

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 30 July 2020

Present:

Cllr Mrs B A Hunwicks (Chair)

Cllr S Hussain (Vice-Chair)

Cllr M Ali	Cllr D Harlow
Cllr S Ashall	Cllr K Howard
Cllr A Azad	Cllr D E Hughes
Cllr T Aziz	Cllr I Johnson
Cllr A-M Barker	Cllr C S Kemp
Cllr D J Bittleston	Cllr R N Leach
Cllr J E Bond	Cllr L S Lyons
Cllr A J Boote	Cllr N Martin
Cllr M A Bridgeman	Cllr L M N Morales
Cllr G G Chrystie	Cllr M I Raja
Cllr G S Cundy	Cllr C Rana
Cllr K M Davis	Cllr J R Sanderson
Cllr G W Elson	Cllr M A Whitehand
Cllr W P Forster	

Also Present: Claire Storey, Independent Co-opted Member

Absent: Councillor R Mohammed.

1. COVID-19 - STATEMENT BY THE MAYOR.

Prior to the start of the meeting, the Council held a minute's silence in recognition of those in the Borough who had passed away as a result of Covid-19.

Following the minute's silence, the Mayor made a statement on the impact of Covid-19 and the immense efforts made by the NHS and service providers to support residents, together with the outstanding responses to the challenges from local communities. Recognising the impact on residents, the Mayor proposed that the Council should create a Memorial Park and Arboretum on land at Havering Farm, Mayford to serve as a memorial for all those affected by the pandemic. The Council agreed unanimously to support the suggestion, noting that an officer report setting out a proposal would be brought to the Council meeting in February 2021.

RESOLVED

That a proposal for the creation of a Memorial Park and Arboretum be drawn up for consideration at the meeting of Council on 11 February 2021.

2. MINUTES.

RESOLVED

That the minutes of the meetings of the Council held on 13 February and 18 June 2020 be approved and signed as true and correct records.

3. APOLOGIES FOR ABSENCE.

Apologies for absence had been received from Councillor R Mohammed.

4. MAYOR'S COMMUNICATIONS.

The Mayor reported on the events and activities she had participated in recent weeks, including the laying of a wreath at the Peace Gardens to commemorate those individuals of different faiths who had died in the two World Wars. The Mayor had also awarded three local residents the Queen's Scouting Award.

The Mayor announced that Woking Borough Council had been awarded the prestigious Armed Forces Covenant Employer Recognition Scheme Gold Award, the only Borough in the County to achieved the accolade, and one of only a handful in the Country.

5. URGENT BUSINESS.

No items of Urgent Business were considered.

6. DECLARATIONS OF INTEREST.

In accordance with the Members' Code of Conduct, Councillor D J Bittleston declared a non-pecuniary interest in any items concerning the companies of which he was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor A Azad declared a non-pecuniary interest in any items concerning the companies of which she was a Council appointed director. The companies were listed in an attached schedule. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor C S Kemp declared a non-pecuniary interest in any items concerning the companies of which he was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor D Harlow declared a non-pecuniary interest in any items concerning the companies of which she was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor G S Cundy declared a non-pecuniary interest in any items concerning the companies of which he was a Council-

appointed director. The companies are listed in the attached schedule. The interests were such that speaking and voting were permissible.

In accordance with the Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that Mr Morgan could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Deputy Chief Executive, Douglas Spinks, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that Mr Spinks could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Legal and Democratic Services, Peter Bryant, declared a disclosable personal interest (nonpecuniary) in any items concerning the companies of which he was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that Mr Bryant could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Finance, Leigh Clarke, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which she was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that Mrs Clarke could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Housing, Louise Strongitharm, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which she was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that Mrs Strongitharm could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Finance, Leigh Clarke, declared a disclosable personal interest (non-pecuniary) in any items concerning Woking Football Club and/or the GolDev Woking Limited development. The interest arose from (i) her husband having a small shareholding in Woking Football Club and (ii) being a Council-appointed director of Kingfield Community Sports Centre Limited. The interest was such that Mrs Clarke could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Legal and Democratic Services, Peter Bryant, declared a disclosable personal interest (nonpecuniary) in any items concerning Woking Football Club and/or the GolDev Woking Limited development. The interest arose from (i) him being a member of the Cards Trust (the supporters' club for Woking Football Club), (ii) providing occasional unpaid assistance to Woking Football Club, e.g. acting as returning officer at the election of directors and (iii) being a Council-appointed director of Kingfield Community Sports Centre Limited. The interest was such that Mr Bryant could advise the Council on those items.

