

# Public Document Pack



## TO THE CHAIRMAN AND MEMBERS OF THE **EXECUTIVE**

You are hereby summoned to attend a meeting of the Executive to be held on Thursday, 13 July 2023 at 7.00 pm in the Council Chamber, Civic Offices, Gloucester Square, Woking, Surrey GU21 6YL.

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website ([www.woking.gov.uk](http://www.woking.gov.uk)). The images and sound recording will also be used for training purposes within the Council. Generally, the public seating areas are not filmed. However, by entering the meeting room and using the public seating area, you are consenting to being filmed.

The Chairman of the meeting has the discretion to terminate or suspend filming, if in his/her opinion continuing to do so would prejudice the proceedings of the meeting or, on advice, considers that continued filming might infringe the rights of any individual.

As cameras are linked to the microphones, could Members ensure they switch their microphones on before they start to speak and off when finished and do not remove the cards which are in the microphones.

The agenda for the meeting is set out below.

JULIE FISHER  
Chief Executive

## **AGENDA**

### **PART I - PRESS AND PUBLIC PRESENT**

1. Apologies for Absence
2. Declarations of Interest (Pages 5 - 6)
  - (i) To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
  - (ii) In accordance with the Officer Employment Procedure Rules, the Strategic Director - Corporate Resources, Kevin Foster declares a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he is a Council-appointed director. The companies are listed in the attached schedule. The interests are such that Mr Foster may advise on those items.

- (iii) 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 companies are listed in the attached schedule. The interests are such that Mrs Strongitharm may advise on those items.
- (iv) In accordance with the Officer Employment Procedure Rules, the Head of Transformation and Digital, Adam Walther, declares a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he is a Council-appointed director. The companies are listed in the attached schedule. The interests are such that Mr Walther may advise on those items.

3. Minutes

To approve the minutes of the meeting of the Executive held on 15 June 2023 as published.

4. Urgent Business

To consider any business that the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

### Questions

5. To deal with any written questions submitted under Section 3 of the Executive Procedure Rules. Copies of the questions and draft replies will be laid upon the table.

### Matters for Recommendation

6. Medium Term Financial Strategy (MTFS) EXE23-041 (Pages 7 - 60)

Reporting Person – Brendan Arnold

7. Sheerwater Regeneration EXE23-049 (Pages 61 - 68)

Reporting Person – Louise Strongitharm

8. Housing Revenue Account (HRA) Recovery Plan EXE23-050 (Pages 69 - 78)

Reporting Persons – Brendan Arnold and Louise Strongitharm

9. Public Realm Usage Policy EXE23-040 (Pages 79 - 94)

Reporting Person – Kevin Foster

### Matters for Determination

10. Town Centre Masterplan EXE23-056 (Pages 95 - 130)

Reporting Person – Beverley Kuchar

11. Equalities Annual Report 2023 including Pay Gap Report EXE23-036 (Pages 131 - 170)

Reporting Person – Julie Fisher

## Performance Management

### 12. Performance and Financial Monitoring Information

Please bring to the meeting your copy of the latest Performance and Financial Monitoring Information (Green Book).

AGENDA ENDS

Date Published - 5 July 2023

For further information regarding this agenda and arrangements for the meeting, please contact Julie Northcote on 01483 743053 or email [julie.northcote@woking.gov.uk](mailto:julie.northcote@woking.gov.uk)



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# Agenda Item 2.

## Schedule Referred to in Declaration of Interests

### Council-appointed directorships

<b>Kevin Foster, Strategic Director – Corporate Resource</b>	
Brookwood Cemetery Limited	Thameswey Guest Houses Limited
Brookwood Park Limited	Thameswey Housing Limited
Energy Centre for Sustainable Communities Ltd	Thameswey Limited
Export House Limited	Thameswey Maintenance Services Limited
Kingfield Community Sports Centre Limited	VSW Hotel Limited
LAC 2021 Limited (Dormant)	Victoria Square Residential Limited
Thameswey Central Milton Keynes Limited	Victoria Square Woking Limited
Thameswey Energy Limited	Woking Necropolis and Mausoleum Limited
Woking Shopping Limited	

<b>Louise Strongitharm, Strategic Director – Communities</b>	
Rutland Woking (Carhouse Lane) Limited	Thameswey Developments Limited
Rutland Woking (Residential) Limited	Thameswey Guest Houses Limited
Rutland (Woking) Limited	Thameswey Housing Limited
Thameswey Limited	

<b>Adam Walther, Head of Transformation and Digital</b>	
Brookwood Cemetery Limited	Thameswey Developments Limited
Brookwood Park Limited	Thameswey Energy Limited
Thameswey Central Milton Keynes Limited	Thameswey Limited
Thameswey Sustainable Communities Limited	Thameswey Solar Limited
Woking Necropolis and Mausoleum Limited	



EXECUTIVE – 13 JULY 2023

## **MEDIUM TERM FINANCIAL STRATEGY (MTFS)**

### **Report of the Section 151 Officer**

#### **Executive Summary**

This report presents the updated Medium Term Financial Strategy ('MTFS') for the period 2024/25 to 2028/29 and sets out for Members a timetable with clear milestones for a further update of the MTFS in September 2023.

On 7 June 2023 the Section 151 Officer issued a Section 114 Notice to the Council which estimated a General Fund deficit ('the Deficit') of £1.200 billion by 31 March 2024. This means that on present estimates the Council requires £1.200 billion of financial support to enable the General Fund to be balanced as required by law at that date. The Section 114 Notice appears at Annex 3 to this report together with the Chief Executive's Response.

The Council needs to further develop its understanding and estimate of the Deficit and this work is underway. Complicit with this is a need to approach Government to make the case for financial support on a large scale. The journey towards financial recovery entails that the Council needs to take responsibility at a corporate level for addressing the mistakes of past years and to take clear and effective steps - insofar as it is able as a relatively small borough council - to meet a significant part of the Deficit from its own resources. Accordingly, the Council needs to consider divesting itself of a significant element of its property portfolio - but with the support of Government and Commissioners who were appointed by the Secretary of State on 25 May 2023 - to do so using methods that deliver the best returns for the 'public purse' generally and allow key services to be maintained.

The MTFS has the following strategic goals:

- a. To provide a framework within which the Council is eventually able to achieve a series of balanced budgets in the medium term to support the delivery of the Improvement & Recovery Plan and against the backdrop of the Section 114 Notice and past events.
- b. By so doing to reach for and deliver where possible both financial stability and sustainability to do so in the short, medium and long term.
- c. To enable successive budgets to be balanced using a set of Guiding Principles that are commonly adopted across the Local Government Sector and to apply these rigorously; and
- d. To provide a budget and risk structure within which the Improvement & Recovery Plan can be delivered successfully.

The MTFS and accompanying Medium Term Financial Plan (MTFP) is suggesting that if all savings opportunities currently under review were to be adopted that Council would have a remaining shortfall of c £2m for the 'business-as-usual' element of its budget shortfall in 2024/25. As, following consultation and investigation, not all of these opportunities are likely to be accepted or may be captured in years after 2024/25, it is appropriate to apply an adjustment factor of + £2m at the present time.

## Medium Term Financial Strategy (MTFS)

Accordingly, further savings will need to be found and it is suggested that – on the basis of prudence – a savings target of £4m is adopted for further enquiry.

A Budget Timetable for the 2024/25 Budget has been prepared and which incorporates a high level of challenge and review by the Overview and Scrutiny Committee.

Aside from the 'business-as-usual' revenue shortfall of c £11m in 2024/25 the Council also has to deal with the Deficit highlighted in the recent Section 114 Notice (7 June) and needs to commence engagement with the Government Department (DLUHC) to seek agreement of a large package of financial support. This engagement is set to commence shortly led by Commissioners with the Council's statutory officers.

The MTFS (and MTFP) will be further updated for the meeting of Executive in September 2023.

The Provisional Finance Settlement from Government is expected in late December 2023; however on this occasion the agreement of support arrangements with Government is of overwhelming importance in allowing Council to set a Budget for 2024/25 which is balanced in line with the requirements of legislation.

### Recommendations

The Executive is requested to:

#### **RECOMMEND TO COUNCIL That**

- (i) the Budget Timetable be noted;**
- (ii) the Guiding Principles be approved;**
- (iii) the Capital Planning Principles be approved;**
- (iv) it be noted that the Capital Planning Methodology will be re-designed before Budget Council on 8 February 2024;**
- (v) it be noted that the Investment Programme has been suspended indefinitely on grounds of affordability;**
- (vi) the savings for consultation (FFP 3(A)) including those relating to possible reductions in the Council's staffing establishment be approved;**
- (vii) it be noted that the Treasury Management Strategy, Financing Strategy, and related documents will be re-set for Budget Council in February 2024;**
- (viii) the MTFS and embedded MTFP as an estimate of the Council's current financial position be approved; noting that the figures will change as further updating takes place; and**
- (ix) the preparation of an Assets Rationalisation Plan be noted.**



**Reasons for Decision**

Reason: The decision is sought to ensure open and transparent governance in the financial affairs of the Council in balancing the 2024/25 Budget.

The item(s) above will need to be dealt with by way of a recommendation to Council.

**Background Papers:** [Medium Term Financial Strategy agreed by Executive on 23 March and Council on 30 March 2023](#)

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**Portfolio Holder:** Councillor Dale Roberts  
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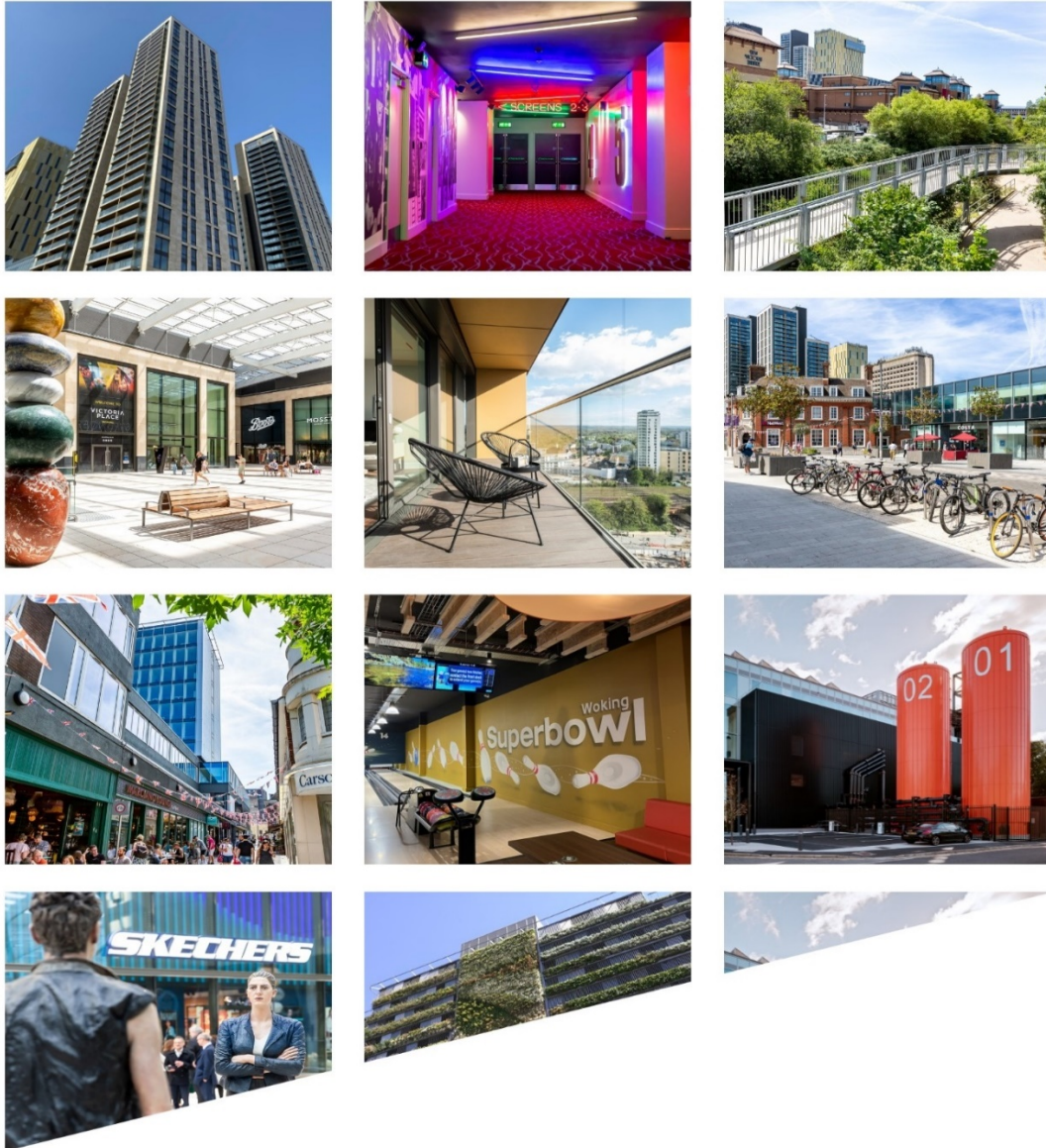
**Date Published:** 5 July 2023



# Medium Term Financial Strategy

## 2024/25 to 2028/29

### Woking Borough Council



**Finance Directorate**

**July 2023**

Version: MTFS 202324 Q1 FINAL

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## **Introduction**

The Medium-Term Financial Strategy (MTFS) is a key document in the Council's financial planning cycle. This document sets out the strategic financial approach that the Council will adopt in supporting delivery of the Improvement & Recovery Plan, including the Council's response to the Section 114 Notice of 7 June 2023 and the portfolio of other strategies and plans that support delivery of the services in the Borough. The MTFS will explain - when fully developed in the months ahead - how the Council will distribute its resources in this endeavour over the next five years. In order to deliver the Woking Plan the Council will need to operate carefully within specific quantitative financial targets which will extend the delivery period for aspects of the Plan. These targets manifest themselves as budget limits, within which the Council must deliver its services over the period of the MTFS. There will be no room for overspends on the future journey and the Council needs to refresh its approach to operate highly disciplined financial management activities. By doing so, the Council will enhance prospects of attaining the financial stability that the community in Woking is expecting and to which it is rightly entitled as the Council steps forward with confidence from the mistakes of the past.

Brendan Arnold BA MA FCPFA DMS  
Interim Director of Finance & Section 151 Officer

## The MTFFS - Form and Purpose

1. The purpose of the Medium Term Financial Strategy (MTFS) is to set down the approaches that will be used by the Council in (i) assembling, organising and deploying its financial resources to deliver the objectives set down in the emergent Improvement & Recovery Plan (to be reported to Council on 22 August 2023), (ii) the Chief Executive's Response to the S114 Notice and (iii) observance of the financial constraints referred to in the Section 114 Notice issued on 7 June 2023 (See Annex 3) and reported to the Extraordinary Meeting of Full Council on 20 June 2023.
2. The MTFFS contains a Medium Term Financial Plan (MTFP) which sets out the planning assumptions and financial limits formed by the relevant funding constraints presently assumed. These will be updated quarterly moving forward. The MTFP appears at Annex 8.
3. The MTFFS sets out (i) a set of Guiding Principles which are recommended to the Council in seeking to obtain financial balance in the medium term and (ii) the design and operation of specific programmes and other initiatives that will - when fully developed - contribute to savings and cost reductions which are able to be considered in balancing the 2024/25 Budget in the Autumn of 2023 for Full Council on 8 February 2024.
4. This being so, the MTFFS (incorporating the MTFP) provides a framework within which the annual Budget can be considered, and eventually set, by Council. Accordingly, this document is to be seen as a dynamic part of the Council's financial operations and is of critical importance on the Council's recovery journey.

## Background & Context

5. On 7 June 2023 the Section 151 Officer issued a Section 114 Notice to the Council which estimated a General Fund deficit ( 'the Deficit') of £1.200 billion by 31 March 2024. This means that on present estimates the Council requires £1.200 billion of financial support to enable the General Fund to be balanced as required by law at that date. The Section 114 Notice appears at Annex 3 to this report together with the Chief Executive's Response.
6. The Council needs to further develop its understanding and estimate of the Deficit and this work is underway. Complicit with this is a need to approach Government to make the case for financial support on a large scale. The journey towards financial recovery entails that the Council needs to take responsibility at a corporate level for addressing the mistakes of past years and to take clear and effective steps - insofar as it is able as a relatively small borough council - to meet a significant part of the Deficit from its own resources. Accordingly, the Council needs to consider divesting itself of a significant element of its property portfolio - but with the support of Government and Commissioners who were appointed by the Secretary of State on 25 May 2023 - to do so using methods that deliver the best returns for the 'public purse' generally and allow key services to be maintained.

### Strategic Goals

7. The MTFFS has the following strategic goals:
  - a. To provide a framework within which the Council is eventually able to achieve a series of balanced budgets in the medium term to support the delivery of the Improvement & Recovery Plan and against the backdrop of the Section 114 Notice and past events.
  - b. By so doing to reach for and deliver where possible both financial stability and sustainability to do so in the short, medium and long term.
  - c. To enable successive budgets to be balanced using a set of Guiding Principles that are commonly adopted across the Local Government Sector and to apply these rigorously; and
  - d. To provide a budget and risk structure within which the Improvement & Recovery Plan can be delivered successfully.

### Key Points of Briefing

8. The MTFFS and accompanying MTFP is suggesting that if all savings opportunities currently under review were to be adopted that Council would have a remaining shortfall of c £2m for the 'business-as-usual' element of its budget shortfall in 2024/25. As, following consultation and investigation, not all of these opportunities are likely to be accepted or may be captured in years after 2024/25, it is appropriate to apply an adjustment factor of + £2m at the present time.
9. Accordingly, further savings will need to be found and it is suggested that – on the basis of prudence – a savings target of £4m is adopted for further enquiry.
10. A Budget Timetable for the 2024/25 Budget has been prepared and which incorporates a high level of challenge and review by Overview & Scrutiny Committee.
11. Aside from the 'business-as-usual' revenue shortfall of c £11m in 2024/25 the Council also has to deal with the Deficit highlighted in the recent Section 114 Notice (7 June) and needs to commence engagement with the Government Department (DLUHC) to seek agreement of a large package of financial support. This engagement is set to commence shortly led by Commissioners with the Council's statutory officers.
12. The MTFFS (and MTFP) will be further updated for the meeting of Executive and Full Council in September 2023.
13. The Provisional Finance Settlement from Government is expected in late December 2023; however on this occasion the agreement of support arrangements with Government is of overwhelming importance in allowing Council to set a Budget for 2024/25 which is balanced in line with the requirements of legislation.

## The Guiding Principles

14. In undertaking its financial operations over the period of the MTFS the Council is recommended to adopt the following Guiding Principles ('The Principles'). The Principles are based on sound management and professional practice. They are presented as *Guiding* Principles because there may be occasions where – after careful consideration - the exigencies of strategic or operational management may necessitate from time to time a departure from the Principles.

No.	Guiding Principles
1	Fees & Charges will be reviewed annually and adjusted for inflation, comparability, and competitiveness.
2	As a compassionate Council, in setting charges, the impact on vulnerable groups will be considered carefully.
3	Service level spend will be benchmarked regularly with a suitable peer group and proposals to align with the benchmark will be brought forward.
4	The Council will adopt a policy of Digital First in service delivery but as a compassionate Council will be mindful of the risks of <i>digital exclusion</i> in doing so.
5	A rolling programme of Service Reviews launched as part of the <i>Budget Gateway</i> process will continue within the timeframe of the MTFS and will be used to ensure that operating models, organisational design and cost footprints are subject to regular review and adjustment across the Council.
6	Service developments, savings and investment will be brought forward on the basis of business cases that must demonstrate feasibility, deliverability, and appropriate financial pay back and other investment appraisal techniques.
7	The Council will consult with residents and other stakeholders in the Borough in forming budget proposals
8	Where business cases are prepared for decision a proactive approach will operate encompassing review in depth prior to such presentation; this will include rigorous application of investment appraisal techniques, peer review and use of the Scrutiny function to achieve searching review and challenge before business cases are adopted.
9	The Council will welcome approaches from regional and other partners for joint working and joint management initiatives.
10	The Council presently has a <i>negative</i> balance on the General Fund of £1.180 billion (7 June 2023 estimate). The Council will seek to re-balance the General Fund through (a) its own endeavours generally (b) a programme of property rationalisation and (c) with support to be sought from Government. In the long term the Council will seek to reach for Unearmarked Reserves at a level of 5% of Net Expenditure (i.e. £0.8m based on current core funding of £16m).
11	Given the financial position of the Council and the need to maintain key statutory services the Council will seek to maximise receipts from all funding streams including Council Tax and income over the period of the MTFS.
12	Growth in service budgets must be funded from (a) grants or other contributions, (b) realistic estimates of commercial income or fees and charges (c) or revenue savings. No other growth will be adopted into the Budget within the period of the MTFS.



13	Council will develop enhanced means of assessing and managing risks at both strategic and operational levels and these will be used to inform the annual Budget process.
14	The Council will seek to make Value for Money decisions and be mindful of its obligations to obtain best value for the 'public purse' generally.

#### Financial Challenges: Governance & Decision Making

15. A full Budget Timetable appears at Annex 4 to this report. It must be noted that - following the Intervention announced by the Secretary of State on 25 May 2023 - the Commissioners will in support of the Executive - consider and receive the materials referred to below and will guide and advise the Council in fulfilment of their supporting role as part of the overall process.
16. In summary, the following arrangements are envisaged for Budget decision making in the period to the setting of the 2024/25 Budget in February 2024.
- a. That Overview & Scrutiny Committee hold a Budget Enquiry and Review meeting to consider the Revised Budget proposals on 11 September 2023; the results to be forwarded to the Executive meeting on 14 September 2023.
  - b. That Council receive a Revised Budget 2023/24 at the meeting of Full Council on 28 September 2023; this to (i) approve savings for financial year 2024/25 earlier than usual to enable an additional saving to be achieved in financial year 2023/24, (ii) mitigate the likely overspend in that year and (iii) to approve savings which have been consulted upon and adjusted (as needed) at that date to partly balance the forecast budget shortfall in 2024/25.
  - c. That the Medium Term Financial Strategy is further updated for the meeting of Full Council on 28 September; this to enable (i) the capture of further savings through the *Fit for the Future 3A* work programme (ii) updated corporate assumptions to be built into the suite of planning assumptions (iii) further definition of the Deficit and (d) the impact of any financial support (if available) offered by Government at that date.
  - d. Consideration of draft proposals for a balanced budget in 2024/25 to be undertaken by the Executive with Commissioners by 30 November 2023 and – following consultation (and any adjustment needed) adopted for forwarding to the Budget Scrutiny Meeting of the Overview and Scrutiny Committee on 22 January 2024.
  - e. The Executive to receive the recommendations from Overview and Scrutiny Committee at its meeting on 1 February 2024; and
  - f. Full Council to consider the setting of the 2024/25 Budget on 8 February 2024.
17. The Budget timetable will be considered by the Audit and Standards Committee on 7 July 2023 so that (i) it may take assurance on whether the Council has a thorough and appropriate process in mind for preparation and agreement of the Budget and (ii) whether it has any recommendations for officers as to the character and timetable for budget preparation.

### Consultation

18. It will be noted that this Budget timetable envisages two episodes of public engagement (i) in July and August 2023 and (ii) in October and November 2023. These engagement episodes are intended to serve the two meetings of Full Council that will be asked to take decisions on the Budget (i) the Revised Budget 2023/24 on 28 September 2023 and (ii) the meeting on 8 February 2024 when the 2024/25 Budget will be considered. Further explanation appears at Annex 5.
19. The engagement with residents is expected to commence in early July 2023 and formal consultation with staff and trades unions will commence on 24 July 2023. At the date of this report, the scale of the savings proposals is expected to be consistent with a reduction in headcount of up to 60 FTE in the Council overall. As part of this process briefings with staff, trade unions and other stakeholders will be scheduled accordingly. The Council will comply with its obligations under statute in all respects in undertaking these activities.

### The National Financial Background

20. The National economy is being driven by international economic events not least the impact of the war in Ukraine, ongoing issues with international supply chains and the ongoing impact of the Pandemic. One of the key issues that has emerged is the emergence of high levels of inflation in energy, food and other products and commodities which has caused very significant inflationary pressures in wholesale and retail markets across a range of goods and services; naturally these pressures have also related to increases in labour costs. The resulting inflationary pressure has not been seen in the UK economy since the very high levels experienced during the late 1970's and early 1980's.
21. In recent years Local Government has received a much higher proportion of funding from local rather than national sources as has historically been the case. It follows that Government has inherited a position where it no longer has the appropriate levers or – following the support afforded to communities and businesses through and following the Pandemic and energy crisis – the resources to meet the inflationary pressure in the cost of service delivery.
22. The result is that much of the financial pressure has been left for local councils to manage and this has resulted and will continue to entail a need for largescale savings across the Local Government sector. In Woking's case the position has been exacerbated by the decisions made by the Council between 2007 and 2021 which has resulted in the largest financial deficit to date in the history of UK Local Government.

### The Pandemic and ongoing Societal Changes

23. The ongoing impact of the Pandemic has resulted in a number of behavioural changes at a societal level which result in additional costs for local authority budgets. Examples have included but are not confined to higher waste collection costs, pressure of the collection of commercial rents and reduced car parking income. Although some of these effects are estimated to recover towards former levels the evident financial pressures are expected to continue into the medium term. This is the case in Woking as for other councils.

### Financial Planning Assumptions

24. The following paragraphs set out a suite of headline planning assumptions which inform the construction of the MTFP; greater detail is presented in Annex 7. These will be reviewed for the next quarterly update of the MTFP.

### Council Tax

25. As a response to the inflationary pressures in the economy the Government at the last Finance Settlement (2023/24) raised the referendum threshold for Council Tax increases to an overall total of 3% for lower tier councils such as Woking. The level of the council tax cap for 2024/25 is presently unknown but for planning purposes - in expectation that inflationary pressures will continue to be significant in the economy – it is assumed that an annual increase of 3% will apply in future years. Even at this level, the Council's spending power will decrease in real terms if - as seems likely - inflation continues to erode the value of money in the short and early medium term.
26. The increase in Council Tax will be a decision of Council in each year moving forward but to do other than maximise potential increases would imperil the Council's ability to sustain statutory services at a reasonable level. At this update of the MTFP it is unknown whether Government will permit a higher Council Tax for Woking as has been agreed in other councils suffering financial distress; further, at the time of writing local sentiment on such a proposal - were it to emerge - is not presently known.

### National Non-Domestic Rates (NNDR)

27. The Government has for some years been considering reform of the NNDR system amid concerns from the business sector that the Rate imposes an unwarranted burden on the commercial sector. To this point no firm proposals have been brought forward by Government and so the MTFP uses the existing methodology to forecast the yield in the forward period of the Plan. In addition, for Woking, the continued existence of the Surrey NNDR Pool to which the Council presently belongs is assumed at this time.

### The Previous Investment Programme

28. The Deficit that has been estimated in the recent Section 114 Notice and to which the Council adopted the Chief Executive's Response at Council on 20 June 2023, has entailed that on the basis of cost avoidance the Investment Programme as configured to this point has been *suspended*. The suspension is to continue *indefinitely* moving forward. This is because (i) the Programme is unaffordable in the future and (ii) the operation of the Investment Programme within parameters that were unwise, unaffordable and poorly managed has led to the current financial position of the Council. This suspension returns a revenue saving to the Council from 2024/25 onwards. In the future, capital expenditure will be planned and delivered through a new capital programming methodology that is referenced below.

## A Renewed Capital Programming Methodology

29. A new planning methodology will be drawn up when the proposals for balancing the 2024/25 Budget are fully formed and presented - in line with the Budget Timetable - to Council on 8 February 2024. For financial year 2024/25 and within the period of this MTFS the following *Capital Planning Principles* are recommended to form the Capital Programme which will be presented to Council on that date. Proposals that do not fall within these 'Capital Principles' will not be included within the Draft Capital Programme.
- a. Items of programming that relate to essential health and safety works and deliver compliance to the regulations within in the Council's property estate.
  - b. Essential investment in Information & Communications Technology to ensure that the Council has fit for purpose and secure tools and infrastructure to support operations generally where there is a suitable business case to support such investment.
  - c. Items where - following support from Government and from Commissioners - specific resources are provided to the Council by Government to complete or partially complete certain specified schemes that were already in delivery by the various companies owned by the Council when the Section 114 Notice was issued.
  - d. Any schemes that can be shown to be wholly funded from external resources without implying additional cost burdens for the Council.
  - e. Where proposals are estimated to return a measurable revenue saving; for example, leasing of the Council's commercial property portfolio which may require modest upfront capital investment and which then return a beneficial income stream to the revenue budget.
30. For the avoidance of doubt, on grounds of affordability there will be no other new borrowing for capital purposes by the Council in the General Fund during the period of the MTFS. During the period before final approval of the 2024/25 Budget in February 2024 the points set out in the preceding paragraph will be used for considering proposed capital investments.

## Reserves & the General Fund Deficit

31. In previous years the Council has sometimes used significant contributions from Reserves to support service delivery. As a result of the Financial Review undertaken to inform the recent Section 114 Notice (7 June) it can now be seen that the Council has no reserves because the General Fund should likely have been showing a negative balance since at least 2017/18. Accordingly, the Council cannot use such reserves as a funding source in forming the 2024/25 Budget.

### Treasury Management: Improvement

32. The Council holds a debt portfolio of £1.8 billion for which the annual debt service costs exceed £60m per annum. The Council has neither the resources nor the funding to manage the risks associated with this portfolio and – as implied by the Deficit of £1.2 billion described recently in the section 114 Notice – there is a risk that much of this money may not have been well spent. This is because the assets created have recently been revalued downwards (i.e. impaired) compared with the cost of acquisition and construction of many of those assets. It is expected that the VFM Review to be commenced shortly by Grant Thornton LLP will shed light on the extent to which VFM was gained through these activities.
33. A recent management review of Treasury operations in the Council has indicated that significant improvement is needed in the Treasury Management Strategy, the Capital Financing Strategy, the Prudential Indicators and associated documents that are required as part of the Treasury Management and Capital Accounting Codes of Practice (which are ‘proper accounting practices’ under the relevant legislation and with which compliance is mandatory). This work will be set in train and presented to Council on 8 February as part of the suite of papers that form the Budget Report for 2024/25 and its supporting strategies and plans.
34. The same management review has indicated that there is little scope to reschedule the loans portfolio to obtain better Value for Money (VFM) under present operating conditions and so operations are likely to be confined to accurately forecasting the budget estimates for interest payable and interest receivable to inform the budget position for 2024/25. This work will be undertaken during the Autumn of 2023.
35. Reflecting the relationship between the Council and its group companies, the Council has traditionally furnished the companies with cash drawn from the PWLB for capital purposes to create the fixed assets now lying in the companies’ accounts, In addition this has led to the subsidising of the operating expenses of the companies. As this practice is (i) not compliant with the Council’s responsibilities under Section 25.1.b of the Local Authority Capital Financing regulations 2003 and (ii) is clearly unaffordable given the Deficit faced by the Council this practice will now be suspended *indefinitely*. Accordingly, the boards of the relevant companies will need to take advice from advisers appointed for the purpose by the Council with regard to their consideration of and response to this position. This point is made without prejudice to the point made elsewhere in this report whereby business cases which may entail further investment may be put forward to Government for specific support where this supports the optimisation of VFM for the ‘public purse’ generally.
36. On a wider basis the Council will consider the advice of the leadership team, statutory officers and Commissioners with regard to the feasibility of seeking specific support from Government in order to complete certain aspects of the original Investment Strategy where there is a business case for doing so.

### The Finance Settlement 2024/25: Forecast and Key Points

37. The Provisional Local Government Finance Settlement for 2024/25 is likely to be published in late December 2023 and will become Final in late January or early February 2024. Accordingly, at this stage in the planning process an assessment is made of the forecast position with regard to the content of the Finance Settlement at that future date. These assumptions will be improved and revised as information becomes available.
38. The key points of briefing in relation to the Forecast are:
- a. New Homes Bonus – The Government has been considering reform or phasing out of New Homes Bonus and currently the grant is calculated on a one-off annual basis. It is assumed that the Council will receive £231,000 in 2024/25 and future years of the MTFP.
  - b. Controls on use of packaging and waste volumes – the Government is planning to establish a system where the producers of packaging waste are charged a levy related to the waste volumes that result such that the proceeds - net of regulatory costs - are passed on to local Councils. The assumption made in this version of the MTFP is that the incoming monies will need to be reinvested in waste services and that, accordingly, there will not be a net benefit to the Council from this scheme. This assumption will be reviewed for the next update of the MTFP.
  - c. Revenue Support Grant – this is currently assumed to be unchanged from 2023/24 at c. £100,000.
  - d. Collection Fund – the working assumption is that Council Tax is assumed to increase by 3% throughout each year of the MTFP, the maximum permitted under current Government guidance. The Collection Fund is assumed to be in balance for the current review without any surplus or deficit but this will be reviewed in depth for the next update in September 2023.
  - e. NNDR Pool - it is assumed that the Council will continue to be a member of the Surrey-Sutton Business Rates Pool in 2024/25 and future years and it is also assumed that the Government will continue to permit the operation of such pools as a matter of policy.

### Other Planning Assumptions

39. Further planning assumptions made in the Medium Term Financial Plan appear at Annex 7.

### The Fit for the Future Programme (FFP)

40. The Fit for the Future Programme has been operating for the last 12 months with the aim of securing recurring financial savings to support the Council's budget processes on an ongoing basis. The phases which are underway are described in the paragraphs below.

Fit for the Future Phases 1 & 2: Review

41. A review of phases 1 and 2 has taken place to assess whether the targeted savings were actually delivered in 2022/23 and 2023/24 as planned. Should this not be the case, the additional cost this implies is fed into the forward years of the MTFP as a pressure. At the present time the additional pressure for non-delivered savings is estimated as shown in Table 1 .

*Table 1: Fit for the Future 1 & 2 Savings.*

	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000
<b>Savings not delivered - carried forward from previous year</b>		22	69	169
<b>FFF 1 &amp; 2 Savings Target</b>	1,752	1,313	235	0
<b>Total Savings Target</b>	1,752	1,335	304	169
<b>Savings Identified for Delivery</b>	1,730	1,266	135	0
<b>Savings not Delivered</b>	22	69	169	169

Fit for the Future Phase 3(A)

42. Phase 3(A) of the FFP has been undertaken to identify new savings for financial year 2024/25. This work has identified a number of savings which are considered to be feasible and which Council is recommended to adopt for consultation; this to commence in July and August 2023. The savings for which consultation is set to commence are shown in Table 2. These proposals – as adjusted for the results of the consultation - will ultimately be brought before Council on 28 September 2023 for approval and early implementation. These are outlined in Table 2.

