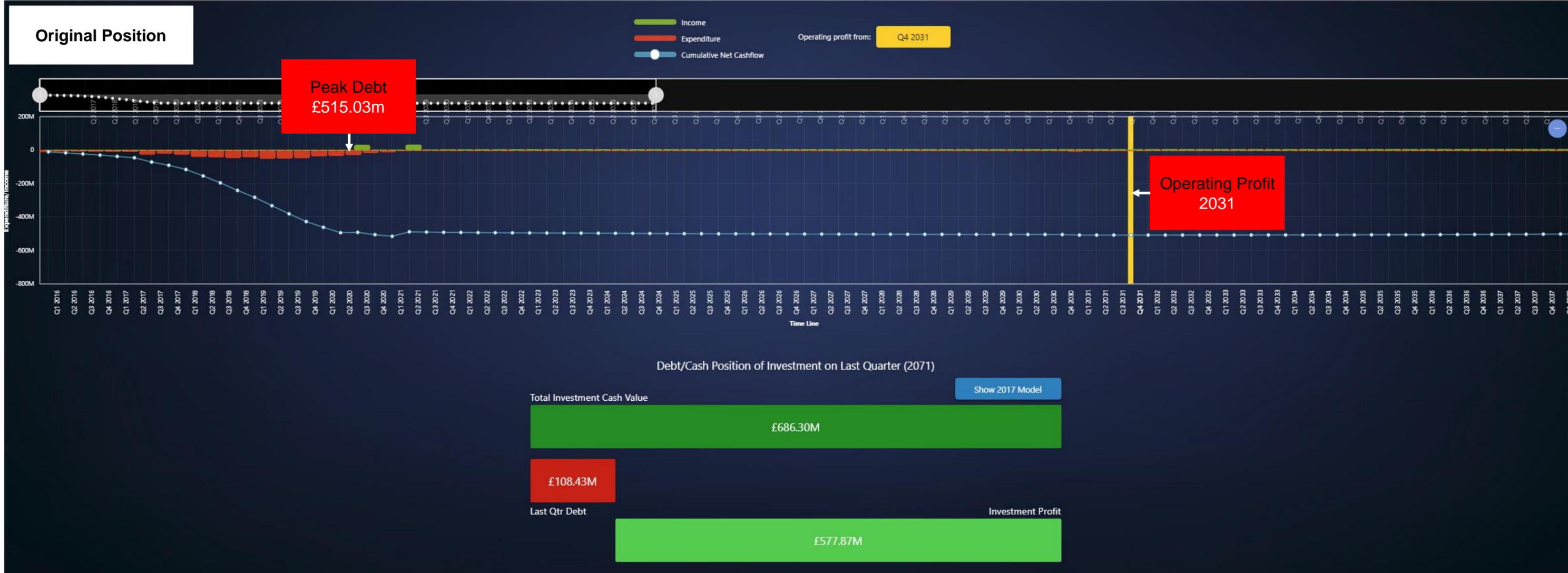
Updated Forecast

Project Completion
30/09/2021

Originally: 31/03/2021

Development Costs
£648.11M

Originally: £514.26M



Construction Costs & Peak Debt

Updated Forecast

Project Completion
30/09/2021

Originally: 31/03/2021

Development Costs
£648.11M

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Originally: £514.26M



Debt/Cash Position of Investment on Last Quarter (2021)



Construction Costs & Peak Debt

Updated Forecast

Project Completion

30/09/2021



Originally: 31/03/2021

Development Costs

£648.11M

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Originally: £514.26M



Construction Costs & Peak Debt

Updated Forecast

Project Completion
30/09/2021

Originally: 31/03/2021

Development Costs
£648.11M

Page 52
Originally: £514.26M



Key impacts on Project Costs

Over the 55 Year Period

Programme Delay & Other

Anticipated increase in costs due to tenant enhancements, procurement, additional provisions and other budget pressures. This also includes an increase in finance costs due to the additional borrowing required.

Estimated cost c.£108m*

COVID-19

Estimate of increase in costs relating to the impact of the COVID-19 pandemic, including additional costs due to slower construction activity, additional financing costs and other costs.

Estimated cost c.£194m*

Band Stand Mall & WBC Assets

Additional costs relating to:

- Acquisition of Bandstand Mall units from Peacocks (+£8m)
- New footway/cycle bridge (+£6m)
- New Town Centre signage (+£1m)
- WBC/Thameswey additional development related costs (+£10m)

Estimated cost c.£75m*

UK Leaving the EU

A conservative estimate relating to increased labour costs as a result of Britain's vote to leave the EU.

Estimated cost c.£5m*

*Impact to Net Cash Flow based on comparable 55-year period

*Illustrative split of impact of combined increase

Key impacts on Revenue

Over the 55 Year Period

Construction Delay

Overall construction completion has been delayed until late 2021, which has delayed the opening of some parts of the development by 12 months, and others by 6 months including the Car Park which lead to increased borrowing in the interim.

Estimated cost c.£44m*

Residential Rental Income

Expected residential rental values for 2021 are lower than was forecast during the initial stages of the development due to economic impact of COVID-19

Estimated cost c.£44m*

Commercial Lease Update

Commercial lease expectations have been updated as leases have been renegotiated due to construction delay, COVID-19 and the replacement of some expected tenants e.g. Toys 'R' Us.

Estimated cost c.£85m*

PWLB Reduced Borrowing Rate

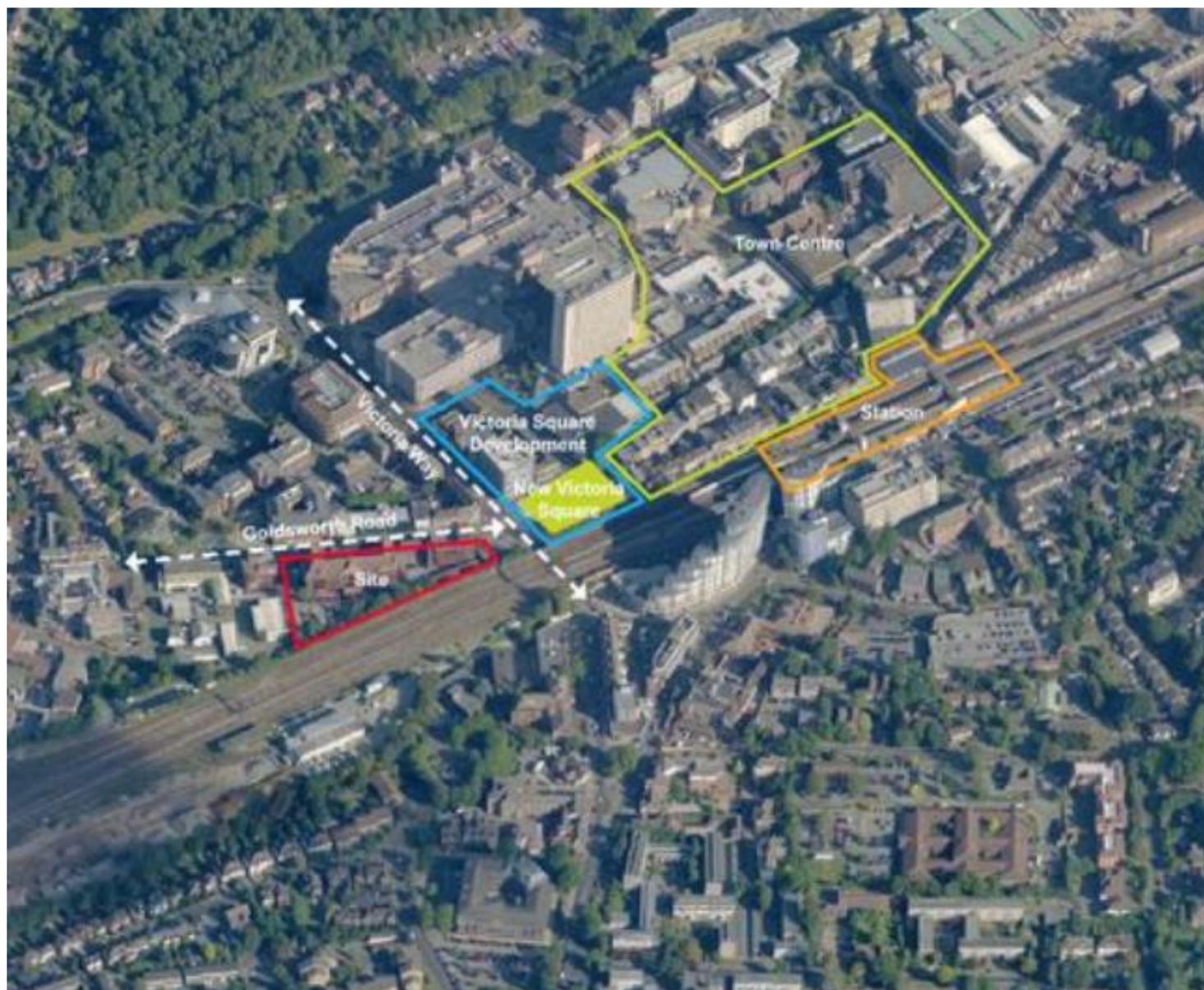
A 0.75% reduction in the annual borrowing rate assumed following the 1% change in the PWLB lending rate effective from 1st October 2020.

