

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 5 December 2019

Present:

Cllr Mrs B A Hunwicks (Chair)
Cllr S Hussain (Vice-Chair)

Cllr M Ali	Cllr D Harlow
Cllr S Ashall	Cllr K Howard
Cllr A Azad	Cllr D E Hughes
Cllr T Aziz	Cllr I Johnson
Cllr A-M Barker	Cllr C S Kemp
Cllr D J Bittleston	Cllr R N Leach
Cllr J E Bond	Cllr L S Lyons
Cllr A J Boote	Cllr N Martin
Cllr M A Bridgeman	Cllr L M N Morales
Cllr G G Chrystie	Cllr M I Raja
Cllr G S Cundy	Cllr C Rana
Cllr K M Davis	Cllr J R Sanderson
Cllr G W Elson	Cllr M A Whitehand
Cllr W P Forster	

Also Present: Mr Tim Stokes, Independent Person, and Mr Barry Maunders and Mr Terry Price, Independent Directors of the Thameswey Group of Companies.

Absent: Councillor R Mohammed.

1. MINUTES.

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 17 October 2019 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE.

Apologies for absence had been received Councillor Mohammed. Councillor Forster and Councillor Ali arrived later on in the meeting.

3. MAYOR'S COMMUNICATIONS.

The Mayor reported on the activities and events she had participated in following the last meeting of the Council. These had included the unveiling of a blue plaque marking the birth place of Les Reed, a prolific composer and musician, the Woking Volunteer Award Ceremony and visits to a variety of charities and other organisations including Woking Conquest Art, the Woking and Sam Beare Hospice and a number of local schools.

A number of forthcoming visits had been arranged, including visits to Mizens Railway, the Mencap Carol Service, the Salvation Army Centre, Age UK and Moorcroft Centre for Christmas Lunch with Woking Lions.

The Mayor wished everyone a very merry Christmas or festive period and a very happy New Year.

4. URGENT BUSINESS.

No items of Urgent Business were considered.

5. DECLARATIONS OF INTEREST.

The Council received declarations of interest from Members and Officers in respect of any item to be considered at the meeting.

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 companies were listed in an attached schedule. 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 companies were listed in an attached schedule. 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 companies were listed in an attached schedule. 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 companies were listed in an attached schedule. The interests were such that speaking and voting were permissible.

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

In accordance with the Members' Code of Conduct, Councillor I Johnson declared an interest in item 7 - Woking Football Club Development and item 8 – Questions in so far as the references made to Woking Football Club. The interest arose from his wife's position as Chairman of Woking Football Club and was such that Councillor Johnson left the Chamber during the determination of the items.

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 companies were listed in an attached schedule. The interests were such that Mr Morgan could advise the Council 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 companies were listed in the attached schedule. The interests were such that Mr Spinks could advise the Council 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 companies were listed in an attached schedule. The interests were such that Mr Bryant could advise the Council 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 companies were listed in an attached schedule. The interests were such that Mrs Clarke could advise the Council 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 companies were listed in an attached schedule. The interests were such that Mrs Strongitharm could advise the Council 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 Council 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 Council on those items.

6. PETITION - TREASURE COVE CHILDREN'S PLAY CENTRE. WBC19-034

The Council had before it a short report on a petition which asked the Council to identify a suitable venue for the Treasure Cove Children's Play Centre which had closed in October 2019. The petition had been received through the Council's online e-petition scheme and contained 680 confirmed signatories. The petitioner had been unable to attend the meeting and accordingly the item was introduced by Councillor Bittleston who acknowledged both the value placed on such a facility in Woking and the efforts of officers in seeking to identify a suitable venue at a rent level sustainable for the operator.

Officers would continue to identify potential sites and it had been agreed that, if an opportunity arose for lower cost accommodation elsewhere in the Borough, it would be raised with the operator for consideration.

RESOLVED

- That (i) the petition be received and the position noted; and
(ii) no further action be taken.

7. WOKING FOOTBALL CLUB DEVELOPMENT.

The Council received a report on action taken as a result of two resolutions passed by Council at its meeting on 17 October 2019 in respect of the proposed Woking Football Club development. The report had been circulated after the agenda publication and the Mayor allowed a ten minute pause for Members to read the report.

As a result of the work undertaken following the October meeting, it has been concluded that reducing the spectator capacity would not result in a material reduction in the quantum of residential development required to fund the overall development. It was clarified that the Council, as landowner, had entered into legal agreements which would allow Woking Football Club and GolDev to construct a development in the form proposed by them. Such a development would be subject to planning permission being obtained. Any objections to the development would be considered by the Planning Committee as part of the determination of the planning application.

RESOLVED

That the action taken as a result of the two resolutions passed by Council, on 17 October 2019, in respect of the proposed Woking Football Club development be noted.

