

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 22 June 2020
Present:

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

Cllr G S Cundy Cllr D Harlow
Cllr K M Davis Cllr C S Kemp

Also Present: Councillors S M Ashall, A-M Barker, J E Bond, W P Forster, D E Hughes and L S Lyons.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 27 February 2020 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

No apologies for absence had been received.

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, 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.

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 interests were such that speaking and voting were permissible.

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 Director of Legal and Democratic 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 Director of Finance, 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 Director of Finance, 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 Director of Legal and Democratic 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.

In accordance with the Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, has declared a disclosable personal interest (non-pecuniary) in Item 5 – Questions (Question 8) arising from his position as a Director of Connect 2 Innovation Limited. The interest did not prevent Mr Morgan from advising on the matter.

5. QUESTIONS

The Chairman reported that 63 questions had been submitted by members of the public under Section 3 of the Executive Procedure Rules, the majority of the questions being in relation to the proposed Woking Football Club development. A copy of the questions together with the replies was before the Executive. The Chairman advised that, as agreed by the Council, no supplementary questions would be allowed. The Chairman further advised that the questioners would be sent a copy of the replies to their questions.

6. NOTICE OF MOTION - CLLR A-M BARKER - FIREWORKS EXE20-024

At its meeting on 13 February 2020, the Council referred the following Notice of Motion to the Executive.

Councillor A-M Barker

“A number of councillors have been contacted by residents in relation to the RSPCA initiative to reduce the impact of fireworks and Sky Lanterns on animals, and have asked their Council to support a motion to support measures which will help ensure people can enjoy fireworks responsibly whilst minimising the risk to animal welfare, horses, farm animals and wildlife and residents.

Woking Council can play its part in this by direct action or by lobbying other Government departments and retailers to play their part. Accordingly, the Council resolves to:

- Request all publicly organised firework displays within the Woking area to be advertised on the Woking Council website in advance of the event, so that everyone can enjoy the celebrations and residents are able to take precautions for their animals and vulnerable people.
- Actively promote a public awareness campaign about the impact of fireworks on animal welfare and vulnerable people including the precautions that can be taken to mitigate risks.
- Write to the UK Government urging them to introduce legislation to limit the maximum noise level of fireworks to 90dB for those sold to the public for private display.
- Encourage trading standards to enforce more rigorously the regulations of the selling of fireworks both in terms of age appropriateness, licencing and CE markings.”

Councillor Barker attended the meeting and spoke in support of the Motion. Councillor Barker advised that the intention was to ensure that organisers of public firework displays notified the Council in order for the displays to be advertised on the Council’s website. Such notification on the Council’s website in advance of the event would allow residents to be made aware and able to take precautions for their animals and vulnerable people. Councillor Barker drew attention to the Officer Comment, which referred to publishing on the Council website firework displays on Council owned land, and highlighted the number of displays organised by schools. The Executive was supportive of the Motion, noting the effect of fireworks on animal welfare, horses, farm animals and wildlife and residents.

RECOMMENDED to Council

That the Motion be supported.

7. NOTICE OF MOTION - CLLR G CHRYSTIE - CONFIDENTIAL REPORTING AT COUNCIL AND COMMITTEES EXE20-025

At its meeting on 13 February 2020, the Council referred the following Notice of Motion to the Executive.

Councillor G Chrystie

“Following upon various issues arising recently and current apparent paucity of member involvement it is proposed that adjustments are made to the current classification practice as follows:

1. Member input is vital and the Monitoring Officer must consult the Council Leader and Leader of the Opposition prior to making a decision upon a Part 2 designation.
2. In all cases where there is a statutory requirement for confidentiality then the Monitoring Officer’s recommendation shall be automatically endorsed by the said 2 Councillors.
3. The principle guiding Part 2 designations must be transparency is required unless there is a substantial material commercial reason for confidentiality.
4. All matters deemed subject to Part 2 must be regularly reviewed and as soon as possible an item must be declassified (unless there is a statutory bar on declassification).”