Estimated cost saving c.£253m*

***Impact to Net Cash Flow based on comparable 55-year period**

***Illustrative split of impact of combined increase**

Key messages

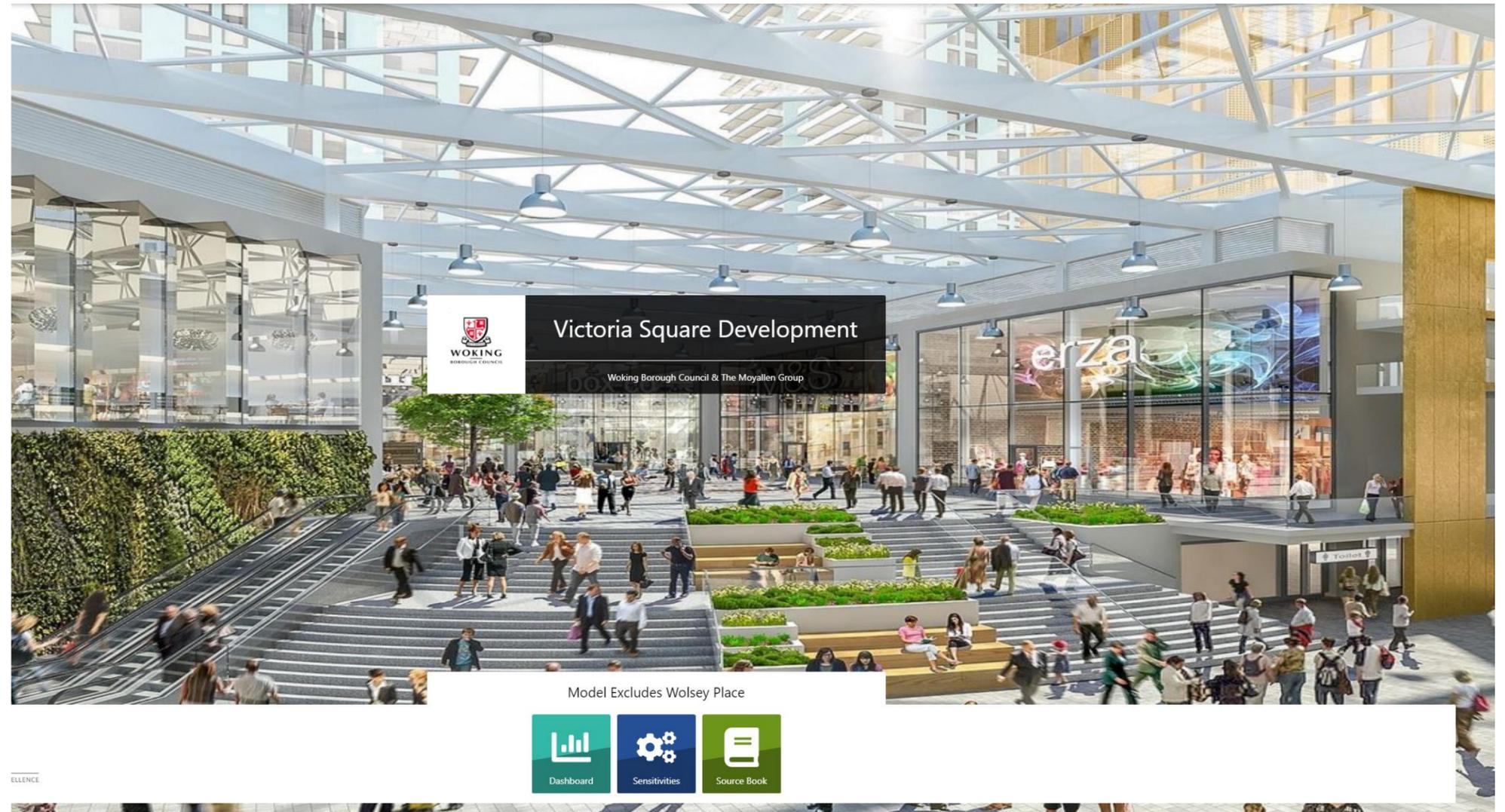


- Victoria Square is a longterm regeneration project and as the Financial Model demonstrates is being delivered at no cost to the Council Tax Payer
- Despite Peak Debt increasing and the Break Even date being pushed out, the longterm Financial Model demonstrates the Victoria Square development remains viable
- The regeneration project brings together 2 retail centres and supports diversification of the retail space
- The Hilton Hotel conference facilities replace the HG Wells venue and reduces the Council's running costs
- 429 residential homes are being delivered to meet the pressing need for local housing
- The all new Victoria Square retail, residential development and hotel plays an integral role in Woking's transformation and future
- Revenue split by property type:
 - Residential 63%
 - Hotel 22%
 - Retail 15%

Project review process

- Victoria Square Members Briefing 21st January
- Consideration at Finance Task Group 28th January
- Update reported to Council 11th February

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COUNCIL – 11 FEBRUARY 2021

REDESIGNATION OF WEST BYFLEET NEIGHBOURHOOD PLAN

Executive Summary

The existing West Byfleet Neighbourhood Forum was designated in March 2014. The Neighbourhood Plan for the Neighbourhood Area was adopted in December 2017, and is now part of the Development Plan for the area.

Section 61F(8) of the Town and Country Planning Act 1990 advises on the life span of a Neighbourhood Forum. It emphasises that a Neighbourhood Forum ceases to have effect at the end of the period of 5 years beginning with the day on which it is made. Given that the existing West Byfleet Neighbourhood Forum is now nearly 7 years old, it ceases to have effect in representing the community in preparing, reviewing or monitoring the delivery of the West Byfleet Neighbourhood Plan. It has no statutory status as a consultee on planning applications for development within the Neighbourhood Area. In order to continue its work, the existing West Byfleet Neighbourhood Forum has submitted a formal application to the Council to re-designate the Neighbourhood Forum for a further period of 5 years in accordance with the Planning Act and the Neighbourhood Planning (General) Regulations (2012) (as amended). The application includes a copy of the written constitution, objectives of the Forum, a Map of the Neighbourhood Area to which the Forum seeks to plan and the contact details of the relevant members of the Forum. The application can be accessed at:

<https://www.woking2027.info/neighbourhoodplanning/westbyfleetneighbourhoodplan>. A copy is in Appendix 1.

The procedure for re-designating a Forum is the same as designating a new Forum. It is important to highlight that there is no time limit for the existence of a Neighbourhood Area, and the application does not seek to alter any part of the existing Neighbourhood Area. In this regard, the Neighbourhood Area is not a subject for consideration. The application was widely publicised and consulted on. In particular, the application was published on the Council's website for a period of eight weeks between 12 November 2020 and 7 January 2021 to bring it to the attention of people who live, work or do business in the area. There were public notice and Press Release in local newspapers about the application. Direct letters were sent to every household and business premises within the proposed Neighbourhood Area.

Officers have provided advice on procedure and commented on initial draft of the application. The assistance that is provided is all within the scope of what the Council should do to help local communities to prepare a Neighbourhood Plan.

A total of **21** individuals and 2 organisations submitted representations by the end of the consultation period. An analysis of the representations is set out in paragraph 1.4.

An assessment of how the application meet the requirements of Government legislation is set out in Section 2.

Reasons for Decision

To enable the existing West Byfleet Neighbourhood Forum to continue its work in supporting any potential future review of the West Byfleet Neighbourhood Plan and the delivery of its requirements.

Recommendations

The Council is requested to:

RESOLVE That

- (i) pursuant to Section 61F(5) of the Town and Country Planning Act 1990 (as amended) the Council approves the re-designation of the West Byfleet Neighbourhood Forum for a further period of 5 years for the purposes of supporting the future review of the West Byfleet Neighbourhood Plan and to ensure the effective delivery of its requirements; and
- (ii) the effective date for the re-designation of the West Byfleet Neighbourhood Forum should be the date of the Council's decision on the application, in this regard, 11 February 2021.

The Council has the authority to determine the recommendations set out above.

Background Papers:

- The Neighbourhood Planning (General) Regulations 2012 (as amended).
- The Town and Country Planning Act 1990 (as amended).

Reporting Person: Douglas Spinks, Deputy Chief Executive
Ext. 3440, E-Mail: Douglas.spinks@woking.gov.uk

Contact Person: Ernest Amoako, Planning Policy Manager
Ext. 3427, E-Mail: Ernest.Amoako@woking.gov.uk

Portfolio Holder: Councillor G Elson
E-Mail: cllrgary.elson@woking.gov.uk

Shadow Portfolio Holder: Councillor G Chrystie
E-Mail: cllgraham.chrystie@woking.gov.uk

Date Published: 5 February 2021

Redesignation of West Byfleet Neighbourhood Plan

1.0 Introduction

- 1.1 Section 61F(8) of the Town and Country Planning Act 1990 (Act) sets the time limit for the life of a Neighbourhood Forum. It advises that a Neighbourhood Forum ceases to have effect at the end of the period of 5 years beginning with the day on which it is made. The existing West Byfleet Neighbourhood Forum was designated in March 2014. It is over 5 years old and ceased to have effect from March 2019. The existing Neighbourhood Forum has submitted an application to re-designate the Neighbourhood Forum for a further period of 5 years. This is in line with the requirements of the Planning Act. The Council has a duty to consider the application in the same manner as it would have done for a new application. Similarly, the application has to satisfy the tests set out in Section 61F(5) of the Town and Country Planning Act 1990 to be approved.
- 1.2 The Act prescribes the list of requirements against which the application should be determined. The application has to be published for at least 6 weeks to give local residents the opportunity to comment on it. The Forum should comprise at least 21 members who live and or work or do business in the Neighbourhood Area. The Forum should be inclusive and representative of the general characteristics of the community. The Forum should have a name, contact details of its leaders and a constitution.
- 1.3 The application was published for eight weeks consultation between 12 November 2020 and 7 January 2021. It was widely publicised as set out in the Executive Summary. The length of time during which the application was publicised and the means of publicising it were all in line with the requirements of the Act and the Council's Statement of Community Involvement. Due to the COVID 19 pandemic and associated restrictions on social distancing, the application was published for a period of eight weeks instead of the usual six weeks.
- 1.4 A total of 21 individuals and 2 organisations submitted representations by the end of the consultation period. All of them were expressively supportive of the application to designate the Neighbourhood Forum. In addition, Natural England and Highways England submitted representations saying that they had no comment to make on the redesignation application, but drawing attention to various matters which would be relevant to future neighbourhood plan preparation. Historic England made a similar comment, although this was submitted the day after the close of the consultation. As can be seen from this analysis, there has been an overwhelming support for the application. Copies of the representations can be inspected by an arrangement with the Planning Policy Team.
- 1.5 It is stressed that there is already a designated West Byfleet Neighbourhood Area and an adopted Neighbourhood Plan for the area. The application is neither seeking to alter the Neighbourhood Area or to review the Neighbourhood Plan.

2.0 Assessments of the application against the requirements of the Neighbourhood Planning (General) Regulations 2012 (as amended) and the Localism Act 2011.

- 2.1 The Town and Country Planning Act 1990 (as amended) sets out a list of requirements against which an application for the designation of a Neighbourhood Forum should be determined. A local authority may designate a body as a Neighbourhood Forum if it is satisfied that it meets the following conditions:
 - it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the Neighbourhood Area concerned;
 - its membership is open to:
 - individuals who live in the neighbourhood area concerned;

Redesignation of West Byfleet Neighbourhood Plan

- individuals who work there (whether for businesses carried on there or otherwise) and
 - individuals who are elected members of the district and/or County councils any of whose area falls within the neighbourhood area concerned;
 - its membership includes a minimum of 21 individuals each of whom:
 - lives in the neighbourhood area concerned;
 - work there;
 - is an elected member of the district or county any of whose area falls within the neighbourhood area concerned;
 - it has a written constitution;
 - such other conditions as may be prescribed.
- 2.2 The Council should also have regard to whether the membership of the Forum is drawn from different places in the Neighbourhood Area concerned and its purpose reflects the general character of the area when determining an application to designate a Neighbourhood Forum.
- 2.3 Officers are satisfied that the West Byfleet Neighbourhood Forum re-designation application submitted by the existing West Byfleet Neighbourhood Forum broadly covers the above requirements. How it seeks to do so is addressed below.
- 2.4 **Appendix 1** of the report contains the constitution of the proposed West Byfleet Neighbourhood Forum. Section 2 of the constitution sets out the objectives of the Forum. It explicitly seeks to promote the social, economic and environmental well-being of residents of the Neighbourhood Area. It also seeks to foster community spirit and encourage civic pride. There is no reason to doubt this intent given the track record of the Forum regarding its activities to date.
- 2.5 The proposed Neighbourhood Forum comprises over 21 members who live and or work in the designated Neighbourhood Area. There are over 21 members of the Forum. The membership of the Forum include local Ward councillors and County Divisional Councillors. The formation of the Forum had been opened on a voluntary basis to anyone who lives or works in the area and wished to join. Membership of the Forum is also drawn from different segments in the Neighbourhood Area. Based on the information provided, there is a reasonable spread of membership across the Neighbourhood Area. Given the composition and character of the proposed Neighbourhood Forum, Officers are satisfied that the application satisfies the requirements of the Act and the Regulations.
- 2.6 The application includes a constitution for the Neighbourhood Forum, which covers the following:
- Objectives of the Forum
 - Membership
 - Management Committee
 - Meetings
 - Finance
 - Officers

Redesignation of West Byfleet Neighbourhood Plan

- How alterations to the Constitution will be carried out; and
- How the Forum may be dissolved.

- 2.7 The Constitution provides a clear objective to improve the well-being of the people in the area. It covers how the Forum will manage its activities and provides a useful basis for holding it to account.
- 2.8 Officers are not aware of any other prescribed conditions that should be taken into account in determining the application.
- 2.9 Based on the above assessment, Officers are satisfied that the requirements of the Act, in particular, of Section 61F(5), and the Regulations have been met by the application. Consequently, the Council is requested to resolve to re-designate the West Byfleet Neighbourhood Forum to take effect from the date of the Council's decision, in this case 11 February 2021 for a further period of 5 years.