In accordance with the Members' Code of Conduct, Councillor I Johnson declared an interest in respect of the Item 7 – Questions, Item 8 – Petition – David Lloyd Health & Fitness Centre, Item 14 – Annual Report of the Overview and Scrutiny Committee, Item 18 – Appointment of Member Level Directors to Kingfield Community Sports Centre Limited and Item 20 – Woking Football Club and Associated developments insofar as references

were made to Woking Football Club. The interest arose from his wife's position as Chairman of Woking Football Club and was such that Councillor Johnson left the meeting during the determination of the items.

7. QUESTIONS.

Copies of questions submitted under Standing Order 8.1 together with draft replies were laid upon the table. The replies were confirmed by Members of the Executive, supplementary questions were asked and replies given.

8. PETITION - DAVID LLOYD HEALTH AND FITNESS CENTRE. WBC20-015

The Council was presented with a petition which asked the Council to retain the David Lloyd Health and Fitness Centre in Kingfield, rather than relocate the Centre to land at Egley Road. The petition had been received through the Council's online e-petition scheme and contained 475 confirmed signatories and 45 unconfirmed signatories.

The Petitioner had advised that she no longer wished for the petition to be considered and the Council was therefore asked to note the receipt of the petition and that the petition had been formally withdrawn by the petition organiser.

RESOLVED

That (i) the receipt of the petition be noted; and

(ii) it be noted that the petitioner no longer wanted the petition to be considered by Council

9. RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES. WBC20-006

Councillor Bittleston moved and Councillor Azad seconded the reception and adoption of the reports and recommendations from the meetings of the Executive held on 22 June and 16 July 2020.

Councillor Chrystie moved and Councillor Ashall seconded the reception and adoption of the reports and recommendations from the meeting of the Planning Committee held on 21 July 2020.

9A NOTICE OF MOTION - CLLR A-M BARKER - FIREWORKS.

The Council had before it the recommendation of the Executive in respect of a notice of motion first submitted by Councillor Barker to Council at its meeting on 13 February 2020. The notice of motion stated that:

"A number of councillors have been contacted by residents in relation to the RSPCA initiative to reduce the impact of fireworks and Sky Lanterns on animals, and have asked their Council to support a motion to support measures which will help ensure people can enjoy fireworks responsibly whilst minimising the risk to animal welfare, horses, farm animals and wildlife and residents.

Woking Council can play its part in this by direct action or by lobbying other Government departments and retailers to play their part. Accordingly, the Council resolves to:

- Request all publicly organised firework displays within the Woking area to be advertised on the Woking Council website in advance of the event, so that everyone can enjoy the celebrations and residents are able to take precautions for their animals and vulnerable people.
- Actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people including the precautions that can be taken to mitigate risks.
- Write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private display.
- Encourage trading standards to enforce more rigorously the regulations of the selling of fireworks both in terms of age appropriateness, licencing and CE markings.”

The Executive had been supportive of the Motion, having noted the effect of fireworks on animal welfare, horses, farm animals and wildlife and residents. The recommendation of the Executive was welcomed by Councillor Barker.

RESOLVED

That the Motion be supported.

9B NOTICE OF MOTION - CLLR G CHRYSTIE - CONFIDENTIAL REPORTING AT COUNCIL AND COMMITTEES.

