

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 17 November 2022

Present:

Cllr A-M Barker (Chairman)
Cllr W P Forster (Vice-Chair)

Cllr I Johnson Cllr E Nicholson
Cllr R N Leach Cllr D Roberts
Cllr L S Lyons

Also Present: Councillors A Azad, K M Davis, C S Kemp and J P Morley.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 6 October 2022 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

No apologies for absence were received.

3. URGENT BUSINESS

There were no items of Urgent Business under Section 100B(4) of the Local Government Act 1972.

4. DECLARATIONS OF INTEREST

In accordance with the Officer Employment Procedure Rules, the Chief Executive, Julie Fisher, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which she was a Council-appointed director. The interests were such that Mrs Fisher could advise the Executive on those items.

In accordance with the Officer Employment Procedure Rules, the Strategic Director – Corporate Resources, Kevin Foster, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he was a Council-appointed director. The interests were such that Mr Foster could advise the Executive on those items.

In accordance with the Officer Employment Procedure Rules, the Strategic Director – Place, Giorgio Framalitto, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he was a Council-appointed director. The interests were such that Mr Framalitto could advise the Executive on those items.

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

5. QUESTIONS

No written questions had been submitted under Section 3 of the Executive Procedure Rules. The Leader highlighted that the new administration welcomed questions from members of the public and explained the submission process. The deadline for written questions from members of the public was 12 noon, seven days before the Executive. The next Executive would be held on 8 December 2022, so the deadline for written questions was 12 noon, 1 December 2022.

6. NOTICE OF MOTION - CLLR J MORLEY - FAIR TAX EXE22-076

At its meeting on 13 October 2022, the Council referred the following Notice of Motion to the Executive.

Councillor J Morley

“This Council notes that:

1. The pressure on organisations to pay their fair share of tax has never been stronger.
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.
4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17 billion per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

This Council believes that:

1. Paying tax is often presented as a burden, but it should not be.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
4. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.
5. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils' ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.
6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

The Council recognises the importance of delivering the Council's Key Priorities for the residents of Woking whilst acting within the confines of the law and balancing the budget. With this in mind, the Council resolves to:

1. Support the Councils for Fair Tax Declaration.
2. This commits the Council to promoting responsible tax conduct through:
 - Leading by example and demonstrating good practice in our tax conduct, right across the Council's activities.
 - Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
 - Discouraging the use of offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
 - Undertaking appropriate due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and if necessary take appropriate action within the confines of the procurement regime.
 - Seeking clarity, when appropriate, on the ultimate beneficial ownership of major suppliers UK and overseas and their consolidated profit and loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.

3. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
4. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
5. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.”

Councillor Morley attended the meeting and spoke in support of the Motion. The Executive welcomed the Motion and agreed that it would be a positive step for the Council and would set an example regarding fair tax and responsible tax conduct. It was noted that Councillor Morley had worked with Officers to ensure that the Motion would not impact on the Council's operations and could be supported by Council.

RECOMMENDED to Council

That the Motion be supported.

7. VICTORIA PLACE UPDATE EXE22-054

The Leader of the Council, Councillor Barker, introduced the report which provided an update on Victoria Place and recommended to Council the approval of an additional revolving loan facility. Councillor Barker highlighted the positive aspects of the Victoria Place major regeneration project including the new retail outlets such as Marks & Spencer, the opening of Italia Conti Performing Arts Academy which had brought university level education to Woking, and leisure operator Woking Superbowl. It was noted that new retail occupiers were expected in the new year. The Marches residential was performing well and demand remained strong. Consideration was being given to Henry Plaza, named after past Councillor Henry Cawsey, and how the space could be used. It was highlighted that Victoria Place would host the ice rink for the winter season.

Councillor Barker provided an update on the hotel and expressed disappointment that the hotel's opening had been delayed due to a failed cladding system. The Executive was informed that remedial work was due to be completed by the end of October 2023 with the Hilton Hotel opening before Christmas 2023.

