

MINUTES

OF A MEETING OF THE
EXECUTIVE

held on 21 November 2019

Present:

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

Cllr K M Davis Cllr C S Kemp
Cllr D Harlow

Also Present: Councillors A-M Barker and D E Hughes.

Absent: Councillor G S Cundy.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 10 October 2019 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor G S Cundy.

3. URGENT BUSINESS

The Leader of the Council, Councillor D J Bittleston, announced that the meeting of the Special Grants Executive on Thursday, 12 December 2019 had been cancelled due to the General Election. Attention was drawn to an email sent to Councillors by the Chief Executive which set out the re-arranged date of the Special Grants Executive in February 2020.

The Leader of the Council reported that he had received a letter from Citizens Advice Woking thanking the Executive for their support.

4. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, Councillor D J Bittleston declared a non-pecuniary interest in any items concerning the companies of which he was a Council-appointed director. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor A Azad declared a non-pecuniary interest in any items concerning the companies of which she was a Council-appointed director. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor C S Kemp declared a non-pecuniary interest in any items concerning the companies of which he was a Council-appointed director. The interests were such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor D Harlow declared a non-pecuniary interest in any items concerning the companies of which she was a Council-appointed director. The interests were such that speaking and voting were permissible.

The interest of Councillor G S Cundy was referred to in the agenda but it should be noted that Councillor Cundy sent apologies to the meeting.

In accordance with the Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, 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 Morgan could advise the Executive on those items.

In accordance with the Officer Employment Procedure Rules, the Deputy Chief Executive, Douglas Spinks, 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 Spinks could advise the Executive on those items.

In accordance with the Officer Employment Procedure Rules, the Head of Democratic and Legal Services, Peter Bryant, 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 Bryant could advise the Executive on those items.

In accordance with the Officer Employment Procedure Rules, the Finance Director, Leigh Clarke, 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 Clarke could advise the Executive on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Housing, 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 Finance Director, Leigh Clarke, declared a disclosable personal interest (non-pecuniary) in any items concerning Woking Football Club and/or the GolDev Woking Limited development. The interest arose from (i) her husband having a small shareholding in Woking Football Club and (ii) being a Council-appointed director of Kingfield Community Sports Centre Limited. The interest was such that Mrs Clarke could advise the Executive on those items.

In accordance with the Officer Employment Procedure Rules, the Head of Democratic and Legal Services, Peter Bryant, declared a disclosable personal interest (non-pecuniary) in any items concerning Woking Football Club and/or the GolDev Woking Limited development. The interest arose from (i) him being a member of the Cards Trust (the supporters' club for Woking Football Club), (ii) providing occasional unpaid assistance to Woking Football Club, e.g. acting as returning officer at the election of directors and (iii)

being a Council-appointed director of Kingfield Community Sports Centre Limited. The interest was such that Mr Bryant could advise the Executive on those items.

5. QUESTIONS

The Chairman welcomed Ms Karen Woodland and Ms Monique van Bellen, who had submitted questions under Section 3 of the Executive Procedure Rules regarding health and safety at Woking Football Club, review of exempt information and Woking Football Club development proposals. Questions had also been submitted by Ms Carole Charge, Mr Lorin Adams and Ms Judy Adams regarding Woking Football Club development proposals, public art, public interest, the extent of Officer powers and Kingfield Community Sports Centre Ltd (KCSC). A copy of the questions together with the replies was before the Executive. The Chairman confirmed the replies, supplementary questions were asked by the questioners present and replies given. Ms Charge, Mr Adams and Ms Adams would be sent a copy of the replies to their questions.

6. REVIEW OF FEES AND CHARGES 2020-21 EXE19-021

The Executive received a report detailing the proposed discretionary fees and charges for 2020-21. Councillor Azad, Portfolio Holder for Corporate Financial Planning and Policy, reported that the proposed charges amounted to an overall increase of 0.8%. Members welcomed that there would be no increase in the cost of community meals for a third year in a row. The Executive noted that the Borough's community meals service was one of the lowest priced services in Surrey and that it would be necessary to look at the charges for 2021-22.

Following a question regarding paragraph 2.9 concerning the charge for the Brockhill guest room, the Executive was advised that there had been no increase for several years and that the proposed increase was modest. The unique character of the services offered by Brockhill was highlighted.

