

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 22 November 2018
Present:

Cllr D J Bittleston (Chairman)
Cllr A Azad (Vice-Chair)

Cllr K M Davis Cllr Mrs B A Hunwicks
Cllr D Harlow Cllr C S Kemp

Also Present: Councillors S Ashall, A-M Barker, J E Bond, A J Boote, M A Bridgeman, I Eastwood, K Howard, D E Hughes, L M N Morales and M I Raja.

Absent: Councillors A C L Bowes.

The Chairman informed the Executive that Agenda Item No. 10 – ATG Cinemas would be considered after Agenda Item No. 18 – Performance and Financial Monitoring Information.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 11 October 2018 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor A C L Bowes.

3. URGENT BUSINESS

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

4. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, the Leader of the Council, Councillor D J Bittleston, Councillor A Azad, Councillor Mrs B A Hunwicks and Councillor C S Kemp declared a non-pecuniary interest in minute item 8 – Sythwood Residential Units, minute item 12 – Draft General Fund Budget 2019-20, minute item 13 – Draft Housing Revenue Account Budget Update 2019-20, minute item 14 – Draft Investment Programme 2018-19 to 2022-23, minute item 17 – Performance and Financial Monitoring Information, minute item 21 – Victoria Square Red Car Park Update, minute item 23 – Land Management –

Victoria Gate, minute item 24 – Land Management – Elizabeth House and Cornerstone and minute item 30 – Sythwood Residential Units arising from their positions as Directors of the Thamesway Group of Companies. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, the Leader of the Council, Councillor D J Bittleston, declared an interest in minute item 12 – Draft General Fund Budget 2019-20, minute item 14 – Draft Investment Programme 2018-19 to 2022-23, minute item 17 – Performance and Financial Monitoring Information and minute item 21 – Victoria Square Red Car Park Update arising from his position as a Director of Victoria Square Woking Limited. The interest was such that speaking was permissible.

In accordance with the Members' Code of Conduct, the Leader of the Council, Councillor D J Bittleston and Councillor D E Hughes declared an interest in minute items 18 and 26 – ATG Cinemas arising from family members being employed by the Ambassador Theatre Group. Although not a formal interest under the Members' Code of Conduct, both Councillor Bittleston and Councillor Hughes left the Chamber during the consideration and determination of the items.

In accordance with the Members' Code of Conduct, Councillor C S Kemp declared an interest in minute item 10 – Surrey County Council Service Consultations arising from his position as a Surrey County Council Cabinet Member. The interest was such that speaking and voting was permissible.

In accordance with Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, Deputy Chief Executive, Douglas Spinks and Head of Democratic and Legal Services, Peter Bryant, declared an interest in minute item 8 – Sythwood Residential Units, minute item 12 – Draft General Fund Budget 2019-20, minute item 13 – Draft Housing Revenue Account Budget Update 2019-20, minute item 14 – Draft Investment Programme 2018-19 to 2022-23, minute item 17 – Performance and Financial Monitoring Information, minute item 21 – Victoria Square Red Car Park Update, minute item 23 – Land Management – Victoria Gate, minute item 24 – Land Management – Elizabeth House and Cornerstone and minute item 30 – Sythwood Residential Units arising from their positions as Directors of the Thamesway Group of Companies. The interest was such that speaking was permissible.

In accordance with Officer Employment Procedure Rules, the Chief Executive, Ray Morgan declared an interest in minute item 12 – Draft General Fund Budget 2019-20, minute item 14 – Draft Investment Programme 2018-19 to 2022-23, minute item 17 – Performance and Financial Monitoring Information and minute item 21 – Victoria Square Red Car Park Update arising from his position as a Director of Victoria Square Woking Limited. The interest was such that speaking was permissible.

In accordance with Officer Employment Procedure Rules, the Deputy Chief Executive, Douglas Spinks, and Head of Democratic and Legal Services, Peter Bryant, declared an interest in minute item 12 – Draft General Fund Budget 2019-20, minute item 14 – Draft Investment Programme 2018-19 to 2022-23 and minute item 17 – Performance and Financial Monitoring Information arising from their positions as Directors of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited. The interests were such that speaking was permissible.