The Council had before it the recommendation of the Executive in respect of a Notice of Motion submitted by Councillor Chrystie. The Notice of Motion stated that:

“Following upon various issues arising recently and current apparent paucity of member involvement it is proposed that adjustments are made to the current classification practice as follows:

1. Member input is vital and the Monitoring Officer must consult the Council Leader and Leader of the Opposition prior to making a decision upon a Part 2 designation.
2. In all cases where there is a statutory requirement for confidentiality then the Monitoring Officer’s recommendation shall be automatically endorsed by the said 2 Councillors.
3. The principle guiding Part 2 designations must be transparency is required unless there is a substantial material commercial reason for confidentiality.
4. All matters deemed subject to Part 2 must be regularly reviewed and as soon as possible an item must be declassified (unless there is a statutory bar on declassification).”

The Executive had not supported the proposal and accordingly had recommended that the notice of motion should not be supported. Councillor Chrystie spoke in support of the motion, noting that the topic would be considered by the next meeting of the Standards and Audit Committee and that no further debate would be necessary at this stage.

RESOLVED

That the Motion be not supported.

9C BROOKWOOD CEMETERY MASTERPLAN.

The Council had before it the recommendations of the Executive proposing the adoption of the Brookwood Cemetery Masterplan and the Brookwood Cemetery Experience Plan. The Executive had been supportive of the Brookwood Cemetery Masterplan and had welcomed the tremendous work undertaken to transform the Cemetery since the Council purchased the important heritage asset in 2014.

Before introducing the proposals in detail, the Portfolio Holder, Councillor Cundy, announced that the Costain Skanska Joint Venture was working on behalf of High Speed Rail Link 2 (HS2) to prepare a new burial site at Brookwood Cemetery for those individuals exhumed from St James' Gardens as part of the enabling works for HS2.

RESOLVED

That (i) the Brookwood Cemetery Masterplan, as set out at Appendix 1 to the Executive report, be formally adopted; and

(ii) the Brookwood Cemetery Experience Plan, as set out at Appendix 2 to the Executive report, be formally adopted.

9D CARING FOR CHILDREN AND YOUNG PEOPLE POLICY - HR POLICY FOR WOKING BOROUGH COUNCIL EMPLOYEES.

The Executive had received a report on the adoption of the Caring for Children and Young People Policy, a policy drawn up for Woking Borough Council employees. The proposals had been welcomed and accordingly the Executive had recommended the adoption of the policy.

The Council welcomed the report and supported the recommendations for the adoption of the Caring for Children and Young People Policy.

RESOLVED

That (i) the Council adopts the Caring for Children and Young People Policy, as set out at Appendix 1 to the report, with effect from 1 April 2020; and

(ii) the Head of Human Resources, in consultation with Corporate Management Group and Unison, be delegated authority to make minor amendments to the Policy.

9E WOKING COMMUNITY SAFETY ANTI SOCIAL BEHAVIOUR POLICY

The Council received the recommendations of the Executive proposing the adoption of the Anti Social Behaviour Policy which aimed to provide clear guidance to residents. The proposals would also introduce suitable delegated powers to Officers to implement the provisions of the Anti Social Behaviour, Crime and Policing Act 2014 to help manage and reduce anti social behaviour.

RESOLVED

- That (i) the Anti Social Behaviour Policy be adopted;
- (ii) authority be delegated to the Chief Executive to review the Anti Social Behaviour Policy from time to time, in consultation with the Portfolio Holder, to ensure that it is updated to reflect good practice, current legislation and case law (with any updates being reported to Council for information);
- (iii) the level of Fixed Penalty Notice for a breach of a Community Protection Notice be set at £75.00 and reduced to £50.00 if payment is received within 14 days;
- (iv) authority be delegated to the Chief Executive in consultation with the Police and/or other appropriate consultees, to issue Closure Notices under Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014;
- (v) authority be delegated to the Chief Executive to:-
- a. issue Community Protection Notices;
 - b. authorise registered social landlords to issue Community Protection Notices;
 - c. issue Fixed Penalty Notices for breach of a Community Protection Notice;
 - d. authorise any persons to issue Community Protection Notices and issue Fixed Penalty Notices for breach of a Community Protection Notice;
 - e. take remedial action when a Community Protection Notice has not been complied with.
- under Part 4 of the Anti-Social Behaviour, Crime and Policing Act 2014.