Discussion ensued on parking charges and the Leader of the Council explained that it was Council policy to increase car park charges by 10p every other year. Therefore, there were no increases proposed during 2020-21. Following a question regarding parking availability over the Christmas period, the Executive was advised that over 200 spaces had been achieved in Town Centre car parks through the relocation of staff parking. The Leader thanked staff colleagues who had moved to alternative parking provision.

Regarding the proposed leisure charges, it was explained that Freedom Leisure were experts in the leisure field and proposed charges which were competitive in the market. The Executive noted that leisure charges were reviewed and discussed at the Leisure Partnership Board. It was highlighted that the Council reserved the right to determine core charges due to their community importance.

RECOMMENDED to Council

That the discretionary fees and charges, as set out in Appendices 1 – 4 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.

7. HOUSING ALLOCATIONS POLICY EXE19-114

Councillor Harlow, Portfolio Holder for Housing Needs, Strategy and Enabling, introduced the report which recommended to Council the adoption of the Housing Allocations Policy which had been updated following the implementation of the Homelessness Reduction Act 2017. It was noted that the updated Policy had been discussed and supported by the Housing Task Group. Discussion ensued on paragraph 2.1.4 of the report which concerned the removal of the cap for home owners for eligibility onto the Register for access to supported accommodation. Attention was drawn to Section 29 of the Policy which set out that home owners would not be included on the Housing Register unless there were exceptional circumstances.

RECOMMENDED to Council

That (i) the Housing Allocations Policy, as updated, be adopted, with changes taking effect from 1 January 2020; and

(ii) the Director of Housing, in consultation with the Portfolio Holder for Housing, be delegated authority to make minor amendments to the Policy as part of an annual review.

Reason: The Council has a legal duty to have an Allocations Policy, which states how priority will be awarded to applicants on the Housing Register and how the Choice Based Lettings Scheme operates. It is good practice to review the Housing Allocations Policy from time to time to ensure it reflects local housing priorities and changes in legislation. The revised Policy reflects this and will become subject to annual review.

8. SCHOOL PLACE PROVISION EXE19-122

The Executive received a report which sought approval of the Executive to recommend to Council the provision of a loan facility to be made available to Greenfield School to cover the acquisition and development of its School at the site of the former International School of London (ISL). It was noted that the required loan facility of £21m had been provided in the Council's approved Investment Programme. The Executive was advised that the commercially sensitive Business Plan and Cost Plan for the school were set out in the Part II confidential report later on the Agenda. A private view of the new school site had been arranged for Members of the Council prior to the Executive. Councillor Azad reported that Greenfield School would be required, as a condition of the loan facility, to enter into a Community Use Agreement in order to ensure the long term benefit to the wider community from use of the school premises.

The Executive welcomed the report which would support the Council's objective of securing additional school places in the Borough so as to underpin the economic vitality of the Borough. The wider financial benefit to the community was highlighted, as the School would pay a 1% margin on its loan facility which was assumed to be £136,000 per annum. In addition, the proposed Community Use Agreement would provide a long term benefit to the wider community and provide opportunities for community groups. The challenges faced by schools in securing funding through other lenders, such as banks, was raised. Regarding security on the loan, it was noted that the Council would take a charge over the School's property assets.

The Leader highlighted an amendment to recommendation (v). It was noted that the Chief Executive would be the named Officer referred to in recommendation (v) and that consultation would take place with both the Portfolio Holder for Financial Planning and Policy, and the Portfolio Holder for Cultural and Community Development.

RECOMMENDED to Council

- That (i) the £21m loan facility, included in the Investment Programme for the provision of school places, be made available to Greenfield School to cover the acquisition and development of its new site to enable it to accommodate the projected increase in pupil numbers;**
- (ii) the loan facility be subject to a 1% margin over the Council's cost of borrowing and that the borrowing period does not exceed 50 years;**
- (iii) the detailed terms of the loan be determined by the Chief Finance Officer in consultation with the Portfolio Holder;**
- (iv) Greenfield School undertakes to seek to dispose of the assets it proposes in a timely manner; and**
- (v) Greenfield School enter into a Community Use Agreement with the Council to ensure long term wider community benefit from the provision of the loan facility with terms of the Community Use Agreement being approved by the Chief Executive in consultation with the Portfolio Holder for Financial Planning and Policy and the Portfolio Holder for Cultural and Community Development.**

Reason: To secure the provision of additional school places to support the economic vitality of the Borough.