5.1 Conclusion

- 5.1 Neighbourhood planning is another layer of plan making being actively promoted by Government through the Localism Act. It is part of the Government's overall agenda to devolve decision making to local communities. The Core Strategy offers an in-principle support to it and Officers have been supporting local communities about how this could be taken forward.
- 5.2 The work of the Neighbourhood Forum is fundamental to the preparation and review of the Neighbourhood Plan. Whilst the West Byfleet Neighbourhood Area already has an adopted Neighbourhood Plan, the Forum could continue to have a vital role for making sure that the Plan continue to be up to date and for ensuring that development proposals in the Neighbourhood Area are determined in accordance with the Neighbourhood Plan. The existing West Byfleet Neighbourhood Forum has submitted an application to re-designate the Neighbourhood Forum in order to be able to legitimately continue its activities in the Neighbourhood Area. Officers are satisfied that the proposed Neighbourhood Forum application meet the requirements of Government legislation and should be approved.

6.0 Implications

Financial

- 6.1 Given that the Neighbourhood Area already has an adopted Neighbourhood Plan and there is no intention to review it, there is no perceived significant financial implications as a result of the re-designation.

Human Resource/Training and Development

- 6.2 There will be on-going staff resources to provide advice to the Neighbourhood Forum. This will be met from existing staff resources and budget.

Community Safety

- 6.3 There are no community safety implications.

Risk Management

- 6.4 The Council has a legal duty to determine applications for the designation of a Neighbourhood Forum. Failure to do so without substantive reasons could open the Council to legal challenge. In particular, a local planning authority must make a decision on an

Redesignation of West Byfleet Neighbourhood Plan

application to designate a Neighbourhood Forum within 13 weeks. This time period is prescribed and as such every effort should be made to consider the application in an expeditious manner within the prescribed deadline. The Forum have no objection to the application being determined at this Council meeting.

Sustainability

6.5 Addressed as part of the sustainability impact assessment.

Equalities

6.6 There are no specific equality impacts associated with the applications.

Safeguarding

6.8 There are no specific safeguarding implications

7.0 Consultations

7.1 The Portfolio Holder for Planning has been consulted.

REPORT ENDS

WEST BYFLEET
NEIGHBOURHOOD FORUM

Shaping the future of West Byfleet

OCTOBER 2020



**APPLICATION FOR THE RE-DESIGNATION
OF THE
WEST BYFLEET NEIGHBOURHOOD FORUM**

Town and Country Planning Act 1990 (as amended), England

The Neighbourhood Planning (General) Regulations 2012 – Statutory Instrument 2012 no. 637

Application is hereby made to Woking Borough Council as the Local Planning Authority for the re-designation of a Neighbourhood Forum in accordance with the above Regulations. The Neighbourhood Area designation does not expire (a map identifying the area approved on 27 March 2014 is included as Plan 1).

Application for designation of a neighbourhood Forum (Regulation 8)

The name of the Neighbourhood Forum (Regulation 8a) is:

‘West Byfleet Neighbourhood Forum’ (WBNF)

The updated constitution of the Neighbourhood Forum (Regulation 8b) is attached at Annex 1 of this application. This Constitution was approved at an Annual General Meeting of the Neighbourhood Forum on 16 October 2019.

The name of the Neighbourhood Area to which this application relates is **‘West Byfleet Neighbourhood Area’** and the map which identifies the area is attached as Plan 1 of this application (Regulation 8c).

Contact details of the proposed Neighbourhood Forum are (Regulation 8d):

Wade Pollard – Chairman

Email: wade.pollard@btinternet.com Telephone: 01932 353432

Address: Ardeen Cottage, Highfield Road, West Byfleet, Surrey KT14 6QX

Statement explaining how the proposed Neighbourhood Forum meets the conditions contained in section 61F(5) of the 1990 Act (Regulation 8e)

- (a) The constitution of the proposed Neighbourhood Forum (see Annex 1) has the express purpose of promoting or improving the social, economic and environmental well-being of the proposed Neighbourhood Area (Section 61F(5)a);
- (b) Membership is open to (Section 61(5)b):
 - (i) Individuals who live in the proposed Neighbourhood Area,
 - (ii) Local businesses and individuals who carry out business or work there and
 - (iii) Individuals who are elected members of the Woking Borough Council or of the Surrey County Council and whose area includes the Neighbourhood Area concerned...

...who have an interest in assisting the Forum to achieve its aims and are willing to adhere to the rules of the Forum.

Associate membership (non-voting) is open to individuals who have a connection to the Neighbourhood Area but are not covered by categories (b) i – iii above.

- (c) Membership currently includes 307 individuals each of whom meets at least one of the above criteria (Section 61F(5)b): There are currently 12 Associate members.

Detailed information concerning the composition of the four segments into which the Neighbourhood Area is divided and distribution of members among them is attached at Annex 2 in this application.

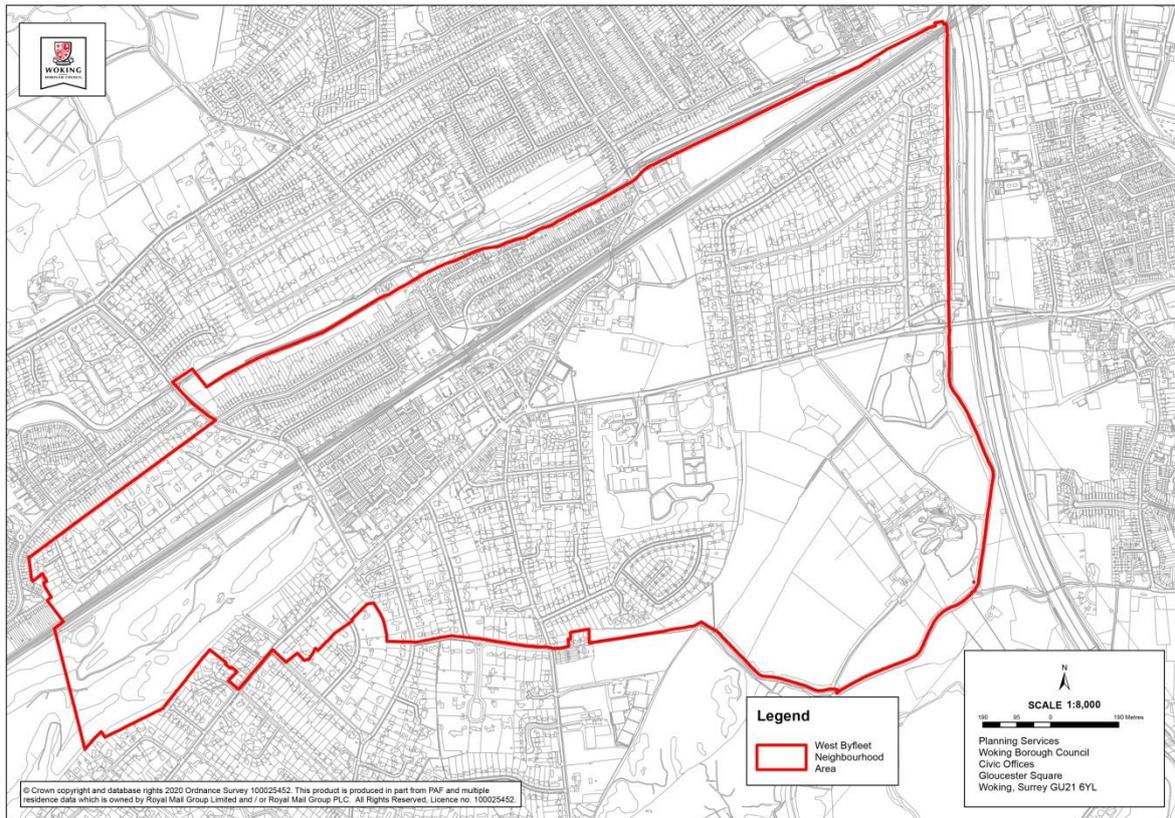
(d) It has a written constitution (Section 61F(5)d), and

(e) There are no other conditions that have been prescribed (Section 61F(5)E).

Further, the Forum has a membership that meets the 'Desired' criteria of Section 61F(7) of the Act, namely:

- (i) Has secured membership that includes more than one individual falling within each of the subparagraphs (i) to (iii) of subsection (5)b, Addendum to application for recognition of a Neighbourhood Forum;
- (ii) Has membership drawn from different places in the Neighbourhood Area proposed and from different sections of the community in that area; and
- (iii) Whose purpose reflects (in general terms) the character of that area.

Plan 1: The West Byfleet Neighbourhood Area



ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

1 The West Byfleet Neighbourhood Forum

The West Byfleet Neighbourhood Forum ("**WBNF**") is a neighbourhood forum as defined in the Town & Country Planning Act 1990 as amended by the Localism Act 2011 ("**the Act**").

WBNF was established on 27th March 2014 to develop a Neighbourhood Plan for the Area (as defined below and in the Appendix) under the powers of the Act.

The WBNF Plan (the "Plan") was adopted by Woking Borough Council ("WBC") on 7th December 2017. As from that date the Plan is part of the Development Plan for the purpose of managing development in the Area. Policies contained in the Plan will be used in determining planning applications within the Area.

The original purpose of WBNF having been fulfilled, this Constitution is designed to determine, define and govern its future role, function and activities.

It is intended that, for as long as it exists, WBNF acts as an independent organisation in close association with the Byfleet, West Byfleet and Pyrford Residents Association (the "Residents' Association"). In the event of the Residents' Association ceasing to exist for whatever reason or becoming dormant then WBNF will continue to operate and function on its own or in conjunction with another appropriate organisation or organisations.

2 The West Byfleet Neighbourhood Forum Area ("the Area")

- 2.1 The Area shall be the area as defined in the Plan and is the area enclosed in red on the map in the Appendix to the Constitution. The Area may be changed by WBNF Committee (as defined below in Clause 4.3 and Clause 4.4) as it considers necessary from time to time subject to final determination on designation by the relevant authorities which will include WBC and the Local Planning Authority (the "LPA").
- 2.2 The Area adjoins two other Neighbourhood Forums, namely those of Pyrford and Byfleet Village.

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

3 Purpose and Objectives

3.1 The purpose of WBNF is to further the social, economic and environmental well-being of the Area by acting for the Area under the provisions of the Act. It will achieve this as follows:

- It will seek to establish and represent the views of residents within the Area;
- It will seek to promote the Area as a vibrant business and residential community;
- It will operate without distinction or discrimination on the grounds of race, gender, disability, sexual orientation or race, or of political, religious, or other beliefs;
- It will actively encourage members to participate in the activities of WBNF for the improvement of the Area;
- It will consider the appropriateness and relevance to the Area of taking advantage of the other rights afforded to neighbourhood forums under the Act and supplementary regulations;
- It will wish to support projects and other activities that are of benefit to the Area; and
- It will aim to support local businesses and wherever possible preserve and protect the "village feel" of the Area.

3.2 WBNF will work to protect and promote the Plan including its vision, objectives, policies and ambitions.

3.3 WBNF will work to protect, preserve and enhance local green spaces and conservation areas designated within the Area.

3.4 WBNF will work to protect and enhance local buildings of interest and areas of note and worth.

3.5 WBNF will monitor development management policy and its application in the Area. WBNF will request that the LPA consult with WBNF on planning applications in the Area to ensure that they are determined in accordance with the Plan. WBNF will also coordinate the views of residents within the Area on Local Development Documents prepared by WBC.

