

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 28 September 2023

Present:

Cllr M I Raja (Mayor)
Cllr L Morales (Deputy Mayor)

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

Absent: Councillors A Caulfield, D Jordan and T Spenser

1. APOLOGIES FOR ABSENCE.

Apologies for absence had been received from Councillors Andy Caulfield, Daryl Jordan and Tom Spenser.

2. DECLARATIONS OF INTEREST.

In accordance with the Local Code of Conduct, Councillor Ian Johnson declared a disclosable personal interest (pecuniary) in item 9a, Medium Term Financial Strategy, in relation to his wife being an employee of Citizens Advice Woking which was mentioned in the report. The interest was such that Councillor Johnson would remain in the Chamber during the discussion as the resolution was simply to undertake consultation on a raft of proposals and any decisions regarding future funding would be made at a later stage.

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 Strongtharm 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.

Councillor Davis stated that at the last meeting on 22 August 2023, Councillor Brown had been prevented from speaking on an item which had not been recorded in the minutes, and therefore did not believe the minutes could be regarded as accurate. The Monitoring Officer reported that no complaint had been received to date and that the minutes of the meeting would be deferred to the next meeting for approval so that the matter could be looked into further.

The Council was advised that the Council minutes of the meeting held on 20 July 2023 contained an error to Mayor and Deputy Mayor. The minutes should have stated that Councillor Raja was Mayor, Councillor Morales was Deputy Mayor, and Councillor Hussain was present. It was noted that the error had been corrected since the publication of the agenda.

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 20 July 2023 be approved and signed as a true and correct record.

4. MAYOR'S COMMUNICATIONS.

The Mayor reported that from 20 August to 19 September 2023 he had been abroad. Since returning to the UK, numerous events had been attended which had been informative, enjoyable and highly rewarding, for example a function at St. Paul's Church with Christian healthcare professionals Network UK which provided support to people from different communities by breaking down barriers to accessibility. On 27 September the Mayor had attended a rewards evening for staff at St. Peter's Hospital, celebrating those that had given their careers to serving the NHS and the community. On 1 October, the Mayor would be attending a Charity Walk for Woking Community Hospital, the Mayor's Charity, and encouraged Members to join in.

5. URGENT BUSINESS.

No items of Urgent Business were considered.

6. QUESTIONS FROM MEMBERS OF PUBLIC WBC23-036.

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

Question 1 – Karen Woodhead

It was noted that Karen Woodhead had been unable to attend the meeting.

“Why does the pool in park have to close?”

Supporting Statement

“I am a disabled woman. I go swimming every Monday and Friday. I get there by bus as I don't drive and not on a lot of money. My surgeon has recommended me to go to help lose weight and ease my joint. If this closes I will struggle to get to the nearest pool. Please reconsider the pool for disabled people as it not our faults and feels like we are suffering for your mistakes in the past.”

Reply from Councillor Ellen Nicholson

“The Council recognises the significant health and wellbeing benefits of swimming, particularly for our residents with disabilities.

At the moment the Pool in the Park receives significant subsidy from the Council to run the facility, in part due to the age of the facility. However due to the Council's financial situation, we do need to look at all of our discretionary services provided to see if they can be self-funding.

The Council will be launching its residents consultation on Monday 2 October on the proposed phased closure along with other options for consideration. We will also be seeking to understand the impact of our proposals on residents through the impact assessment.

I would also say that the consultation and the corresponding impact assessment that starts on Monday will allow the Council to have a much more robust understanding of how possible decisions will affect our residents, and during this time we will be speaking to specific groups of stakeholders and residents who may be impacted and we need to see these results before any decisions are made.”

Question 2 – Gillian Bernadt

The Mayor welcomed James Harvey to the meeting, who was attending on behalf of Gillian Bernadt, and invited him to put her question to the Portfolio Holder.

“If alternative sources of funding can be found to fill the funding gap (and create a saving of £700,000 per year over the 4 years proposed, as a major element of the proposed Leisure service savings) would the Council be willing to maintain support to the Pool through existing contract management arrangements?”

