

COUNCIL – 30 MARCH 2023

RECOMMENDATIONS OF THE EXECUTIVE

SUPPLEMENTARY REPORT

Executive Summary

The Council is invited to consider the recommendations from the meeting of the Executive held on 23 March 2023.

This supplementary report sets out the extracts from the draft minutes of the Executive and outlines the recommendations to Council agreed by the Executive.

THE EXECUTIVE – 23 MARCH 2023

7a. MEDIUM TERM FINANCIAL STRATEGY (MTFS)

Councillor Roberts, Portfolio Holder for Finance, introduced the report which provided an updated Medium Term Financial Strategy (MTFS) for the period 2023/24 to 2025/26. Following the Budget report to Council on 23 February 2023, Councillor Roberts explained that the report provided an update on initiatives which the Council had agreed to commit to in order to pursue financial resilience and to constrain expenditure. The report set out a timetable with clear milestones for a further update of the MTFS in July 2023. The Executive noted that the report included a recommendation that the Council's future loans to Thamesway Central Milton Keynes Limited (TCMK) were supplied without margin in order to relieve the financial burden on the company. Regarding flexible use of capital receipts, the Executive was asked to recommend to Council that the flexible use of capital receipts be approved to fund transformational activities, an approach afforded by Government.

Following the recent review undertaken by the Department of Levelling Up, Housing and Communities (DLUHC) rapid review team, the Executive was informed that the review body had submitted its report to Government. The Leader advised that no timeline had been given for the Government's response. Regarding the Council's Minimum Revenue Provision (MRP) issues, the Portfolio Holder reported that work was in progress around the technical issues in order to inform future discussions with Government.

Discussion ensued on the Fit for the Future (FFtF) programme and it was explained that the budget for 2023/24 and the MTFS forecasts for 2024/25 and 2025/26 incorporated savings identified through the FFtF 1 and 2 exercises. The FFtF 3 exercise would identify minimum viable provision of services and no budget reductions had yet been made to reflect FFtF 3. It was noted that Officers had started the difficult work on FFtF 3 and updates would be provided in future reports. It was acknowledged that the Council would face difficult decisions ahead.

RESOLVED

That (i) the approach set out in the report for commencement of the process to balance budget year 2024/25 be noted; and

RECOMMENDED to COUNCIL

That (ii) the latest iteration of the Medium Term Financial Strategy be approved;

- (iii) approval of the proposed Flexible Use of Capital Receipts in 2023/24 and submission of a plan to DLUHC be delegated to the Strategic Director – Corporate Resources, in consultation with the Finance Portfolio Holder;
- (iv) the Parent Company Guarantee (PCG) be extended by delegation to the Section 151 Officer, in consultation with the Finance Portfolio Holder, for the provision of Gas to Thamesway Central Milton Keynes Ltd (TCMK); and
- (v) from 1 April 2023 loans advanced to Thamesway Central Milton Keynes Ltd. (TCMK) to be at the relevant PWLB interest rate with no margin be approved.

Reason: The decision is sought to ensure open and transparent governance in the financial affairs of the Council in balancing the 2024/25 Budget and the achievement of attaining financial resilience and to comply with the process for Flexible Use of Capital Receipts as determined by Government. In addition, to enable Thamesway Central Milton Keynes Limited to acquire energy for onward sale and moderate the cost burden sustained by Thamesway Central Milton Keynes Limited in its business operations.

7b. REVIEW OF THE CONSTITUTION

The Leader of the Council, Councillor Barker, introduced a report which recommended to Council the adoption of the revised Constitution following a comprehensive review. The Leader thanked Councillors and Officers for their input through the review engagement process. The Executive was advised that the new Constitution was a living document and had been refreshed, made easier to navigate, and included flowcharts. Attention was drawn to an updated clean copy of the Constitution, and a supplementary report which set out comments from the Overview and Scrutiny Committee at its meeting on 20 March 2023 in respect of Terms of Reference, namely that the requirement for an Opposition Member to be Chairman be removed from Terms of Reference.

The Leader highlighted some of the proposed changes to the Constitution following the review. The Executive was advised of the proposed changes to the Notice of Motion process, which was currently a lengthy procedure. It was proposed that Notice of Motions be submitted earlier to allow the Monitoring Officer or s151 Officer to advise if there was a legal, policy or financial reason why the Notice of Motion could not be considered on the night at Full Council. Should a reason be identified, the Notice of Motion would revert to the Executive and then Full Council. Councillor Dorsett suggested that the proposer of a Notice of Motion be able to request that a Motion be submitted to the Executive. Changes in relation to modernised behaviours at Full Council were highlighted, such as dress codes and no longer standing to speak. Following discussion, it was noted that there were differences in opinion regarding Opposition Members being specified as Chairmen of Task Groups, dress codes and standing to speak at Full Council, and these areas would be debated further at Full Council on 30 March 2023.

It was noted that a Corporate Governance Working Group would be established reporting to the Standards and Audit Committee to ensure the continuous review of the Constitution.

Recommendations of the Executive

The Executive welcomed the new Constitution which had been streamlined, simplified and would make the decision-making process easier to understand for Councillors, Officers and members of the public.

RECOMMENDED to COUNCIL

- That (i) **the Constitution and all the provisions contained within it be adopted with effect from 5 May 2023; and**
- (ii) **the Corporate Governance Working Group be formally established in accordance with the Terms of Reference included within the body of the Constitution.**

Reason: The revised Constitution will ensure that the Council's policies and procedures are consistent with delivering good governance.

7c. AFFORDABLE HOUSING DELIVERY SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Executive received a report which recommended to Council the adoption of the revised Affordable Housing Delivery SPD for the purposes of managing development across the Borough and other planning decisions. The Local Development Framework (LDF) Working Group had considered the consultation responses and the report at its meetings on 11 January 2023 and 1 February 2023. Councillor Lyons, Portfolio Holder for Planning Policy, thanked Officers for their hard work on the revision of the SPD.

RECOMMENDED to COUNCIL

- That (i) **the various representations to the Affordable Housing Delivery Supplementary Planning Document (SPD) consultation together with Officer's responses and recommendations as set out in Appendix 1 to the report be noted;**
- (ii) **the revised Affordable Housing Delivery SPD included in Appendix 2 to the report be adopted as Supplementary Planning Document for the purposes of managing development across the Borough and other planning decisions; and**
- (iii) **the requirements of the SPD should apply from the date of adoption, in this case 30 March 2023.**

Reason: To ensure that there is up to date guidance on the interpretation of Woking Core Strategy Policy CS12: Affordable Housing.

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

Background Papers: None.

Recommendations of the Executive

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Date Published: 29 March 2023

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