In accordance with Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, and the Deputy Chief Executive, Douglas Spinks, declared an interest in minute item 12 – Draft General Fund Budget 2019-20, minute item 14 – Draft Investment

Programme 2018-19 to 2022-23 and minute item 17 – Performance and Financial Monitoring Information arising from their positions as Directors of Export House Limited. The interests were such that speaking was permissible.

In accordance with Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, and the Head of Democratic and Legal Services, Peter Bryant, declared an interest in minute item 12 – Draft General Fund Budget 2019-20, minute item 14 – Draft Investment Programme 2018-19 to 2022-23 and minute item 17 – Performance and Financial Monitoring Information arising from their positions as Directors of Dukes Court Owner T S a r l. The interests were such that speaking was permissible.

5. QUESTIONS

No written questions had been submitted under Section 3 of the Executive Procedure Rules.

6. NOTICE OF MOTION - CLLR K HOWARD - CHEWING GUM RECEPTACLES EXE18-125

At its meeting on 18 October 2018, the Council referred the following Notice of Motion to the Executive.

Councillor K Howard

“I propose that chewing gum recycling receptacles be placed at strategic locations around the town centre to (1) encourage more recycling and (2) reduce the amount of gum that gets dropped on the paving.

Chewing gum not only leaves unsightly, sticky spots on the paving but is also difficult and expensive to remove. There are companies (such as Gumdrop) that will provide the bins and do the recycling at a reasonable cost.”

Councillor Howard attended the meeting and spoke in support of the Motion. Whilst recognising the deep cleansing regime in the Town Centre, Councillor Howard drew attention to the amount of gum outside of pedestrianised areas. It was noted that the Portfolio Holder for Waste and Recycling, Councillor Mrs Hunwicks, and the Assistant Director (Place) would be meeting the Chief Executive of Keep Britain Tidy in January to ensure that the spirit of the Keep Britain Tidy Campaign was being pursued in Woking.

RECOMMENDED to Council

That the Motion be supported.

7. REVIEW OF FEES AND CHARGES 2019-20 EXE18-039

The Executive received a report detailing the proposed discretionary fees and charges for 2019-20. Discussion ensued on paragraph 3.9 of the report which proposed to increase the controlled parking period from 6pm to 10pm each day in Zone 1 of the Woking Controlled Parking Zone (CPZ) with effect from 1 April 2019. It was explained that the proposal had been through the Woking CPZ process and was intended to provide the ability to better control safety and improve traffic management in the Town Centre. The

Executive noted that the proposal was at consultation stage and that a decision would be made by the Woking Joint Committee at a future meeting date.

Following a question regarding paragraph 3.11 concerning the requirements of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, the Executive was advised that it was the responsibility of the person carrying out the licensable activity to contact the Council. Regarding dog service providers, the Executive heard that looking after a dog in its own home and dog walking, where the dog was returned to its own home the same day, were out of the scope of the Regulations.

RECOMMENDED to Council

That the discretionary fees and charges, as set out in Appendices 1 – 3 of the report, be approved.

Reason: The regular review of discretionary charges ensures that the Council maintains its income base and generates additional resources for the provision of services.

8. SYTHWOOD RESIDENTIAL UNITS EXE18-116

The Executive received a report which sought approval of the Executive to recommend to Council that specialist residential accommodation at Sythwood be developed and leased to a specialist housing provider.

RECOMMENDED to Council

That (i) the provision of new premises at Sythwood for a specialist housing provider be approved subject to Planning Consent, at a Project Cost of £3.564m;

(ii) the project be included in the Investment Programme to be financed by Right to Buy Retained Capital Receipts (30%) and Loan (70%);

(iii) a revenue provision of £250,000 be set aside over 2018/19 to 2019/20 to support the cost of furnishing and to cover the first year's rent; and

(iv) the net additional annual cost of £25,000 be taken into account in the Medium Term Financial Strategy for 2020/21 onwards.

Reason: To enable proper provision of specialist residential facilities.

9. YORK ROAD PROJECT EXE18-117

The Executive received a report which sought approval of the Executive to recommend to Council the construction of new premises to house the services operated by the York Road Project (YRP) for homeless people. Members welcomed the report which would bring together the services of the YRP.