*Table 2 – Fit for the Future 3 Savings*

Source	£000
<u>Savings for Consultation</u>	
Review of Grants to External Bodies	686
NNDR Discretionary Discounts	260
Organisational Restructure / Service Review	3,178
<u>Other Management Savings</u>	
Reduce cost of civic offices	250
Savings in Debt Management Expenses	TBC
<b>Totals</b>	<b>4,374</b>

### Fit for the Future 3 (B)

43. Phase 3(B) has been undertaken which relates to savings that need further investigation. There is significant confidence that significant savings might be released from this phase of work although not all of these might be available from 2024/25. These are outlined in Table 3 and will be further investigated.

*Table 3 – Fit for the Future 3B Savings; Targets for further Review*

Source	£000
Leisure Services	4,350
Review of Budget Requirements in Services	
Property Services Savings	
Contracted Services: Procurement	

### Flexible Use of Capital Receipts

44. As in 2023/24 the Council will wish to make use of the facility to use capital receipts to fund revenue expenditure used to fund business change and transformation. For this reason, a plan will be produced and included in the Budget Report for Council on 8 February 2024 following which the plan will be shared with the Government Department (DLUHC) as required in the guidance issued by Government.

### Property

45. The management of property assets is a significant business for the Council and work is proceeding in three strands in order to prepare for the September update of the MTFS.
- a. A review of commercial rent yields in the Council's portfolio of commercial property assets. Although this market had sustained a level of reduced activity during the Pandemic property enquiries have in the last few months begun to increase; it is to be hoped that this recovery will be sustained and the financial impact of this will be estimated and fed into the MTFP at the September update.
  - b. As part of the Asset Rationalisation Plan which is being developed alongside specialist advisers the Council has drawn up preliminary plans to release net capital receipts of around £53m in the period to Spring 2025. These assets are those which for various reasons do not meet the Council's needs moving forward. It follows that there is the prospect of reducing borrowing costs, reducing property holding costs and maintenance costs whilst achieving capital receipts that will (i) enable the Council to reduce its debt portfolio and (ii) to provide suitably for the Flexible Use of Capital Receipts as described elsewhere in this report.
  - c. A suite of savings proposals from the Property area is in development and engagement and consultation on these proposals is likely to begin in the period leading up to the meeting of Full Council in September 2023.



### Re-establishment of General Balances

46. As rehearsed elsewhere in this report the Council presently holds a General Fund with a negative balance estimated at £1.2 billion. In order to signify a break with past practice it will be proposed to Council in the future meetings that a small adjustment from all budgets within the Council be set aside to establish a small General Reserve of £35,000. This will demonstrate a break with the past and will be funded by taking 0.001 % of every budget in the Council. This represents just £100 from every budget of £100,000 in the Council.

### The Medium Term Financial Plan (MTFP)

47. The Council's MTFP (MTFS Q1 2023/24), 2024/25 to 2028/29 is shown in Table 4. The MTFP is the product of (i) detailed technical analysis (ii) detailed discussion with the Directorates and their respective management teams regarding the pressures identified and (iii) further engagement to assist the Directorates to identify savings to bridge the Budget shortfall identified.

48. In preparing to balance the 2023/24 Budget the Council produced an initial forecast 'business-as-usual' shortfall of £9m for 2024/25 which was revised to £11m following the emergence of additional pressures discussed elsewhere in this document. The full detail of the MTFP is shown in Annex 8 and the movements between the original figures and those now presented are shown in Annex 9.

*Table 4: Medium Term Financial Plan 2024/25 to 2027/28 [outturn Prices]*

Financial Year:	2024/25	2025/26	2026/27	2027/28	2028/209
	£m	£m	£m	£m	£m
Budget Requirement	24.52	24.93	25.35	25.81	29.12
Pressures	1.32	3.59	4.29	4.44	5.14
Revised Budget Requirement	25.84	28.51	29.63	30.25	34.25
Funding	(14.90)	(15.63)	(16.39)	(17.21)	(18.07)
'Business-as-usual' Shortfall (+)/Surplus (-)	10.94	12.89	13.24	13.04	16.18
Savings for Consultation:					
- Grants to External Organisations	(0.69)	(0.69)	(0.69)	(0.69)	(0.69)
- Organisational Restructure / Service Review	(3.18)	(3.18)	(3.18)	(3.18)	(3.18)
- NNDR Discretionary Discounts	(0.26)	(0.26)	(0.26)	(0.26)	(0.26)
Management Savings					
- Civic Offices Savings	(0.25)	(0.25)	(0.25)	(0.25)	(0.25)
- Debt Management Expenses	TBC	TBC	TBC	TBC	TBC
Total Savings Proposals for Consultation	(4.37)	(4.37)	(4.37)	(4.37)	(4.37)
Sub-Total: Revised Savings Target	6.57	8.51	8.87	8.67	11.80
Savings requiring Further Review					
- Recharge Companies Financing Cost					
- Leisure Services					
- Forensic Review of Council Budgets	(4.35)	(4.35)	(4.35)	(4.35)	(4.35)
- Property Services Savings					
- Contracted Services: Procurement					
Sub-Total:	(4.35)	(4.35)	(4.35)	(4.35)	(4.35)
Further Savings Required	2.22	4.16	4.52	4.32	7.45

## The Section 114 Deficit

49. The Section 114 Notice of 7 June reported an estimated Deficit of £1.200 billion by 31 March 2024; the Deficit is being reviewed further in order to prepare the final accounts for 2023/24 (and earlier years) but also to enable a balanced Budget for 2024/25 to be set by the Council in line with legislation on 8 February 2024. Should it emerge that balance may not be achievable then a further Section 114 Notice will need to be issued; however at the present time the Council is working on the assumption that this will not be the case. The Deficit with the 'business-as-usual' element removed is shown in Table 5 below.

*Table 5: The Section 114 Deficit: the Negative General Fund net of the 'Business-as-usual' element.*

		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
		£m	£m	£m	£m	£m	£m	£m	£m
<b>General Fund Balance as originally stated</b>									
Balance at 1 April a	a	(30)	(28)	(31)	(41)	(30)	(30)	(30)	(30)
In year transactions on the General Fund	b	2	(3)	(10)	11	0			
Balance at 31 March c=a+b	c=a+b	(28)	(31)	(41)	(30)	(30)	(30)	(30)	(30)
<b>Restated General Fund balance</b>									
Balance at 1 April	d = n	(30)	73	102	134	199	347	1,181	1,329
Restatement at 1 April 2018 for MRP understated in previous years	e	78							
Revised balance at 1 April 2018	f=d+e	48							
In year transactions on the General Fund	g=b	2	(3)	(10)	11	0	0	0	0
Restatements:									
MRP understated	h	23	32	42	54	67	94	93	73
Revenue loans	i					81	80		
Impairment of loans	j						614		
Understated repair and maintenance budget	k						45	45	45
Budget cost pressures	l							9	10
Other cost pressures	m						1	1	1
<b>Impact on Budget</b>	<b>n=f+g+h+i+j+k+l+m</b>	<b>73</b>	<b>102</b>	<b>134</b>	<b>199</b>	<b>347</b>	<b>1,181</b>	<b>1,329</b>	<b>1,458</b>
Less: Business as usual Pressures adjustment							-1	-10	-11
<b>Total</b>		<b>73</b>	<b>102</b>	<b>134</b>	<b>199</b>	<b>347</b>	<b>1,180</b>	<b>1,319</b>	<b>1,447</b>

50. An updated estimate of the Deficit is expected to be available by early August 2023 and will be used to (i) inform conversations with Government regarding the prospects for and timing of financial support (ii) to design prior period adjustments to the past accounts and (iii) to inform means of setting a balanced Budget for financial year 2024/25 (including Government support if available) at Full Council on 8 February 2024.

### Meeting the Section 114 Deficit

51. In order to achieve a balanced position the Council - unlike others which have found themselves in financial distress in recent years - will not have sufficient funding streams to accept a higher debt burden in dealing with the Deficit described in the Section 114 Notice. In the absence of such a possibility it would appear that the Council must seek a very large package of financial support in 2023/24 in order to achieve balance. This would deal with the additional charges arising from Minimum Revenue Provision, revenue use of capital loans and a write down of loans to the companies which had been secured on asset values now impaired.
52. If such a package is not accessed the Council will attract a further Section 114 Notice. This is because the Council is making and will continue to make valiant efforts to balance the business-as-usual deficit but has no capacity from its own small resources to take further steps with regard to meeting the charges described whilst at the same time continuing to deliver services.
53. That said, the Council fully acknowledges its corporate responsibility to the community and the taxpayer and to Government to take such steps as are available to meet a proportion of the overall deficit from its own resources. Accordingly the Assets Rationalisation Programme discussed in this report will need to be pointed at reducing the debt portfolio and repaying loans from PWLB.

### Companies Owned by the Council

54. The Council owns or part owns 24 companies split into 3 categories. As referred elsewhere in this report the Council will not be able to subsidise these moving forward as it has sought to do in the past. This means that the boards of the companies will need to take advice - sources of which have been put in place by the Council - on their particular circumstances, in seeking to deal with the challenges that this may present.
55. The categories are:
  - a. Thamesway Group, developing and managing housing regeneration and district energy networks.
  - b. Victoria Square Woking Limited (VSWL) – a significant investment in and redevelopment of Woking town centre.
  - c. 7 other companies of much smaller size but complex historic arrangements.
56. As noted above, the Council cannot continue to support the companies the way that it has been doing in the past. The expectation is that, through work undertaken by staff and external advisers, the Council will have identified options by the end of September 2023. The Council has informed the companies of the Council's updated cost control process and the companies report they have aligned their own procedures to those measures.

57. The organisation and structure of the Council's company portfolio appears at Annex 11. There is ongoing work to review the structure of the portfolio. This is likely to include reducing the number of companies in the group, seeking to ensure that where possible any companies that remain are viable business operations and add value to the Council.
58. Thamesway and VSWL investments have been wholly funded by the Council, contributing significantly to its high levels of borrowing. The Section 114 Notice draws out the implications of this funding and the response of the Chief Executive to this Notice provides the details of the future actions required to deliver an Improvement and Recovery Plan which includes these elements of the Council's operations.
59. From July 2023 the Council has agreed and continues to develop a new Company Governance model. The Council is now operating a Shareholder Liaison Service and advice is being drawn from specialist advice procured for the purpose. The process of reviewing the companies is complex and activity is being formed under the Improvement and Recovery Programme. This additional support will:
- a. Lead and set up a team of internal resources and external advisers to create a company restructure programme that assess the options for each company, an implementation plan and then follow through to conclusion in order to maximise public value and minimise loss.
  - b. Engage with Companies to ensure they have business plans that are sufficient for the business they relate to and to provide the Shareholder assurance over their investments.
  - c. Work with the Council and companies to develop and implement data driven performance management and reporting systems
  - d. Work with the Council and companies to provide an integrated and standardised decision making and risk management frameworks.
  - e. Work with and through company solvency arrangements that may arise.
  - f. Engage directly with the senior management of the companies and lead any instructions or negotiations with them.
  - g. Advise on and work with Council officers on the arrangements needed to manage the residual portfolio.
60. The Council has commissioned further consultancy advice on a Commercial Strategy. This seeks strategic options for completing its key regeneration schemes in the Town Centre and Sheerwater Housing estate that:
- a. Reduces Council borrowing.
  - b. Mitigates and minimises financial risks to the Council.
  - c. Protects financial returns to the Council to support its financial resilience and sustain a level of financial independence.
  - d. Introduces alternative equity investment and options for alternative delivery vehicles that can best commercialise investments made in regeneration schemes.
  - e. Introduces high quality market housing, retail, office and leisure investment and delivery expertise.
  - f. Supports a thriving high street and town centre community.
  - g. Delivers high quality mixed tenure homes, including affordable homes

- h. Retains or enhances community infrastructure
- i. Supports a sustainable Housing Revenue Account (HRA) for the Council's remaining housing stock.

61. This advice also encompasses:

- a. Identification of the full range of strategic options for the Council that:
- b. Recognises the strategic priority outcomes the Council is seeking to achieve as outlined in the Working for All Strategy.
- c. Recognises the limitations that the current status of the regeneration plans places on the deliverability of alternative options.
- d. Scopes out each option, clearly setting out the considerations and necessary actions that would be required.
- e. Compares options against the baseline of continuing with the current plans.
- f. Undertakes a cost-benefit analysis and financial appraisal for each option. This includes, but is not limited to, indicative valuations for any disposals; cost estimates for any refurbishment or redevelopment works; high level tax implications; Council borrowing requirement. Each option is to clearly set out what is delivered in terms of the regeneration outputs and delivering against the strategic priority outcomes in the Working for All strategy.
- g. Sets out delivery plans and timescales for delivering the recommended options.

62. The Commercial Strategy is planned to be available for consideration and reporting in September 2023.

#### The MTFS & MTFP: Governance & Reporting

63. The MTFP will continue to be updated on a rolling basis from this point forward and will be reported quarterly to the Executive, Overview & Scrutiny, Full Council, and the Commissioners. This will enable stakeholders to receive regular briefing on observed changes to the forecasts that are from time to time observed.

#### Risk Assessment & Management

64. The Council has a need to develop structured arrangements to manage risk with regard to strategic and operational dimensions of its operations. The principal risks associated with maintenance of the Council's services within the financial constraints identified in the MTFS and associated MTFP are set out in Annex 10.

#### Summary

65. This document has set out the MTFS and the embedded MTFP and the acceptance and application of these documents can be summarised as follows:

- a. The Council has identified a set of Guiding Principles which will assist in shaping responses to future budget shortfalls.

- b. The Council is aware of the challenging financial pressures that bear on the 2024/25 Budget and beyond and has understood the issues that this presents.
- c. The Council has taken effective action to identify a portfolio of savings in order to partly balance the 2024/25 Budget and has prepared a set of further draft proposals for further exploration.
- d. The Council has already taken steps to suspend the Investment Programme indefinitely to contribute to the balancing of the Budget in 2024/25 and thereafter.
- e. It will be key across the years of the MTFS for the Council to maximise funding streams including Council Tax and this should continue – as in previous years – to inform planning assumptions in the MTFS and MTFP.
- f. MTFP Planning assumptions will continue to be refined and reviewed on an ongoing basis; accordingly the figures contained in this report will continue to change, moving forward.

### Recommendations

66. It is recommended that Council:

- a. Note the Budget Timetable.
- b. Approve the Guiding Principles.
- c. Approve the Capital Planning Principles.
- d. Note that the Capital Planning Methodology will be re-designed before Budget Council on 8 February 2024.
- e. Note that the Investment Programme has been suspended indefinitely on grounds of affordability.
- f. Approve the savings for consultation (FFP 3(A)) including those relating to possible reductions in the Council's staffing establishment.
- g. Note that the Treasury Management Strategy, Financing Strategy, and related documents will be re-set for Budget Council in February 2024.
- h. Approve the MTFS and embedded MTFP as an estimate of the Council's current financial position; noting that the figures will change as further updating takes place,
- i. Note the preparation of an Assets Rationalisation Plan.

**Woking For All Strategy 2022/2027**

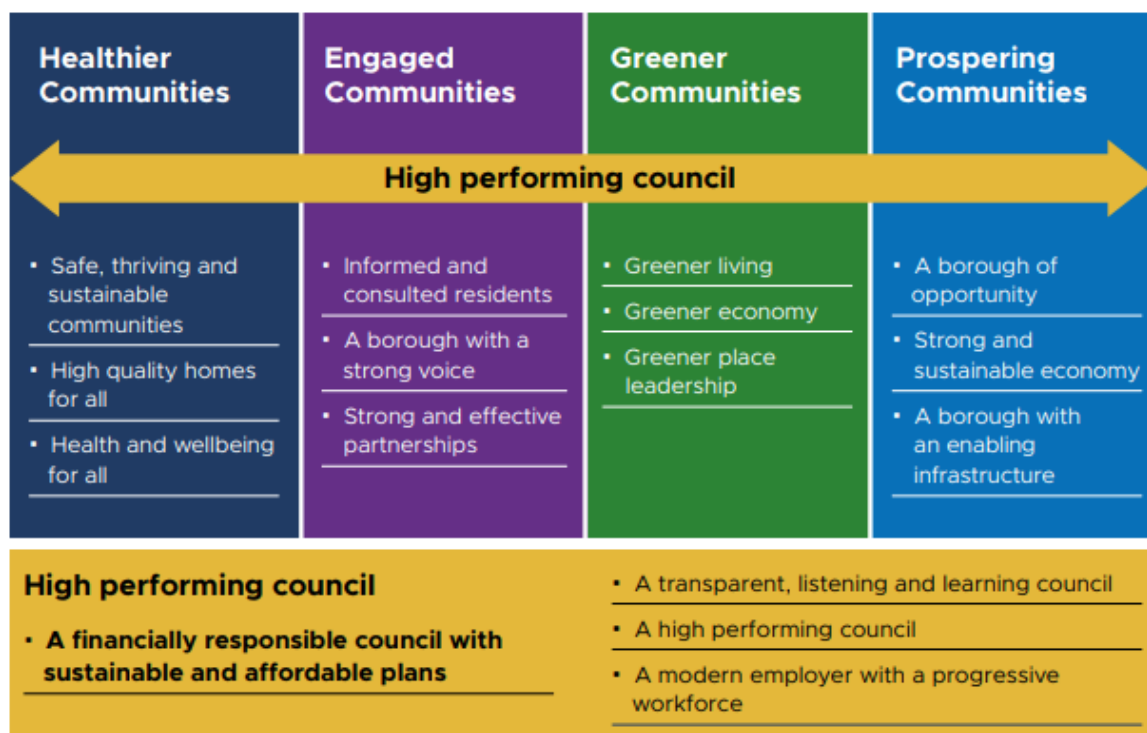
# The priority outcomes

The Council has four community facing priority outcomes: **Healthier communities; Engaged communities; Greener communities; Prospering communities** and one cross cutting, **High performing council**, priority.

These priority outcomes shape our activities and resourcing decisions over the term of this five-year strategy and the priority actions we will deliver in the current year, 2022-2023.

The Liberal Democrat administration has committed to “take on the gradual challenge of major change and take both decisive and targeted actions”. This means we will:

- use the framework of the 'Woking for all' strategy to ensure a managed transition to the new administration and leadership of the Council
- make clear and targeted changes to priority actions in 2022-2023 to ensure our policies and priorities are reflected in these actions
- augment the High performing council theme with a new theme setting out the administration’s focus to ensure a financially responsible council
- work in an open and inclusive way to review the priority outcomes going forward from 2023-2024 to ensure there is a legacy of positive change because of our administration.





### The Role of Commissioners

1. On 25 May 2023, the Secretary of State for Levelling Up, Housing and Communities exercised his powers under the Local Government Act 1999 to intervene in Woking Borough Council. The Secretary of State has done this because he considers that Woking Borough Council is failing to meet the 'Best Value Duty' which all councils have, to secure continuous improvement in how they deliver their functions.

2. The intervention is formed of a set of actions which the Authority is directed to take, and the appointment of commissioners who have been given powers over certain functions of the authority. The range of functions which the commissioners will exercise is broad, relating to financial and commercial governance, strategic decision making and the authority's operating model, as well as other functions.

3. The Directions enable the Commissioners to exercise the following functions:

- All functions associated with the financial governance and scrutiny of strategic financial decision making by the Authority;
- The requirement from section 151 of the Local Government Act 1972 to make arrangements for the proper administration of the Authority's financial affairs, and all functions associated with the strategic financial management of the Authority, to include:
  - i. providing advice and challenge to the Authority on the preparation and implementation of a detailed action plan to achieve financial sustainability, and to close any short and long-term budget gaps identified by Authority across the period of its medium-term financial strategy (MTFS), including a robust multi-year savings plan;
  - ii. providing advice and challenge to the Authority in the setting of annual budgets and a robust medium-term financial strategy (MTFS) for the Authority, strictly limiting future borrowing and capital spending;
  - iii. scrutiny of all in-year amendments to annual budgets;
  - iv. the power to propose amendments to budgets where Commissioners consider that those budgets constitute a risk to the Authority's ability to fulfil its best value duty; 3
  - v. providing advice and challenge to the Authority on the preparation of sustainable and affordable capital, investment and treasury management strategies; a strict debt.
  - vi. reduction plan; and a revised minimum revenue provision (MRP) policy;
  - vii. providing advice and challenge to the Authority on a suitable scheme of delegations for financial decision making;
  - viii. ensuring compliance with all relevant rules and guidelines relating to the financial management of the Authority.

- All functions associated with commercial decision-making, regeneration, property management, procurement and the management of commercial projects by the Authority.
- All functions associated with the governance, scrutiny and transparency of strategic decision making by the Authority.
- All functions associated with the Authority's operating model and redesign of the Authority's services to achieve value for money and financial sustainability.
- All functions relating to the appointment and dismissal of persons to positions the holders of which are to be designated as senior officers and statutory officers, and the designation of those persons as statutory officers, to include:
  - i. The functions of designating a person as a statutory officer and removing a person from a statutory office.
  - ii. The functions under section 112 of the Local Government Act 1972 of:
    - appointing and determining the terms and conditions of employment of an officer of the Authority, insofar as those functions are exercised for the purpose of appointing a person as an officer of the Authority principally in order for that person to be designated as a statutory officer; and
    - dismissing any person who has been designated as a statutory officer from his or her position as an officer of the Authority.
- All functions to define the officer structure for the senior positions, to determine the recruitment processes and then to recruit the relevant staff to those positions.
- All functions pertaining to the development, oversight and operation of an enhanced performance management framework for officers holding senior positions

4. The Secretary of State envisages that most decisions will be carried out by the Authority, with the oversight of Commissioners: they will uphold proper standards and due process and recommend action to the Authority. The Directions set out, though, that the functions set out in the directions shall be exercised by Commissioners; and the Authority must comply with any instructions of the commissioners relating to them. Further, the Authority is directed, to undertake in any of its functions, actions that the Commissioners may reasonably require in order to avoid giving rise to the risk of further failures to meet the Best Value Duty.

5. The Secretary of State's intention is that the powers he is providing to the Commissioners be used to ensure that the Authority takes the necessary steps to achieve the best possible outcome for Woking residents and the public purse. The exercise of these functions should enable the Commissioners to make sure that the Authority has made sufficient improvement within the next five years to be able to comply with its best value duty on a sustainable basis.

The Section 114 Notice

*Link to Chief Executive's Response to the Section 114 Notice:*

- [Agenda for Council on Tuesday, 20th June, 2023, 7.00 pm \(woking.gov.uk\)](#)

**Report to all Elected Members of Woking Borough Council**

**under**

**Section 114 (3) of the Local Government Finance Act 1988**

**by**

**Brendan Arnold FCPFA**

**Interim Director of Finance (Section 151 Officer), Woking Borough Council**

**Date of report: 7 June 2023**

Purpose of Report

1. Members of the Council are asked to consider this report by the Section 151 Officer (the Chief Finance Officer). The report is made under section 114 (3) of the Local Government Act 1988 because the Section 151 Officer is of the opinion that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed resources (including sums borrowed) available to it to meet that expenditure.
2. The Section 114 Notice is issued following statutory consultation with both the Chief Executive (Head of Paid Service) and the Monitoring Officer. At the date of this report that consultation has taken place. Following the issuance of the Section 114 Notice the Council has 21 days to hold a meeting of Full Council to consider the report from the Section 151 Officer and decide how it will respond.
3. The purpose of this Section 114 report is to make it clear to Members of the Council that – following events that have played out over a long period of time and which relate to the Council's Investment Strategy and which has resulted in (a) unaffordable borrowing (b) inadequate steps to repay that borrowing and (c) high values of irrecoverable loans - the Council faces a financial situation of an extremely serious nature. In summary, the Council faces an unprecedented financial shortfall that cannot be funded from resources available to the Council.

## Key Issues

4. Following a searching and continuing review of the Council's financial affairs (the 'Financial Review') the main issues that have come to light are as follows:
  - a. Over a long period of time the Council has been using a business model that incorporated a 50 year payback period and has used assumptions that inevitably entailed that the companies used for asset construction and ownership would return accounting losses over a long period of time. The Council – having insufficient revenue resources to fund these operating losses – has chosen to fund them by advancing monies sourced from loans supplied by the Public Works Loans Board (PWLB). Reflecting the business model used, loans have been advanced to the Council's companies for capital purposes (i.e. the construction of fixed assets or laying out of land under the relevant legislation) *and* revenue purposes (i.e. to meet operating expenses). Where the loans have been used for *revenue* purposes, this practice falls outside Regulation 25(1)(b) of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003, as amended.
  - b. The Council has been setting aside insufficient monies for the repayment of debt. The Council's debt portfolio is £1.8bn at 31 March 2023 and the Minimum Revenue Provision (to repay debt) appears to have been undercalculated since 2007/08. This will result in an additional charges to the Revenue Account (in 2023/24 in the region of £95m) and an average in the region of £75m in each year moving forward.
  - c. In addition, as a result of the under-calculation, the opening balances in the historic suite of final accounts at 1 April 2018 will need to be re-stated by c. £80m and *prior period adjustments* (totalling £220m) made to the financial accounts prepared by the Council for the years from 2018/19 to 2022/23. The under provision for repayment of debt also affects the Council's Medium Term Financial Plan which will face additional charges in each year moving forward. In order to explain the impact, if the additional charges of c. £75m in each year were to be funded by service reductions, this would mean that the Council could no longer afford to provide any services at all and would still see a net budget shortfall.
  - d. The Council has passed the majority of the loans drawn down from the PWLB to various of its companies (£1.3 billion in total) principally Victoria Square Woking Limited (VSWL) and Thameswey Group Limited (TL). Most of these loans were applied for capital purposes (as is correct), but a significant proportion (up to c. £160m) is likely to have been used to fund *revenue* expenses which is not in accordance with Regulation 25(1)(b) of the Local Authorities (Capital Finance and Accounting)(England) Regulations 2003, as amended. If loans were advanced for a revenue purpose these should have been treated as revenue expenditure in the Council's accounts rather than funded from borrowing; this raises the prospect of a corrective charge.

- e. The majority of the assets created by the Investment Programme that has been in delivery over a number of years lie within the accounts of the Council's companies (some of which are joint owned with commercial parties). These assets have been re-valued by experts in the field and it is clear that asset values have diminished substantially over time and further valuation work will be required to bring these values up to date.
- f. It follows that the loans advanced by the Council to the various companies need to be adjusted to reflect impairment of the underlying assets in a sum exceeding of £600m. This has an adverse impact on the security available to the Council in terms of the loan advances made.
- g. The *core funding* of the Council in financial year 2023/24 – comprising Council Tax, Business Rates and Government Grants - is just £16m. The size of the debt portfolio acquired by the Council (£1.8bn) is out of step with the funding streams available.
- h. Aside from the above, arising from a deterioration in the performance of its acquired assets against the original commercial targets as a result of economic factors (including general inflation, energy inflation, reduced parking revenues owing to homeworking, moderated high street spending through internet shopping), the Council is already facing a 'business-as-usual' budget shortfall of £9m in financial year 2024/25 and thereafter. This shortfall is likely to increase as additional pressures are identified at the next update of the MTFs. In addition, the repair and maintenance budget is estimated to be insufficient by £45m per annum based on the value of the Council's asset portfolio at 31 March 2021 and industry benchmarks for repair and maintenance budgets. Overall, the balancing of the 2024/25 Budget will result in very significant reductions in both budget and service levels.
- i. The existence of the factors set out in this report, render the forward budget shortfalls unbridgeable; there is no prospect that the Council will balance its budget in 2023/24, 2024/25 or the successive years without external intervention on a very large scale. On this journey, the enriched service suite that the Borough has enjoyed over a number of years will need to be removed or alternative funding sources found. In this regard, work has been underway for some months to bring forward proposals to offset the £9m budget shortfall - as adjusted by additional cost pressures – already identified.

- j. When the overall deficit complicit with the points set out above is calculated, and because calculation of the charge for Minimum Revenue Provision entails a suite of *prior period adjustments* in the financial accounts for years past, the Council presently has an estimated negative General Fund balance of c. £350m at 31 March 2023. The negative value of the General Fund at this date is forecast to more than triple to around £1.20bn by 31 March 2024. In order to resolve this position the Council will need a commensurate injection of cash or removal of liability.
  - k. At the date of this report the Council is working towards definition of the revenue outturn position for 2022/23 against budget. It is considered likely that an overspend will be identified; in this case for the reasons set out above in this report there are in reality no cash backed reserves available to fund this overspend because the General Fund balance is negative.
5. It should be noted that the figures quoted in the above paragraphs will change as the ongoing work of the Financial Review continues in the period ahead. However, the matters defined so far do not allow any doubt as to the scale and breadth of the financial challenge described in this report.

#### Consequences of the Section 114 Notice

6. The issuing of the Section 114 report has the following impact on the work of the Council:
- a. A series of Financial Controls will be imposed until Council has had the opportunity to meet and to consider an accompanying report from the Head of Paid Service on how the Council should proceed.
  - b. Many of these Financial Controls will need to remain after the Council has met to consider the Section 114 report. This is because the Council will lack the resources to maintain spending in all areas moving forward.

#### The Financial Controls

7. The Financial Controls will be exercised by a Financial Control Panel (FCP) and will apply from the date of this report. The FCP will comprise a small team of senior officers selected and chaired by the Section 151 Officer. The controls – which are a statutory requirement when a Section 114 Report is issued – are as follows:

- A. The Council is prevented without the explicit agreement of the Section 151 Officer from entering into any new agreement or commitment for expenditure until Council has met to consider the Section 114 report. These controls may be re-applied after the date of that Council meeting.
- B. Temporary Measures are in force from the date of this report such that all non essential expenditure will stop with immediate effect without the written confirmation of the Section 151 Officer. For the avoidance of doubt noncompliance with this requirement will be considered a disciplinary matter by the Council.
- C. These controls (A) and (B) equally apply where services are being delivered through companies controlled by the Council or where the Council supplies funding to companies that are jointly or partly owned by the Council.
- D. There will be an immediate suspension of the Council's Investment Programme. All expenditures generated by operation of that programme are suspended until the Section 114 Notice has been considered by Council, unless Directorates can evidence that the Council is in contract with suppliers for the delivery of construction works or professional services essential to the continuation of works for which the Council is in contract. That judgement will be exercised by the Section 151 Officer in consultation with Monitoring Officer. On grounds of affordability it is likely that this suspension will continue in the medium term.
- E. The Financial Controls described apply to all Council services, including statutory services, those delivered through Council controlled companies and connected entities. The control framework will be set in place to ensure this happens while ensuring that key services to vulnerable people and those who are homeless are not affected by these controls.
- F. Spending controls will need to remain in place for the foreseeable future i.e. at least for 2023/24 and a progress report on the wider Recovery Plan including progress with the Financial Recovery Plan will be made to Full Council on a quarterly basis moving forward.
- G. Complicit with the position that the Council's loan portfolio is unaffordable the Council's Capital Financing Requirement will be reviewed and re-calculated. In addition, this means that no further loans will be sought from the PWLB unless these are to be applied for capital purposes for which the Council is in contract, for the replacement of existing maturing loans, the maintenance of working capital or other specified matters agreed by the PWLB in conjunction with DLUHC and the Commissioners and the Section 151 Officer.
- H. Insofar as the Financial Controls generally have an adverse impact on the profit and loss accounts of the various companies hitherto in receipt of support - and which is now unaffordable - the boards of those companies may look to the Council to make up for the lost

funding from revenue resources. However, reflecting the financial position, which is the subject of this Section 114 Notice, the Council is unlikely to be in a position to consider provision of such support. Accordingly, there is a responsibility for company boards that find themselves in this position to consider taking professional advice on the options available to them. To provide for this eventuality the Council has taken steps to set in place sources of professional advice to support company boards in these considerations.

- I. If the Financial Controls are not adhered to or for unforeseen reasons do not achieve the required outcomes a further Section 114 report will need to be issued.

#### Support to be Sought from Government

8. Attainment of the actions envisaged in the emergent Recovery Plan will not by themselves resolve the Council's financial exigency. The Council must therefore approach Government to explore the prospect of financial support and to seek views on the provision of such support.
9. It follows that the Council, on the basis of the estimated financial deficit of **£1.20bn** to 31 March 2024 referred to in this report, needs to acquire financial support on a very large scale. For the avoidance of doubt, the Council has no means of funding the financial deficit from resources that are available locally and has a very small funding base (just **£16m** in 2023/24 excluding use of reserves) in relation to the size of the deficit identified.

#### The Legal Framework

10. Section 114 (3) requires that:

“The chief finance officer of a relevant authority shall make a report under this section if it appears to him that the expenditure of the authority incurred (including expenditure it proposes to incur) in a financial year is likely to exceed the resources (including sums borrowed) available to it to meet that expenditure.”

11. The process for issuing a Section 114 report and the effect of it are set out in various sections under the 1988 Act. Subsection 3(A) requires the chief finance officer to consult, so far as reasonably practicable, the Head of Paid service and the Monitoring Officer. Both of these statutory officers have been fully briefed and consulted in the preparation of this report. Further, the Corporate Leadership Team has been fully briefed on the content of this report and have similarly been consulted.
12. Section 115 of the 1988 Act requires Full Council to consider and decide on the report made under Section 114 within 21 days beginning on the day the report is issued. Full Council must consider the report at a meeting where it shall decide whether it agrees or disagrees with the views contained in the report and what action (if any) it proposes to take in consequence of it.



13. Section 115 (6) states that pending consideration of the report by Full Council, there is a prohibition period which runs from the date the report is made to the date of the Full Council meeting. During this period, the Council must not enter into any new agreement which may involve the incurring of expenditure (at any time) by the authority unless the chief finance officer of the authority authorises it to do so.
14. Subsection (6A) states the chief finance officer may only give authority for the purposes of subsection (6) if he considers that the agreement concerned is likely to:
  - a. prevent the situation that led him to make the report from getting worse,
  - b. improve the situation, or
  - c. prevent the situation from recurring.
15. Subsection (6B) requires that authority for the purposes of subsection (6) shall:
  - a. be in writing,
  - b. identify the ground on which it is given, and
  - c. explain the chief finance officer's reasons for thinking that the ground applies.
16. Subsection (8) states that if subsection (6) is not complied with, the Council shall be taken not to have had power to enter into the agreement (notwithstanding any option to do so under contract or otherwise). Therefore, the Council's actions will be deemed unlawful.
17. Section 116 requires the Council to notify its external auditors of the report and the time, date and place of the full Council meeting. The external auditors also need to be informed of the outcome of the meeting as soon as practicable. The external auditors have been kept informed of the emerging financial position and the planned work. The external auditors will need to consider the implications of this report on their statutory functions and the implications for their opinion on the 2019/20 and subsequent accounts which remain unaudited at the date of this report.
18. CIPFA guidance recommends that informal contact is made with DLUHC, lead members and statutory officers in advance of issuing a Section 114, to undertake a level of scenario testing and to ensure a robust action plan to address the issues raised is able to be prepared. Lead members have been kept up to date on the emerging budget situation, as has the Executive and the key statutory officers and there has been regular liaison with DLUHC officials and professional advisers including *CIPFA Solutions* and others.

19. The Council's legal duties around budget setting are set out in Section 31A of the Local Government Finance Act 1992, which states:

(1) In relation to each financial year a billing authority in England must make the calculations required by this section.

