

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 8 October 2020

Present:

Cllr D J Bittleston (Chairman)

Cllr A Azad (Vice-Chair)

Cllr S Ashall Cllr K M Davis
Cllr G S Cundy Cllr D Harlow

Also Present: Councillors A-M Barker, J E Bond, K Howard, D E Hughes, I Johnson, L S Lyons and M A Whitehand.

Absent: Councillor C S Kemp.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 10 September 2020 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Kemp.

3. URGENT BUSINESS

[NOTE: In accordance with Section 100B (4) of the Local Government Act 1972, the Leader of the Council ruled that the following item be dealt with as Urgent Business in order to ensure that the Council can act where necessary under new Coronavirus Regulations brought into force to control the spread of the coronavirus.]

The Leader of the Council introduced the item and explained that it provided an overview of the various Coronavirus Regulations, the related Local Authority enforcement tools and provision for the designation of Officers. The Leader confirmed that the Council's approach would be one of friendly encouragement and that it would seek to use the new powers sparingly. The importance of communicating and educating people to behave responsibly in order to control the spread of coronavirus was stressed, noting that enforcement action would only be taken as a last resort.

It was noted that the Government had today announced a £30 million COVID-19 local authority compliance and enforcement grant. Woking Borough Council had been allocated funding of £40,738 for compliance and enforcement activities.

RESOLVED

- That (i) the Director of Neighbourhood Services and Environmental Health Manager be designated under the Coronavirus Regulations as an authorised person; and
- (ii) the Director of Legal and Democratic Services be authorised to make designations of authorised persons under the current Coronavirus Regulations and any further coronavirus regulations which may be enacted from time to time in response to the current pandemic.

Reason: To ensure that the Council is informed of the provisions contained within the new Coronavirus Regulations and has designated officers to take necessary enforcement action to control the spread of the coronavirus.

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.

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

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 Members' Code of Conduct, Councillor I Johnson declared an interest in minute item 5 – Questions. Question 16 referred to the Woking Football Club development site UA44. Councillor Johnson's interest arose from his wife's position as Chairman of Woking Football Club. The interest was such that Councillor Johnson left the meeting during the determination of the item.

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.

The interest of Douglas Spinks was referred to in the agenda but it should be noted that Mr Spinks sent apologies to the meeting.

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 Community Services, Julie Fisher, 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 Fisher 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.

5. QUESTIONS

The Chairman reported that 18 questions had been submitted by members of the public under Section 3 of the Executive Procedure Rules regarding the Goldsworth Road development, Victoria Square and the Town Centre economy. A copy of the questions together with the replies was before the Executive. The Chairman advised that the questioners would be sent a copy of the replies to their questions.

6. HOUSING MANAGEMENT AND MAINTENANCE SERVICE EXE20-050

Councillor Harlow, Portfolio Holder for Housing, introduced the report which recommended to Council a preferred approach for the future delivery of the Housing Management and Maintenance Service following the expiry of the New Vision Homes (NVH) contract on 31 March 2022. Councillor Harlow explained that the report sought authority to undertake the required statutory consultation with tenants and leaseholders on the preferred approach.

The Executive was supportive of the recommendation set out in the report, namely that the Council pursued a hybrid model whereby Housing Management and Asset Management Services were brought back in-house, and repairs and maintenance works and services were procured through third party contractors. It was commented that bringing Housing Management Services back in-house would give the Council direct control and reduce confusion amongst residents.

Discussion ensued on repairs and maintenance services. The Executive was informed that the Council no longer had in-house expertise in delivering housing repairs and it was considered to be a step too far at the current time to bring the service back in-house. The preferred approach was for the service to be delivered by external providers with the repairs and maintenance contract directly managed by the Council to ensure the Council had clear oversight. The consultant costs in relation to the outsourcing of the repairs and maintenance service were raised. Officers advised that the Council could consider bringing the service back in-house in the future.

RECOMMENDED to Council

- That (i) **approval be given to the preferred approach of Housing Management and Asset Management Services being brought back in-house and housing repairs and maintenance works and services being procured through third party contractors (Option 2) from 1 April 2022, subject to tenant and leaseholder consultation;**
- (ii) **the Director of Housing, in consultation with the Portfolio Holder for Housing, be authorised to take such decisions as may be necessary to facilitate the process of transition to a new model of Housing Management and Maintenance Service, including any decisions around procurement timing and approach;**
- (iii) **the Director of Housing, in consultation with the Head of Legal and Democratic Services and the Portfolio Holder for Housing, be authorised to undertake the statutory tenant and leaseholder consultation, as determined by s.105 of the Housing Act 1985 and s.20 of the Landlord and Tenant Act 1985 (as amended by s.151 of the Commonhold and Leasehold Reform Act 2002) as necessary, regarding the future of the Housing Management and Maintenance service post 31st March 2022; and**
- (iv) **following the statutory consultation and engagement process, a report on the outcome is brought back to the Executive and Full Council in February 2021 to inform the final decision on the future of the Housing Management and Maintenance Service.**

Reason: To determine the future delivery model for the Council's Housing Management and Maintenance Service after the end of the current contract with New Vision Homes on 31 March 2022.