9. CALENDAR OF MEETINGS 2020-21 EXE19-022

The Executive received a report which sought approval to recommend to Council the Calendar of Meetings 2020-21. Following representations received regarding the proposed date of Council on Tuesday, 26 May 2020, which was the day after the Bank Holiday and during Half Term, the Leader advised that discussions would be held with the Deputy Chief Executive and Group Leaders to try and re-arrange the calendar in order to move Council out of Half Term.

The Council meeting on Thursday, 30 July 2020 was also raised as it was in the summer holiday period. Officers confirmed that a Council meeting was required on the last Thursday in July in order to receive the Council's Statement of Accounts. However, if it wished, the Council could hold another meeting prior to 30 July on the possible dates of Thursday, 18 June 2020 or Thursday, 9 July 2020. It was agreed that the possibility of an additional Council meeting in June or July would also be part of the discussions between Group Leaders and the Deputy Chief Executive prior to December Council.

The Leader highlighted that the Government had announced that the early May Bank Holiday had been moved to Friday, 8 May 2020. Elections for the Borough and for the

Police and Crime Commissioner would take place on Thursday, 7 May 2020. It was intended that the Borough Election Count would be held on Monday, 11 May 2020 on the same day as the Police and Crime Commissioner Election Count.

RESOLVED

That the determination of this matter be deferred pending further considerations and a revised schedule of meetings be presented to Council for approval on 5 December 2019.

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".

10. DRAFT GENERAL FUND BUDGET 2020-21 EXE19-023

Councillor A Azad, Portfolio Holder for Corporate Financial Planning and Policy, introduced the report which outlined the draft General Fund Budget for 2020-21. Councillor Azad explained that the report represented an interim stage in the business planning process of the Council. The Executive heard that the delay in changes to government funding meant that it should be possible to transfer £966,000 to the Medium Term Financial Strategy (MTFS) reserve.

Following a question regarding rent pressures in the town centre, the Executive was advised that there was a downward pressure on rent nationally. The Leader reported that Peacocks Shopping Centre had a non-occupancy rate of only 4% and that a significant amount of the Victoria Square development had been pre-let. Regarding the change to Public Works Loan Board (PWLB) borrowing rates, it was confirmed that it was not necessary to re-run the model for Victoria Square as the project had been modelled at both 2.5% and 2.75% (currently at 2.47%).

Regarding the sale of Midas House to Surrey County Council and potential loss of income, the Executive was advised that Officers were looking at additional strategic property in order to secure that income. The significant benefits of the County Council moving its headquarters to Woking was highlighted.

Potential risks in relation to external loans to group companies and other agreed external loans were raised.

RESOLVED

That (i) the draft General Fund Budget for 2020/21 be received; and

(ii) Managers, Corporate Management Group and Portfolio Holders continue detailed budget preparation for consideration by the Executive in February 2020.

Reason: Consideration of these proposals will enable the preparation of the Council's budgets for 2020/21 to proceed.

11. DRAFT HOUSING REVENUE ACCOUNT BUDGET UPDATE 2020-21 EXE19-024

The Executive received a report which set out the Council's draft Housing Revenue Account (HRA) budgets for 2020-21. The Portfolio Holder reported that the four year rent reduction period would end in 2020. Regarding paragraph 6.10 of the report concerning an increase in the client-side consultancy budget, it was explained that, due to the New Vision Homes contract expiring in March 2022, Officers had sought a budget increase in order to obtain external specialist advice to support the key decisions to be made.

RESOLVED

- That (i) the draft Housing Revenue Account budgets for 2020/21, as set out in Appendix 1 to the report, be agreed; and
- (ii) Managers, Corporate Management Group and Portfolio Holders continue detailed budget preparation for consideration by the Executive in February 2020.

Reason: Consideration of these proposals will enable the preparation of the Council's Housing Revenue Account budgets for 2020/21 to proceed.

