

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 21 March 2024

Present:

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

Cllr P Graves Cllr E Nicholson
Cllr I Johnson Cllr D Roberts
Cllr L Lyons

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

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

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

In accordance with the Officer Employment Procedure Rules, the Head of Transformation, Digital and Customer, Adam Walther, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he was a Council-appointed director. The interests were such that Mr Walther could advise the Executive on those items.

3. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 1 February 2024 be approved and signed as a true and correct record.

4. URGENT BUSINESS

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

5. QUESTIONS

The Leader welcomed Mr Philip Stubbs, Chair of Knaphill Residents Association, who had submitted three questions under Section 3 of the Executive Procedure Rules regarding The Vyne. A copy of the questions together with the replies were before the Executive. The questions, together with the replies from the Portfolio Holder, were presented as follows:

Question 1 from Mr Philip Stubbs

“The Vyne, there are known major faults with the building, poorly fitted solar panels, leaking roof, failed heating system, etc. Will the Council confirm that all faults with the building are rectified by their own staff or responsible third parties and accept ongoing responsibility for the building.”

Supporting Statement

“Knaphill Residents Association (KRA) are aware of the transfer of management responsibilities of The Vyne to Dramatize under a CAT and we, as the residents association, hope this works in the best interest of the users of The Vyne. The Vyne is a vibrant and busy community centre at the heart of Knaphill and all residents value it. This transfer of responsibility does not remove the residents concerns, this CAT is a significant step up for Dramatize and we hope the appropriate Council officers and Councillors will retain a watching brief. As you know the KRA organised a petition which basically asked that any changes to the Vyne and to our community transport will not disadvantage the users of The Vyne. This petition gained 1627 signatures.”

Reply from Councillor Ellen Nicholson

“Thank you Mr Stubbs for your question and thank you for coming this evening. A building condition survey is being completed at The Vyne to give a clearer understanding of the responsibilities under the Community Asset Transfer (CAT) process. The upkeep of the building is being split as per a responsibility matrix with the Council staying responsible for the fabric of the building. Creating a sinking fund from future income generated will enable the community group to set aside funds to pay for future maintenance requirements of the building. In addition, the Council has made some provision within the UK Shared Prosperity Fund (UK SPF) for essential repairs to be undertaken to the community centres to prepare them for transfer.”

Mr Stubbs was thanked for his question and invited to ask a supplementary question.

Supplementary Question from Mr Philip Stubbs

“Will you be sharing that report with us?”

Reply from Councillor Ellen Nicholson

“So my understanding is the building report is being carried out at this moment in time, it should be available within the next couple of weeks. Mrs Strongitharm, would that be able to be shared with anybody who has expressed an interest on a community asset transfer? Is that possible?”

Reply from Louise Strongitharm, Strategic Director - Place

“Yes, I think for those that have formally expressed an interest in a community asset transfer, then I see no reason why that could not be shared with them at that point when it is ready, thank you.”

Question 2 from Mr Philip Stubbs

“The Vyne, can the Council confirm that, on behalf of the 1627 people who signed the petition, the KRA will be consulted on the various steps of the handover of the part of the building being transferred to the NHS and that the current services (such as mother & children sessions) will continue.”

Supporting Statement

“Part of the Council’s plans for The Vyne are to transfer part of the building to the NHS. We deliberately use the phrase NHS and not the name of the owners of the adjoining Medical Centre. It is essential that the current NHS related services, Children & Family Health service, Foot health care, CAMHS, etc are retained. Residents, of all ages, value these services being available locally in Knaphill.”

Reply from Councillor Ellen Nicholson

“Council Officers and Members have been keen to work with KRA, as you know we have had a number of meetings together, on the future proposals for The Vyne. A joint meeting was held in order for KRA to find out more about the provision that Dramatize have proposed, which was generally welcomed by KRA, yourself included and other members of the public who were there. The negotiations with the NHS are still ongoing as we made clear at those meetings. Like yourselves, we were surprised with the mother and baby group being withdrawn from The Vyne and those conversations are ongoing. So we cannot confirm those details of what is proposed for this space at this moment in time, this is an ongoing conversation. Thank you to all those people in the community who have actually signed the petition. I have the petition here, Mr Lalleman gave it to me and it is an impressive document. It is heartening to see the response from the community around this vital resource, thank you.”

