

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 26 September 2024

Present:

Cllr L Morales (Chair)
Cllr A Boote (Vice-Chair)

Cllr H Akberali	Cllr L Lyons
Cllr A Aslam	Cllr C Martin
Cllr A-M Barker	Cllr J Morley
Cllr T Bonsundy-O'Bryan	Cllr S Mukherjee
Cllr G Cosnahan	Cllr F Mumtaz
Cllr W Forster	Cllr E Nicholson
Cllr P Graves	Cllr S Oades
Cllr S Greentree	Cllr P Pandher
Cllr S Howes	Cllr J Pearce
Cllr A Javaid	Cllr L Rice
Cllr I Johnson	Cllr D Roberts
Cllr M Kuipers	Cllr T Spenser
Cllr R Leach	Cllr M Sullivan

Absent: Councillors D Jordan and M I Raja.

1. APOLOGIES FOR ABSENCE.

Apologies for absence had been received from Councillor Jordan, Councillor Raja and the Chief Executive, Richard Carr.

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, Digital and Customer, 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.

In accordance with the Officer Employment Procedure Rules, the Interim Strategic Director – Place, Beverley Kuchar, declared a disclosable personal interest (pecuniary) in agenda item 13 – Appointment of Strategic Director. The interest was such that Beverley Kuchar left the Council Chamber during the determination of the item.

In accordance with the Officer Employment Procedure Rules, the Strategic Director - Corporate Resources, Kevin Foster declared a disclosable personal interest (non-pecuniary) in agenda item 14 – Appointment of Statutory Officers. The interest was such that Kevin Foster left the Council Chamber during the determination of the item.

3. MINUTES.

RESOLVED

That the minutes of the meeting of the Council held on 20 May 2024 be approved and signed as a true and correct record.

4. MAYOR'S COMMUNICATIONS.

The Mayor reported on the various community events she had been invited to participate in over the four months since the previous Council meeting. Whilst there were too many to report on, the Mayor highlighted some of the events, including a trip to Woking's twin town of Rastatt, Germany, the many village days and fetes held across the Borough, events organisation by support groups such as LinkAble and the Lighthouse Project, and unusual activities such as the Ganesh Hindu boat procession and welcoming new graduate trainees joining McLaren.

The Mayor had met many different faith leaders during recent months, together with hundreds of school children and volunteers from local groups and charities supporting the many communities in the Borough.

5. URGENT BUSINESS.

No items of Urgent Business were considered.

6. QUESTIONS FROM MEMBERS OF THE COUNCIL.

No questions had been received from Members of the Council.

7. QUESTIONS FROM MEMBERS OF PUBLIC WBC24-043.

Six questions had been received from members of public. The questions, together with the replies from the Leader of the Council, were presented as follows:

Question 1 – Paul Morshead

“Why have the council chosen to put a completely new exterior lighting system in on lakeview?”

Supporting Statement

“Part a of my statement is, why was the money not spent on removing the asbestos from the ceilings, stairs and walkways? Part b,, has there been an environmental audit on the effects the new lighting has on residents wildlife and traffic. The brightness and intensity of the new lighting seems excessive especially in comparison to the current lighting system.”

Reply from Councillor Ian Johnson

“Woking Borough Council has recently commissioned fire risk assessments and electrical condition reports at the blocks on the Lakeview Estate.

As a result, and due to the age and condition of the lighting, Woking Borough Council was required to replace the communal lighting systems to comply with current standards and in accordance with best practice, the light fittings have been replaced with more efficient LED fittings.

We are aware that the brightness of the new light fittings has caused concern for some residents. In response, and as the light fittings are adjustable, our electrical contractor has reduced the brightness and colour tone setting of the fittings. This work is continuing across the Borough over the coming weeks.

Woking Borough Council fully understand the health hazards associated with exposure to asbestos and is committed to providing a safe environment for our residents. These duties are set out under the Control of Asbestos Regulations 2012 and the Management of Health and Safety at Work Regulations 1999. Woking Borough Council will do all that is reasonable and practicable to mitigate the risks associated with asbestos containing materials in our buildings.