Supporting Statement

“The proposed withdrawal of funding to Pool in the Park (PITP) will have a massive impact on the community, in terms of health, well-being and sports education & water safety. Consultation over the summer showed PITP to be in the top three services residents wanted to be retained, showing its value and the popularity of the Pools as a community asset. The Council clearly needs to make a saving, and the scale of the saving to be made, as outlined in the MTFS makes PITP, as a major part of the Leisure service savings, an obvious choice to cut (not withstanding the above community value). However It is unclear

whether alternative funding sources have been explored to fund PITP. It is proposed that further work is undertaken to explore funding alternatives that could maintain facilities while achieving short term savings, in the order of £2-3million to 2027/28. The question addresses whether, if the community, working with members and local businesses could raise the funds needed, the Council would be willing to maintain contract and management arrangements for PITP, for the period of 3 years, to enable the pools to stay open during that period? After that the MTFs refers to a self-funding principle of delivery, which would need to be delivered at a reasonable cost to residents.”

Reply from Councillor Ellen Nicholson

“Our initial residents engagement work over the summer showed PITP to be one of the top three services residents wanted to be retained, showing its value and the popularity of the Pools as a community asset. Creating a self-sustaining budget for the site will certainly be difficult, but if attainable then we are open to alternative options, but this is certainly something we would love to see come forward.”

Question 3 – Carolyn Edis

It was noted that Carolyn Edis had been unable to attend the meeting.

“At the PITP swimming lessons are available for toddlers up to senior citizens. Water aerobic classes are beneficial for those who suffer from arthritis, joint problems etc. How confident are councillors that customers can be absorbed by Eastwood Leisure Centre bearing in mind that they already have a programme of lessons which may well subscribed?”

Supporting Statement

“I can attest fully to the benefits of swimming and water exercise. I taught at Woking pool at it was a privilege to see children and adults develop their swimming skills. The aqua aerobic classes and swimming sessions have been of benefit to me as I now suffer from joint problems. The Pool In The Park should not close...it will be a huge loss to Woking and its surrounding areas.”

Reply from Councillor Ellen Nicholson

“Eastwood Leisure Centre has proved to be very popular since it opened in October 2021. Whilst the Eastwood Leisure Centre will have some capacity to take on a proportion of Pool in the Park users, it would not have sufficient capacity to accommodate all displaced users and groups.

However, I would say that there are other facilities for swimming in the Borough. Some schools have organisations providing swimming lessons in the evenings and the weekends, which would provide extra capacity, and there may be further capacity to be explored here.”

Question 4 – Colin Evans

It was noted that Colin Evans had been unable to attend the meeting.

“One of the Council's main purposes is to provide public services and particularly to support the most vulnerable in our society. As a voter and council tax payer, I would like to understand how you can justify closing down the Pool in the Park and other key services

that support the wellbeing and health of our community - effectively turning Woking in to a 3rd world town, when there must be alternative routes in the short to medium term around re-structuring the debt of selling off assets? The proposed approach is very draconian - effectively punishing our community in the short to medium term (and possibly for a lot longer) because of poor financial decisions made within past Council Meetings which many of today's councillors participated in!"

Supporting Statement

"My disabled son has attended Dolphins Club (at the Pool in the Park) for about 20 years and learnt to swim there and it provides a vital social dimension to his life. Without the Pool in the Park there will be no club! Equally importantly, many thousands of our children have learnt to swim there, so what is the Council's plan for 'today's' children learning to swim in the absence of a pool?"

Reply from Councillor Ellen Nicholson

"Dolphins will still have a home at Eastwood Leisure Centre and indeed the Dolphins have been at Eastwood Leisure Centre over the summer. Whilst the availability and range of facilities will be reduced if Pool in the Park were to close, we really do want to try and protect the most vulnerable in society. Unfortunately, the proposed phased closure of the Pool in the Park is under consideration due to the severe financial position of the Council and the level of subsidy the facility requires. The Council's position means that we are unable to subsidise non statutory services. of which Pool in the Park is one, and we currently are subsidising Pool in the Park."

