

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 12 September 2024

Present:

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

Cllr I Johnson Cllr D Roberts
Cllr E Nicholson

Absent: Councillor L Lyons.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Lyons.

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.

The interest of the Head of Transformation, Digital and Customer, Adam Walther, was referred to in the agenda but it should be noted that Mr Walther was not present at the meeting.

3. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 11 July 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

No written questions had been submitted under Section 3 of the Executive Procedure Rules. The Leader highlighted that the Executive welcomed questions from members of the public and explained the submission process. The deadline for written questions from members of the public was 12 noon, seven days before the Executive. The next Executive would be held on 17 October 2024 so the deadline for written questions was 12 noon, 10 October 2024.

6. GROUNDS MAINTENANCE AND STREET CLEANING CONTRACT RE-TENDER EXE24-075

Before introducing the report as Portfolio Holder, Councillor Forster announced that he would be stepping down from both the Executive and as Deputy Leader of the Council in light of his new role as Member of Parliament for Woking.

Councillor Forster explained that the paper before the Executive recommended to Council that the contract for the provision of Grounds Maintenance and Street Cleaning Services be awarded to the highest scoring tenderer following a long procurement process. The Executive noted that the contract was one of the Council's largest services and included highways street cleaning, grounds maintenance and tree inspections, green spaces and play areas. A confidential report would be considered under Part II of the meeting which set out commercially sensitive information.

The Executive was informed that the Council's current contract was awarded to Serco in 2003 and would end on 31 March 2025, due to the maximum permitted extensions being reached. Changes to the contract had been made in recent years, such as the removal of highway trees and verges maintenance, and changes as part of the Council's savings review process. It was noted that Serco had not submitted a bid for the new contract due to changes to its business model. The Executive acknowledged how well Serco had performed over the length of the current contract, particularly on its response to tree issues around the Borough, and thanked Serco for its valuable service. It was highlighted that, going forward, tree inspections would be brought in-house and out of hours tree work would be part of the new contract.

The Executive welcomed the community work and online services included in the new contract. Following a question regarding sports pitches, it was confirmed that sports pitches would continue to be maintained to the relevant governing bodies standards.

The Executive agreed to recommend the proposals to Council, noting that there would be a 10-day standstill period between notification of the contract award decision and the contract award itself. The Executive thanked Officers for their work on the procurement.

RECOMMENDED to Council

- That (i) **the contract for the provision of Grounds Maintenance and Street Cleaning Services be awarded to the highest scoring tenderer for an initial contract period of eight years and it be noted that the value of the contract is estimated to be £3m during 2025/26, subject to annual indexation thereafter; and**
- (ii) **authority be delegated to the Head of Environmental Services and Director of Legal and Democratic Services, in consultation with the Portfolio Holder, to complete the necessary contract document exchanges.**

Reason: To secure arrangements for the provision of grounds maintenance and street cleaning services beyond the end of the current contract. This contract will enable the Council to continue to achieve its statutory duty in respect to cleaning standards and continue to provide safety critical works in respect to its sports, play and grounds facilities.

7. CLIMATE CHANGE STRATEGY EXE24-072

The Executive received a report which recommended to Council the adoption of the revised Climate Change Strategy which aimed to reduce both the Borough's and the Council's carbon footprint, enhance resilience to climate change impacts, and promote sustainable development. The Portfolio Holder, Councillor Forster, highlighted that the revised Strategy focussed on effective partnership working, for example working with Surrey County Council Highways to reduce transport emissions. In addition, the Strategy focussed on areas which the Council could directly control, such as energy use of Council-owned properties.

The Environment and Place Scrutiny Committee had considered the report at its meeting on 5 September 2024 under its remit for pre-decision scrutiny. A copy of the recommendations of the Committee were before the Executive. The first recommendation concerned the addition of a review date to be set 5 years from the start of the Government intervention. Although it was intended for the Strategy to be reviewed, the Executive was supportive of setting a specific date. The second recommendation concerned the addition of 'environment and climate change' to the implications section of committee reports. The Executive welcomed the recommendations of the Scrutiny Committee and agreed to recommend both to Council.