The Executive was not supportive of the Motion. As set out in the Officer Comment, the Council’s procedures for dealing with Part II matters complied with the relevant statutory provisions and good practice. If the Council sought to deal with matters in accordance with the Notice of Motion then this would not be the case.

RECOMMENDED to Council

That the Motion be not supported.

8. BROOKWOOD CEMETERY MASTERPLAN EXE20-008

Councillor Cundy, Councillor Director of Brookwood Cemetery Limited, introduced the report which recommended to Council the adoption of the Brookwood Cemetery Masterplan and the Brookwood Cemetery Experience Plan. It was noted that a Member site visit had been organised in June 2019 and a Member Briefing had been held on 26 February 2020, at which the Masterplan was well received. Councillor Cundy advised that the overall vision set out Brookwood Cemetery to be an example of a sustainable working cemetery with heritage status. It was noted that the Cemetery was a Grade 1 Listed park. The five Masterplan steps were explained to the Executive.

Following a question regarding flooding issues at Brookwood Train Station, the Executive heard that flooding of the tunnel was the responsibility of Network Rail and that it was the subject of ongoing discussions with Network Rail. Regarding cycle access, the Executive was informed that Brookwood Station had a very large cycle store. In addition, page 22 of the Masterplan referenced local cycle routes, and page 39 of the Masterplan referred to the possible creation of cycle routes at the Cemetery as well as the potential to trial cycle hire.

Discussion ensued on crematorium facilities in the Borough. It was commented that, at the present stage, the crematorium at St Johns had not shown any inclination to be part of discussions for the future, however it would be a matter under long-term considerations.

The Executive was supportive of the Brookwood Cemetery Masterplan and welcomed the tremendous work undertaken to transform the Cemetery since the Council purchased the important heritage asset in 2014.

RECOMMENDED to Council

That (i) the Brookwood Cemetery Masterplan, as set out at Appendix 1 to the report, be formally adopted; and

(ii) the Brookwood Cemetery Experience Plan, as set out at Appendix 2 to the report, be formally adopted.

Reason: The Masterplan and the Experience Plan have been the subject of extensive research and consultation and are supported by major stakeholders.

9. CARING FOR CHILDREN AND YOUNG PEOPLE POLICY - HR POLICY FOR WOKING BOROUGH COUNCIL EMPLOYEES EXE20-016

The Executive received a report which recommended to Council the adoption of the Caring for Children and Young People Policy. It was noted that the Policy was an HR policy for Woking Borough Council employees. The Executive was advised that other issues, such as child sickness and termination for medical reasons, were covered through compassionate grounds with a high degree of empathy for employees.

RECOMMENDED to Council

That (i) the Council adopts the Caring for Children and Young People Policy, as set out at Appendix 1 to the report, with effect from 1 April 2020; and

(ii) the Head of Human Resources, in consultation with Corporate Management Group and Unison, be delegated authority to make minor amendments to the Policy.

Reason: The Council has a duty to provide information on rights and entitlements when an employee wishes to take leave to care for a child or young person. Incorporating them into one policy document aims to centralise all relevant information to aid ease of access and understanding.

10. WOKING BOROUGH COUNCIL'S RESPONSE TO COVID 19 - UPDATE EXE20-042

The Leader of the Council, Councillor Bittleston, introduced the report which provided an update on the Council's position during the current COVID 19 crisis. Members thanked Council Officers for their amazing response to the crisis, noting colleagues who had been dealing with the emergency and those that had been keeping as much of the Council's business operational as possible. The proposals to support local businesses were welcomed.

Concern was raised regarding the Council's future income and revenues. The Leader advised that it was not possible to make forecasts at the present time due to the unclear position concerning COVID 19. However, the Leader informed the Executive that the Council's position should be clearer by September/October 2020. The Executive acknowledged that the Council would have to make difficult decisions going forward.

RESOLVED

That the report be received and noted.

Reason: To receive the report on COVID 19 implication.

11. FLOOD RISK MANAGEMENT EXE18-033

Councillor Davis, Portfolio Holder for Climate Change, introduced the report which provided an update in relation to Flood Risk Management work undertaken by the Council. The Executive noted that the schemes contained in the report would be subject to the impact of the COVID 19 crisis on the Council's available resources.