(2) The authority must calculate the aggregate of:

(a) the expenditure which the authority estimates it will incur in the year in performing its functions and will charge to a revenue account, other than a BID Revenue Account, for the year in accordance with proper practices.

(b) such allowance as the authority estimates will be appropriate for contingencies in relation to amounts to be charged or credited to a revenue account for the year in accordance with proper practices.

(c) the financial reserves which the authority estimates it will be appropriate to raise in the year for meeting its estimated future expenditure.

(d) such financial reserves as are sufficient to meet so much of the amount estimated by the authority to be a revenue account deficit for any earlier financial year as has not already been provided for.

(e) any amounts which it estimates will be transferred in the year from its general fund to its collection fund in accordance with regulations under section 97(2B) of the 1988 Act,

(f) any amounts which it estimates will be transferred in the year from its general fund to its collection fund in accordance with section 97(4) of the 1988 Act; and

(g) any amounts which it estimates will be transferred from its general fund to its collection fund pursuant to a direction under section 98(5) of the 1988 Act and charged to a revenue account for the year.

20. The findings of the continuing Financial Review are such that the financial parameters described above and which were considered by the then Section 151 Officer when Council met on 27 February 2023 to agree the Budget for 2023/24 now need to be reviewed and considered in the context of a revised Medium Term Financial Plan and Strategy. The intention is to present a revised MTFs in July 2023. Accordingly, the Council will seek to open discussions with Government to inform this reporting timetable.

21. Following these considerations Council may wish to call for a revised Budget for 2023/24 in order to endorse:

- (a) the financial support arrangements which may then pertain.
- (b) to agree budget savings for 2024/25 in order to reach for savings in advance of the 2024/25 financial year; and
- (c) to receive a report on how the Financial Review has led changes to financial management arrangements on a broad front.

#### The Financial Review - Background

- 22. The Council has been in dialogue with DLUHC – the relevant Government Department - since May 2022. This dialogue focussed on the very large loan portfolio held by the Council and risks around the ability of the Council to manage the scale of operations then in place. As a result of this engagement the Council was offered and welcomed a non-statutory review by DLUHC that commenced in December 2022; the report from this review was published in May 2023.
- 23. In setting the 2023/24 Budget in February 2023 the then Section 151 Officer approved the setting of a balanced budget through use of reserves but did so with the cautionary advice that ‘the Council was in Section 114 territory’. Further information was included in the Section 25 report which formed part of that Budget Report.
- 24. On appointment, having taken note of work already undertaken by the leadership team and having made further observation, the new Section 151 Officer with support from that team (a) presented an updated MTFS to the Executive and Council (from 23 March 2023) and (b) commissioned a suite of work to unpack and define aspects of the Council’s financial affairs. This work, undertaken with support from professional advisers including *CIPFA Solutions* and other specialists comprises the Financial Review referred to in this report. This work is ongoing.

#### Detailed Points Arising from the Review

- 25. The key findings arising from the Review and which have been operating in the Council for some considerable time period (with the exception of (g) prior to 2016) include:
  - (a) A weak financial control environment.
  - (b) Sub-optimal record keeping.
  - (c) Weak management review processes.
  - (d) Weak understanding of accounting guidance.

- (e) Weak understanding of statutory requirements in respect of accounting arrangements.
- (f) Insufficient resources generally to manage successfully the scale and complexity of the company structures, assets and liabilities that had been brought into existence by the Council over many years.
- (g) The absence of external audit opinions on the Councils accounts since 2018/19.

26. The Financial Review commissioned by the current leadership team has brought to light and defined the financial deficit in the Council. The financial challenges with which the Council is faced have been acquired over a long period of time and in particular have accelerated between 2016 and 2021. It is likely that further issues will arise in the coming months as more work is completed and the recovery planning is developed fully to set the Council's financial affairs on an appropriate course. It follows that these matters will take some time to resolve and the estimated timeline until a substantive recovery has been achieved is likely to be two years from the date of this report. That said, the financial recovery is being pursued at pace and a plan for the first 100 days is being prepared as a component of the wider Recovery Plan and action is already being taken as part of this greater whole.

27. It is notable that had the issues now being drawn out been understood in previous years (i.e. before 2021) the Council would have had grave difficulty in setting lawfully balanced budgets in the period since 2018/19. The following points are relevant:

- a. The current estimated negative General Fund balance prior to submission of any request for support from DLUHC is c. £350m to 31 March 2023. The additional in-year deficit for 2023/24 is estimated to be in excess of £800m resulting in an overall deficit of almost **£1,200,000,000** or **£1.2bn** forecast to 31 March 2024. This is further described at paragraph (29) of this report.
- b. It is fair and reasonable - given the circumstances - that the Council take all possible steps to mitigate the level of financial support needed from Government in order to set the Council's affairs on an appropriate financial course. To this end the recommendations prepared by the Chief Executive in the accompanying report on this agenda are of critical importance.
- c. The financial deficit identified in this Council has the highest ratio compared to the resource base of any major Council in recent years. The expected deficit at 31 March 2024 (£1.181bn as defined at paragraph (29)) is estimated to be 107 times greater than the amount raised in Council Tax in each financial year (£11m). This raises an important point; that the resource base in this Council is insufficient to accommodate meeting the overall deficit even if capitalised over a very long period of time.

- d. Further Section 114 Notices may need be issued if means of managing the position are not able to be agreed with partners in Government in the weeks ahead. That said, there is a level of confidence that the position faced by the Council is understood in DLUHC and thanks are extended to officials in the Department who have been both supportive and helpful in wider discussions that have so far taken place.
- e. The Minimum Revenue Provision (MRP) calculation to set aside resources for the repayment of debt has not been undertaken in the manner required for a number of years. The additional charge to be made in 2023/24 is in the region of £95m. Given that the charge has been calculated on a basis that is (a) incorrect and (b) lacking a prudent basis it is clear that the Council has not complied with the relevant guidelines and Codes of Practice that apply.
- f. From the observations made there is a high probability that the Council's various reports which have been produced over a number of years to deal with budget setting, financial monitoring, capital programming, capital financing and treasury management have all contained inaccuracies and misassumptions. Improvements are needed to ensure that these documents meet the needs of decision makers through suitable transparency and clarity as the Council moves through the process to achieve recovery.
- g. The Chief Executive has sought to ensure that the incoming external auditor (Grant Thornton LLP) is aware that the leadership team is keen to see the initiation of suitable enquiries to clarify how the matters described in this report unfolded in the period 2016 to 2021. This initiative is supported by the Section 151 Officer and at the date of this report a meeting has taken place between the statutory officers and the incoming external auditor who had already been in the process of forming proposals to serve this need.
- h. The accounts for the Council for 2019/20 are still awaiting an audit opinion from the previous external auditor and the audits for years following have yet to commence. Over a substantial period the leadership team has sought to bring this matter to a focus with the external auditor and Public Sector Audit Appointments (PSAA) (the agency responsible for appointing external auditors to local government). In addition the Standards & Audit Committee has enquired closely on this issue. The delivery of an effective external audit service is a continuing priority for the Council and work continues to bring this matter to a focus with providers and stakeholders in the near future.
- i. The Council has a number of wholly or partly owned companies. Historically governance and financial management processes in relation to these arrangements have been weak and a number are in need of ongoing financial support which – on grounds of affordability – the Council is unable to provide. This being so it is inevitable that unless additional resources can be made available by

Government some of the boards of these companies will need to seek advice on available options in the period ahead. The Council has set in place sources of such advice where this is needed and - thanks to the efforts of the Council's leadership team - the strengthened arrangements for shareholder liaison are beginning to enable a more structured approach to governance and decision making.

- j. The Finance Directorate – never of adequate size for the commitments it has faced – has sustained in recent weeks the departure of a number of staff experienced and knowledgeable about the arrangements made by the Council. As at the date of this report the majority of the Finance Directorate Management Team is formed of interim contract staff who have been retained by the Council only recently.
- k. Financial processes, reporting and internal controls need in some cases to be strengthened. Budget monitoring processes in particular are weak and poorly designed. These are being redesigned at pace and support for budget managers is being put in place in the period ahead.
- l. The Housing Revenue Account is under severe financial pressure significantly because the Sheerwater housing development scheme has removed a large portfolio of dwellings from the portfolio of HRA rental properties with commensurate loss of rental income. A HRA Financial Recovery Plan is in development to focus on rent collection, the level of recharges from the General Fund and a number of other key opportunities for cost reduction. The Council does not have a 30 year business plan for the HRA at this time.
- m. The Council's company structures are in need of detailed review and simplification and initial steps have already been taken and resources assigned to begin work in this regard. Given the financial position of the Council, it is likely that the case for using companies to develop assets and run services may be significantly weakened and that alternative approaches will need to be explored through conversations with DLUHC and other Government agencies on the forward journey.
- n. The Council's leadership team has been fully briefed on the conclusions of the Financial Review.

#### Other Issues

- 28. The Council has already noted (See the Medium Term Financial Strategy reported to the Executive on 23 March 2023) that in 2024/25 it faces a budget shortfall of £9m. It is expected that additional cost pressures (estimated presently at c. £1m) will need to be added to this total as when the MTFs is next updated. The shortfall is already being targeted through the roll out of the *Fit for the Future Programme* which is designed to bring forward proposals to enable a balanced budget to be formed. The results of this

exercise will be presented as part of the July update of the Medium Term Financial Strategy and will form part of the over-arching Recovery Plan led by Commissioners under the terms of their appointment in pursuit of the Best Value duty held by the Council.

## The Deficit

29. The deficit now faced by the Council from the conclusions of the continuing Financial Review at the present time is as follows:

		2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26
		£m	£m	£m	£m	£m	£m	£m	£m
<b>General Fund Balance as originally stated</b>									
Balance at 1 April a	a	(30)	(28)	(31)	(41)	(30)	(30)	(30)	(30)
In year transactions on the General Fund	b	2	(3)	(10)	11	0			
Balance at 31 March c=a+b	c=a+b	(28)	(31)	(41)	(30)	(30)	(30)	(30)	(30)
<b>Restated General Fund balance</b>									
Balance at 1 April	d = n	(30)	73	102	134	199	347	1,181	1,329
Restatement at 1 April 2018 for MRP understated in previous years	e	78							
Revised balance at 1 April 2018	f=d+e	48							
In year transactions on the General Fund	g=b	2	(3)	(10)	11	0	0	0	0
Restatements:									
MRP understated	h	23	32	42	54	67	94	93	73
Revenue loans	i					81	80		
Impairment of loans	j						614		
Understated repair and maintenance budget	k						45	45	45
Budget cost pressures	l							9	10
Other cost pressures	m						1	1	1
<b>Impact on Budget</b>	<b>n=f+g+h+i+j+k+l+m</b>	<b>73</b>	<b>102</b>	<b>134</b>	<b>199</b>	<b>347</b>	<b>1,181</b>	<b>1,329</b>	<b>1,458</b>

### Notes:

- i. All figures are at Outturn prices. The figures for 2018/19 are taken from the audited Statement of Accounts. The figures for 2019/20 to 2021/22 are taken from draft accounts for those years as no audit opinions have yet been provided by the external auditor.
- ii. For 2022/23 the balances have been rolled forward from 2021/22. The outturn has yet to be completed for 2022/23 and will impact the In-year transactions on the General Fund at rows b and g above.
- iii. For 2023/24 onwards the balances are taken from the 2023/24 Budget and MTFs reported to Council on 23 March 2023.
- iv. Rows (a) to (c) show the movement on the General Fund balance as originally reported in the Statements of Account and projected forward to 2025/26.
- v. Rows (d) to (n) show the revised General Fund balance after restating the accounts for understated MRP in the years to 31 March 2018 (row e) and annual adjustments detailed in rows (h) to (m).
- vi. The detail of the restatements is in the following paragraphs:
  1. Rows (e) and (h) (MRP understatement) paras 4(b) to (c);
  2. Rows i and j (revenue loans and loan impairment) paras 4 (d) to (f) :
  3. Rows (k) to (m) (repair and maintenance budget understatement and budget cost pressures) para 4 (h).

30. It is clear from this analysis that the Council cannot meet these very large costs from its own resources. The only way forward is to open discussions with DLUHC on the provision of financial support from Government.



31. Council is asked to note that any support made available by DLUHC is likely to require the Council to dispose of surplus property or otherwise secure value from the assets under ownership, in order to discharge at least part of the ongoing financial liabilities that may be incurred by the public purse generally in the years ahead if a package of support is able to be secured. Accordingly, Council needs to prepare itself for such a course moving forward.
32. Similarly, on the forward journey, Council needs to consider that it might be invited to pass ownership of the relevant assets into the care and management of other agencies as part of a *quid pro quo* for financial support if negotiations with Government are able to be undertaken successfully. At this time and pending the opening of discussions with Government on the matter of support the approach preferred by Government in this matter is not yet known.

#### Next Steps

33. The issuing of a Section 114 report is a serious matter and will impact on how the Council operates. Local Authorities however cannot go into Administration or Liquidation as they are backed by taxation and Government. This means that all creditors are secured, contracts in flight are secure and the Council will continue to pay staff and deliver its statutory services, particularly services to the vulnerable and homeless. That said, the Financial Controls referred to in this report will operate from 7 June 2023.
34. Council is required under legislation to hold a meeting of Full Council scheduled for the purpose of considering this Section 114 report and the Chief Executive's Response to this report so that Council can decide on any action to be taken as a result.

#### Future Intervention

35. I will monitor in line with the responsibilities of my office the Council's response to this Notice on an ongoing basis to ensure that sufficient action is taken at pace to address the issues identified. If I am not able to see satisfactory progress, I will consider the issuing of a further Section 114 report. It is also the case that an inability to agree financial support from Government may inevitably lead to further Section 114 reports being laid before Council.

Brendan Arnold BA MA FCPFA DMS  
Interim Finance Director & Section 151 Officer  
Woking Borough Council  
June 2023

## Annex 4

### The Budget Timetable for 2023/24 (Revised Budget) and 2024/25 Budget

	<u>Revised Budget 2023/24</u>	<b>Date</b>	<b>Month</b>
CLT & C	CLT Meeting with Commissioners	21/08/2023	August
O&S	O&S Agenda Distribution	01/09/2023	September
Exec	Executive Agenda Distribution	06/09/2023	September
O&S	O&S Budget Meeting	11/09/2023	September
Exec	Executive	14/09/2023	September
Council	Council	28/09/2023	September
	<u>Budget 2024/25 Timetable</u>		
CLT & C	CLT Meeting with Commissioners	18/12/2023	December
O&S	O&S Agenda Distribution	12/01/24	January
O&S	O&S Budget Meeting	22/01/2024	January
Exec	Executive Agenda Distribution	24/01/2024	January
Exec	Executive	01/02/2024	February
Council	Council	08/02/2024	February

## The Consultation Plan

### General Approach

The Council will begin to engage from July 2023 to gather feedback from residents as to how the Council should respond to the budget shortfall and Deficit. There is a need to understand that services that are valued most by residents which will inform the decisions that must be made.

For any service where changes are proposed to reduce or cease provision, or to transfer services to a different provider the Council will engage directly with staff, clients and partners those directly affected by the proposals.

This engagement continues through the summer. Results of the consultations will inform decisions on changes to service provision that will be fed into the Revised Budget in September. A second phase of consultation using the same approach will be needed in October and November 2023 to inform further proposals which need to be prepared for the February 2024 meeting of Full Council when decisions are made for the Budget and Council Tax for 2024/25.

### Non-Statutory Services: further information

The future approach will be that the Council will only deliver non-statutory services if the full cost of the provision can be covered. Accordingly, the Council will be engaging partners on options for delivering non-statutory community services. This will include options to increase charges for these services (to cover the full cost of provision), stopping the provision completely or transferring the service to an alternative provider to enable the service to continue.

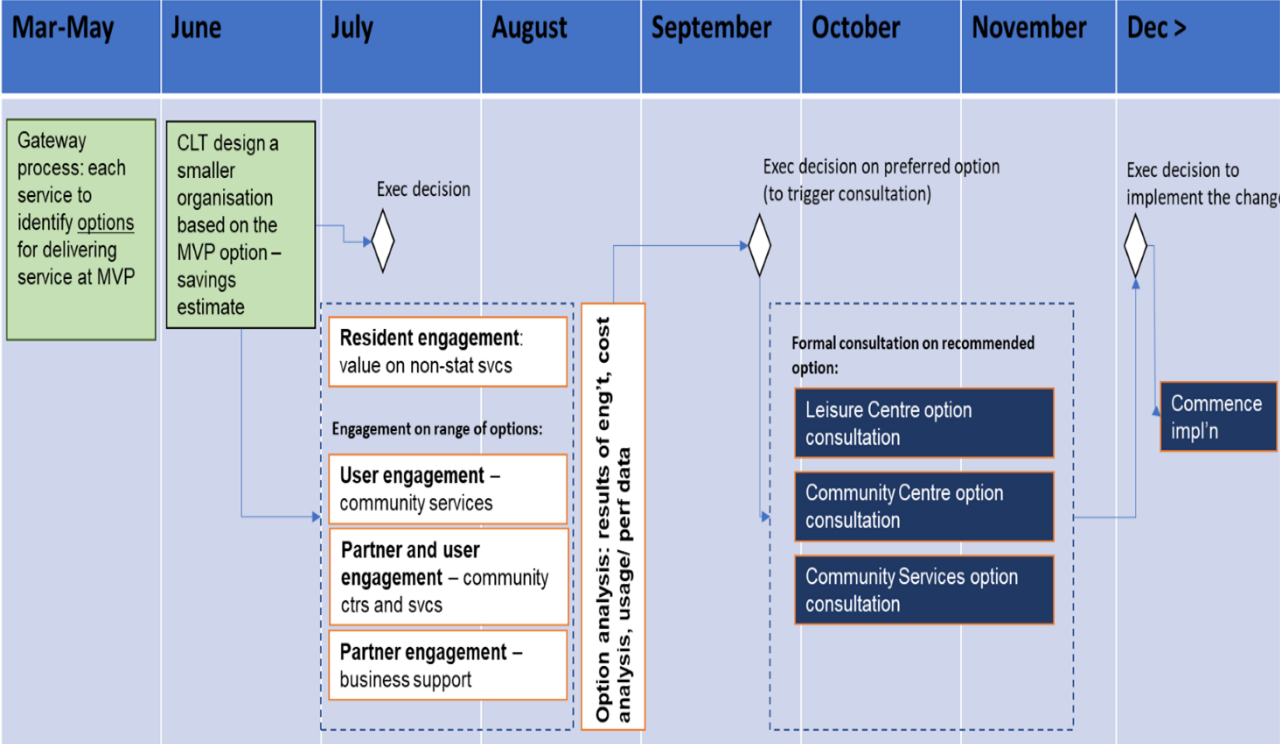
The Revised Budget in September 2023 will contain the results of these engagements undertaken by that date and recommended options for each service will be presented for decision. Services falling within this process will include:

- Leisure services, e.g. Leisure Centres
- Meal Provision in Extra Care Housing Schemes
- Community Centres
- Day care provision
- Meals on wheels
- Playground maintenance and provision

As well as consulting on specific changes to non-statutory services a broader resident engagement will be carried out to seek views from residents across Woking to understand what matters most. Residents will be able to state what non-statutory service is most important and see the options available if the service continues, including increasing charges to cover full costs. This will run from July to end August and the results will help to inform the September Revised Budget.

In forming savings proposals for decision the Council will prepare Equalities Impact Assessments as required by the regulations.

Schematic Showing Engagement & Consultation Timetable



List of Savings**Outline of Savings Proposals for Consultation, Engagement & Further Review**Annex 6

<b>Directorate</b>	<b>Savings Description</b>	<b>Amount £000</b>
<p><b><u>Communities</u></b></p> <p>Community Centres, Woking Translation Service, Volunteer Woking, Refugee Support, Family Services, Leisure Centres &amp; Pavilions, Sports, Arts &amp; Cultural Development, Community Safety, Health &amp; Wellbeing, Housing Solutions, Strategic Housing &amp; Development*).</p>	<ul style="list-style-type: none"> <li>• Income generating discretionary services to move to self-funding by April 2024.</li> <li>• Externally funded discretionary services to move to self-funding by April 2024.</li> <li>• Exploration of greater delivery by partners (where appropriate).</li> <li>• Leisure service to operate at minimum subsidy.</li> <li>• Some reduction in discretionary services.</li> <li>• Review of Grants to External Bodies.</li> </ul>	3,104
<p><b><u>Corporate Resources</u></b></p> <p>Member Services, Marketing Communications, Legal Services / Procurement, Human Resources, Transformation &amp; Digital, Customer Services, Revenues &amp; Benefits, Financial Services).</p>	<ul style="list-style-type: none"> <li>• Service redesign and efficiency savings.</li> <li>• Budget reductions.</li> <li>• Some reduction in discretionary services.</li> <li>• Customer Services re-design.</li> <li>• Review of NNDR Discretionary Discounts.</li> <li>• Reduce cost of Civic Offices and Property Services functions.</li> </ul>	3,174
<p><b><u>Place</u></b></p> <p>Neighbourhood Services, Parking, Development Management, Planning Policy, Building Control, Green Infrastructure, Environmental Health, Housing Standards, Licensing, Business Liaison, Property.</p>	<ul style="list-style-type: none"> <li>• Service redesign and efficiency savings.</li> <li>• Some reduction in discretionary services.</li> <li>• Budget reductions.</li> <li>• Commercial activity to be self-funding.</li> <li>• Review of contracted services.</li> </ul>	2,446
<b>Total:</b>		<b>8,724</b>

\*HRA funded parts of the Housing Service are a separate workstream under the Fit for the Future Programme.

## General Planning Assumptions

The key points of briefing in relation to the Forecast are:

- a. New Homes Bonus – The Government has been considering reform or phasing out of New Homes Bonus and currently the grant is calculated on a one-off annual basis. It is assumed that the Council will receive £231,000 in 2024/25 and future years of the MTFP.
- b. Controls on use of packaging and waste volumes – the Government is planning to establish a system where the producers of packaging waste are charged a levy related to the waste volumes that result such that the proceeds - net of regulatory costs - are passed on to local Councils. The assumption made in this version of the MTFP is that the incoming monies will need to be reinvested in waste services and that, accordingly, there will not be a net benefit to the Council from this scheme. This assumption will be reviewed for the next update of the MTFP.
- c. Revenue Support Grant – this is currently assumed to be unchanged from 2023/24 at c. £100,000.
- d. Collection Fund – the working assumption is that Council Tax is assumed to increase by 3% throughout each year of the MTFP, the maximum permitted under current Government guidance. The Collection Fund is assumed to be in balance for the current review without any surplus or deficit but this will be reviewed in depth for the next update in September 2023.
- e. NNDR Pool - it is assumed that the Council will continue to be a member of the Surrey-Sutton Business Rates Pool in 2024/25 and future years and it is also assumed that the Government will continue to permit the operation of such pools as a matter of policy.

## Inflation

Inflation is held as a contingent sum centrally within the budget structure and will be assigned to services and functions based on need as the financial year progresses. The contingent sum is presently £1m.

## Fees and Charges

For present estimates it is assumed that fees and charges (aside from those set statutorily) rise on an average of 20% for 2024/25 and 10% thereafter throughout the term of the MTFP. The yield from this is estimated at around £1.6m which includes amelioration for loss of volume arising from the proposed adjustments.

A review of fees and charges will be carried out and the resultant charges figure reported at the MTFP refresh in September 2023. A 1% increase equates to around £110,000.

### Parking Income

Parking charges are presently assumed to rise by 20% in 2024/25 and 10% in each year thereafter; these assumptions will be revised following receipt of the recommendations of the Parking Strategy which is expected in Autumn 2023.

### Commercial Rents

The Council holds a considerable number of properties and from this acquires a substantial commercial rental stream is accrued in each financial year. For financial year 2024/25 the yield – as a result of re-pricing rentals because of increases in inflation and re-setting new lease rentals within the new market – is expected to increase and this will be factored in to the MTFP as a direct benefit at the next update.

These rentals are important in maintaining key services to the community and – given that a property rationalisation programme is being set in place – the Council will need to seek retention of those assets with the highest yield in forming this programme in the months ahead.

Most business cases that emerge to deliver a significant revenue benefit to the Council for small or modest capital investment are likely to lie within this area of operations.

### Asset Rationalisation and Capital Receipts

In order to demonstrate that the Council is acting to pursue recovery by exploiting its own value base to deliver reductions in the debt £1.8 billion debt portfolio Council has already been advised (20 June 2023) that a rationalisation programme on some scale would be required. Consultants Avison Young LLP are working up proposals to inform preparation of this programme and the results of this are expected in the late summer.

In the mean time the Council's existing disposal activities are continuing and the Council will consider marking a sea change in the character of its operations by using capital receipts to make a modest contribution to repaying debt in the months ahead.

**Medium Term Financial Plan 2023/24 to 2028/29 - Summary MTFP Q1 2023/24**

Budget	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000	2028/29 £'000	Notes
Service Expenditure - Gross	45,846	48,173	50,583	53,114	58,562	March MTFP assumptions updated for 4% increase in 2024/25 and 5% thereafter
Other Income	(27,607)	(27,607)	(27,607)	(27,607)	(27,607)	
Fees and Charges	(12,291)	(13,213)	(14,204)	(15,269)	(16,415)	March MTFP assumption uplifted by 20% and 10% thereafter (volume mitigation)
Financing Costs	62,857	62,857	62,857	62,857	62,857	[Cost increases to be input]
Interest and Investment Income	(44,281)	(45,281)	(46,281)	(47,281)	(48,281)	
	24,524	24,929	25,348	25,814	29,117	
Add: Pressures						
Car Park Management Fee	0	1,466	1,466	1,466	1,466	Charge from companies
2023/24 Cost Pressures (FFF 1&2)	69	169	169	169	169	Savings not met
Pay inflation	700	1,400	2,100	2,800	3,500	Pay inflation
Local Plan	550	550	550	0	0	Unavoidable cost pressure
<b>Total Pressures</b>	<b>1,319</b>	<b>3,585</b>	<b>4,285</b>	<b>4,435</b>	<b>5,135</b>	
<b>Total Expenditure</b>	<b>25,843</b>	<b>28,514</b>	<b>29,633</b>	<b>30,249</b>	<b>34,252</b>	
Funded by:						
Baseline Funding (NNDR)	(467)	(467)	(467)	(467)	(467)	
Surrey Pool NNDR	(2,215)	(2,215)	(2,215)	(2,215)	(2,215)	
Government Grants	(324)	(324)	(324)	(324)	(324)	
Reserves	0	0	0	0	0	
Collection Fund Surplus(-)/Deficit	0	0	0	0	0	
Council Tax	(11,895)	(12,619)	(13,387)	(14,203)	(15,068)	
<b>Total Funding</b>	<b>(14,901)</b>	<b>(15,625)</b>	<b>(16,393)</b>	<b>(17,209)</b>	<b>(18,074)</b>	



**Medium Term Financial Plan 2023/24 to 2028/29 - Summary MTFP Q1 2023/24...cont**

Budget	2024/25 £'000	2025/26 £'000	2026/27 £'000	2027/28 £'000	2028/29 £'000	Notes
Savings Required	10,942	12,889	13,240	13,040	16,178	
Saving Proposals for Consultation:						
- Grants to External Organisations	(686)	(686)	(686)	(686)	(686)	
- Organisational Restructure / Service Review	(3,178)	(3,178)	(3,178)	(3,178)	(3,178)	
- NNDR Discretionary Discounts	(260)	(260)	(260)	(260)	(260)	
<u>Management Savings</u>						
- Civic Offices Savings	(250)	(250)	(250)	(250)	(250)	
- Debt Management Expenses	TBC	TBC	TBC	TBC	TBC	
Total Savings Proposals for Consultation	(4,374)	(4,374)	(4,374)	(4,374)	(4,374)	
Sub-Total: Revised Savings Target	6,568	8,515	8,866	8,666	11,804	
Savings Requiring further review						
- Leisure Services						
- Forensic Review of Council Budgets						
- Property Services Savings	(4,350)	(4,350)	(4,350)	(4,350)	(4,350)	
- Contracted Services: Procurement						
Sub-Total:	(4,350)	(4,350)	(4,350)	(4,350)	(4,350)	
Further Savings Required	2,218	4,165	4,516	4,316	7,454	

Note: as there is a Negative General Fund balance the Council holds no usable reserves; accordingly, there is no prospect of making contributions from Reserves to balance the budget shortfalls through this period.

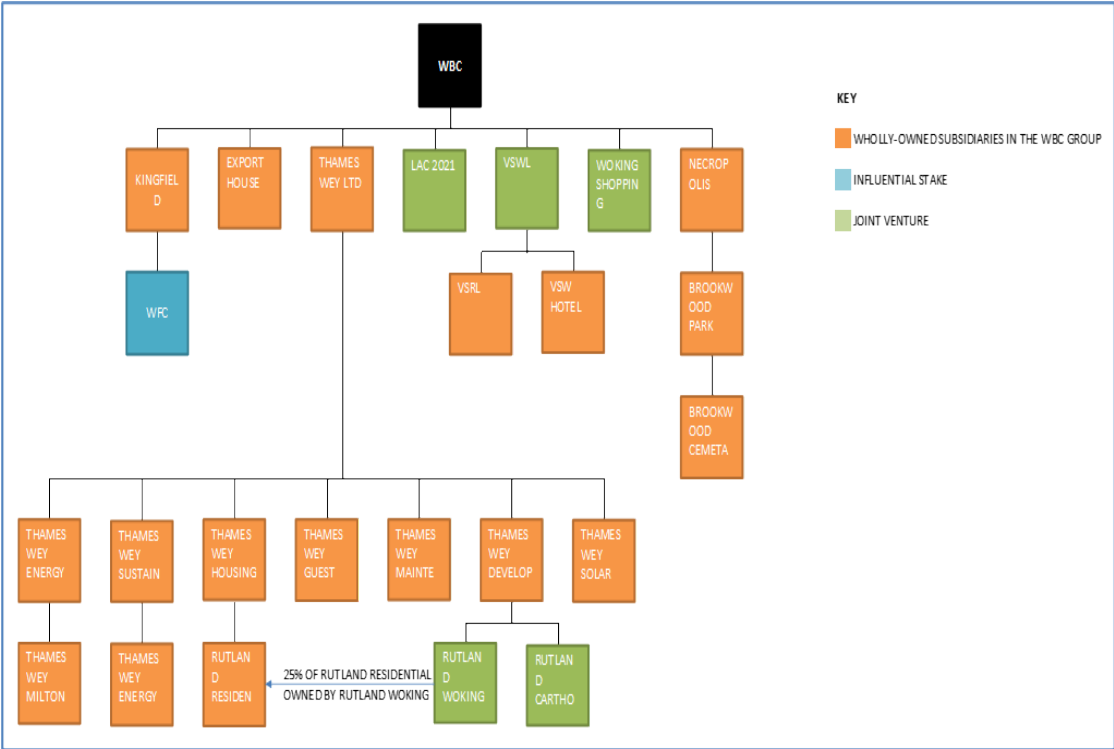
## The MTFP Change Log

	2024/25 £'000
Shortfall reported in March 2023	9,477
Changes since:	
Contract/Pay inflation	2,583
FFF1 & 2 Savings variations	69
Funding for the Local Plan	550
Interest on investments changes	(1,000)
Fees and charges increase	(556)
Increase in Council Tax due to higher Tax Base assumption/Base funding	(181)
<b>Total Changes</b>	<b>1,465</b>
<b>Revised Shortfall</b>	<b>10,942</b>
Savings Proposals for Consultation	
- WBC Grants to External Organisations	(686)
- Organisational Restructure / Service Review	(3,178)
- Civic Offices Savings	(250)
- NNDR Discretionary Discounts	(260)
<b>Total Savings Proposals for Consultation</b>	<b>(4,374)</b>
<b>Sub-Total: Revised Savings Target</b>	<b>6,568</b>
Savings Requiring further review	
- Leisure Services	
- Forensic Review of Council Budgets	
- Property Services Savings	
- Contracted Services: Procurement	(4,350)
<b>Sub-Total: Savings Requiring further Review</b>	<b>(4,350)</b>
<b>Further Savings Required</b>	<b>2,218</b>

Risks: Principal Risks to the MTFS & headline Mitigation

Risks	Headline Mitigation
Failure to constrain expenditures within relevant budget targets.	The Council's financial reporting arrangements including the chart of accounts, budget management approaches, and forecasting are under review. This will be completed in financial year 2023/24.
Failure to prepare for balancing the 2024/25 'business-as-usual' Budget shortfall.	The preparation of this MTFS at this point in the financial year, the generation of savings proposals, the planned launch of consultation and engagement and the promulgation of the Budget Timetable incorporating two meetings of Full Council to take decisions on savings.
Failure to increase Reserves.	The Council has a medium term intention to re-build essential reserves. A small but significant first step is planned for decision of Full Council in February 2024, assuming that the Deficit is able to be funded following the Council's own endeavours to reduce costs and impending discussions with Government.
Failure to negotiate a package of support with Government	Led by Commissioners and the Council's Statutory Officers the Council will seek to open conversations with Government during July 2023.
Failure to deliver savings.	The Council is developing monitoring arrangements for its emergent savings programme as part of regular financial monitoring and improved governance.
Failure to arrange cover for expected cost increases	The Council has set in place a process whereby the MTFP is updated quarterly and the thoroughness of review and analysis will be enhanced on each occasion as additional information becomes available and insight gained. In addition the Council will adjust its fees and charges annually in the future to ensure that the net cost of services is moderated where it is equitable to do.
Inability to Fund the Capital Programme arising from continued rises in interest rates and higher cost of borrowing.	The Council has suspended its previous 'Investment Programme' indefinitely and will organise its capital programme moving forward within tighter controls and governance. These arrangements are referred to in this report and further work will be undertaken by Full Council in February 2024.

Companies: Structure of Portfolio



EXECUTIVE – 13 JULY 2023

## SHEERWATER REGENERATION

### Executive Summary

In April 2017, the Council appointed ThamesWey Developments Limited (TDL) as its Development Partner for the Sheerwater regeneration scheme. The scheme is intended to deliver 1,142 new residential units, along with the associated community infrastructure, over a phased programme lasting circa 9 years.

The regeneration scheme was to be funded by a mix of borrowing by the Council from the Public Works Loans Board (PWLB) with on-lending to ThamesWey, income from the disposal of new market homes and the issuance of 'free' and 'discounted' land via a barter transaction between ThamesWey and the Council. As of 30 April 2023, ThamesWey is expected to have a net debt position of circa £185 million upon completion of the current construction phases. The peak debt is expected to increase to £361 million at the end of the regeneration scheme.

In light of the significant financial challenges faced by the Council, it was agreed in February 2023 that a mid-point review would be brought forward sooner than originally planned. On 7 June 2023, the Section 151 Officer issued a Section 114 Notice to the Council which estimated a General Fund deficit of £1.2 billion by 31 March 2024. Within this context, the Council cannot afford, and ThamesWey cannot rely on, the future borrowing required to complete the regeneration.

