

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 7 December 2017

Present:

Cllr A E Murray (Mayor)	
Cllr G S Cundy (Deputy Mayor)	
Cllr Mrs H J Addison	Cllr K Howard
Cllr A Azad	Cllr D E Hughes
Cllr T Aziz	Cllr Mrs B A Hunwicks
Cllr A-M Barker	Cllr S Hussain
Cllr D J Bittleston	Cllr I Johnson
Cllr J E Bond	Cllr C S Kemp
Cllr A C L Bowes	Cllr J Kingsbury
Cllr M A Bridgeman	Cllr R Mohammed
Cllr G G Chrystie	Cllr L M N Morales
Cllr K Davis	Cllr M Pengelly
Cllr I Eastwood	Cllr M I Raja
Cllr W P Forster	Cllr C Rana
Cllr D Harlow	Cllr M A Whitehand

Also present: Claire Storey, Independent Co-opted Member, Tim Stokes, Independent Person, Dr Barry Maunders, Chairman and Independent Director of Thamesway Limited and Terry Price, Independent Director of Thamesway.

Absent: Councillors M Ali and A J Boote.

1. MINUTES

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 19 October 2017 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillors M Ali and A J Boote.

3. MAYOR'S COMMUNICATIONS

The Mayor reported that the Countess of Wessex had visited the Borough on 5 December for the formal opening of the Woking and Sam Beare Hospice on Goldsworth Park.

The Mayor had attended a wide range of events across the Borough since the last meeting, including a pianothon, bulb planting by Woking Rotary, several concerts and stage productions and a refuge operated by YourSanctuary, this year's Mayor's Charity. As Christmas draws near, the Mayor had attended village events, including a ride on the Mizens Santa Special train.

4. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, the Leader of the Council, Councillor D J Bittleston, Councillor Mrs B A Hunwicks, Councillor C S Kemp and Councillor J Kingsbury declared a non-pecuniary interest in any items under which the Thamesway Group of Companies was discussed, arising from their positions as Directors of the Thamesway Group of Companies. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor J Kingsbury declared a non-pecuniary interest in any items under which the Victoria Square Development was discussed, arising from his position as a Director of Victoria Square Woking Limited. The interest was such that speaking and voting were permissible.

In accordance with the Officer Procedure Rules, the Chief Executive, Ray Morgan, Deputy Chief Executive, Douglas Spinks, Strategic Director, Sue Barham, and Head of Democratic and Legal Services, Peter Bryant, declared an interest in any items under which the Thamesway Group of Companies was discussed, arising from their positions as Directors of the Thamesway Group of Companies. The interest was such that speaking was permissible.

In accordance with Officer Procedure Rules, the Chief Executive, Ray Morgan, declared an interest in any items under which the Victoria Square Development was discussed, arising from his position as a Director of Victoria Square Woking Limited. The interest was such that speaking was permissible.

In accordance with Officer Procedure Rules, the Deputy Chief Executive, Douglas Spinks, and Head of Democratic and Legal Services, Peter Bryant, declared an interest in any items under which Brookwood Cemetery was discussed, arising from their positions as Directors of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited. The interest was such that speaking was permissible.

In accordance with the Members' Code of Conduct, Councillor J Kingsbury declared a non-pecuniary interest in any items under which the Brookwood Cemetery was discussed, arising from his position as a Director of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited. The interest was such that speaking and voting were permissible.

In accordance with Officer Procedure Rules, the Deputy Chief Executive (Douglas Spinks) declared an interest in items 8 and 13 (Recommendations of the Executive) insofar as they related to the Leisure Management contract. The interest, which arose from his son being employed by Freedom Leisure at the Guildford Spectrum, was such that speaking was permissible.

In accordance with the Members' Code of Conduct, Councillor A-M Barker declared a non-pecuniary interest in Agenda Item 13 – Recommendations of the Executive – insofar as the report referred to the company EY, arising from a member of the family's employment by EY. The interest was such that speaking and voting were permissible.

5. PRESENTATION OF THE ERIC THEOBALD AWARD

The Mayor, accompanied by PC Craig Matthews and Edna Theobald, presented the Eric Theobald Award to Irene Watson and Ian Rickard in recognition of nearly 25 years of voluntary service to the Borough of Woking, and particularly to the Goldsworth Park Community.

The annual award was presented to those individuals who it was felt had contributed most to community life in the Borough and had been established in memory of Police Community Support Officer Eric Theobald who had passed away whilst a serving officer in September 2005. For the first time, the Award had been presented to two outstanding residents.

6. 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.