9F INDEPENDENT DIRECTORS OF SUBSIDIARIES

The Leader of the Council introduced the recommendations of the Executive for revised arrangements in respect of increasing the number of Independent Directors on the Council's subsidiary companies and formalising their respective terms of office. Due to the high level of activity and increasing scale of business, it was considered appropriate to increase the number of Independent Directors and formalise the period of service having regard to best practice. It was noted that Councillor Barker had suggested several amendments to the recommendations which were welcomed and accepted by the Leader of the Council. The proposed amendments were:

- Reword (ii) The normal term of office of an Independent Director be THREE years WITH A MAXIMUM OF TWO TERMS TO BE SERVED

- Replace current (iv) with - The current Independent Directors be retired on a rolling basis, one each year from 2022, so that experience is retained alongside the appointment of new Directors and all current Directors retire by 2024
- Add new point (vi) – The member panel should seek to recruit Board members who are connected to and representative of the Woking population, particularly in relation to gender and ethnic background.

Members welcomed the proposed amendments and agreed the recommendations as amended.

RESOLVED

- That (i) the number of Independent Directors on Council subsidiaries be increased to two;
- (ii) the normal term of office of an Independent Director be three years with a maximum of two terms to be served;
- (iii) the normal maximum term of office of an Independent Director be eight years;
- (iv) the current Independent Directors be retired on a rolling basis, one each year from 2022, so that experience is retained alongside the appointment of new Directors and all current Directors retire by 2024;
- (v) a Panel of Members be appointed to oversee the recruitment process and recommend appointments to the Council; and
- (vi) the Member Panel should seek to recruit Board members who are connected to and representative of the Woking population, particularly in relation to gender and ethnic background.

9G DEVELOPMENT MANAGER - SCHEME OF DELEGATIONS.

The Council received the recommendations of the Planning Committee in respect of the recent review of the Council's Scheme of Delegations to the Development Manager. The recommendations were introduced by the Portfolio Holder and supported by the Chairman of the Planning Committee. The changes, drawn up by a working group established by the Council, would greatly improve the balance between officer and Member decision making on non-contentious planning applications.

The Council welcomed the recommendations of the Planning Committee.

RESOLVED

That, with effect from 1 August 2020, the current delegations to the Development Manager be rescinded and, subject to the note below, replaced by those in Appendix 3 to the report presented to the Planning Committee.

Note: Paragraph 1 d) of Appendix 3 shall have the words “and any companies or entities 50% or more owned by Woking Borough Council” inserted after “Council” so that it reads:-

“d) Applications where the applicant is Woking Borough Council and any companies or entities 50% or more owned by Woking Borough Council, except for non-material amendments and minor material amendments (irrespective of whether they are major or non-major development).”

10. SHEERWATER REGENERATION. WBC20-012

The Leader of the Council presented a report which provided an update on the progress of the Sheerwater Regeneration Scheme and recommended that the Authority should make a Compulsory Purchase Order to facilitate the carrying out of the Scheme.

It was noted that in February 2020 the Planning Committee had approved changes to the affordable housing provisions sought by the Council (as landowner) and Thamesway Housing Limited and Thamesway Developments Limited, changes which meant that the Scheme could be implemented in the manner proposed. The Council was advised that only three homeowners of the original 120 had not yet engaged with the Council in connection with the voluntary purchase of their properties and that the Coronavirus outbreak had not adversely affected the implementation of the Scheme. Both the first residential phase (purple phase) and the leisure element of the Scheme were currently proceeding in accordance with the original contract programme.

Officers remained of the view that there was a compelling case in the public interest for the making and confirmation of a Compulsory Purchase Order, and that the Order comprised a proportionate response to secure the Council’s objectives. It was noted that a grant of £280,000 had been received from the Government to assist with the legal costs of the Order.

In accordance with Standing Order 10.8, the names of Members voting for and against the recommendations were recorded.

In favour: Councillors S Ashall, A Azad, A-M Barker, D Bittleston, J Bond, A Boote, M Bridgeman, G Chrystie, G Cundy, K Davis, G Elson, W Forster, D Harlow, K Howard, I Johnson, C Kemp, R Leach, N Martin, R Mohammed, L Morales, C Rana, J Sanderson and M Whitehand

Total in favour: 23

Against: Councillor L Lyons.