The Executive noted the financial challenges and current economic situation facing the project. The Executive was supportive of the proposal to make available further funding in the short-term to meet the net operating costs of VSWL between December 2022 and March 2027. This would be a revolving loan facility, with tightly controlled drawdowns. The Portfolio Holder for Finance, Councillor Roberts, advised the Executive that additional equity investment would be sought in the long-term. New governance arrangements approved by Council in July 2022 were highlighted which would scrutinise the Council's investment.

Attention was drawn to the arts provision in the Town Centre, such as the Ambassadors Theatre Group, Rhoda McGaw and Buzz Theatres, and it was suggested that opportunities could be explored with the University of Surrey's cultural and drama departments to bring more people into the town.

Councillor Azad raised a number of questions regarding the report, including the completion of snagging work, the construction contingency amount, the percentage revenue split between the hotel, residential and retail, the sensitivity analysis to determine the impact of interest rate rises, and the advantages of holding the car park in VSWL. Councillor Barker responded to the points raised before moving to the recommendations in the report.

RECOMMENDED to Council

- That (i) the work to date on the delivery of the regeneration project, to support its completion and the next stages of the regeneration of the town centre, be noted;**
- (ii) a revolving loan facility of £745m be approved, representing an increase of £45m to the £700m revolving loan facility approved in February 2021; and**
- (iii) the development budget be retained at £700m with a reduced scope to exclude elements of the February 2021 approval including the Lockfield Drive pedestrian and cycle bridge, Victoria Way central reservation landscaping and Export House Building Maintenance Unit (BMU) to enable conclusion of the final account with Sir Robert McAlpine.**

Reason: To enable the successful completion of the Victoria Place regeneration project to support the overall vision for the town centre as a vibrant town centre, bringing together a compelling offer of high-quality business, leisure, retail and sustainable living opportunities.

8. WOKING STRATEGIC PARTNERSHIPS EXE22-059

The Executive received a report which set out a new framework for working with partners in order to support the Council's strategic priorities. Councillor Barker set out the proposed new arrangements following the County Council's decision to end the Woking Joint Committee arrangements.

The Council's strong relationship with health partners through the North West Surrey Alliance was noted. It was proposed that, alongside the North West Surrey Alliance, a new Woking Strategic Partnership Board would be established to provide collective leadership and strategic direction to improve outcomes for residents, focusing on issues where joint working was essential. The Executive heard that the Partnership Board would include infrastructure delivery, climate change, improving health outcomes and keeping residents safe. It was noted that the Partnership Board would need to meet both in public and private. In addition, a new Woking Place Board was proposed to drive forward inclusive economic growth and be business led.

Discussion ensued on membership of the proposed Boards and public engagement. The Executive was advised that plans were still being worked up however likely membership of the Partnership Board would include the Leader, Deputy Leader, a member from each political group which would ideally be Group Leaders, Senior Officer representation, Surrey Police representation and a member of the health Alliance team. It was noted that meetings with wider partners would need to be held privately. It was suggested that the

Woking Strategic Partnership Board membership include Woking schools representation. Cllr Barker noted that the potential for Surrey County Councillors to sit on Woking's Greener Woking Working Group was being explored. It was hoped that the Partnership Board would have its first meeting in February 2023 and that the Place Board would be active in Summer 2023.

Councillor Barker provided an update on the County Deal, commenting that the Council welcomed a joint submission between the County and district and boroughs. The Executive was informed that Surrey district and borough leaders and chief executives had met on 22 October 2022 to understand the County's position. Councillor Barker confirmed that the district and boroughs leaders response had been sent to the Leader of Surrey County Council for incorporation into the proposals to be taken forward for negotiation with Government. Discussions were ongoing and further information would be reported to the Executive when available.

The arrangements for CIL applications were confirmed noting that a cross party group met on the first Monday of each month, as required, to consider applications below £10k. It was highlighted that any requests for funds of £10k or more would be considered by the Executive.

