

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 28 March 2019
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 A-M Barker, I Eastwood, K Howard, D E Hughes and
L M N Morales.

Absent: Councillors A C L Bowes.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 7 February 2019
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 D Harlow, Councillor Mrs B A Hunwicks and
Councillor C S Kemp declared a non-pecuniary interest in minute item 9 – Medium Term
Financial Strategy, minute item 11 – Sheerwater Regeneration and minute item 15 –
Performance and Financial Monitoring Information arising from their positions as Directors
of the Thameswey Group of Companies. The interests were such that speaking and voting
were permissible.

In accordance with the Members' Code of Conduct, Councillor D J Bittleston declared an interest in minute item 9 – Medium Term Financial Strategy, minute item 15 – Performance and Financial Monitoring Information and minute item 17 – Notice of Motion – Cllr M Ali – Partnership Working and Project Management arising from his position as a Director of Victoria Square Woking Limited. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor D J Bittleston declared an interest in minute item 9 – Medium Term Financial Strategy and minute item 15 – Performance and Financial Monitoring Information arising from his position as a Director of Rutland Woking Limited. The interest was such that speaking and voting were 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 9 – Medium Term Financial Strategy, minute item 11 – Sheerwater Regeneration and minute item 15 – Performance and Financial Monitoring Information arising from their positions as Directors of the Thamesway Group of Companies. The interests were 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 9 – Medium Term Financial Strategy and minute item 15 – 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 Deputy Chief Executive, Douglas Spinks, declared an interest in minute item 9 – Medium Term Financial Strategy and minute item 15 – Performance and Financial Monitoring Information arising from his position as a Director of Export House Limited. The interest was such that speaking was permissible.

In accordance with Officer Employment Procedure Rules, the Head of Democratic and Legal Services, Peter Bryant, and the Finance Director, Leigh Clarke, declared an interest in minute item 9 – Medium Term Financial Strategy, minute item 10 – Dukes Court Plaza Project and minute item 15 – 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.

In accordance with Officer Employment Procedure Rules, the Head of Democratic and Legal Services, Peter Bryant, declared an interest in minute item 9 – Medium Term Financial Strategy and minute item 15 – Performance and Financial Monitoring Information arising from his position as Council appointed alternate Director of Rutland Woking Limited. The interest was 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 M ALI - INSTALLATION OF SECURITY CAMERAS EXE19-028

At its meeting on 13 February 2019, the Council referred the following Notice of Motion to the Executive.

Councillor M Ali

Installation of Security Cameras

“Our ambitions for the town and the plans are noble. But with huge problems on fly tipping and drugs we will never be able to have the town we aspire for. We know due to unnecessary cuts the police are overstretched. Residents contact the police but they are not able to help them. I have residents coming with evidence of shady affairs in their streets but we are helpless.

So I propose that as part of the monies allocated for developments we install security cameras later on to be managed and maintained by residents. We consider cameras especially in areas:

- a. Grove
- b. Walton road alleys
- c. Princess road shops
- d. Few spots in sheerwater
- e. Other such ‘popular’ spots”

The Leader of the Council proposed that the Motion not be discussed by the Executive as Councillor Ali was not in attendance. The Motion would therefore go forward to Full Council on 4 April 2019 for determination.

7. NOTICE OF MOTION - CLLR M ALI - RENTS AND BUILDING INSURANCE FOR LOCAL BUSINESSES EXE19-032

At its meeting on 13 February 2019, the Council referred the following Notice of Motion to the Executive.

Councillor M Ali

Rents and Building Insurance for Local Businesses

“Increased rents for local business – despite our promises and pledges and claims of supporting local business we have seen many shut and now we have seen their rents and insurances gone up. As an example I have been informed by some council tenants that:

- a. The building insurance has been forced upon them which normally a landlord pays. But WBC has put it on them with no option to shop around and the cost is as much as approximately £800 / year

- b. The rent in some cases was increased by approximately 31% when the lease was renewed! This is exorbitant! Small business can't afford this. For some this means they must have almost 30 extra customers / month to enable them to pay for this. How can they cope? So in line with our claims let's review these increases and bring them in line with CPI."

The Leader of the Council proposed that the Motion not be discussed by the Executive as Councillor Ali was not in attendance. The Motion would therefore go forward to Full Council on 4 April 2019 for determination.

8. CONTAMINATED LAND STRATEGY EXE19-013

Following a technical consultation on the draft Contaminated Land Strategy, the Executive received a report which sought approval of the Executive to recommend to Council the final Contaminated Land Strategy. The Executive agreed to recommend the final Strategy to Council.

RECOMMENDED to Council

That the Contaminated Land Strategy (2019-2024), attached at Appendix A to the report, be approved.