Question 5 – Trudi Reid

The Mayor welcomed Trudi Reid to the meeting and invited her to put her question to the Portfolio Holder.

"Can the council help facilitate a meeting between Freedom Leisure, the council, and a residents to develop a part community funded model for Pool in the Park so it can stay open away from Council Tax funding. There is enough support locally to organise community funding for this pool combined with a ticket price increase to save the pool from closure but residents need to understand how much hard cash is needed annually including maintenance costs."

Supporting Statement

"I am a local mum with 3 children including one disabled child who has to swim daily and an active member of a local schools PTA. There is huge public support to keep Pool in the Park open and feel residents deserve a chance to save the pool. I would like to combine with PTAs in all of the Woking schools to help deliver the community funded needed for Pool in the Park."

Reply from Councillor Ellen Nicholson

"Thank you for your question. As part of the resident engagement starting on Monday, there will be a range of opportunities to give feedback and discuss how best to take this proposal forward. This is a really pleasing approach and we really hope that we can find a self-funding solution. We really do want to work with our stakeholder groups and our residents to find a way to move this forward and I look forward to speaking with you outside of this meeting, thank you."

7. QUESTIONS FROM MEMBERS OF THE COUNCIL WBC23-37.

Copies of questions submitted under Standing Order 13.1 together with draft replies had been published in advance of the meeting. The replies were confirmed by Members of the Executive, supplementary questions were asked and replies given as set out below:

1. Question from Councillor Saj Hussain

“Is there capacity at the Eastwood Centre to take on extra swimmers and groups displaced by closing pool in the park?”

Reply from Councillor Ellen Nicholson

“Eastwood Leisure Centre has proved to be very popular since it opened in October 2021. Whilst the Eastwood Leisure Centre will have some capacity to take on a proportion of Pool in the Park users, it would not have sufficient capacity to accommodate all displaced users and groups.”

Supplementary Question

No

2. Question from Councillor Steve Dorsett

“What are the latest visitor numbers on a monthly and annual basis that use the Pool in the Park every year?”

Reply from Councillor Ellen Nicholson

“Please see Appendix 1 for visitor numbers for Pool in the Park and our other leisure facilities.”

Supplementary Question

No

Reply from Councillor Ellen Nicholson

“I was just going to suggest if you did have a supplementary question that the Freedom Leisure performance board will be meeting in October, if you wanted to come along to that Councillor Dorsett, I can invite you along if you wanted to look at the performance.”

Reply from Councillor Steve Dorsett

“Thank you very much, I am already a member of the Leisure Partnership Board.”

3. Question from Councillor Kevin Davis

“Is the new S151 officer contracted inside or outside of IR35?”

Reply from Councillor Ann-Marie Barker

“The Section 151 role is a statutory post and as such any appointment is deemed to be an employee of the Council and would be inside of IR35 regulations.”

Supplementary Question

No

4. Question from Councillor Josh Brown

“How much CIL developer contributions has WBC received since the S114 was issued?”

Reply from Councillor Liam Lyons

“The Council has received £688,524.56 of CIL contribution since the S114 was issued.”

Supplementary Question

No

5. Question from Councillor Saj Hussain

“Surrey county council have taken over highway verges who is responsible for areas which are not highways?”

Reply from Councillor Peter Graves

“A land owner is ultimately responsible for maintaining their land. Woking Borough Council continue to maintain its own land and any land it has historic agreements in place to manage.

In addition, during this transitional period, Council Officers are supporting Surrey County Council to improve the accuracy of their mapping data (to ensure their new verge maintenance contract covers all SCC land) and investigate any areas where the land ownership appears unclear. These are reviewed on a case by case basis to ensure the most appropriate outcome. Any areas of specific concern can be raised to our Neighbourhood Officers.”

Supplementary Question

“Historically, we've got no man's land in Goldsworth Park, areas like that, which are classed as no man's land, and in the past Woking Borough Council's Serco have mowed those verges and now they are becoming a bit of a hazard. Is there any way that we can look at those please?.”