RESOLVED

- That (i) a Woking Strategic Partnership Board be established with key partners;
- (ii) the Council works with key businesses and major employers to create a "Woking Place Board" and a business lead place brand for Woking; and

RECOMMENDED to Council

- That (iii) the positive work underway to pursue a County Deal for Surrey be noted;**
- (iv) the current Woking Joint Committee arrangements for small scale neighbourhood Community Infrastructure Levy (CIL) and the Health and Wellbeing Task Group and the Community Safety Task Group will continue to the end of March 2023, and that CIL Neighbourhood funds to a value over £10k will be approved by the Executive; and**
- (v) from the start of the Municipal Year 2023/24, a new Community Infrastructure Levy (CIL) Committee be created with delegation to determine of the allocation and spend of small scale CIL Neighbourhood funds to the value up to £10k.**

Reason: To ensure strong partnership arrangements are in place that support the delivery of the Woking for All Strategy, and to ensure that effective arrangements are in place for the remaining actions of the former Woking Joint Committee.

9. REVIEW OF FEES AND CHARGES 2023-24 EXE22-062

The Executive received a report detailing the proposed discretionary fees and charges for 2023-24. Councillor Roberts, Portfolio Holder for Finance, highlighted that the report needed to be considered in the context of the Council's overall position set out in the Medium Term Financial Strategy later in the agenda, and the national picture. The effect of high inflation and energy costs on Council services was also highlighted. Given the Council's financial situation, the Executive was faced with a difficult choice between delivering services at an additional cost to services users or not delivering those services at all.

The Portfolio Holder advised that the parking trial (£3 for up to three hours parking on Saturdays in Victoria Place) was showing early signs of success and it was proposed to retain the £3 for up to three hours on Saturdays in Victoria Place, and to extend the £3 for up to three hours charge to Sundays in all town centre car parks. It was also proposed to agree charging fees in respect of electric vehicle charging.

Councillor Barker drew attention to the report later on the agenda regarding the Cost of Living Crisis and the importance of making people aware of the help and support available, such as the Household Support Grant.

Councillor Davis raised a number of points including the lack of detail regarding some of the proposed price increases, the possibility of a 30 minute parking rate, the potential introduction of a dedicated chargeable DIY Handyperson service, and garden waste charges. The Portfolio Holder agreed to speak to Councillor Davis outside the meeting to find out what additional information would be helpful and added that consideration could be given to a 30 minute parking rate.

Following a question regarding the replacement of the Selective Licensing scheme by a Borough wide amenity standard, it was reported that the main benefit of the new amenity standards was that it would apply across the Borough and provide a consistent approach for all landlords and tenants. It would also be less of an administrative burden, require less staff resources and reduce costs to landlords in Canalside.

Regarding increases to evening parking charges, it was noted that the Council's new car park management system included functionality which enabled retailers, such as the theatre and cinema, to offer discounted parking as part of a promotion. It was agreed that the proposed parking charge increases at Woodlands Car Park would be double-checked.

RECOMMENDED to Council

- That (i) the discretionary fees and charges, as set out in Appendices 1 – 4 of the report, be approved;**
- (ii) delegated authority be given to the Green Infrastructure Manager and Strategic Director - Place, in consultation with the Greener Woking and Planning and Regulation Portfolio Holders, to finalise the proposed street naming and numbering fees before implementing these from 1 April 2023;**
- (iii) delegated authority be given to the Strategic Director – Place, in consultation with the Portfolio Holder for Planning and Regulation, to revise charges for the stray dogs service**

following the commencement of the new service contract to be effective from 1 January 2023; and

- (iv) delegated authority be given to the Strategic Director – Place, in consultation with the Portfolio Holder for Planning and Regulation, to agree charging fees in respect of electric vehicle charging.**

Reason: The regular review of discretionary charges ensures that the Council maintains its income base and generates additional resources for the provision of services.

10. CALENDAR OF MEETINGS 2023-24 EXE22-063

The Executive received a report which sought approval to recommend to Council the Calendar of Meetings 2023-24.

RECOMMENDED to Council

That the Calendar of Meetings 2023/24 be approved as set out in Appendix 1 to the report.

Reason: In accordance with Standing Order 1.2 of the Constitution, which states that “The date of the annual (Council) meeting and those of ordinary meetings shall be fixed by the Council in or about December of the preceding municipal year”.