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

9. MEDIUM TERM FINANCIAL STRATEGY EXE19-034

Following approval of the current Medium Term Financial Strategy (MTFS) by Council in October 2018, the Executive received a report which provided an update on the outlook, extended the forecast to 2023/24 and considered the strategy in place to achieve a sustainable medium term position whilst progressing the Council's service and Investment Programme ambitions. The Portfolio Holder for Corporate Financial Planning and Policy, Councillor Azad, reported that there remained some uncertainty concerning the government funding position for 2020/21 and beyond.

Councillor Azad explained the proposal set out in the report for Brookwood Cemetery to be acquired by the Council and operated as a direct Council service. The Executive noted that the proposal would save some £100,000 per annum of irrecoverable VAT. It was confirmed that the proposed acquisition would not affect how the service currently operated. Officers advised that the proposal would also bring operational benefits as a result of Cemetery staff becoming in-house Council employees.

Following a question regarding valuations, the Executive was advised that valuations fluctuated over time depending on the local, national and global economy. However over time, it was expected that property would hold value and increase as investment in the Town Centre increased. It was highlighted that, in the short-term, the Council would receive rental income from property purchases.

Regarding Gateway at paragraph 6.7 of the report, the Executive was informed that the units currently owned by the Council, which included some community assets, would be re-provided within the Gateway development. It was noted that the Council would have the

right to purchase those assets in Gateway in order to ensure its commercial rents income stream was retained.

Members also discussed project slippage and margins on investments.

RECOMMENDED to Council

That (i) the Medium Term Financial Strategy (MTFS) report be approved; and

(ii) subject to appropriate due diligence Brookwood Cemetery be acquired by the Council to be operated as a direct Council service.

Reason: The decision is sought to agree the framework for Officers to develop further proposals for consideration, in due course, by the Council to ensure the medium term financial stability of the Council in the context of its objective to support growth and to maintain services for local people.

10. DUKES COURT PLAZA PROJECT EXE19-014

The Executive received a report which sought approval of the Executive to undertake the proposed improvements to Dukes Court external areas together with surrounding highway improvements which would complement the work currently being undertaken through the Town Centre Integrated Transport Scheme. It was noted that the proposal included the creation of a new landscaped plaza as well as the construction of a new restaurant within the plaza.

Following a question regarding the need for the proposed works, it was reported that the Executive had been authorised to determine proposed improvements to Dukes Court and its surrounding areas by Council on 28 September 2017. The Executive was advised that improvements to the external environment would encourage the retention of existing tenants and attract new tenants to the building.

The Executive was informed that the maintenance costs for the proposed green wall would be incorporated into the service charge which tenants were responsible for paying.

The Executive welcomed the proposed improvements to Dukes Court which would provide an enhanced public realm and create a new restaurant serving the building and surrounding area.

RESOLVED

That (i) the proposed improvements to Dukes Court external areas be authorised for implementation, together with the surrounding highway works; and

(ii) the budget for the capital works to undertake the project be authorised in the sum of £4.53M.

Reason: To enable external improvements to Dukes Court and Woking Town Centre.

11. SHEERWATER REGENERATION EXE19-030

The Executive received a report which sought authority to resolve a technical matter in connection with planning applications PLAN/2018/0374 and PLAN/2018/0337 due to be considered by the Planning Committee at its meeting on 9 April 2019. It was explained that, as the Council was the landowner in the application, it could not enter into a Section 106 Agreement with itself as the local planning authority. Attention was drawn to a supplementary report in respect of the item. The supplementary report, tabled at the meeting, set out minor changes made to the undertakings detailed in Appendix 5 to the report since the original Executive report was circulated.

Following a question concerning affordable homes, the Leader advised that the affordable homes which the Council was developing in Sheerwater were intended to be towards the home for life standard which provided a better volume and space standard. For example, such as those built at Kingsmoor Park. It was noted that the Council would require to maintain control over what was delivered in Sheerwater.

The Executive agreed that the Council should give effect to the obligations set out in the document attached to the supplementary report if the Planning Committee was minded to grant planning permission for the development of land partially owned by the Council at Sheerwater, Woking.

RESOLVED

- That (i) the Council shall give effect to the obligations in respect of planning applications PLAN/2018/0374 and PLAN/2018/0337 set out in Appendix 5 (amended 28 March 2019) to the supplementary report, if (a) the local planning authority grants the planning permissions sought and (b) those planning permissions are implemented by, or on behalf of, the Council;
- (ii) the Council shall procure that any third-party to whom it grants an interest in the Council-owned land is bound by the obligations in respect of planning applications PLAN/2018/0374 and PLAN/2018/0337 set out in Appendix 5 (amended 28 March 2019) to the supplementary report; and
- (iii) resolves (i) and (ii) above are “urgent” and will take immediate effect (so are not subject to “call-in”). This is because any delay likely to be caused by the call-in process would be seriously prejudicial to the Council’s interests (as it is necessary that the local planning authority is aware, when it considers planning applications PLAN/2018/0374 and PLAN/2018/0337 on 9 April 2019, whether the Council (as landowner) is prepared to give the obligations referred to).