It is recognised that there is no legal requirement to remove asbestos in existing buildings where it does not constitute a risk to health. We continue to mitigate the known risks by working in accordance with the Control of Asbestos Regulations 2012 and by undertaking annual and periodic Asbestos Management Surveys using qualified contactors and consultants and by responding appropriately to any identified deterioration of the asbestos containing materials throughout our portfolio.

I'd just like to add to this that I actually did go to Lakeview last night to have a look for myself at the lighting and I can see how some residents might feel uncomfortable about the brightness, especially when it's facing their particular property.

In terms of safety, as you can see, there is a balance with public safety around there actually and it was quite easy to walk around, park and not feel uncomfortable about darkness in some spots. So there are balancing issues here which no doubt we'll look into as time moves on.”

Question 2 – Alison Clayton

“The CAT policy document indicates in section 3 that in some limited circumstances the FREEHOLD of a community asset would be transferred to a community organisation at

less than market value. What would prevent the community organisation then selling it on into the private sector at full market value?"

Supporting Statement

"Selling off the family silver can only be done once leaving future generations of Woking residents at a disadvantage. Why is it necessary to sell off any freeholds at less than market value?"

Reply from Councillor Ellen Nicholson

"Thank you for your question.

The starting point for a Community Asset Transfer (CAT) is on the basis of a long lease. However, in exceptional circumstances, a freehold arrangement for a CAT may be applied. Any freehold disposal would be subject to careful consideration to ensure the best value for the Borough and community. For example, this may occur when a funder intends to make a considerable investment in an asset and requires it to be on a freehold basis, with that investment having a long-lasting benefit for residents. To secure this benefit to the community and ensure it is not sold on the open market, an asset lock can be applied and a legally binding covenant between all parties."

Question 3 – Richard Johnson

"Can anyone please explain why the green garden waste subscription has gone up by a rip off 40% from £50 to £70 this coming year. It's bad enough with other hikes in prices for other services which have also been severely reduced to save money as you keep reminding us you had to do because of the previous Tory run council."

Supporting Statement

"Due to this increase I think it will encourage more people to dump or fly tip their garden rubbish due to not being able to afford the payment."

Reply from Councillor Ellen Nicholson

"As a discretionary service which residents choose to subscribe to or not, it is essential that the garden waste collection service covers its own costs without the need for subsidy from general taxation.

The current subscription charge is now mid-range for Surrey and aligns more closely with our Joint Waste partners using the same waste collection contract (Surrey Heath and Elmbridge charge £65 and Mole Valley charge £70 with an additional one-off £46 per bin for its loan). The £70 annual charge equates to £2.70 per collection (an increase of £0.77 pence per collection).

However, we appreciate that increased charges may encourage more residents to take material to the Community Recycling Centres (free of charge) or home compost, which is the most environmentally friendly way of dealing with garden waste.

We are not aware of increased fly tipping in areas with higher subscription charges but the performance of our waste and street cleaning services, including fly tipping trends, will continue to be monitored with information shared through the Surrey Environmental Partnership, comprising all eleven Districts, Boroughs and the County Council."

Question 4 – David Choyce

“When will the forensic report into the circumstances leading to the Council’s insolvency be made public?”

Reply from Councillor Ann-Marie Barker

“In July 2023, the Council asked Grant Thornton, its newly appointed external auditors, to undertake a ‘Value for Money’ review into the governance arrangements that relate to the Council’s historic investment strategy. This is an independent report and therefore the Council does not have control over the date of publication but is keen that this should be as soon as possible.

It is recognised that the report is taking longer than originally anticipated. Grant Thornton have stated that this is due to the need to undertake various consultations with interested parties in line with their obligations under the Local Audit and Accountability Act 2014.

The Council will make the Value for Money review report, alongside our response to its recommendations, available on our website at the earliest opportunity.

Now that was a response that was written a couple of days ago, ready for the meeting.

