

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 20 July 2023

Present:

Cllr S Hussain (Mayor)
Cllr M I Raja (Deputy Mayor)

Cllr T Aziz	Cllr A Kirby
Cllr A-M Barker	Cllr R Leach
Cllr A Boote	Cllr L Lyons
Cllr J Brown	Cllr L Morales
Cllr G Cosnahan	Cllr J Morley
Cllr K Davis	Cllr E Nicholson
Cllr W Forster	Cllr S Oades
Cllr P Graves	Cllr L Rice
Cllr S Greentree	Cllr D Roberts
Cllr A Javaid	Cllr T Spenser
Cllr I Johnson	Cllr M Sullivan

Also Present: Claire Storey, Independent Co-Opted Member

Absent: Councillors H Akberali, A Caulfield, S Dorsett, D Jordan, C Martin and S Mukherjee

1. APOLOGIES FOR ABSENCE.

Apologies for absence had been received from Councillors Akberali, Caulfield, Dorsett, Jordan, Martin and Mukherjee.

2. DECLARATIONS OF INTEREST.

In accordance with the Officer Employment Procedure Rules, the Strategic Director - Corporate Resources, Kevin Foster declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that Mr Foster could advise on those items.

In accordance with the Officer Employment Procedure Rules, the Strategic Director - Communities, Louise Strongitharm, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which she was a Council-appointed director. The companies were listed in an attached schedule. The interests were such that Mrs Strongitharm could advise on those items.

In accordance with the Officer Employment Procedure Rules, the Head of Transformation and Digital, Adam Walther, declared a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he was a Council-appointed director. The

companies were listed in an attached schedule. The interests were such that Mr Walther could advise on those items.

3. MINUTES.

RESOLVED

That the minutes of the meetings of the Council held on 18 May 2023, 22 May 2023 and 20 June 2023 be approved and signed as true and correct records.

4. MAYOR'S COMMUNICATIONS.

The Mayor referred to the numerous engagements he had been privileged to attend, meeting hundreds of local residents. He had been impressed by a couple who had raised over £2,000 through a plant sale for the Mayor's chosen charity, Woking Community Hospital. The 76th Pyrford and Wisley Village Show had been a great success, as had the 75th anniversary celebration of the NHS. The most enjoyable event had been the Mayor's Bowls tournament in which all the local bowls clubs had participated, raising over £400 for the Mayor's charity.

Forthcoming engagements included a visit to Woking's twin town in Germany, Rastatt, accompanied by members of the Town Twinning Association, including a number of former Councillors. In August the Mayor would be walking hundreds of miles in the hills and mountains of Kashmir in Pakistan.

5. URGENT BUSINESS.

No items of Urgent Business were considered.

6. QUESTIONS FROM MEMBERS OF PUBLIC.

Questions had been received from three members of public. The questions, together with the replies from the Portfolio Holders, were presented as follows.

Question 1 – Neil Hughes

It was noted that Neil Hughes had been unable to attend the meeting.

“Going forward, would the council agree that all planning applications submitted in a conservation area should be detailed rather than outline (i.e. outline being an application with a number of conditions)?”

Supporting Statement

“The contentious outline planning application PLAN/2022/1161 regarding the Phipps / Chequers corner plot in St Johns appeared to be a crafted strategy on behalf of the applicant rather than going through the tighter scrutiny expected of a detailed planning application for a conservation area. In any case, if an outline application is ultimately accepted, the planning officer / committee should clarify (to the objectors) why outline is

being accepted, specifically with reference to The Planning Handbook which indicates "outline planning permission is not normally accepted in conservation areas as it is difficult for councils to evaluate the impact of a proposal without seeing the full details", an opinion which is also supported by planning professionals."

Reply from Councillor Liam Lyons

"In relation to the submission of outline planning applications for development within conservation areas, planning legislation and guidance does allow for this, so the Council cannot say no in principle to accepting all such applications. However, the legislation does allow councils to request additional information, if it is considered necessary, to enable an application to be determined. In the specific case you have referred to, officers considered that they had sufficient information to allow the application to be determined as submitted, taking into account it is an allocated site for flatted development of 2-3 storeys, and indicative plans were submitted with the application. The Council retains the ability to scrutinise the detailed plans when they are submitted as reserved matters, and Members may request that these details are considered by committee. So in this case I am happy that officers followed appropriate procedure.

In my view each case should be considered on its merits, and I would expect officers to request further detailed information if, in their view, that information is necessary to determine the application.