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

- 3.6 In addition to 3.5 above, WBNF through its Committee (as defined below) will, if they consider it appropriate and necessary, enter into direct discussions with developers and/or other parties submitting planning applications that have or will have an impact on the Area to ensure to as great an extent as possible that such parties have a full and clear understanding of the legal status of the Plan, the objectives and policies of the Plan, and the wishes of the residents within the Area.
- 3.7 WBNF will, through its Committee (as defined below), work to maintain and update the Plan as necessary and in accordance with the Act. The Plan will be reviewed as a minimum five years after the date of its adoption by WBC and at five yearly intervals thereafter unless changed circumstances require the Plan to be updated in the interim.
- 3.8 WBNF will engage with the LPA on matters of pre-planning in the Area.
- 3.9 WBC is required to allocate 25% of Community Infrastructure Levy ("CIL") income relating to relevant developments within the Area to be spent on priority projects within the Area. Councillors from both WBC and Surrey County Council ("SCC") (the "Joint Committee") have the legal responsibility to oversee the management of CIL.
- WBNF will work with Ward Members and if appropriate with the LPA to identify priority community projects (including but not limited to those detailed within the Plan) and to determine and agree how such monies will be allocated and invested for the benefit of the Area.
- 3.10 WBNF will engage with the Joint Committee to determine infrastructure project priorities within the Area. This includes road infrastructure, safety and maintenance, and library services.
- 3.11 WBNF may initiate Neighbourhood Development Orders or Community Right to Build Orders, identify Assets of Community Value, or carry out any other permitted actions.
- 3.12 WBNF membership will be open to residents living in the Area (see Clause 4 below). WBNF will aim for as wide a representation of communities in the Area as possible.
- 3.13 WBNF will act in accordance with General Policies and Principles set out in Clause 5 below.

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

4 Membership and Organisation

Membership

4.1 Membership of WBNF is open to:

- (i) Residents living in the Area;
- (ii) Proprietors of local businesses and employees who work in the Area;
- (iii) Ward Councillors from the Borough of Woking representing any part of the Area; and
- (iv) Surrey County Councillors representing any part of the Area.

4.2 Associate membership (Non-Voting) of WBNF is open to individuals who feel a strong connection (to be determined by the Committee as defined below) with West Byfleet but who do not live in the Area.

4.3 Affiliate membership (Non-Voting) is open to:

- Representative resident associations, friends' groups and amenity societies and associations, (collectively described herein as "**Organisations**").

This list will be updated as and when necessary.

WBNF Committee

4.4 A committee (the "Committee") comprising up to 14 members (as defined in Clause 4.1 above, but excluding 4.1(iii) and 4.1(iv)), will be elected at each Annual General Meeting ("AGM") to carry out the day-to-day work of WBNF. No fewer than 7 of those 14 members should be residents living in the Area. The quorum for Committee meetings will be 7 members of whom no fewer than 4 should be residents living in the Area.

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

- 4.5 In addition to Clause 4.4 above the Residents' Association may nominate an additional Committee member should they choose to do so.
- 4.6 The maximum number comprising the Committee will be 15 members.
- 4.7 The Committee will elect the following officers of WBNF from its number: Chairperson, Vice Chairperson, Secretary and Treasurer. Officers will serve for one year and be subject to re-election at the AGM, and there will be a 5 year limit on the number of terms the Chairperson may serve continuously.

In the event of officer vacancies arising before the next AGM the Committee may appoint temporary officers until the next AGM.

The Chairperson (or the Vice Chairperson when acting as Chairperson) will have a casting vote at any Committee or General Meeting (as defined below).

- 4.8 The Committee will direct and oversee the work of the WBNF and will meet at least quarterly for this purpose.
- 4.9 Subcommittees or working parties may be appointed by the Committee to carry out specific tasks, to consider policies and to advise the Committee. Such bodies may be appointed from within or outside the membership of WBNF but will be responsible to the Committee.
- 4.10 The Committee may co-opt up to three additional members to the Committee in any year. Co-opted members will have the same voting rights as other Committee members. A co-opted member may be elected as an officer.
- 4.11 The Committee may engage and instruct professional and business advisers to assist in the furtherance of the objectives of WBNF and to research projects selected by WBNF from time to time.
- 4.12 Councillors representing the West Byfleet Ward in both WBC and SCC will, when appropriate at the discretion of the Committee, be invited to Committee meetings but will have no vote. The Committee retains the right to change this clause at a later date.
- 4.13 The Secretary will make minutes of General and Committee meetings available to the members of WBNF within three weeks of the meeting unless impracticable. Such

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

minutes should then be uploaded onto the WBNF website within two weeks of approval unless impracticable. Organisations which are affiliated to WBNF will be encouraged to communicate such information to their membership.

Meetings

- 4.14 Annual General Meetings will normally be held in September/October or as close to such date as practicable. An Extraordinary General Meeting may be called by decision of the Committee or by 30 members of the WBNF applying to the Secretary. For all General Meetings (that is Annual General Meetings and/or Extraordinary General Meetings) any resolutions to be put to it will be sent to all WBNF members at least 21 days prior to the meeting.
- 4.15 At any General Meeting each member present will have one vote. Where practicable, arrangements will be made to enable members unable to attend to appoint a proxy. Decisions of General Meetings will be by simple majority except in the cases set out in Clause 6 below. The quorum for a General Meeting shall be 21 members with the right to vote.

Notices

- 4.16 Notices to members will be deemed delivered if sent to the member's last notified email address.

Where no email address is available then display on local notice boards, in the local library and/or on WBNF website 21 days prior to the meeting will be deemed sufficient and legal notice.

Finance

- 4.17 WBNF will have the power to raise funds as necessary for its activities, by grant, donation or any other appropriate means. All funds so raised will be utilised in pursuing the objectives described in Clause 3 above and the General Policies and Principles in Clause 5 below.
- 4.18 WBNF may apply annually to the Residents' Association for a grant to cover basic operating costs. Any such annual grant will be paid quarterly commencing 1st April. Basic operating costs will include inter alia room hire, printing, promotion of WBNF and insurance etc. but will exclude costs of campaigning unless previously discussed and

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

agreed with the Residents' Association. Any grant funds not spent in the year to which they relate will be returned to the Residents' Association unless otherwise agreed.

- 4.19 WBNF will maintain one or more bank accounts as necessary in the name of WBNF. All funds received by or raised for the WBNF will be held in such accounts. The Committee will nominate bank signatories.
- 4.20 The Committee will where necessary insure any assets it holds, and by insurance or otherwise indemnify its officers against liabilities arising from their work for WBNF, apart from fraud or wilful neglect.
- 4.21 Subject to funding, the Committee may commission advisory services, surveys or any other activity in support of the Objectives described in Clause 3 above and the General Policies and Principles in Clause 5 below.

Register of Committee Members' Interests

- 4.22 The Secretary will keep a Register of Committee Members' Interests detailing any financial interests in the Area or any other interest which could be deemed to have an influence on decisions likely to come before the Committee. Committee Members have a duty to declare such interests and conflicts and will abstain from voting on any matter in which they have a financial interest.

Accounts

- 4.23 It will be the responsibility of the Chairperson and the Treasurer to ensure that proper books of account are kept.
- 4.24 The Treasurer will place before the Annual General Meeting for approval a Statement of Financial Affairs ("SoFA") in respect of WBNF covering the relevant period.

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

- 4.25 The SoFA will be prepared in accordance with generally accepted accounting principles and will detail funds received from the Residents' Association and how such funds have been utilised.

5 General Policies and Principles

- 5.1 WBNF will take the distinctive character and heritage of the Area into consideration in all its actions, and will aim to ensure that all development within the Area preserves or enhances this character. In addition to Clause 3.1 WBNF will:

- Strive to maintain a balance between the residential, business and environmental interests of the Area, including the best use of local green space;
- Aim for improvements in the local environment and infrastructure including those directed towards carbon reduction. WBNF will engage with SCC and WBC to determine infrastructure project priorities within the Area ;
- Generally support actions aimed at generating employment in the Area and the wider community;
- Promote policies to maximise social benefit, community links, services for young people, crime reduction and support for elderly and vulnerable members of the community;
- Encourage all interested residents and all representative groupings of residents or businesses in the Area to become members of WBNF and to work alongside WBNF to further their joint objectives;
- Endeavour to monitor development in areas immediately adjoining the Area and to co-operate with forums and/or authorised bodies in adjoining areas with the intent of ensuring that the objectives of this Constitution are met; and
- Consult with adjoining neighbourhood forums and wards where any proposed development in the Area directly affects other communities.

6 Amendments and Dissolution

- 6.1 Amendments to the body of this Constitution will be by decision of an Extraordinary General Meeting carried out in accordance with Clause 4.14 and 4.15 above, with the

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

exception that such a vote will only be carried if supported by 75% or more of those voting either in person or by proxy.

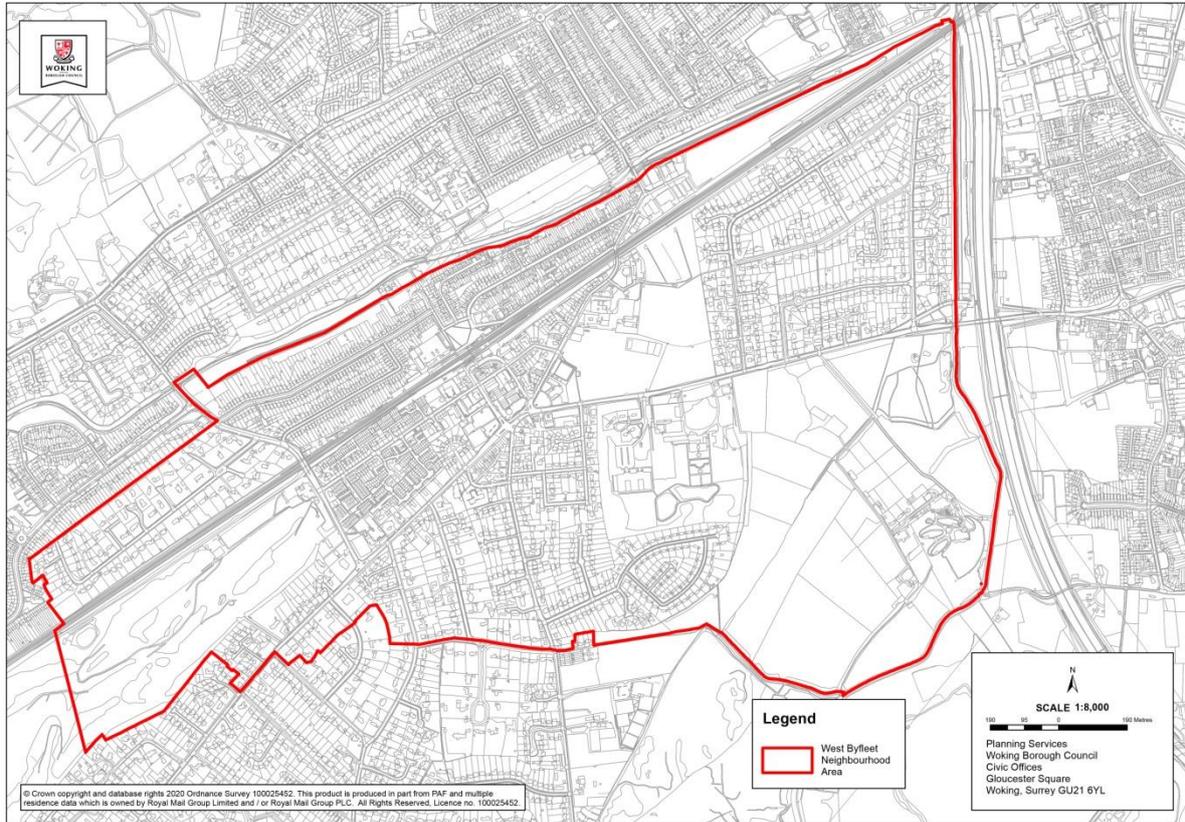
- 6.2 WBNF may be dissolved by decision of an Extraordinary General Meeting specifically called for that purpose and carried out in accordance with Clause 4.14 and 4.15 above, with the exception that such a vote will only be carried if supported by 75% or more of those voting in person or by proxy.
- 6.3 In the event of dissolution, any property or funds held by WBNF will be:
- Subject to the agreement of the members (as defined in Clause 4.1) at an Extraordinary General Meeting, allocated to one or more nominated organisations set up to continue the work of WBNF, or
 - In the absence of any such organisation/s and subject to any statutory regulations, distributed equally to the constituent local organisations who are its members (but not to individual members) for the sole benefit of residents in the Area, after any balance of any current year funding provided by the Residents' Association has been repaid.
- 6.4 The Committee will undertake a formal review of the role, functions, and achievements of WBNF from time to time to ensure that the activities of the Committee acting on behalf of WBNF remain aligned with the interests and views of its members and other residents within the Area. Following such review and consultation with the community, the Committee will decide to recommend that WBNF continue, amend or dissolve itself as considered appropriate.