We have since then, I'm pleased to say, been able to get a little more information from Grant Thornton and they have given us a statement. This comes from Joanne Brown, who is the lead engagement partner at Grant Thornton.

She says, we are now in the concluding phase of reporting the outcome from our value for money governance review. The consultation period has ended in accordance with our obligations, as I mentioned earlier, the Local Orders and Accountability Act, and the report will be made public once finalised, which is likely to be in October 2024.

So it does seem it is now getting close and we will have that statement from Grant Thornton to inform residents as a whole about that situation.”

David Choyce attended the meeting and the Mayor invite him to raise a supplementary question.

Supplementary Question

“I don't know what the report will say, but to the extent that it includes criticisms or indications of, to put it neutrally, irregularity in past decision-making, would the Council intend to pass that to another body to consider taking any further action?”

Reply from Councillor Ann-Marie Barker

“Thank you, Mr. Joyce. Once we have received the report, the Council will need to determine what actions it needs to take going forward. There will need to be a Council meeting within a couple of weeks of the report coming out to determine future actions and they will obviously need to be considered until we've seen the report. We won't know what future actions will be taken.”

The Mayor thanked David Choyce for his question and for attending the meeting.

Question 5 – Michael Smith

“When may residents of Woking anticipate publication of the Report, commissioned from Grant Thornton, on the financial affairs of Woking Borough Council?”

Reply from Councillor Ann-Marie Barker

“Thank you for your question. Please see my response to Question 4 above.”

Question 6 – Cyrille Reiser

“I was one of the one that signed for keeping the swimming pool and thanks for agreed to keep it. But since then, the swimming area facilities are in a very poor state despite the fact that the overall swimming pool was refurbished very recently. The state of the facilities are: most of the lockers does not close anymore, the side of the swimming pools is very dirty as people are allowed to walk with their shoes in close to the pool. Are there any plans to have the rules respected as regards of the hygiene of the area and fix the lockers for instance? We would not want to have less people using the pool as a consequence would be an increase of the fares.”

Reply from Councillor Ellen Nicholson

“These issues have been discussed with Freedom Leisure’s Area Manager for Woking. In response the following steps have been taken by Freedom Leisure (our leisure operator) to allay the concerns raised:

- Additional signage has now been installed on-site regarding not wearing footwear on poolside. This states to customers ‘no shoes past this point’;
- Centre management have reiterated to Lifeguards and cleaning operatives to be vigilant and appropriately challenge customers when this is not being adhered to;
- The General Manager and Assistant Manager have increased their spot checks and patrols to reduce incidences of this nature; and
- 100 new locker bands were ordered prior to the summer and a full quote is currently being procured to get these installed asap.

Freedom Leisure do have a dedicated team of cleaners for the wetside changing village throughout the day/evenings and the area is regularly cleaned.

However, during busy spells, the volume of footfall means there are additional pinch points that Freedom Leisure are aware of, and the above measures aim to prevent future occurrences of this nature.

We would also encourage all customers to highlight issues to centre staff at the time of their visit so staff can rectify any issues as swiftly as possible.”

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

The Leader firstly welcomed the six questions from members of public together for the opportunity for portfolio holders to respond. Attention was then drawn to the election of

Councillor Will Forster as MP for the Borough in June, with the Council congratulating Councillor Forster on his success.

At the recent meeting of the Executive, it had been announced that Councillor Forster had stepped down from his roles as Deputy Leader of the Council and as a portfolio holder on the Executive. Councillor Ellen Nicholson and Councillor Dale Roberts would be taking on a new joint role as deputy leaders and Councillor Stephen Greentree would be joining the Executive. The portfolio holder responsibilities had been reviewed and Councillor Nicholson would be taking on climate change alongside her existing green spaces and leisure responsibilities. The community elements from Councillor Nicholson's portfolio would be transferred to Councillor Greentree.

Changes to the membership of Committees would be considered later in the meeting together with a range of items including a new contract for grounds maintenance and street cleaning, the climate change strategy, past years' accounts and policies for enforcing housing standards in private sector housing.