RECOMMENDED to Council

- That (i) **the provision of new premises for the York Road Project (YRP) be approved subject to Planning Consent, at a Project Cost of £7.615m;**
- (ii) **the project be included in the Investment Programme to be financed by Right to Buy Retained Capital Receipts (30%) and Loan (70%);**
- (iii) **a Development Agreement be entered into with Prime Place for the acquisition of the site and the development of the new YRP premises; and**
- (iv) **the net additional annual cost of £160,000 be taken into account in the Medium Term Financial Strategy for 2022/23 onwards.**

Reason: To enable the proper provision of accommodation to support the alleviation of homelessness.

10. SURREY COUNTY COUNCIL SERVICE CONSULTATIONS EXE18-130

The Executive received a report which sought approval of the Executive to recommend to Council the Draft Consultation Responses to the five public consultations launched by Surrey County Council (SCC). The Leader of the Council explained that SCC was trying to improve efficiency and make better use of some its spaces by using them for more services. The Executive welcomed the opportunity to respond to the important consultations and noted that the Draft Consultation Responses could be amended before being formally agreed at Council on 6 December 2018.

Discussion ensued on the Shaping Surrey's Community Recycling Centres (CRCs) consultation and the Executive welcomed the retention of the Martyrs Lane CRC. The possibility of border controls for Surrey tips was raised and it was commented that such enforcement could be problematic.

RECOMMENDED to Council

That Draft Consultation Responses be approved for submission to Surrey County Council.

Reason: To enable a response to consultations being undertaken by Surrey County Council.

11. CALENDAR OF MEETINGS 2019-20 EXE18-037

Following representations received regarding the proposed date of the first business meeting of Council on Tuesday, 26 May 2020, the Leader of the Council advised that he would communicate with Group Leaders regarding the 26 May 2020 to see if a satisfactory alternative could be reached.

RECOMMENDED to Council

That the Calendar of Meetings 2019/20 be approved as set out in Appendix 1 to the report, subject to the amendments being agreed by the Group Leaders before Council on 6 December 2018.

Reason: In accordance with Standing Order 1.2 of the Constitution, which states that "The date of the annual (Council) meeting and those of ordinary meetings shall be fixed by the Council in or about December of the preceding municipal year".

12. DRAFT GENERAL FUND BUDGET 2019-20 EXE18-038

Councillor A Azad, Portfolio Holder for Corporate Financial Planning and Policy, introduced the report which outlined the draft General Fund Budget for 2019-20. Following a question regarding staff numbers, Councillor Azad reported that the staffing structure would be kept under review during the budget setting process. It was noted that staff numbers were likely to increase in the coming months due to the Council taking over direct staffing of the market and also as a result of additional posts related to increased housing activity. Regarding the Rhoda McGaw Theatre, the Executive was advised that hire charges for community groups represented good value for money and were benchmarked against other authorities.

RESOLVED

That (i) the draft General Fund Budget for 2019/20 be received; and

(ii) Managers, Corporate Management Group and Portfolio Holders continue detailed budget preparation for consideration by the Executive in February 2019.

Reason: Consideration of these proposals will enable the preparation of the Council's budgets for 2019/20 to proceed.

13. DRAFT HOUSING REVENUE ACCOUNT BUDGET UPDATE 2019-20 EXE18-036

The Executive received a report which set out the Council's draft Housing Revenue Account (HRA) budgets for 2019-20. The Executive welcomed the positive news that the Government had announced the removal of the HRA Borrowing Cap and it was noted that draft legislation had been circulated. Following a question regarding the Sheerwater Regeneration Scheme, Officers advised that the Sheerwater Regeneration Oversight Panel had been informed that the leisure development had not started as a legal agreement had not been reached with Bishop David Brown School. Officers further advised that the Council would still be able to meet its objective to provide the leisure facilities before the housing development happened. The Executive was advised that it was hoped to bring a planning application to the Planning Committee to allow the Regeneration Scheme to start in Spring 2019.

RESOLVED

That the draft Housing Revenue Account budgets for 2019/20, as set out in Appendix 1 to the report, be agreed for consultation with the Corporate Management Group and Portfolio Holder.

Reason: Consideration of these proposals will enable the preparation of the Council's Housing Revenue Account budgets for 2019/20 to proceed.