Any subsequent General Meeting will be in accordance with Clause 6.1 and Clause 6.2 above.

ANNEX 1 - The West Byfleet Neighbourhood Forum Constitution

October 2019

Appendix to Constitution – West Byfleet Neighbourhood Area



ANNEX 2 – Membership Distribution

Analysis of WBNF Members by Area Sectors* – October 2020

	East	Central	West	Green	South	Total
Ordinary	79	74	17	18	127	306
Business	-	15	-	1	1	17
Associate						12
					Total membership	335

*The area sectors are illustrated below on a graphic taken from the West Byfleet Neighbourhood Plan Consultation Statement

Age unknown	18 – 30	31 - 40	41 - 60	60 +
46	35	27	99	128
Female	Male	Unknown		
152	144	39		

Councillors

Since May 2016 West Byfleet has been part of two wards. Our five Councillors are very active supporters of the WBNF attending our regular meetings. One Councillor is also a Surrey County Councillor while another Councillor is Chairman of the West Byfleet Business Association. Members of the WBNF committee attend a Councillor-led monthly NCIL meeting.

The Forum Committee

The 14 members of the Forum committee live in all parts of the West Byfleet Neighbourhood Area. One non-voting member lives in Pyrford. At least one of the WBNF committee members attends the monthly Byfleet, West Byfleet and Pyrford Residents' Association [RA] monthly meeting and one member of the RA attends the monthly WBNF meetings. We have held regular annual general meetings; the minutes of these meetings are on our website. On 10th March 2020 an Extraordinary General meeting was held at the West Byfleet Camphill Social Club. The resolution to re-designate the WBNF was proposed and seconded. The resolution was passed by 52 votes in favour to 0 against.

The WBNF committee meets on a regular monthly basis. Minutes are posted onto the website and a hard copy is left in the Community Corner of the Library when it is open.

Website wbnf.org

The WBNF website is managed by a committee member and is regularly updated with local planning news and minutes of meetings and has a question and answer page.

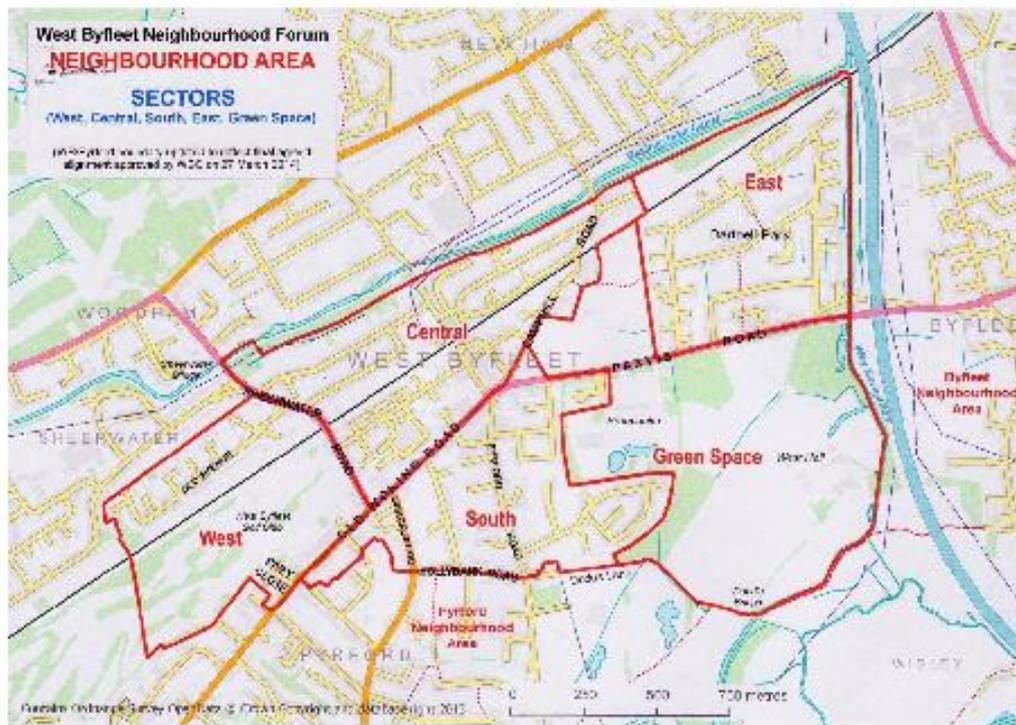
Facebook page

To date there are 1691 members on the Forum's Facebook page. This is increasing by about 15-20 new members a week. The page is managed by the Committee and is used to inform residents of local planning matters and to answer any questions.

Associate members

These members live in Woodham or New Haw which is outside the West Byfleet Neighbourhood Area but use West Byfleet for shopping, the health centre and other facilities.

SCHEDULE 5 - Map of Area Sectors: Membership: Committee: Forum Constitution



Description of Sectors

East Sector	The Basingstoke Canal, Byfleet NF boundary along Wey Navigation, along Parvis Road, then across the playing field to the railway line. Includes the whole of Dartnell Park.
Central Sector	Rive Ditch, Sheerwater Road to junction with Old Woking Road, to Camphill Road. Includes the shopping area, Waitrose, Health Centre, West Byfleet First and Middle schools on Camphill Road, West Byfleet station, roads and closes, and Camphill industrial estate.
West Sector	Sheerwater Road, Old Avenue, across the West Byfleet Golf course, along the Old Woking Road to join with the Sheerwater Road junction. Including part of West Byfleet Golf Course, Old Avenue, Rivey Close and Fairford Close. Note: all the houses in Hurst Way are excluded from West Byfleet NF and are included in Pyrford NF.
Green Space Sector	Edge of Dartnell Park, to railway line, round the back of the School and along the Camphill road. Including the recreation grounds and school playing fields. Across the Parvis Road at Hobbs Close, along the back of Highfield Road, Broadoaks, along Dodds Lane to Dodd Bridge, Wey Navigation back to Parvis Road then connect up with edge of Dartnell Park. Including West Hall, Broadoaks and Tins Wood.
South Sector	The Parish boundary around the back of the houses in Dodds Lane. Down the centre of Hollybank Road, across Oakcroft Road, to Woodlands Road to meet the Old Woking Road at the junction of Coldharbour Road. Including closes off the Pyrford Road, Elmstead Road, Oakcroft Road. Along the Old Woking Road to include St John's Church follow the Parvis Road to Hobbs Close and to include Highfield Road and the Broadoaks Estate and Roads.

ANNEX 3 - Local Organisations and Businesses involved with WBNF

Byfleet, West Byfleet and Pyrford Residents' Association [Attended meetings]	West Byfleet Business Association
West Byfleet Health Centre [GP practice]	Friends of West Byfleet Health Centre [Chairman]
St John the Baptist Church [The Vicar]	Our Lady Help Of Christians Catholic Church [The Priest]
St John's Church Pram and Toddler Group [Leader]	Marist Catholic Primary School [Staff]
West Byfleet Infant School [Head teacher]	West Byfleet Junior School [Head teacher]
District Brownies Guides and Rainbows	1 st West Byfleet Scouts [Executive member]
Waitrose [community notice board]	Inprint Print Services Ltd [our printer]
Curchods Estate Agents	Waterfalls Estate Agents
Costa Coffee	Taylor's Coffee House
Bell'Amico café	Sweet Passion Cakes
West Byfleet Social Club	West Byfleet Golf Club [Secretary]
Anchor Homes [Care Home]	Byfleet United Charities [Chairman]
West Hall Estates [Chairman]	Retirement Living [meetings with group]
Octagon [Chairman]	Fullerworks [Webmaster]
'West Byfleet Live' Committee	Facebook
Pyrford Flower Show	Jonathan Lord MP
Camphill Social Club [meeting venue]	Woking News and Mail [Local press]
Surrey Advertiser [Local press]	Byfleet Library [Staff]
Neighbourhood Watch [Local coordinator]	West Byfleet Library [Community Corner set up]
New Haw Library [Staff]	
Church of the Good Shepherd, Pyrford [Vicar]	Local Councillors [five]
Streetlife [Local online social network]	Surrey County Councillor [One]

ANNEX 4 – West Byfleet Neighbourhood Forum list of Supporters

Chris Ashdown
Fui Ling Bolton
Cllr John Bond
Cllr Amanda Boote
Cllr Mary Bridgman
Sally Cantello
Cllr Graham Chrystie
Keith Creswell
Emma Davis
Stewart Dick
Chris Dougherty
Cllr Gary Elson
David Fisher
Roger Gahagan
Ross Goodman
Lisa Graae
Bill Grose
David Hastie
Stephen Hickford
Penny Hoskyn
Elizabeth Leese
Ian McAtamney
Rob McHattie
Roland Nevett
Wade Pollard
Dave Pope
Dharma Sivarajasingham
Emma Slaymaker
Richard Thomas
Bob Tilley

COUNCIL – 11 FEBRUARY 2021

MANAGEMENT ARRANGEMENTS 2021-22

Executive Summary

At its meeting on 19 January 2021, Council appointed Julie Fisher as Chief Executive with effect from 1 April 2021. This report recommends that, with effect from 1 April 2021, Julie Fisher should be appointed as (i) Electoral Registration Officer, (ii) Returning Officer for local government elections and (iii) Head of Paid Service.

Recommendations

The Council is requested to:

RESOLVE That

With effect from 1 April 2021,

- (i) Julie Fisher be appointed Electoral Registration Officer under Section 8 of the Representation of the People Act 1983;
- (ii) Julie Fisher be appointed Returning Officer for local government elections under Section 35 of the Representation of the People Act 1983; and
- (iii) Julie Fisher be designated Head of Paid Service under Section 4 of the Local Government and Housing Act 1989.

The Council has the authority to determine the recommendations set out above.

Background Papers:	None.
Reporting Person:	Peter Bryant, Director of Legal and Democratic Services Email: peter.bryant@woking.gov.uk, Ext.: 3030
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Date Published:	5 February 2021

1.0 Introduction

- 1.1 At its meeting on 19 January 2021, Council appointed Julie Fisher as Chief Executive with effect from 1 April 2021. This report recommends that, with effect from 1 April 2021, Julie Fisher should be appointed as (i) Electoral Registration Officer, (ii) Returning Officer for local government elections and (iii) Head of Paid Service.

