

**RECOMMENDATIONS OF THE EXECUTIVE, COMMITTEES AND THE HOUSING
INFRASTRUCTURE FUND OVERSIGHT PANEL**

Executive Summary

The Council is invited to consider the recommendations from the meetings of the Housing Infrastructure Fund Oversight Panel held on 3 September 2020, the Executive held on 10 September 2020 and 8 October 2020, the Standards and Audit Committee held on 17 September 2020 and the Licensing Committee held 6 October 2020. The recommendations of the meetings are outlined below.

HOUSING INFRASTRUCTURE FUND (HIF) OVERSIGHT PANEL – 3 SEPTEMBER 2020

A. TERMS OF REFERENCE

Ray Morgan explained that at the Council meeting on 30 July 2020, Councillor M Ali had raised a number of questions regarding the Terms of Reference and Membership of the Housing Infrastructure Fund (HIF) Oversight Panel. It had been agreed that these would be considered at the first meeting of the Panel and that any respective changes would be reported back to Council.

Councillor M Ali commented that he was happy with the Terms of Reference generally however he thought that there should be more representation on the Panel for Canalside as this Ward would be directly affected by the HIF works. Councillor M Ali proposed that all three Councillors from the Canalside Ward be added to the Membership of the Panel. Councillor M Ali suggested that the Independent Party should also be represented on the Membership.

It was noted that there was no objections to increasing the Membership to include all Canalside Councillors but Members were eager that anyone who was a Member of the Panel should participate fully in the meetings and that the Panel should not become political. The Panel agreed that if a further two Labour Councillors were added to the Membership then the Independent Party should be asked if they would like a representative. Councillor J Bond confirmed that he would ask whether either of his fellow Independent Councillors had an interest in joining the Panel.

Councillor W Forster asked to also become a member of the Panel. There were no objections to this request.

It was noted that the HIF Oversight Panel meetings would remain open to any Councillor who wished to attend as an observer.

Councillor W Forster requested that the Panel be consulted on communications that were sent out to the public. It was noted that one of the Panel's roles would be to provide comment on communication around the project and Ray Morgan suggested that this was covered under point 2.5 'Oversee the Governance and implementation' on the drafted Terms of Reference. The Panel agreed that they would like a more specific reference in the Terms of Reference regarding their oversight of communication and it was agreed that Ray Morgan would find an appropriate place to add this.

RESOLVED that the Panel approved the Terms of Reference subject to the following amendments;

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- i) the Membership of the HIF Oversight Panel be increased to include all Canalside Councillors, an Independent Party Councillor and Councillor W Forster, County Councillor for South Woking; and
- ii) 'Oversight of Communication' would be more specifically referenced in the Terms of Reference.

[POST MEETING NOTE: Councillor M Bridgeman would join the Membership of the HIF Oversight Panel to represent the Independent Party.]

RECOMMENDED TO COUNCIL

That the amended Housing Infrastructure Fund Oversight Panel Terms of Reference (as attached to this report) be adopted by the Council.

EXECUTIVE – 10 SEPTEMBER 2020

B. NOTICE OF MOTION - CLLR M ALI - EXPENSES PAID BY WOKING COUNCIL OWNED BODIES EXE20-051

At its meeting on 30 July 2020, the Council referred the following Notice of Motion to the Executive.

Councillor M Ali

Expenses paid by Woking Council owned bodies

“This council requires that expenses of all kinds (e.g. benefits, gifts and trips) are published for Council Officers and Councillors appointed by Woking Council to be Directors of companies owned by Woking Council and its residents.

These expenses will be publicly available at monthly intervals henceforth and also retrospectively back to the formation of the bodies or appointment.”

Councillor Ali attended the meeting and spoke in support of the Motion. The Executive noted that expenses information was currently published by the Council. Officers advised that details of gifts and hospitality received by Officers were published in an open Register and that going forward, these could be published on the Council's website. It was highlighted that Councillors and Officers appointed as Directors to subsidiary companies did not receive payment. The Executive confirmed its support for openness and transparency, however it was not supportive of the Motion as the Executive did not support backdating information to the formation of the companies due to the administrative burden. The Chairman undertook to ask the Director of Legal and Democratic Services to investigate, before Council on 15 October 2020, backdating one or two years of expenses in order to ascertain the work involved for Officers. The Chairman stated that the Executive would be happy in principle to recommend at Council that expenses paid by Woking Council owned bodies be published, as set out in the Motion, in the future.

RECOMMENDED to Council

That the Motion be not supported.

STANDARDS AND AUDIT COMMITTEE – 17 SEPTEMBER 2020

C. PROTOCOLS FOR CONFIDENTIALITY AND OFFICER CONFLICT OF INTERESTS STA20-012

Peter Bryant, Director of Legal and Democratic Services, introduced the report and stated that at its meeting on 30 July 2020, the Council had considered a report on the recommendations from the Overview and Scrutiny Committee in respect of the Woking Football Club and Associated Developments Task Group report. It had been agreed that draft Protocols on Confidentiality and Officer Conflict of Interests would be received by the Standards and Audit Committee, and for the Committee to make recommendations back to full Council. The Committee received a report with the two draft Protocols attached as appendices.