Mr Stubbs was thanked for his question and invited to ask a supplementary question.

Supplementary Question from Mr Philip Stubbs

“A week today, next Thursday, the mother and baby clinic will close at The Vyne. This came to our attention when a young mother contacted me on the 7th of March to say there was a notice giving four weeks notice of the closure. I immediately contacted Councillor Nicholson and the three Ward Councillors. As of yesterday, I exchanged e-mails with the NHS lady responsible and Steve May of Woking Borough Council. The NHS don't want to leave The Vyne. They are of the understanding that, with effect from the 1st of April, the back half of The Vyne transferred to the GP surgery. Now the GP people may have done a

very good PR job to get their hands on it, I don't know, but there has been a complete breakdown in communications, and the people who will suffer are young mothers not only from Knaphill, but Brookwood, St Johns, Goldsworth Park and Bisley, who find that their only alternative for a drop-in session of these clinics is Sheerwater. Now there are limited, and I use the word very strongly, limited appointments at Goldsworth Park, but even the NHS say the room they have been allocated at Goldsworth Park is totally inadequate. You are letting down a lot of young mums and the ones who need that service the most are the ones who will not travel to Sheerwater. I hope the Council can act quickly so that that service does not leave The Vyne or, if it does, it is for the minimum amount of time, thank you."

Reply from Councillor Ellen Nicholson

"Thank you, Mr Stubbs. So as I said earlier, this was an NHS decision, this wasn't a Council decision. From Woking Council's perspective, we were surprised by the notice of leaving The Vyne and from our perspective as we are in negotiations with the NHS about the space at the back of The Vyne, we would be very happy for the mother and baby group to continue. So I think it is really around ongoing conversations with the NHS group to see if we can resolve this situation, thank you."

Question 3 from Mr Philip Stubbs

"The transfer of the management of The Vyne to Dramatize is a first for the whole of a community centre. Will the Council outline what their role will be after the transfer of control on 1st April 2024."

Supporting Statement

"The Vyne is a vibrant heavily used community centre and the aim of the KRA is to retain the vibrance of the much loved community centre. This is a first for Dramatize and we will work positively with Dramatize and we hope that the Council will retain an active involvement."

Reply from Councillor Ellen Nicholson

"Dramatize are taking over the whole of the Vyne, excluding those areas that we talked about previously that will be leased to the NHS. There will be some changes to the facilities and service offer provided by Dramatize, as is to be expected as it's a new organisation. However, their intention is to continue to offer a hot meal to former day care customers, alongside meeting their own charitable aims to work with people with Special Educational Needs and adults with learning disabilities. They will safeguard as many of the existing hirers as possible, whilst needing to deliver a viable business model. The UK Shared Prosperity Fund (UK SPF) for community centres will include the Council employing a Community Asset Transfer (CAT) Broker, a new role to the Council, to support the transitional arrangements with new transfers."

Mr Stubbs was thanked for his question and invited to ask a supplementary question.

Supplementary Question from Mr Philip Stubbs

"Under the last question, I pointed out a breakdown in communication. Seeing that we are looking at a 25 year contract for the running of The Vyne, it would be sensible if we could be given a copy of the service agreement the Council entered into. Is that possible?"

Reply from Councillor Ellen Nicholson

“I think I would probably have to take legal advice from Officers.”

Reply from Louise Strongitharm, Strategic Director - Place

“I don't believe any of them are in place yet. We are happy to share it with the residents association, but at this stage none of the documents have been completed with any of the transfers, they are still very much in negotiations. I don't think there are any signed agreements that we could share with you at this stage, but we could obviously once we get to that stage.”