Reply from Councillor Peter Graves

“Very pleased to contribute actually because I had the pleasure yesterday of being introduced to the Council GIS system and the GIS system covers all land ownership across the Borough and it's incredibly comprehensive. It is also extremely complicated and it is a work in progress, so there are areas where there is, it's very

unclear who actually owns bits of land and I will talk to Officers to see if we can identify these errors which my colleague has seen as being no man's land and I'll come back to you thank you."

6. Question from Councillor Steve Dorsett

"What alternative options have been investigated to keep Pool in the Park open?"

Reply from Councillor Ellen Nicholson

"Freedom Leisure manage the leisure facilities on our behalf and their contract expires in November 2025. To date, discussions are ongoing with Freedom Leisure to review costs and in particular the approach to pricing to consider changes. When compared to other similar pools in the surrounding area, Pool in the Park charges are comparatively cheaper. Re-programming of the pool is also under consideration to make it more commercially viable, but this is likely to displace some current users. In August 2023, the Council submitted a bid to the Sports England Swimming Pool Support Fund, but our bid was immediately declined due to the Council's financial position and the Section 114 notice. The consultation launching on 2 October 2023 will seek further suggestions on other options."

Supplementary Question

No

7. Question from Councillor Kevin Davis

"The most recent Green Book with Treasury Information featured (March 2023), has no loans from 1989. How was Pool in the Park financed when it was built 34 years ago, how much did it cost, what was the loan valued at, and how is this reflected in the March 2023 Green Book?"

Reply from Councillor Ellen Nicholson

"The Council does not hold data on the original financing of the Pool in the Park in 1989. There are no financing costs assumed in the current costings for Pool in the Park relating to its original construction."

Supplementary Question

No

8. Question from Councillor Josh Brown

"What steps has the Council taken to ensure it can cope with increase in demand for Council services if it agrees cuts to funding for Citizens Advice and Woking Community Transport?"

Reply from Councillor Will Forster

"It is regrettable that grants to these wider services will be affected due to the financial challenges faced by the Council. If the proposals are agreed at Council this evening, then Officers and I will be meeting with both organisations to best plan the way ahead. Feedback on the proposals is also being sought through the consultation

process. This will inform the Council's impact assessments and subsequent plans for how we continue to engage with the voluntary sector moving forward."

Supplementary Question

"Thank you very much, Mr. Mayor. Looking at the cuts to these vital services, can you commit that if they do indeed proceed that the Council will have enough resources going forward after the budget's agreed? Thank you."

Reply from Councillor Will Forster

"Thank you Mr. Mayor, and I will thank Councillor Brown for his question. If Council agrees the MTFS this evening, it will authorise Council Officers and myself as a Portfolio Holder to engage with the third sector to understand what the impacts will be on us, on them, and on residents, before making any further decision, thank you."

9. Question from Councillor Kevin Davis

"At such an important time post S114 notice, why have we had no Treasury Information since the March 2023 Green Book, six months ago?"

Reply from Councillor Dale Roberts

"As part of the review of the Council's performance management and financial reporting, work is ongoing to improve the way all financial information is compiled and presented, for example the recent new budget monitoring report. Given the limited resources in the finance team and urgency of other work, the information in the Green Book has had to be put on hold until this review is completed. However, I can confirm that a mid-year review of Treasury Management is planned for the November Executive that will provide information for Members in accordance with CIPFA Codes of Practice."

Supplementary Question

No

10. Question from Councillor Kevin Davis

"What is the actual cash subsidy (not interest payments or capital depreciation) that is required to run Pool in the Park?"

Reply from Councillor Ellen Nicholson

"The capital and financing costs are true costs reflective of running the venue however it is true to say that these would not all be saved by closing the venue. The actual cash subsidy projected for 2023-24 is circa £450,000. This figure does not include significant capital works required or debt finance. Further work will be done over the coming weeks to understand the ongoing investment needs of the building."