The Committee was advised that the draft Confidentiality Protocol would deal with the rare occasions where the Council was involved in a transaction which would require confidentiality, in order to protect the interests of the Council and / or the party the Council was dealing with. The Protocol referred to Non-Disclosure Agreements (NDAs) entered into with the Council, confidentiality clauses within contracts, and situations where Council and Committees discussed matters under Part II. Provisions were made for the Council to undertake business on a confidential basis whilst making clear that the level of confidentiality should be kept at the minimum required to enable the business to take place, with a significant increase in Member oversight available through a new Register alongside restrictions on the process for drawing up new NDAs.

The Chairman noted that Reviews for each NDA would take place on the twelve month anniversary of each agreement. In addition, whilst the previous report to Council stated that contractual confidentiality clauses would be drawn up alongside standard timescales for each clause, it was stated that this would be carried out either at the time of the next contract being entered into, with the resulting contract being received by the Council or Executive, or a separate report being received by the Executive if no contract was being entered into in the near future.

The Protocol contained an Annual Review and it was agreed that it should also constitute a review of the Protocol itself as well as the confidentiality provisions agreed by Officers under NDAs or by Council or Executive. A new paragraph 5.0 of the Protocol would be added accordingly, headed 'Review of Protocol'.

The Committee received the Officer Conflicts of Interest Protocol which drew together the existing controls on Officers' conflicts of interest. These were stated to be contained in the Local Government Act 1972, Officer Employment Rules and the Code of Conduct for Employees Policy.

Regarding the issue of public perception, Peter Bryant stated that an Officer conflict of interest would arise if so deemed by a reasonable person in full knowledge of the facts, and that an Officer should only carry out tasks which were fully justifiable to the public. It was noted that the report made provision for the Monitoring Officer to carry out a general review of the actions undertaken by officers, and agreed that further provision be made for the Deputy Monitoring Officer to undertake a general review of any actions undertaken by the Monitoring Officer. Paragraph 4.6 of the Protocol would be amended accordingly.

RECOMMENDED TO COUNCIL

That the draft Confidentiality Protocol and Officer Conflicts of Interest Protocol, as attached to the minutes of the meeting of the Standards and Audit Committee, be adopted by the Council.

A copy of the protocols is attached to this report.

LICENSING COMMITTEE – 6 OCTOBER 2020

Set out below is an outline of the decisions of the Licensing Committee at its meeting on 6 October 2020. The minutes of the meeting will be published in due course.

D. VEHICLE SPECIFICATION POLICY LIC20-008

The Committee was presented with two options. Option 1 would ensure that Woking Borough Council's Hackney Carriage Vehicle Specification for DDA/Wheelchair Accessible Vehicles continued to have effect as drafted, and that the Council confirms that it is committed to take steps to ensure that all wheelchair accessible vehicles are ULEV by 2031. Option 2 would see Woking Borough Council adopting an Ultra Low Emissions Vehicle Specification policy. The choice would be left to the drivers as to which type of vehicle, saloon or wheelchair accessible, the drivers decide to purchase.

The Committee supported Option 2 and recommended accordingly to Council.

RECOMMEND TO COUNCIL That

- (i) Woking Borough Council's Ultra Low Emissions Vehicle Specification policy be adopted (Option 2); and**
- (ii) within a year of implementation of Option 2, a report on the impact on the number of accessible vehicles be brought to the Licensing Committee.**

**E. DELEGATED AUTHORITY IN RESPECT OF TAXI AND PRIVATE HIRE LICENSING
LIC20-007**

The Licensing Committee received a report which set out the findings of a review of the current scheme of delegated authority in respect of Taxi and Private Hire licensing. Councillor Morales moved and Councillor Bridgeman seconded an amendment which had the effect of allowing any Member of the Council to refer to the Licensing Committee a decision of a Licensing Officer to refuse an application for a new taxi or private hire licence or the renewal of an existing licence. Upon being put to a vote, the amendment was approved by five votes in favour to four votes against. The motion was therefore supported and accordingly is now before the Council.

RECOMMENDED to Council

That the existing scheme of delegation for the Legal Services Manager in respect of Taxi and Private Hire Licensing be amended to include the following additional provision:

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- (3) In the event that an Officer is minded to reject an application for a new licence or the renewal of an existing licence, any Council Member would be able to call-in that case for a hearing by the Licensing Committee where the final decision would be made by the Committee.

EXECUTIVE – 8 OCTOBER 2020

Set out below are the extracts from the reports to be considered by the Executive at its meeting on 8 October 2020.

F. HOUSING MANAGEMENT AND MAINTENANCE SERVICE EXE20-050

The Executive is requested to:

RECOMMEND 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.

Reasons for Decision

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.

G. WOKING BOROUGH COUNCIL SOCIAL MEDIA POLICY EXE20-057

The Executive is requested to:

RECOMMEND 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**

Reasons for Decision

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.

The Council has the authority to determine the recommendations set out above.

Background Papers: None.

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**Recommendations of the Executive, Committees and the Housing Infrastructure Fund
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