The Leader thanked both Mr Stubbs for his questions, and Knaphill Residents Association and others who put together the very large petition highlighting the importance of The Vyne. The Leader was pleased a way forward had been found for the centre. Disappointment was expressed that the NHS was looking to withdraw the mother and baby service, and it was noted that the Council would do all it could to encourage the NHS to continue the important service.

The deadline for written questions from members of the public was 12 noon, seven days before the Executive. The next Executive would be held on 13 June 2024, so the deadline for written questions was 12 noon, 6 June 2024.

6. THE IMPROVEMENT AND RECOVERY PLAN PROGRESS - NOVEMBER 2023 TO MARCH 2024 EXE24-009

The Leader of the Council, Councillor Barker, introduced the report which recommended to Council the third Improvement and Recovery Plan progress report to Commissioners. The Improvement and Recovery Plan had been adopted by the Council in August 2023 following government intervention, and detailed the actions that the Council would undertake to deliver against the Government directions, together with milestones and delivery targets to measure progress. The Leader reported that although the Council remained in a challenging financial position and there was much work to do, good progress had been made on the Council's journey towards financial sustainability and delivering best value for residents. Attention was drawn to the Council being able to set a legal budget for 2024/25, which demonstrated to Government and residents that the Council was taking steps to get its own house in order and move towards financial sustainability.

Key areas of progress were highlighted across the Plan's five themes; Financial Recovery, Commercial, Governance and Assurance, Organisation and Service Redesign, and Housing Recovery and Improvement. It was noted that later on the agenda, the Executive would consider proposals to strengthen the Council's companies governance arrangements, investment in a new Resident Services Programme to improve customer experience, and proposals for a new Council meeting structure to improve effectiveness, openness and transparency of decision making.

The Overview and Scrutiny Committee had considered the progress report at its meeting on 18 March 2024 and had not made any specific proposals.

The Executive welcomed the improvement and recovery work undertaken across all the Plan's themes and thanked Officers for their hard work.

RECOMMENDED to Council

That the third Improvement and Recovery Plan progress report to Commissioners be approved.

Reason: Following statutory government intervention and the issuing of a Section 114 Notice, the Council was required to put in place an Improvement and Recovery Plan and to report to the Commissioners on its delivery.

7. COMPANIES GOVERNANCE FRAMEWORK - SHAREHOLDER EXECUTIVE COMMITTEE EXE24-025

The Executive received a report which set out proposals to further strengthen the Council's oversight and governance of its companies. Following changes to the governance of Council companies approved by Council in July 2022, further detailed work was undertaken as part of the Improvement and Recovery Plan which led to the Executive adopting the Companies' Governance Framework at its meeting on 16 November 2023. As part of the Council's continuous improvement, it was proposed to replace the Shareholder Advisory Group (SAG) with a formal Shareholder Executive Committee (SEC) in order to enhance, improve and strengthen governance. The SEC would comprise of the Executive and an Independent Co-opted Member, and would have scheduled public meetings in order to increase transparency. It was noted that Part Two commercially confidential matters would be kept to a minimum. Practical issues were raised such as the increase in face-to-face meetings, and resource requirements to properly manage the SEC.

Following a question on Appendix 2, it was clarified that COE referred to Council Owned Entities.

RESOLVED

That (i) the Shareholder Advisory Group cease to exist as a group and the Shareholder Executive Committee be established as its replacement;

(ii) the Terms of Reference for the new Committee, attached at Appendix 1 to the report, be approved; and

RECOMMENDED to Council

That Part 6 of the Council's Constitution be amended as set out in Appendix 2 to the report.

Reason: Establishing a new Committee will formalise arrangements for the oversight and governance of the Council's companies in the interests of accountability and transparency.