Supplementary Question

"I do, Mr Mayor, thank you very much. Thank you for the answer Councillor Nicholson. So what I need to understand here is obviously the figure here, finally managed to get too, that is different to what's actually written in the MTFS by quite a

margin. My real question and I appreciate you probably can't answer this, but I'll be incredibly impressed if you can, to me and to what we've been told is Pool in the Park is a discretionary service, and so I'd like to understand what subsidy we currently give to the Eastwood Centre swimming area, because if Pool in the Park is discretionary then surely the Eastwood Centre would be discretionary and as such I would expect to see that in the MTFS report as well. Thank you very much Mr Mayor."

Reply from Councillor Ellen Nicholson

"Thank you for your question, Councillor Davis. You're right, I can't answer that question about the Eastwood and any discretionary spending, we will come back to you. I'll speak with Officers and come back to you. As you will be aware, the financing for the Pool in the Park is incredibly complicated, as we were together at the Tuesday's internal Finance Task Group, and I just want to thank our Council Section 151 Officer for their willingness to engage with Members across party looking at the in-depth study of those finances and a much-needed review. Thank you."

11. Question from Councillor Kevin Davis

"If Pool in the Park is closed, what is the interest amount we will still need to pay and for how long, and when will the capital depreciation be written down to zero?"

Reply from Councillor Ellen Nicholson

"There are two elements to this. Firstly, the cost of financing all of the ThamesWey energy equipment and plant, which will come to an end in 6 years' time and is valued at circa £2 million. Secondly, there is £1.5 million outstanding on a loan for the refurbishment of slides and changing rooms with 16 years remaining on the loan term. The repayments of both loans are currently encapsulated in the leisure accounts, but if closed these would become a liability."

Supplementary Question

"Thank you very much, Mr. Mayor. I do have a supplementary question and I thank Councillor Nicholson for the answer. With £250,000 ongoing costs that aren't obliterated when we close the Pool in the Park, given that we were told it was £700,000 subsidy and we now know that £450,000 isn't the actual cost, that means £250,000 is left. How do we intend on meeting that figure when there is no income coming into Pool in the Park? Thank you very much, Mr. Mayor."

Reply from Councillor Ellen Nicholson

"Thank you, Councillor Davis. So as I've just said in my previous answer, the Finance Task Group that we are both part of have been looking at Pool in the Park finances and it's been incredibly difficult to separate Pool in the Park finances. For example, when I became Portfolio Holder last year, we became aware of the fact that we didn't have any idea of an accurate representation of the energy costs in the Pool in the Park and the Leisure Centre, and since that time we've put in metering to actually be able to better understand the energy costs. So that's just one facet of the complicated picture that we have with Pool in the Park that we're working our way through, so I think it's something that we're still to find out. Thank you."

12. Question from Councillor Kevin Davis

“What is the Woking Borough Council obligated liability to Woking Football Club in the event of their promotion out of the current National League into the fourth level of the English Football League?”

Reply from Councillor Dale Roberts

“Further work is being undertaken on Kingfield Leisure and the link with Woking FC as part of the review of the 24 companies that the Council has an interest in. Further information will be provided when this review is complete.”

Supplementary Question

“Thank you very much Mr. Mayor, I do have a supplementary question. This tests my memory, well my memory doesn't come into it all, but Councillor Johnson's may. My understanding was that there was an undertaking obligation back in the mid 90s and I'm trying to understand whether we talk about Kingfield Leisure and talking about the review of the 24 companies, are we looking in the right place, are we sure that obligation is within that and not actually directly with Council? Thank you Mr. Mayor.”

Reply from Councillor Dale Roberts

“Thank you Mr Mayor, thank you Councillor Davis for the question. It's pretty difficult to say, what was the question, are we looking in the right place? It really is difficult to find anything frankly. It was pretty common with obligations made by the previous administration, the documentation was poor, section 114 numbers, poor record keeping as one of our legacies. It's another mess that we're working our way through and so, as I stated in my earlier answer, further work, further information will be provided when the review is complete. Thank you, Mr. Mayor.”

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

The Leader of the Council, Councillor Ann-Marie Barker, stated that these were difficult and challenging times for the Council, its Members, staff, residents and businesses following the Government intervention in May and the Section 114 Notice in June. Two key steps had been taken to date: firstly, the Council meeting in June to agree the next steps, and secondly the Council meeting in August to approve the first iteration of the Improvement and Recovery Plan, which had been prepared within three months of the six months allowed by Government.