You have referred to the Planning Handbook. For clarification, this is not a Woking publication, it is not planning legislation nor government guidance, neither is it part of Woking's planning policy framework, and as such carries no legal status."

Question 2 - Talitha Spiers

The Mayor welcomed Talitha Spiers to the meeting and invited her to put her question to the Portfolio Holder.

"As I reside in a flat overlooking the area known as the Triangle I would like to know exactly what is going on there at the moment?"

Reply from Councillor Will Forster

"The Council is in discussion with Partners including Homes England to bring forward an affordable and sustainable proposal for this site. I hope to bring a report on the outcome of those discussions to the Executive in the Autumn."

Question 3 – Bella Di Manno

It was noted that Bella Di Manno had been unable to attend the meeting.

"Will the gym and fitness services be affected?"

Reply from Councillor Ellen Nicholson

"The Council recognises the significant importance of exercise in maintaining health and wellbeing. The Borough is currently well served by 4 Council-owned leisure facilities, including 5 swimming pools. With the Council facing an £11 million budget gap for next financial year, it is necessary that the Council reviews all its discretionary services (including leisure facilities), so that they can be delivered with reduced subsidy from the

Council. We are currently seeking resident' views on our discretionary services and would encourage you to complete the online survey by 10 August 2023."

The Mayor thanked those members of public who had submitted questions, and Talitha for attending the meeting to present her question.

7. ANNOUNCEMENTS BY THE LEADER OF THE COUNCIL, COMMITTEE CHAIRMEN AND THE CHIEF EXECUTIVE.

The Leader of the Council provided a summary of the Council's financial position, outlining the activities of recent weeks and the plans for the coming months. The long awaited Government Review had been reported on 25 May 2023, at which stage the Department for Housing, Levelling Up and Communities (DHLUC) had announced an intervention at Woking, appointing Commissioners to oversee an improvement programme. On 7 June 2023 the Council had declared a S114 statement.

Woking Borough Council had three major issues to tackle; a gap of £11m in the general fund, borrowing of £1.9b with annual payments to meet that borrowing of over £60m, and a deficit of £1.2b. The Council was working to address the financial position and the report later on the agenda would put in place the broad approach to achieving a balanced budget. This included the need to review the discretionary services offered by the Council, and a public survey had been undertaken which was due to end on 10 August. In addition, a strategic review of the Council's assets would be undertaken.

The Council would be meeting again on 22 August 2023 to agree an Improvement and Recovery Plan which would be submitted to the Government. The Plan would first be scrutinised by the Overview and Scrutiny Committee. On 28 September 2023, a further meeting of the Council would be held to agree the specific service changes, informed by the public survey and a budget-focussed meeting of the Overview and Scrutiny Committee.

8. RECOMMENDATIONS OF THE EXECUTIVE WBC23-030.

The Council had before it a report on the recommendations from the Executive, setting out the extracts from the minutes of the meetings of the Executive held on 15 June 2023 and 13 July 2023. In accordance with the Constitution, the recommendations were deemed to have been moved and seconded.

8a. NOTICE OF MOTION - CLLR E NICHOLSON - RETROSPECTIVE SURFACE WATER ACTION EXE23-046

At its meeting on 15 June 2023, the Executive had received a notice of motion from Councillor Nicholson, which had been previously submitted to Council at its meeting on 30 March 2023. The Executive had been asked to support the motion, subject to an amendment to the motion, replacing the words 'South West Trains' with the words 'Network Rail and South Western Railway' reflecting the fact that South West Trains had been replaced by South Western Railway, and to include reference to Network Rail. The Executive was supportive of both Cllr Nicholson's Motion and the amendment, and agreed an amended Motion to read as follows:

"Retrospective Surface Water Action

The latest State of the UK Climate report indicates the UK has become wetter over the last few decades, although with significant annual variation. 2011-2020 was 9% wetter than 1961-1990. From the start of the observational record in 1862, six of the ten wettest years across the UK have occurred since 1998.

The recent UK climate projections (UKCP18) provide the most up-to-date assessment of how the UK climate could change over the 21st century. Overall, the UK is expected to experience wetter winters and drier summers.

However, rain that does fall in summer will likely be more intense than what we currently experience. For example, rainfall from an event that typically occurs once every 2 years in summer is expected to increase by around 25%. This will impact on the frequency and severity of surface water flooding, particularly in urban areas.