Total against: 1

Present not voting: The Mayor, Councillor Mrs Hunwicks, and Councillors M Ali, T Aziz, D Hughes and M I Raja

Total present not voting: 5

The recommendations were therefore carried by 23 votes in favour to 1 vote against.

RESOLVED

- That (i) the Council authorises the use of Compulsory Purchase powers as set out in Section 226(1)(a) of the Town and Country Planning Act 1990 to compulsorily acquire the Order Land identified within Appendix 1, and in particular that the Council makes the Order;
- (ii) the Director of Legal and Democratic Services, in consultation with the Leader of the Council and Portfolio Holder, be authorised to settle the final form and content of the Order and all associated documentation and take all action needed to pursue the Order and secure its confirmation;
- (iii) the Director of Legal and Democratic Services, in consultation with the Leader of the Council and Portfolio Holder, be authorised to negotiate, agree terms and enter into agreements with interested parties including agreements for the withdrawal of objections or undertakings not to enforce the Order on specific terms including where appropriate removing land or rights from the Order or to request the modification of the Order by the Secretary of State;
- (iv) the Director of Legal and Democratic Services in consultation with the Leader of the Council and Portfolio Holder, be authorised to implement the Order powers following confirmation of the Order, and so acquire title to and/or take possession of the Order Land; and
- (v) the External Borrowing Limits be determined as set out in the table below:

	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000	2023/24 £'000
Revised Operation Boundary for External Borrowing	1,906,409	2,070,420	2,345,504	2,527,313	2,706,404
Revised Authorised Limit for External Borrowing	1,916,409	2,080,420	2,355,504	2,537,313	2,716,404

11. REDESIGNATION OF THE HOOK HEATH NEIGHBOURHOOD FORUM. WBC20-011

The Council had before it a report on the Hook Heath Neighbourhood Forum. The Forum had been designated in October 2013 with the primary objective to prepare the Hook Heath Neighbourhood Plan. The Neighbourhood Plan had been adopted in October 2015, the first in the Borough, and was now part of the Development Plan for the area.

The Forum was now nearly 7 years old and had ceased to have effect in representing the community in preparing, reviewing or monitoring the delivery of the Hook Heath Neighbourhood Plan. It therefore had no statutory status as a consultee on planning applications for development within the Neighbourhood Area.

In order to continue its work, the existing Hook Heath Neighbourhood Forum had submitted a formal application to the Council to re-designate the Neighbourhood Forum for a further period of 5 years. The application did not seek to alter any part of the existing Neighbourhood Area and had been widely consulted upon. Officers were satisfied that the

proposed Neighbourhood Forum application met the requirements of Government legislation and should therefore be approved.

RESOLVED

- 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 Hook Heath Neighbourhood Forum for a further period of 5 years for the purposes of supporting the future review of the Hook Heath Neighbourhood Plan and to ensure the effective delivery of its requirements; and
- (ii) the effective date for the re-designation of the Hook Heath Neighbourhood Forum should be the date of the Council's decision on the application, in this regard, 30 July 2020.

12. HOUSING INFRASTRUCTURE FUND (HIF) ISLAND SITE - COMPULSORY PURCHASE ORDER (CPO). WBC20-014

The Leader of the Council introduced a report on the Council's successful Housing Infrastructure Fund (HIF) bid to deliver an integrated highways revitalisation project estimated to cost £115 million. It was noted that there are three key elements to the project:

- acquisition and demolition of the Island site;
- A320 highway widening and improvements;
- and the replacement of Victoria Arch bridge (the Scheme).

In order to deliver the scheme the Council had to consider the use of its compulsory purchase order (CPO) powers. The report outlined the detailed reasons for using such powers.

