

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 25 March 2021

Present:

Cllr A Azad (Chairman)
Cllr S Ashall (Vice-Chair)

Cllr K M Davis Cllr D Harlow
Cllr G W Elson

Also Present: Councillors A-M Barker, K Howard, D E Hughes, S Hussain, I Johnson (from Agenda Item 13) and L S Lyons.

Absent: Councillor C S Kemp.

Prior to the commencement of the meeting the Leader of the Council, Councillor Azad, stated that it would be helpful in future for Opposition Members to provide questions rather than general points when submitting requests to speak at Executive meetings.

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 4 February 2021 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

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 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 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 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

No written questions had been received under Section 3 of the Executive Procedure Rules.

6. CORPORATE PLAN EXE21-037

The Leader of the Council, Councillor Azad, introduced the Corporate Plan for 2021-22 and explained that the Plan provided an overview of the Council's strategic objectives for the coming year. Councillor Azad advised that the Plan encapsulated commitments made previously by the Council and brought them together into a single plan of action. The Executive noted that the development of a five year Corporate Strategy for 2022-27 would be guided by engagement with residents, businesses, partners and staff.

Following a comment on the promotional nature of the Corporate Plan, the Executive heard that it was usual practice for Council documents to be introduced by the responsible Council Member.

Following a question on upgrading outdated systems and practices referred to in the Plan, the Executive was informed that the Council had committed to invest in Microsoft 365 in 2021 which would improve remote access for staff when supporting residents in their own homes. The Council would also invest in a new Housing system to support its decision to bring Housing services in house.

Transport links were raised and it was commented that reference to the Borough's transport links could be enhanced in the Corporate Strategy.

Discussion ensued on the Council's financial position referred to in the Plan and it was noted that the position would be discussed in more detail under the Medium Term Financial Strategy item on the agenda. The Chief Executive reiterated that the Council had borrowed for strategic reasons and for the regeneration of the Borough, not for yield purposes.

RECOMMENDED to Council

That (i) the Corporate Plan, as attached to the report, be adopted; and

(ii) the work to develop a five year Corporate Strategy for 2022-2027 be supported.

Reason: To enable the Council to clearly articulate its strategic objectives and focus of work within the Council and beyond.

7. MEDIUM TERM FINANCIAL STRATEGY EXE21-006

Councillor Ashall, Portfolio Holder for Corporate Financial Planning and Policy, introduced the report which provided a forecast of the financial position of the Council for the four years to 31 March 2025 with the 2021-22 budget approved by the Council in February as a base. Councillor Ashall advised that the current environment remained uncertain due to the Covid-19 pandemic and highlighted the Council's shortfall of income during the current financial year, namely around car parking income, commercial rents and the level of support expected from Government. The Executive noted that the government's published roadmap provided some optimism going forward.

The Executive was advised that the Council had applied to the government for 'exceptional support' to fund Covid related income losses in 2020-21 and 2021-22. A decision on the Council's application was expected in mid to late May 2021.

The Executive welcomed the news that the Council had been awarded a Decarbonisation Grant of £3.1m from the Department for Business, Energy and Industrial Strategy (BEIS) to connect Export House and Midas House to the Poole Road Energy Centre. It was explained that a Council contribution towards the Export House connection costs was required as it was a more expensive building to decarbonise and it would not generate sufficient carbon savings to pay for the works required. It was highlighted that the works to both buildings would help positively towards the Council's Climate Change Strategy goals.

Discussion ensued on HG Wells and the plans in place for alternative conference facilities and alternative premises for community groups. The Executive was advised that the new hotel in the Victoria Square development would be used by the Council for civic functions. Regarding displaced community groups and users of HG Wells, the Executive was informed that Officers hoped to accommodate all groups. For example, an auditorium was available at the Welcome Church, and work was underway for a new performance space as part of the Victoria Square development which would be suitable for smaller groups. Officers would deal with groups on an individual basis to assess their requirements.

Following a question from Councillor Hughes regarding an estimation of the unanticipated costs in paragraph 9.7 of the report, Councillor Ashall agreed to provide Councillor Hughes with an answer outside of the meeting.

Following a question regarding Morris House, the Chief Executive provided an update on the reason for its original acquisition by the Council and the future plans for the building. The Executive heard that Victoria Square would use the space for some six months to accommodate some of its operatives, after which it was expected that a proposal would come forward for its future use.

The Executive thanked the Finance Director and her team for their hard work in compiling the Medium Term Financial Strategy.