The Sheerwater regeneration is currently mid-construction on three phases - Copper, Red and Yellow. This report proposes that the current Development Agreement relationship with ThamesWey is brought to an end and that ThamesWey seek the necessary approvals to conclude their involvement in the project in the most cost-effective way. A report on the future delivery of the wider Regeneration Scheme will be brought to the Executive and Council in the Autumn.

Whilst the review is ongoing, affected secure tenants will remain in 'Band B' priority on Choice Based Lettings, with the payment of compensation being considered on a case-by-case basis where there is a demonstrable need for the move to proceed.

The Council remains committed to delivering a regenerated Sheerwater and will be seeking the views of the local community over the coming weeks on how best to achieve this. Options could include redevelopment by housing associations or private developers and/or refurbishing and reletting the existing homes. The Council is aware of the ongoing disruption, concern and uncertainty faced by those in Sheerwater and is committed to providing clear answers around the future of the area at the earliest opportunity.

### Recommendations

The Executive is requested to:

#### **RECOMMEND TO COUNCIL That**

- (i) the existing Development Agreement between the Council and ThamesWey for the delivery of the Sheerwater regeneration project be brought to an end;**

- (ii) ThamesWey do not commence any new phases following those currently under construction;
- (iii) ThamesWey be authorised to take such actions, including seeking technical and planning approvals as necessary, to bring its involvement in the project to a cost-effective end in consultation with the Council;
- (iv) authority be delegated to the Chief Executive to give an Executive Undertaking if the Planning Committee approves the changes to the affordable housing as outlined in the report;
- (v) negotiations between the Council and ThamesWey commence on an unwinding of the previously agreed barter arrangement; and
- (vi) the Special Lettings Policy adopted in 2017 be temporarily suspended until such as time as the wider scheme and Sheerwater Community Charter have been reviewed.

#### Reasons for Decision

Reason: To enable further work to progress that will deliver a sustainable delivery option for the Sheerwater Regeneration project whilst reducing financial risks and exposure to the Council.

The item(s) above will need to be dealt with by way of a recommendation to Council.

**Background Papers:** None.

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**Date Published:** 5 July 2023

### 1.0 Introduction

- 1.1 The Council's vision for Sheerwater is to create a contemporary and sustainable 'Garden Suburb' that will provide high quality, mixed tenure homes, improved open green spaces and new leisure and community facilities. This will create a stronger and more sustainable community by attracting new families and commercial enterprise to live and invest within the area. The current masterplan plans to deliver enhanced community, leisure, recreational and play facilities including swimming pools and a gym, a new community and health centre, enhanced nursery facilities, improved and accessible public spaces, retail opportunities, improved pedestrian and cycling routes, car parking and transport connections.
- 1.2 The Sheerwater Regeneration Scheme has been the subject of three planning consents. The first permission (PLAN/2015/1260) was obtained by New Vision Homes, a scheme that was subsequently abandoned as it was not financially viable. The two most recent permissions (PLAN/2018/0337 and PLAN/2018/0374) were obtained by ThamesWey Developments Limited and were granted in 2019. The permissions were the subject of Section 106 Agreements (ThamesWey) and Executive Undertakings (by the Council, as landowner).
- 1.3 On 6 April 2017, the Council appointed ThamesWey Developments Limited (TDL) to deliver the Sheerwater regeneration scheme. The scheme was intended to deliver 1,142 new residential units, along with the associated community infrastructure, over a phased programme lasting circa 9 years. The £492 million regeneration of Sheerwater began construction in summer 2019.
- 1.4 The regeneration scheme was to be funded by a mix of borrowing by the Council from the Public Works Loans Board (PWLB) with on-lending to ThamesWey, income from the disposal of new market homes and the issuance of 'free' and 'discounted' land via a barter transaction between ThamesWey and the Council. The first loan facility of £26 million for the new leisure facilities was approved in April 2018 with an additional short-term loan facility of £42 million agreed to April 2019 to enable the commencement of the first residential phase (Purple).
- 1.5 The funding framework for the remainder of the Project was agreed in February 2020. Alongside this decision, it was agreed that the scheme, including its core economic assumptions, would be subject to a mid-point review once the Blue Phase works had been tendered. This was expected to be late 2023/early 2024 and was intended to review if the project was still delivering against the operational and economic assumptions it considered when the scheme was approved.
- 1.6 In light of the significant financial challenges faced by the Council, it was agreed in February 2023 that the mid-point review would be brought forward sooner and no new phases would be committed until this review had concluded. It was the Council's intention to report the outcomes of the Review to this meeting.
- 1.7 On 7 June 2023, the Section 151 Officer issued a Section 114 Notice to the Council which estimated a General Fund deficit of £1.2 billion by 31 March 2024. The mid-point review of Sheerwater is integral to the Council's wider Improvement and Recovery Plan. Within this context, the Council cannot afford, and ThamesWey cannot rely on, the future borrowing required to complete the regeneration.
- 1.8 This report provides an interim position on the Sheerwater regeneration reflecting the very serious financial position of the Council. Further reports on the future of the Sheerwater regeneration will be brought to Executive and Council over the course of the Autumn.

### 2.0 Regeneration Progress to Date

- 2.1 To date, the shared use leisure facilities at Bishop David Brown School, as well as the first residential phase of 92 new homes (Purple), have all been completed. The red and copper phases are both at the advanced stages of construction with phased completions coming forward between now and December 2023. Red phase will include the provision of 68 affordable sheltered housing dwellings, the energy centre and retail units. Copper phase homes are currently on the open market. Yellow phase is also under construction, with a target completion date of late 2024.
- 2.2 The consented scheme involves the demolition of 573 homes. The majority of these were social rented homes owned by the Council. Rehousing of current social housing tenants is well advanced with 60 secure tenants and 11 non-secure council tenants still living within the regeneration area. This is a significant decrease since 2017 when there were over 300 secure tenants and 89 non-secure tenants in residence.
- 2.3 A Compulsory Purchase Order (CPO) was made on 22 October 2020 and confirmed on 16 December 2022 by the Secretary of State. General Vesting Declarations (GVD) under the CPO powers have only been used to acquire three privately owned properties of the 120 in the regeneration area. There is only one of the 120 owner occupiers and leaseholders still in occupation. Many homes are now empty and boarded up. The lack of occupation provides the Council with significant challenges in maintaining the estate, which has necessitated security patrols being put in place. It is also a poor and undesirable environment for the remaining residents to live in.

### 3.0 Development Partner

- 3.1 Since approval of the scheme, ThamesWey, as the Council's Development Partner, has developed the Leisure Centre with associated outdoor sports facilities, the first phase of the residential development (Purple) and is on site with the next three residential phases (Copper, Red and Yellow phases). As of 30 April 2023, ThamesWey is expected to have a net debt position of circa £185 million upon completion of the current construction phases. The peak debt is forecast to increase to £361 million at the end of the regeneration scheme.
- 3.2 However, the Council's significant financial challenges and the S114 notice means that the existing assumptions on PWLB funding are no longer sustainable and has led to the Council employing external consultants to review its asset strategy, including a review of the future delivery of the Sheerwater regeneration.
- 3.3 Whilst the review continues, it is clear that the Council, and in turn ThamesWey, will not be in a position to borrow to deliver the future phases of the development. Therefore, an interim decision is required on ThamesWey's involvement in the regeneration going forward, with the existing Development Agreement between the Council and ThamesWey being brought to an end. This decision will avoid unnecessary expenditure by ThamesWey and allow the company to commence negotiations with the Council (as the Local Planning Authority) to replan elements of the phases under construction.
- 3.4 The early curtailment of ThamesWey's involvement in the regeneration will require some adjustments to the original proposals. The strategy for the regeneration to date has focused on delivering the leisure and community benefits early in the development, including a high proportion of affordable homes in the early phases (to aid rehousing of existing residents). Therefore, the current phases provide a disproportionate number of affordable units and community and leisure investment, compared with the regeneration and planning consent when taken as a whole.



- 3.5 The Leisure Centre alone was an investment of £22 million and the scheme intended this cost would be spread across and supported by the development and income from all 1,142 new homes. The Yellow phase under construction includes new community and health facilities, which were originally to be handed back to the Council at nil cost as part of the Barter transaction. These spaces may not be needed if the scheme stops as the existing facilities are still in place.
- 3.6 The current phase of construction in Red is skewed significantly towards affordable apartments, which was due to be rebalanced in future phases to deliver a mixed community and stable economic model. However, with ThamesWey's involvement ceasing early, this skew would concentrate the number of affordable units in one location undermining the balanced community ambition of the planning consent and disproportionately reducing the assumed income from the scheme.
- 3.7 Another key issue is the boundaries between the existing development phases and the rest of the regeneration area. The current construction phases have been designed on the assumption that the scheme would be completed as a whole and therefore, the facades, infrastructure and landscapes of the sites under construction are designed to reflect what was proposed. Should the scheme not be delivered as per the original planning approval, these interfaces will need to be redesigned to allow the current phases to function in isolation. It is anticipated that parts of Cyan phase (some of which has already been cleared) would need to be incorporated.
- 3.8 A number of options will need to be explored by ThamesWey to bring its involvement in the Sheerwater regeneration to an end in the most cost-effective way possible, to protect the company's position and the Council's as the lender. This activity will require ThamesWey to seek amendments to the current planning consents. The likely changes to be sought are:
- Rebalancing the Affordable Ratio – An application would be made to change the status of some of the general needs apartments in Red phase which are currently Affordable to Market rent, to rebalance the tenure mix to the proportions assumed across the whole 1,142 home development.
  - Changing the Affordable Rent Levels – An application would be made to vary the Section 106 Planning Obligation and the Unilateral Undertaking given by the Council in respect to the rent levels charged on the affordable homes. Rents had predominantly been limited to the equivalent of social rent levels. In order to improve the viability of the curtailed development, it is proposed that the new affordable homes in Red, Yellow and Cyan 1B phases would be charged at Affordable Rents at 80% of market rates, inclusive of services charges. These Affordable Rents would be capped at the Local Housing Allowance (LHA) rate to ensure affordability to new tenants. The affordable homes in the Purple and Copper phases will remain unchanged.
  - Repurposing the Community and Health Facility Floorspace – An application would be made to convert the space in Yellow phase currently planned for community and health facilities into additional residential units. It is anticipated this would deliver 19 more homes.
- 3.9 As described above, ThamesWey has delivered a disproportionately high amount of the community infrastructure upfront with the expectation that future residential development would subsidise this in the long term. It will therefore be necessary for there to be some unwinding of the original barter agreement to reflect a 512 home development (compared to the 1,142 in the masterplan). The original scheme intended that ThamesWey develop new retail units within the Red and Yellow phases, with the headlease transferred to the Council for a peppercorn in return for the current retail units in Blue phase. However, with Blue phase no longer proposed to be developed by ThamesWey, negotiations will be needed on where these new retail units are owned and managed in future.

- 3.10 An alternative option for the Council could be to defer the decision on ThamesWey as the development partner until the full review of the project has been completed. This will be reported to Council in the Autumn. However, delaying the decision will result in the following risks and delays:
- ThamesWey will continue to spend on future phases that will not be required - for example in the preparation of designs for future phases.
  - ThamesWey will be unable to commence negotiations with the Council as the Local Planning Authority. These decisions are necessary to improve the financial viability of the development to date.
  - Completed units on phases under construction are unlikely to be let until the outcome of the application to vary the Section 106 Planning Obligation and the Unilateral Undertaking is known. Delaying occupation will result in short-term rental losses and not meet housing needs.
  - Woodlands House residents would be unable to move to the new sheltered units in Red phase until the planning negotiations are completed. Enabling these vulnerable residents to move quickly should be a priority for the Council.
- 3.11 The decision to end ThamesWey's involvement beyond Yellow (including Cyan 1B) phases will enable key negotiations and approvals to progress and narrow the strategic options being considered for the rest of the regeneration area as part of the ongoing review.
- 3.12 The Council remains committed to delivering a regenerated Sheerwater and will be seeking the views of the local community over the coming weeks on how best to achieve this. Options could include redevelopment by housing associations or private developers and/or refurbishing and reletting the existing homes.

### **4.0 Special Lettings Policy and Community Charter**

- 4.1 The Community Charter for the Sheerwater Regeneration was first published in January 2016 and contains the Council's core commitments to all those who are affected by the regeneration scheme.
- 4.2 Since 2017, an Independent Tenant Adviser has been in place to give secure Council tenants independent advice and a dedicated Sheerwater Regeneration Support team has supported residents with the rehousing process. A regular Newsletter produced by the Council keeps the local residents up-to-date and is produced 3-4 times a year.
- 4.3 The Community Charter awarded all Council Tenants who needed to move due to the regeneration 'Band B' priority status under the Choice Based Lettings Scheme. It states "*If you currently live in the regeneration area, but make a successful bid for an alternative property via the Choice Based Lettings Scheme before your property is needed for the regeneration project to go ahead, you will not be entitled to a Home Loss Payment or Disturbance Payments*".
- 4.4 In July 2017, a Special Lettings Policy was approved by the Executive which permitted secure tenants who wished to move out of the Regeneration Area in advance of any required relocation date would also be eligible for Home Loss and Disturbance Payment provided they surrendered the Right of Return. Consequently, compensation payments have been made to secure tenants who are willing to move outside the regeneration area in advance of their property being required for the development since 2017.

- 4.5 This policy has resulted in an unmanaged and scattered approach to vacating properties, with blocks left sparsely occupied across the estate. The HRA has lost substantial rental income and the estate looks unsightly with many boarded up properties. It is a poor and unpleasant environment for the remaining residents, who have also lived through years of disruption and upheaval. It is clear that affected residents need decisions and answers around the future of the estate as soon as possible. An update is expected to be reported to Council in the autumn.
- 4.6 In light of the Council's financial pressures and the uncertainty around the future regeneration, the Special Lettings Policy approach to early compensation payments will be temporarily suspended and the Community Charter will be subject to a review. In the interim period, affected secure tenants will remain in 'Band B' priority on Choice Based Lettings and the payment of compensation will be considered on a case-by-case basis. These will only be approved where there is a demonstrable need for the move to proceed. Compensation payments will be considered by the Financial Control Panel that is in place following the S114 notice and approved where they meet the following criteria for new spend:
- It is essential in safeguarding vulnerable people and/or delivering statutory services to the minimum level.
  - It improves the financial situation.
  - It prevents the financial situation from getting worse or recurring in the future.

### **5.0 Corporate Strategy**

- 5.1 The Council's "Woking for All" Corporate Strategy sets out an objective to create 'safe, thriving and sustainable communities.' As part of this ambition, the Council committed to a large-scale estate regeneration project in Sheerwater, Woking to deliver over 1,100 new homes and associated community infrastructure.
- 5.2 The Council remains committed to finding a solution that enhances the Sheerwater area, but this must be affordable to the public purse.

### **6.0 Implications**

#### Finance and Risk

- 6.1 The Council holds a debt portfolio of £1.8 billion for which the annual debt service costs exceed £60 million per annum. The Council has neither the resources, nor the funding, to manage the risks associated with this portfolio. Investment in ThamesWey projects, including the Sheerwater regeneration, have been wholly-funded by the Council, contributing significantly to its high levels of borrowing. The Section 114 Notice draws out the implications of this funding and decisions over the future of the Sheerwater project will be a key part of the Council's Improvement and Recovery Plan.
- 6.2 A risk register is in place for the Sheerwater regeneration project and is regularly monitored and updated by the Sheerwater Regeneration Officer Group (SROG). Access to funds and affordability of the project have been identified as high risks for some time and will remain so for those phases currently under construction.
- 6.3 Future decisions around the delivery of the Sheerwater regeneration project will need to reduce the financial risks to the Council.

Equalities and Human Resources

- 6.4 The Council has commissioned and retained a consultant to prepare and update the Equalities Impact Assessment (EqIA) to continually assess the potential impacts of the scheme on groups with protected characteristics. The initial EqIA and its accompanying Action Plan was presented and endorsed at a meeting of the full Council on 5 April 2018. Overall, the EqIA concluded that the regeneration scheme overall was considered to have a positive impact on the local population.
- 6.5 Consideration as to the Council's equality duty has formed an integral part of the evolution of the Scheme and the EqIA will be updated to assess the impact of any proposals for the future of the scheme to inform decision making.
- 6.6 There are no Human Resource impacts resulting from this report.

Legal

- 6.7 The existing Development Agreement with ThamesWey Developments Limited and ThamesWey Housing Limited will need to be varied and terminated in respect of future phases.
- 6.8 Consideration will need to be given to land ownership matters.

**7.0 Engagement and Consultation**

- 7.1 The evolution of the regeneration scheme has been subject to extensive consultation and engagement over the years.
- 7.2 The Council is committed to keeping residents updated on proposals coming forward and will engage with residents on the future of the regeneration scheme over the summer. Furthermore, any changes to the planning approval will be subject to statutory consultation.

REPORT ENDS

EXECUTIVE – 13 JULY 2023

## HOUSING REVENUE ACCOUNT (HRA) RECOVERY PLAN

### Executive Summary

The Housing Revenue Account (HRA) is a ringfenced account, recording expenditure and income arising from the provision of housing accommodation by local housing authorities. On 23 February 2023, the Council set its HRA budget for 2023-24, requiring a drawdown of reserves to set a balanced budget. The report forecast an estimated deficit of £1,365,498 in 2023-24.

Forecasts have been updated for 2023-24 and estimated for the coming 5 years. These show that the HRA will continue to be in deficit up to and including 2026-27 financial year. With minimal reserves remaining, the Council will not be able to set a balanced budget for 2023-24 without urgent action to manage in-year pressures and to bring the HRA back into balance.

This report sets out the main areas of search for savings identified to date, which are:

- Ensuring rent collection and void turnaround times are optimised.
- Commissioning a review of internal recharges to the HRA.
- Ensuring the review of the Sheerwater regeneration supports a sustainable HRA position as a priority objective.
- Some service reductions.

The report also considers the minimum viable level of investment that is required to deliver the Council's Housing Annual Maintenance Plan (AMP). Despite the AMP having been reduced to essential works only (for example, prioritising fire safety remedial works), the AMP has a forecast capital funding deficit of £1,374,000 this year. The risks of not completing these essential works are considerable in terms of meeting the Council's regulatory responsibilities and maintaining homes to a safe standard. It is therefore proposed that an increased budget be agreed and that Officers pursue various options to meet this shortfall. Given the urgency of these works, this report seeks delegated authority for the Strategic Director – Communities, in consultation with the Portfolio Holder responsible for Housing, to authorise the disposal of some poorly performing housing assets, where it is deemed necessary to fulfil the Council's statutory obligations. Despite this, it will be necessary for the Council to self-refer to the Regulator for Social Housing as it will not be able to maintain its properties to the Decent Homes standard.

In the event that the HRA does not balance, the S151 Officer would be required to issue a further S114 notice.

### Recommendations

The Executive is requested to:

#### **RECOMMEND to Council That**

- (i) the update on the Housing Revenue Account budgets be noted;**
- (ii) the Housing Annual Maintenance Plan (AMP) budget for 2023-24, included in the Housing Investment Programme, be increased to £5,330,000 to allow essential and statutory**

## Housing Revenue Account (HRA) Recovery Plan

remedial works to be completed, as set out in Appendix 1 to the report;

- (iii) the Strategic Director – Communities, in consultation with the Portfolio Holder for Housing, be authorised to agree the disposal of vacant housing assets as required; and
- (iv) any capital receipts from disposals of vacant housing assets be held in the Major Repairs Reserve for investment in the maintenance of the Council’s homes.

### Reasons for Decision

Reason: To ensure the Council is able set a sustainable Housing Revenue Account (HRA) budget and deliver on its statutory and regulatory housing duties.

The item(s) above will need to be dealt with by way of a recommendation to Council.

<b>Background Papers:</b>	None.
<b>Reporting Person:</b>	Brendan Arnold, Interim Finance Director & Section 151 Officer Email: brendan.arnold@woking.gov.uk, Extn: 3792  Louise Strongitharm, Strategic Director - Communities Email: louise.strongitharm@woking.gov.uk, Extn: 3599
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<b>Portfolio Holder:</b>	Councillor Ian Johnson Email: cllrian.johnson@woking.gov.uk  Councillor Dale Roberts Email: cllrdale.roberts@woking.gov.uk
<b>Date Published:</b>	5 July 2023

## Housing Revenue Account (HRA) Recovery Plan

### 1.0 Introduction

- 1.1 The Housing Revenue Account (HRA) is a ringfenced account, recording expenditure and income arising from the provision of housing accommodation by local housing authorities (under the powers and duties conferred on them in Part II of the Housing Act 1985 and certain provisions of earlier legislation). Any local housing authority that owns 200 or more social dwellings are required to account for them within their HRA.
- 1.2 On 10 November 2020, Government published updated guidance on the operation of the Housing Revenue Account ring-fence. This guidance updates and replaces Circular 8/95 published by the former Department of the Environment (DoE). It gives advice to local housing authorities in England on certain aspects of the HRA. This guidance restates ministers' established policy for the HRA, including highlighting the need to be fair to both tenants and council taxpayers in its apportionment of costs between the HRA and General Fund.
- 1.3 On 23 February 2023, the Council set its HRA budget for 2023-24, requiring a drawdown of reserves to set a balanced budget. The report forecast an estimated deficit of £1,365,498 in 2023-24 with a £1,366,898 contribution from reserves being required to maintain a working balance per property of £100. Reserves were anticipated to have depleted to £221,477 by 31 March 2024, which is not sustainable on an ongoing basis.
- 1.4 The HRA has been adversely impacted by a combination of factors. Like all housing authorities, Woking has suffered due to 4 years of nationally imposed rents cuts between 2016 and 2020 and the rent cap applied for this financial year (which has not covered contractual inflation). However, the local situation has been worsened by new build housing projects in the HRA (which at social rent levels do not cover their costs) and the Council's exposure to energy inflation, which has not been fully recoverable from tenants through service charges. Most significantly, the Sheerwater Regeneration project has resulted in lost rental income to the HRA from the homes within the regeneration red line. Many properties within the Regeneration Red Line are now being held as vacant, pending redevelopment, or have been demolished. The HRA is foregoing the rental income from these homes whilst still incurring costs.
- 1.5 This report provides an update on the HRA budget, including forecasts for the coming 5 years, along with actions that are being pursued to deliver a sustainable long-term HRA.

### 2.0 HRA Budget Update

- 2.1 Since the 2023-24 budget was approved, work has commenced on forecasting the HRA operating position for the coming 5 years. The forecast assumes rents are increased by CPI + 1% in line with Government rent guidance. It is assumed that CPI will reduce to 4% in September 2023 (to be applied for 2024-25 rent setting) and will be 2 - 2.5% for the following years. The current projection for 2023-24 and the following 5 years is summarised in the table below:

	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29
Expenditure	(17,204,089)	(17,532,590)	(17,799,112)	(18,070,966)	(18,348,256)	(18,701,801)
Total Income	20,984,874	21,907,963	22,594,327	23,272,122	23,970,251	24,809,170
Interest	(5,540,927)	(5,559,677)	(5,575,927)	(5,590,927)	(5,590,927)	(5,590,927)
<b>Surplus (Deficit)</b>	<b>(1,760,142)</b>	<b>(1,184,304)</b>	<b>(780,712)</b>	<b>(389,770)</b>	<b>31,068</b>	<b>516,442</b>

## Housing Revenue Account (HRA) Recovery Plan

- 2.2 As shown in the table above, the deficit for 2023-24 has worsened from the £1,365,498 deficit identified in February 2023 due to further cost pressures having been identified. These primarily arise from additional security requirements in Sheerwater and commercial pressures on the repairs contract. The Housing team are seeking as far as possible to manage these cost pressures within existing agreed budgets by reducing spend in discretionary areas of the service.
- 2.3 When the HRA budget was set in February 2023, it was assumed that the HRA would be compensated for £3.8 million of revenue costs it incurred in underwriting New Vision Homes' costs of developing the first proposed regeneration scheme for Sheerwater. This payment was expected to be incorporated into the 2024 ThamesWey Business Plans, which will be presented to Council for approval later in 2023-24. Given the long-term decisions that need to be made on the regeneration of Sheerwater, this receipt is not guaranteed and is not currently incorporated into the HRA recovery plan.
- 2.4 The forecast shows that the HRA will continue to be in deficit up to and including 2026-27 financial year. With minimal reserves remaining, the Council will not be able to set a balanced budget for 2023-24 without urgent action to manage in-year pressures and to bring the HRA back into balance.

### 3.0 Areas of Search

- 3.1 A workshop has been held involving Housing and Finance Officers to identify some actions and areas of search to feed into this high-level recovery plan. An experienced HRA Accountant has also been appointed and is due to start on 10 July 2023. This role will focus on interrogating the current HRA Operating Account to ensure it is sound and then developing a robust 30-year HRA Business Plan.
- 3.2 The main areas of search for savings identified to date are:
- Ensuring rent collection and void turnaround times are optimised.
  - Commissioning a review of internal recharges to the HRA, which will be an urgent priority for the new HRA Accountant.
  - Ensuring the review of the Sheerwater Regeneration (being undertaken as part of the Commercial Strategy) supports a sustainable HRA position as a priority objective, including considering ways to retain revenue within the HRA.
  - Some service reductions.

- 3.3 These are considered in more detail below.

#### Rent Collection and Voids

- 3.4 In early 2023, an external review was commissioned of the income service by an experienced consultancy in this field. The review highlighted a number of issues and 80 recommendations to improve the management of the Council's rental income service. These included appointing an experienced interim to lead on the improvements, production of new policies and procedures for service, improved data and automation of processes and a review of all accounts with arrears over £1,000.
- 3.5 The service is on an improvement journey and the next step is an "invest to save" initiative to bring in bespoke analytical software that can improve efficiency of the team and allow the officers to target rent accounts more efficiently.
- 3.6 Reducing the time it takes to relet homes is a vital improvement area for the housing service. At a time of increased homelessness both locally and nationally, an empty home means a household spends additional time in expensive and unsettled temporary accommodation, possibly outside of the Borough. The Council also loses rental income on the HRA stock.



## Housing Revenue Account (HRA) Recovery Plan

- 3.7 Current performance is poor due to various factors, including contractor performance and capacity, refusals by applicants, weak processes and staff vacancies.
- 3.8 There is a significant focus on improving performance with weekly voids meetings and senior officer oversight now in place. An additional voids surveyor has been appointed for 6 months to ensure that specifications are prepared and issued to contractors quickly. The team have also expanded the pool of contractors it uses for void works to increase capacity.
- 3.9 It is anticipated that by having extra contractor capacity to meet targets dates, implementing the Council's Housing Allocations Policy more rigorously around refusals and improving performance monitoring, relet times for all general voids should be within 28 days by the end of 2023-24.

### Internal Recharges

- 3.10 When taking any decision on whether expenditure or income should be accounted for in the HRA, the guiding principle that should be applied is "Who benefits?" In some cases, such as rental income or expenditure on housing repairs, it is clear that the HRA is the correct accounting vehicle. However, there are 'grey areas' of income and expenditure where local flexibility is best employed using the "who benefits?" approach, including the fair apportionment of management and staff overheads.
- 3.11 The HRA contributes to the general fund towards the cost of wider support services, such as, Finance, Human Resources, Civic Offices, corporate leadership and ICT. However, over the last 12 months, work has commenced to look into the fairness and proportionality of costs currently recharged to the HRA.
- 3.12 A full review of the internal recharges allocated to the HRA is due to complete over the next 3-4 months. There may need to be an adjustment for any current or legacy overcharging by the general fund to the HRA identified during the course of the review. This will exert further budget pressures on the general fund.
- 3.13 Following the review of internal recharges, it is likely to take a further 3-6 months to develop the 30 year Business Plan for the HRA.

### Sheerwater

- 3.14 The approved Sheerwater Regeneration scheme assumes that 426 HRA homes in Sheerwater are demolished and redeveloped outside of the HRA. Of these, 89 homes have been demolished and 241 homes are empty, pending demolition. For budget setting purposes, it was assumed that the number of tenanted properties would halve during 2023-24 and there would be no rental income from 2024-2025 onwards. Whilst the HRA has lost the rental income from these homes, it is still incurring costs to maintain and secure them.
- 3.15 The Council has agreed to pause future phases of the Sheerwater Regeneration at the tender stage to allow these phases to be part of the wider review of the delivery of Sheerwater. A review has been commissioned as part of a wider Commercial Strategy with one of the objectives being that the future delivery needs to support a sustainable HRA.

### Service Reductions

- 3.16 As described above, the service is facing cost pressures in relation to its repairs contract, which Officers are seeking to manage within agreed budgets. However, in order to achieve this, there will need to be some reductions in the service standards and offer in the short-term as follows:

## Housing Revenue Account (HRA) Recovery Plan

- Reduced Void Standard to minimum lettable standard.
- Reduced self-authorisation cap on works with the Council's Repairs contractor, Mountjoy, which may impact customer satisfaction due to delays in receiving a service.
- Increased response times on routine repairs (where this generates savings).

3.17 Discretionary areas of the service are unlikely to be authorised (except where they prevent other expenditure) due to the ongoing cost controls.

### 4.0 Annual Maintenance Plan

4.1 The Housing Annual Maintenance Plan (AMP) focuses on ensuring the Council can deliver the minimum statutory service required to maintain decency in accordance with Regulator of Social Housing "Homes Standard".

4.2 A budget of £3,956,000 was agreed for the Housing AMP in the Housing Investment Programme (HIP) in February 2023, equivalent to the depreciation amount in the HRA budget. This budget is insufficient to cover the investment needs of the housing stock, following a sustained period of under-investment.

4.3 Using data and information from fixed price contracts, existing stock condition data and risk assessments, Officers have developed and costed an annual plan of works. Work is ongoing to forecast the future investment requirements over the next 5 and 30-year time periods.

4.4 In order to achieve the minimum decency level across the Council's stock, it is estimated that the Council would be at least £5.1 million over budget. As a result, the AMP for 2023/24 has been reviewed and reduced with a focus on essential works only, for example, fire safety remedial works. The full draft AMP for 2023-24 is included in Appendix 1. The reduced scope of the AMP includes:

- Decent Homes programme reduced to circa 40 replacement kitchens and bathrooms (already committed).
- All other works relating to Decent Homes will be suspended. The suspension of these works will require the Council to self-refer to the Social Housing Regulator and the Council needing to provide an improvement plan and clear medium term budget provision for addressing the breach in the "Homes Standard".
- A reactive budget of £650,000 be retained for ad hoc replacement boilers, windows, doors and roof replacements to address failures during the year.
- The Disabled Adaptations budget is reduced.
- A reduced programme of commercial heating system replacements.

4.5 Despite these reductions, the AMP has a forecast capital funding deficit of £1,374,000 this year. The risks of not completing these works are considerable in terms of meeting the Council's regulatory responsibilities and maintaining homes to a safe standard. It is not considered feasible or safe to reduce the budget any further.

4.6 The options open to the Council to meet the capital budget shortfall are:

- To seek a capital contribution from Surrey County Council for works to Extra Care Housing schemes.

## Housing Revenue Account (HRA) Recovery Plan

- The financing of the Sheerwater Regeneration Project allows for a capital receipt to be made from the Project to the HRA to compensate it for the historic HRA debt relating to the demolished dwellings as land is transferred to Thameswey. A receipt of £5,814,475 (£5,225,725 capital; £588,750 revenue) is expected from Thameswey in 2023-24 for the land and compensation payments required for red, yellow and purple phases. The capital receipt will assist with funding future investment in the Council's HRA stock. The Council could decide to invoice ThamesWey immediately for the land required for red, yellow and purple phases and apply the capital receipt to the AMP. This would require additional borrowing from the PWLB and on-lending to the company.
- To investigate any other reserves or grants that could be applied to these works.
- To consider some strategic vacant property disposals.

4.7 Given the urgency of these works, this report seeks delegated authority for the Strategic Director – Communities, in consultation with the Portfolio Holder responsible for Housing, to authorise the disposal of some poorly performing housing assets, where it is deemed necessary to fulfil the Council's statutory obligations. Any capital receipts would be earmarked to fund essential capital investment in its housing stock. It is important to note that the timing of the disposal and income from capital receipts may arrive too late in the year to fund the necessary works in the 2023-24 financial year.

### 5.0 Corporate Strategy

5.1 Provision of housing is a key priority within the Council's "Woking for All" strategy. This report sets out the financial challenges currently faced in managing and maintaining the Council's housing stock and the ongoing recovery actions being taken to deliver a sustainable Housing Revenue Account (HRA).

### 6.0 Implications

#### Finance and Risk

- 6.1 The financial implications are explicit in the report.
- 6.2 This report highlights the ongoing risk faced within the HRA budget and mitigating actions that are planned. Budget performance will continue to be reported in the Performance and Financial Monitoring document (the "Green Book").
- 6.3 The draft AMP has already deferred significant, large-scale works to achieve the current deficit position meaning a significant amount of Decent Homes works, heating upgrades and other works have been postponed or placed on hold (albeit with risks mitigated).
- 6.4 The current level of non-decent homes, which are still subject to internal validation, represents a significant challenge to the Council both within the current year and into future years. The Council will be required to ensure robust delivery and budgetary plans are in place to improve non decency levels in the future. The suspension of Decent Homes work in itself will require the Council to self-refer to the Social Housing Regulator.
- 6.5 The current AMP now consists predominately of compliance related servicing and remedial works, which are a statutory requirement. These works areas cannot be reduced any further without incurring significant risk to the Council. Failure to meet the identified capital shortfall would prove highly detrimental and increase the risk to the Council as it is likely that the service would be unable to deliver works to ensure warm and weathertight homes.
- 6.6 The HRA faces significant challenges in 2023-24 and Officers have already sought to implement financial controls, which may impact service delivery and customer satisfaction with

## Housing Revenue Account (HRA) Recovery Plan

repairs. Any further budget reductions are likely to result in increasing disrepair cases, compensation and legal fees.

- 6.7 In the event that the HRA does not balance, the S151 Officer would be required to issue a further S114 notice.

### Equalities and Human Resources

- 6.8 There are no specific equalities implications raised by the proposals in this report. However, ensuring the Council maintains a sustainable HRA and maintains its housing stock to a safe standard is critical for supporting vulnerable residents (including those with protected characteristics).
- 6.9 There are no additional human resources or training and development implications arising as a direct result of this report.

### Legal

- 6.10 Local authorities have the freedom to dispose of their land in any manner that they wish subject to certain provisos prescribed within the following major Acts, other Acts and General Consents:
- s123 (Disposal of land by principal councils) of the Local Government Act 1972;
  - s32 of the Housing Act 1985 (as amended); and
  - s25 of the Local Government Act 1988.
- 6.11 Under s123 of the Local Government Act 1972, the Council has wide powers for the disposal of its property assets. The overriding requirement is to obtain the best consideration that can be reasonably obtained for the land.
- 6.12 Under s32 of the Housing Act 1985 (as amended), the local authority has the power to dispose of land and dwellings held for housing purposes. Secretary of State consent will be required unless the disposal is covered by the General Housing Consents 2013.
- 6.13 The proposal to dispose of vacant council homes is permitted under General Consent A, which allows a local authority to dispose of land (including vacant homes) for a consideration equal to its market value without Secretary of State consent.