The attention of Members was drawn to a supplementary report which had been drawn up following discussion between the Leader of the Council and the Chairman of the Economic Development Task Group, Cllr Ian Johnson, concerning Member oversight of the Fund Project. It was proposed to establish a Housing Infrastructure Fund Oversight Panel, draft Heads of Terms were attached at Appendix 1. Appointments to the Panel will be made annually in May, alongside other appointments, but to enable the Panel to be established as soon as possible the report nominated the following Councillors:

- David Bittleston, Leader of the Council and Mount Hermon Ward Member;
- Ayesha Azad, Portfolio Holder for Financial Services;
- Colin Kemp, Portfolio Holder for Transport;
- Ian Johnson, Mount Hermon Ward Member;
- Liam Lyons, Mount Hermon Ward Member; and
- Mohammad Ali, Canalside Ward Member.

In considering the supplementary report, it was noted that the membership included both the Ward Members for Mount Hermon and the Leader of the Council. The County Council had chosen to delegate responsibility to Woking Borough Council and it was therefore not proposed to include County Members on the Oversight Panel.

In view of the lateness of the supplementary paper, Councillor Ali proposed that the Panel should be established and that the composition and Heads of Terms of the Panel should be considered at its first meeting, with any proposed changes to be brought back to the Council. The amendment was seconded by Councillor Aziz. The Leader of the Council advised that the Heads of Terms were based on those adopted by other Oversight Panels and that there would be no objections should the Members of the Panel wish to recommend any changes to the Council. It was therefore agreed that the amendment by Councillor Ali could be added to the substantive recommendations before the Council without the need for a named vote.

In accordance with Standing Order 10.8, the names of Members voting for and against the substantive recommendations, as amended, were recorded.

In favour: Councillors M Ali, S Ashall, A Azad, T Aziz, A-M Barker, D Bittleston, J Bond, A Boote, M Bridgeman, G Chrystie, G Cundy, K Davis, G Elson, D Harlow, K Howard, D Hughes, I Johnson, C Kemp, R Leach, N Martin, R Mohammed, M I Raja, C Rana, J Sanderson and M Whitehand

Total in favour: 25

Against: Councillor L Lyons.

Total against: 1

Present not voting: The Mayor, Councillor Mrs Hunwicks, and Councillors W Forster and L Morales.

Total present not voting: 3

The recommendations, as amended, were therefore carried by 25 votes in favour to 1 vote against.

RESOLVED

- That (i) the Council, being satisfied that there is a compelling case in the public interest for the compulsory purchase of the Order Land (identified within Appendix 1), to facilitate the carrying out of the Scheme, authorise the making of a compulsory purchase order under the relevant statutory powers (being the powers under the Highways Act 1980 or the powers under the Town and Country Planning Act 1990, as appropriate) and that the Council make such Order;
- (ii) the Director of Legal and Democratic Services, in consultation with the Leader of the Council and Portfolio Holder, be authorised to settle the final form and content of the Order and all associated documentation and take all action needed to pursue the Order and secure its confirmation;

- (iii) the Director of Legal and Democratic Services, in consultation with the Leader of the Council and Portfolio Holder, be authorised to negotiate, agree terms and enter into agreements with interested parties including agreements for the withdrawal of objections or undertakings not to enforce the Order on specific terms including where appropriate removing land or rights from the Order or to request the modification of the Order by the Secretary of State;
- (iv) the Director of Legal and Democratic Services, in consultation with the Leader of the Council and Portfolio Holder, be authorised to implement the Order powers following confirmation of the Order, and so acquire title to and/or take possession of the Order Land;
- (v) the Housing Infrastructure Fund (HIF) Oversight Panel be established and the Terms of Reference attached to this report be approved;
- (vi) Councillors Bittleston, Azad, Kemp, Johnson, Lyons and Ali be appointed to the Panel; and
- (vii) the composition and Heads of Terms of the Panel to be considered at its first meeting of the Oversight Panel, with any proposed changes to be brought back to the Council.

13. MEMBERS' CODE OF CONDUCT - PROTOCOL FOR MEMBERS' ACCESS TO CONFIDENTIAL INFORMATION OF COUNCIL-OWNED COMPANIES. WBC20-020

Councillor Azad presented a report which recommended that the Council should adopt a "Standards Protocol" which would cover Members' access to confidential information of Council-owned companies. This would mean that Members would no longer have to sign a separate non-disclosure agreement to gain access to such information.