RECOMMENDED to Council

- That (i) the Medium Term Financial Strategy (MTFS) report be approved;**
- (ii) the Council accepts the £3.148m Decarbonisation Grant from the Department for Business, Energy and Industrial Strategy (BEIS), to connect Export House and Midas House to the Poole Road Energy Centre, and approves the Council contribution of £1.479m in the Investment Programme to be funded temporarily by borrowing and recovered through service charges; and**
- (iii) an allowance of up to £600k from the Economic Regeneration budget be allocated for a programme of works to the Council's assets to facilitate letting of vacant space, to be approved by the Director of Finance.**

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.

8. HEIGHT AND SCALE OF NEW BUILDINGS ACROSS WOKING EXE21-021

Following the Notice of Motion submitted by Councillor Lyons and supported by Council on 3 December 2020, the Executive received a report setting out the existing guidance on ensuring high quality design and the implications for introducing height restrictions on development within the town centre. A correction was highlighted in the first line of paragraph 2.1 of the report; the word 'undermined' should read 'underpinned'.

The Executive heard that Councillor Lyons had submitted the Motion in light of concerns over the number of planning applications received by the Council for large scale tower blocks and the changing character of the Town Centre. Officers advised that the Local Plan documents referred to in the report would remain in force until the next review of the Core Strategy scheduled to be undertaken in 2023. As proposed in the Corporate Plan 2021-22, residents would be engaged through the Big Conversation and this would inform the next Core Strategy review.

The Leader of the Council invited Councillor Lyons to provide Ernest Amoako, Planning Policy Manager, with potential sites in the Town Centre which Officers could explore.

The Deputy Chief Executive drew attention to the Council's obligation to properly plan the development of the Borough in excess of 15 years. The need to ensure that the policies in place were properly applied was stressed, as those policies had been through proper and due process. The Executive noted that a possible height limit on tall buildings could become a minimum target height for developers resulting in buildings of the same tallness being proposed.

RECOMMENDED to Council

That (i) the existing guidance on the design of development, including tall buildings in the town centre, as set out in Section 2 of the report, be noted;

(ii) the consequential impacts for introducing height limits on development in the town centre, as set out in Section 3 of the report, be noted; and

(iii) the current suite of Local Plan documents referred to in the report remain in force until the next review which is due in 2023 and which will be informed by the Big Conversation which is proposed in the Corporate Plan 2021 – 2022.

Reason: To inform Members of the existing guidance on the design of development and the implication for setting height limit on development at the town centre.

9. FINANCING AFFORDABLE HOUSING EXE21-023

The Executive received a report which sought approval to pursue the delivery of affordable housing homes through financial mechanisms. The Executive welcomed the report and noted that individual affordable homes proposals which required Council land and/or funding provisionally agreed with a developer would come back to the Executive for approval.

RESOLVED

- That (i) Officers be authorised to explore alternative mechanisms to deliver affordable homes; and
- (ii) each affordable homes proposal that requires Council land and/or funding (including as a guarantor) provisionally agreed with a developer be submitted to the Executive for approval.

Reason: To support the delivery of affordable homes.

10. COUNCIL TAX AND BUSINESS RATE DEBT COLLECTION - ADOPTION OF COUNCIL TAX PROTOCOL EXE21-024

Following the meeting of Council held on 3 December 2020 at which the Council supported Councillor Aziz's Motion regarding Council Tax and Business Rate collection, the Executive received a report which sought approval to the adoption of the CAB Protocol.

RESOLVED

- That (i) the Council adopts the CAB/LGA Protocol;
- (ii) the Council works with Citizens Advice Woking to strengthen partnership working and signposting of debt advice;
- (iii) any necessary changes to Council procedures to comply with the new government 'Breathing Space' scheme are implemented by 4 May 2021; and
- (iv) following the introduction of 'Breathing Space', debt recovery policies are reviewed and any necessary changes recommended to Council for adoption.

Reason: To adopt the CAB/LGA Collection of Council Tax Arrears Good Practice Protocol.

11. WRITE OFF OF IRRECOVERABLE DEBT EXE21-008

The Executive received a report which sought the authority of the Executive to write off debts over £10,000 recommended by Officers. Following a question concerning the debt in relation to NHS Property Services, the Portfolio Holder reported that the debt had arisen when the Primary Care Trust (PCT) had been taken over by the Clinical Commissioning Group (CCG) and there had been disagreement over responsibility for the debt liability. Officers had taken the decision to propose that the debt be written off.