No further announcements were made.

9. RECOMMENDATIONS OF THE EXECUTIVE WBC24-039.

The Council had before it a report on the recommendations from the Executive, setting out the extracts from the minutes of the meeting of the Executive held on 12 September 2024. In accordance with the Constitution, the recommendations were deemed to have been moved and seconded.

9A. Grounds Maintenance and Street Cleaning Contract Re-tender EXE24-075

The Executive had considered a report on the Council's contract to provide grounds maintenance and street cleaning services. The contract was one of the Council's largest and covered a range of services including street cleaning, tree inspections and the maintenance of play areas, sports grounds, housing land and closed burial grounds. Ancillary services included draining ditch clearance, emergency flood response, fly tip, fly-post and graffiti removal and subway cleaning.

Councillor Nicholson, Portfolio Holder for Environmental Maintenance, advised that the current contract had been initially awarded to Serco in 2003 and had subsequently been extended. However, no more extensions could be undertaken and the current contract would end on 31 March 2025. With the support of a specialist technical consultant, Tetra Tech, a procurement exercise had been undertaken, the results of which were now set out in the report.

An evaluation panel had been established to review the bids received and a formal scoring model had been adopted, under which up to 10,000 points could be awarded to each bid, comprising 6,000 for quality and 4,000 for price. The cost and quality scores had been added together to provide a total score for each bid and the Council was recommended to award the contract to the tenderer with the highest scoring bid. A confidential report, outlining commercially sensitive information, had been included at the end of the agenda.

During the debate, a number of questions and points were raised, including concerns around the existing standard of the street cleaning service in Byfleet and a proposal to quantify the Borough's trees under the five categories of the Woodland Trust (Ancient,

Veteran, Heritage, Champion and Notable). A concern was also expressed over the length of the contract (8 years) and the level of service, noting that a new contractor was to be appointed and that the existing provider – SERCO – had chosen not to tender for the contract.

The Portfolio Holder responded to the points raised, advising that notice of the streets to be cleaned would be published in advance, addressing the concerns over the quality of service in Byfleet, and that the contract would be subject to a number of Key Performance Indicators. The suggestion in respect of the Borough's trees would be considered further and, in respect to a question on electric vehicles, the Council noted that, although the contract did not require the use of such vehicles, the Government had established an initiative to encourage the use of electric vehicles.

RESOLVED

- That (i) the contract for the provision of Grounds Maintenance and Street Cleaning Services be awarded to the highest scoring tenderer for an initial contract period of eight years and it be noted that the value of the contract is estimated to be £3m during 2025/26, subject to annual indexation thereafter; and
- (ii) authority be delegated to the Head of Environmental Services and Director of Legal and Democratic Services, in consultation with the Portfolio Holder, to complete the necessary contract document exchanges.

9B. Climate Change Strategy EXE24-072

In 2023 the Council had prepared a new climate change strategy 'Woking Net Zero', providing an opportunity for members of the public to feed into the plans to tackle climate change. The strategy had been intended to replace Woking 2050 and set out ambitious net zero targets for the Council. However in June 2023, the Council had issued a S114 notice which, amongst other changes, had forced the Council to streamline the climate change strategy according to the Council's statutory duties.

The revised strategy before the Council set out objectives for the Authority, residents and businesses to consider as a means of achieving the national target of net zero by 2050. It was intended to undertake a further review of the strategy once the S114 notice had ended.

The proposals were introduced by Councillor Forster, former Portfolio Holder for Climate Change, who advised that the draft strategy had been considered by the Members of the Environment and Place Scrutiny Committee, whose suggestions had been incorporated in the recommendations. Councillor Forster further thanked the various voluntary organisations which had helped in the development of the Strategy.

The Members of the Council discussed the proposals and a number of areas were highlighted, including the ambition to improve the Energy Performance Certificates (EPC) ratings for Council properties, the poor condition of the roads for cyclists and the importance of working in partnership with local organisations and residents. Councillor Forster responded to the points raised before the Council was directed to the recommendations of the Executive.