## **7.0 Engagement and Consultation**

- 7.1 Involved tenants were briefed on the financial challenges faced by the Council, and the HRA in particular, on 3 July 2023.
- 7.2 There will be an opportunity for tenants to contribute their ideas for savings and efficiencies over the course of this financial year.

REPORT ENDS

**Housing Annual Maintenance Plan (AMP)**

Description	Quantity		Rate	Budget
<b>Statutory Services Remedial Works</b>				
Passenger Lift Servicing Remedial Works	18	Item	£ 650.00	£ 11,700.00
Communal Appliance Servicing Remedial Works	1	Item	£ 6,500.00	£ 6,500.00
Stairlift Servicing Remedial Works	104	Item	£ 95.00	£ 9,880.00
Water Hygiene Remedial Works	30	Item	£ 3,000.00	£ 90,000.00
Electrical Testing Remedial Works	841	Item	£ 325.00	£ 273,325.00
Asbestos Remedial Works (including Removal)	1	Item	£ 25,000.00	£ 25,000.00
Emergency Light Testing Remedial Works	181	Item	£ 1,000.00	£ 181,000.00
Fire Panel Servicing Remedial Works	63	Item	£ 250.00	£ 15,750.00
Fire Extinguisher Remedial Works	66	Item	£ 125.00	£ 8,250.00
Lightning Protection Testing Remedial Works	1	Item	£ 1,000.00	£ 1,000.00
Fall Arrest System Servicing Remedial Works	1	Item	£ 1,000.00	£ 1,000.00
<b>Lifecycle Dwelling Investment</b>				
Kitchen Replacement Work Stream	1	Item	£ 301,936.00	£ 301,936.00
Bathroom Replacement Work Stream	24	No	£ 6,091.80	£ 146,203.20
Separate WC Work Stream	7	No	£ 2,248.40	£ 15,738.80
Boiler Replacement Work Stream	35	No	£ 3,700.00	£ 129,500.00
Door Replacement Workstream	50	Item	£ 1,500.00	£ 75,000.00
Window Replacement Workstream	20	Properties	£ 6,000.00	£ 120,000.00
Roof Replacement Workstream	1	Item	£ 325,000.00	£ 325,000.00
<b>Disabled Adaptations/Extensions</b>				
2023-24 Disabled Adaptations	1	Item	£ 197,000.00	£ 197,000.00
<b>Major Projects</b>				

## Housing Revenue Account (HRA) Recovery Plan

Description	Quantity		Rate	Budget
Major Works Voids	5	No	£ 50,000.00	£ 250,000.00
Fire Safety and Improvement Works	1	Item	£ 1,000,000.00	£ 1,000,000.00
Brockhill Fire Safety and Improvement Works	1	Item	£ 1,271,626.00	£ 1,271,626.00
Heat Cost Allocator Installations	1	Item	£ 25,000.00	£ 25,000.00
Communal Heating Upgrade Project	1	Item	£ 525,000.00	£ 525,000.00
Brockhill Communal Heating Upgrade	1	Item	£ 84,588.28	£ 84,588.28
Sheerwater Estate and Safety Management	1	Item	£ 150,000.00	£ 150,000.00
<b><i>Disrepair Claims</i></b>				
Disrepair Works	10	No	£ 8,500.00	£ 85,000.00
<b><i>Consultancy</i></b>				
Specialist Consultancy	1	Item	£ 247,722.00	£ 247,722.00
<b><i>Contingency</i></b>				
ICT System Upgrade	1	Item	£ 175,000.00	£ 175,000.00
Capitalised Staff Costs	1	Item	£ 295,001.00	£ 295,001.00
<b>TOTAL</b>				<b>£6,042,720.28</b>
<b>TOTAL (LESS ACCRUALS)</b>				<b>£5,329,523.28</b>

EXECUTIVE – 13 JULY 2023

## **PUBLIC REALM USAGE POLICY**

### **Executive Summary**

The Council adopted a Public Realm Usage Policy in order to better manage the town centre spaces open to the public, and the events permitted within the town centre denoted boundary, for the benefit of all users.

As owner and manager of a number of public spaces within the town centre, it is important that any activity taking place within the public realm enhances the image of Woking as a quality destination in which to spend time and does not compromise anyone's safety or well-being.

The policy aims to effectively manage the number of activities taking place, ensure clear pedestrian routes and access for emergency vehicles are maintained, facilitate and encourage appropriate events and entertainment, and enable local community groups and charities to use the public realm to promote their causes.

The policy covers such activities as street entertainment and buskers, vendors and market stalls, parades, annual and cultural events, street scene advertising, and leafleting.

The policy was last updated in October 2015, but a review was suspended at that time owing to the planned extensive development of the town centre. However, now that the majority of the development has taken place, the locations given in the policy are no longer reflective of the spaces available.

In addition, there have been some changes to management and administration arrangements within the public realm, so it is timely that the policy be updated and approved to reflect these.

As per previous updates of the policy, Members, internal colleagues and external stakeholders have been consulted with to ensure that information given remains current and valid, and these include Victoria Place and Christ Church.

There are no major changes being proposed to the policy beyond those stated above.

### **Recommendations**

The Executive is requested to:

#### **RECOMMEND TO COUNCIL That**

**the updated Public Realm Usage Policy, attached as Appendix 1 to the report, be adopted.**

### **Reasons for Decision**

Reason: To ensure fair and consistent usage of the town centre to promote footfall and economic prosperity.

The item(s) above will need to be dealt with by way of a recommendation to Council.

**Background Papers:** None.

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**Portfolio Holder:** Councillor Dale Roberts  
Email: clldale.roberts@woking.gov.uk

**Date Published:** 5 July 2023



### 1.0 Introduction

- 1.1 The Council adopted a policy created by the former Woking Town Centre Management to cover any events and activities within the open spaces of the town centre in the early 2000's, in order to better manage the public realm and safeguard the well-being and enjoyment of everyone using it.
- 1.2 Since then, the policy has been updated at least twice to allow for contemporary changes to the town centre environment, as well as to reflect any updates to management arrangements of the public realm.
- 1.3 The policy was last updated in October 2015 and has been reviewed now because of the redevelopment of the town centre (Victoria Place).

### 2.0 Current situation

- 2.1 The published policy is out of date, mainly owing to the change in available spaces to hire within the public realm. Since the last policy update, there have also been changes to personnel and teams involved with booking and managing those spaces, both at the Council and Victoria Place (formerly Woking Shopping).
- 2.2 Victoria Place remains the main point of contact for all booking enquiries within the public realm and manages all those that take place within the shopping centres. Any enquiries for outdoor town centre space hire are referred to Property Services to determine the suitability of an event/seek permission for the space booking, and to identify any potential source of income from the same.

### 3.0 Proposal

- 3.1 Following consultation with relevant internal teams and external partners, the policy has once again been updated to reflect any changes to the physical environment and management arrangements.
- 3.2 There are no major changes being proposed to the policy beyond the periodic updates specific above.

### 4.0 Corporate Strategy

- 4.1 In line with the aims of Woking For All, events held within the public realm help to promote the town centre as a destination, which can help increase footfall within the public realm. This aims to benefit town centre businesses and increase income for the Council, prospering the local economy as a whole.

### 5.0 Implications

#### Finance and Risk

- 5.1 There are no identified adverse financial implications arising from people using the public realm, although an income stream could be generated through the commercialisation of outdoor public spaces within the town centre.
- 5.2 Each event booker carries out their own risk assessment. The policy itself is a set of guidelines, not a bylaw, and therefore can only be enforced where there is a legal basis to challenge any activities taking place in the public realm.

Equalities and Human Resources

5.3 No implications identified. The policy applies to everyone who uses the public realm.

Legal

5.4 No relevant Legal implications. The updated Public Realm Policy will ensure that the public urban spaces in the town centre are managed and accessible in a positive manner.

**6.0 Engagement and Consultation**

6.1 The following Members, Council teams and external partners have been consulted in the preparation of this draft policy:

- Cllr Roberts
- Cllr Davis
- Christ Church Woking
- Community Development
- Community Safety
- Customer Services
- Environmental Health
- Estates
- Insurance
- Legal
- Licensing
- Marketing Communications
- Parking Services
- Victoria Place
- Victoria Square Woking Limited
- Planning

REPORT ENDS

# Draft Public Realm Usage Policy

**VICTORIA  
PLACE**  
WOKING



*Last Approved by Council at the meeting on 22 October 2015*  
Updated May 2023

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## **1 Introduction**

- 1.1 As owners and managers of the public spaces indicated within the boundary shown on the town centre map in Section 6. It is important to Woking Borough Council ('the Council') that any activities taking place in these spaces enhance the image of Woking town centre as a quality destination in which to spend time, and do not compromise anyone's safety or well-being.
- 1.2 Jubilee Square and Victoria Square are the two main focal points of activity within Woking town centre, but other open spaces which the Council is responsible for and are covered by this policy include:
  - Albion Square
  - Commercial Way
  - Crown Square
  - Gloucester Walk
  - Gloucester Square
  - Market Walk
  - Mercia Walk

Within these spaces, visitors can participate in a variety of activities, including being entertained, browsing stalls, learning something new, or simply enjoying the open air.

## **2 Policy objectives**

- To promote and develop the image of Woking town centre as a quality destination in which to spend time.
- To effectively manage the number of external activities taking place, to safeguard users and their enjoyment of the public space.
- To ensure clear pedestrian routes and access for emergency vehicles are maintained.
- To facilitate and encourage events and entertainment to take place, subject to the guidelines herein.
- To manage and maintain the public realm under the direction of the Council's Director of Place, or their nominee, and with consideration for the needs of other town centre stakeholders.

## **3 Management Arrangements**

### **3.1 Indoor Areas**

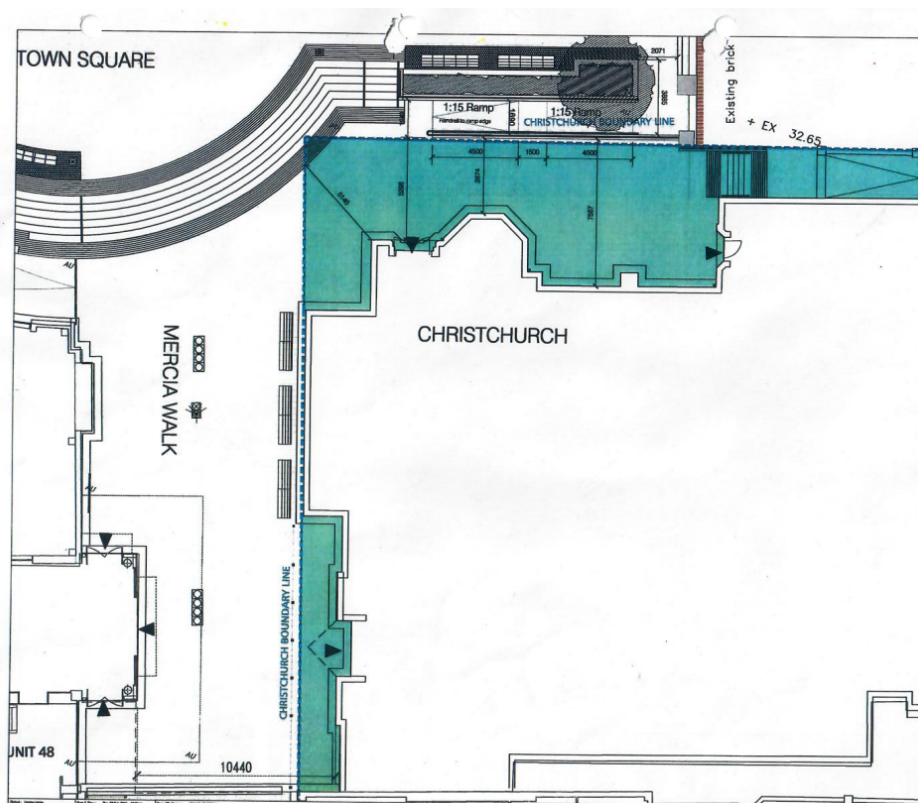
Victoria Place manages bookings and events taking place within the Peacocks Centre (including Market Walk), Henry Plaza and Wolsey Place.

### **3.2 Outdoor Areas**

To maintain a cohesive and coordinated approach to events and activities taking place in the town centre, the Victoria Place management team will be responsible for booking and managing events and activities in those areas of the public realm adjacent to Victoria Place, within the context and principles of this policy on behalf of the Council.

### 3.3 Christ Church

All bookings or enquiries that would take place on Christ Church's outlined area must be made directly with Christ Church's conferencing department.



3.4 This will ensure that events and activities are co-ordinated and controlled to ensure shoppers, visitors and others using the town centre have a positive experience, disruption and conflict is minimised and, where appropriate, a cohesive charging regime can be applied.

3.5 The Council will continue to have preference for its own events/activities or those that it specifically promotes or supports. These will be notified to Victoria Place annually, or giving as much advance notice as possible, and due consideration will be given to any pre-existing bookings.

3.6 A central booking diary will be maintained by Victoria Place and made available to the Council, so that any specific arrangements can be made, for example for non-routine cleaning.

## 4 **Booking terms**

4.1 All bookings must be made through Victoria Place. Bookings are made on a first-come, first-served basis. Please note - ensure you consult the Event Booking Form Guidance Notes when filling out the form.

4.2 Mandatory documentation is required at least 14 days in advance of **any** booking is as follows:

- Written evidence of Public Liability Insurance cover for £5m minimum.
- Written method statement with a photo/sketch of proposed event (if applicable).

- Sample of any promotional literature (if applicable).
- Written risk assessment (if applicable). Depending on the nature of your event, Victoria Place may also request to see a copy of your fire risk assessment.
- Evidence of any other licence required for the proposed activity.

N.B. All bookings must adhere to our terms and conditions.

- 4.3 Vehicular access is not permitted, unless express permission is granted for specific activities at permitted sites (fully comprehensive insurance is required for any vehicle involved in the event, for which the maximum gross vehicle weight is 3.5 tonnes).
- 4.5 Market stallholders must have the permission of the Council's Market Manager to trade.
- 4.6 A maximum of one information distributor and/ fund raiser/ coin collection may be made at any one time.
- 4.7 If any space is booked for a large-scale promotion, such as or similar to those listed below in point 6.2, sole use will be given to that organisation.
- 4.8 Victoria Place management team in liaison with the Council will decide which organisations and activities are appropriate for each of the public spaces, on an individual basis.
- 4.9 Victoria Place management team in liaison with the Council reserves the right to:
- refuse any application where the public space is required for other purposes
  - refuse entry to any organisation, relocate activities within the town centre
  - cancel any booking as it deems appropriate
  - charge a fee to 'commercial' organisations as per the published hire tariffs.
  - propose amendments to this policy, as it deems appropriate
- 4.10 Victoria Place or the Council will not be liable for any loss or damage to equipment or goods belonging to or under the control or custody of booked users of public spaces.
- 4.11 Victoria Place or The Council reserve the right to charge the event organiser for any remedial works deemed necessary because of the activities undertaken within its public spaces.

## **5 Code of conduct**

- 5.1 Activities should normally only take place between 10am and 6pm, with any entertainment performances lasting no longer than two hours, with no return within two hours unless special permission has been granted.

- 5.2 Set up/ break down of an event should be outside the hours of 10am to 6pm. Any event taking place before/after these times will need approval from Victoria Place.
- 5.3 Any activity must cease if a request to do so is given by representatives of Surrey Police, Surrey Fire and Rescue, The Council, or Victoria Place.
- 5.4 Amplifiers may only be used at reasonable levels and not cause disruption to the activities of neighbouring organisations and businesses. Amplifiers powered by generators are only permitted with the express permission of The Council or Victoria Place, and in exceptional circumstances only.
- 5.5 Users of electrical equipment must have a PAT certificate for all appliances.
- 5.6 Official ID must be worn or always displayed by users representing an organisation.
- 5.7 Users must position themselves and/ or their stall so as not to obstruct any access/ egress point to shops and other premises. Where practical, this should be at least three metres away.
- 5.8 The size and scale of activity for each proposed booking will be considered on its individual merits.
- 5.9 No user should cause obstruction of the highway, footpath, or physical or visual access/egress point to shops and other premises.
- 5.10 No user should perform in a manner that may be considered dangerous to themselves or members of the public or speak or dress in a manner which is likely to cause alarm, distress, or offence.
- 5.11 No user should cause members of the public to feel pressurised or harassed by their actions or words, nor utilise manipulative techniques in order to engage with the public.
- 5.12 Consideration must be given to the town centre's off-peak cycling prohibition, which affects several areas at certain times of the day.
- 5.13 Additional guidance follows for users undertaking specific types of activity, for which public spaces have been designated.



## 6 Town Centre Map



### Notes:

Please refer to The Council's [Street Entertainment Guidance](#), for full details of terms and conditions for street entertainers, including buskers.

## 7 Jubilee Square and Victoria Square

- 7.1 The use of Jubilee Square and/or Victoria Square will be restricted to events and promotions managed by the Council or partners authorised by it, unless special permission has been granted by the Council (such as for charity fundraising, or cultural events/ entertainment).

This will be booked through Victoria Place, who will manage and supervise operational issues as appropriate. Only one booking may take place at a time in either of the Squares, except for the Poppy Appeal and Normandy Veterans, who are welcome for the length of their annual campaign.

- 7.2 Permitted annual civic events organised by community groups and organisations may include, but are not restricted to, the following (with indicative dates):

- Chinese New Year Celebrations (January/February)
- Shopmobility Pancake Race (Shrove Tuesday)
- Erection of wooden cross (Holy Week)
- Act of Witness (Good Friday)
- Easter Sunday Parade/ Service (Easter Sunday)
- St George's Day Parade (April)

- Veterans' Day Parade (June)
- Woking Food and Drink Festival (September)
- Diwali lantern parade (November)
- Remembrance Day 11 (November)
- Remembrance Sunday Service (November)
- Christmas Tree installation/ lights switch on (November)

## **8 Charity fundraising**

8.1 Designated spaces: Gloucester Walk, Jubilee Square (by Town Gate), Market Walk (either end), Mercia Walk (under the canopy at either end), Wolsey Place (either end), Commercial Way (at junctions with Church Path and Chapel Street).

- Collections are only permitted on Fridays, Saturdays, and Sundays, except for the Poppy Appeal and Normandy Veterans, who are welcome for the length of their annual campaign.
- A licence must be obtained in advance from the Council's [online application form](#) or for fund raising/ coin collections and/or a lottery. Applications must be made at least one calendar month before the proposed date of the collection.
- Only one charity may conduct fundraising at a time.

8.2 Direct debit canvassing is not permitted anywhere.

## **9 Commercial promotions and selling (including market traders)**

9.1 Market traders can apply to join the artisan market, regular farmers' market, and periodic specialist markets, at the discretion of the Council's market operator.

9.2 All traders within Woking's market are subject to conformance with the current regulations for their area of trade and current charges.

9.3 Promotional activities will be permitted up to six times per year per organisation.

9.4 Consideration must be given to businesses adjacent to the event location, to avoid disturbance and/or conflict of interest (e.g., one restaurant cannot promote itself directly outside another).

9.5 Organisations involved with giving away or selling food must be registered as a food business with their local Council's Environmental Health Team and operating to an acceptable standard.

9.6 Charges will be made to commercial organisations, as agreed with the Council's Commercialisation Officer, and rates will be subject to negotiation depending on individual circumstances, competition for spaces, time of year and the footfall in the area.

9.7 More attractive rates will be offered to smaller local commercial organisations than to larger national/international ones. Commercial activity, rates charged, and income generated will be subject to regular review between the Council and the centre management within Victoria Place.

- 9.8 Use of public realm by local community groups, charities and other similar not-for-profit making organisations will continue to be free of charge.
- 9.9 Street vendors wishing to sell their products within Woking town centre will need to hold a licence for their activity and to apply for consent from the Council. Both the license and the Council's written consent will need to be always carried when selling products.
- 9.10 Promotional activity by commercial organisations, including 'pop ups' can take place in any of the event areas shown on the map, if permission is granted by Victoria Place or the Council, as appropriate, subject to the nature of the promotion/product and due consideration being given to adjacent businesses. Businesses that would be in direct competition with tenants of Victoria Place or those on adjacent streets would not be permitted to undertake self-promotion within the same area.

## **10 Leafleting**

- 10.1 Leafleting is not permitted in Jubilee or Victoria Squares, or outside any entrance to Victoria Place.
- 10.2 A maximum of 12 bookings are permitted per year, per organisation, once a month only, between Monday and Thursday. Only one booking may be made at a time.
- 10.3 Leafleteers should be static, whether accompanied by a stall or not, and not to approach passers-by unnecessarily.
- 10.4 Leafleteers should not be positioned outside premises that could cause a conflict of interest.
- 10.5 Council-supported services and events can be promoted via leafleting more widely within the public realm.
- 10.6 Applicants should complete an event booking form and the Council's Customer Services team will process these on behalf of Victoria Place.
- 10.7 Leafleteers must adhere to the Council's booking terms & conditions (see page 3), including the requirement for Public Liability Insurance.

## **11 Market research**

- 11.1 Market research is not permitted in Jubilee or Victoria Squares, or outside any entrance to Victoria Place.
- 11.2 Market researchers must adhere to booking terms & conditions, including the requirement for Public Liability Insurance.
- 11.3 A maximum of 12 bookings are permitted per year, per organisation, once a month only, between Monday and Thursday. Only one booking may be made at a time.
- 11.4 The Council reserves the right to carry out market research on Council supported services and events more widely within the public realm.

## **12 Political, religious and lobby groups, and parades**

- 12.1 Woking Borough Council encourages the use of the public realm by groups which support the diversity of the Borough but retains the right to refuse permission to organisations whose views or activities would lead to potential public order issues or widespread offence.

## **13 Street-scene and digital advertising**

- 13.1 Please see Woking Borough Council's guidance on using [pavement A-boards](#) which applies to the entire public realm within Woking town centre.
- 13.2 Digital screens within Victoria Place are reserved for their own use or by the Council for its own messaging.
- 13.3 Banner advertising space along Commercial Way can be hired with the agreement of the Council, subject to availability and suitable banners being provided by the advertiser.
- 13.4 The use of Woking Borough Council's borough boards and drive-by boards are restricted to community and other not-for-profit groups. Priority is given to arts and cultural organisations within Woking.

## **14 Traffic management and vehicle access**

- 14.1 Vehicles will only be given permission to enter a public space in exceptional circumstances.
- 14.2 Any organisation given special permission to bring a vehicle into an event zone in the public realm must provide written evidence of fully comprehensive insurance for any vehicle involved in their event and sign an agreement to compensate the Council for any damage caused either voluntarily or involuntarily to the fabric of the road surface and/or built structures in or adjacent to their event site.
- 14.3 Please note that the only locations in which promotional vehicles are allowed to park, as part of an event, are Albion Square and Crown Square, unless special permission has been granted by the Council.
- 14.4 Vehicular access to unload goods is also permitted in Commercial Way, subject to advance permission being sought from Woking Borough Council. Please note that there is controlled access between Chapel Street and Victoria Square.
- 14.5 Vehicles needing to access Christ Church to provide wedding or funeral services will continue to be able to do so via Town Gate, subject to the terms given above.

## **15 Contact details**

### **15.1 Booking enquiries**

Hire of any public space enquiries within the town centre - inside or outside - should be made directly to Victoria Place:

### **15.2 Victoria Place**

Centre Management Suite  
Woking GU21 6GH

[info@vpwoking.co.uk](mailto:info@vpwoking.co.uk)  
01483 741000

### **15.3 Christ Church**

Please contact Conferencing and Events at Christ Church Woking to book space within the church premises:

[conferencing@ccwoking.org](mailto:conferencing@ccwoking.org)  
01483 727496

### **15.4 Market traders**

To apply to join any markets in Woking, please contact the Council's Market Manager, Steve Barrett:

[steve.barrett@woking.gov.uk](mailto:steve.barrett@woking.gov.uk)  
07458 003 845

### **15.5 Food vendors**

New traders of a food business will need to [register with the Council](#).  
You can also contact the Council's Environmental Health Team for advice:

[environmental.health@woking.gov.uk](mailto:environmental.health@woking.gov.uk)  
01483 743840

### **15.6 Street traders and promotional activities -**

For more details on how to apply for consent to trade within Woking Borough, please see the Council's webpage on [Licensing and Permits](#) including [Street Trader Licence](#) & [Pavement Furniture licence](#)

[licensingteam@woking.gov.uk](mailto:licensingteam@woking.gov.uk)  
01483 743840

### **15.7 Street Collections**

To apply for a charitable street collection licence, please complete the [online application form](#) or contact the Environmental Health team.

[street.collections@woking.gov.uk](mailto:street.collections@woking.gov.uk)  
01483 743840

### **15.8 Comments**

Urgent concerns during your booking should be raised in person with a member of the Victoria Place security team (also available out of hours and at weekends). Other comments, please contact the Council's Customer Services Team who will pass your enquiry to the relevant person (s).

[customer.services@woking.gov.uk](mailto:customer.services@woking.gov.uk)  
01483 743451



EXECUTIVE – 13 JULY 2023

## TOWN CENTRE MASTERPLAN

### Executive Summary

On 2 February 2023 the Executive received a report that set out the outcome of the statutory consultation on the draft Masterplan, highlighting over 5,000 people visiting the consultation website and over 850 formal consultation responses from almost 450 individuals and organisations, including developers with interests in the town centre. The approach to guiding future development in the town centre has been welcomed by many, and the work carried out to date in terms of overarching principles of the townscape strategy is being used by Officers in their discussions with developers on emerging schemes within the town centre, and as evidence to inform the current review of the Core Strategy.

The report advised that the Masterplan, as drafted, would need to be reviewed and elements of it reconsidered in the light of the Crown Place appeal decision, and a potential legal challenge in relation to some of the detail within the plan, including the site specific guidance. Officers have now reviewed how this work may be taken forward, making effective use of the valuable consultation feedback and have presented 3 clear options within this paper. The first option brings forward the Masterplan as Supplementary Planning Document (SPD). The second outlines undertaking further studies and evidence based work to bring forward the Masterplan as a Development Plan Document (DPD), which as a policy document, would form part of the Local Plan. And finally, incorporating the work within the new Local Plan, which the Council will be required to provide following the end of the current plan period (2027), which would be supported by a Borough-wide design code. In working towards a new Local Plan, the Council would build on the work carried out to date to adopt, in the shorter term, a Town Masterplan to set out a clear statement of the Council's aspirations and vision for the Town Centre.

Whilst there are benefits with each option, there are also challenges which are highlighted in the report. For reasons set out below, the approach recommended by Officers is the third option, to take forward the work as part of the new Local Plan.

### Recommendations

The Executive is requested to:

#### **RESOLVE That**

the Masterplan work, including a townscape strategy and design code, be taken forward as part of the new Local Plan.

### Reasons for Decision

Reason: This is the preferred option to bring forward robust town centre policies, alongside detailed design code to guide development over the next plan period (15 years).

The Executive has the authority to determine the recommendation(s) set out above.

**Background Papers:** [Report to the Executive 2 February 2023](#)

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**Portfolio Holder:** Councillor Liam Lyons  
Email: [cllrliam.lyons@woking.gov.uk](mailto:cllrliam.lyons@woking.gov.uk)

**Date Published:** 5 July 2023



### 1.0 Introduction

- 1.1 In the report to the Executive at its meeting on 2 February 2023 on the outcome of consultation on the Masterplan (attached at Appendix 1), Officers committed to bringing a report back to the Executive to set out options for taking the Masterplan work forward and to provide a clear recommendation to Members on the next steps.
- 1.2 This report sets out those options, outlines the merits and challenges of each, and recommends the preferred option to take forward. The report also notes that, whilst the Masterplan has not been adopted, the townscape work in particular continues to be used in discussions on emerging schemes within the town centre.

### 2.0 Options for taking the Masterplan work forward

- 2.1 It is clear from the reasons set out in the report to the Executive in February that the Masterplan in its current form cannot be adopted as a Supplementary Planning Document (SPD). However, this does not mean that the work cannot be progressed and consideration below is given to 3 options, plus some additional commentary on how the work to date is being, has been and continues to be used by Officers in their discussions with developers. Each of the options do have benefits, but there are also challenges, which the report will outline.
- 2.2 The first option is to address the concerns with the SPD, by removing all information that contains policy identifying development and use of land which the authority wishes to encourage, making site allocations or site allocation policies or setting development management to guide application decisions which all goes beyond that which is set out in the regulations, (Part 5 of The Town and Country Planning (Local Planning) (England) Regulations 2012). In addition, amendments are needed to address the breaches of the requirement in regulation 8(3) so that it does not conflict with current adopted development plan. On a practical level Officers feel that the draft Masterplan document cannot easily be saved by a re-draft. To be clear, this would involve the removal of all the site specific guidance (the appendix in its entirety), and specific references to height in specific locations. Whilst guidance could be provided to advise how tall, or contextually tall buildings may be considered, and indicate in which areas such buildings may be appropriate, the document would not be able to set policy statements about the maximum heights which is what the document was seeking to achieve. Furthermore, there would have to be a review of the 'bell curve' to respond to the Crown Place appeal decision.
- 2.3 The benefits of this option would be that an amended guidance document could be produced in the shorter term (within the next 12 months), but it would exclude much of the detail that was supported in the public consultation. Such a document would be time limited as the government has recently consulted on phasing out SPDs, and the weight given to guidance, as noted from the Crown Place appeal decision, is also limited. An 'SPD' which is promoted as a "stop gap" in the absence of saved policies, by definition cannot be supplementary (and is itself a primary policy assuming DPD status). Finally, there would also be additional short term budget pressures to deliver this work. In the light of the above, Officers advise against pursuing this option.
- 2.4 The second option would be to use the work and valuable data obtained to date to bring forward a Development Plan Document (DPD), and updating it to take into account the Crown Place appeal. The benefit of this approach would be that much of the current document could be carried forward, and site specific guidance could be provided. It would provide a clear statement of policy and would therefore be a more robust document, and given much greater weight in the determination of planning applications. The focus of this work on townscape and tall buildings strategy.

- 2.5 However, significant additional evidence would be needed to support this. This would include (but not be limited to) viability, sustainability appraisal, Townscape and Visual impact assessments. As a statutory Local Development Plan Document, the process would include 3 statutory consultations and submission to the Planning Inspectorate for an Examination in Public, all of which mean that this would require a longer period of time to bring to adoption, and would only come forward in the medium term, (within 2-3 years). There would also be significant additional budget pressure to take this option forward.
- 2.6 The third option would be to bring forward townscape policies as part of a new Local Plan, which the Council is already statutorily obliged to bring forward following the end of the current plan period in 2027. The plan could include a comprehensive design element, including townscape guidance and tall buildings strategy. This would be supported by bringing forward a Borough-wide design code (a National Planning Policy Framework requirement) which would consider heights across the Borough, not just the town centre, and would provide a clear position on where tall, or contextually tall buildings, would be appropriate. Unlike an SPD, this document may contain policy identifying development and use of land which the Council wishes to encourage, making site allocations or site allocation policies or setting development management to guide application decisions. Given the ongoing need to consider how and where new (and affordable) homes can be delivered, not just in the town centre, this approach is supported by Officers. The timeframe here would be up to 4 years. However, it is a statutory requirement to have an up to date Local Plan, so this work must be done in any event. Moreover, whilst there are significant costs associated with the Local Plan, unlike the first 2 options, these are not additional or new budget pressures.

### **3.0 How the work to date is being used**

- 3.1 It is important to note that, whilst the Masterplan as drafted cannot be adopted as SPD, the work and principles are being used by Officers in discussing schemes with developers, and this is being reflected in emerging town centre schemes. The work to date, including feedback from the public consultation exercise, is also being used as an evidence base to feed into the Core Strategy review that the Council is currently undertaking, to be completed by end of October 2023. The evidence can be adopted, published on the website and used as a material consideration in planning decisions, and in that regard would continue to carry some limited weight in planning discussions and decisions.
- 3.2 There is also a considerable amount of work on townscape, design, energy, businesses, housing need, housing development, heritage and green infrastructure in particular, which will be used to support an overarching Town Centre Masterplan/Strategy for the Council, which would not be a planning document, but could set a clear vision for the future of the Town Centre over the next few years.

### **4.0 Corporate Strategy**

- 4.1 The Masterplan work to date supports the following objectives of the Woking for All Strategy 2022 - 2027:

Engaged Communities – A healthy, inclusive and engaged community-

- Reducing social inequality – guide the delivery of new housing and affordable housing developments and support both the Homelessness and Housing Strategy.
- Engaging our communities – engagement has been central to the preparation of the Masterplan work to date.

Healthier Communities – An enterprising, vibrant and sustainable borough-

- Promoting a strong economy – setting a vision for the town centre will promote investment, support business retention and promote Woking as a destination for business to relocate to.
- Improving the health and wellbeing of all residents – set out areas of open space, health and leisure provision and support the town centre as a cultural hub, as well as support the Health and Wellbeing Strategy.
- Improving the Borough's biodiversity and green infrastructure – set out the quality and quantity of open space.
- Sustainable development – highlight the vision of a sustainable and inclusive town centre and identify opportunities for energy efficiency and generation.
- Strengthening partnerships – the Masterplan work to date has been developed following engagement with a diverse range of stakeholders and the wider community.
- Effective use of resources – setting a clear vision of the town centre would support the effective use of limited resources, in particular, the reuse of previously developed land.

### 5.0 Implications

#### Finance and Risk

- 5.1 The costs to pursue the recommended option (option 3) would be incorporated within the budget for the statutory Local Plan work.
- 5.2 Option 1 and 2 would be in addition to the Local Plan work and would result in additional budget pressures.

#### Equalities and Human Resources

- 5.3 The report does not have any direct equalities implications.
- 5.4 There are no HR issues arising from this report.

#### Legal

- 5.5 This report confirms that the draft Masterplan cannot be safely adopted as an SPD and that there would be grounds for Judicial Review if it were so adopted.

### 6.0 Engagement and Consultation

- 6.1 Extensive consultation on the draft Masterplan was undertaken in 2022 and is detailed in the report to the Executive at its meeting on 2 February 2023. Further consultation, including statutory consultation would need to be carried out for each of the options detailed above.

REPORT ENDS



EXECUTIVE – 2 FEBRUARY 2023

## MASTERPLAN UPDATE AND NEXT STAGE

### Executive Summary

The Executive at its meeting on 15 July 2021 asked Officers to prepare the Town Centre Masterplan with the purpose of providing an overarching framework to help guide development and investment decisions in the Town Centre. The Executive specifically requested that public engagement should be central to the Masterplan preparation process. On 14 July 2022 the Executive agreed the draft text for the Draft Woking Town Centre Masterplan and the accompanying Site Analysis and Consultation Plan be noted and approved for formal public consultation and engagement. The public consultation ran for 12 weeks from 25 July 2022 to 17 October 2022. During the consultation period, there were nearly 5,000 visits to the Masterplan website, and over 5,900 views of the video, almost 500 people attending roadshows and seminars, and 500 visitors to the Masterplan pop-up shop.