In towns and cities, flash floods are a growing problem. Concrete can't soak up rainwater, so in heavy downpours it has nowhere to go except into drains, overloading sewers and setting off flash floods. During the recent heavy rainfall, the water caused slippages within the station underpass and led to pooling of water within areas of the town centre.

Therefore this motion proposes that this Council:

1. Engages with Network Rail and South Western Railway to seek to secure surface water drainage systems are retrospectively fitted to the two entrances to the station underpass and /or other measures to capture rainwater are installed to reduce the excess water overspill causing slippage within the underpass.
2. That Woking planning applications continue to be assessed with surface water drainage systems in mind and that the County, as the lead flood authority is consulted on planning applications where required.
3. That Woking Borough Council work proactively with the partners to green Victoria Square, and introduce features such as rainwater gardens in line with the aspirations of the town centre Masterplan."

The Members welcomed the ambition of the motion, and raised an number of points in support, including the importance of dealing with the consequences of climate change and the recently created planning policy document for climate change, currently out for consultation.

RESOLVED

That the motion, as amended by the Executive, be supported.

8b. NOTICE OF MOTION - CLLR K DAVIS - DIGITAL SPINE CONNECTION EXE23-047

Earlier in the year, Councillor Davis had submitted the following notice of motion, which had subsequently been considered by the Executive at its meeting on 15 June 2023. The Portfolio Holder for Economic Development, Councillor Roberts, introduced the recommendation of the Executive to support the motion, and fully supported the objective to provide gigabit capable broadband to local businesses and residents. Councillor Davis thanked the Portfolio Holder for his comments, explaining that the intention was to encourage others to ensure all residents could access fast internet.

“At the March Overview & Scrutiny Committee meeting, Enterprise M3, the Local Enterprise Partnership discussed the Guildford to Basingstoke Digital Spine and confirmed that Woking would not have a spur to join the Gigabit link. Connecting to the Internet via Gigabit links is a key part of the Digital Strategy as it is important for the economic output of the borough as well as the limitless opportunities high speed links provides to residents. Would the Council please investigate opportunities that exist with a view to ensuring that the borough is connected to the fastest possible digital backbone as soon as possible and certainly within three years if it cannot be achieved within the Digital Strategy period.”

The proposals were welcomed and it was the Council agreed to support the motion.

RESOLVED

That the motion be supported.

8c. MEDIUM TERM FINANCIAL STRATEGY (MTFS) EXE23-041

The Council received the recommendations of the Executive in respect of the updated Medium Term Financial Strategy (the MTFS) for the period 2024/25 to 2028/29. The Portfolio Holder for Finance, Councillor Roberts advised that a timetable with clear milestones had been drawn up as part of the Strategy which included a further update in September 2023.

The Portfolio Holder highlighted the key points of the update, including the creation of an updated Budget Timetable and a new focus on budget proposals through additional scrutiny by the Overview and Scrutiny Committee. The MTFS was a five year plan and would continue to be updated on a quarterly basis.

The Portfolio Holder addressed the £11m shortfall in the General Fund and referred to the consultation underway to identify savings, to be considered by the Council at the end of September 2023. Included within the proposals was the redundancy of approximately 60 full time equivalent (FTE) members of staff, for which a full and open consultation would be run. All decisions would be fully challenged and scrutinised throughout the process.

In respect of the deficit of £1.2b, the position was currently being reviewed and further discussions with the Department for Housing, Levelling Up and Communities (DHLUC) were expected in the coming weeks.

The proposals before the Council were debated at length, with Members recognising the impact on residents, business and Council staff. Councillor Brown expressed concerns over the proposed increase in parking charges for the coming year, and the potential increases in subsequent years, and the impact on the number of drivers using the car parks. Councillor Brown further advised that he could not agree to the indefinite suspension of the Investment Programme, and the impact on the flood alleviation scheme in Byfleet. In view of this, Councillor Brown moved and Councillor Davis seconded the following amendment to the recommendations of the Executive:

“To add:

Point (V)(ii) Due to the pressing nature of the works and the significant progress made, the Byfleet Flood Alleviation Scheme is prioritised, so that as soon as the funding becomes available this crucial investment project is unsuspended. Measures will also be taken to find this funding as soon as possible, including liaising closely with external stakeholders to ensure its prompt delivery.”

Councillor Brown advised that construction had been due to start in 2024, to be completed in the subsequent year, and as such it was hoped that the Council would prioritise the work so that the work could be undertaken once funds had been identified. The Leader of the Council stated that the flood alleviation scheme was a critical project and was clearly included in the Investment Plan. However, the Investment Plan was currently suspended and only when the Council was able to spend funds on the Plan could the priorities be confirmed. The Leader added that Officers were looking for other funding opportunities that could be used to progress the flood alleviation scheme.