8. REVIEW OF COUNCIL MEETING STRUCTURE EXE24-026

The Leader of the Council, Councillor Barker, introduced the paper which proposed a new Council meeting structure following a review of existing arrangements undertaken by Officers in partnership with a number of stakeholders including the Centre for Governance and Scrutiny (CfGS). The Leader explained that the proposals would provide greater openness and transparency of the decision-making process by increasing the number of meetings held in public, and would allow all Members to take a role in scrutinising the work of the Council. No change would be made to the current Strong Leader Model operated by the Council. It was proposed to rationalise the number of 'closed' meetings, such as Working Groups, Panels and Boards. To improve the scrutiny function of the Council, it was proposed to reconstitute the Overview and Scrutiny Committee as three, directorate-specific, Scrutiny Committees. It was noted that the proposed Scrutiny Committees would be able to establish Task and Finish Groups for undertaking a time-defined piece of work. Further, it was proposed to rename the Standards and Audit Committee to the Audit and Governance Committee reflecting the important work of the Committee in the audit and governance of the Council. A requirement would be included that Councillors received appropriate training to sit on the Audit and Governance Committee. The Leader also set out plans for a Chair's Group and an Employment Committee.

The Executive was advised that Members had been consulted on the proposals through workshops and briefing sessions. It was noted that the Overview and Scrutiny Committee had considered the proposals at its meeting on 18 March 2024.

Regarding Community Infrastructure Levy (CIL) applications for funding below £10,000 on a neighbourhood basis, it was confirmed that the current requirement for Ward Councillors to be in agreement of such applications before submission to the Council would remain.

The Executive welcomed the proposed reduction in the number of 'closed' meetings which would increase openness and transparency. The number of face to face meetings proposed was raised, and the environmental benefits of online meetings were highlighted. It was noted that non-voting participants could be able to participate virtually. It was commented that planned agendas could benefit the three Scrutiny Committees. Concern was raised at the timescale to produce a revised Constitution by 20 May 2024. It was also commented that the Chair's Group should include Vice Chairs. The Executive was keen to find an alternative way to take forward the benefits of the work of the Greener Working Group, which had been a valued group.

The Executive was supportive of the proposals which would put in place a new Council meeting structure that would be more efficient, effective and use staff resources in the best way possible. Officers were thanked for their hard work on putting together the proposals. The Review of Council Meeting Structure report would be considered by Council at its meeting on 28 March 2024.

RESOLVED

That comments of the Executive on the proposed new structure be submitted to Council.

Reason: For the Executive to review and provide commentary on the proposed new meeting structure.

9. THAMESWEY CENTRAL MILTON KEYNES LIMITED OFFER TO MARKET EXE23-083

Following the action in the ThamesWey Business Plan 2023 to appraise future options for ThamesWey Central Milton Keynes (TCMK) which included potential market sale, the Executive received a report which provided progress to date, the outcome of an expressions of interest exercise and the next steps towards inviting offers from prospective bidders. The Executive was advised that, due to the Council's rationalisation and focus on delivery for local residents, the Council had agreed that TCMK should be sold. Following advice, the Council would be brought into the confidentiality agreement in order to have more information about the potential sale with a recommendation being brought back to the Shareholder Executive Committee in the new Municipal Year. It was highlighted that the potential sale of TCMK would remove a large amount of the emissions under the Council's responsibility, which would contribute towards Net Zero by 2030.

RESOLVED

That ThamesWey be authorised to proceed to the next step of inviting offers (Best and Final Offer) from prospective bidders for the acquisition of ThamesWey Central Milton Keynes (TCMK).

Reason: In pursuance of the Council's adopted Business Plan for ThamesWey.

10. VICTORIA SQUARE WOKING LTD - SHARE PURCHASE EXE24-024

The Executive received a report which sought approval to authorise the Share Purchase option available to the Council under the Shareholders' Agreement dated 25 April 2017 in relation to Victoria Square Woking Limited (VSWL). The Executive was advised that the share purchase would allow the Council to take control of VSWL and enable the Council more flexibility to deliver its strategic aim to reduce its financial burden and seek the best value for the asset. It was noted that the share purchase value was £15,600 and would allow the Council to become 100% shareholder of the company.

RESOLVED

That (i) the Council exercise its option to purchase the shareholding from Moyallen Holding Limited; and

(ii) the Section 151 Officer and Monitoring Officer be delegated powers to finalise and complete all necessary legal agreements.