11. COST OF LIVING CRISIS UPDATE EXE22-070

[NOTE: In accordance with the Members’ Code of Conduct, Councillor I Johnson declared an interest in this item arising from his wife’s employment by Citizens Advice Woking. The interest was such that speaking and voting was permissible.]

The Executive received a report which provided an update on the Cost of Living Summit held on 27 September 2022, and which set out an action plan to be reviewed regularly by the Executive. The Executive heard that Summit participants had highlighted the need to communicate with residents both electronically and in paper format, and it was noted that Cost of Living information and support had been published on the Council’s website and in the Woking Magazine. The provision of warm hubs in the Borough had also been raised and it was noted Woking now had the largest number of warm hubs in Surrey. Food was also highlighted as an important issue, particularly given the increase in the cost of food, and the Executive noted initiatives in the Borough around food including food banks and community fridges.

Councillor Nicholson suggested that it would be useful for the Council to facilitate an online discussion with partners to discuss learning points in the spring.

The Executive thanked Officers for arranging the well-received Cost of Living Summit and for the Cost of Living information in the Winter Woking Magazine.

RESOLVED

That the success of the Cost-of-Living Summit be noted and the Executive to receive regular reports on progress against the action plan.

Reason: To ensure Woking residents access the support they need this Winter with the Cost of Living and to monitor progress against the action plan.

12. DRAFT MEDIUM TERM FINANCIAL STRATEGY (MTFS) AND GENERAL FUND BUDGET 2023-24 EXE22-064

Councillor Roberts, Portfolio Holder for Finance, introduced the report which provided an update to the Medium Term Financial Strategy (MTFS). Councillor Roberts set out the scale of the challenge facing the Council drawing attention to further pressures since the MTFS update in July which included interest rate rises. It was noted that commercial and parking income had continued at levels substantially below 2019 levels. Despite work to identify savings, the Executive was informed that reserves were likely to fall beneath the minimum acceptable level by the end of 2023/24 and be fully used during 2024/25. The Executive would receive a more detailed update at its meeting on 8 December 2022 with proposals for how the Council would address the situation. Savings had been identified, set out in Appendix 1 to the report, though decisions on them had not yet been made. The Executive agreed that it was important to protect statutory services.

RESOLVED

That the update to the Medium Term Financial Strategy (MTFS) be noted.

Reason: The decision is sought to develop further proposals for consideration to ensure the medium-term financial stability of the Council.

13. DRAFT HOUSING REVENUE ACCOUNT BUDGET UPDATE 2023-24 EXE22-065

The Executive received a report which set out the Council's draft Housing Revenue Account (HRA) budgets for 2023-24. It was noted that the HRA budget also faced significant challenges and was not sustainable after 2023-24. The significant rise in energy costs was highlighted. Further work would be required by Officers over the coming months with the final budget being received by the Executive in February 2023.

It was noted that the Autumn Statement announced today had set rent increases at 7%. The budgeted rents as set out in the report had been prepared on the basis of 5%. Therefore, the Executive asked Officers to prepare the budget on the basis of 7% ahead of February 2023.

Following the tragic case in Rochdale, Councillor Johnson, Portfolio Holder for Housing, reported on the procedures in place in Woking to ensure that damp and mould issues were dealt with promptly and appropriately.

Discussion ensued on the relationship between the HRA and the Sheerwater Regeneration Scheme.

RESOLVED

- That (i) the draft Housing Revenue Account budgets for 2023/24, as set out in Appendix 1 to the report, be agreed; and
- (ii) Managers, Corporate Leadership Team and Portfolio Holders continue detailed budget preparation for consideration by the Executive in February 2023.

Reason: Consideration of these proposals will enable the preparation of the Council's Housing Revenue Account budgets for 2023/24 to proceed.

14. DRAFT INVESTMENT PROGRAMME 2022-23 TO 2026-27 EXE22-066

The Executive received a report which set out the draft Investment Programme 2022-23 to 2026-27. Attention was drawn to new schemes which had been added since the Programme was approved in February 2022, including the Digital Centre of Excellence, and River Wey flood prevention. It was noted that the budget allowance for Opportunity Purchases had been removed from the Investment Programme.