RESOLVED

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

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

12. EXECUTIVE UNDERTAKINGS - WOKING FOOTBALL CLUB (PLAN/2019/1176) AND EGGLEY ROAD (PLAN/2019/1177) PLANNING APPLICATIONS EXE21-034

Following an appeal by GoDev Woking Limited against the refusal of planning permission, the Executive received a report seeking authority that the Executive Undertakings it gave previously at its meeting on 22 June 2020 should apply if the Secretary of State granted planning permission for the proposed development. The Executive noted that the Secretary of State had called it in due to the number of dwellings.

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 are complied with; and

(ii) authority be delegated to the Chief Executive (existing and designate) to give Executive Undertaking(s) if the Secretary of State requires changes to the Executive Undertakings set out in the Appendix to the report.

Reason: To enable the Secretary of State to be certain that planning obligations will be secured if he is minded to grant the planning permissions sought.

13. OLD WOKING COMMUNITY CENTRE AND WOKING COLLEGE EXE21-035

The Executive received a report which set out proposals to allow Old Woking Community Centre to grant an under-lease to Woking College of part of the Community Centre building until 28 September 2060. It was explained that the development work proposed in the report would enhance the Community Centre and improve the facilities for both the College and the community. It was noted that, during the Coronavirus crisis, the College had been using parts of the Centre to manage social distancing requirements and both parties had agreed to seek a more formal arrangement.

The proposed funding arrangements were discussed. The Chief Executive explained that the College had used some funding on 3G pitches which had been specifically earmarked for recreation. It was noted that the Council held Section 106 funds which were for the benefit of education, and that it would be necessary for the developer of Kingsmoor to consent to the use of its Section 106 education contribution. The Executive agreed to add an additional resolve in order to provide more certainty given the Council's current financial position. A new resolve (vi) to read "the Director of Finance to be satisfied that the Community Infrastructure Levy funds are available to be released before construction commences".

The Executive was advised that Woking College was still pursuing finance through the Education and Skills Funding Agency (ESFA) for additional classrooms on its site.

RESOLVED

- That (i) Old Woking Community Centre be authorised, under the Council's Ground Lease, to grant an under-lease of part of the site and buildings to Woking College;
- (ii) the Council implement the improvements and alterations to Old Woking Community Centre at a total cost of £2.9m;
- (iii) the project be financed by £1.3m from Section 106, £1.2m from Community Infrastructure Levy and £0.4m from Woking College;
- (iv) resolutions (i) to (iii) above are conditional upon the Education and Skills Funding Agency authorising Woking College to enter into this transaction;
- (v) resolutions (i) to (iii) above are conditional upon the developer of Kingsmoor consenting to the use of its Section 106 education contribution for this purpose; and
- (vi) the Director of Finance to be satisfied that the Community Infrastructure Levy funds are available to be released before construction commences.

Reason: To support Woking College to meet the increased demand from young people to attend the College.

14. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book) January 2021.

RESOLVED

That the Performance and Financial Monitoring Information, January 2021, be received.

Reason: To manage the performance of the Council.

15. NOTICE OF MOTION - CLLR I JOHNSON - YORK ROAD PROJECT EXE21-028

At its meeting on 11 February 2021, the Council referred the following Notice of Motion to the Executive.

Councillor I Johnson

“That the Council, in relation to York Road Project

- a) appreciates the valuable work of the Project to support Woking's homeless people through its hostel, move on services and day facilities,
- b) recognises the need of the Project to find permanent modern facilities fit for the challenges of the future and

- c) resolves to work with the Project and a developer, potentially as part of the Housing Infrastructure Fund, to provide such facilities in, or near to, the town centre.”

Councillor Johnson attended the meeting and spoke in support of the Motion.

RECOMMENDED to Council

That the Motion be supported.

16. NOTICE OF MOTION - CLLR L LYONS - PAPERLESS MEETINGS EXE21-029

At its meeting on 11 February 2021, the Council referred the following Notice of Motion to the Executive.

Councillor L Lyons

“Following new practice as a result of the coronavirus pandemic, this Council has operated hugely successfully without the need to print papers and courier them to Members across the Borough.

- (i) As a permanent matter of policy, this Council will operate all public meetings and task group meetings without printed papers, instead distributing them to Members and relevant Officers by electronic digital means.
- (ii) This Council will work towards operating all functions, involving all members of staff and associated contractors, without the need for printed papers.
- (iii) Exceptions may be made for complex planning documents containing diagrams and images, or which may be presented on non-standard paper sizes.
- (iv) Due consideration and exceptions will be made for those Members and Officers with additional physical needs.
- (v) Appropriate training will be offered to Members and Officers to enable them to use electronic digital alternatives to printed papers effectively.”