7. WOKING BOROUGH COUNCIL SOCIAL MEDIA POLICY EXE20-057

The Executive received a report which recommended to Council the adoption of the Woking Borough Council Social Media Policy. Discussion ensued on Section 6 of the Social Media Policy which related to Elected Member use of social media. Following a question regarding how the Policy related to the Members' Code of Conduct, the Executive was informed that the Policy cross referenced the Code of Conduct in Section 6 of the Policy. The Director of Legal and Democratic Services, Peter Bryant, explained that a

breach of the Social Media Policy would not automatically constitute a breach of the Members' Code of Conduct as it would depend upon the nature of the breach and whether it constituted a breach of one of the core elements of the Code. In order to provide greater clarity to Members, consideration would be given to taking to the Standards and Audit Committee a Standards Protocol in relation to the Social Media Policy which would expand on what constituted a breach of the Code of Conduct. It was noted that the usual sanctions would be available if a breach of the Code was deemed to have occurred.

The practical difficulties of Members separating their personal and public life on social media was discussed. The Executive was advised that the Policy related to the subject matter of social media posts and not the social media profile used when posting. It was agreed that further discussion between the Portfolio Holder and Officers would be held on the issue before Council on 15 October 2020.

RECOMMENDED to Council

- That (i) **the Council adopts the Social Media Policy, as set out in Appendix 1 of the report, with effect from 16 October 2020; and**
- (ii) **the Marketing Communications Manager, in consultation with the Portfolio Holder, be delegated authority to make minor amendments to the Policy.**

Reason: This policy will help employees and Members to use social media effectively without inadvertently placing themselves in a situation where the appropriateness of their conduct is called into question.

8. TREASURY MANAGEMENT ANNUAL REPORT 2019-20 EXE20-018

The Executive received a report on Treasury Management performance for 2019-20 in accordance with the Council's policy on Treasury Management. Following a question regarding the loans due for repayment in 2020/21 and 2021/22 set out in Appendix 2 to the report, the Executive was informed that the majority of the loans in the schedule related to short term borrowing which was currently being refinanced. It was explained that the majority of the Council's borrowing was for long term projects and therefore there were no funds available for repayment and the borrowing would be refinanced. It was noted that the Council was currently running at a high level of short term borrowing compared to previous years due to the 1% increase in the PWLB borrowing rate. Officers agreed to investigate providing the information discussed regarding loan repayments in the Green Book for cross-referencing purposes.

RESOLVED

That the annual report on Treasury Management performance for 2019/20 be received, and the compliance with the Council's approved arrangements be noted.

Reason: To receive the annual report on Treasury Management performance for 2019/20 in accordance with the Council's policy on Treasury Management.

9. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book) August 2020. Town centre car park income was discussed and the Executive was informed that there had been a small improvement, however usage was considerably down on normal expected levels. Attention was drawn to page 6 of the Green Book and it was noted that the percentage of Council Tax Collected and the percentage of Non Domestic Rates Collected had performed better than anticipated during the pandemic.

RESOLVED

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

Reason: To manage the performance of the Council.

10. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of items 11 to 14 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).

Councillor Johnson left the meeting and was not present for Items 11 to 14.

11. LOCAL AUTHORITY COMPANY EXE20-114

RECOMMENDED to Council

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

Reason: To enable a local authority company to be set up on a contingency planning basis.

12. PROPERTY MANAGEMENT - WOKING AND SAM BEARE HOSPICE EXE20-119

RECOMMENDED to Council

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

Reason: To secure the continued operation of Woking and Sam Beare Hospice.

13. PROPERTY MANAGEMENT - WOLSEY PLACE EXE20-117

RESOLVED

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

Reason: To enable the redevelopment of the former Tante Marie unit in Wolsey Place.

14. PROPERTY MANAGEMENT - COMMERCIAL RENTS EXE20-118

RESOLVED

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

Reason: To enable the management of specific commercial rents.

<p>This document was published on Friday 9 October 2020 and the decisions within it will be implemented on Monday 19 October 2020, subject to call-in.</p>

The meeting commenced at 7.00 pm
and ended at 8.54 pm.

Chairman: _____

Date: _____