RESOLVED

- That (i) the representations to the Climate Change Strategy consultation made between May – June 2023, attached at Appendix 2a – 2b to the report, be noted;
- (ii) the revised Climate Change Strategy, attached at Appendix 1 to the report, be adopted and set a basis to how the Council will continue to factor in the impact of climate change within decision-making;
- (iii) upon adoption, the Council will embed the objectives of the Climate Change Strategy across all departments and service reviews;
- (iv) a review date be added to the Climate Change Strategy, to be set 5 years from the start of the Government intervention at Woking Borough Council; and
- (v) Officers be requested to amend the committee report template to include 'environment and climate change' as an implication.

9C. Housing Standards Enforcement Policy and Housing Standards Civil Penalty Notice (CPN) Policy EXE24-078

Councillor Johnson, Portfolio Holder for Housing, introduced the recommendations of the Executive in respect of changes to the Housing Standards Enforcement Policy and the adoption of the new Housing Standards Civil Penalty Notice Policy.

The Enforcement Policy, which had not been updated since 2017, aimed to improve the standard of privately rented housing within Woking, provide a safer and healthier private housing sector, clearly set out the Council's approach to enforcement and ensure that housing standards enforcement decisions were fair, transparent, consistent and proportionate. The Civil Penalty Notice Policy would ensure that enforcement actions complied with the principles of consistency, proportionality and openness. The overall outcome was hoped to be a clear understanding amongst the landlords of the actions that could be taken in the event they failed to meet the housing standards.

Councillor Johnson responded to the points raised during the discussion, emphasising that whilst the policies applied to private landlords only, the Council was also required to meet housing standards for its housing stock.

RESOLVED

- That (i) the changes to the Housing Standards Enforcement Policy in respect of private rented sector accommodation, as set out in Appendix 1 to the report, be approved;
- (ii) the new Housing Standards Civil Penalty Notice Policy in respect of private rented sector accommodation, as set out in the Appendix 2 to the report, be approved and adopted;

- (iii) delegated authority be given to the Strategic Director - Place, in consultation with the Portfolio Holder, to approve minor modifications and updates to the Housing Standards Enforcement Policy and the Housing Standards Civil Penalty Notice (CPN) Policy;
- (iv) delegated authority be given to the Strategic Director - Place, in consultation with the Portfolio Holder, to agree the inclusion of new legislation and duties relevant to Private Sector Housing imposed on the Council by the Government in the Housing Standards Enforcement Policy and the Housing Standards Civil Penalty Notice (CPN) Policy; and
- (v) the above recommendations, if approved, will be implemented from the 27 September 2024.

10. ANNUAL ACCOUNTS 2019/20, 2020/21 AND 2021/22 WBC24-038.

The Portfolio Holder for finance and economy, Councillor Dale Roberts, introduced the report on the Authority's draft accounts for the years 2019/20, 2020/21 and 2021/22. It was noted that nationally, the number of local authorities with outstanding audits and failing to publish accounts within prescribed deadlines had been growing. At the same time, the complexity of the Borough Council's accounts and a lack of sufficient resources had added to the delays on the accounts.

The Members were advised that the accounts presented were the single entity accounts for the Council. The group accounts, which would include the activities of the Council owned companies, would be prepared for 2022/23 and 2023/24 and made available once completed. The last fully audited accounts, including group accounts, were those for 2018/19, with fully audited company accounts available on the Companies House website.

The accounts had been reviewed by the Audit and Governance Committee and the Vice-Chair of the Committee read out a statement on behalf of the Members of the Committee as follows:

"The Financial Statements for the years 2019/2020, 2020/2021 and 2021/2022 were reviewed and noted by the Governance and Audit Committee on 29/07/2024.

A number of questions and concerns were raised at that meeting regarding our confidence in the accounts as presented and in particular the covering statement made by the then Section 151 Officer to the accounts for 2019/2020.