Members were encouraged to work together to achieve the Council's goals, noting that there were significant proposals to consider, due to the organisation's inherited financial position. The Leader stated that information on social media had incorrectly stated that the decisions were being made tonight. Proposals had been received by the Overview and Scrutiny Committee and the Executive, which had been recommended to Council for a public consultation to take place on the savings identified.

It was stated that, in addition to the Pool in the Park, areas affected included sports pavilions, the arts, public toilets and the support for the voluntary and charitable sector. The Leader stated that the implications would be fully assessed before final decisions

would be taken by Council, noting that way forward needed to be found for the Borough to live within its means going forward.

9. RECOMMENDATIONS OF THE EXECUTIVE AND OFFICERS WBC23-035.

The Council had before it a report on the recommendations from the Executive, setting out the extract from the minutes of the meeting of the Executive held on 14 September 2023. In accordance with the Constitution, the recommendations were deemed to have been moved and seconded.

9a. Medium Term Financial Strategy (MTFS) EXE23-064

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 document set out the strategic financial approach that the Council would need to take to deliver the Improvement and Recovery Plan (IRP) and respond to the Section 114 Notice, whilst continuing to meet its statutory duties. The paper included feedback from the recent resident engagement exercise, alongside next steps for a six week public consultation on proposed changes to Council services beginning Monday, 2 October 2023.

In addition, following the proposal by the Leader of the Council at the meeting of the Executive on 14 September 2023, an addendum had been included which noted that the Council's Investment Programme would accommodate investment which had received full Government funding and support to facilitate the completion of assets that were partially complete and to deliver best value for the public purse. The addendum stated that investment in ThamesWey and Victoria Square would continue whereby it fell in accordance with Principle C as set out in the MTFS which referred to items where, following support from Government and Commissioners, resources were provided for specific schemes that were already in delivery when the Section 114 Notice had been issued. Noting that a further report would be brought back to the Executive setting out the actions being taken by Officers to implement those decisions, the addendum included a request for the Council to consider an additional recommendation drawn up by the Interim Director of Finance / Section 151 Officer:

(v) the Council notes the action to be taken by the s151 officer to accommodate Government supported funding for the Victoria Square and Thamesway Regeneration projects and requires a further report to be presented to the Executive setting out the detail of actions taken and the impact on the Council's finances.

The Portfolio Holder for Finance, Councillor Roberts, set out a historical timeline of events since July 2022 through to the proposals being presented at the current meeting for the purpose of the public consultation. The Council had agreed a savings target of £12m of which £8.5m had been identified, against a total service spend of £45m. Despite additional cost pressures of £8.3m arising in September 2023, the savings target had been maintained at the same level of £12m as further reductions at this stage could not be reasonably identified, following consultation with the Commissioners.

Councillor Roberts emphasised the importance of restoring the confidence in the Council with Commissioners, the Department of Levelling Up, Housing and Communities, and the Treasury as it had been unable in hindsight to set a balanced budget since at least 2018; the reserves held had therefore been illusory; past claims of financial strength in light of high borrowing levels had been incorrect; past borrowing for revenue purposes was not permitted; and the Council had borrowed funds from the Public Works Loan Board to fund loss making Council owned companies, taking a margin and treating as income. The

ambition was to become an enabling Council in the future, working with partners to meet the needs of the community and to be a smaller, focused organisation.

Councillor Roberts highlighted that, to date, services that would be delivered by partners in the future included social prescribing, hospital discharge support and family centres. The intention was to move from the Civic Offices to a smaller premises and spend less on facilities and corporate resources, whilst incorporating savings from shared services and transformational efficiencies. It was noted that there was much concern amongst local residents over the proposed phased closure of Pool in the Park, alongside other discretionary service reductions affecting the arts and grants to external bodies, and staffing reductions across the Council.