7. RECOMMENDATIONS OF THE EXECUTIVE

Councillor D J Bittleston moved and Councillor C S Kemp seconded the reception and adoption of the report and recommendations of the meeting of the Executive held on 23 November 2017. WBC17-035

EXECUTIVE – 23 NOVEMBER 2017

THAMESWEY BUSINESS PLANS 2018

Councillor Azad introduced the recommendations before the Council in respect of the Thameswey Business Plans 2018. Councillor Johnson discussed the protocols for the Thameswey Group of meetings and advised that the Thameswey website was out of date and needed to be refreshed. It was further noted that the annual presentations on the Thameswey Group, referred to in the protocols, had not been arranged over the past year.

Councillor Johnson moved and Councillor Barker seconded an amendment to delete recommendation (vii) which proposed the extension of the Loan Facility for Thameswey Central Milton Keynes Limited for 2020 and 2021 in the aggregate sum of £5,020,000. The recommendation would be revisited by the Council once a presentation had been held on the future plans of Thameswey. The amendment was agreed nem con before the Council moved onto the substantive recommendations.

In considering the proposals, the Council was advised that the protocols for the Thameswey group of Companies had been reviewed by Councillor Johnson and Councillor Kingsbury. The revised protocols would be considered by the Executive in January before being referred to Council for adoption.

RESOLVED

- That (i) the Business Plans for the Thameswey Group of Companies be approved;
- (ii) Barry Maunders be appointed as an Independent Director of Thameswey Guest Houses Limited;
- (iii) Councillor Colin Kemp, as Portfolio Holder for Housing, be appointed as a Councillor Director of Thameswey Guest Houses Limited and Thameswey Limited;
- (iv) Thameswey Energy Limited be granted leases or licenses on appropriate commercial terms of:

- a. a Lease of 9 & 9a Poole Road, Format House and adjoining land for the construction, subject to Planning Consent, of the Poole Road Energy Station accommodation;
 - b. a Licence to occupy the Poole Road car park for the purpose of the construction of the Poole Road Energy Station;
 - c. a Lease of part of the Board School Road car park for the installation of its local electricity network and connection to the North Road UK Power networks sub stations;
- (v) Thamesway Developments Limited be authorised to draw down Loans on behalf of Thamesway Energy Limited to finance the construction of the Poole Road energy station; and
- (vi) an increased Loan Facility of £75M be allocated to Thamesway Housing Limited for the period of April 2020 to December 2021 to finance additional affordable homes, and £10M to service the debt with future years Loan facilities of £5M per annum for long term debt servicing pending reaching its full operational revenue.

WOKING GATEWAY

Councillor Azad introduced the recommendations before the Council in respect of the Woking Gateway and the proposal to enter into a development agreement with Coplan Estates Limited. Councillor Johnson expressed concern over the proposal to authorise the Executive to consider whether to exercise the option to acquire the commercial space to be provided by the development. Councillor Johnson therefore moved and Councillor Barker seconded that recommendation (ii) before the Council should be deleted and replaced with a new recommendation as follows:

- ~~(ii) the Executive be authorised to consider whether to exercise the option to acquire the commercial space to be provided by the development. In the event that it does decide to exercise the option, the Executive be authorised to approve the terms for the acquisition of the commercial space to be provided by the development.~~
- (ii) the Executive consider whether the Council should exercise the option and the terms on which the commercial space provided by the development would be acquired and to make a recommendation to Council accordingly.

The amendment was agreed nem con and the Council was asked to agree the substantive recommendations, as amended.

RESOLVED

- That (i) a Development Agreement be entered into with Coplan Estates Limited; and
- (ii) the Executive consider whether the Council should exercise the option and the terms on which the commercial space provided by the development would be acquired and to make a recommendation to Council accordingly.

LEISURE MANAGEMENT CONTRACT – EXTENSION AND VARIATIONS

The recommendations of the Executive seeking approval for the extension of the existing Leisure Management contract were introduced by Councillor Pengelly. It as noted that the

proposal would extend the contract by the full extension period possible of four years, as well as include variations to the contract. The excellent performance of Woking Leisure facilities was noted and the Council welcomed the proposals.

RESOLVED

- That (i) the existing Leisure Management Contract with Greenwich Leisure Limited be amended to include the agreed variations (Scenario B & C) together with investment in Leisure Centre Changing Room facilities and subsequently extended until 30 November 2025;
- (ii) loans of up to £1,855,000 be taken out by the Council to cover the Flumes and associated water features at Woking Pool in the Park, the Pool in the Park Changing Room facilities, and the Leisure Centre Changing Room facilities;
- (iii) if the Finance Director considers it beneficial for tax purposes, a loan facility of up to £1,855,000, attracting a 2% margin above the relevant PWLB rate on the date of drawdown, to be made available to Greenwich Leisure Limited/Freedom Leisure for the Flumes and associated water features at Woking Pool in the Park, the Pool in the Park Changing Room facilities, and the Leisure Centre Changing Room facilities; and
- (iv) all necessary consents be entered into and contract variations made to the existing Leisure Management Contract to accommodate the extension and investments.