Reason: To enable the Council to rationalise its assets and seek the best value for return on its investment.

11. ASSET DISPOSAL EXE24-033

The Executive received a report which sought approval to dispose of the freehold interest in the Egley Road Barn Site via an Informal Tender. It was intended that an outline planning application be undertaken by the Council to address major uncertainties over the level of housing that could be delivered on the site. The Executive was advised that it was anticipated that the Council could realistically expect to secure consent for circa 50 houses, with the finer details to be left to the purchaser of the land. It was expected that an

verage agreement would be incorporated to ensure that additional land payments were made if the purchaser secured consent for a greater amount of residential floorspace.

Following a question regarding the cost to the Council of interest costs on the borrowing since the site was bought, it was reported that the site was purchased by the Council in 2019 for £11.1m. The total interest costs to the Council was around £1.3m given annual interest costs of some £330k per year.

RESOLVED

- That (i) the Council dispose of the freehold interest in the Egley Road Barn Site via an Informal Tender; and
- (ii) the site should be marketed and sold on the basis set out within the Part I and II reports.

Reason: This disposal of the Egley Road Barn Site will generate a capital receipt for the Council and will enable the delivery of housing on this site by a third-party developer.

12. ASSET DISPOSAL EXE24-035

The Executive received a report which sought approval to dispose of the freehold interest in the Westfield Avenue Compound to the preferred bidder once planning consent had been secured for nine houses. It was noted that the site was in temporary occupation by Woking Football Club as a yard and offices, and that the Football Club had been invited on several occasions to bid for the site.

The Executive was informed that a bid had been accepted in principle subject to Executive approval. It was noted that the Council bought the land in 1996 and its sale would achieve a capital receipt.

Complexities of the site were highlighted and it was agreed that comments raised regarding privacy and floodlight issues would need to be considered as part of the planning application process.

RESOLVED

That the Council dispose of the freehold interest in the Westfield Avenue Compound to the preferred bidder once planning consent has been secured for nine houses.

Reason: The disposal of Westfield Avenue Compound will provide a capital receipt to the Council and will facilitate the redevelopment of this vacant site to deliver houses and improve the local area.

13. REGULATION OF INVESTIGATORY POWERS ACT 2000 – ANNUAL MONITORING REPORT EXE24-007

Each year, the Executive received a report on any use of investigative powers by the Council in accordance with the Regulation of Investigatory Powers Act 2000 (RIPA). The report confirmed that no RIPA authorisations had been issued during the 2023 calendar year.

RESOLVED

That the Council's non-use of the Regulation of Investigatory Powers Act 2000 during the 2023 calendar year be noted.

Reason: To comply with the Council's RIPA policy and Home Office Codes of Practice.

14. NCIL - APPLICATION FOR FUNDING - PHOENIX CULTURAL CENTRE CIC EXE24-039

The Executive received an application for Neighbourhood Community Infrastructure Levy (NCIL) which sought to secure £17,500 to repair a lift within the Phoenix Cultural Centre. The application met the requirements of a CIL application and had broad community support with all Ward Councillors supportive of the project. The Executive was supportive of the application which would improve accessibility for those who used the Centre's facilities and increase community participation at an important and valued community asset.

RESOLVED

That (i) the application submitted by Ward Councillors for Canalside to secure £17,500.00 to repair a lift within the Phoenix Cultural Centre be approved; and

(ii) the Financial Control Panel be authorised to approve payment for the cost of lift repair which will be drawn from the total NCIL income earmarked and available for Canalside Ward. This currently stands at £322,413.32 (Post S114 funds available £29,704.70).

Reason: To enable the Council to contribute toward the improvement and provision of community infrastructure within Woking.

15. WRITE OFF OF SUNDRY DEBTS EXE24-008

Members were advised, that under Financial Regulation 12.14, the write off of any debt over £10,000 had to be authorised by the Executive. A small number of council tax, business rates and sundry debts had been identified as irrecoverable and were now before the Executive. Councillor Roberts, Portfolio Holder for Finance, confirmed that debts were only recommended for write off when there was no possibility that the income could be recovered.