Sympathy was expressed with those impacted by the suspension of the Investment Programme, including the residents of Byfleet affected by flooding. However, there were a number of key projects which had now been paused, including the Sheerwater Regeneration Scheme, and it was not felt that Council should make policy changes without due consideration. It was also noted that the amendment had not been discussed at the Overview and Scrutiny Committee as part of the Committee's scrutiny of the MTFS report. In respect to the earlier point on parking charges, the Council was advised that, as outlined at the meeting of the Executive, the Council had to raise 20% more income through parking charges. A parking strategy would determine how the increased income would be achieved, and it was not proposed to increase income by raising individual parking charges by 20%.

Following the debate, Councillor Roberts was provided with the opportunity to respond to the points raised before the Mayor referred the Members to the amendment proposed by Councillor Brown.

In accordance with Standing Order 10.8 the amendment was put to a vote. The names of Members voting for and against the amendment were recorded as follows:

In favour: Councillors A Boote, J Brown, K Davis and S Hussain.

Total in favour: 4

Against: Councillors T Aziz, A-M Barker, G Cosnahan, W Forster, P Graves, S Greentree, A Javaid, I Johnson, A Kirby, R Leach, L Lyons, L Morales, J Morley, E Nicholson, S Oades, L Rice, D Roberts, T Spenser and M Sullivan.

Total against: 19

Present not voting: The Mayor

Total present not voting: 1

The amendment was therefore lost by 4 votes in favour and 19 votes against.

The Mayor referred the Council back to the recommendations from the Executive. The issue of Community Infrastructure Levy (CIL) funds was raised, amid concerns that the funds would not be available going forward. The Interim Director of Finance had, however, sought to reassure Members that the CIL funds would be available as the Council's reserves recovered.

Councillor Roberts was offered the opportunity to respond to the points raised during the debate, noting the comments on the CIL funds and the extensive work being undertaken by Officers, before the Mayor directed the Council to the recommendations.

In accordance with Standing Order 10.8 the recommendations were put to a vote. The names of Members voting for and against the amendments were recorded as follows:

In favour: Councillors T Aziz, A-M Barker, A Boote, G Cosnahan, K Davis, W Forster, P Graves, S Greentree, A Javaid, I Johnson, A Kirby, R Leach, L Lyons, L Morales, S Hussain, J Morley, E Nicholson, S Oades, L Rice, D Roberts, T Spenser and M Sullivan.

Total in favour: 22

Against: None.

Total against: 0

Present not voting: The Mayor and Councillor J Brown.

Total present not voting: 2

The recommendations were therefore carried by 22 votes in favour and no votes against.

RESOLVED

- That (i) the latest iteration of the Medium Term Financial Strategy be approved;
- (ii) approval of the proposed Flexible Use of Capital Receipts in 2023/24 and submission of a plan to DLUHC be delegated to the Strategic Director – Corporate Resources, in consultation with the Finance Portfolio Holder;
- (iii) the Parent Company Guarantee (PCG) be extended by delegation to the Section 151 Officer, in consultation with the Finance Portfolio Holder, for the provision of Gas to Thamesway Central Milton Keynes Ltd (TCMK); and
- (iv) from 1 April 2023 loans advanced to Thamesway Central Milton Keynes Ltd. (TCMK) to be at the relevant PWLB interest rate with no margin be approved.

8d. SHEERWATER REGENERATION EXE23-049

The recommendations of Executive in respect of the Sheerwater Regeneration scheme were introduced by Councillor Forster, Portfolio Holder for Key Projects. The scheme was no longer affordable and the recommendations sought to end the development agreement with Thamesway. Under the proposals, Thamesway would complete the three phases currently under construction (yellow, copper and red). The ratio affordable housing would also change.

The Council remained committed to delivering the scheme and would be consulting residents on the next steps, including options such as refurbishing properties rather than demolishing them.

The Members of the Council considered the impact of the proposals, in particular on the residents of Sheerwater, noting that properties had been left empty for far longer than had

been intended. The ambition to complete the scheme was welcomed, together with the intention of taking into account the views of residents. However, it was necessary to pause the scheme while other options were considered and alternative plans were drawn up in consultation with residents. The environmental credentials of the completed properties were highlighted and it was noted that the new shop units had nearly been completed.