Following a question regarding the Rainwater Garden Project, it was confirmed that the project was funded by the County Council. Officers advised that the vacant post in drainage and flood risk management was being advertised and that the project was currently being managed within the Council's Property, Green Infrastructure and Planning teams.

Regarding playground improvement and maintenance, it was noted that a strategy document on play areas would be received by the Executive in the new year.

RESOLVED

- That (i) the draft Investment Programme for 2022/23 to 2026/27 be received; and
- (ii) Managers, Corporate Leadership Team and Portfolio Holders be asked to review the Programme considering project costs and timing.

Reason: To agree the draft Investment Programme for consultation before submission for final approval to the Council in February 2023.

15. AFFORDABLE HOUSING DELIVERY SUPPLEMENTARY PLANNING DOCUMENT (SPD) EXE22-053

The Executive received a report which sought approval for the Affordable Housing Delivery Supplementary Planning Document (SPD) to be published for public consultation. It was noted that the existing Affordable Housing Delivery SPD had been adopted in October 2014. It was proposed to take the document to public consultation from 21 November 2022 to 19 December 2022.

RESOLVED

- That (i) the contents of the draft Affordable Housing Delivery Supplementary Planning Document (SPD), attached at Appendix 1 to the report, be noted and approved for public consultation between 21 November 2022 and 19 December 2022; and
- (ii) delegated authority be given to the Strategic Director - Place, in consultation with the Portfolio Holders for Planning and Regulation, to approve any minor amendments to the SPD before it is published for public consultation.

Reason: To give the public an opportunity to comment on the draft revised Affordable Housing Delivery SPD and for their comments to be considered before the SPD is adopted.

16. PROPERTY MANAGEMENT EXE22-073

The Executive received a report which sought approval for the sale of the freehold interests in Cleary Court and 2 Christchurch Way to allow the entire redevelopment of the Cleary Court Island site. It was noted that external advisors had advised that the proposed sale value was an acceptable level, and a red book valuation commissioned by the Council had indicated that the market value of the properties was in line with the proposed sale value. The proposed sale value was outlined in the Part II report. The Executive noted that there was a general willingness to move amongst the businesses in the buildings, and it would be important to help businesses that wished to relocate. Discussion ensued on the Town Centre Masterplan and the hope that it would encourage sustainable sensible development in the Town Centre.

The Executive welcomed the proposal which would sell surplus land and generate a capital receipt to the Council.

RESOLVED

That the Council dispose of the freehold interests in Cleary Court and 2 Christchurch Way.

Reason: This sale should allow the progression of a redevelopment scheme which will support the Council's aspirations for the continued regeneration of the town centre and provision of employment opportunities in line with the emerging Town Centre Masterplan whilst also removing an asset which currently represents a financial burden to the Council.

17. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book) September 2022.

RESOLVED

That the Performance and Financial Monitoring Information, September 2022, be received.

Reason: To manage the performance of the Council.

18. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of item 19 in view of the nature of the proceedings that, if members of the press and public were present during this item, there would be disclosure to them of exempt information as defined in paragraphs 1, 2 and 3 of Part 1 of Schedule 12A, to the Local Government Act 1972.

Paragraph 1 – Information relating to any individual.

Paragraph 2 – Information which is likely to reveal the identity of an individual.

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

19. PROPERTY MANAGEMENT EXE22-074

RESOLVED

That the commercially sensitive information, in support of the Property Management report under Part I of the agenda, be noted.

Reason: This sale should allow the progression of a redevelopment scheme which will support the Council's aspirations for the continued regeneration of the town centre and provision of employment opportunities in line with the emerging Town Centre Masterplan whilst also removing an asset which currently represents a financial burden to the Council.

This document was published on Friday 18 November 2022 and the decisions within it will be implemented on Monday 28 November 2022, subject to call-in.

The meeting commenced at 7.00 pm
and ended at 9.55 pm.

Chairman: _____

Date: _____