The Portfolio Holder advised that the largest business rates item related to Twisted Stone, a company dissolved in 2022, that operated a golf course in Pyrford. The Executive heard that it was understood that a new business was operating on the same site and had become liable for business rates from August 2022. It was noted that the Council was taking all the proper steps to pursue the liability for that business for business rates. The Executive was encouraged that the business rate collection was typically 98%.

Following a question, it was confirmed that individual names would not be disclosed due to GDPR regulations however company names could be disclosed. Officers would check for discrepancies in future reports.

RESOLVED

That the debts listed in Appendix 1 to the report be written off.

Reason: To write off debts over £10,000.

16. RESIDENT SERVICES PROGRAMME EXE24-022

The Executive received a report which provided a summary of the Resident Services Programme and which sought approval to proposed investment in the Council's critical service areas. The proposals represented the Council's commitment to becoming a focused Council delivering services to residents and businesses, and the Programme would become a key driving force behind the Organisation and Service Redesign Theme of the IRP. Councillor Roberts, Portfolio Holder, advised that the Programme would deliver an improved experience to residents and reduce operational costs. The report set out proposals regarding web publishing, telephony, and customer facing platform.

Following a question regarding accessibility in respect to web publishing, it was confirmed that international Web Content Accessibility Guidelines (WCAG) would be followed. Translation of webpages was raised. It was hoped that improved online access to services would allow Officers more capacity to deal with customers who could not access services online or needed additional help and support. It was noted that currently, 55% of contacts were via telephone and 45% were online, mainly via email.

The Executive welcomed the proposals which represented a positive move forward and would transform services for residents.

RESOLVED

That (i) the Programme Workbook, attached at Appendix 1 to the report, be agreed, with explicit reference to the Capital Receipts budget approved for Resident Services Programme, of £700,000 capital in 2024/25 - 2025/26, to replace the current technology underpinning the web publishing platform, www.woking.gov.uk; upgrade telephony and contact centre offer; and upgrade the customer facing platforms, as outlined in the Resident Services Programme Workbook; and

(ii) to note the additional £350k revenue to deliver the aims of the Workbook - £175,000 from Flexible Use of Capital Receipts, £175,000 from ICT Revenue budget over the period 2024/25 - 2025/26 as outlined in the Workbook.

Reason: To ensure WBC has the technology, design and delivery infrastructure and capability in order to upgrade and maintain effective resident services.

17. MONITORING REPORTS - PROJECTS EXE24-029

The Executive received a report which provided an update on progress in relation to the Council's project management arrangements, assurance and processes. The report included the status of projects as at the end of January 2024. It was noted that there were fewer projects due to the Council's focus on becoming a smaller, more effective and efficient organisation centred on the needs of residents.

RESOLVED

That (i) the report be received; and

(ii) the detailed project monitoring recorded in Appendix 1 to the report be approved.

Reason: To monitor progress on development to the Council's project management approach.

18. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of items 19 and 20 in view of the nature of the proceedings that, if members of the press and public were present during these items, there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, to the Local Government Act 1972.

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

19. ASSET DISPOSAL EXE24-034

RESOLVED

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

Reason: To bring the site into economic use and to realise a capital receipt in line with the Asset Rationalisation Strategy.

20. ASSET DISPOSAL EXE24-036

RESOLVED

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

Reason: The disposal of Westfield Avenue Compound will provide a capital receipt to the Council and will facilitate the redevelopment of this vacant site to deliver houses and improve the local area.

21. VOTE OF THANKS

The Leader of the Council, Councillor Barker, thanked Officers for their hard work over the year and expressed her appreciation of the support and assistance of the Members of the Executive. On behalf of the Executive, Councillor Forster thanked the Leader for her leadership, energy and resilience over the year.

This document was published on Friday 22 March 2024 and the decisions within it will be implemented on Wednesday 3 April 2024, subject to call-in.

The meeting commenced at 7.00 pm
and ended at 9.19 pm.

Chairman: _____

Date: _____