Reason: To enable the local planning authority to be certain that its requirements will be met if it is minded to grant the planning permission sought.

12. REGULATION OF INVESTIGATORY POWERS ACT 2000 - ANNUAL MONITORING REPORT EXE19-006

RESOLVED

That the Council's non-use of the Regulation of Investigatory Powers Act 2000 during the 2018 calendar year be noted.

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

13. WRITE OFF OF IRRECOVERABLE DEBT EXE19-035

The Executive received a report which sought authority for the debts over £10,000 listed in the report to be written off. Councillor Azad, Portfolio Holder for Revenue Collection, explained that every effort was made to manage positions however some cases were not easy to be solved and involved legal complexities. It was highlighted that the Finance Task Group received a quarterly update on debts written off below £10,000 by Officers under delegated powers.

RESOLVED

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

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

14. RESPONSE TO SURREY FIRE AND RESCUE SERVICE'S 'MAKING SURREY SAFER PLAN FOR 2020-2023' CONSULTATION EXE19-037

The Executive received a report which sought approval to the Council's response to Surrey County Council's public consultation on Surrey's Fire and Rescue Service. Councillor Mrs Hunwicks, Portfolio Holder for Community Safety, explained that the County Council was consulting on its Community Safety Plan and drew attention to the Council's proposed response at paragraph 3.2 of the report. The Executive agreed to add to the end of the fourth bullet point in paragraph 3.2 the words 'and advise the Borough Council of its response to the representations received'.

Councillor Kemp reported that the proposed strategy had been recommended by experienced fire officers and concerned making the best use of resources in order to be more efficient and effective. It was noted that there had been a significant decrease in the number of fires attended which was in part due to the prevention and protection work delivered by Fire and Rescue Services.

Members discussed tall buildings and the Executive was advised that the fire brigade was consulted on such buildings and that tall buildings were designed to distinguish fire. It was noted that following the Grenfell fire, significant changes had been made to the Victoria Square development to improve fire safety.

The Executive encouraged Members and residents to respond to the consultation before the 26 May 2019 deadline.

RESOLVED

That the Council's response to Surrey County Council's public consultation on Surrey's Fire and Rescue Service be in the terms set out in paragraph 3.2 of the report, as amended by the Executive.

Reason: To determine the Council's response to Surrey County Council's public consultation on Surrey's Fire and Rescue Service.

15. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book), January 2019 and February 2019. Following a question regarding temporary accommodation, the Executive was advised that the Council did use a B&B in Slough to place people on occasion due to personal circumstances.

Regarding Pool in the Park loss of profit on page 18 of the February Green Book, it was explained that the Council had paid compensation to Freedom Leisure in respect of loss of profit arising from the technical issues suffered and the waterslides being out of action. The Leader commented that the contract with Freedom Leisure had been very successful overall and usage had increased since the contract had been awarded.

It was reported that the loan to Tante Marie had been restructured as part of the investment in the Council property.

RESOLVED

That the Performance and Financial Monitoring Information, January 2019 and February 2019, be received.

Reason: To manage the performance of the Council.

16. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of items 17 to 19 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).

17. NOTICE OF MOTION - CLLR M ALI - PARTNERSHIP WORKING AND PROJECT MANAGEMENT EXE19-029

At its meeting on 13 February 2019, the Council referred a Notice of Motion to the Executive from Councillor Ali regarding partnership working and project management. The Leader of the Council proposed that the Motion not be discussed by the Executive as Councillor Ali was not in attendance. The Motion would therefore go forward to Full Council on 4 April 2019 for determination.

18. SCHOOL PLACE PROVISION EXE19-033

RESOLVED

That the resolve, as amended by the Executive, set out in the confidential minute be agreed.

Reason: To secure additional school places to meet current and future education need in the Borough.

19. HARDSHIP RELIEF ON BUSINESS RATES EXE18-088

RESOLVED

That the hardship relief set out in the confidential minute be awarded.

Reason: The provision of financial assistance through the hardship relief scheme would help to ensure the venue remains a financially viable proposition. It is in the interest of the general body of Council Tax payers to maintain the existence of the venue because its loss would result in a reduction in the employment prospects of the Borough and reduce the leisure and cultural amenities of the area.

<p>This document was published on Friday, 29 March 2019 and the decisions within it will be implemented on Monday 8 April 2019, subject to call-in.</p>
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The meeting commenced at 7.00 pm
and ended at 8.20 pm.

Chairman: _____

Date: _____