The Portfolio Holder responded to the points raised during the debate and advised that the ambition was to take decisions in the Autumn to take away the uncertainty for residents.

The recommendations were agreed nem con.

RESOLVED

- That (i) the existing Development Agreement between the Council and ThamesWey for the delivery of the Sheerwater regeneration project be brought to an end;
- (ii) ThamesWey do not commence any new phases following those currently under construction;
- (iii) ThamesWey be authorised to take such actions, including seeking technical and planning approvals as necessary, to bring its involvement in the project to a cost-effective end in consultation with the Council;
- (iv) authority be delegated to the Chief Executive to give an Executive Undertaking if the Planning Committee approves the changes to the affordable housing as outlined in the report;
- (v) negotiations between the Council and ThamesWey commence on an unwinding of the previously agreed barter arrangement; and
- (vi) the Special Lettings Policy adopted in 2017 be temporarily suspended until such as time as the wider scheme and Sheerwater Community Charter have been reviewed.

8e. HOUSING REVENUE ACCOUNT (HRA) RECOVERY PLAN EXE23-050

Councillor Johnson, Portfolio Holder for Housing, introduced the recommendations of the Executive in respect of the Housing Revenue Account (HRA) budget. The report considered by the Executive had provided an update on the HRA budget, including forecasts for the coming 5 years, along with actions that were being pursued to deliver a sustainable long-term HRA.

The Council faced an estimated deficit of £1.6m in the HRA budget, a deficit which was unlikely to be fully corrected until 2026/27. To address the deficit, the Council would seek to optimise rent income and review the charges put to the HRA to ensure that they were fair and reasonable. The deficit on the annual maintenance plan would be addressed through the disposal of vacant housing assets.

The Portfolio Holder explained the background to the deficit, which was due in part to the empty properties in Sheerwater, rent for which had not been received to support the HRA.

At the same time, the Government had introduced a cap on increases in rent, whilst inflation had risen significantly.

The Council supported the proposed measures as set out in the recommendations of the Executive.

RESOLVED

- That (i) the update on the Housing Revenue Account budgets be noted;
- (ii) the Housing Annual Maintenance Plan (AMP) budget for 2023-24, included in the Housing Investment Programme, be increased to £5,330,000 to allow essential and statutory remedial works to be completed, as set out in Appendix 1 to the report;
- (iii) the Strategic Director – Communities, in consultation with the Portfolio Holder for Housing, be authorised to agree the disposal of vacant housing assets as required; and
- (iv) any capital receipts from disposals of vacant housing assets be held in the Major Repairs Reserve for investment in the maintenance of the Council's homes.

8f. PUBLIC REALM USAGE POLICY EXE23-040

The Public Realm Usage Policy had been updated to better manage the town centre spaces open to the public, and the events permitted within the town centre denoted boundary. The proposals had been considered by both the Overview and Scrutiny Committee and the Executive, and the Council was now recommended to adopt the updated Policy. It was noted Officers would consider how the Policy could be delivered on a cost neutral basis but not financially burden charities.

RESOLVED

That the updated Public Realm Usage Policy, attached as Appendix 1 to the report, be adopted.

9. APPOINTMENT OF DIRECTORS WBC23-029.

The Leader of the Council advised Members that the Chief Executive, Julie Fisher, had resigned her role as director of a number of Council companies. In accordance with the provisions of the Constitution, the Chief Executive had undertaken a recruitment process and had appointed a new Director – Colin Taylor – of the companies. Mr Taylor would provide strategic oversight, skills and knowledge for the benefit of the Companies.

RESOLVED

- That (i) the resignation of Julie Fisher as director of the companies outlined in Section 2.1 of the report with effect from 4th July 2023 be noted; and
- (ii) the appointment of Colin Taylor as director of the companies outlined in Section 2.2 of the report with effect from 5th July 2023 be noted.

10. APPOINTMENTS TO LICENSING SUB-COMMITTEE WBC23-028.

The Council received a report proposing changes to the membership of Licensing Sub-Committee A and Licensing Sub-Committee B for the remainder of the Municipal Year. These changes would ensure that the Members of the Sub-Committee were also Members of the overarching Licensing Committee.

RESOLVED

- That (i) Councillor Leach be appointed to Licensing Sub-Committee A in place of Councillor Oades for 2023/24; and
- (ii) Councillor Sullivan be appointed to Licensing Sub-Committee B in place of Councillor Leach for 2023/24.

The meeting commenced at 7.00 pm
and ended at 10.21 pm

Chairman: _____

Date: _____