2.0 Electoral Arrangements

- 2.1 Section 8 of the Representation of the People Act 1983 provides for the Council to appoint an Electoral Registration Officer. Section 35 provides for the appointment of a Returning Officer for local government elections. These roles have been undertaken by the existing Chief Executive (Ray Morgan). It is recommended that they transfer to Julie Fisher, when she takes up her appointment as Chief Executive on 1 April 2021.

3.0 Head of Paid Service

- 3.1 Section 4 of the Local Government and Housing Act 1989 requires the Council to designate one of its Officers as "Head of Paid Service". This role should be undertaken by the Chief Executive. It is, therefore, recommended that Julie Fisher be designated as "Head of Paid Service" with effect from 1 April 2021.

4.0 Other Powers, Duties or Functions

- 4.1 Mrs Fisher will, by virtue of her appointment as Chief Executive, be able to exercise the other powers, duties and functions which automatically vest in the Chief Executive (as set out in the Constitution, or otherwise agreed by Council) .
- 4.2 Following the recent management changes, the Monitoring Officer is reviewing the Constitution. The outcome of the review will be reported to Council on 8 April 2021.

5.0 Implications

Financial

- 5.1 There are no new financial issues arising from this report

Human Resource/Training and Development

- 5.2 The formal designation of the roles of Electoral Registration Officer, Returning Officer and Head of Paid Service are consequential upon the appointment of a new Chief Executive from 1 April 2021.

Community Safety

- 5.3 There are no community safety issues raised by this report.

Risk Management

- 5.4 There are no new risks raised by this report.

Sustainability

- 5.5 The formal designations of the statutory roles that are performed by the Chief Executive ensure the sustainable operation of the Council's business.

Equalities

5.6 There are no new equality issues raised by this report.

Safeguarding

5.7 There are no new safeguarding issues raised by this report.

6.0 Conclusions

6.1 The formal appointment of Julie Fisher to the statutory roles to be performed by the Chief Executive completes the management changes required upon the retirement of the current Chief Executive.

REPORT ENDS

COUNCIL – 11 FEBRUARY 2021

PAY POLICY STATEMENT 2021-22 AND GENDER PAY GAP DATA

Executive Summary

Pay Policy

Sections 38 to 43 of the Localism Act 2011 require local authorities to prepare an annual pay policy statement for each financial year.

The statement must specifically cover the authority's policies relating to:

- the remuneration of its chief officers;
- the remuneration of its lowest-paid employees, and
- the relationship between –
 - the remuneration of its chief officers, and
 - the remuneration of its employees who are not chief officers
- the definition of 'lowest-paid employees' adopted;
- the level and elements of remuneration for each chief officer;
- remuneration of chief officers on recruitment;
- increases and additions to remuneration for each chief officer;
- the use of performance-related pay for chief officers;
- the use of bonuses for chief officers;
- the approach to the payment of chief officers on their ceasing to hold office or to be employed by the authority;
- the publication of and access to information relating to remuneration of chief officers;

The statement may also cover the authority's policy relating to:

- policies for the financial year relating to the other terms and conditions applying to the authority's chief officers.

Chief Officer is defined to include:

- the head of its paid service designated under section 4(1) of the Local Government and Housing Act 1989;
- its monitoring officer under section 5(1) of that Act;
- a statutory chief officer under section 2(6) of that Act;
- a non-statutory chief officer under section 2(7) of that Act;
- a deputy chief officer in section 2(8) of that Act.

The pay policy statement has to be approved by a resolution of the authority. Following approval, the statement must be published as soon as possible on the authority's website. The Council may amend the pay policy statement in-year and this also requires a resolution.

The Act specifies that the functions relating to pay accountability are not executive functions and also that section 101 of the Local Government Act 1972, which gives local authorities powers to

Pay Policy Statement 2021-22 and Gender Pay Gap Data

arrange for the discharge of their functions by committees, officers or other local authorities, does not apply to these functions. This means that the resolution must be approved by full Council.

Gender Pay Gap

Woking Borough Council is required by law to publish annual gender pay gap data. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 require all employers with 250 or more employees to publish data based on the snap-shot date 31 March 2020. In addition the Council has to depict pay quartiles by gender whereby the workforce is divided into four equal-sized groups based on hourly pay rates, with the Upper Quartile covering the highest paid 25% and the lower quartile containing the lowest paid 25%. The data has to be published on the Council's website annually. The figures set out in the following report have been calculated using the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

These provisions add to the range of transparency obligations already placed upon the Council such as the Accounts and Audit Regulations 2011 which already require historic expenditure on chief officers within specified pay bands to be disclosed in the annual statement of accounts

Ethnicity Pay Gap

The Government has consulted on whether organisations should collect and publish information on its Ethnicity Pay Gap and we are awaiting the outcome. The Council has calculated its Ethnicity Pay Gap for 2020.

Recommendations

The Council is invited to approve the Pay Policy Statement for the financial year 2021/22 and in so doing comply with the provisions of the Localism Act 2011.

The Council is invited to note the gender pay gap data based on the snap-shot date of 31 March 2020 and in doing so comply with The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

The Council is invited to note the ethnic pay gap data based on the snap-shot date of 31 March 2020.

The Council is requested to:

RESOLVE That

- (i) the Pay Policy Statement be approved for publication;
- (ii) the Gender Pay Gap data be approved for publication; and
- (iii) the Ethnicity Pay Gap data be noted.

The Council has the authority to determine the recommendations set out above.

Background Papers: Sustainability Impact assessment
Equalities Impact Assessment.

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Pay Policy Statement 2021-22 and Gender Pay Gap Data

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Date Published: 5 February 2021

Pay Policy Statement 2021-22 and Gender Pay Gap Data

1.0 Introduction

- 1.1 This Pay Policy Statement is provided in accordance with Sections 38 - 43 of the Localism Act 2011.
- 1.2 This Pay Policy Statement sets out Woking Borough Council's policies relating to the pay of its workforce for the financial year 2021-22.

2.0 Background

- 2.1 The Council has developed its own local terms and conditions including pay. The local pay scale covers all employees of the Council.
- 2.2 As required by law, the Council provides all of its employees with the opportunity to join the Local Government Pension Scheme.

3.0 Definition

- 3.1 For the purpose of this pay policy the following definitions will apply:

'Remuneration', in addition to salary this includes taxable earnings and non-taxable benefits (and is more particularly defined in section 46 of the Localism Act 2011).

'Chief officer' refers to the following statutory and non-statutory roles within Woking Borough Council as follows:

- Chief Executive, as Head of Paid Service
- Deputy Chief Executive
- Directors
- Section 151 Officer/Chief Finance Officer and Monitoring Officer
- Senior Managers who report directly to those listed above

- 3.2 'Lowest paid Employees' refers to employees employed within grade W1 of the Council's current pay grading structure, other than apprenticeships or traineeships. This definition for the 'lowest paid employees' has been adopted because grade W1 is the lowest grade on the Council's grading structure on which employees are paid. The bottom point on this pay scale is £17,961. To enable meaningful comparison the Council uses employees on full time contracts for this definition.

4.0 Pay Framework and Remuneration

- 4.1 Remuneration at all levels needs to be adequate to secure and retain high-quality employees dedicated to fulfilling the Council's business objectives and delivering services to the public. This has to be balanced by ensuring remuneration is not unnecessarily excessive. The Council has responsibility for balancing these factors. The overall pay bill is controlled within a financial envelope agreed at least annually by the Council/Executive.
- 4.2 It is essential for good governance that decisions on pay and reward packages for chief executives and chief officers are made in an open and accountable way. Our policy is to pay appropriately to attract competent and experienced senior employees to lead the organisation. Our aim is to be regarded as competitive as compared to the level of pay locally and neighbouring local authorities.
- 4.3 All Woking Borough Council employees are on local conditions. The pay and reward structure and the performance management process apply to all employees including chief

Pay Policy Statement 2021-22 and Gender Pay Gap Data

officers. Targets for both objectives and behaviours are set and performance against those targets is assessed.

- 4.4 The Authority has a salary and grading structure for all employees which includes the grades and salaries applicable to chief officers. The grade allocated to a post is determined by the duties, level of responsibility and behaviours required as outlined in the job description, person specification and role map.
- 4.5 The grade framework comprises of 12 grades. Outside the main framework there are 4 trainee grades. All employees are placed within the grade framework on a fixed salary based on an assessment of the job role. Progression through a grade is based on an assessment of behaviour, skill and performance following the outcome of an annual performance and development review (PDR). Each employee receives an overall grading which determines the amount of performance pay to be awarded. Payments are made against a pre-determined amount to ensure the scheme remains affordable.
- 4.6 Indexation is considered annually for all employees in consultation with UNISON.
- 4.7 In addition to basic pay all chief officers and employees are eligible to receive the following benefits:
- If the officer is a member of the Local Government Pension Scheme the employers' contribution.
 - Payment of an annual subscription to one professional institution where this has a clear benefit or is a requisite to the job.
 - A flexible benefit paid in monthly instalment. This can be used to purchase a public sector season ticket, obtain a vehicle through the Council's car leasing scheme or as a cash alternative. Normal tax and national insurance rules apply.
- 4.8 The Council does not have a lump sum performance related pay or bonus scheme.

5.0 Policy on the lowest paid employees

- 5.1 When determining any pay award the Council considers the needs of the lowest paid and the Living Wage (outside London rate).
- 5.2 The Council is supportive of the principle of equal pay in employment and has made a commitment to involve and work positively with UNISON to develop and maintain an open and transparent process and dialogue.

6.0 Policy on the Remuneration Multiple (Ratio) Between Lowest and Highest Paid Employees

- 6.1 Our policy is that the ratio is broadly in line with comparator authorities.
- 6.2 The average (median) chief officer remuneration is £76,667; the average (median) remuneration for employees other than the chief officers is £32,456. Therefore the ratio of average chief officer remuneration to the average remuneration of other employees is 2.3:1.
- 6.3 The ratio between the highest paid earner, the Chief Executive, to the average (median) remuneration of the whole workforce is 4:1.

7.0 Remuneration on Employment

- 7.1 Our policy is to appoint at, or near, the bottom taking into account the relevant skills and experience of the person appointed. Progression through the grade is as outlined in section

Pay Policy Statement 2021-22 and Gender Pay Gap Data

4 above. Appointments at chief officer level below Chief Executive are made by more senior officers with Member involvement as appropriate. On occasion the Council will request input from neighbouring authorities or other experts in the recruitment process particularly when the post requires specialist knowledge. Appointments to the post of Chief Executive are made by the leading Members and approved by the Council.

8.0 Approach to the Payment of Officers in the Event of their Ceasing to Hold Office or be Employed by the Authority

8.1 The Council's redundancy framework sets out a consistent method of calculating redundancy pay which is applied to all redundant employees. The level of redundancy pay is calculated using the statutory system with a multiplier of 2.2 and no cap on weekly earnings. The payment is intended to recompense employees for the loss of their livelihood and provide financial support whilst they seek alternative employment.

8.2 Officers who leave the Council's employment, where appropriate, will receive compensation in line with the Council's redundancy payments policy or through a negotiated settlement.

9.0 The Publication of and Access to Information Relating to Remuneration of Chief Officers.

9.1 The annual Pay Policy statement will be published on the website where it can be easily accessed. Information about senior officer remuneration has been published on the Council's website as part of the Final Statement of Accounts and transparency agenda. The grade framework for all employees is published on the Council's website.