It was highlighted that in the Revised Climate Change Strategy at Appendix 1 to the report, under 6 - Theme: Waste, the word 'Objections' should be replaced with 'Objectives'.

The Executive discussed fly tipping, noting its impact on pride of place and on the environment. The Portfolio Holder highlighted that home composting was more efficient and the Council was looking to work with the County Council to encourage home composting for garden and food waste. Attention was drawn to recent fly tipping prosecutions, and residents and businesses were reminded to check that those paid to remove waste were an accredited waste disposal company.

The Executive welcomed the important work of Woking Environment Action (WEAct) in the Borough, drawing attention to The Repair Café initiative which was run by volunteers in Woking and had repaired over 800 items.

The Executive was supportive of the revised Strategy, adoption of which would acknowledge the Council's commitment to climate change and how it planned to address climate change through the delivery of the Council's statutory services.

RECOMMENDED to Council

- That (i) **the representations to the Climate Change Strategy consultation made between May – June 2023, attached at Appendix 2a – 2b to the report, be noted;**
- (ii) **the revised Climate Change Strategy, attached at Appendix 1 to the report, be adopted and set a basis to how the Council will continue to factor in the impact of climate change within decision-making;**
- (iii) **upon adoption, the Council will embed the objectives of the Climate Change Strategy across all departments and service reviews;**
- (iv) **a review date be added to the Climate Change Strategy, to be set 5 years from the start of the Government intervention at Woking Borough Council; and**
- (v) **Officers be requested to amend the committee report template to include 'environment and climate change' as an implication.**

Reason: To note the necessary revisions made to the Climate Change Strategy since public consultation and the issuing of the S114 notice which has changed how the Council operates.

8. HOUSING STANDARDS ENFORCEMENT POLICY AND HOUSING STANDARDS CIVIL PENALTY NOTICE (CPN) POLICY EXE24-078

The Executive received a report which recommended to Council the changes to the Housing Standards Enforcement Policy, and the adoption of the new Housing Standards Civil Penalty Notice Policy, in respect of private rented sector accommodation. The Executive welcomed the work by Officers to set a clear, consistent, proportionate and transparent approach to the enforcement of Housing Standards legislation.

RECOMMENDED to Council

- That (i) **the changes to the Housing Standards Enforcement Policy in respect of private rented sector accommodation, as set out in Appendix 1 to the report, be approved;**
- (ii) **the new Housing Standards Civil Penalty Notice Policy in respect of private rented sector accommodation, as set out in the Appendix 2 to the report, be approved and adopted;**

- (iii) delegated authority be given to the Strategic Director - Place, in consultation with the Portfolio Holder, to approve minor modifications and updates to the Housing Standards Enforcement Policy and the Housing Standards Civil Penalty Notice (CPN) Policy;**
- (iv) delegated authority be given to the Strategic Director - Place, in consultation with the Portfolio Holder, to agree the inclusion of new legislation and duties relevant to Private Sector Housing imposed on the Council by the Government in the Housing Standards Enforcement Policy and the Housing Standards Civil Penalty Notice (CPN) Policy; and**
- (v) the above recommendations, if approved, will be implemented from the 27 September 2024.**

Reason: To set a clear, consistent, proportionate and transparent approach to the enforcement of Housing Standards legislation and to enable minor amendments and the inclusion of new legislation and case law to be adopted expediently going forward.

9. IMPROVEMENT AND RECOVERY PLAN PROGRESS - MARCH TO SEPTEMBER 2024
EXE24-059

The Leader of the Council, Councillor Barker, introduced the report which set out the fourth 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 Resource and Finance Scrutiny Committee had considered the report at its meeting on 10 September 2024 under its remit for pre-decision scrutiny and, although no formal proposals had been put forward, the Committee had offered feedback on the format of the report.