RESOLVED

- That (i) the Protocol for Members' Access to Confidential Information of Council-Owned Companies appended to this report shall be adopted with effect from 30 July 2020; and
- (ii) the Protocol for Members' Access to Confidential Information of Council-Owned Companies shall be subject to paragraph 2.6 of the Members' Code of Conduct.

14. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE. WBC20-007

Councillor Hughes, Chairman of the Overview and Scrutiny Committee, introduced the annual report of the Committee, outlining the key activities undertaken during the year. A wide range of topics had been covered by the Committee over the year and Councillor Hughes thanked both Councillor Whitehand as Vice-Chairman and the Members of the Committee for their supportive role over the year.

RESOLVED

That the report be received.

15. ANNUAL REPORT BY COUNCIL REPRESENTATIVES ON OUTSIDE BODIES. WBC20-009

Councillor Azad introduced the report and welcomed the contributions from the Council's representatives on outside bodies.

RESOLVED

That the report be noted.

16. ANNUAL REPORT ON MEMBER LEARNING AND DEVELOPMENT. WBC20-010

Councillor Kemp, Lead Councillor for Member Learning and Development, presented the annual report on the Council's learning and development activities over the past year. It was noted that the Council's Policy for Member learning and development had been reviewed and was before the Council for approval.

RESOLVED

That (i) the Elected Member learning and development activities of 2019-20 be noted; and

(ii) the updated Policy for Elected Member Learning and Development, as set out in Appendix 2 to the report, be adopted.

17. APPOINTMENT TO THE STANDARDS AND AUDIT COMMITTEE, STANDARDS HEARINGS SUB-COMMITTEE AND APPEALS COMMITTEE. WBC20-017

The Council noted that Councillor Ashall had resigned from his position on the Standards and Audit Committee and the Standards Hearings Sub-Committee. The Members were invited to nominate a new Member to the vacancies on the Committee and Sub-Committee.

Councillor Bittleston moved and Councillor Azad seconded the nomination of Councillor Elson to the Standards and Audit Committee, the Standards Hearings Sub-Committee and the Appeals Committee. The nomination was agreed nem con.

RESOLVED

That Councillor Elson be appointed to the Standards and Audit Committee, the Standards Hearings Sub-Committee and the Appeals Committee for the remainder of the 2020/21 Municipal Year.

18. APPOINTMENT OF MEMBER LEVEL DIRECTORS TO KINGFIELD COMMUNITY SPORTS CENTRE LIMITED. WBC20-019

The Council received a report which proposed that the Portfolio Holder for Corporate Services (Assets), Councillor Azad and the Portfolio Holder for Leisure and Cultural Services, Councillor Kemp should be appointed to the Board of Kingfield Community Sports Centre Limited.

It was noted that Kingfield Community Sports Centre Limited had been acquired on 17 May 2019 and that the intention had been to transfer the assets of the company to the Council and close the company. As a result, only two Officer Directors had been appointed at the time of acquisition.

The transfer of assets and closure of the company, however, would take many months to complete and in light of the level of public interest in the site, and its future potential development and/or use, it was proposed that two Councillor Directors be appointed to ensure appropriate Member level governance pending the closure of the company. The Council's normal practice was for the appointment of the relevant Portfolio Holders(s) as Directors.

Councillor Azad offered to stand down as nominee should the Opposition Group wish to take up one of the two Director posts. Councillor Barker advised that the option would need to be considered outside of the meeting. In the meantime, it was agreed to appoint Councillor Azad and Councillor Kemp until such time that Opposition proposed a nominee or that the Company was closed down.

RESOLVED

That Councillor Ayesha Azad and Councillor Colin Kemp be appointed as Councillor Directors of Kingfield Community Sports Centre Limited.

19. NOMINATIONS FOR APPOINTMENTS AVAILABLE THROUGH THE SURREY LEADERS' GROUP. WBC20-018

The Council was invited to consider submitting nominations to two positions available through the Surrey Leaders' Group. The two positions – on the Adults and Health Select Committee and the Countryside Access Forum – would be for a term of office of three years. The nominations would be considered by the Surrey Leaders' Group in the coming weeks.

No nominations were made.

RESOLVED

That that no nominations be made.

