

MINUTES
OF A MEETING OF THE
OVERVIEW AND SCRUTINY COMMITTEE

held on 11 July 2022

Present:

Cllr A Azad (Chairman)
Cllr J R Sanderson (Vice-Chair)

Cllr H Akberali	Cllr C S Kemp
Cllr A Caulfield	Cllr A Kirby
Cllr K M Davis	Cllr J P Morley
Cllr P J T Graves	Cllr M I Raja

Also Present: Councillor W P Forster.

1. APOLOGIES FOR ABSENCE.

No apologies for absence were received.

2. MINUTES.

RESOLVED

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

3. MATTERS ARISING FROM THE PREVIOUS MINUTES.

The Chairman introduced the report on matters raised at previous meetings of the Committee, drawing the Committee's attention to actions undertaken subsequently.

RESOLVED

That the report be noted.

4. URGENT BUSINESS.

There was no urgent business to discuss.

5. DECLARATIONS OF INTEREST.

In accordance with the Members' Code of Conduct, Councillor A Azad declared a disclosable personal interest (non-pecuniary) in minute Item 7 – Company Governance

concerning the companies of which she is a Council-appointed director. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor K Davis declared a disclosable personal interest (non-pecuniary) in minute Item 7 – Company Governance concerning the companies of which he is a Council-appointed director. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor C Kemp declared a disclosable personal interest (non-pecuniary) in minute Item 7 – Company Governance concerning the companies of which he is a Council-appointed director. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor W Forster declared a disclosable personal interest (non-pecuniary) in minute Item 6 – Scrutiny Topic Proposal – Arrangements for Grants as he held the role of President of Woking Mind in an honorary capacity. The interest was such that speaking and voting were permissible.

In accordance with the Officer Employment Procedure Rules, the Director of Legal and Democratic Services, Joanne McIntosh, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which she is a Council-appointed director. The interests are such that Mrs McIntosh may advise the Executive on those items.

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

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

7. SCRUTINY TOPIC PROPOSAL - ARRANGEMENTS FOR GRANTS - COUNCILLOR DAVIS OSC22-035.

The Chairman advised that this item would be brought forward as Rebecca Bowden and Peter Cluff from the Community Foundation for Surrey had been invited to attend, welcoming them to the meeting. The item had been included on the agenda following a request by Councillor Davis to consider the proposals for Community Grants following the recent meeting of the Executive on 16 June and prior to a decision being taken by Council on 21 July.

Louise Strongitharm, Director of Housing, provided a presentation to the Committee which highlighted the reasons for adopting a new approach; the proposal for the current Community Grants funds to be replaced by Service Level Agreements with selected groups; the Woking Community Fund; and Endowment Fund Match Funding, the latter two operated by the Community Foundation for Surrey.

Community groups could apply to the Woking Community Fund throughout the year and, following consideration by quarterly meetings of a Panel, would invoice the Council when grants were awarded. The Endowment Fund would include match funding of 50% from the Council to new donations from the private sector to incentivise growth and sustainability. The Portfolio Holder and Lead Officer would sit and vote on the Panel, with the criteria

based on Council strategic priorities, and it would be chaired by an independent person recruited by the Foundation. An Annual Report would be submitted from the Foundation to the Council on the benefits of community grants and wider community support.

Rebecca Bowden introduced the work of the Community Foundation of Surrey, stating that the organisation matched donors with those that were applying for funding and that 89 funds were operated in the County alongside national programmes. Last year, a total of just under £3m was awarded in grant funding, with an average grant of £7,000. Peter Cluff added that as a Trustee of the Foundation and Chair of Guildford Philanthropy, he had overseen the increase in funding available over the past few years from £150,000 to £550,000 by involving the local population and businesses.

Councillor Davis stated that he had no issues with the Community Foundation for Surrey as a respected organisation operating within the County; however he raised concerns regarding the ability of Councillors to be involved in the process and democratic transparency, noting that the proposal was for the Portfolio Holder to be the only Member appointed to the Panel. Councillor Davis added that the Panel meetings would not be held publicly and asked whether there would be a ceiling for Council match funding. An error in the report was highlighted as charitable funding from businesses could be used to offset their corporation tax, instead of being applicable for Gift Aid which applied to donations from individuals.