We now know a number of the statements in the 2019/2020 accounts cannot be validated.

- Paragraph 142 of the Commissioners' Report of May 2023 noted the challenge to the Minimum Revenue Provision. Subsequently, the Capitalisation Directive included 360 million for MRP adjustment for previous years
- The Housing Revenue Account and General Fund are to be restated as per the presentation to the Executive on 12th September 2024.
- Section 4.12 of the 2019/2020 accounts states that:

The Prudential Code enables a Local Authority to borrow to such an extent as the Authority considers appropriate within a range of indicators that sets itself. It is therefore possible to invest to the level that is affordable, prudent and sustainable taking into account the level of income including Council Tax and Housing Rents.

➤ In Section 10.1 it is claimed:

The Council's overall financial performance in 2019/20 was good

We now know the debt was unaffordable and the financial performance was not good.

Subsequent events have proven the borrowing was neither prudent nor sustainable and some of that borrowing was for revenue purposes and contravened PWLB regulations.

There are similar issues with the financial statements pertaining to the 2 subsequent years, 2020/2021 and 2021/2022.

Any publication of these accounts must give equal prominence to these considered opinions as is given to those of the S 151 Officer."

The Portfolio Holder thanked the Members of the Audit and Governance Committee for their considered comments and noted that much work would still need to be done before the Council would be able to get an unqualified signoff by auditors. Attention was drawn to the recommendations set out in the report, and it was noted that Members were only being asked to note the accounts at this stage.

RESOLVE That

- That (i) the annual accounts for 2019/20, 2020/21 and 2021/22, as noted by the Audit and Governance Committee on 29 July, be noted and referred to the Council's external auditors for their audit opinion;
- (ii) the signing off of the accounts by the Council's Strategic Director for Finance and Section 151 Officer be noted, with the caveat that they are based on the best information available and the policies and conventions in place for the year that the specific accounts refer to; and
- (iii) it be noted that the issues concerning bad debt on investments in group companies identified in the June 2023 Section 114 Notice and Capitalisation Direction will be dealt with in the 2023/24 accounts which are planned to be presented to the Council later in the year along with those for 2022/23.

11. THE CONSTITUTION - UPDATES WBC24-035.

Councillor Barker, Leader of the Council, presented to Members a series of proposed changes to the Constitution, identified as part of the continued work to review the Constitution to ensure that it remained accurate, up-to-date and fit-for-purpose.

Included in the proposals was a change for clarification in the scheme of delegation in respect of the provisions covering planning applications submitted by, or on behalf of, a member of staff, by Woking Borough Council or any companies 50% or more owned by the Authority. It was further proposed that, to clarify the wording in the Constitution, Councillors should only be able to call in such planning applications to the Planning Committee that fell within their ward.

To aid in the process by which Council business and policy were handled through the Committee structure, a comprehensive Local Choice Framework had been drawn up in support of the existing Local Choice references in the Council's Constitution and in line with legislation.

It is further recommended that the Council should introduce a requirement for Members of the Licensing Committee and its Sub-Committees to first attend licensing training prior to being able to sit on the Committee or its Sub-Committees. This would ensure that Councillors have the necessary knowledge to make informed Licensing-related decisions. The Leader noted that similar provision for a training requirement for the members of the Planning Committee was already included in the Constitution

Attention was drawn to a supplementary report which proposed an additional recommendation following the announcement by the Leader of the Council that two Deputy Leaders would be appointed following the decision of Councillor Forster to step down from the Executive. To accord with the Local Government Act 2000, minor consequential amendments to the current Constitution would be necessary as a result of the decision to appoint two Deputy Leaders. The Council was therefore asked to delegate authority to the Monitoring Officer in consultation with the Leader of the Council to make the necessary changes to the Constitution.