Members welcomed the schemes set out in the report and commented that priority should be given to those which protected homes. The environmental benefits of the schemes were also noted.

Katherine Waters, the Council's Drainage and Flood Risk Engineer, explained that surface water flooding was dealt with through the planning process. For example, a resident wishing to pave over a driveway with a non-permeable surface would need to seek planning permission and demonstrate that there would be no increase in water run-off.

The Executive welcomed the report and the Flood Risk Management activities contained within it to help improve flood resilience and resistance in the Borough.

RESOLVED

That (i) the current flood risk management work and the summary of future works be noted;

(ii) a £400,000 contribution to the Environment Agency for the financial year 2020/2021, as part of the Council's partnership contribution, to allow the environmental enhancements and health and wellbeing aspects of the Byfleet Flood Alleviation Scheme to be investigated, designed and incorporated into the final scheme be approved subject to the Director of Finance, in consultation with the Portfolio Holder for Resources, determining later in the

year that, in light of the impacts of the COVID 19 crisis, the Council has the resources available to do so; and

- (iii) £100,000 from the Investment Programme to allow the investigation, design and construction of further raingardens within the financial year 2020/2021; and a further £100,000 per year for the following 4 years as per the Investment Programme, be approved subject to the Director of Finance, in consultation with the Portfolio Holder for Resources, determining later in the year that, in light of the impacts of the COVID 19 crisis, the Council has the resources available to do so.

Reason: To improve the Borough's resilience and resistance to future flooding.

12. EXECUTIVE UNDERTAKINGS - WOKING FOOTBALL CLUB (PLAN/2019/1176) AND EGGLEY ROAD (PLAN/2019/1177) PLANNING APPLICATIONS EXE20-039

The Executive received a report which sought authority to give effect to certain requirements of the local planning authority if it was minded to grant planning permission for development of land owned by the Council at (i) Woking Football Club and (ii) Egley Road, Woking. The Director of Legal and Democratic Services, Peter Bryant, provided the Executive with an update on the report. The Executive was informed that, following publication of the report, GolDev, the developer of the proposed football club development, had contacted the Council to advise that there was a mistake in the proposed Executive Undertakings attached at Appendix 1 to the published report. Item 11 on page 344 of the Agenda Pack referred to the provision of an electric fold-up bike with every apartment at the Kingfield development. The intention of GolDev was to provide fold-up bikes. The Executive noted that there was no planning justification to require electric bikes and therefore Planning colleagues were content that the bikes to be provided, if planning permission was granted, should only be fold-up and not electric. The Executive noted the amendment to Appendix 1.

Following a query it was confirmed that the Executive Undertakings would be expanded upon, if planning permission was granted, and there would be a planning development agreement between the Council as landowner, the 2nd Party would be GolDev Woking Limited and the 3rd Party would be the joint applicant for the planning permission, Woking Football Club.

Regarding controls on the provision of affordable homes, the Executive was advised that the agreement would prevent the developer from paying a commuted sum as opposed to providing the affordable homes onsite. It was noted that if the developer subsequently wanted to change the manner in which affordable homes were provided, the developer would need to seek agreement from the Council, both in its capacity as the local planning authority and as landowner.

Following a question from Councillor Barker as to how the travel plan would be monitored, Officers undertook to consult with Planning colleagues and advise Councillor Barker outside the meeting.

RESOLVED

- That (i) the Council shall procure that the Executive Undertakings in respect of planning applications PLAN/2019/1176 and PLAN/2019/1177 set out in the Appendix to the report, as amended regarding the provision of fold-up bikes, are complied with; and
- (ii) authority be delegated to the Chief Executive to give Executive Undertaking(s) if the Planning Committee requires changes to the Executive Undertakings set out in the Appendix, as amended regarding the provision of fold-up bikes, to the report.