14. DRAFT INVESTMENT PROGRAMME 2018-19 TO 2022-23 EXE18-041

The Executive received a report which set out the draft Investment Programme 2018-19 to 2022-23. Discussion ensued on Wolsey Place and Export House and it was explained that long-term financing in the form of borrowing was used for capital projects concerning the buildings whilst reserves were used to mitigate day to day revenue variances.

Following a question regarding the #WeAreWoking campaign, the Executive was advised that, although it was difficult to assess its effectiveness, it was considered important to engage and provide a consistent and positive message to residents during the works in the Town Centre. The Leader of the Council highlighted that the Victoria Square Oversight Panel had received a #WeAreWoking presentation and Officers would be asked if it would be appropriate to provide the presentation to all Councillors.

Attention was drawn to page 311 of the agenda pack which included some £59m under 'Affordable Housing – Thamesway Housing Ltd' in the Housing Investment Programme. It was explained that the Council had previously agreed £200m for Thamesway Housing for the provision of homes. It was noted that the funding allowed Thamesway Housing to provide a range of housing, not just affordable, and Officers suggested that the heading in the Housing Investment Programme be changed.

Regarding Heathside car park expansion, the Executive noted that the scheme had been delayed due to reservations made by the Planning Committee and that there would be some redesign.

RESOLVED

That (i) the draft Investment Programme for 2018/19 to 2022/23 be received;

(ii) Managers, Corporate Management Group and Portfolio Holders be asked to review the Programme for cost improvements including reviewing the projects, their costs and timing to achieve savings with the minimum impact on citizen outcomes; and

(iii) an Investment Programme budget of £400,000 be approved for 2018/19 and 2019/20 to continue the #WeAreWoking campaign.

Reason: To agree the draft Investment Programme for consultation before submission for final approval to the Council in February 2019.

15. DRAFT CONTAMINATED LAND STRATEGY EXE18-030

The Executive received a report which sought approval to undertake a technical consultation with key stakeholders on the Draft Contaminated Land Strategy. It was noted that the Council was required to prepare, maintain and periodically review its Contaminated Land Strategy under Part IIA of the Environmental Protection Act 1990 (EPA). The revised strategy was proposed to run from 2018 to 2023. Following a question regarding statutory right of access, the Executive was informed that the Council did have a statutory right of access under Part IIA of the EPA. Councillor Mrs Hunwicks, Portfolio Holder, advised that Officers would seek voluntary access in the first instance. In cases where an initial investigation found no evidence of contamination, the Council would incur the cost of the investigation. However, the Council would aim to recover all reasonable costs associated with required remediation.

RESOLVED

That the Draft Contaminated Land Strategy, attached at Appendix B to the report, be approved for technical consultation.

Reason: To ensure compliance with the Council's obligations as set out in the Environmental Protection Act 1990 and accompanying statutory guidance.

16. RECOMMENDATIONS FROM TOWN CENTRE COMMUNITY LEISURE TASK GROUP EXE18-123

Councillor Kemp, Portfolio Holder for Cultural and Community Development, introduced the report which set out the recommendations from the Town Centre Community Leisure Task Group. It was noted that the Group had been set up by the Executive in response to the current lease on HG Wells Conference and Events Centre (HG Wells) expiring in March 2020. Councillor Kemp thanked Officers for their hard work to contact the many community groups who were current, regular users of HG Wells and The Fiery Bird (formerly known as Quake). The Executive was advised that Officers were looking at the possibility, subject to Executive and Council approval, of drawing up plans for the area to the rear of the restaurant in the cinema entrance hall as a potential Town Centre facility for some of the groups.

RESOLVED

That (i) the groups identified in the report to the Task Group be considered during the development of Woking;

(ii) Officers be asked to work with those groups, as set out in the report to the Task Group, to try and identify alternative venues before the closure of HG Wells in March 2020; and

(iii) those groups be communicated with no later than 12 months before the closure of HG Wells to confirm if any alternatives have been identified.

Reason: To consider the recommendations from the Town Centre Community Leisure Task Group.

17. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book), September 2018 and October 2018. Regarding the number of empty homes brought back into use, the Executive was informed that activity in the area had started again following a previous concentration by Officers on the new licensing scheme. It was highlighted that empty homes brought back into use would not necessarily be affordable.