RESOLVED

- That (i) the Scheme of Delegations be amended as set out in paragraph 2.3 of the report;
- (ii) the section on Local Choice, as set out in Appendix 1 of the report, be added to Section 3 of the Constitution;
- (iii) the Constitution be updated to confirm that Councillors may not sit on the Licensing Committee, Licensing Sub-Committee A, Licensing Sub-Committee B or the Taxi Licensing Sub-Committee unless they have attended at least the annual mandatory licensing training prescribed by the Council;
- (iv) the paragraphs set out in the Planning Code of Practice for Councillors and Officers be repeated as paragraph 28.6 in Part 4, Section 1 (Standing Orders);
- (v) Para 6.67 (e) in the Scheme of Delegation of the Constitution be amended for clarification to read "any undetermined application can be requested by a Councillor for an application in their ward for determination by the Planning Committee provided a planning reason is supplied in writing to the Development Manager.";
- (vi) authority be delegated to the Monitoring Officer in consultation with the Leader of the Council to make any necessary minor

amendments to the Constitution arising from the decision to appoint two Deputy Leaders; and

- (vii) the Monitoring Officer be instructed to make the agreed changes to the Constitution.

12. APPOINTMENTS TO COMMITTEES 2024/25 WBC24-036.

At the meeting of the Executive on 12 September 2024 the Leader of the Council had announced that Councillor Forster would be stepping down from the Executive and from his role as Deputy Leader of the Council. The Leader has appointed both Councillor Roberts and Councillor Nicholson to serve as Deputy Leaders and Councillor Greentree has been appointed to the vacancy on the Executive.

Councillor Greentree had previously been appointed to the Audit and Governance Committee, the Communities and Housing Scrutiny Committee and the Resource and Finance Scrutiny Committee. His appointment to the Executive created vacancies on those Committees and the report proposed appointments to the resulting vacancies on the Committees.

The Council was asked to agree a number of further changes to the memberships of Committees, Sub-Committees and the Finance Working Group for the current Municipal Year. These included the replacement of Councillor Pandher on the Planning Committee by Councillor Pearce.

A supplementary report noted that the Council had successfully recruited two individuals to serve as Independent Co-Opted Members to serve on the Audit and Government Committee. The Council was asked to formally appoint Puneet Jasuja and Annie Ren to the roles and to the Audit and Governance Committee.

The proposed changes, introduced by the Leader of the Council, did not affect the proportionality of the Committees and Sub-Committees.

RESOLVED

- That (i) Councillor Mukherjee be appointed to the vacancy on the Audit and Governance Committee for the remainder of the 2024/25 Municipal Year;
- (ii) Councillor Spenser be appointed to the vacancy on the Communities and Housing Scrutiny Committee for the remainder of the 2024/25 Municipal Year;
- (iii) Councillor Morley be appointed to the vacancy on the Resource and Finance Scrutiny Committee for the remainder of the 2024/25 Municipal Year;
- (iv) Councillor Pandher be replaced on the Planning Committee by Councillor Pearce for the remainder of the 2024/25 Municipal Year;

- (v) Councillor Pearce be replaced on the Licensing Committee by Councillor Pandher for the remainder of the 2024/25 Municipal Year;
- (vi) Councillor Pearce be replaced on Licensing Sub-Committee B by Councillor Pandher for the remainder of the 2024/25 Municipal Year;
- (vii) Councillor Pearce be replaced on the Taxi Licensing Sub-Committee by Councillor Pandher for the remainder of the 2024/25 Municipal Year;
- (viii) Councillor Pandher be replaced on the Finance Working Group by Councillor Mukherjee for the remainder of the 2024/25 Municipal Year;
- (ix) Councillor Nicholson be replaced by Councillor Greentree as the Council's representative on the Police and Crime Panel for the remainder of the 2024/25 Municipal Year;
- (x) the new Portfolio allocations, as set out in appendix 1 to the report, be noted;
- (xi) Puneet Jasuja and Annie Ren be appointed as Independent Co-Opted Members; and
- (xii) Puneet Jasuja and Annie Ren be appointed to the Audit and Governance Committee from 1 November 2024.