(NOTE: Councillor Forster joined the meeting at 7.30pm at the conclusion of this item.)

8. QUESTIONS.

Copies of questions submitted under Standing Order 8.1 together with draft replies were laid upon the table. The replies were confirmed by Members of the Executive, supplementary questions were asked and replies given. In view of the number of questions received, the Mayor advised that she did not intend to increase the time for questions beyond the fifteen minutes prescribed in the Constitution.

9. RECOMMENDATIONS OF THE EXECUTIVE. WBC19-033

Councillor D J Bittleston moved and Councillor A Azad seconded the reception and adoption of the report and recommendations from the meeting of the Executive held on 21 November 2019.

Review of Fees and Charges 2020-21. EXE19-021

Councillor Azad, Portfolio Holder for Corporate Financial Planning and Policy, introduced the recommendations of the Executive in respect of the proposed fees and charges for 2020/21. Councillor Barker moved and Councillor Forster seconded the following amendment to the recommendations:

“Council requests the climate change working group to look at differential charging for environmentally friendly vehicles.”

It was clarified that the proposed differential charging referred to the car park charges. The objective was to encourage more environmentally friendly vehicles and was welcomed by the Council. The amendment was agreed nem con before the Mayor directed the Councillors to the substantive recommendations set out in the report.

RESOLVED

- That (i) the discretionary fees and charges, as set out in Appendices 1 – 4 of the report to the Executive, be approved; and
- (ii) Council requests the Climate Change Working Group to look at differential charging for parking for environmentally friendly vehicles.

(NOTE: Councillor Ali joined the meeting at 7.55pm during the consideration of this item.)

Housing Allocations Policy. EXE19-114

The Council received a recommendation to adopt the Housing Allocations Policy which had been revised following the implementation of the Homelessness Reduction Act 2017. The proposals were introduced by Councillor Harlow, Portfolio Holder for Housing Needs, Strategy and Enabling.

RESOLVED

- 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.

School Place Provision. EXE19-122

The Leader of the Council introduced a recommendation before the Council to make a loan facility of £21m available to Greenfield School to cover the costs of the acquisition and development of the School's new site. The loan facility had been included in the Council's approved Investment Programme and £11m of the overall sum had already been agreed. Under the proposals, the School would pay a 1% margin on the loan at a level assumed to be £136,000pa. The loan would be secured against the School's property assets.

A number of Councillors expressed concern over the proposals, noting that the sum represented a significant amount of funding against a small margin of return over a long term repayment structure of 50 years. It was also questioned whether the Council should be providing funds to a private educational facility. It was argued that the funding would enable the School to increase its intake which in turn would help create more school places in local schools.

Councillor Ashall moved and Councillor Azad seconded the following amendment to the recommendations:

“That from the margin of 1%, 50% is set aside to provide fully funded places at Greenfield School for Woking students.”

The Council was invited to debate the amendment. It was estimated that the proposal would create between 4 and 5 fully funded places at the School. However, it was argued that the School itself should provide such opportunities. Responsibility for the allocation of such a bursary was discussed, noting that the School itself would have in place a means tested policy which could be used in the event the amendment was supported.

In accordance with Standing Order 10.8, the names of Members voting for and against the amendment were recorded.

In favour: Councillors S Ashall, A Azad, D Bittleston, K Davis, C Kemp, and C Rana.

Total in favour: 6

Against: Councillors M Ali, T Aziz, A-M Barker, J Bond, A Boote, M Bridgeman, G Chrystie, G Cundy, W Forster, D Harlow, K Howard, D Hughes, S Hussain, I Johnson, R Leach, L Morales, M I Raja, J Sanderson and M Whitehand.

Total against: 19

Present not voting: Councillors G Elson, L Lyons and N Martin.

Total present not voting: 3

The amendment was therefore lost by 6 votes in favour to 19 votes against.

The Members of the Council continued the debate of the substantive recommendations before them, raising further arguments against the proposals including the lack of clarity over the community use agreement and the low margin of return. Councillor Bittleston responded to the points made and moved that the item should be deferred to enable further discussions to be held before a report was presented at a future meeting. The motion was seconded by Councillor Azad and, at the request of Councillor Bond, was put to the Council for debate.

In accordance with Standing Order 10.8, the names of Members voting for and against the amendment were recorded.

In favour: Councillors S Ashall, A Azad, D Bittleston, K Davis, G Elson, D Harlow, C Kemp, L Lyons, N Martin and C Rana.

Total in favour: 10

Against: Councillors M Ali, T Aziz, A-M Barker, J Bond, A Boote, M Bridgeman, G Cundy, W Forster, K Howard, D Hughes, L Morales, M I Raja, J Sanderson and M Whitehand.

Total against: 14

Present not voting: Councillors S Hussain, I Johnson and R Leach.

Total present not voting: 3

(NOTE: Councillor Chrystie had left the Meeting during the debate, prior to the second vote being taken.)