Following a question regarding the market, the Executive was informed that it was considered to be in the best long-term position for the Council to run the market itself. Officers confirmed that it was business as usual and the market was not closing. It was highlighted that some locations within the market would change due to the Victoria Square development works.

Members also discussed fly tipping, Robin Hood and Rutland, and affordable housing.

RESOLVED

That the Performance and Financial Monitoring Information, September 2018 and October 2018, be received.

Reason: To manage the performance of the Council.

18. ATG CINEMAS EXE18-028

The Executive received a report which sought approval of the Executive to recommend to Council that a capital contribution of £5m towards the redevelopment of the ATG Cinemas be made by the Council. The Executive welcomed the proposal to secure an improved Cinema offer for the Town and to invest in Woking as a place. Following a question regarding funding, Officers advised that revenue from the cinemas helped to fund the Rhoda McGaw and main theatre through cross subsidy. The Executive agreed to add an additional recommendation to Council to provide for Portfolio Holder oversight of the detailed arrangements.

RECOMMENDED to Council

That (i) the contribution of £5m to ATG for the upgrade of the ATG Cinemas in Woking be approved;

(ii) the project be included in the Investment Programme to be financed by Loan;

(iii) the detailed arrangements to be approved by Officers in consultation with the Portfolio Holder; and

(iv) the net additional annual cost of £190,000 be taken into account in the Medium Term Financial Strategy for 2020/21 onwards.

Reason: To enhance the Cinema offer in Woking in line with modern standards.

19. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of items 20 to 30 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).

20. LAND MANAGEMENT - BYFLEET EXE18-026

RECOMMENDED to Council

That the recommendations of the Executive set out in the confidential minute be resolved by Council.

Reason: As set out in the confidential minute.

21. VICTORIA SQUARE RED CAR PARK UPDATE EXE18-128

RECOMMENDED to Council

That the recommendations of the Executive set out in the confidential minute be resolved by Council.

Reason: To enable Victoria Square Woking Limited to deliver the replacement Red Car Park.

22. LAND MANAGEMENT - WESTFIELD AVENUE EXE18-126

RECOMMENDED to Council

That the recommendations of the Executive set out in the confidential minute be resolved by Council.

Reason: To implement the Decision of Council on 5 April 2018.

23. LAND MANAGEMENT - VICTORIA GATE EXE18-127

RECOMMENDED to Council

That the recommendations of the Executive set out in the confidential minute be resolved by Council.

Reason: To underpin the continued economic development activity in Woking town centre.

24. LAND MANAGEMENT - ELIZABETH HOUSE AND CORNERSTONE EXE18-133

RECOMMENDED to Council

That the recommendations of the Executive, as amended, set out in the confidential minute be resolved by Council.

Reason: As set out in the confidential minutes.

25. HOUSING INFRASTRUCTURE FUND UPDATE EXE18-129

A report on the item would be taken directly to Council on 6 December 2018.

26. ATG CINEMAS EXE18-029

RESOLVED

That the confidential supporting information in support of ATG Cinemas be noted.

Reason: To enhance the Cinema offer in Woking in line with modern standards.

27. ENVIRONMENTAL PROTECTION ACT 1990 EXE18-068

RESOLVED

That the resolve set out in the confidential minute be agreed.

Reason: As set out in the confidential minutes.

28. LAND MANAGEMENT - BROOKHOUSE COMMON EXE18-131

RESOLVED

That the resolve set out in the confidential minute be agreed.

Reason: As set out in the confidential minute.

29. YORK ROAD PROJECT EXE18-132

RESOLVED

That the confidential supporting information in support of York Road Project be noted.

Reason: To enable the proper provision of accommodation to support the alleviation of homelessness.

30. SYTHWOOD RESIDENTIAL UNITS EXE18-134

RESOLVED

That the confidential supporting information in support of Sythwood Residential Units be noted.

Reason: To enable proper provision of specialist residential facilities.

This document was published on Friday 23 November 2018 and the decisions within it will be implemented on Monday 3 December 2018, subject to call-in.

The meeting commenced at 7.30 pm
and ended at 10.05 pm.

Chairman: _____

Date: _____