There were over 850 formal consultation responses from almost 450 individuals and organisations, including developers with interests in the town centre. As part of the public consultation process, the Council received a potential challenge to the approach taken in bringing forward this document as a Supplementary Planning Document providing guidance as opposed to Development Plan Document. Following the close of public consultation officers have reviewed all representations made and have also taken legal advice in relation to a potential challenge through Judicial Review if the Masterplan is adopted as drafted. Furthermore, on 3 November 2022 the Planning Inspectorate issued their decision on the Crown Place Development, granting planning permission for a scheme of up to 28 storeys to the east of the town centre. This appeal decision changes the nature of the townscape and has a considerable impact on the proposed townscape and 'bell curve' set out in the Masterplan which is also being considered by officers in determining the appropriate steps moving forward. The likely consequence of the appeal decision, along with a potential legal challenge, and changes to the planning system set out in the Levelling Up and Regeneration Bill, are covered in more detail in this report.

A report setting out options for the next steps, which requires further detailed work for officers, will be brought to a future meeting of the Executive for decision.

### Recommendations

The Executive is requested to:

#### RESOLVE That

- (i) the report be noted; and
- (ii) Officers to bring back a details options report to future meeting of the Executive.

### Reasons for Decision

Reason: For officers to fully assess options to provide thorough advice for Members to agree next steps.

The Executive has the authority to determine the recommendation(s) set out above.

- Background Papers:** [Background paper - Crown Place appeal decision](#)  
APP/3655/W/20/3259819
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- Date Published:** 25 January 2023

### 1.0 Introduction

- 1.1 The Executive at its meeting on 15 July 2021 asked Officers to prepare the Town Centre Masterplan with the purpose of providing an overarching framework to help guide development and investment decisions in the Town Centre. At that time it was considered that the Masterplan should have the status of a Supplementary Planning Document. The procedure for preparing and adopting Supplementary Planning Documents must be carried out in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. Public consultation on the Draft Masterplan (carried out in accordance with Regulation 13) ended on 17 October 2022. National Planning Practice Guidance states that 'Supplementary Planning Documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making'.
- 1.2 The Masterplan set out to establish an overarching vision for the town centre to enable designed, sustainable development, such as building new homes, cultivating a thriving retail and business environment and strengthening Woking's cultural and leisure offer. It contains detailed standards and principles that deliver a shared vision for the town centre, including guidance on building heights and density, and provides a long-term vision for Woking's skyline to 2030 and beyond.
- 1.3 On 14 July 2022 the Executive agreed the contents of the Draft Woking Town Centre Masterplan and the accompanying Site Analysis and Consultation Plan be noted and approved for public consultation and engagement, which ran from 25 July 2022 to 17 October 2022. During that time eight roadshows were held in locations across the Borough, seminars and question and answer sessions held, and a pop-up shop opened in Mercia Walk in the centre for four weeks. A thorough Consultation and Communication Plan was prepared, outlining specific detail of consultation methods and events. Detailed information on the consultation and engagement methods used can be found at Appendix 1.
- 1.4 The consultation was publicised through posters, banners and publicity (including postcard size flyers) around the centre and the Borough, through an introductory promotional video shown on the big screen on Jubilee Square, through social media, e-newsletters and multiple inclusions in local newspapers. QR codes enabled the public to interact with 'talking statues' (and at other focal points) through their mobile phones, which signposted the Masterplan consultation. The Masterplan consultation material was available on the main engagement hub website (clearly signposted on the Council website) and the Planning Policy (woking2027) website. Hard copies were available in the Borough's libraries and at the Civic Offices for the whole 12 week consultation period, and in the pop-up shop and at roadshows.
- 1.5 During the consultation period, there were nearly 5,000 visits to the Masterplan website, and over 5,900 views of the video, almost 500 people attending roadshows and seminars, and 500 visitors to the Masterplan pop-up shop.
- 1.6 There were over 850 formal consultation responses from almost 450 individuals and organisations. These were received through the Masterplan engagement hub website (793 surveys completed) with the remainder being email or postal responses to Planning Policy. Each of those representations have been individually reviewed and consideration given to how they may be addressed moving forward. A consultation summary report is attached as Appendix 2. For most chapters of the Masterplan it will be noted that matters raised can be quite readily addressed. However, with the key chapter on Townscape there are more challenging issues that may not be as easily addressed within the drafting and form of the current Masterplan.
- 1.7 The first such matter, separate from the Masterplan consultation process, is the Planning Inspectorate decision on the Crown Place appeal, dated 3 December 2022 and which granted

planning permission for a development of a group of buildings, notably 3 of which are 23, 25 and 28 storey towers, providing 366 residential units, commercial and community uses and associated car parking.

- 1.8 Secondly, as part of the public consultation exercise in response to the draft Masterplan, a representation was received on behalf of a number of developers with interests in the town centre regarding a possible legal challenge if adopted. This was accompanied by a Counsel opinion which in effect challenges the adoption of the Masterplan as a Supplementary Planning Document (SPD) and also considers some of the specific details of the Masterplan in relation to existing adopted planning policy. The representation also suggests that, should the Masterplan be adopted as drafted and as a SPD they would seek a legal challenge in the form of a Judicial Review. In the light of a possible legal challenge, the Council has sought its own independent Counsel's opinion (KC) on all of the matters raised by this particular representation.
- 1.9 Thirdly, the proposed changes set out within the Levelling Up and Regeneration Bill and the current consultation on changes to the NPPF could affect the way this Plan should come forward and the weight given to it in the long term as an SPD.
- 1.10 Section 2 of this report considers both of these matters in more detail.

### **2.0 Crown Place appeal decision and potential challenge to masterplan as drafted**

- 2.1 Crown Place appeal. This site is identified as UA15 in the Site Allocation Development Plan Document 2021 (SADPD) and also in the Masterplan appendix. The site lies to the east of the town centre and the Masterplan document itself (page 95) suggests that an appropriate height for development of this site would be 4-10 storeys. This scale of development is also reflected in the bell curve diagrams on the first few pages of the appendix document.
- 2.2 The appeal decision has granted permission for demolition of all existing buildings including existing footbridge to Victoria Way Car Park and redevelopment of site to provide a new building ranging from 5x to 28x storeys plus basement level comprising up to 366x residential units (Use Class C3), commercial (Use Classes A1/A2/A3) and community uses (Use Classes D1/D2) at ground floor and first floor level and associated internal and external amenity spaces, basement level car parking, cycle parking, bin storage, ancillary facilities, plant, new public realm, landscaping and highway works. Three of the approved buildings are 23, 25 and 28 storeys in height respectively.
- 2.3 In paragraph 26 of the appeal decision, the Inspector concludes on the issue of character and appearance, that she "did not consider that the proposed development would have an adverse effect on the character and appearance of the area. There is no doubt that the towers would be highly visible and would not reflect their immediate surroundings in terms of height. However, that does not mean that the scheme would thus be unacceptable. The existing built environment within the eastern part of the town centre is generally uninspiring and has little to commend it. The proposal would introduce a development of high quality and distinction and a landmark at the easterly approach to the town centre. Overall, the development would enhance townscape character and, in this respect, comply with development plan policy, including policies CS1, CS2, CS21 and CS24 in the CS. Furthermore, it would be in accordance with the principles of the Design SPD".
- 2.4 The Inspector further considered there was no policy impediment to a tall building of any particular height on the appeal site. It is important here to distinguish between policy, contained in the adopted local plan (Core Strategy and SADPD) and guidance contained within the adopted 2015 design guide, including the section contained therein on tall buildings, and the guidance which the Masterplan would provide as an SPD, which is not part of the adopted planning policy framework for the Borough. It should also be noted that in relation to the draft Masterplan the Inspector commented that she was "*aware that there have been a number of*



*responses, including an objection by the Appellant. At this stage it is therefore not known whether the current approach in the Masterplan will be carried forward or not. For that reason, it can be given very limited weight as a material consideration in this appeal.”*

- 2.5 This appeal decision has clear implication for the Masterplan in that it has changed the nature of the townscape. As a minimum, the design principles for this site, including what prospective heights may be appropriate, will need reconsidering. Realistically the eastern part of the town centre, not just this 'gateway' site will need to be reviewed and the 'bell curve' amended accordingly. This level of amendment could have quite a significant impact on the Masterplan as currently drafted and will therefore likely require further public consultation.
- 2.6 The second, perhaps less obvious, implication builds on the Inspector's reference to the weight attached to policy as opposed to guidance. The Inspector's approach here is sound. Whether or not an adopted masterplan as an SPD would have led the Inspector to reach an alternative conclusion would be mere speculation. What is perhaps clearer is that, given the weight correctly attached to adopted policy, should consideration be given to what form of document the masterplan should be. I.e., is there merit in considering bringing forward a DPD which could introduce policy and would be a more robust tool in resisting taller buildings within the town centre? This is considered further as an option in section 3 below.
- 2.7 The potential legal challenge to the Masterplan if adopted. The potential legal challenge on the draft Masterplan is raised on two matters. The first is whether the Masterplan should be produced and adopted as a DPD rather than an SPD. Section 17 of the Planning and Compulsory Purchase Act 2004 ('PCPA 2004') provides for the Secretary of State to make regulations as to the preparation of certain types of planning documents. Those regulations are the Town and Country Planning (Local Planning) Regulations 2012 in particular Regulation 5. These regulations are very complex. The second matter raised is whether or not the Masterplan is in conflict with the already adopted plan, a test set out in Regulation 8(3) of the above Regulations.
- 2.8 It may be useful here to set out what the role of an SPD is. The National Planning Policy Framework (last updated July 2021) define SPDs as "Documents which add further detail to the policies in the development plan. They can be used to provide further guidance for development on specific sites, or on particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan". In National Planning Practice Guidance (2019) this is further specified in that "Supplementary planning documents (SPDs) should build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan. They are however a material consideration in decision-making. They should not add unnecessarily to the financial burdens on development".
- 2.9 The Council has sought its own Counsel's (KC) opinion on these matters, in order to determine the next stage for the Masterplan and to provide clear advice to Members. It is recognised that the plan published for consultation does provide site specific guidance in order to present a clear position for developers who wanted certainty as to the Council's position on building heights as well as a vision for the townscape that residents could understand. However, while that guidance was welcomed by many the advice of the KC in this regard is that the plan as drafted, with the aims that it seeks to achieve, would be most appropriate as a DPD rather than an SPD.
- 2.10 On the matter of conflict with the adopted development plan, the Masterplan as drafted does conflict, in particular with the adopted SADPD, in terms of site yields for some individual sites which are lower than what the adopted policy states, notwithstanding the Masterplan as drafted does suggest a higher overall number of homes could be achieved in the town centre, with the inclusion of HIF and windfall sites.

- 2.11 Given the above, Counsel's advice is that the Masterplan as it stands could not be safely adopted as an SPD given the challenge presented by the representations received.
- 2.12 The Levelling Up and Regeneration Bill, which is currently in the House of Lords, and the current consultation on the National Planning Policy Framework (NPPF) and proposed National Development Management Policies published in December 2022 sets out proposed changes to the planning policy framework, including changes to legislation on planning policy, which include reforms to the plan making system and the role of Supplementary Planning Documents. These may have an influence on how this plan should come forward.
- 2.13 The Crown Place appeal decision, the legal advice the Council has received and the proposals related to changes within the Levelling Up and Regeneration Bill suggest that the Council should not proceed to adopt the Masterplan in its current form. In the light of the above, officers are now considering options that will achieve the aims as originally set out, those being the production of a Town Centre Masterplan with the purpose of providing an overarching framework to help guide development and investment decisions in the Town Centre.
- 2.14 Notwithstanding the above, the Council has published and consulted on its vision for the town which has been welcomed by many. The ambition and need for a clear and robust plan to guide development in the town centre, to give certainty to developers wishing to invest, and provide officers with an effective tool to assess planning applications and defend decisions on appeal remains. Options for next steps are therefore now being considered by officers. A report on those options will be brought back to a future meeting of the Executive.

### 3.0 Corporate Strategy

- 3.1 The Masterplan supports the following objectives of the Woking for All Strategy 2022 - 2027: Engaged Communities – A healthy, inclusive and engaged community-

- Reducing social inequality – the Masterplan will guide the delivery of new housing and affordable housing developments and support both the Homelessness and Housing Strategy.
- Engaging our communities – engagement will be central to the preparation of the Masterplan.

Healthier Communities – An enterprising, vibrant and sustainable borough-

- Promoting a strong economy – setting a vision for the town centre will promote investment, support business retention and promote Woking as a destination for business to relocate to.
- Improving the health and wellbeing of all residents – the Masterplan will set out areas of open space, health and leisure provision and support the town centre as a cultural hub. The Masterplan will support the emerging Health and Wellbeing Strategy.
- Improving the Borough's biodiversity and green infrastructure – the Masterplan will set out the quality and quantity of open space.
- Sustainable development – The Masterplan will highlight the vision of a sustainable and inclusive town centre and identify opportunities for energy efficiency and generation.
- Strengthening partnerships – the Masterplan has/will be developed following engagement with a diverse range of stakeholders and the wider community.
- Effective use of resources – setting a clear vision of the town centre would support the effective use of limited resources, in particular, the reuse of previously developed land.

## **4.0 Implications**

### Finance and Risk

- 4.1 There are significant cost implications for the Council if a claim is issued for Judicial Review and progressed through the High Court. In order to avoid unnecessary additional expense to the taxpayers purse and in view of Counsel's opinion it is clear that the best approach for the Council is not to proceed to adopt the Town Centre Masterplan in its draft form.

### Equalities and Human Resources

- 4.2 The report does not have any direct equalities implications.
- 4.3 There are no HR issues arising from this report.

### Legal

- 4.4 The legal implications are referred to in the body of the report.
- 4.5 Further to the letter received with a threat of Judicial Review the Council has sought and received Counsel's opinion regarding the matters raised.
- 4.6 Attention is drawn to the main legal issue arising from this report; that there is a real risk of Judicial Review with a reasonable probability that the claim would succeed if the Town Centre Masterplan is adopted as drafted as a SPD.

## **5.0 Engagement and Consultation**

- 5.1 Detailed in paragraphs 1.3 to 1.6 above.

REPORT ENDS

## Masterplan Engagement

### Roadshows and Zoom

Date	Venue	Attendees
28-Jul	Byfleet	41
02-Aug	Zoom (Capped to 15)	9
03-Aug	Sheerwater	8
08-Aug	Goldsworth Park	44
09-Aug	Westfield	46
17-Aug	Woking	35
23-Aug	Goldsworth Park with SCC	80
01-Sep	Zoom (Capped to 15)	16
16-Sep	Stakeholder Zoom	14
28-Sep	WeAct: Net-zero visioning walk	8
29-Sep	Pyrford Cricket Club	30
30-Sep	Woking Chamber Networking	30
04-Oct	Horsell Village Hall	54
12-Oct	Woking Means Business Seminar	
Sep	Retirement homes	46
<b>Total</b>		<b>534</b>

### EHQ\* Masterplan Themes

Theme	Downloads	Surveys Completed
Townscape Strategy	884	158
Herritage	119	67
Leisure and Culture	145	104
Flood Risk	52	34
Green Infrastructure	61	61
Housing	194	56
Sustainable Construction	93	71
Transport	124	126
Economy	108	62
General Infrastructure	150	58
<b>Total</b>	<b>1,930</b>	<b>797</b>
Email submissions		71
Postal submissions		4
<b>Grand total</b>		<b>872</b>

### Pop-Up Shop

Date	Number
20-Aug	48
22-Aug	30
24-Aug	68
31-Aug	26
02-Sep	33
03-Sep	30
05-Sep	29
07-Sep	33
09-Sep	N/A
10-Sep	N/A
12-Sep	N/A
14-Sep	N/A
16-Sep	N/A
17-Sep	N/A
21-Sep	49
23-Sep	40
24-Sep	105
<b>Total</b>	<b>491</b>

\* EHQ - Engagement HQ = Engagement hub website, including interactive

## QR code data

QR code name	Scans
Masterplan generic shopping centre entrances	16
Masterplan post cards	16
Pop-up shop exterior	18
Woking News and Mail	8
Jubilee Square board	9
Borough Boards	11
Pop up shop exterior	18
Generic location pop up banners	11
Surrey Ad	1

# Facebook advertising

Driving traffic to the masterplan landing page

Date	Reach	Clicks	Amount spent
Aug 2 2022 - Aug 16 2022	31,094	1,703	£200
Aug 25 2022 - Sept 8 2022	28,200	1,019	£200
Sep 28- Oct 17 2022	36,280	1,090	£259

## Masterplan videos

Page 110

Video	Views
<a href="#">Full video</a>	4.2k
<a href="#">Transport</a>	225
<a href="#">Economy</a>	77
<a href="#">Flood risk</a>	79
<a href="#">Green infrastructure</a>	130
<a href="#">Heritage</a>	66
<a href="#">Housing</a>	161
<a href="#">Infrastructure</a>	157
<a href="#">Leisure and culture</a>	320
<a href="#">Sustainable construction</a>	161
<a href="#">Townscape</a>	310

## E-newsletter promotion results

### Edition breakdown:

Date	Theme	Link(s)	no. clicks
July 25 2022	General	<a href="#">General Video</a>	420
		<a href="#">General Video</a>	136
July 29 2022	General	<a href="#">General Video</a>	165
		<a href="#">Landing page</a>	60
August 5 2022	General	<a href="#">Landing page</a>	32
		<a href="#">General Video</a>	84
August 12 2022	Townscape Strategy	<a href="#">Townscape video</a>	218
		<a href="#">Woking by 2030</a>	137
		<a href="#">Townscape strategy landing page</a>	60
August 16 2022	Pop-up shop special	<a href="#">General Video</a>	80
		<a href="#">Shop map location</a>	49
		<a href="#">Landing page</a>	27
		<a href="#">Pop up shop press release</a>	19
August 19 2022	Green infrastructure	<a href="#">Biodiversity video</a>	104
		<a href="#">Biodiversity landing page</a>	44
		<a href="#">Landing page</a>	32
August 26 2022	Leisure and culture	<a href="#">Leisure and culture video</a>	131
		<a href="#">Leisure and culture landing page</a>	21
September 2 2022	Housing	<a href="#">Landing page</a>	56
September 23 2022	General	<a href="#">Landing page</a>	24
September 30 2022	Sustainable construction	<a href="#">Sustainable construction video</a>	51
		<a href="#">Sustainable construction landing page</a>	20
		<a href="#">Landing page</a>	8
October 7 2022	General	<a href="#">General Video</a>	42
		<a href="#">Landing page</a>	16
October 14 2022	General	<a href="#">General Video</a>	41
		<a href="#">Landing page</a>	35

### Overall results

Link	Total clicks
<a href="#">Landing page (general)</a>	290
<a href="#">General video</a>	965

**Town Centre Masterplan – Consultation summary report (draft)**

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## 1. Background and summary of the consultation

The Masterplan sets out to establish an overarching vision for the town centre to enable design-led, sustainable development, such as building new homes, cultivating a thriving retail and business environment and strengthening Woking's cultural and leisure offer. It contains detailed standards and principles that deliver a shared vision for the town centre, including guidance on building heights and density, and provides a long-term vision for Woking's skyline to 2030 and beyond.

The Council's Executive requested that public engagement be central to the preparation of the Masterplan, and initial community engagement, through sessions with the Council's Residents Panel and other key stakeholders was carried out in the autumn of 2021 (detailed [in the Report on Masterplan Stakeholder Interviews](#)). This engagement informed the preparation of the draft Masterplan, which was subject to extensive and comprehensive consultation, lasting 12 weeks from 25 July to 17 October 2022. During that time eight roadshows were held in locations across the Borough, seminars and question and answer sessions held, and a pop-up shop opened in Mercia Walk in the centre for four weeks. A thorough Consultation and Communication Plan was prepared, outlining specific detail of consultation methods and events, which can be found at Appendix 1. Detailed information on the consultation and engagement methods used can be found at Appendix 2.

The consultation was publicised through posters, banners and publicity (including postcard size flyers) around the centre and the Borough, through an introductory promotional video shown on the big screen on Jubilee Square, through social media, e-newsletters and multiple inclusions in local newspapers. QR codes enabled the public to interact with 'talking statues' (and at other focal points) through their mobile phones, which signposted the Masterplan consultation.

The Masterplan consultation material was available on the main engagement hub website (clearly signposted on the Council website) and the Planning Policy ([woking2027](#)) website. Hard copies were available in the Borough's libraries and at the Civic Offices for the whole 12 week consultation period, and in the pop-up shop and at roadshows.

During the consultation period, there were nearly 5,000 visits to the Masterplan website, and over 5,900 views of the video, over 500 people attending roadshows, seminars and events, and nearly 500 visitors to the Masterplan pop-up shop.

There were over 850 formal consultation responses from almost 450 individuals and organisations. These were received through the Masterplan engagement hub website (793 surveys completed) with the remainder being email or postal responses to Planning Policy.

## **2.a. Themes and structure**

The Town Centre Masterplan is structured into themed chapters, and the Engagement hub webpage (which included consultation summaries and survey questions) followed these themes. Where email responses or letters have been received, these have been broken down into representations (or comments on a specific point) which fit under the themes. While there is some necessary overlap between themes, this is acknowledged as part of the complexity of planning for any place, and leads to cross-referencing between chapters.

The theme based structure forms the basis for the summary report. Under each themed section, a snapshot of one or two comments is given, as a flavour of responses received. Then key issues from each chapter or theme are pulled out, a comment is given on how those issues are or will be addressed in the Masterplan or through other means.

Due to the level of response received, it must be noted that this report provides a high level summary of consultation responses and outcomes. A detailed breakdown of all representations received and an officer response has been collated and will be available in due course.

## 2.b Townscape Strategy

### What stakeholders said:

Historic England were concerned about the potential for a 'plateau' effect to arise from the definition of building heights, and recommended a toolkit developed by Oxford City Council.

Most responses from developers and landowners referred to the Townscape Strategy. The Counsel opinion commissioned by three of them, although it focussed on the Site Specific Guidance, also stated that the Townscape Strategy conflicts with existing DPDs in some respects. Outside the Counsel opinion, further conflicts between the Townscape Strategy and elements of the Core Strategy, Site Allocations DPD, and Design SPD were claimed. There was a proposal that the height ranges should be given by character area, rather than by block. The analysis in the strategy was said to be insufficiently detailed, with not enough attention to existing tall buildings or to street level views. It was proposed that other skyline options than the bell curve should have been assessed. One developer commissioned a detailed critique of the Strategy from an urban design perspective.

### **Summary of key issues:**

This Masterplan chapter received a high level of response, with 157 responses from members of the public through the Engagement Hub and 13 by email.

Out of the members of the public who responded, 48 supported the Tall Building Framework. 106 people thought it inappropriate, of whom 70 people wanted building heights to be lower (in some cases this was an objection to the potential for new 30+ storey buildings in the central cluster, while a few objected to anything above 4-5 storeys, and in a minority of cases the respondent appeared to be objecting more to recent developments than to the Framework itself). 14 people wanted some site specific change, and 14 people said the Framework was too restrictive of height.

Specific points raised by several members of the public included frequently expressed dislike for tall buildings, and concern at the pressure on infrastructure they will generate; a smaller number of people who supported tall buildings, either for what they contribute to the town centre or as a way of relieving development pressure elsewhere; a desire for more green space; concern at the spread of tall buildings south of the railway line; various proposals for overall height limits between 3 and 18 storeys; a desire for more detail on streetscape and materials; and issues of safe public spaces, wind tunnels, shade and privacy.

### **How those issues will be addressed**

The townscape character analysis is considered broadly valid and appropriate as evidence. The presentation could be improved and factual errors corrected, which would lead to a small number of consequential amendments to the strategy itself. It could be made clearer that the Townscape Strategy is a high level strategy and different heights could be accepted if adequately justified by evidence. Heights could be expressed in metres rather than number of storeys; and there is potential to include the Town Centre fringe areas in the character area review. The concept of the 'bell curve' is proposed to be dropped, in light of comments received and of the Crown Place appeal decision. Questions raised in the Counsel opinion are proposed to be addressed through an overall review of the Masterplan project.

## 2.c Sustainable construction

### What stakeholders said:

Surrey County Council *“We support the masterplan’s ambition that buildings should minimise emissions and incorporate measures that adapt to future weather changes due to climate change. We also welcome its encouragement for new and redeveloped buildings to exceed local planning policy and national building regulations requirements and to pursue net zero where feasible.”*

### **Summary of key issues**

The Sustainable Construction chapter received over 70 responses from individuals and organisations. Those who responded were generally supportive of the Sustainable Construction masterplan, however many of those who responded felt the Council should aim for higher technical standards and meet targets sooner than the set dates of, for example, net zero by 2050.

There is concern arising from the sustainability of new development, particularly with regard to the construction of tall buildings, as well as demolition of existing buildings and associated embodied carbon. There is a clear desire to increase green infrastructure provision across the Town Centre and to integrate suitable climate change mitigation methods, such as on-site energy generation in new developments.

It is worth highlighting in this section that Thameswey (local energy provider) have raised concern regarding distribution of development across a wide geographical area, referencing sites identified in the Masterplan. The wide distribution of development would require extra infrastructure to extend the decentralised energy network, which could be unfeasible. Lastly, the issue of sustainable transport was raised in many responses.

### **How those issues will be addressed**

The Masterplan sets out an appropriate ambition for sustainable construction and design within the remit of a supplementary planning document (SPD). It presents local case studies in the Town Centre, which demonstrate a range of design solutions that can be integrated to deliver development built to a high environmental standard. The Masterplan is ambitious in encouraging new buildings to exceed minimum local planning policy and Building Regulations requirements, and also highlights the ‘retrofit first’ principle to encourage re-use of good quality existing buildings. The Masterplan covers green infrastructure in a separate chapter, however there are many design solutions presented in the Sustainable Construction chapter, which include green infrastructure measures to mitigate against effects such as overheating.

The Council will continue to work with Thameswey to explore feasibility of opportunities for sites to be incorporated in the CHP. Lastly, Transport is covered in the General Infrastructure and Transport sections of the Masterplan, which set out sustainable transport strategies. However, the Sustainable Construction chapter highlights the need to incorporate suitable electrical vehicle (EV) charging points and cycle parking to support development.

## 2.d Heritage

### What stakeholders said:

Surrey County Council *“The masterplan mentions the possibility of installing information boards outside key assets and as part of a wider signage strategy. The borough council might, however, like to consider a more inclusive approach of establishing a Woking Town Centre “Heritage Trail” to link the surviving assets together and to lead people to discover both sites and features that perhaps they may have missed in the past due to the poor connectivity within the area (mentioned elsewhere in the document). Such a trail could be considered as part of the town centre shopping/visitor experience and linked with the more recent art and sculptural installations in the town centre.”*

### **Summary of key issues**

The Heritage chapter received over 70 responses from individuals and organisations. Those who responded were generally supportive of the Masterplan’s intentions to protect and enhance heritage assets in the Town Centre, including the introduction of tighter controls in the Town Centre Conservation Area. The Police Station and Basingstoke Canal were highlighted as particularly important heritage assets with opportunities for enhancement. There is a general feeling that heritage could be better celebrated, with many raising the idea of implementing a heritage trail or exhibitions to connect visitors and residents with Woking’s history. Furthermore, there is a feeling that new development has not respected the Town Centre’s heritage assets, and that unsympathetic design of new development has detracted from the character and historic elements of the Town Centre.

### **How those issues will be addressed**

The Masterplan sets out numerous proposals to address the key issues associated with heritage in the Town Centre. For individual assets such as the Police Station and Basingstoke Canal, ways in which these assets could be improved are outlined in the opportunities section of the Heritage chapter. Furthermore, the commitment in the Masterplan to explore the production of a Design Code will aid in enhancing heritage assets by addressing the issue of unsympathetic design of new development. Aside from physical enhancements, the Masterplan commits the Council to utilise heritage assets for educational purposes, such as through the installation of information boards to explain an asset’s historical interest. This will be key in addressing the issue of celebrating heritage assets, as it will allow the public to engage with and have a better appreciation of Woking’s history.

## 2.e Economy

### What stakeholders said:

Woking Chamber of Commerce *“are in broad agreement with the contents of the masterplan and welcome the intent to support small business, which helps the borough’s economic vibrancy and enhances the local character”*.

Mr Sutton (local resident) *“Keep investing in the public realm to create a quality feel to the centre (Dukes Court landscaping is a great example of improvement).*

*Encourage developers to create alternative uses at ground level (rather than unlettable retail on periphery of centre), small office studios, artists studios ( many artists/creatives are being priced out of London premises, great opportunity to create an artists quarter as part of the town’s cultural offer).*

*The modern office isn’t dead, still a demand for high quality space but business need flexibility.*

*Create a nurtured/supported zone dedicated to independents”*

### **Summary of key issues**

The Economy chapter of the Masterplan received responses from over 60 people and organisations. Key issues raised were around the need to attract more independent shops to the town centre and a desire for an increased entertainment and ‘experiential’ activities. Also highlighted was a need for lower rents and business rates, to support businesses, and reduced parking rates to encourage higher numbers of visits and increase visit time in the centre.

### **How those issues will be addressed**

The town centre has a diverse mix of shops, restaurants and bars but until recently there has tended to be a dominance of chains. There has been a recent, gradual shift towards local and independent businesses (e.g. Lionsheart bookshop/ coffee shop, Bare & Fair amongst others) and further independent businesses will be encouraged and supported as part of the town centre’s growing offer. The Council's retail agents and Estates Team are in dialogue with many retail and hospitality businesses in an effort to attract them to Woking.

The Council has sought to attain competitive rents on its estate, whilst also taking steps to support small independent businesses, and encourages other owners and developers to do the same.

The Council are working to provide activities to attract people to the town centre, including entertainment, street art and a varied restaurant and bar scene. High quality public realm and streetscene is also a factor that attract business and customers, and

With regard to the need to reduce car parking rates, the Council has introduced reduced parking charges at the weekends (£3 for 3 hours at Victoria Place) which is set to remain, and has a reasonable evening tariff (from 6pm to 6am) to encourage visitors to stay longer and enjoy the diverse mix of retail, leisure and hospitality in the town centre.

## 2.f Housing

### What stakeholders said:

Surrey Police requested the inclusion of text on Secured by Design as used in the London Plan.

Several representations from developers and landowners included reference to housing. Some developers noted the Woking Town Centre Housing Market Assessment, and the high demand it identifies for town centre housing, claiming that this is not reflected in the volume of development proposed. Some also stated there was insufficient focus on meeting housing need (contrasting with the emphasis on housing need in an appeal decision and in the HIF bid), and claimed that reduced levels of housing numbers on some sites could lead to the non-viability of delivering housing allocations and even of the overall housing requirement. It was asserted that the Masterplan would need to be reviewed if housing requirements go up in the next Local Plan revision. A specific needs and viability assessment, and designation of sites, for Build to Rent housing was sought.

### **Summary of key issues:**

This Masterplan chapter received responses from 54 members of the public through the Engagement Hub and 5 by email.

Some commenters on this chapter were opposed to the construction of further high-rise buildings, while others were not concerned about building heights so long as a good living environment was provided. The majority accepted or supported the building of flats while wanting to see a wider mixture of dwellings provided in the Town Centre, in particular more 2 and 3 bedroom flats and 'genuinely' affordable/social rented housing, as well as some town houses. It was suggested that more dwellings will be built than needed.

There was concern for the needs of families (of varied sizes), disabled and older people and a lot of support for the provision of both communal and private open space, in particular balconies, multifunctional communal roof gardens and new and improved publicly accessible green spaces close to residential buildings. Several people requested that design requirements take into account the requirements of climate change adaptation and increased home working. The provision of parking on residential developments was also raised, as well as the need for infrastructure generated by new housing.

### **How those issues will be addressed**

The comments made on this chapter in relation to design are largely in line with, and support the importance of, the guidance contained in the Housing chapter, albeit in a few cases saying that it should go further (mainly on size of dwellings, which cannot be addressed through an SPD). The comments also underline the importance of the guidance in the Green Infrastructure and Sustainable Construction chapters. The comments will therefore be addressed by retaining the proposed guidance.

Many comments urge an increase in the provision of Affordable Housing. The draft revised Affordable Housing Delivery SPD was published a month after the end of the Masterplan consultation, and is expected to help increase Affordable Housing provision once adopted.

The issue of autism-friendly development was raised; we would consider that several of the recommended features of autism-friendly development are already covered by the proposed guidance on communal spaces, however, more could be done on this and also to include reference to guidance on best practice to designing for people with disabilities.

Should the document be taken forward in its current form, additional evidence on viability would be necessary to support this.



## 2.g. Leisure and Culture

### What stakeholders said:

Mr Hayes (local resident) “...think pop up food stalls, linked with local breweries and producers and try to cultivate an evening economy that caters for more than just cheap pints at Wetherspoons. There’s no alternative or independent music scene in Woking either. Perhaps a music venue or arts centre. The new development would have been a great opportunity for this but instead it’s a cavernous space with generic shops inside it... Use space more effectively - create interesting and engaging places for the community to get together. Try to get rid of the generic-ness of Woking. More culture, more independent businesses, more alternative things to do and see.”

Theatres Trust “We welcome the objectives of this Masterplan to ensure a dynamic, varied and vibrant cultural and leisure economy through enabling and expanding cultural facilities and provision. The document has provided a good appraisal of provision along with opportunities and constraints. We are supportive of the Masterplan’s policies to achieve this.”

### Summary of key issues

This chapter received a high level of response with around 110 contributors. There was a very strong positive response to a survey question asking whether they support expansion of the evening economy (88% agreed) and an even stronger response, with 91% agreeing, to support flexible use of indoor and outdoor spaces to enable a variety of changing activities, events and displays to add interest and animation to the centre. Respondents want more and better leisure and culture in Woking and came up a wide variety of suggestions for what culture and leisure activities are needed. These included: more play space for children and young people; space to enable physical activity for all; more permanent activities such as chess and other board games (on the back of wide appreciation for the Summer Zone at Jubilee Square); space for art including studios; food, farmers’ and craft markets; and community gardening. Responses highlighted that new public spaces, such as those around Victoria Square, could be better used for a range of activities. Also highlighted was a need for more indoor community spaces that can be used flexibly all year round.

There was also strong support for increasing the range of small and independent cafes, bars and restaurants, including pop-ups, to add a distinctiveness to the centre, which is covered further under the Economy chapter. Some further interesting suggestions were to celebrate the railway, aviation and motorsport heritage of the town, as part of its identity, and continue to provide a home of the Hockey Museum.

A key issue to be addressed is the need for an alternative music and concert venue to accommodate Woking Symphony Orchestra and replace that lost at HG Wells. Space for other live music and entertainment, and associated community hub, as had been at Phoenix Cultural Centre was also flagged as missing from the town.

### **How those issues will be addressed**

The consultation has provided a valuable insight into what people in Woking want to see to enhance leisure and culture, and help build a distinct sense of place in the town. The Masterplan sets out that development should assess and explore potential to accommodate cultural and leisure activity, and this insight gained here should be used by the Council to inform continuing work with partners and developers of various sites.