Members were requested to support the proposal to undertake the public consultation on the savings identified, whilst work took place to further understand their impact and explore mitigations and alternatives, ahead of decision making at the Council meeting in February 2024. In addition, Councillor Roberts referred to an amendment to the resolution proposed by Councillor Kirby which he stated had received the support of the Members of the Executive.

The matter moved to the debate and the importance of the Council's legal obligation to prepare an annual balanced budget. Councillor Kirby moved and Councillor Forster seconded an amendment which sought to provide a framework to deliver such a budget. It was stated that the Council paid £68m of annual interest on its borrowing and the current financial situation was beyond the capacity of the Council to deal with, even if only statutory services were being provided. Councillor Kirby expressed grave concern that the current budget deficit of £19.3m could increase further and there were no past examples of other local authorities being in the same financial position. The Council was urged to support the amendment to present Council with full details of all operating costs prior to decision making, with the exception of delegated authority in the current resolution, and to seek a debt restructuring programme from the Government. The amendment was to add part (vi) and part (vii) to the resolution:

“(vi) With the exception of the delegated authority agreed in (iv) and (v) above, before any decision on the proposed savings contained within the MTFS as set out in Annex 6, the Council be presented with full details of all operating costs, including following a rigorous process of further scrutiny.

(vii) Within ongoing discussions with central government, the Council is asking government to consider options to deal with the debt position in a way that supports a fully balanced budget. Council is determined to contribute via difficult spending decisions and the sale of assets at best value, as part of a fuller solution. This fuller solution requires a debt restructuring programme, including but not limited to:

- a. Lower interest rates ('interest rate restructure')
- b. Longer repayment periods ('term restructure')
- c. Options linked to the benefits of business and economic growth”

The amendment was debated, with Members arguing for and against the proposed change. Members broadly supported the proposed (vi) as more detailed financial information would enable Members to view how the savings components had been calculated, for example the Pool in the Park would still incur expenses such as depreciation, interest payments and business rates if the proposed closure took place. However, some members expressed concern over the proposed (vii) and stated that the

Council should be seeking assistance from the Government, instead of being prescriptive, without receipt of legal or financial advice or consideration by the Overview and Scrutiny Committee

Following the debate, Councillor Roberts was provided with the opportunity to respond to the points raised, summarising the points made and noting that the amendment would work towards ensuring the Council would live within its means, before the Mayor referred the Members to the amendment proposed by Councillor Kirby.

Councillor Davis requested that the items (vi) and (vii) should be voted on separately.

In accordance with Standing Order 10.8 the names of Members voting for and against part (vi) of the amendment were recorded as follows:

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

Total in favour: 26

Against: None.

Total against: 0

Present not voting: The Mayor.

Total present not voting: 1

Item (vi) of the amendment was therefore carried by 26 votes in favour and 0 votes against.

In accordance with Standing Order 10.8 the names of Members voting for and against part (vii) of the amendment were recorded as follows:

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

Total in favour: 22

Against: None.

Total against: 0

Present not voting: The Mayor and Councillors J Brown, K Davis, S Dorsett and S Hussain.

Total present not voting: 5

Item (vii) of the amendment was therefore carried by 22 votes in favour and 0 votes against.

The Mayor referred the Council back to the recommendations from the Executive as amended by Council.

The Leader of the Council advised that the Council was required to set a balanced budget each year, however for 2024/25 this could only be achieved through staffing redundancies and reductions to discretionary services such as leisure. It was noted that the Eastwood Centre operated on a breakeven basis as it was a modern, energy efficient building. Investigations were underway to establish whether local community groups could for example assist with the maintenance of public toilets, or whether some businesses could enable the public to use their toilet facilities, and whether sports clubs could take on the upkeep of pavilions. It was noted that there would be difficult decisions for the Council in the setting of next year's budget in February.

