

SUPPLEMENTARY REPORT

RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES

Executive Summary

This Supplementary Report sets out all the recommendations before the Council from the meetings of the Standards and Audit Committee, the Planning Committee and the Executive, as set out in the minutes of the meetings.

STANDARDS AND AUDIT COMMITTEE – 3 MARCH 2022

7A. REVIEW OF CODE OF CONDUCT ARRANGEMENTS STA11-001

The Committee received a report which set out the recommendations arising from a review of the Council's arrangements for dealing with allegations of misconduct by Councillors. The review had been undertaken by the Monitoring Officer in consultation with Members, the Chairman of Standards and Audit Committee and Independent Person to establish whether the procedures were fit for purpose and effective.

The outcome of the review was welcomed as a more supportive and timely process, noting that the previous scheme had been found to be confusing and slow. In considering the details of the proposals, Councillor Hughes moved and Councillor Roberts seconded an amendment to the Summing Up process to allow complainants to have the opportunity to rebut any matters raised within the Panel to which they disagreed as a right, rather than at the discretion of the Chairman of the Standards Panel. On being put to a vote, all Members present supported the amendment which therefore formed part of the substantive recommendations before the Committee.

Councillor Hughes reported on three points received from Claire Storey, Chairman of the Committee, who had been unable to attend the meeting. The points were:

- In respect of the structure and make-up of the Standards Panel, consideration be given to enabling the membership to come from a wider pool of individuals.
- Political balance of the Standards Panel to be maintained.
- Consideration should be given to the appointment of a second Independent Person

It was noted that the points had been discussed with Officers prior to the meeting and that it was intended to bring a separate paper forward to a future meeting to address the three points.

The recommendations for Council before the Committee, subject to the agreed amendment, were supported.

RECOMMENDED to Council

That (i) the arrangements for dealing with Allegations of Misconduct by Councillors under the Localism Act 2011 be adopted subject to the following amendment:

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“Summing up

The Investigating Officer sums up the complaint.

The Complainant to have the opportunity to rebut any matters raised within the Panel to which they disagree.

The Subject Member or their representative sums up their case.”;

- (ii) the Standards Hearing Sub-Committee shall be renamed the Standards Panel; and**
- (iii) the Council’s constitution be updated to include the arrangements.**

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PLANNING COMMITTEE – 22 MARCH 2022

7B. PLANNING PEER REVIEW

The Committee considered the report which provided an overview of the recent Peer Review of the Council's Planning Services undertaken by the Local Government Association. Thomas James provided a brief overview of the report and explained that the peer review had been requested from the Local Government Associations (LGA) in response to a motion agreed at Council.

The report set out ten key recommendations, which in turn had been produced into an action plan which was attached at appendix 2.

The Chairman worked through the action plan and asked Committee members if they had any amendments they would like to make at each action point. The discussion and agreed changes (in bold) are noted below.

Action Point 1

Following discussion on the 'community ownership' of the masterplan, it was agreed that the sentence below under the implementation column would be amended to read "*Review information on the Council's website and develop with Comms officers an overarching narrative around place making and major projects and **growth planning** agenda.*"

Action Point 2

There were no changes to this point

Action Point 3

Members were interested in who would be putting the training programme together and commented that they would like to have some input so that it was tailored to Member's needs. Some new Members felt that the Planning training provided last year was too high level, particularly for newly elected Members, although they appreciated this had been different to previous years due to the impact of the pandemic on the training provision. It was agreed to revise the text under the implementation column to read, "*Develop a training programme, bespoke for Woking Borough Council, for members and officers and to signpost online training resources. To identify mentoring opportunities for chair of planning committee*"

Action Point 4

The Committee were supportive of this point and commented that it was important that they had the opportunity to meet all Planning Officers at the initial training sessions.

Action Point 5

The Chairman reported that this action point had already progressed positively, and she hoped that a clear forward plan for items coming to committee would continue to improve.

Action Point 6

It was agreed that the text under the action column should be "*All parties and committee members recognise **the** need that planning committee decisions must be non-political and to make individual planning judgements*"

Action Point 7

The Chairman questioned whether the reference to the Masterplan in this action should be added to action point 1 where the masterplan was also referenced. Councillor D Roberts commented that this was a complex point as there were some things that could be changed at this point and some that could not; he was unsure we should be asking for community ownership of the masterplan at this point. The Chairman commented that more detail from recommendation 7 should be included in this action point, particularly reference to the residents panel and community engagement. Giorgio Framallicco commented that Members

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could choose to add further wording, but he did not think this was necessary. Members agreed to update the wording in the implementation column, so the last sentence would read *“Implement the agreed engagement objectives set out in the emerging Corporate Plan, **particularly focussed on the wider planning agenda**”*.

It was also agreed that under the action column, the last sentence should be amended to read *“Continue work, **and build** on community engagement and accessibility”*

Action Point 8

The Chairman commented that there should be an IT champion appointed to ensure the website was user friendly. It was agreed to update the wording in the sentence under the implementation column to read *“The Council has a dedicated webpage setting out what support it could provide to help Neighbourhood Forums prepare Neighbourhood Plans; **this should be signposted from our website in a user-friendly manner. This will be regularly reviewed to bring it up to date.**”*

Action Point 9

There were no changes to this point and it was already being progressed.