20. WOKING FOOTBALL CLUB AND ASSOCIATED DEVELOPMENTS. WBC20-022

The Overview and Scrutiny Committee at its meeting on 15 June 2020 had made a number of recommendations to Council in respect of the Woking Football Club & Associated Developments Task Group Report. The recommendations of the Committee were set out in the report before the Council.

The report before the Council had been compiled in collaboration with the Chairman and Vice Chairman of Overview and Scrutiny Committee, Councillors Hughes and Whitehand, and the Chairman of Standards and Audit Committee, Claire Storey. The report sought to consider the recommendations in turn and suggest to Council how they could be effectively taken forward.

Councillor Hughes introduced the report and set out the background to the recommendations now before the Council. Amid concerns of recommendation (D), Councillor Hughes suggested the possibility of removing the word 'more' from the recommendation. The proposed amendment was welcomed by the Council and was added to the substantive recommendations before the Members.

RESOLVED

- That (A) the Woking Borough Council Project Management Framework be adopted for all projects and programmes including those that are not initiated by the Council;
- (B) a Confidentiality Protocol is submitted to the Standards and Audit Committee at its meeting on 17 September 2020 for recommendation to Council;
- (C) an Officer Conflict of Interests Protocol is submitted to the Standards and Audit Committee at its meeting on 17 September 2020 for recommendation to Council;
- (D) all Councillors should be careful in accepting information without reasonable evidence, and unsubstantiated statements should be more rigorously tested prior to agreement of Council (Officer) recommendations;
- (E) elements of the future sustainability and self-sufficiency of WFC should be more fully tested for clarity and accuracy. As the prime rationale for the development is that of ensuring the on-going sustainability of the club. It would be prudent to ensure that this is achievable in all the various and on-going iterations of the proposals. Any changes of proposals should be brought back to the Council for consideration;
- (F) a rigorous risk assessment is required of the whole scope of the Woking Football Club and Related Developments to protect the Council should Planning Consent be granted. The project risks and those associated with the loan facility should be regularly reviewed;
- (G) the role of Woking Borough Council as landowner is clearly identified when considering any Planning Policy or Planning Application;
- (H) acquisition of land or property by the Council should normally be supported by at least one valuation, or where its price is in excess of £10m, two valuations, and where valuations are not considered appropriate a full explanation must be submitted to the Executive or Council for approval; and

- (l) the LGA be requested to nominate a professional person or experienced organisation, independent of the Council, to investigate and review the processes and actions of the Council in respect of the Woking Football Club and Associated Developments and to make appropriate recommendations to the Council arising from its investigations and review.

21. NOTICES OF MOTION. WBC20-023

Councillor Ali

The following motion was moved by Councillor Ali and seconded by Councillor Aziz and referred to the Executive on 10 September 2020 in accordance with Standing Order 5.7.

“Expenses paid by Woking Council owned bodies

This council requires that expenses of all kinds (e.g. benefits, gifts and trips) are published for Council Officers and Councillors appointed by Woking Council to be Directors of companies owned by Woking Council and its residents.

These expenses will be publicly available at monthly intervals henceforth and also retrospectively back to the formation of the bodies or appointment.”

22. EXCLUSION OF PRESS AND PUBLIC.

The Mayor moved and Councillor Hussain seconded that the press and public should be excluded from the meeting during consideration of the following items.

RESOLVED

That the press and public be excluded from the meeting during consideration of Agenda Items 23 and 24 in view of the nature of the proceedings that, if members of the press and public were present during these items, there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, to the Local Government Act 1972.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

23. RECOMMENDATIONS OF THE EXECUTIVE. WBC20-016

23A VICTORIA SQUARE UPDATE.

The Council received the recommendations of the Executive in respect of the Victoria Square Update.

RESOLVED

That the recommendations be resolved as set out in the confidential minutes of the meeting.

24. PROPERTY MANAGEMENT. WBC20-021

The Council received a report on Property Management.

RESOLVED

That the recommendations be resolved as set out in the confidential minutes of the meeting.

The meeting commenced at 7.00 pm
and ended at 11.50 pm

Chairman: _____

Date: _____