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

13. WOKING WALK IN CENTRE (WIC) CONSULTATION UPDATE EXE20-032

The Executive received a report which provided an update on the consultation being undertaken by North West Surrey CCG concerning the future of the Walk In Centre at Woking Community Hospital. The Chief Executive advised that COVID 19 had accelerated thinking within the Health Service about providing services differently in the community and that it had become a wider discussion than Walk In Centres. It was agreed that the Chief Executive would follow up the matter with the Director of Community Services and the work with the Integrated Care Partnership with a view to scheduling a meeting later in the year. The matter would be brought back to the Executive in the Autumn when there was a wider discussion to be considered.

RESOLVED

That the position is noted, and a further report be brought back to the Executive in the Autumn regarding the wider discussions within the Health Service.

Reason: To receive an update on the consultation being undertaken by North West Surrey CCG concerning the future of the Woking Walk-in Centre (WIC) at Woking Community Hospital and its review of urgent care services in North West Surrey.

14. REGULATION OF INVESTIGATORY POWERS ACT 2000 - ANNUAL MONITORING REPORT EXE20-006

RESOLVED

That the Council's non-use of the Regulation of Investigatory Powers Act 2000 during the 2019 calendar year be noted.

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

15. WRITE OFF OF IRRECOVERABLE DEBT EXE20-023

RESOLVED

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

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

16. RISK MANAGEMENT AND BUSINESS CONTINUITY ANNUAL REPORT EXE20-019

RESOLVED

That the report be noted and that Risk Management arrangements will be reviewed and updated in the coming months to ensure that the strategy and associated guidance is sufficient to match the needs of the Council.

Reason: The continuous development of Risk Management and Business Continuity is essential to ensure effective management and planning within the Council.

17. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book) March 2020. Members welcomed the positive progress in relation to the number of empty properties brought back into use, and planning applications decided within timeframes.

Questions were raised by Councillor Bond regarding the budget for Thamesway Housing Limited, properties purchased outside the Borough and the Thamesway Developments sales income. The Chief Executive undertook to provide answers to Councillor Bond's questions at the Weekly Leaders Meeting and share with Members afterwards.

Discussion ensued on refuse collection on time. The Executive was informed that work was ongoing with the Joint Waste Service to review timeliness of reporting and accuracy. The Portfolio Holder commented that it was important to ensure KPIs for refuse collection were accurate. It was noted that the issue had also been raised at the Overview and Scrutiny Committee. It was also noted that the last two satisfaction surveys for the Serco Environmental contract had not been carried out due to COVID 19.

Following a suggestion that the total residential properties completed table, on page 14 of the Green Book, be extended to include affordable homes, the Leader advised that consideration would be given to amending the table.

Members also discussed legal expenditure, Lightbox compensation, Korn Ferry training and the leisure contract.

RESOLVED

That the Performance and Financial Monitoring Information, March 2020, be received.

Reason: To manage the performance of the Council.

18. MONITORING REPORTS - PROJECTS EXE20-005

The Executive received a quarterly monitoring report on the progress of projects in the interest of financial prudence and to ensure open and transparent corporate governance. It was commented that some of the projects had been on the monitoring report for a considerable length of time and the Chairman encouraged Officers to try to resolve outstanding issues so that projects could be removed from future quarterly reports.

RESOLVED

That the report be received.

Reason: To monitor the position of active projects on SharePoint.

19. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of items 20 and 21 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. VICTORIA SQUARE UPDATE EXE20-044

RESOLVED

That the report be received and the actions outlined therein be noted; and

RECOMMENDED to Council

That the recommendations set out in the Part II report be agreed.

Reason: To record receipt of the update.

21. COMMERCIAL TENANT MANAGEMENT EXE20-043

RESOLVED

That the recommendations set out in the Part II report be agreed.

Reason: To proactively support the commercial businesses within the Borough at a difficult time, so as to enable them to re-open and continue to provide valuable employment and to ensure the continued economic vibrancy of the Borough.

This document was published on Tuesday, 23 June 2020 and the decisions within it will be implemented on Wednesday 1 July 2020, subject to call-in.

The meeting commenced at 7.00 pm
and ended at 9.29 pm.

Chairman: _____

Date: _____