Action Point 10

There were no changes to this point.

Action Point 11

There were no changes to this point

Action Point 12

There were no changes to this point

Action Point 13

It was agreed to update the wording in the sentence under the implementation column to read *“Liaise with ICT to develop a plan to redesign the planning **and Planning Policy** website in **consultation with all stakeholders**”*

Action Point 14

There were no changes to this point

Action Point 15

It was agreed to update the wording in the sentence under the action column to read *“Produce guidelines for the public on planning committee procedures and decision making, **available in advance**”*

Action Point 16

Members asked to add Adam Walther’s name to the lead officer column.

Action Point 17

There was some discussion regarding the call-in procedure and whether by doing so the member was pre-determining the outcome of an application. Giorgio Framalico commented that a Councillor must make their decision on an application only after they had heard the whole argument. When you call in an application, you must remain open minded until this discussion had concluded. Calling in a decision simply meant that a Member thought it warranted further debate, not that they necessarily disagreed with the recommendation. It was agreed that the call-in procedure could be an area that was focussed on in the training.

It was agreed to update the wording in the sentence under the implementation column to read *“In liaison with the chair of planning committee, review **and improve** the call-in procedure within agreed timeframes.”* It was also agreed that a date would be added to the timeframe column – **April 2023**.

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Action Point 18

It was agreed to update the wording in the sentence under the action column to read “*Make data accessible in digital format with good access to GIS skills and **GIS training where needed.***”

Action Point 19

It was agreed to update the wording in the sentence under the action column to read “*Make the next local plan digital, **not document based***”

There was some discussion on how frequently the Planning Committee wanted to be updated on the action plan with some suggesting quarterly was too frequent. It was agreed for the update to remain quarterly for the time being and it was noted moving forward the update was likely to be brief as it would be an update on the progress made.

RECOMMEND TO COUNCIL

That (i) the action plan be approved, subject to the amendments agreed above, and;

(ii) a quarterly update on the action plan be presented to the Planning Committee.

(NOTE: A revised version of the Action Plan, with the changes proposed by the Members of the Planning Committee highlighted, is attached as an appendix to this Supplementary Report.)

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THE EXECUTIVE – 24 MARCH 2022

7C. NOTICE OF MOTION - CLLR A KIRBY - EASY ACCESS TO COUNCIL RECORDINGS EXE22-033

At its meeting on 10 February 2022, the Council referred the following Notice of Motion to the Executive.

Councillor A Kirby

“Easy access to Council recordings

This Council resolves that all video recordings of public meetings of Council and its Committees will henceforth be made available for public viewing on demand, in perpetuity.

Archive recordings of all previously public meetings of Council and Council Committees will also be made available for public viewing on the same platform, wherever this is legally and technically possible.”

Councillor Kirby attended the meeting and spoke in support of the Motion. The report before the Executive advised that data could not be retained indefinitely under the General Data Protection Regulation (GDPR) provisions and accordingly recommended that the Motion could be supported as amended below:

“Easy access to Council recordings

This Council resolves that all video recordings of public meetings of Council and its Committees will continue to be made available for public viewing on demand in accordance with the Council’s retention periods. The Council shall continue to keep its retention periods under review with particular regard being given to information held in respect of the Council’s long-term projects.

Archive recordings of all previously public meetings of Council and Council Committees will also be made available on request wherever this is legally and technically possible. The Council shall ensure that residents are fully informed as to how they can access these recordings and that access to this information is available in a quick and simple manner.”

Councillor Kirby acknowledged that retaining the recordings indefinitely would not be possible but encouraged the Executive to consider a retention period of 4 to 5 years. Councillor Kirby suggested that consideration be given to deferring a decision to enable the Council to reconsider the existing contract to review both the technical and legal implications of adopting a longer retention period.

In view the Officer guidance in respect of the GDPR provisions on data retention and noting the few occasions on which a request had been received to view a recording of a meeting over a year old, the Executive supported the Motion as amended.

RECOMMENDED to Council

That the Motion as amended be supported.

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7D. WOKING FOR ALL STRATEGY AND DIRECTORATE SERVICE PLANS EXE22-007

Councillor Azad, Portfolio Holder for Corporate Services, introduced the report on the Woking for all Strategy 2022-27 and the Directorate Plans. The Strategy, which had been developed following community engagement roadshows and consultation, provided an overview of the Council's strategic outcomes over the coming five years. The contributions of both local residents and businesses in the development of the Strategy was acknowledged. The Strategy set out the actions for the coming year which would support the delivery of the outcomes.

The six Directorate Plans replaced the Council's existing service plans and provided the links between the strategic outcomes from the Woking for all Strategy and the Directorate priorities and service actions.

Councillor Barker, Shadow Portfolio Holder for Corporate Services, raised a number of questions over the Strategy, including the connection with the Medium Term Financial Strategy (MTFS), the size of the Resident's Panel, the provision of electric charging points for residents and the absence of references to the financial challenges faced by the Authority. Councillor Azad, Councillor Ashall and Councillor Davis responded to the points raised before moving to the recommendations in the report.