12. DRAFT INVESTMENT PROGRAMME 2019-20 TO 2023-24 EXE19-025

The Executive received a report which set out the draft Investment Programme 2019-20 to 2023-24. Members discussed Sheerwater Regeneration and the Leader of the Council advised that an additional Member briefing on Sheerwater would be required in order to discuss funding for the next stages of the project. It was noted that the Council had previously approved, in April 2018, a loan facility for the leisure and recreational facilities at the Bishop David Brown School, and had approved, in April 2019, a loan facility to enable the first residential phase (Purple). The Leader commented that Officers would look to speed up the process of project delivery in order to reduce interest costs. The Leader stated that the Sheerwater project was not delayed and was running to its timetable, having started a year later than had been intended.

It was reported that information was still awaited from Homes England regarding the Housing Infrastructure Fund (HIF).

Following a question regarding the increase in the cost to carry out the improvements to the changing rooms at the Pool in the Park, it was confirmed that the loan to Freedom Leisure remained at £705k and that the additional £220k to complete the upgrade would be funded through the Council's Asset Management Plan budget.

Regarding the Local Development Framework (LDF) project, the Deputy Chief Executive confirmed that the General Election would not have an effect on the Examination of the Site Allocations DPD. Following a question, the Deputy Chief Executive gave a brief summary of how the Examination in Public had been advertised and undertook to circulate information to Members on the extensive work undertaken by the Planning Policy Team to engage with the public.

RESOLVED

- That (i) the draft Investment Programme for 2019/20 to 2023/24 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;
- (iii) £1.5m of the 2020/21 opportunity purchases budget be brought forward into 2019/20; and
- (iv) an Investment Programme budget of £100,000 be approved for 2020/21 to allow the continuation of the agreement for Sheerwater Football Club to ground share with Woking Football Club.

Reason: To agree the draft Investment Programme for consultation before submission for final approval to the Council in February 2020.

13. GENERAL DATA PROTECTION REGULATION (GDPR) COMPLIANCE/CYBER SECURITY EXE19-027

The Executive received a report which provided the Executive with firstly, an update on the Council's compliance with the General Data Protection Regulation (GDPR) and secondly, cyber security issues affecting the Council. Attention was drawn to the GDPR breaches summarised in the report and it was noted that the most common breaches related to emails being sent to the wrong person. Members were reminded to take care with residents sensitive data and information. The Head of Democratic and Legal Services advised that he would be happy to provide Councillor Barker with more information outside of the meeting in relation to the Brookwood Cemetery cyber security incident.

RESOLVED

That the position regarding the Council's compliance with the General Data Protection Regulation (GDPR), and the cyber security issues affecting the Council, be noted.

Reason: To ensure that the Council has oversight of GDPR and cyber security issues affecting the Council.

14. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book) September 2019 and October 2019. Regarding affordable homes on page 1 of the Green Book, discussion ensued on Parking Standards and Officers advised that the Parking Standards had a significant degree of flexibility. The Leader expressed disappointment that 200 new homes, of which 160 were affordable, had been refused by the Planning Committee in the last year.

Members discussed routine repairs and noted that a new repairs contractor, Breyer Group, had taken over on 27 September 2019. Officers had taken steps to minimise transition

issues however there had been a dip in performance in Quarter 2. The Executive was encouraged to hear that feedback from residents and stakeholders regarding the new contractor had been very positive and it was hoped to see an improvement in performance in the coming months.

Following a question regarding the purchase of Kosegarten, Cemetery Pales, Brookwood, the Executive was advised that the Council was trying to reclaim sites that had been sold off by previous owners of the Cemetery in order to maintain the overall integrity of Brookwood Cemetery. It was noted that the Brookwood Cemetery Masterplan would come forward early next year for approval by Council.

RESOLVED

That the Performance and Financial Monitoring Information, September 2019 and October 2019, be received.

15. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of items 16 to 18 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).

16. LAND MANAGEMENT EXE19-120

RECOMMENDED to Council

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

Reason: To support the economic vitality of the wider Woking Town Centre, its future developments and the Council's approved Medium Term Financial Strategy objectives.

17. SCHOOL PLACE PROVISION EXE19-045

This item had been dealt with under Part I of the Agenda.

18. LAND MANAGEMENT EXE19-121

The Leader of the Council reported that the item had been withdrawn from the Agenda.

This document was published on Friday, 22 November 2019 and the decisions within it will be implemented on Monday 2 December 2019, subject to call-in.

The meeting commenced at 7.30 pm
and ended at 9.11 pm.

Chairman: _____

Date: _____