13. APPOINTMENT OF STRATEGIC DIRECTOR WBC24-042.

In accordance with the Officer Employment Procedure Rules, the Interim Strategic Director – Place, Beverley Kuchar, had declared a disclosable personal interest (pecuniary) in this item. The interest was such that she left the Council Chamber during the determination of the item.

The Committee received a report which outlined the outcome of the recruitment to the position of Strategic Director – Place. The recruitment process had involved a panel of Members from the Employment Committee and a Member from the Executive. The panel had unanimously supported the appointment of Beverley Kuchar to the role of Strategic Director – Place.

RESOLVED

That Beverley Kuchar be appointed as Strategic Director – Place.

14. APPOINTMENT OF STATUTORY OFFICERS WBC24-037.

In accordance with the Officer Employment Procedure Rules, the Strategic Director - Corporate Resources, Kevin Foster had declared a disclosable personal interest (non-pecuniary) in this item. The interest was such that he left the Council Chamber during the determination of the item.

Following the resignation of the Interim Director of Legal and Democratic Services, Gareth John, four statutory positions had fallen vacant earlier in September 2024: These had included the roles of Returning Officer, Electoral Registration Officer, Monitoring Officer and Data Protection Officer. The report summarised the responsibilities of each of the roles.

Woking Borough Council was required to appoint to the roles, normally held by one or more members of the Corporate Leadership Team. In view of the requirement to statutory requirement to appoint to these positions, the Chief Executive had taken the decision to appoint the Strategic Director – Corporate Resources, Kevin Foster, to the roles of Returning Officer and Electoral Registration Officer. Suki Binjal, the recently appointed Interim Director of Legal and Democratic Services, had been appointed Monitoring Officer and Data Protection Officer.

The appointments had taken effect from 16 September 2024 and had been made under authority available to the Chief Executive as a Government appointed Commissioner.

RESOLVED

- That (i) the appointment of the Strategic Director – Corporate Resources, Kevin Foster, as the Authority’s Electoral Registration Officer, under Section 8 of the Representation of the People Act 1983, with effect from 16 September 2024, be noted;
- (ii) the appointment of the Strategic Director – Corporate Resources, Kevin Foster, as the Authority’s Returning Officer for local government elections, under Section 35 of the Representation of the People Act 1983, with effect from 16 September 2024, be noted.
- (iii) the appointment of the Interim Director of Legal and Democratic Services – Suki Binjal, as the Authority’s Monitoring Officer, under Section 5 of the Local Government and Housing Act 1989, with effect from 16 September 2024, be noted; and
- (iv) the appointment of the Interim Director of Legal and Democratic Services – Suki Binjal, as the Authority’s Data Protection Officer, in accordance with the Data Protection Act 2018, with effect from 16 September 2024, be noted.

15. NOTICES OF MOTION.

No notices of motion had been received from Elected Members.

16. EXCLUSION OF PRESS AND PUBLIC.

The Mayor moved and Councillor Boote seconded that the press and public should be excluded from the meeting during consideration of the following item.

RESOLVED

That the press and public be excluded from the meeting during consideration of Agenda Item 17 in view of the nature of the proceedings that, if members of the press and public were present during this item, there would be disclosure to them of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A, to the Local Government Act 1972.

Paragraph 3 – Information relating to the financial or business affairs of any particular person (including the authority holding that information).

17. RECOMMENDATIONS OF THE EXECUTIVE WBC24-041.

The Council had before it a report on the Part II recommendations from the Executive, setting out the extracts from the minutes of the meeting of the Executive held on 12 September 2024. In accordance with the Constitution, the recommendations were deemed to have been moved and seconded.

17A. Grounds Maintenance and Street Cleaning Contract Re-tender EXE24-076

The Council had before it the confidential recommendations of the Executive in respect of the Grounds Maintenance and Street Cleaning Contract re-tender.

RESOLVED

That the recommendations of the Executive set out in the Part II report be agreed.

The meeting commenced at 7.00 pm
and ended at 8.37 pm

Chairman: _____

Date: _____