RECOMMENDED to Council

- That (i) the Woking for all Corporate Strategy 2022-27, as attached to the report, be adopted; and**
- (ii) the Directorate Plans 2022/23, as attached to the report, be adopted.**

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

7E. MEDIUM TERM FINANCIAL STRATEGY EXE22-030

The report before the Committee set out the Authority's Medium Term Financial Strategy (MTFS) for the period 2022/23 to 2025/26. The Strategy outlined the financial forecast for Woking Borough Council over the period following the approval of the 2022/23 budget in February 2022. The outlook over the period remained difficult to assess and it was emphasised that the financial forecast would remain under review, with any revisions to be incorporated into updates to the MTFS in July 2022 and throughout the year. It was noted that a full recovery was assumed to extend beyond the three years of the MTFS.

In terms of savings, over the past year the Council had identified £4.8m of savings over 2022/23 to 2024/25. The savings requirement for the coming four years was forecast to be £5.5m, of which £3m related to assumed withdrawal of Government support.

As part of the Strategy, the Executive was asked to consider a loan facility to Thamesway Energy Ltd. towards the costs of the Heating Network Investment Programme, moving the Byfleet Flood Scheme into the approved Investment Programme, allocating an additional Restrictions Grant for the delivery of a Digital Centre of Excellence, including the Old Woking Community Centre project in the Investment Programme and transferring the assets of Kingfield Community Sports Centre Ltd. to the Council.

Councillor Johnson, Shadow Portfolio Holder for Corporate Financial Planning and Policy, raised a wide range of questions on the MTFS, noting the complexity of the comprehensive Strategy and acknowledging that it formed a 'living' document. Areas raised included

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clarification of the additional project resources alluded to, improvement works at Export House, the implications of new contract arrangements with Surrey County Council in respect of grass verge maintenance, and the level of confidence in the business plans of the Council's companies.

Councillor Barker raised further questions arising from the report, including how the current value of investments compared to previous years' values, the impact of the recommendation in respect of the Byfleet Flood Scheme, scrutiny of the review of the Thamesway governance arrangements and the progress of the 2019/20 accounts.

Councillor Ashall responded to the points raised and agreed with Councillor Johnson's suggestion of Member training on the Strategy and its implications in view of the complexity. The Executive was directed to the recommendations outlined in the report and in doing so thanked the Officers for the comprehensive paper.

RESOLVED

- That (i) a 12 year annuity loan facility of £4.6m be made available to Thamesway Energy Ltd (TEL) at 1% over the PWLB interest rate, as the Council contribution towards the Heating Network Investment Programme (HNIP) government loan funded project for Network Extension and Decarbonisation works at Poole Road Energy Centre, and the Council acts as guarantor for the BEIS loan to TEL;
- (ii) the Byfleet Flood Scheme be moved from the suspended Investment Programme into the approved Investment Programme and an 'In Principle' agreement to a contribution of £5m be provided to the Environment Agency so that the project can progress to Outline Business Case;
- (iii) Additional Restrictions Grant of £400k be allocated to the delivery of a Digital Centre of Excellence incorporating a business support incubator and accelerator service. A proposal for capital improvements to facilitate this service to be considered at a future meeting of the Executive;
- (iv) the Old Woking Community Centre project be included in the Investment Programme at a total project cost of £2m of which £1.4m to be funded by the Council through S106 developer contributions;
- (v) the assets of Kingfield Community Sports Centre Ltd (KCSC) be transferred to the Council and the company dissolved; and

RECOMMENDED to Council

That (vi) the Medium Term Financial Strategy (MTFS) report be approved.

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.

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7F. SAFEGUARDING POLICY EXE21-053

The Portfolio Holder for Community Safety, Councillor Harlow, outlined a report proposing the implementation of the updated Safeguarding Policy for the Authority. The policy would ensure that the Council continued to safeguard children and adults at risk of harm, and support staff, Councillors, volunteers and relevant external services to stay updated on safeguarding practices.

Councillor Barker enquired after the division of responsibilities between Woking Borough Council and Surrey County Council and asked whether guidance had yet been received from the Government on the support for Ukrainian refugees. It was noted that the revised Policy included signposting to original sources of information, largely gathered by the Surrey Safeguarding Children's Partnership and Adults Board. In respect of support for Ukrainian refugees, whilst guidance had not yet been received from the Government, the Council had drawn up its own checklist for assessing suitable properties and had already undertaken some home visits. In terms of safeguarding measures, it was not yet clear whether this would fall to the County Council or the Borough Council.

RECOMMENDED to Council

That (i) the Safeguarding Policy dated April 2022, attached at Appendix 1 to the report, be implemented with a formal review every two years; and

(ii) the Director of Housing, in consultation with the Portfolio Holder, be given delegated authority to update the Policy when changes occur, as informed through countywide safeguarding networks and lead officer/member groups.

Reason: To ensure Woking Borough Council's Safeguarding practice is current and agreed at all levels.

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

Background Papers: None.

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