The amendment was therefore lost by 10 votes in favour to 14 votes against.

The Mayor directed the Council to the recommendations now before it, namely those recommendations proposed by the Executive. In accordance with Standing Order 10.8, the names of Members voting for and against the amendment were recorded.

In favour: Councillors A Azad, D Bittleston, K Davis, D Harlow, C Kemp and C Rana.

Total in favour: 6

Against: Councillors M Ali, T Aziz, A-M Barker, J Bond, A Boote, M Bridgeman, G Cundy, W Forster, K Howard, D Hughes, S Hussain, R Leach, L Morales, M I Raja, J Sanderson and M Whitehand.

Total against: 16

Present not voting: Councillors S Ashall, G Elson, I Johnson, L Lyons and N Martin.

Total present not voting: 5

The substantive recommendations before the Council were therefore lost by 6 votes in favour to 16 votes against.

RESOLVED

That the recommendations of the Executive in respect of a £21m loan facility and a Community Use Agreement for Greenfield School be not supported.

10. THAMESWEY BUSINESS PLANS 2020. WBC19-035

The Council received a report which set out the business plans for the companies within the Thameswey Group of Companies. It was noted that the Business Plans had been approved by the relevant Boards. The Leader of the Council, Councillor Bittleston, introduced the report and responded to the points raised by Councillors, including references to the redevelopment of Griffin House and Concord House and the need for full consultation, and the energy efficiency grants offers by Thameswey.

RESOLVED

- That (i) the continued appointment of the Directors of the Thameswey Group of Companies, as set out in Appendix 1 to the report, be approved;
- (ii) the Business Plans for the Thameswey Group of Companies (Appendices 2 – 8), subject to the removal of the request for Thameswey Housing Limited to operate outside of the 30 minute commute zone, be approved;
- (iii) an increased Loan Facility of £5m in 2023 for Thameswey Housing Limited be approved; and

- (iv) an increased Local Facility of £5m for Thamesway Central Milton Keynes in 2023 be approved.

11. CALENDAR OF MEETINGS - 2020-21. WBC19-037

The Council had before it the report proposing the calendar of meetings for the coming Municipal Year. It was noted that, in preparing the Calendar, consideration had been given to Bank Holidays, school holidays, annual conferences and party conferences, as far as was possible.

The Calendar had been received by the Executive at its meeting on 21 November 2019 and had been deferred pending further consideration of the proposed dates as a result of half-term being held at the end of May 2020. An amended calendar had been prepared and was now before the Council.

RESOLVED

That the Calendar of Meetings 2020/21 be approved as set out in Appendix 1 to the report.

(NOTE: Councillor Johnson left the meeting at 9.45pm.)

12. NOTICES OF MOTION.

Councillor Davis

Councillor Davis moved and Councillor Howard seconded the following motion, proposing that the Motion should be determined on the night rather than referred to the next meeting of the Executive in accordance with Standing Order 5.7.

“Having declared a Climate and Ecological Emergency on 25 July 2019, Woking Borough Council should now deliver a programme of engagement with Woking residents and businesses until at least 2030.

To mark almost one year, we should hold the ‘Woking Climate Change and Ecology Conference’ at the start of July 2020, and then continue to hold an annual conference each July.

The conference will be in a suitable venue in Woking and will involve the Woking Borough Council Climate Change Working Group, Woking businesses and residents that express an interest in attending.

The conference will update residents on what has been achieved in the previous year and seek to gain ideas on what priorities should be focussed on next.”

The notice of motion was welcomed and Councillor Davis outlined the approach that would be taken in bringing the event forward.

RESOLVED

That the motion be supported as follows:

“Having declared a Climate and Ecological Emergency on 25 July 2019, Woking Borough Council should now deliver a programme of engagement with Woking residents and businesses until at least 2030.

To mark almost one year, we should hold the ‘Woking Climate Change and Ecology Conference’ at the start of July 2020, and then continue to hold an annual conference each July.

The conference will be in a suitable venue in Woking and will involve the Woking Borough Council Climate Change Working Group, Woking businesses and residents that express an interest in attending.

The conference will update residents on what has been achieved in the previous year and seek to gain ideas on what priorities should be focussed on next.”

13. EXCLUSION OF PRESS AND PUBLIC.

The Mayor moved and Councillor Hussain seconded that the press and public should be excluded from the meeting during consideration of the following item.

RESOLVED

That the press and public be excluded from the meeting during consideration of Agenda Item 14 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).

14. RECOMMENDATIONS OF THE EXECUTIVE. WBC19-036

Land Management. EXE19-120

The Council received a report on recommendations of the Executive in respect of a Land Management matter.

RESOLVED

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

The meeting commenced at 7.00 pm
and ended at 10.15pm.

Chairman: _____

Date: _____