Councillor Forster, Portfolio Holder for the Voluntary Sector, stated that the proposals would be driven around the outcomes with the Council having full control of the budget and criteria, which would be centred around the priorities within the Corporate Strategy. Other local authorities in Surrey with similar arrangements were Guildford, Reigate and Spelthorne. Rebecca Bowden added that the Council could increase the number of Members or Officers appointed to the Panel and that the Foundation welcomed assistance from Panel members throughout the year.

Councillor Kemp advised that he would be supportive of the setting up of Service Level Agreements (SLAs) for selected groups and expressed concern over the involvement of Councillors in determining the applications. It was suggested that further charitable organisations operating within the Borough – MASCOT, the Lighthouse, the Maybury Centre and Shopmobility – be considered for possible SLAs.

Councillor Sanderson asked for some further detail to be considered, for example whether the Council match funding was capped and the overall budget to be set for the Woking Community Fund.

Members noted the sad news that Woking Mind would be closing shortly and the excellent work the Charity had undertaken in the Borough.

The Chairman stated that that further consideration should be given to increasing the number of Members on the Panel to improve the democratic transparency, adding that it could be made proportional across the political groups. The annual report provided could also be received by the Overview and Scrutiny Committee. It was agreed that the debate would continue when the item was considered at the next meeting of Council.

The Chairman thanked Rebecca Bowden and Peter Cluff for attending the meeting.

6. COMPANY GOVERNANCE OSC22-031

Joanne McIntosh, Director of Democratic and Legal Services, introduced the report on Company Governance which was to be received by the Executive at its meeting on 14 July 2022 and was being considered by the Committee as pre-decision scrutiny. It was highlighted that officers had been undertaking a review of the governance of its subsidiary companies as part of the medium term financial resilience assessment produced by the professional services firm EY. The report before the Committee outlined the proposals to modernise the governance arrangements with respect to its oversight of the wholly or part owned companies.

Members noted that the proposals included the creation of a Shareholder Advisory Group (SAG) which the Leader of the Council would be appointed to, for which the draft Terms of Reference were included in the report, alongside the establishment of the Shareholder Liaison Service and recruitment to two new posts: Head of Shareholder Liaison Service and Project Officer.

Following questions by Members, it was noted that Members would no longer be appointed to the Boards of subsidiary companies; Members would be able to attend meetings as Observers and be able to access the agenda papers; the objectives of the Group companies were aligned with Council priorities; and greater emphasis should be placed on promoting the excellent outcomes which the companies had generated in the Borough.

The Committee was advised that the SAG would consider Thameswey, Victoria Place and other company matters in three separate meetings, each taking place once a quarter. If in time the number of subsidiary companies reduced, the number of meetings could be amended correspondingly.

Members expressed concern over the proposal to appoint just the Leader of the Council to the SAG, with the Chairman of the Overview and Scrutiny Committee attending as an Observer, and it was requested that further consideration be given to the involvement of Members in the process during the forthcoming meeting of the Executive.

RESOLVED

That the report be received.

8. WORK PROGRAMME OSC22-036.

The Chairman introduced the report on the updated Work Programme, drawing the Committee's attention to the key changes since the document had last been received.

In addition, two Scrutiny Topic Proposals were received: Review of the Constitution from Councillor Caulfield and Insulation and Energy Efficiency from Councillor Davis. Joanne McIntosh stated that work was taking place on the Constitution topic proposal and liaison would also be required with the Standards and Audit Committee, and any amendments would need to be agreed by Council. It was agreed to amend the Work Programme by adding Review of the Constitution to the meeting of the Committee on 12 September, which would set out a timetable, set out who would be involved and seek the Committee's initial thoughts.

It was further agreed to amend the Work Programme by adding Insulation and Energy Efficiency to the meeting on 21 November, as proposed in the scrutiny request form.

RESOLVED

That the Work Programme be noted and amended as set out above.

9. INTERIM PERFORMANCE AND FINANCIAL MONITORING REVIEW OSC22-032.

Adam Walther, Head of Transformation and Digital, introduced the interim update on the Performance and Financial Monitoring Review (Green Book). The Committee was advised that work had been underway to map performance management across the County and internal engagement had begun with Councillors and Officers to gather ideas as to how performance and financial management can be enhanced.