With regard to finding an alternative venue to HG Wells, the Council will work with relevant parties to find a solution and space to enable Woking Symphony Orchestra, and various other music and arts groups, to rehearse and perform in the town. This should be considered valuable cultural assets to the town, which we do not want to lose. Venues for live performance, including music, are encouraged and the Council will work to help facilitate this. We are aware of the funding issues that the Phoenix Cultural Centre faces and options to enable it to re-establish are being explored.

## 2.h Green Infrastructure

### What stakeholders said:

Mr Foster (local resident): *“Lock-down showed the importance of green outdoor space to mental health and well being . The benefits will cascade into improved life satisfaction, lower illness and crime . It will more than pay for itself .”*

Surrey Wildlife Trust: *“The Council states that Green Infrastructure is embedded as essential and integral within design proposals. We note that the Council has declared a climate and ecological emergency, which confirms the importance of wildlife and ecology within Woking. Within this context, we highlight the Nature-Based Solutions (NBS) approach to nature recovery. NBS describe natural responses to challenges including development; climate change; and emergency risk management, amongst other things. NBS come in many forms, from protecting or restoring existing ecosystems or projects that protect or enhance the natural environment, ranging from the restoration of hedgerows and rivers; to planting meadows. An added benefit of NBS is to improve health and wellbeing, particularly in recent years”*

### **Summary of key issues**

The Green Infrastructure chapter of the Masterplan received responses from over 60 people and organisations. Overall there was strong support for the measures and objectives outlined in the chapter. A prominent desire was to see the town centre look and feel greener, and promote biodiversity (including insects) to balance and soften the concrete urban fabric. There is strong support for more useable green space, including green roofs, gardens, trees, shrubs and green roofs, to enable people to enjoy being outdoors and to allow children and young people to play. There is some scepticism about green walls in terms of effectiveness, sustainability (irrigation and maintenance) and utility costs.

There is also a desire to see greater linkages with green areas near the town centre, such as the Basingstoke Canal and Woking Park. Safety in open spaces, and on the Canal, was raised as a concern.

The promotion of Nature Based Solutions by the Surrey Wildlife Trust is noted, and many of the green infrastructure features and measures outlined in the Masterplan are examples of Nature Based Solutions. However a minor amendment is suggested to explicitly refer to them.

### **How those issues will be addressed**

A key objective of the Masterplan is to take proactive steps to support more, bigger, better and joined up habitats, green ways and spaces. This simple but effective ambition should inform all development proposed in the town centre and mean development plays a significant role in making green infrastructure and biodiversity gains. Green infrastructure and biodiversity requirements should be considered from the outset of all design processes, with a priority to provide green features and measures on site where feasible. However, the Masterplan also sets out how effective,

functional green infrastructure can be made elsewhere where it is demonstrated (through a comprehensive design process) it can not be made on site.

Enhancements to town centre streets and spaces, including pocket parks and various forms of planting are put forward within the Masterplan. Better connectivity, permeability for pedestrians and cyclists, and access to green spaces is also highlighted. Ensuring safety through adequate lighting and visibility is something that will be addressed.

Further reference to nature based solutions in the Masterplan will be considered, as part of the new and enhanced green infrastructure that should be considered in the design of development.

## 2.i Flood Risk and Surface Water Management

### What stakeholders said:

Surrey County Council noted that the risk of surface water flooding identified in this chapter should be better linked to the site specific guidance, to ensure sites adequately assess localised surface water issues and opportunities, and incorporate Sustainable Urban Drainage Systems (SUDs)

Affinity Water also set out that new development should use “*water efficient fittings and fixtures such as rainwater harvesting, rainwater storage tanks, water butts, green roofs, and water efficient appliances in all new developments (residential and commercial).*”

### **Summary of key issues**

This chapter of the Masterplan received nearly 40 responses. The vast majority of respondent (89%) agreed that the Council should work with its partners and the development industry to reduce flood risk and improve water quality in rivers and the Basingstoke Canal by including Sustainable Urban Drainage Systems. Other means of improving water quality and reducing flood risk could be by creating green/ blue streets via rain gardens and surface water tree pits, which were also strongly supported. Many residents flagged issues on the impact people tarmacking front gardens and stated that the measures put forward should be a minimum. There was reference to flooding of the Canal in heavy rainfall and the need to plan and work with water/ utilities companies to effectively manage drainage systems.

### **How those issues will be addressed**

The response shows welcome support to the approach the Council will continue to take in managing flood risk in the town centre, in its approach to SUDs requirements (for both major and minor development) and ways to create green/ blue streets. One project aimed at alleviating flooding is the Horsell Common SANG project (outside but within close proximity of the centre) which began in June 2022 and is well underway. This creates three holding ponds with a combined capacity of over 16 million litres of surface water from the Rive Ditch system. The aim of the project is to increase capacity of the drainage system and alleviate local flooding. It also introduces new wetland ecosystems to enhance the biodiversity and access to Green Infrastructure.

With regard to a joined up approach to flood risk and surface water management, the Council continues to work in partnership with Surrey County Council, the Environment Agency and water companies, and other Boroughs and Districts. The Council is also part of the Basingstoke Canal Authority Joint Advisory group that looks after the maintenance and management of the Basingstoke Canal.

## 2.j General Infrastructure

### What stakeholders said:

Mr Grilli (local resident): *The objectives are very laudable, but how can we ensure they are actually realised, and don't get cut out of schemes as costs rise? And if they get built, can we ensure the running costs can be met?*

Mr Foster (local resident): *"A coherent, "joined up" plan which takes account of all the interconnected requirements / demands over the long term. To date the focus is too narrow (project related) and short term"*

### **Summary of key issues**

This is a contentious area which received a moderate level of response, with over 60 responses from the general public and a number from neighbouring authorities, Surrey County Council and other infrastructure providers, such as Affinity Water. A survey question asked about the key elements of infrastructure needed to support development in the town centre, and responses highlighted capacity issues and need for new provision for schools and early years, GPs and healthcare. Responses also raised the need for improved transport and roads, and frequent, reliable public transport and sewage systems to deal with increased demand.

Responses called for a more joined up approach to planning for infrastructure, and more detail about how and where infrastructure will be delivered. Comments from infrastructure providers highlighted the need for early engagement on development likely to impact networks (e.g. water), with specific advice given to ensure future demand is met.

### **How those issues will be addressed**

While the Masterplan summarises infrastructure capacity and need going forward, the Council's Infrastructure Delivery Plan (IDP) is the document that provides the detail. It demonstrates that adequate and appropriate infrastructure can be identified to support the delivery of development included in the Local Plan.

The IDP was updated in February 2022 and is a live document which will be continually revised by working with infrastructure partners and utility providers. The IDP covers GP, health care provision, flooding, water and waste water and reviews the capacity of existing infrastructure and the impact of future development on that infrastructure. It also details the mechanisms in place to ensure that additional infrastructure necessary to support new development is provided over the Plan period. This includes the scale of the new infrastructure to be provided, by whom, how, at what cost and to what timescales.

## 2.k Transport

### What stakeholders said:

Mrs Mullins *"It's not clear to me how the disabled and those with mobility problems are being helped to safely access the town centre and its facilities. Promoting walking and cycling is a laudable aim but it won't be feasible for some parts of the population. "*

Mr B *"more bike infrastructure that is separated from road traffic (e.g. cars, buses). I understand that the council is working towards a more bikeable town as it benefits local population's health and has low impact on the climate, however the bike lane on the street north of the station is very intimidating - buses are an integral part of providing transport to people across town without cars (for the lack of a tram or alternative network) but the width of the street seems like the bike lane was an afterthought."*

### **Summary of key issues**

This chapter received a very high level of response, with well over 130 responses. Key issues highlighted centre around road use, congestion and traffic, need for better public transport including a more frequent and affordable bus service. There was a lot of focus on bike usage, including a need to increase e-bike infrastructure and need for bicycle storage in development, concern around cyclist and pedestrian safety, access and permeability (particularly between Victoria Way and the Town Centre, the Canal and centre and across the railway line). Better crossing points, continuity and joining up of cycle and pedestrian paths was highlighted.

Parking was also highlighted, in terms of a lack of availability and access to disabled parking spaces, loss of parking due to new development and cost of parking (the latter is covered in the Economy section). Surrey County Council flagged a new Local Transport Plan, adopted in July 2022, which sets an ambitious approach to decarbonising the transport system, with four main pillars for investment which include Local Cycling & Walking Plans (LCWIPs), Liveable Neighbourhoods (LNs) incorporating low traffic solutions and public realm improvements, bus plans, and electric vehicle infrastructure. Further to this, expansion of car clubs in the town centre was also raised by SCC.

A key consultation question asked 'Do you think that the replacement of the Victoria Arch, on Victoria Way, provides a once in a lifetime opportunity to improve traffic and rail infrastructure in the area?'. The response was very mixed, with 56% agreeing, 22% disagreeing and 22% not being sure.

### **How those issues will be addressed**

The Masterplan includes details of the Woking Integrated Transport Project, Sustainable Transport Package and Local Cycling and Walking Plan together have achieved and will continue to create a safer and better connected environment. The Woking Sustainable Transport Package is a further project (LEP funded) which aims to address gaps in the cycle and bus network and improve attractiveness of sustainable travel. Options for the Victoria Arch scheme are currently being

reviewed, and have potential to manage traffic and congestion while improving pedestrian and cycle routes under the railway bridge. The latest updates on this would be included going forward.

The issue about availability and access to disabled car parking spaces will be explored further with the Council Parking Services team. We are aware of a good level of provision in Victoria Place, and shop mobility is in place in the shopping centre.

## **2.1 Site specific issues**

### **Summary of key issues**



A developer put forward proposals for the whole of the block that includes the Royal Mail sorting office (UA32) and some of the residential landowners in this block also wrote in to support redevelopment. The developer of the Coal Yard site (UA33) also wrote in with proposals for an amended design and site boundary. Two representations were received from developers interested in parts of allocations UA4 and UA11, where the Site Specific Guidance showed no development on their part of the allocation. In addition to making general comments, each of these criticised the elements of the Site Specific Guidance and Tall Buildings Framework which would limit development on their site. These representations, as well as those from developers interested in Crown Place (part of UA15) and the BHS site (HIF9) also criticised the consideration of heritage issues in relation to their site. Representations were also received from developers/landowners on the Former Goldsworth Arms site (UA8), Land North and South of Goldsworth Road (UA11/UA13), Rat & Parrot site (part of UA15), the Police Station (HIF4) and land at Chobham Road (W1).

Members of the public also expressed views on specific sites, in particular sites close to their homes and in particular where there had been a previous planning application, including the Crown Place site (part of UA15) and the Premier House/Church Gate site (HIF13), where issues of amenity, privacy and microclimate were raised. Several people took an interest in sites UA4 and UA6 (High Street/Commercial Way), some for reasons of townscape and some wanting to support the Lighthouse community venue. There were a couple of suggestions that taller buildings could be allowed on those sites, and a few others the same of 1-7 Victoria Way (part of UA11), the BHS site (HIF9), the Police Station site (HIF4; although more people supported the retention of this building), and the Technology House site (Block GW5). On the other hand, it was suggested that the heights on the former Cap Gemini building (Block VWN1) and the northern end of site W1 should be reduced. Several people questioned the railway carpark sites UA31 and W2 and where the parking would be re-provided, while others lobbied for the redevelopment of the aggregates yard as a whole.

#### **How those issues will be addressed**

The place of the Site Specific Guidance will need to be reviewed following the Counsel opinion.



EXECUTIVE – 13 JULY 2023

## EQUALITIES ANNUAL REPORT 2023 INCLUDING PAY GAP REPORT

### Executive Summary

This annual report seeks to inform the Executive of progress on the equality's agenda. It covers the period April 2022 to March 2023. It includes our annual Pay Gap report and introduction to a new Supporting Carers Policy.

The Equality Act 2010 brought together, harmonised and in some cases extended previous equality law. The aim of the legislation is to make it more consistent, clearer and easier to follow in order to make society fairer. The Act also sets out the Public Sector Equality Duty, which came into force on 5 April 2011. The Equality Duty ensures that all public bodies, including local authorities, play their part in making society fairer by tackling discrimination and providing equality of opportunity for all.

The Equality Duty covers the following protected characteristics, age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The Duty requires the Council to have 'due regard' to the need to:

- eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
- advance equality of opportunity between people who share a protected characteristic and people who do not share it; and
- foster good relations between people who share a protected characteristic and people who do not share it.

Having 'due regard' means consciously thinking about the three aims of the Equality Duty as part of the process of decision making. This means that consideration of equality issues must influence the decisions reached by the Council, e.g. how it acts as an employer, how it develops, evaluates and reviews policies, how it designs, delivers and evaluates services and how it commissions and procures from others.

The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 require all employers with 250 or more employees to annually publish its Gender Pay Gap. In addition, the Council voluntarily publishes its ethnicity and disability pay gaps.

Woking Borough Council signed up to the Carers Confident bench-marking scheme in 2022. The scheme supports employers to build a positive and inclusive workplace for employees who are, or will become, carers and to make the most of the talents that carers can bring into the workplace.

A requirement of the framework is to have a Supporting Carers Policy This policy sets out our commitment to supporting carers and the support that we offer to combine work with care. The Policy was adopted in March 2023.

**Recommendations**

The Executive is requested to:

**RESOLVE That**

- (i) the report be received; and
- (ii) the Supporting Carers Policy be noted.

**Reasons for Decision**

Reason: To meet the requirement to report on annual progress on the equality agenda, report pay gap figures and present the Supporting Carers Policy.

The Executive has the authority to determine the recommendation(s) set out above.

**Background Papers:**

[Corporate Equality Scheme](#)  
Sustainability Impact Assessment  
Equalities Impact Assessment

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**Date Published:**

5 July 2023

### 1.0 Introduction

- 1.1 Woking Borough Council believes that the diversity of its population and workforce is one of its greatest strengths. Equality of opportunity and freedom from discrimination is a fundamental right and this Council has a duty to exercise leadership to promote this right. The Council intends to promote equality and prevent discrimination through its roles as service provider, employer and community leader.
- 1.2 The Council will follow best practice in all equality areas and work to:
  - eliminate unlawful discrimination, harassment and victimisation;
  - advance equality of opportunity between people who share protected characteristics and those who do not; and
  - foster good relations between people who share a protected characteristic and those who do not.
- 1.3 From April 2011 the Equality Act 2010 brought together all previous equality legislation and gave full protection to eight protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Some aspect of the legislation also covers marriage and civil partnership.
- 1.4 Success in mainstreaming equalities in the organisation is measured by The Equality Framework for Local Government, which was adopted by the authority in March 2009. The Framework is based on three levels of achievement, developing, achieving and excellent. The Council has been successfully verified by external assessment at 'Achieving' level.
- 1.5 What we seek for Woking is a vibrant, thriving community where all residents have the opportunity to fulfil their potential and where disadvantage and discrimination are challenged and rooted out. Essential to this is a modern and progressive workforce which ensures access to opportunities and the wellbeing of all employees enabling the Fit for the Future programme for the organisation to be delivered.

### 2.0 Progress

- 2.1 The Public Sector Equality Duty (specific duties) requires all public bodies to:
  - Annually publish information that shows how they have complied with the Equality Duty. This report forms part of this information.
  - Set equality objectives for the organisation. Overarching objectives have been developed which are relevant to each of the equality groups covered by the Equality Act. They relate back to the General Duty and are designed to ensure a holistic approach to tackling inequality and promoting equality through the organisation and Borough. (attached Appendix 1)
- 2.2 Meetings of the Equality & Wellbeing Working group are held quarterly. Membership includes representatives from services across the organisation, Unison and the CEO. A recruitment drive was successfully carried out for new members. Areas of focus have included hybrid working, cost of living crisis, Census update, policy development and updates and wellbeing of employees.
- 2.3 A programme of equality and wellbeing awareness took place over the year, including mental health, homophobia, gender equality, men's health and carers. This included information on ewokplus, webinars and face to face activities. Resilience work continues to be done with front-line teams, ensuring individuals and teams have the skills and knowledge to look after

## Equalities Annual Report 2023 including Pay Gap Report

their own health and wellbeing, cope with of their work and that of their teams and ensure a healthy work-life balance.

- 2.4 Monthly health and wellbeing themes have also been highlighted on ewokplus, offering helpful advice and tips on how to look after yourself and effectively manage life and work. Topics have included general mental health, stress, anxiety, physical wellbeing and resilience. Following the training of another cohort of Mental Health First Aiders, the organisation now has 18 trained Mental Health First Aiders across the organisation. This service and the Employee Assistance Programme are promoted regularly.
- 2.5 The equality agenda has been successfully mainstreamed throughout the organisation and the Council's priority is to ensure accessible services are available to the vulnerable sections of the local communities. Achievements over the last year are highlighted in Appendix 2.
- 2.6 Equality monitoring figures are produced annually for employment, looking at areas such as workforce profile, appointments, training, promotion and discipline and grievance issues. These are broken down according to race, gender, disability, age, sexuality and religion and belief. These are detailed in Appendix 3. Census 2021 figures on local community profiles are now available and will enable the Council to ensure its workforce is reflective of the communities it services.

### 3.0 Pay Gap Report

- 3.1 From 6 April 2017 employers in Great Britain with more than 250 staff are required by law to publish annually its gender pay gap (mean and median averages) and the proportion of men and women in each quartile of the organisation's pay structure.
- 3.2 This year's report covers the 12 months up to 31st March 2023. The Mean Gender Pay Gap is the difference between average hourly earnings of men and women. The Council has a mean gender pay gap of 17.31% (16.37% for 2022). The Median Gender Pay Gap is the difference between the mid-point in the range of hourly earnings of men and women, when arranged from the highest to lowest. The Council, has a median gender pay gap of 18.26% (15.81% for 2022). The full report is detailed in Appendix 4.
- 3.3 The mean gender pay gap for the UK for 2022 was 14.9% according to the Office for National Statistics (ONS) Annual Survey of Hours and Earnings (ASHE) figures (15.1% in 2021). Figures were not available for Local Government for 2022 but the mean gender pay gap was 5.1% in 2021 and the median gender pay gap was 3.3%.
- 3.4 The Council's Pay structure and policies ensure all employees are paid equally for the same or equivalent work, regardless of their sex or any other characteristic protected under the Equality Act 2010. The analysis shows that the Council has a significant gender pay gap. The overriding reason for this is the distribution of the workforce. The organisation is predominately female (63% female, 37% male) although the top 25% of employees, who are the highest paid, are predominately male (59% male, 41% female). The 25% of the lowest paid employees are predominately female (79% female, 21% male).
- 3.5 Across the UK as a whole, men are more likely than women to be in senior roles, especially very senior roles at the top of organisations. Generally, women are more likely than men to be in front-line roles at the lower end of the organisation. The Council's pay policy has focused on raising the level of pay for the lowest grades, to ensure that the roles are valued and paid the living wage, set by the Living Wage Foundation. The culture of the organisation has changed significantly under the new leadership and will continue to do so over the following years as the Fit for the Future agenda is delivered. This should impact positively on both the structure of the organisation and its pay gap.

3.6 The Council also voluntarily reports its Ethnicity and Disability Pay Gaps. The mean ethnicity pay gap for 2023 is 14.5% (15.31% for 2022). The median ethnicity pay gap is 8.93% (9.42% for 2022). The mean disability pay gap for 2023 is 7.66% (3.88% - 2022) and the median disability pay gap is -1.59% (- 4.63% - 2022).

3.7 Woking Borough Council is committed to reducing its pay gaps. An Action Plan has been developed, covering 5 key areas, Pay and Performance, Recruitment and Promotion, Training and Development, Flexible and Part-time Working and General. Detailed in Appendix 5.

### 4.0 Supporting Carers Policy

4.1 The Council has always included Carers as part of its equality's agenda, acknowledging this is a group that has traditionally experienced disadvantage. 1 in 9 people now juggle work with caring for someone who is older, disabled or seriously ill. As the population ages carers are a growing reality in the workplace.

4.2 Without the right support, 1 in 6 carers give up work or reduce working hours to care. But many will be the most skilled and experienced employees, the 45-64 year olds at the peak of their careers. Building a positive and inclusive workplace for all employees, including the growing numbers who are, or will become carers, is both good employment practice and good business sense.

4.3 The benefits of supporting carers include:

- Retention of key staff (reduced recruitment and training costs)
- Resilience of staff (increased health, engagement and productivity and reduced stress, sick leave and absenteeism)
- Recruitment (and return) of talent to the workforce (improved competitiveness and performance)
- Results for the bottom line (including cost savings)

4.4 Woking Borough Council signed up to the Carers Confident bench-marking scheme in 2022. The scheme supports employers to build a positive and inclusive workplace for employees who are, or will become, carers and to make the most of the talents that carers can bring into the workplace. A requirement of the framework is to have a Supporting Carers Policy. This policy sets out the Council's commitment to supporting carers and the support that the Council offer to combine work with care (attached at Appendix 5).

4.5 Carer Confident has three levels designed to support an organisation throughout its journey towards building a positive and inclusive workplace for all employees who are, or who will become, carers:

- Level 1: Active in addressing carer support
- Level 2: Accomplished providing carer support.
- Level 3: Ambassador for carer support both internally and externally.

4.6 Each of these 3 levels is measured across the following 5 key criteria:

- Preparation – how are you enabling carers to identify and recognise themselves?
- Policy and guidance – how are you making your support for carers transparent?

- Practical support – what practical provisions and arrangements are available for carers?
- Peer support – how are you connecting and engaging carers?
- Promoting support – how are you communicating carer support?

4.7 The Council will work through the 3 levels. An action plan has been developed to support in achieving the first level. The action plan is attached at Appendix 7.

### 5.0 Future Plans

5.1 Across the organisation a huge amount of work is done to address the needs of the most vulnerable sections of the local communities and the equalities agenda has successfully been mainstreamed into directorate plans. The organisation is embarking on major transformation as part of its Fit for the Future programme. This work will need to ensure the needs of the most vulnerable sections of our local communities continue to be supported although this may not necessarily be in the way it has traditionally been done. Partnership working with the statutory, voluntary and private sectors will become increasingly important.

5.2 In consultation with CLT the areas of focus for the next 12 months will include:

- Ensuring appropriate equalities consideration is given to service transformation under the Fit for the Future programme.
- Ensuring employees are supported through the transformation programme for the organisation, including appropriate communication and health and wellbeing support.
- Developing the Council's role as a local employer of choice, raise awareness about the employment opportunities available within the Council and ensure the workforce is reflective of the local communities the Council serves. This will include expanding the current work experience programme, covering local schools and colleges, especially amongst our less affluent communities.
- Ensuring the Council grows a modern and appropriately skilled workforce for the future, reviewing development opportunities and barriers to progression across the protected characteristics and utilising traineeships, internships and the Apprenticeship Levy.

### 6.0 Corporate Strategy

6.1 The equalities and well-being agenda ensures we meet our legal obligations under Equality legislation. Ensuring we have a healthy and flexible workforce which is able to meet the demands of service provision to some of the most vulnerable sections of our communities, including improving the health and wellbeing of all residents, reducing social inequality and engaging our communities. Strengthening partnership working is essential to this process, ensuring scarce resources are used to maximum effect and future sustainability ensured.

### 7.0 Implications

#### Finance and Risk

7.1 Equality work is mainstreamed into annual Directorate Plans and budgets allocated accordingly. This will be impacted by the current budget restrictions going forward. External funding is identified for specific projects as and when appropriate.



- 7.2 The Fit for the Future Programme will transform the organisation from the way it has traditionally delivered services. This is an opportunity to ensure services to the most vulnerable are sustainable for the future.

### Equalities and Human Resources

- 7.3 Equality and Wellbeing Training is provided through Surrey Learn, a partnership of all Surrey local authorities. Internal awareness campaigns and training take place throughout the year. A Member awareness session is held annually.
- 7.4 The Council will need to ensure appropriate support is put in place to help employees deal with the organisational transformation.

### Legal

- 7.5 The report ensures the organisation meets its legislative requirements under equalities legislation, including the Public Sector Equality Duty and the Gender Pay Gap regulations. It also outlines annual progress on the equality and wellbeing agenda.

## **8.0 Engagement and Consultation**

- 8.1 Major organisational transformation, narrowing equality gaps and improving the life chances of vulnerable groups in the Borough will require a pooling of evidence, resources and action planning. Working in partnership with the statutory, voluntary and community sectors will become essential to ensure long term sustainability. The Council will have to become smarter at engaging and involving communities of interest in decision making, service and workforce planning, particularly groups who may experience disadvantage and inequality.

REPORT ENDS



**Equality Objectives:**

Overarching objectives that have been developed for the Council's Corporate Equality Scheme which are relevant to each of the nine equality groups covered by the Equality Act, relate back to the General Duty and are designed to ensure a holistic approach to tackling inequality and promoting equality through the organisation. The overarching objectives are to:

**Tackle victimisation, harassment and discrimination**

Take reasonable steps to ensure that residents, service users and employees are not unlawfully discriminated against and take appropriate action to prevent & tackle victimisation and harassment.

**Improve access to services**

Take reasonable steps to ensure that services are inclusive, responsive to risk, physically accessible and provided through the most efficient and effective channels available.

**Close the gap in outcomes for citizens**

Take reasonable steps to improve life chances for citizens by reducing outcome gaps that may exist within the Borough as well as those that may exist between the Borough and elsewhere.

**Increase understanding and mutual respect between communities**

Take reasonable steps to build stronger communities and promote good relations, both within and between communities.

**Increase participation and engagement**

Take reasonable steps to remove barriers that may exist to engagement and help residents (especially those who are under-represented) to participate in local decision making and influence local decisions.

**Ensure equitable employment policies and practices**

Provide equality of opportunity for all Council employees by ensuring all employment policies and practices, (concerning recruitment, retention, promotion, training and discipline), are designed to reflect and attract the communities that Woking serves.



**Equality actions/achievements: 2022/23:**

Cost of Living support and advice – a whole range of services and signposting was put in place by services across the organisation to support people through the cost of living crisis, including financial advice and support, benefits advice, energy support, access to support funds, warm hubs, food banks, support for families and children, elderly and disabled.

All Family services teams have received training in Equality and Diversity, supporting children and families who identify as LGBTQ+, Neurodiversity and Unconscious bias.

Support for children and families with SEND – specialist parenting, drop-in groups supported by National Autistic Society, Family Voice Surrey and Early Support, referrals for carer's assessments and young carers.

Children who qualify for Free Early Education for Two-year-olds (these children meet national criteria including low income/benefits, areas of deprivation etc) are contacted and supported to find a nursery places.

Family teams speak a range of languages including Arabic, Ukrainian, Russian, Dhari & Urdu and use translators where needed to support families understanding. Families encouraged to attend free accredited ESOL classes all year round at all levels and a creche is provided to support parents to attend.

Community centres offer a wide range of services and providers to suit the whole community, these include exercise class's, NHS services (Maternity, eye care), counselling services for both the young and old, parent groups including baby and toddlers.

Project 500 – working with women from ethnic minority communities to create health and wellbeing classes for the community, to be run by the community. 27 women's only sessions now take place on a regular basis across the Borough.

In partnership with Freedom Leisure successful securing funding to offer more wet chairs increasing and improving the access to our pools for people with disabilities.

Disability Sports Day – over 70 attendees.

Launched a weekly boxing club for Kingsmoor Park youth.

Expanded the universal youth offer at Knaphill and explored expanding the offer to Goldsworth Park and Byfleet.

Officers took part in a Police operation focused on identifying and dealing with modern slavery in nail bars. Premises inspected to ensure Health & Safety regs being adhered to – for employees and customers.

Environmental Health worked with Social Services, Housing Associations and other partner agencies on a number of occasions to assist vulnerable residents with bed bug infestations to ensure residents are provided with the right support and to ensure that those responsible take the right action to free the affected homes of bed bugs.

Business Liaison officers recently delivered events for the Queen's Diamond Jubilee as well as the 'National Moment of Reflection' event, which was widely promoted across the Council's media channels, as well as directly to all schools in the Borough.

'Inspiring the Future Workforce' - Liaison with education providers in the Borough resulted in promotion of work experience opportunities to the business community. This work involved all secondary schools and sixth-form providers in the Borough.

Bishop David Brown School STEM day in which officers arranged for local businesses to participate, to ensure that all pupils of this school are aware of career progression within these sectors.

Opportunity for any 16-25 year-olds interested in film and production as a career to attend the Young Film Makers Programme pilot at the Nova Cinema.

The sixth TEDxWoking event took place in November, at which seven local people brought their diverse 'ideas worth sharing' to the 100-strong audience. All talks are available on the TEDxWoking website.

Community Energy South (CES) held roadshow at Shah Jahan to promote energy saving advice for the local Muslim community, including dealing with energy price increases, 'draftbusting' measures, providing free draft-proofing strips and silicone 'guns' and other simple energy efficiency tools, distributed information leaflets in Urdu, Punjabi, Bengali, Arabic and English to encourage people with vulnerabilities to join the Priority Service Register provided by the energy network.

**Equalities Monitoring Data for the period 1/4/2022 – 31/3/2023**

(Figures in brackets for 2021/22)

**1. \*Breakdown of all employees by:**

\*These figures are based on 451 employees (458 employees for 2021/22); this includes all employees all on the payroll including casual employees who may only work very occasionally.

**a) Ethnic background**

	Actual	%	Census 2021 (where available)
Asian/ Asian British	36 (38)	7.98% (8.30%)	12.5%
Black/Black British	22 (19)	4.88%(4.15%)	1.8%
Chinese/Other	5 (4)	(0.87%)	1.0%
Mixed	7 (6)	(1.31%)	3.5%
White	335 (347)	(75.76%)	78.1%
Gypsy/Irish Traveller	0(1)	(0.22%)	0.1%
Other (please specify)	37 (33)	(7.21%)	3%
Not Known	4 (6)	(1.31%)	
Prefer not to say	5 (4)	(0.87%)	

**b) Gender**

	Actual	%
Male	166 (159)	36.8% (34.72%)
Female	284 (299)	62.97%(65.28%)
Transgender	1 (0)	0.22% (0%)
Prefer not to say	0 (0)	0 (0)

**c) Declaration of Disability**

	Actual	%	Census 2021 (where available)
Yes	22 (23)	4.88% (5.02%)	13.6%
No	409 (415)	90.69% (90.61%)	
Prefer not to say	14 (14)	3.1% (3.06%)	
Not known	6 (5)	1.33% (1.31%)	

**d) Age**

	Actual	%
Under 25	13 (21)	2.88% (4.59%)
25 - 34	73 (77)	16.19% (16.81%)
35 - 44	112 (108)	24.83% (23.58%)
45 - 54	116 (114)	25.72% (24.89%)
55 - 64	111 (110)	24.61% (24.02%)
Over 65	26 (28)	5.76% (6.11%)

**e) Sexual orientation**

	Actual	%	Census 2021 (where available)
Heterosexual/Straight	413 (311)	91.57% (67.90%)	90.89%
Bisexual	5 (3)	1.11% (0.66%)	1.01%
Gay or Lesbian	7 (5)	1.55% (1.09%)	1.18%
Prefer not to say	18 (20)	3.99% (4.37%)	
Not Known	7 (119)	1.55% (25.98%)	6.57%

**f) Religion**

	Actual	%	Census 2021 (where available)
Christian	209 (220)	46.34% (48.03%)	47.6%
Buddhist	3 (2)	0.67% (1.26%)	0.6%
Hindu	9 (8)	1.99% (2.68%)	2.4%
Jewish	3 (3)	0.66% (0.01%)	0.2%
Muslim	26 (30)	5.76% (6.55%)	9.4%
Sikh	5 (3)	1.11% (0.66%)	0.3%
No Religion	161 (156)	35.70% (34.06%)	33.3%
Other (Please specify)	5 (3)	1.11% (0.66%)	0.5%
Not Known	27 (6)	1.33% (1.31%)	5.7%
Prefer not to say	26 (26)	5.76% (5.68%)	

**2. How many people belonging to each group applied to the Council for employment during the period?**

**a) Ethnic background**

	2022/23	2021/22
Asian/ Asian British	172	229
Black/Black British	66	102
Chinese	51	0
Mixed	26	37
White	329	515
Gypsy/Irish Traveller	0	0
Other (please specify)	139	40
Not Known	27	32
Prefer not to say	29	21

**b) Gender**

	2022/23	2021/22
Male	324	400
Female	477	525
Transgender	0	0
Other	3	0
Prefer not to say	10	14
Not known	25	1



**c) Declaration of Disability**

	2022/23	2021/22
Yes	35	41
No	780	910
Not known	2	1
Prefer not to say	22	16

**d) Age**

	2022/23	2021/22
Under 25	112	140
25 - 34	226	269
35 - 44	254	251
45 - 54	152	173
55 - 64	79	104
Over 65	3	13
Not Known	13	18

**e) Sexual orientation**

	2022/23	2021/22
Heterosexual/Straight	699	845
Bisexual	21	16
Gay or Lesbian	18	26
Prefer not to say	67	51
Not Known	34	30

**f) Religion**

	2022/23	2021/22
Christian	305	373
Buddhist	15	17
Hindu	46	38
Jewish	2	1
Muslim	121	131
Sikh	10	12
No Religion	243	297
Other (Please specify)	19	19
Not Known	57	60
Prefer not to say	21	20

**3. How many people belonging to each group applied for/received training during the period?**

**a) Ethnic background**

	2022/23	2021/22
BME	22	18
White	66	56

**b) Gender**

	2022/23	2021/22
Male	31	26
Female	57	48
Transgender	0	0

**c) Declaration of Disability**

	2022/23	2021/22
Yes	1	2
No	87	72

**d) Age**

	2022/23	2021/22
Under 25	5	6
25 - 34	19	22
35 - 44	34	21
45 - 54	21	15
55 - 64	6	9
Over 65	3	1

**4. How many people belonging to each group were promoted during the period?**

**a) Ethnic background**

	2022/23	2021/22
BME	2	0
White	7	5

**b) Gender**

	2022/23	2021/22
Male	3	3
Female	6	2
Transgender	0	0

**c) Declaration of Disability**

	2022/23	2021/22
Yes	1	0
No	8	5

**d) Age**

	2022/23	2021/22
Under 25	1	0
25 - 34	3	1
35 - 44	2	4
45 - 54	2	0
55 - 64	1	0
Over 65	0	0

**5. How many people belonging to each group "benefited or suffered detriment as a result of formal performance assessment procedures"?**

There were no formal assessment procedures carried out during the period.

**6. How many people belonging to each group were involved in grievance procedures?**

**a) Ethnic background**

	2022/23	2021/22
BME	1	0
White	0	1

**b) Gender**

	2022/23	2021/22
Male	0	0
Female	1	1
Transgender	0	0

**c) Declaration of Disability**

	2022/23	2021/22
Yes	0	1
No	1	0

**d) Age**

	2022/23	2021/22
Under 25	0	0
25 - 34	1	0
35 - 44	0	0
45 - 54	0	0
55 - 64	0	1
Over 65	0	0

**7. How many people belonging to each group were the subjects of disciplinary procedures?**

There were no formal disciplinary procedures during the period.