The Leader drew attention to a number of areas of progress in the Improvement and Recovery Plan, noting that there was still much to do on the Council's recovery journey. The Executive welcomed the Council's willingness to benchmark and listen to external expertise, such as the Local Government Association (LGA). The report demonstrated the Council's focus on delivering statutory services for vulnerable residents and getting its own house in order. Officers advised that the more the Council understood historic issues, given the complexity of some of the arrangements entered into, the more likely it would be that further issues would be discovered that would require resolving in the best interests of the public purse. It was added that the Council remained committed to following through complex issues noting that it would give rise to more issues entering into the public arena. It was noted that this would be a positive impact of the work being undertaken.

RESOLVED

That the 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.

10. LOCAL AUTHORITY HOUSING FUND (LAHF) EXE24-081

Councillor Johnson, Portfolio Holder for Housing, introduced the report which sought approval of the Executive to accept the Local Authority Housing Fund (LAHF) Round 3 grant and for the grant to be prioritised for refurbishment of vacant homes within the Sheerwater Regeneration area. The Portfolio Holder explained that a requirement of the grant was that the refurbished properties would be offered to households being resettled on the Afghan Citizens Resettlement Scheme (ACRS) and for temporary accommodation for homeless local families. The Executive welcomed the grant funding which would allow the Council to refurbish some 12 long-term empty properties within the Sheerwater Regeneration area more quickly than previously planned and at no cost to the Housing Revenue Account (HRA). It was clarified that although there was no set quota for match funding, there was an expectation in Round 3 that there would be some. Officers advised that the agreed principle of using capital receipts would continue, however the Council would not have to use as much capital receipts to refurbish the homes. Attention was drawn to the Council's obligations under the Armed Forces Covenant, noting the needs of Afghans who put their lives at risk to support the Armed Forces in Afghanistan.

RESOLVED

- That (i) the Local Authority Housing Fund (LAHF) Round 3 grant be accepted and prioritised for refurbishment of vacant homes within the Sheerwater Regeneration area;
- (ii) the Strategic Director – Communities be authorised to sign the Memorandum of Understanding for LAHF Round 3; and
- (iii) the Strategic Director – Communities, in consultation with the Portfolio Holder for Housing, be authorised to take such decisions as may be necessary to facilitate the delivery of the LAHF homes in accordance with the grant conditions, including agreeing the properties to be included under this scheme.

Reason: To enable the Council to provide good quality, temporary accommodation locally for households facing homelessness and support the resettlement of Afghan families in the Borough.

11. LEGACY ADJUSTMENTS TO THE HOUSING REVENUE ACCOUNT (HRA) EXE24-083

Councillor Roberts, Portfolio Holder for Finance, introduced the report which provided an update on the review of recharges between the General Fund (GF) and Housing Revenue Account (HRA), the details of discrepancies on the historic recharges made, and an outline of the adjustments required to correct the recharges. In addition to £2.1m of incorrect recharges from the GF to the HRA from 2019/20 to 2024/25 being restored to the HRA as part of the 2024/25 budget work, further work had identified an additional £782k of fuel cell recharges which had been wrongly charged to the HRA dating back to 2013/14. Further, the interest on balances calculation identified an HRA entitlement from the GF of approximately £460k. The Portfolio Holder advised that the impact on the GF would be

accounted for as part of finalising the Capitalisation Directive in the 2023/24 and 2024/25 accounts. It was noted that the HRA was a ring-fenced account limited to expenditure on housing. The adjustments would restore some £3m to the HRA for maintaining and repairing Council tenant homes. The Executive thanked Officers for their diligence in identifying and restoring monies to the HRA.

RESOLVED

- That (i) the additional work since the setting of the budget identifying the further £782k reduction in historic recharges to the Housing Revenue Account (HRA) be noted;
- (ii) it be noted that this results in a cumulative adjustment of £2.9 million to the benefit of HRA reserves, improving the financial stability of the HRA;
- (iii) it be noted that an impact on the General Fund of £2.1 million was included in the 2024/25 budget and that the further impact of £782k can be covered by the Capitalisation Direction provisionally approved by the Government; and
- (iv) it be noted that the interest on balances of £460k will improve the HRA reserves and improve its viability. The impact on the General Fund can be covered by the Capitalisation Direction provisionally approved by the Government.