Members noted the time taken to produce each version of the Green Book and views were expressed as to whether a quarterly version would be a sufficient frequency. It was added that a final report had been included in the Work Programme for the meeting on 12 September.

RESOLVED

That the report be noted.

10. QUARTERLY NOISE COMPLAINTS UPDATE OSC22-033.

Giorgio Framalitto introduced the Quarterly Noise Complaints Update which had been received by the Committee since approval of a Notice of Motion to adopt changes to reporting regarding construction noise complaints and applications for Prior Consent Notices. It was confirmed that Ward Councillors were being consulted on applications for Prior Consent Notices for noisy works outside of the permitted hours.

Members welcomed the report and agreed with the officer recommendation that the report be submitted every six months going forward and as an alternative considered as part of the wider Performance and Financial Monitoring Review. The Work Programme would be amended accordingly.

RESOLVED That

- (i) the report be received; and
- (ii) the information presented in this report be considered as part of the wider Performance and Financial Monitoring Review and until agreed otherwise be submitted every six months rather than quarterly.

11. REPORT FROM THE HOUSING INFRASTRUCTURE FUND HOUSING OUTPUTS TASK GROUP OSC22-034.

Councillor Kirby introduced the interim report from the Housing and Infrastructure Fund HIF Housing Outputs Task Group, which had been set up following the Council's agreement in 2020 to secure a £95m grant for the delivery of a replacement to Victoria Arch. The agreement would facilitate addition pedestrian and, cycle and road capacity, along with the requirement for further housing development in the Town Centre with 4,555 homes across 13 sites, of which 1,251 had been identified in the Site Allocations Development Plan Document.

The report set out information on the additional housing outputs required by the HIF; the risks to successful delivery of HIF Housing Outputs; the potential risks of non-delivery; and the mitigation of the risks to date.

The Committee was advised that three risks in particular had been highlighted: the sites proposed to deliver the housing outputs were above that set out in the Local Plan; uncertainty created by the agreement to consult on the number of homes as part of the Town Centre Masterplan; and the potential for changed housing requirements since the agreement had been formalised.

Included in the report were six outputs which had been approved by the Task Group for recommendation to the Committee:

- To note the work to date of the Task Group including the detailed and informed observations to date;
- The Housing Task Group recognise the gap between the housing level proposed in the local plan and that set out by the HIF project and support the delivery of the town centre masterplan and its adoption as supplementary planning guidance in order to influence and support high quality sustainable development;
- To endorse the Executive's position to undertake a full detailed consultation and engagement process on the town centre masterplan including the potential scale of housing development proposed;
- To note the current mitigation in place and to recommend to the HIF Task Group that measures be continued.
- The Task Group may wish to further consider affordable housing outputs of the HIF project or ask the Housing Task Group to consider what actions could be taken to secure the maximum level of affordable housing from the new development taking place given the overall need for significant new affordable homes.
- That the Task Group could be reinstated later in the year, if needed, or the HIF Task Group be asked to review the site specific information coming forward as part of the masterplan proposals and expand on specific site-by-site assessment of HIF housing outputs ahead of a potential renegotiation of the contract with Homes England.

The Committee welcomed the report and thanked Councillor Kirby, Members of the Task Group and Giorgio Framalitto for its preparation.

RESOLVED

That the six interim outputs as set out above be approved.

12. OVERVIEW AND SCRUTINY TRAINING.

The Chairman noted that training on the roles and responsibilities of the Overview and Scrutiny Committee would be taking place on 20 July 2022 with South East Employers. Whilst the training was aimed at Members of the Committee, an invitation had been circulated to all Councillors.

13. PERFORMANCE AND FINANCIAL MONITORING INFORMATION.

RESOLVED

That the Performance and Financial Monitoring Information (March 2022) be noted.

14. FINANCE TASK GROUP UPDATE.

The Committee received the update report of the Finance Task Group from Councillor Sanderson, noting that the items discussed at the last meeting had included the Medium Term Financial Strategy, Treasury Management Annual Report, Victoria Square; Commercial Rents and the progress of the External Audit for the 2019/20 Accounts.

The meeting commenced at 7.00 pm
and ended at 9.10 pm

Chairman: _____

Date: _____