10.0 Additions to Remuneration for Chief Officers

10.1 One or more chief officers will be eligible for payments for election duties (e.g. as Returning Officer or Deputy Returning Officer/s) which is calculated based on the number of electors in each ward in the election. There is an agreed Surrey wide scale of fees and charges which sets out the amounts used to calculate this.

10.2 Fees for borough, county and Police Commissioner elections vary according to the size of the electorate and number of postal voters. Payments for General and European elections are set by central government and are not paid by the Council as the money is reclaimed.

11.0 Policy on Employing Someone Who Has Taken Redundancy from another Authority.

11.1 If there is less than a 4 week gap between someone being made redundant from another council and joining Woking Borough Council they will be required to repay their redundancy payment to their previous employer. If the gap is longer than 4 weeks they can retain their payment but their continuous service is broken, which means that they would have no eligibility for redundancy payments until they have 2 years continuous service with this authority.

12.0 Policy on Employing Someone Who is Also Drawing a Pension

12.1 The Council will consider all requests from employees who wish to draw their pension but continue working.

13.0 Policy on Additional Employments

13.1 The Council's Conditions of Service provide for employees:- to have one or more employments with the Council, in which cases the arrangements outlined above apply; private employment or outside activity conditional upon such employments or activity not

Pay Policy Statement 2021-22 and Gender Pay Gap Data

prejudicing their main employment with the Council; and appointments to remunerated roles directed or authorised by the Council.

14.0 Gender Pay Gap

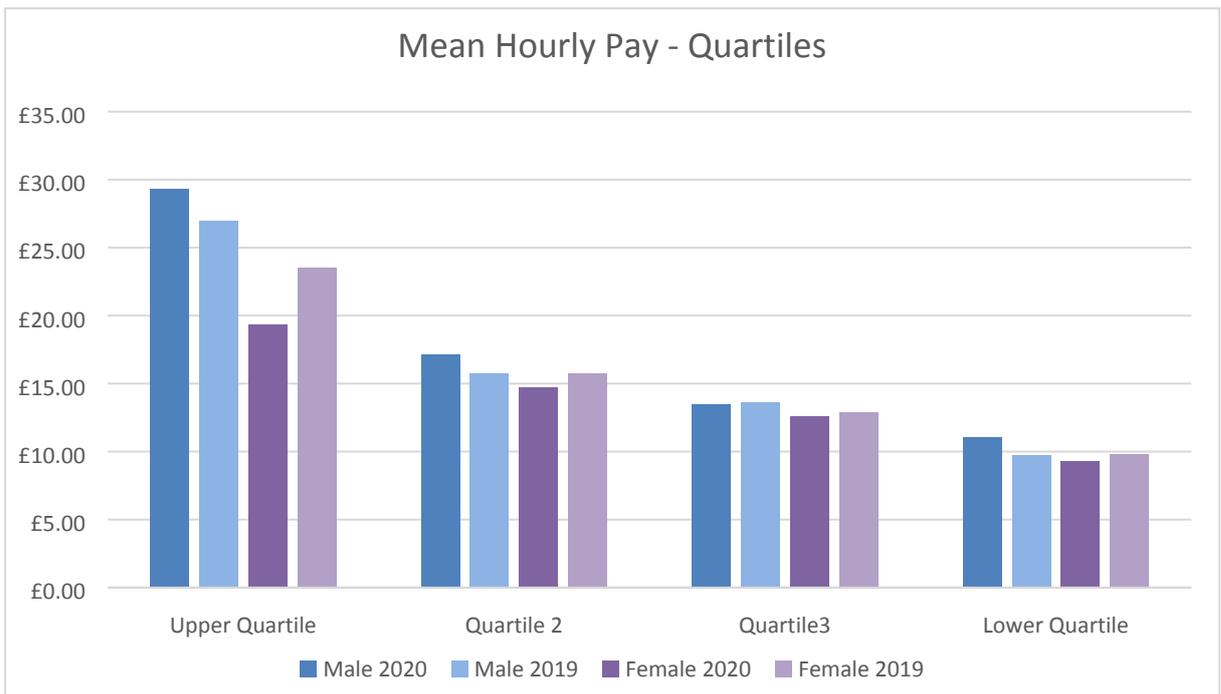
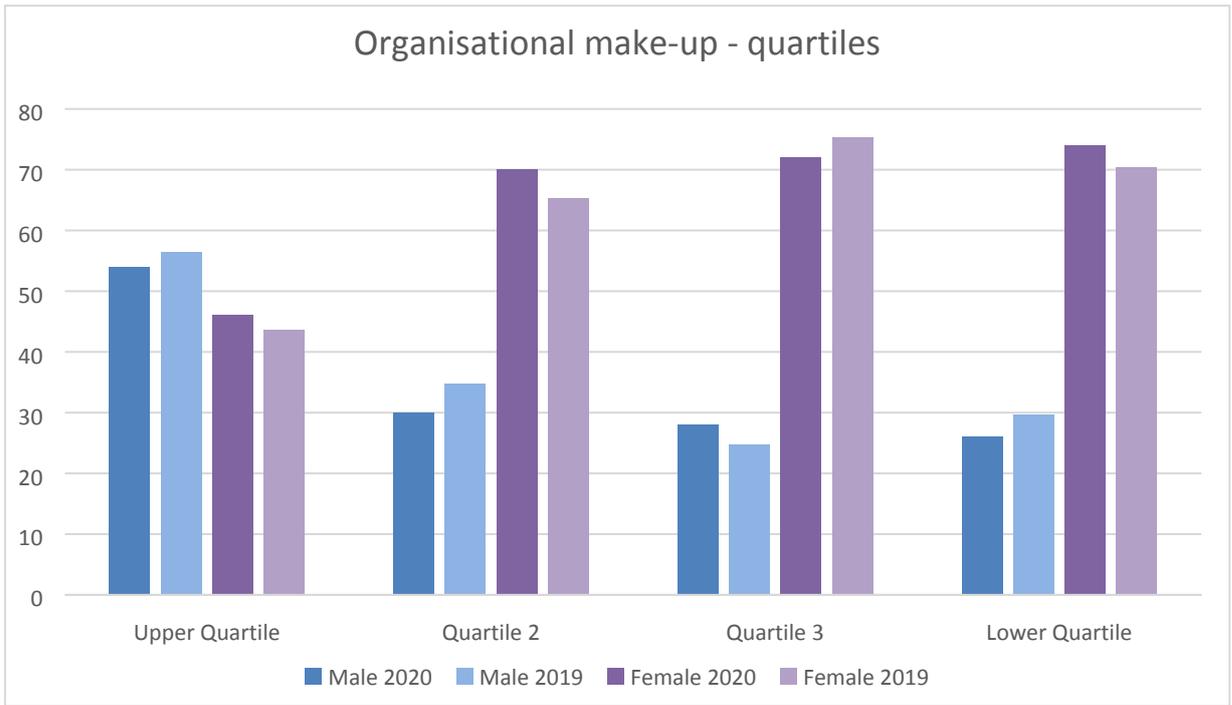
- 14.1 Woking Borough Council is required by law to publish an annual gender pay gap report. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 require all employers with 250 or more employees to publish a report based on its figures on a snap-shot date. For public authorities this snapshot date is 31st March. This is our forth report.
- 14.2 This is the report for the snapshot date of 31st March 2020.
- 14.3 The Mean Gender Pay Gap is the difference between average hourly earnings of men and women
- 14.4 The Mean Gender Pay Gap for the Council is 19.28% (18.26% for 2019).
- 14.5 The Median Gender Pay Gap is the difference between the mid-point in the range of hourly earnings of men and women, when arranged from the highest to lowest.
- 14.6 The Median Gender Pay Gap for the Council is 10.24% (15.76 % for 2019).
- 14.7 In addition the Council has to depict pay quartiles by gender. The workforce is divided into four equal-sized groups based on hourly pay rates, with the Upper Quartile covering the highest paid 25% and the lower quartile containing the lowest paid 25%.

Pay Quartiles by Gender: (figures for 2019 in brackets)

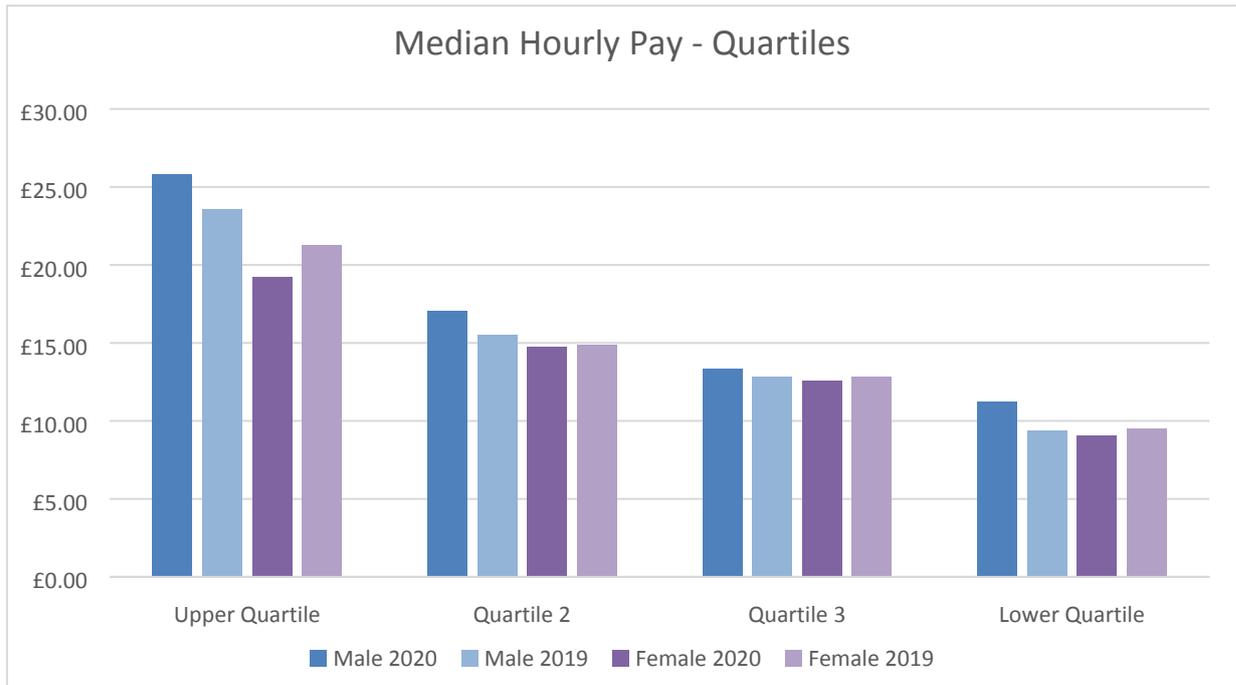
Quartile	Male	Female	Description
Upper	54% (56.44%)	46% (43.56%)	Includes all employees whose standard hourly rate places them above the upper quartile
Quartile 2	30% (34.65%)	70% (65.35%)	Includes all employees whose standard hourly rate places them above the median but at or below the upper quartile
Quartile 3	28% (24.75%)	72% (75.25%)	Includes all employees whose standard hourly rate places them above the lower quartile but at or below the median
Lower	26% (29.7%)	74% (70.3%)	Includes all employees whose standard hourly rate places them at or below the lower quartile

- 14.8 The figures set out above have been calculated using the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.