Reason: To correct the historic accounting treatment of recharges and interest receipts debited and credited to the HRA, increasing the HRA reserve balance accordingly.

12. DRAFT LIST OF LOCALLY LISTED HERITAGE ASSETS ‘THE LOCAL LIST’ EXE24-071

Following work carried out by County Council and Borough Council Officers to undertake a review of Woking’s existing Local List of heritage assets, the Executive received a report which set out a draft version of the new Local List to be approved for public consultation in Autumn/Winter 2024. It was noted that, once adopted, the Local List would become a material consideration in planning decisions and would feed into the new Local Plan.

RESOLVED

That the contents of the draft Local List be considered and approved for public consultation in the Autumn/Winter of 2024.

Reason: To give the public and those affected by the proposals the opportunity to comment on the document and for their comments to be considered before the Local List is adopted.

13. PERFORMANCE MANAGEMENT REPORT

The Executive considered the performance monitoring information contained in the Performance Management Report – Quarter 1, 2024/25. Attention was drawn to the slow response to complaints during the quarter which had been due to Officers being involved in work to support the Borough and General Elections. The Portfolio Holder for Housing highlighted the homelessness figures in the report and stressed the importance of the Council's focus on housing in order to tackle the serious issue.

RESOLVED

That the performance monitoring information contained in the Performance Management Report – Quarter 1, 2024-25, be received.

Reason: To manage the performance of the Council.

14. BUDGET MONITORING Q1 2024-25 EXE24-042

The Executive received a report which set out the material financial issues identified since the 2024-25 budget was set, based on the income and expenditure as at end of June 2024. Councillor Roberts, Portfolio Holder for Finance, advised that an overspend of £3.296m was projected for the General Fund and explained the material forecast variances for the period. It was noted that the majority of variances related to the Council's commercial activity, which had been identified as a workstream in the Medium Term Financial Strategy. The financial impact of homelessness was highlighted in the report; an overspend of £0.596m due to increased demand.

RESOLVED

That (i) the Council's Revenue and Capital forecasts for the General Fund and Housing Revenue Account monitoring position be noted; and

(ii) it be noted that the Corporate Leadership Team will continue to identify mitigations to enable the net expenditure for 2024/25 to be contained within the budget approved by the Council on 8 February 2024 and 4 March 2024.

Reason: Controlling the outturn within budget is essential to maintain financial control and to support the journey to financial sustainability.

15. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of item 16 in view of the nature of the proceedings that, if members of the press and public were present during this item, there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, to the Local Government Act 1972.

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

**16. GROUNDS MAINTENANCE AND STREET CLEANING CONTRACT RE-TENDER
EXE24-076**

RECOMMENDED to Council

That the recommendations of the Executive set out in the Part II report be resolved by Council.

Reason: To secure arrangements for the provision of grounds maintenance and street cleaning services beyond the end of the current contract. This contract will enable the Council to continue to achieve its statutory duty in respect to cleaning standards and continue to provide safety critical works in respect to its sports, play and grounds facilities.

17. VOTE OF THANKS

The Leader of the Council, Councillor Barker, advised that the meeting of Full Council on 26 September 2024 would set out the proposed changes required by Councillor Forster stepping down from the Executive and as Deputy Leader. The Leader advised that the Liberal Democrat Group had supported Councillor Nicholson and Councillor Roberts to become the joint Deputy Leaders of the Council in the future.

The Leader expressed her thanks to Councillor Forster for his help and support as Deputy Leader during the challenges of Government intervention and Section 114 and wished him well in his role as MP for Woking. Councillor Forster thanked the Leader for her kind words whilst also thanking the Executive, Councillors and staff for their dedication. Councillor Forster wished Councillor Nicholson and Councillor Roberts good luck as joint Deputy Leaders.

<p>This document was published on Friday 13 September 2024 and the decisions within it will be implemented on Monday 23 September 2024, subject to call-in.</p>
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The meeting commenced at 7.00 pm
and ended at 8.45 pm.

Chairman: _____

Date: _____