**8. How many people belonging to each group ceased employment with the Council during the period?**

**a) Ethnic background**

	2022/23	2021/22
Asian/ Asian British	12	4
Black/Black British	6	2
Chinese/Other	0	0
Mixed	4	0
White	76	43
Gypsy/Irish Traveller	1	0
Other (please specify)	11	3
Prefer not to say	2	0
Not Known	0	1

**b) Gender**

	2022/23	2021/22
Male	38	18
Female	74	35
Transgender	0	0

**c) Declaration of Disability**

	2022/23	2021/22
Yes	9	0
No	95	49
Prefer not to say	4	2
Not Known	4	2

**d) Age**

	2022/23	2021/22
Under 25	5	7
25 - 34	27	7
35 - 44	19	13
45 - 54	21	5
55 - 64	26	10
Over 65	14	11

**9. Carers**

**a) Total**

	Actual	%	Census 2021
Non-carer	413	91.57%	91.7%
Carer	31	6.87%	8.3%
Not known	7	1.56%	

**b) Ethnic background**

BME	4
White	26
Prefer not to say	1

**c) Gender**

Male	8
Female	23
Transgender	0

**d) Declaration of Disability**

Yes	2
No	28
Prefer not to say	1

**e) Age**

Under 25	1
25 - 34	0
35 - 44	8
45 - 54	6
55 - 64	13
Over 65	3

**10. Flexible Working Requests:**

	2022/23	2021/22
Number received	9	19
Number agreed	9	19
Success rate	100%	100

**11. Return to work from maternity**

	2022/23	2021/22
Number taking maternity leave	5	4
Number returned to work	5	4
Success rate	100%	100%



**Pay Gap Report 2022/23**

**GENDER PAY GAP REPORT - 2023**

Woking Borough Council is required by law to publish an annual gender pay gap report. The Equality Act 2010 (Gender Pay Gap Information) Regulations 2017 require all employers with 250 or more employees to publish a report based on its figures on a snap-shot date. For public authorities this snapshot date is 31<sup>st</sup> March.

This is the report for the snapshot date of 31<sup>st</sup> March 2023.

The Mean Gender Pay Gap is the difference between average hourly earnings of men and women.

The Mean Gender Pay Gap for the Council is 17.31% (16.37% for 2022).

The Median Gender Pay Gap is the difference between the mid-point in the range of hourly earnings of men and women, when arranged from the highest to lowest.

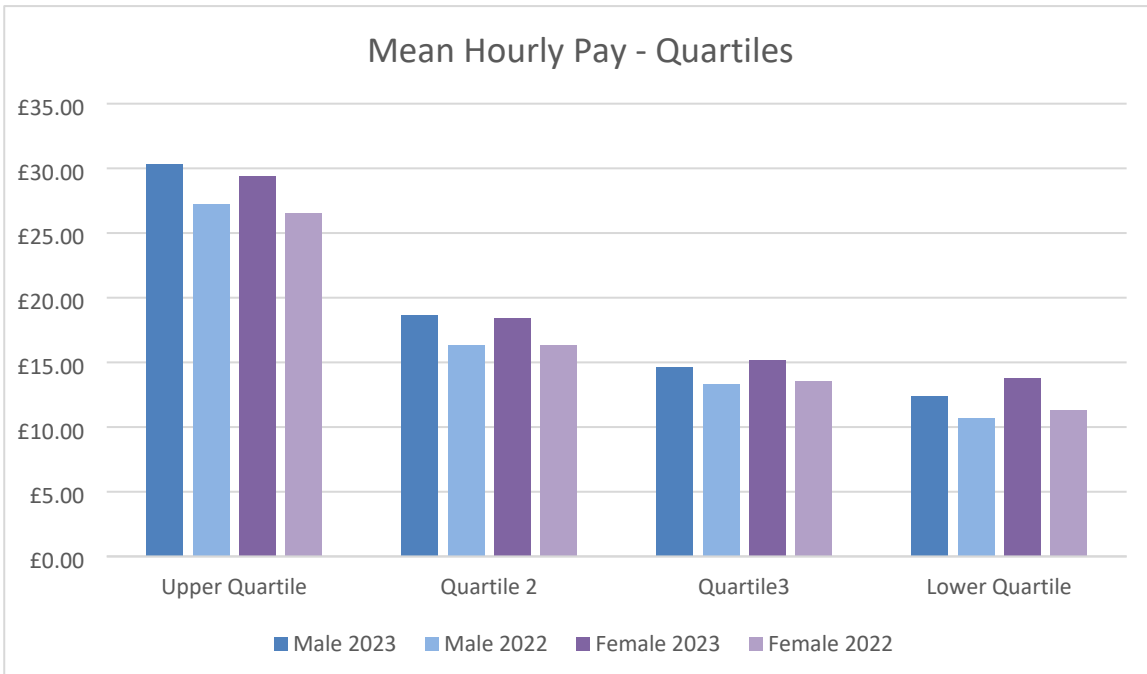
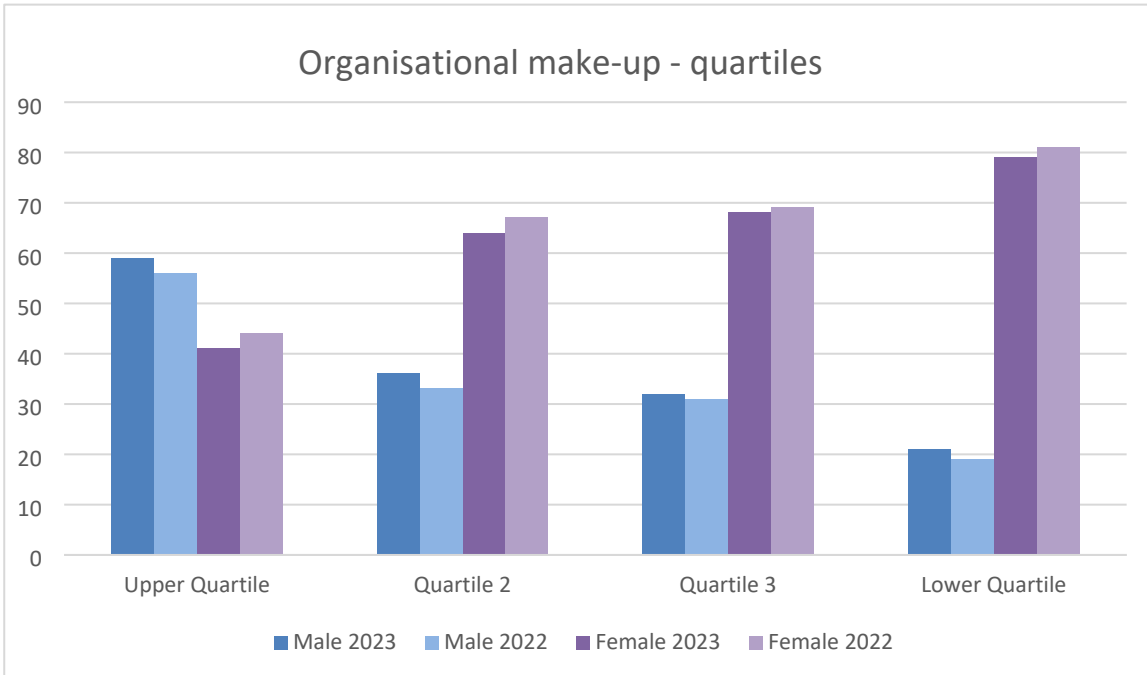
The Median Gender Pay Gap for the Council is 18.26% (15.81% for 2022).

In addition, the Council has to depict pay quartiles by gender. The workforce is divided into four equal-sized groups based on hourly pay rates, with the Upper Quartile covering the highest paid 25% and the lower quartile containing the lowest paid 25%.

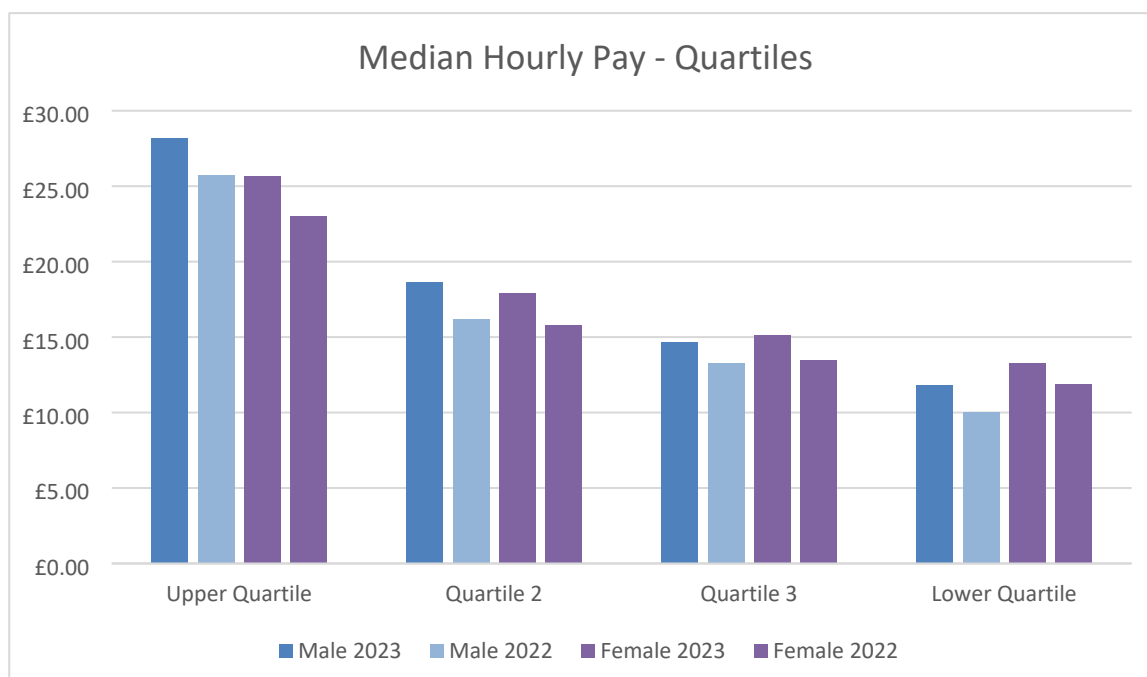
Pay Quartiles by Gender: (figures for 2022 in brackets)

Quartile	Male	Female	Description
Upper	59% (56%)	41% (44%)	Includes all employees whose standard hourly rate places them above the upper quartile
Quartile 2	36% (33%)	64% (67%)	Includes all employees whose standard hourly rate places them above the median but at or below the upper quartile
Quartile 3	32% (31%)	68% (69%)	Includes all employees whose standard hourly rate places them above the lower quartile but at or below the median
Lower	21% (19%)	79% (81%)	Includes all employees whose standard hourly rate places them at or below the lower quartile

The figures set out above have been calculated using the standard methodologies used in the Equality Act 2010 (Gender Pay Gap Information) Regulations 2017.







### Difference between men and women

Quartile	Mean hourly rate - male	Mean hourly rate - female	Mean gender pay gap	Median hourly rate - male	Median hourly rate - female	Median gender pay gap
Upper	£30.32 (£27.27)	£29.39 (£26.58)	3.07% (2.53%)	£28.19 (£25.75)	£25.66 (£23.00)	8.97% (10.68%)
Quartile 2	£18.63 (£16.31)	£18.44 (£16.37)	1.02% (-0.37%)	£18.68 (£16.22)	£17.91 (£15.82)	4.12% (2.47%)
Quartile 3	£14.65 (£13.34)	£15.20 (£13.56)	-3.75% (-1.65%)	£14.66 (£13.27)	£15.13 (£13.47)	-3.11% (-1.51%)
Lower	£12.38 (£10.70)	£13.80 (£11.28)	-11.47% (-5.42%)	£11.82 (£10.04)	£13.30 (£11.91)	-12.52% (-18.63%)

(Figures for 2022 in brackets)

The Council's Pay structure and policies ensure all employees are paid equally for the same or equivalent work, regardless of their sex or any other characteristic protected under the Equality Act 2010. The analysis shows that the Council has a significant gender pay gap. The overriding reason for this is the distribution of the workforce. The organisation is predominately female (63% female, 37% male) although the top 25% of employees, who are the highest paid, are predominately male (59% male, 41% female). The 25% of the lowest paid employees are predominately female (79% female, 21% male).

## **Equalities Annual Report 2023 including Pay Gap Report**

Across the UK as a whole, men are more likely than women to be in senior roles, especially very senior roles at the top of organisations. Generally women are more likely than men to be in front-line roles at the lower end of the organisation. The Council's pay policy has focused on raising the level of pay for the lowest grades, to ensure that the roles are valued and paid the living wage, set by the Living Wage Foundation. The culture of the organisation has changed significantly under the new leadership and will continue to do so over the following years as the Fit for the Future agenda is delivered. This should impact positively on both the structure of the organisation and its pay gap.

### **How we compare**

The pattern from the UK economy as a whole is reflected in the figures found in our upper quartile where men are more likely to be in senior roles. Women are more likely to have had breaks from work that have affected their career progression, for example to bring up children. Women are also more likely to work part-time to accommodate caring responsibilities.

The mean gender pay gap for the UK for 2022 was 14.9% according to the Office for National Statistics (ONS) Annual Survey of Hours and Earnings (ASHE) figures (15.1% in 2021). Figures were not available for Local Government for 2022 but the mean gender pay gap was 5.1% in 2021 and the median gender pay gap was 3.3%.

### **How we are addressing the pay gap**

Woking Borough Council is committed to reducing our gender pay gap. An Action Plan has been developed, covering 5 key areas, Pay and Performance, Recruitment and Promotion, Training and Development, Flexible and Part-time Working and General. Attached below.

#### Evidence base

Detailed analysis of the salary structure, including levels, pay grade and working hours has been carried out and no significant issues were identified indicating the Council's pay arrangements are rational, fair and transparent. The recent changes to the pay structure and career pathways and progression should make the process more transparent going forward. Analysis of recruitment statistics, applications for promotion, PDR's and pay reviews have also been carried out. Again, no issues were identified.

#### Recruitment

The Council aims to recruit from the widest possible talent pool. It will look at whether this can be improved, including looking at language used in adverts and benchmarking against other Surrey authorities. The application process is blind and no personal details are available for shortlisting. HR carry out spot-checks on shortlisting to ensure no bias is taking place. Managers are trained on how to recruit using competency based interview techniques that aim to avoid unconscious bias; ensuring all managers are consistent and competent in recruitment.

#### Flexible working

A hybrid work style was introduced following the pandemic and has been embedded throughout the organisation, enabling employees to effectively manage their health and wellbeing and work-life balance. The pros and cons of the new way of working is monitored to ensure a mutual balance between employees fulfilling their jobs in the manner expected by the organisation whilst also enabling them to be mindful of their health and wellbeing and ensuring a good work life balance.

### Development

The Council is committed to offering advancement opportunities and training to all employees, including Management Development and coaching and mentoring for those moving into senior positions. The Fit for the Future programme will see major organisational transformation over the coming years; essential to this is a modern and progressive workforce which ensures opportunities for all employees who have the potential to develop and grow. Consultation will include identifying drivers and barriers to progression, particularly for women, ethnic minorities and disabled employees.

### Ethnicity Pay Gap

The Government has consulted on whether organisation should collect and publish information on its Ethnicity Pay Gap and we are awaiting the outcome. However, it is good practice to report ethnicity and disability pay gaps. The Council has been calculating its Ethnicity Pay Gap since 2019.

#### The Ethnicity Pay Gap figures for 2023 are:

White British	330 employees / 74.16% (343 employees / 76.05% - 2022)
Other Ethnicity	106 employees / 23.82% (100 / 22.17% - 2022)
Not known/prefer not to say	9 employees / 2.02% (8 employees / 1.77% - 2022)
Mean hourly rate (White British)	£20.00 (£17.81 – 2022)
Mean hourly rate (other ethnicity)	£17.10 (£15.08 – 2022)
<b>Mean ethnicity pay gap</b>	<b>14.5% (15.31% - 2022)</b>
Median hourly rate (White British)	£16.90 (£15.39 – 2022)
Median hourly rate (other ethnicity)	£15.39 (£13.94 – 2022)
<b>Median ethnicity pay gap</b>	<b>8.93% (9.42% - 2022)</b>

## Equalities Annual Report 2023 including Pay Gap Report

### Pay Quartiles by ethnicity

Quartile	White British	Other ethnicity	Not known	Description
Upper	85.59% (87.61%)	13.51% (12.39%)	0.90%	Includes all employees whose standard hourly rate places them above the upper quartile
Quartile 2	74.77% (78.76%)	24.33% (19.74%)	0.90% (1.77%)	Includes all employees whose standard hourly rate places them above the median but at or below the upper quartile
Quartile 3	66.67% (62.83%)	30.63% (35.40%)	2.70% (1.77%)	Includes all employees whose standard hourly rate places them above the lower quartile but at or below the median
Lower	69.64% (75%)	26.79% (21.43%)	3.57% (3.57%)	Includes all employees whose standard hourly rate places them at or below the lower quartile

(Figures for 2022 in brackets)

Quartile	Mean hourly rate – White British	Mean hourly rate – other ethnicity	Mean ethnicity pay gap	Median hourly rate – White British	Median hourly rate – other ethnicity	Median ethnicity pay gap
Upper	£30.33 (£27.00)	£27.24 (£25.98)	10.19% (3.78%)	£28.03 (£25.29)	£25.32 (£22.15)	9.67% (12.42%)
Quartile 2	£18.52 (£16.82)	£18.47 (£16.25)	0.27% (3.39%)	£18.30 (£16.23)	£18.10 (£15.93)	1.09% (1.85%)
Quartile 3	£15.11 (£13.82)	£14.49 (£13.78)	3.56% (0.29%)	£14.88 (£13.94)	£14.26 (£13.94)	4.17% (0%)
Lower	£13.62 (£11.10)	£13.42 (£11.30)	1.47% (-1.80%)	£13.08 (£11.84)	£13.08 (£11.91)	0% (-0.59%)

(Figures for 2022 in brackets)

As there is no statutory requirement to provide ethnicity pay gap information, comparisons are difficult. The Office for National Statistics - Annual Population Survey shows the median Ethnicity Pay Gap for 2019 as 2.3%, however there are considerable variations across different ethnic groups and gender.

The Council is reflective of the local communities in terms of its overall ethnicity representation (21.6% non-white British – 2021 Census), however this is not consistent across all levels of the organisation. The Fit for Future programme offers the opportunity for this to be investigated further and identify drivers and barriers to progression.

## Equalities Annual Report 2023 including Pay Gap Report

### Disability Pay Gap

Since last year, the Council has also voluntarily calculated the Disability Pay Gap

#### The Disability Pay Gap figures for 2023 are:

Non-Disabled	404 employees / 90.79%
	(408 employees / 90.47% - 2022)
Disabled	22 employees / 4.94%
	(27 employees / 5.76% - 2022)
Not known/prefer not to say	19 employees / 4.27%
	(17 employees / 3.77% - 2022)
Mean hourly rate (Non-Disabled)	£19.33 (£17.00 – 2022)
Mean hourly rate (Disabled)	£17.85 (£16.34 - 2022)
<b>Mean disability pay gap</b>	<b>7.66% (3.88% - 2022)</b>
Median hourly rate (Non-Disabled)	£16.39 (£14.70 - 2022)
Median hourly rate (Disabled)	£16.65 (£15.38 - 2022)
<b>Median disability pay gap</b>	<b>-1.59% (- 4.63% - 2022)</b>

#### Pay Quartiles by disability

Quartile	Non-Disabled	Disabled	Not known	Description
Upper	92.8% (94.69%)	2.7% (3.54%)	4.5% (1.77%)	Includes all employees whose standard hourly rate places them above the upper quartile
Quartile 2	90.99% (84.96%)	6.31% (9.73%)	2.70% (5.31%)	Includes all employees whose standard hourly rate places them above the median but at or below the upper quartile
Quartile 3	92.79% (90.27%)	4.5% (7.08%)	2.71% (2.65%)	Includes all employees whose standard hourly rate places them above the lower quartile but at or below the median
Lower	86.61% (91.96%)	6.25% (2.68%)	7.14% (5.36%)	Includes all employees whose standard hourly rate places them at or below the lower quartile

(Figures for 2022 in brackets)

## Equalities Annual Report 2023 including Pay Gap Report

Quartile	Mean hourly rate – Non-Disabled	Mean hourly rate – Disabled	Mean disability pay gap	Median hourly rate – Non-Disabled	Median hourly rate – Disabled	Median disability pay gap
Upper	£30.09 (£27.30)	£25.86 (£23.51)	14.06% (13.88%)	£27.35 (£25.01)	£28.19 (£23.59)	-3.07% (5.68%)
Quartile 2	£18.46 (£16.65)	£19.26 (£17.00)	-4.33% (-5.43%)	£18.11 (£16.22)	£19.82 (£17.10)	-9.44% (-5.43%)
Quartile 3	£15.01 (£13.80)	£15.13 (£13.71)	-0.79% (0.65%)	£14.88 (£13.94)	£14.66 (£13.88)	1.48% (0.43%)
Lower	£13.08 (£11.05)	£14.96 (£11.08)	-11.73% (- 0.27%)	£13.08 (£11.77)	£15.39 (£11.72)	-17.66% (0.42%)

(Figures for 2022 in brackets)

Once again there is no statutory requirement to report the Disability Pay gap, but the Council believe it is good practice to do so. The Office For National Statistics Annual Population Survey show the median Disability Pay gap for 2021 as 13.8%. The Council's figures look favourable in this context however our representation of the community is low (13.6% with a disability – 2021 Census). The employee monitoring figures for those declaring a disability are not as robust as they could be so work will need to be done around this.

The Gender Pay Gap action plan will be updated to include actions addressing the pay gaps in general.

## Gender Pay Gap Action Plan 2022/23

PAY AND PERFORMANCE	TIMESCALE	RESPONSIBILITY	ACTION/PROGRESS
Undertake detailed analysis of salary structure.	Dec 2022	AJ/SR	To identify if any inconsistencies are occurring across job level, pay grade, full/part-time. <b>Completed.</b> To be repeated every 3 years.
Analyse data on starting salaries of appointments and promoted posts.	Dec 2022	HR	<b>Completed.</b> No discrepancies found. To be repeated every 3 years
Analyse PDR rating by gender.	June 2022	SR	Assess evidence of gender based differences. <b>Completed</b> for 2022 – No discrepancies found.
Planned review of Pay and Reward structure	To start 2023	AJ/SR	<b>Completed</b> – clearer structure/career progression – will aid transparency
RECRUITMENT AND PROMOTION			
Introduce recruitment and selection guidelines.	2023	AJ/RZ	To cover good practice on shortlisting/HR involvement/gender balance on interview panel/gender neutral language in adverts & job descriptions. Guidance document on shortlisting, includes information about Disability Confidence.
Ensure employees involved in the recruitment process receive training, including non-discrimination & fair treatment in recruitment.	On-going	All	Investigate e-learning provision Induction for new recruiting managers – ongoing.
Assess suitability of each new role advertised for flexible working.	Ongoing	HR Managers CLT	Due to introduction of hybrid working, flexibility is inbuilt. Regular evaluation will take place via 1:1s, employee survey etc.
Increase women's access to networking and informal development opportunities, e.g. In-house mentoring programme.	2023	HR Managers	Undertake focus groups to assess requirements. Look into options available for mentoring/coaching.
Ask senior women to share story of journey, including what worked/didn't work, support available.	2023		
Ask senior employee who works flexibly/part-time to become a	2023	HR	For inclusion in employee communications.

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flexible working champion/share story.			
Review employee survey questions to include a question on how well particular policies are implemented, e.g. flexible working/supporting carers.	2024 (tbc)	SR	Review survey questions Next Employee Survey due February 2024 (tbc)  In progress
Review employee survey to see how responses could be analysed in a more meaningful way, e.g. by gender & teams.	2024 (tbc)	SR	Review metrics requested – including gender, ethnicity & disability.
Amalgamate family friendly policies into Parents at Work Policy. Communicate & promote the benefits to employees once approved.	June 2022	SH CMG Unison	Agreed by CMG & Unison. <b>Adopted</b> by full Council. Policies updated.
Evaluate the Working Forward Campaign	June 2023	HR E&WWG	Designed to make the workplace the best it can be for pregnant women and new parents. Investigate requirements. Sign up, identify gaps.
Review Harassment Policy, including sexual harassment, to ensure it is fit for purpose.	Dec 2022	RZ CLT Unison	Research best practice – ACAS. Major review of Bullying & Harassment carried out in 2019, including survey, updating policy & procedures, awareness raising and training. <b>Policies updated</b> , awareness campaign run. Training for all managers completed 2022 . Include in planned work on women’s experiences in the organisation
Review exit interview process.	Dec 2023	HR Assistant (project)	Assess why employees are leaving the organisation. Set up e-survey (liaise with Marketing Comms) – so that trends can be identified.
<b>TRAINING AND DEVELOPMENT</b>			
Continue to promote learning & development opportunities across the organisation. Look into introducing secondment opportunities.	Ongoing	SR/AJ	Work in progress. Secondment opportunities to be offered as part of Fit for Future programme.



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Assess talent management programmes/women in leadership programmes to see if appropriate for organisation.	During 2023	SR/AJ	Work in progress
Investigate a return to work programme.	During 2023	RZ	Designed to assist new/returning mothers with opportunities to enhance their skills.
<b>FLEXIBLE AND PART-TIME WORKING</b>			
Map what types of flexible working are used in the organisation and look at this by team & gender.	2022	HR	Hybrid working may have superseded this. Survey conducted 2022 on hybrid working. Training and guidance provided to managers on managing hybrid working. Webinars for employees on working effectively in this manner & safeguarding wellbeing.
Review how flexible working e-forms and guidelines are communicated to employees to ensure it is easily accessible & understood by everyone.	During 2022	HR	Process reviewed. Hard copies available to those who may not have access to ewokplus. <b>Completed</b>
Meet Carers Confidence benchmark	During 2023	RZ/JB	Supporting Carers Policy – approved by CLT/Unison. Launch during Carers Week , ewokplus signposting, employee support group,
<b>GENERAL</b>			
Development of Baby Loss and Menopause Policies. Review support available.	During 2023	RZ E&WWG	
Investigate women’s experiences of working for the organisation, including questionnaire, focus groups.	During 2023	RZ	Seek views of employees and test assumptions. Questions drafted for gender survey



Supporting Carers Policy

## Supporting Carers Policy

<b>Document Type:</b>	Corporate Policy
<b>Document Name:</b>	Supporting Carers Policy
<b>Document Location:</b>	Information for Employees / Policies
<b>Effective Date:</b>	March 2023
<b>Review Date:</b>	2026
<b>Owner:</b>	HR Manager
<b>Consultee:</b>	Human Resources/Unison/Equality & Wellbeing Working Group/CLT
<b>Approved By:</b>	CLT
<b>Related Documents:</b>	
<b>Keywords:</b>	
<b>Equality Impact Assessment in place:</b>	
<b>Relevant External Law, Regulation, Standards:</b>	

Date	Changes

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### 1. **Introduction**

1. This policy sets out our commitment to supporting carers and the support that we offer to combine work with care.

2. Employees may have caring responsibilities and may need our support to combine work with care. We have adopted this policy to demonstrate our support for employees who are carers and to set out what support is available.

3. Caring can be unpredictable; it can happen overnight or creep up on you and often cannot be planned.

4. We aim to give carers the same recruitment and career opportunities as everyone else. We will give carers as much support as possible to achieve this objective.

## 2. Definition of carer

1. The legal definition of a carer is a person who provides or intends to provide a substantial amount of unpaid care on a regular basis for another individual. This can be a relative or a friend. This could include someone who is living with a critical or chronic mental or physical condition. Caring can be unpredictable; it can happen overnight or creep up on you and often cannot be planned.

2. Employers cannot treat carers less favourably than other people who do not have caring responsibilities. If you are looking after someone who is elderly or disabled, The Equality Act 2010 will protect you against direct discrimination or harassment because of your caring responsibilities. This is because you are counted as being 'associated' with someone who is protected by the law because of their age or disability.

3. Direct discrimination is where you are treated less favourably than someone else because you are caring for an elderly or disabled person. This could include your employer refusing to offer you a job because of your caring responsibilities or not offering you a promotion because of your caring responsibilities.

4. The Act also allows reasonable adjustments to be requested for caring responsibilities and other legislation provides the right to a 'reasonable' amount of unpaid time off work for unplanned caring.

5. For more information or advice about your statutory employment rights you can call the Carers UK Helpline on 0808 808 7777 or visit [carersuk.org](https://www.carersuk.org).

6. We define carers as employees with significant caring responsibilities that have a substantial impact on their working life. The activities that carers undertake are wide ranging, including:

- help with personal care;
- help with mobility;
- managing medication;
- practical household tasks;
- emotional support; and
- help with financial matters or administration.

## 3. Carers' circumstances

1. Carers' needs are different from the needs of employees with routine childcare responsibilities. Caring can be unpredictable and emotionally upsetting. An employee may acquire caring responsibilities overnight, for example where a relative or friend has a stroke, or caring responsibilities may develop over time, for example where the employee's relative or friend has a debilitating long-term health condition.

2. With routine childcare, the child's journey is more predictable as they grow older, go to school and become more independent. The milestones of caring may go in the opposite direction, for example an elderly parent may become more frail and dependent over time, and a disabled child may continue to have significant support needs when they become an adult.

#### 4. **Identification and disclosure**

1. You are not required to disclose to your employer or manager that you are caring for someone, however we would actively encourage you to do so. In this way we can work together to ensure that you can continue in your job and effectively balance your work and care commitments.

2. If you have caring responsibilities and need support, you should speak to your manager or HR and explain your situation and what assistance you think would help. HR and managers will respect the confidentiality of any information provided to them in this regard.

3. As part of the monitoring information held on HR21, there is the option to disclose whether you have caring responsibilities. You are not required to disclose this information but it enables us to ensure we have policies and procedures in place to support working carers. We will hold and process any personal data in accordance with our [Data Protection Policy](#)

4. Colleagues can be very supportive and it may help just to discuss your situation with someone you can trust at work. You may find that other colleagues are also carers and that together you are more able to talk to us about ways in which you could be supported.

Insert info about carers forum when available

#### 5. **Flexible working**

1. We offer various types of flexible working options including part-time, flexi-time, working from home and nine-day fortnight. These are designed to help employees ensure they have an appropriate work-life balance, whilst ensuring business needs are met. Further information on the options available can be found in the [Leave Policy](#)

2. **The right to request flexible working** - All employees who have worked for their employer for 26 weeks at the date an application is made can request flexible working such as changing working hours or working from home. Only one request is allowed in a year. Employers can refuse a request but must give good business reasons from a specific list which is set out in the law. Employees can appeal against this decision. Requests should be made via the [Flexible Working e-form](#)

## 6. Carers Leave

1. An employee is entitled to take a reasonable amount of time off during working hours in order to take action where necessary:
  - To provide assistance on an occasion when the person they care for falls ill, is injured or assaulted.
  - To make arrangements for the provision of care for the person who is ill or injured.
  - To attend medical appointments with the person they care for if they are unable to attend on their own or alternative arrangements can not be made.
  - In consequence of the death of the person they care for
  - Because of the unexpected disruption or termination of arrangements for the care of a person being cared for
  - To deal with any unexpected incident which involves the person being cared for.
  
2. There is no statutory right to payment for this time off. Some time off may be covered by the Council's compassionate leave arrangements. Time off with pay can be agreed using the existing flexi time/time off in lieu arrangements. Further information can be found in the [Leave Policy](#)

## 7. Other leave arrangements

1. The Council also offers Dependant Care Leave, Compassionate Leave and the option to buy additional annual leave. For more information see the [Leave Policy](#)

## 8. Other support for carers

1. Our [Employee Assistance Programme](#) offers confidential 24/7 counselling, advice, information and support on some of the practical and emotional issues that carers may face, including claiming benefits and allowances, organising respite care, obtaining specialised equipment and their own health and wellbeing.
  
2. Our trained [Mental Health First Aiders](#) are available if you need someone to speak to.
  
3. We provide information about sources of support for carers and their dependants on [ewokplus](#)
  
4. The Quiet Room is available on the 4<sup>th</sup> floor to provide a private space to make or receive calls in connection with caring responsibilities. Provision of a private space should also be available at the outstations.
  
5. We have a Carers Forum that provides practical peer-to-peer support and information for carers and works with HR to raise awareness about caring issues

and promote carer-friendly policies and practices within our organisation. (to be set up)

6. E-Learning Courses - Employers for Carers have produced a range of [e-learning courses](#) which are free to access. Topics include:

- Introduction to carers - introduction for all employees
- Supporting Carers in your workplace (for managers)
- About Me: building resilience for caring
- You and your wellbeing
- The role of good nutrition in caring for someone
- Young adult carers e-learning

9. **Monitoring and review of this policy**

1. This policy will be reviewed in 2025 by HR or earlier, if there are any changes in legislation, to ensure that it meets legal requirements and reflects good practice.

2. Employees are invited to comment on this policy and suggest how it might be improved by contacting [hr@woking.gov.uk](mailto:hr@woking.gov.uk)



**Carers Confident Action Plan – Oct 2022**

Requirement	Action	Responsibility	Progress
<b>Preparation - Enabling carers to identify and recognise themselves</b>			
There is awareness of carers in the workplace.	Monitoring category on HR21	HR	✓
	Dedicated Carers section on ewokplus	RZ	To be launched with policy launch
	Encouragement and support (formal or informal) in place to enable carers to identify themselves (if they wish to)	HR	Guidance for managers
	Include a question about caring in employee survey	HR	To be included in next survey
	Willing to make reasonable adjustments in working arrangements if requested by a carer.	HR	Guidance for managers
<b>Policy and guidance - Making support for carers transparent</b>			
	Develop Carers policy	RZ	
	Carers recognised within existing policies and update these where required e.g. Leave Policy, flexible working	HR	Review policies
<b>Practical support - Practical provisions and arrangements for carers</b>			
	Information is available about how carers can access workplace support.	RZ	Ewokplus page
	Information is available on external support and services for carers.	RZ	Ewokplus page
	Practical workplace support is maintained and reviewed with carer involvement.		
	Carers are involved in developing further appropriate support options in the workplace.		
	Tools and/or coaching are available to provide practical information and support and promote resilience.		

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<b>Peer support - Connecting and engaging carers</b>			
	Carers engage with and support each other – establish carers forum		Support group (?)
	There is a specific carers champion, person with lead responsibility for supporting carers or a dedicated point of contact for carers in the workplace.		
<b>Promoting support - Communicating carer support</b>			
	Policies/provisions available for carers are communicated to all levels and members of staff.		
	Policies/provisions available for carers are included in relevant communications and information for line managers.		
	Promotional materials including leaflets, newsletters and posters displayed within the workplace.		
	Awareness raising activities are undertaken in the workplace.		
	Carer support is included in staff/manager induction training and information.		
	Line manager training is provided on carer awareness and support (either as a separate session or included within a wider course).		
	Support/involvement in wider carer awareness raising events and campaigns, such as Carers Week/Carers Rights Day.		