REVIEW OF FEES AND CHARGES 2018-19

The Council considered the proposed discretionary fees and charges for the coming financial year.

RESOLVED

- 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 Strategic Director, in consultation with the relevant Portfolio Holder, to agree county-wide partnership pricing structure for Telecare Sensors and 6 week discharge / distraction burglary service offer;
- (iii) delegated authority be given to the Strategic Director, in consultation with the relevant Portfolio Holder, to agree fees and charges for the Homesafe Service should it become necessary to do so; and
- (iv) delegated authority be given to the Strategic Director, in consultation with the relevant Portfolio Holder, for making minor amendments to fees and charges for Hoe Valley Leisure Facilities.

CALENDAR OF MEETINGS 2018-19

RESOLVED

That the Calendar of Meetings 2018/19 be approved as set out in Appendix 1 to the report.

8. WEST BYFLEET NEIGHBOURHOOD PLAN REFERENDUM

Councillor Bowes introduced a report on the outcome of the West Byfleet Neighbourhood Plan held on 5 October 2017. Of the votes cast, 908 had been cast in favour of adopting the Plan and 80 had been cast against. As the majority of those voting had voted in favour of the Plan, the Council was obliged to 'make' the West Byfleet Neighbourhood Plan.

WBC17-034

RESOLVED

That (i) the West Byfleet Neighbourhood Plan be "made" by the Council; and
(ii) the Decision Statement attached to this report, and the West Byfleet Neighbourhood Plan, be published and circulated in accordance with the relevant statutory requirements.

9. APPOINTMENT TO FRIENDS OF WOKING PALACE

The Council was invited to appoint an Elected Member representative to serve on the Executive of Friends of Woking Palace. Councillor Bond moved and Councillor Bridgeman seconded the appointment of Councillor Boote to the position. The Council supported the nomination and it was

WBC17-033

RESOLVED

That Councillor Boote be appointed as the Borough Council's representative on the Executive of the charity Friends of Woking Palace for the remainder of the Municipal Year.

10. NOTICES OF MOTION

Councillor W P Forster

The following motion was moved by Councillor W P Forster and seconded by Councillor D J Bittleston and referred to the Executive on 18 January 2018 in accordance with Standing Order 5.7.

"Care leavers have had their childhoods punctuated by instability and trauma, they leave home earlier and have less support than other young people. As a result, care leavers have some of the worse life chances in the country.

A 2016 report by the Children's Society found that when care leavers move into independent accommodation, they find managing their own finances extremely challenging. With no family to support them and insufficient financial education, care leavers are falling into debt and financial difficulty. The Children's Society recommends that care leavers should be taken out of Council Tax until they turn 25.

The Children and Social Work Act 2017 places corporate parenting responsibilities on borough and district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions.

To ensure that transition from care to adult life is as smooth as possible and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, this Council agrees not to charge care leavers under 25 living in Woking Borough any Council Tax from April 2018.

This Council also agrees to look at ways of supporting care leavers further to ensure they fulfil their potential.”

Councillor K Howard

The following motion was moved by Councillor K Howard and seconded by Councillor L M N Morales and referred to the Executive on 18 January 2018 in accordance with Standing Order 5.7.

“With a view to finding a solution to the ongoing problem of roadside litter, officers will investigate and recommend ways in which the Council can target people who throw litter from vehicles on the public highway.”

11. EXCLUSION OF THE PRESS AND PUBLIC

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

RESOLVED

That the press and public be excluded from the meeting during consideration of item 12 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 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).

12. RECOMMENDATIONS OF THE EXECUTIVE

EXECUTIVE – 23 NOVEMBER 2017

VICTORIA SQUARE UPDATE

Councillor Bittleston introduced the recommendations before the Council in respect of the Victoria Square Update. The Mayor drew attention to a supplementary report which had been made available to all Members.

RESOLVED

That the recommendations set out in the report considered by the Executive at its meeting on 23 November 2017 and in the report prepared for the Council, subject to the amendments agreed at Council, be approved as set out in the Part II minutes.

WOKING GATEWAY

RESOLVED

That the recommendations set out in report EXE17-070 in Part 1 of the Agenda be approved.

LEISURE MANAGEMENT CONTRACT - EXTENSION AND VARIATIONS

RESOLVED

That the supporting information contained in the report be noted.

The meeting commenced at 7.00 pm
and ended at 8.55 pm

Chairman: _____

Date: _____