Pay Policy Statement 2021-22 and Gender Pay Gap Data



Pay Policy Statement 2021-22 and Gender Pay Gap Data



Difference between men and women

Quartile	Mean hourly rate - male	Mean hourly rate - female	Mean gender pay gap	Median hourly rate - male	Median hourly rate - female	Median gender pay gap
Upper	£29.27 (£25.31)	£19.36 (£22.97)	33.86% (9.25%)	£25.77 (£23.59)	£19.24 (£21.23)	25.34% (10%)
Quartile 2	£17.09 (£15.46)	£14.73 (£15.22)	13.81% (1.55%)	£17.02 (£15.48)	£14.71 (£14.87)	13.57% (3.94%)
Quartile 3	£13.45 (£12.92)	£12.61 (£12.61)	6.25% (2.40%)	£13.36 (£12.79)	£12.57 (£12.79)	5.91% (0%)
Lower	£11.03 (£9.67)	£9.30 (£9.86)	15.68% (-1.96%)	£11.24 (£9.35)	£9.07 (£9.47)	19.31% (-1.28%)

(Figures for 2019 in brackets)

14.9 The Council's Pay structure and policies ensure all employees are paid equally for the same or equivalent work, regardless of their gender or any other characteristic protected under the Equality Act 2010. The analysis shows that the Council still has a gender pay gap, however the median gender pay gap has fallen for the three consecutive years it has been reported (from 16.2% in 2018 to 10.24%). The largest pay gap is still in the top quartile, so although as an organisation the picture is improving it is still skewed by the fact that the top 25 highest paid employees are mostly male.

14.10 Across the UK as a whole, men are more likely than women to be in senior roles, especially very senior roles at the top of organisations. Generally women are more likely than men to be in front-line, lower paid roles. This is reflected in the picture for the Council, where all but

Pay Policy Statement 2021-22 and Gender Pay Gap Data

the top quartile is predominately female. The Council's pay policy has focused on raising the level of pay for the lowest grades, to ensure that the roles are valued and paid the living wage, set by the Living Wage Foundation.

How we compare

- 14.11 The pattern from the UK economy as a whole is reflected in the figures found in our upper quartile where men are more likely to be in senior roles. Women are more likely to have had breaks from work that have affected their career progression, for example to bring up children.
- 14.12 The mean gender pay gap for the UK is 15.5% according to the October 2020 Office for National Statistics (ONS) Annual Survey of Hours and Earnings (ASHE) figures, (15.7% for 2019). For Local Government the mean gender pay gap is 5.9% (6.1% for 2019) and the median gender pay gap is 4.3% (4% for 2019).

How we are addressing the pay gap

- 14.13 Woking Borough Council is committed to reducing our gender pay gap. An Action Plan has been developed, covering 5 key areas, Pay and Performance, Recruitment and Promotion, Training and Development, Flexible and Part-time Working and General. <http://wbcsp16/sites/documents/EqualitiesDiversity/Gender%20Pay%20Gap%20Action%20Plan.docx> Progress on actions during 2020 were greatly impacted by the Covid-19 pandemic.

Evidence base

- 14.14 Detailed analysis of the salary structure, including pay levels, pay grades and working hours has been carried out and no significant issues were identified indicating our pay arrangements are rational, fair and transparent. The exercise will be repeated every three years. We have carried out analysis of recruitment statistics, applications for promotion and analysis of performance and pay reviews. Again no issues were identified.

Recruitment

- 14.15 We aim to recruit from the widest possible talent pool. We will look at whether we can improve this, including looking at language used in adverts. Our application process is 'blind' and has no personal details available for shortlisting. HR carry out spot-checks on shortlisting to ensure no bias is taking place. Managers are trained on how to recruit using competency based interview techniques that aim to avoid unconscious bias; ensuring all managers are consistent and competent in recruitment.

Flexible working

- 14.16 We offer our employees a wide range of flexible working options to enable them to effectively manage their work/life balance. These options include part-time working, condensed working weeks, job share, home working, agile working and a generous flexi-time scheme. In addition we offer an additional leave purchase scheme. We will look into the uptake of the various options across the organisation and continue to promote these to employees.

Development

- 14.17 We are committed to offering advancement opportunities and training to all employees, including Management Development, coaching and mentoring for those moving into senior positions. We will look at the Performance Review process and ensure it is robust and fit for purpose and that we are able to identify from within our current workforce those employees who have the potential to grow into more senior roles. We will offer training, support and

Pay Policy Statement 2021-22 and Gender Pay Gap Data

development opportunities to those employees including coaching and mentoring both within and outside of our organisation. We will also gather qualitative data through a consultation exercise across the organisation to identify the barriers (and the drivers) for women employees. A lot of this work has been put on hold over the last year due to the Covid-19 pandemic. We are hoping to resume in 2021.

15.0 Ethnicity Pay Gap

15.1 The Government has consulted on whether organisation should collect and publish information on its Ethnicity Pay Gap and we are awaiting the outcome. The Council has calculated its Ethnicity Pay Gap for 2020.

White British	361 employees / 76.32% (307 or 75.99% 2019)
Other Ethnicity	110 employees / 23.26% (92 or 22.77% 2019)
Not known/prefer not to say	2 employees /0.42% (5 or 1.24% - 2019)
Mean hourly rate (White British)	£16.33 (£15.91 – 2019)
Mean hourly rate (other ethnicity)	£13.54 (£13.91 – 2019)
Mean ethnicity pay gap	17.09% (12.57% - 2019)
Median hourly rate (White British)	£14.44 (£14.33 – 2019)
Median hourly rate (other ethnicity)	£13.16 (£12.79 – 2019)
Median ethnicity pay gap	8.86% (10.76% 2019)

Pay Quartiles by ethnicity

Quartile	White British	Other ethnicity	Not known	Description
Upper	88.99% (90.1%)	11.01% (9.9%)		Includes all employees whose standard hourly rate places them above the upper quartile
Quartile 2	81.51% (81%)	16.81% (16.83%)	1.68% (2.17%)	Includes all employees whose standard hourly rate places them above the median but at or below the upper quartile
Quartile 3	61.34% (64.36%)	38.66% (34.65%)	(0.99%)	Includes all employees whose standard hourly rate places them above the lower quartile but at or below the median
Lower	72.81% (68.32%)	27.19% (30.69%)	(0.99%)	Includes all employees whose standard hourly rate places them at or below the lower quartile

(Figures for 2019 in brackets)

Pay Policy Statement 2021-22 and Gender Pay Gap Data

Quartile	Mean hourly rate – White British	Mean hourly rate – other ethnicity	Mean ethnicity pay gap	Median hourly rate – White British	Median hourly rate – other ethnicity	Median ethnicity pay gap
Upper	£25.08 (£24.53)	£21.83 (£22.13)	12.95% (9.78%)	£23.46 (£23.19)	£20.76 (£21.86)	11.51% (5.74%)
Quartile 2	£16.32 (£15.25)	£16.49 (£14.37)	-1.04% (5.77%)	£16.75 (£14.87)	£17.71 (£14.00)	-5.73% (5.85%)
Quartile 3	£12.81 (£12.58)	£12.85 (£12.69)	-0.87%	£12.94 (£12.79)	£13.16 (£12.79)	-1.7% (0%)
Lower	£9.70 (£9.58)	£9.90 (£9.94)	-2.06% (-3.78%)	£9.50 (£9.35)	£9.50 (£9.90)	0% (-5.88%)

(Figures for 2019 in brackets)

16.0 Implications

Financial

16.1 To foster a transparent pay and reward framework which is accountable and managed appropriately.

Human Resource/Training and Development

16.2 Ensure compliance with current legislation and brief managers appropriately.

Community Safety

16.3 There are no community safety implications arising from this report.

Risk Management

16.4 There are no risk management implications arising from this report.

Sustainability

16.5 There are no sustainability implications arising from this report.

Equalities

16.6 To ensure the Council continues to comply with Equal Pay legislation.

Safeguarding

16.7 This policy complies with Safeguarding requirements.

Pay Policy Statement 2021-22 and Gender Pay Gap Data

17.0 Conclusions

- 17.1 The Council is invited to approve the Pay Policy Statement for the financial year 2021/22 and in so doing comply with the provisions of the Localism Act 2011.
- 17.2 The Council is invited note the gender pay gap data based on the snap-shot date of 31 March 2020 and in doing so comply with The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.
- 17.3 The Council is also invited note the ethnicity pay gap data.

REPORT ENDS

COUNCIL – 11 FEBRUARY 2021

NOTICES OF MOTION

Executive Summary

The following Notice of Motions were received before the deadline following the publication of the Council agenda.

1. Councillor I Johnson

“That the Council, in relation to York Road Project

- a) appreciates the valuable work of the Project to support Woking’s homeless people through its hostel, move on services and day facilities,
- b) recognises the need of the Project to find permanent modern facilities fit for the challenges of the future and
- c) resolves to work with the Project and a developer, potentially as part of the Housing Infrastructure Fund, to provide such facilities in, or near to, the town centre.”

2. Councillor L S Lyons

“Following new practice as a result of the coronavirus pandemic, this Council has operated hugely successfully without the need to print papers and courier them to Members across the Borough.

- (i) As a permanent matter of policy, this Council will operate all public meetings and task group meetings without printed papers, instead distributing them to Members and relevant Officers by electronic digital means.
- (ii) This Council will work towards operating all functions, involving all members of staff and associated contractors, without the need for printed papers.
- (iii) Exceptions may be made for complex planning documents containing diagrams and images, or which may be presented on non-standard paper sizes.
- (iv) Due consideration and exceptions will be made for those Members and Officers with additional physical needs.
- (v) Appropriate training will be offered to Members and Officers to enable them to use electronic digital alternatives to printed papers effectively.

3. Councillor L S Lyons

“The pedestrian underpass underneath Woking Station has become dilapidated and is in a poor state of repair and decor. It has also become an eyesore in the town centre. At times, it can be unpleasant for pedestrians transiting between south Woking and the town centre.

- (i) This Council will take advantage of the significantly lower numbers of pedestrians using the underpass underneath Woking Station as a result of the current coronavirus restrictions, and arrange for its refurbishment at the earliest opportunity.
- (ii) This Council will seek to make such arrangements with other stakeholders as are necessary to achieve the refurbishments.”

4. Councillor L S Lyons

“CS12 of the Council’s Core Strategy requires that new developments over 15 dwellings will provide at least 40 per cent affordable homes onsite, and that those brought forward by this Council will provide 50 per cent of affordable homes onsite.

- (i) This Council notes that some applicants have successfully avoided having to provide any or all of these affordable homes as a result of viability assessments which have concluded that such a development would not be economically viable, were they to do so.
- (ii) Irrespective of any viability assessment, this Council, along with any of this Council’s arms-length companies (including but not limited to Thameswey), will not have any involvement in a development - save for determining its planning application - unless at least 40 per cent of the homes provided onsite are affordable homes.”

5. Councillor L S Lyons

“In accordance with the Control of Pollution Act (Noise) 1974, construction sites operating in Woking must currently limit site noise to the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturday and not at all on Sunday, with no noise permitted to be audible from the site boundary outside of those hours.

- (i) These times are to be confirmed as a matter of Council policy, and any review of, or amendments to, these times must be determined by the Council.
- (ii) Any permission to vary from these times may only be granted to an applicant with the permission of the Planning Committee.
- (iii) Any such permission by the Planning Committee will only be granted in exceptional circumstances, and for a limited and specified period.
- (iv) Permission to vary these times on a single occasion, for a maximum period of one day, may be granted by relevant Officers under delegated powers. Subsequent applications, or applications for longer than one day, must be considered by the Planning Committee.
- (v) On all such instances of permission to vary from these times being granted, residents likely to be affected will be notified by post.
- (vi) Works deemed to be an emergency will continue to be exempt from these restrictions.”

Background Papers: None.

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Date Published: 5 February 2021