Councillor Lyons attended the meeting and spoke in support of the Motion.

RECOMMENDED to Council

That the Motion be supported.

17. NOTICE OF MOTION - CLLR L LYONS - WOKING STATION PEDESTRIAN UNDERPASS EXE21-030

At its meeting on 11 February 2021, the Council referred the following Notice of Motion to the Executive.

Councillor L Lyons

“The pedestrian underpass underneath Woking Station has become dilapidated and is in a poor state of repair and decor. It has also become an eyesore in the town centre. At times, it can be unpleasant for pedestrians transiting between south Woking and the town centre.

- (i) This Council will take advantage of the significantly lower numbers of pedestrians using the underpass underneath Woking Station as a result of the current coronavirus restrictions, and arrange for its refurbishment at the earliest opportunity.
- (ii) This Council will seek to make such arrangements with other stakeholders as are necessary to achieve the refurbishments.”

Councillor Lyons attended the meeting and spoke in support of the Motion.

RECOMMENDED to Council

That the Motion be supported.

18. NOTICE OF MOTION - CLLR L LYONS - PROVISION OF AFFORDABLE HOMES ONSITE EXE21-031

At its meeting on 11 February 2021, the Council referred the following Notice of Motion to the Executive.

Councillor L Lyons

“CS12 of the Council’s Core Strategy requires that new developments over 15 dwellings will provide at least 40 per cent affordable homes onsite, and that those brought forward by this Council will provide 50 per cent of affordable homes onsite.

- (i) This Council notes that some applicants have successfully avoided having to provide any or all of these affordable homes as a result of viability assessments which have concluded that such a development would not be economically viable, were they to do so.
- (ii) Irrespective of any viability assessment, this Council, along with any of this Council’s arms-length companies (including but not limited to Thameswey), will not have any involvement in a development - save for determining its planning application - unless at least 40 per cent of the homes provided onsite are affordable homes.”

Councillor Lyons attended the meeting and spoke in support of the Motion. Councillor Lyons commented that he would need to give further consideration to the suggested amendment to (ii) of the Motion set out in the Officer comment. The Executive was not minded to support the Motion because to do so would be counterproductive and would rule out the ability for the Director of Housing to secure grants from Homes England.

RECOMMENDED to Council

That the Motion be not supported.

19. NOTICE OF MOTION - CLLR L LYONS - CONSTRUCTION SITE NOISE LIMITS EXE21-032

At its meeting on 11 February 2021, the Council referred the following Notice of Motion to the Executive.

Councillor L Lyons

“In accordance with the Control of Pollution Act (Noise) 1974, construction sites operating in Woking must currently limit site noise to the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturday and not at all on Sunday, with no noise permitted to be audible from the site boundary outside of those hours.

- (i) These times are to be confirmed as a matter of Council policy, and any review of, or amendments to, these times must be determined by the Council.
- (ii) Any permission to vary from these times may only be granted to an applicant with the permission of the Planning Committee.
- (iii) Any such permission by the Planning Committee will only be granted in exceptional circumstances, and for a limited and specified period.
- (iv) Permission to vary these times on a single occasion, for a maximum period of one day, may be granted by relevant Officers under delegated powers. Subsequent applications, or applications for longer than one day, must be considered by the Planning Committee.
- (v) On all such instances of permission to vary from these times being granted, residents likely to be affected will be notified by post.
- (vi) Works deemed to be an emergency will continue to be exempt from these restrictions.”

Councillor Lyons attended the meeting and spoke in support of the Motion. Due to the level of confusion arising as a result of the matter being both a Planning and Environmental Health issue, the Executive was not minded to support the Motion.

RECOMMENDED to Council

That the Motion be not supported.

20. EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED

That the press and public be excluded from the meeting during consideration of item 21 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).

Councillors Hussain, Johnson and Lyons left the meeting and were not present for Item 21.

21. COMMERCIAL TENANT MANAGEMENT EXE21-038

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.

22. VOTE OF THANKS

On behalf of the Executive, the Leader of the Council thanked Ray Morgan and Douglas Spinks for their exceptional service to the Council and wished them both well in their retirements.

<p>This document was published on Friday 26 March 2021 and the decisions within it will be implemented on Wednesday 7 April 2021, subject to call-in.</p>
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The meeting commenced at 7.00 pm
and ended at 8.44 pm.

Chairman: _____

Date: _____