Members expressed concerns such as there having been insufficient information to base decision making on in the past, and requested further detail in the report for the Council meeting in February. Points made during the debate included the effect of any liability on the Council of any of the subsidiary companies becoming insolvent; assurances that any new borrowing for the current phases of the Sheerwater Regeneration Scheme and Victoria Square would not be used for operating expenses; how the Council was working on the assumption that a further Section 114 Notice would not be required in light of the current deficit of £19.3m; the Council was being hampered by historic poor record keeping and advised that zero-based bottom-up expenses information should be developed to ensure that the Council could maximise the funds to spend on the most vulnerable in the community; meeting dates for the Overview and Scrutiny Committee, Executive and Council should be recalibrated as necessary in the current financial situation.

Further points included that the current situation placed a strain on all individuals involved and affected by the current proposals; the Council had passed the running of the Women's Support Centre to Catalyst which was now operating well; the External Audit of the 2019/20 accounts was still not complete; conflicting advice from past and current External Auditors over whether the Council was complying with the CIPFA regulations; and that the consultation should be delayed until further detail was available. Some Members felt that the consultation could not be postponed in light of the need to agree a budget in February.

Councillor Roberts was offered the opportunity to respond to the points raised during the debate, noting the concerns raised by Members over the decisions that the Council had no option but to consider and thanking staff for their continuing commitment to the Council in difficult times, before the Mayor directed the Council to the recommendations. Following a request by Councillor Davis, it was agreed that a named vote would be required for items (iii) and (vii) of the recommendation before Council.

In accordance with Standing Order 10.8 the names of Members voting for and against part (iii) of the recommendation were recorded as follows:

In favour: Councillors H Akberali, T Aziz, A-M Barker, A Boote, G Cosnahan, W Forster, P Graves, S Greentree, I Johnson, A Javaid, A Kirby, R Leach, L Lyons, C Martin, L Morales, J Morley, S Mukherjee, E Nicholson, L Rice, D Roberts and M Sullivan.

Total in favour: 21

Against: None.

Total against: 0

Present not voting: The Mayor and Councillors J Brown, K Davis, S Dorsett, S Hussain, and S Oades.

Total present not voting: 5

Item (iii) of the recommendation was therefore carried by 21 votes in favour and 0 votes against.

In accordance with Standing Order 10.8 the names of Members voting for and against part (vii) of the recommendation were recorded as follows:

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

Total in favour: 22

Against: None.

Total against: 0

Present not voting: The Mayor and Councillors J Brown, K Davis, S Dorsett and S Hussain.

Total present not voting: 5

Item (vii) of the recommendation was therefore carried by 22 votes in favour and 0 votes against.

RESOLVED

- That (i) the MTFs and embedded MTFP are an estimate of the Council's current financial position at Q2, noting that the figures will change as further updating takes place;
- (ii) it be noted that the Section 114 Deficit continues to be reviewed but is able to be used for conversations with Government to attain financial support and for other sundry purposes as referred in the report;
- (iii) the Council consults on a number of the proposed savings contained within the MTFs, as set out in Annex 6 to the report;
- (iv) the Chief Executive, as Head of Paid Service, has the delegated authority to now proceed with the full implementation of changes to Council staffing structures following consultation on those structures. These changes are contained in the MTFs Fit For The Future savings 3(A) Table of Annex 6 to the report;

- (v) the Council notes the action to be taken by the s151 officer to accommodate Government supported funding for the Victoria Square and Thamesway Regeneration projects and requires a further report to be presented to the Executive setting out the detail of actions taken and the impact on the Council's finances;
- (vi) with the exception of the delegated authority agreed in (iv) and (v) above, before any decision on the proposed savings contained within the MTFS as set out in Annex 6, the Council be presented with full details of all operating costs, including following a rigorous process of further scrutiny;
- (vii) within ongoing discussions with central government, the Council is asking government to consider options to deal with the debt position in a way that supports a fully balanced budget. Council is determined to contribute via difficult spending decisions and the sale of assets at best value, as part of a fuller solution. This fuller solution requires a debt restructuring programme, including but not limited to:
 - a. Lower interest rates ('interest rate restructure')
 - b. Longer repayment periods ('term restructure')
 - c. Options linked to the benefits of business and economic growth.

The meeting commenced at 7.00 pm
and ended at 10.40 pm

Chairman: _____

Date: _____