

**[NOTE: DECLARATIONS OF INTEREST**

In accordance with the Officer Employment Procedure Rules, the Director of Finance, Leigh Clarke, has declared a disclosable personal interest (non-pecuniary) in Questions 1, 3, 4, 6, 7, 11-14, 17-27, 29-31, 35-53, 55 and 58-63 arising from (i) her husband having a small shareholding in Woking Football Club and (ii) being a Council appointed director of Kingfield Community Sports Centre Limited. The interest does not prevent Mrs Clarke from advising on this matter.

In accordance with the Officer Employment Procedure Rules, the Director of Legal and Democratic Services, Peter Bryant, has declared a disclosable personal interest (non-pecuniary) in Questions 1, 3, 4, 6, 7, 11-14, 17-27, 29-31, 35-53, 55 and 58-63 arising from (i) him being a member of the Cards Trust (the supporters' club for Woking Football Club), (ii) providing occasional unpaid assistance to Woking Football Club, e.g. acting as returning officer at the election of directors and (iii) being a Council-appointed director of Kingfield Community Sports Centre Limited. The interest does not prevent Mr Bryant from advising on this matter.

In accordance with the Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, has declared a disclosable personal interest (non-pecuniary) in Question 8 arising from his position as a Director of Connect 2 Innovation Limited. The interest does not prevent Mr Morgan from advising on this matter.]

**QUESTIONS**

**Executive Summary**

The following questions have been received under Section 3 of the Executive Procedure Rules. The replies by the Portfolio Holders are set out below. Questions 1 to 11 were submitted to the meeting of the Executive on 26 March 2020 which was cancelled due to the Coronavirus pandemic.

1. Question from Mr Nick Shaw

“With the news coming out today (Thursday 20th Feb) that the Woking Community Stadium development has increased the number of affordable housing units to 468, will the Council be able to give assurances that it will not pass up this great opportunity to rectify the lack of affordable housing in the Borough?”

Reply by Councillor Harlow

“Whilst 468 new affordable homes will be of significant benefit to the Woking community, the role of the Planning Committee is to weigh up all aspects of a planning application. The matter of affordable housing cannot be viewed in isolation.”

2. Question from Mr James Davidson

“As a local man with a young family that wishes to remain in the area, it was with some concern I read the recent article published in the Times newspaper (20th February 2020) which stated Woking is currently ranked the 8th least affordable place to buy in the Country.

My concern being the limited availability to local affordable housing which is forcing young families, like mine, to move away from where we are born and bred.

I seek clarification as to what the Council is doing to encourage affordable housing and developments within the Borough?"

Reply by Councillor D Harlow

"The Council recognises that there is a significant need for new affordable homes across the Borough. We seek to secure 40% affordable housing on all residential developments, subject to viability. In addition, the Council has committed to a housing investment programme to deliver more rented Council homes. Two small developments on former garage sites were completed this year with another due to handover next month. In addition, our Council-owned company, Thamesway Housing, offers an innovative Earn Your Deposit scheme to assist its tenants move on to home ownership."

3. Question from Mr James Davidson

"The council regularly fails to meet its targets so I respectfully enquire if you be offering your support to the newly increased 468 new affordable homes associated with the proposed Woking Community Stadium?"

Reply by Councillor D Harlow

"As with my answer to Question 1, whilst 468 new affordable homes will be of significant benefit to the Woking community, the role of the Planning Committee is to weigh up all aspects of a planning application. The matter of affordable housing cannot be viewed in isolation."

4. Question from Mr James Davidson

"Considering the national housing crisis, does the Council believe the potential availability of the 468 affordable homes proposed within the development of the Woking Community Stadium, (a project containing almost 45% affordable units of the total homes) a marvellous opportunity to provide local homes for local people and too good an opportunity to turn down?"

Reply by Councillor D Harlow

"As with my answer to Question 1, whilst 468 new affordable homes will be of significant benefit to the Woking community, the role of the Planning Committee is to weigh up all aspects of a planning application. The matter of affordable housing cannot be viewed in isolation."

5. Question from Mr Norman Johns

"Following the Council's own move on the reduction of plastics within the council offices, what measures are being taken to ensure that the advice of the Plastic Free Woking Volunteers group is being taken by all council owned companies and businesses in council owned premises?"

Namely - [1] Stopping use/sale of all single use plastic items, drink bottles & cups, carrier bags and all items features in the S.A.S advice literature.

[2] Ensuring that all waste vegetable and waste food items are collected by reputable companies for processing and production of green energy.

[3] Ensuring that all "goods In and Out" packaging do not include plastic. There are cardboard and other non plastic alternatives available.

That these measures are in place by January 2021. This will show that our Council are showing leadership in the Climate Emergency and be an example to all Woking businesses, other Surrey Borough Councils and the Surrey County Council.”

### Reply by Councillor K M Davis

“In furtherance of the Council’s Single Use Plastic Policy, adopted in July 2019, the Council continues to avoid single use plastic water bottles during Council meetings which has been estimated to save 720 bottles a year. Segregated bins for recycling and food waste are available across the Civic Offices to improve recycling rates. Information has been displayed across the offices to assist in improving waste segregation. Food vending machines will be discontinued when the contract finishes at the end of June 2020 which will see an end to the sale of single use plastic drinks bottles. A review of kitchen facilities across the Civic Offices is being considered which will look at hot water and drinks provision.

The Council will be using the [Plastic Free Communities Business Toolkit](#), produced by Surfers Against Sewage and advocated by Plastic Free Woking over the course of the next twelve months, to progress delivery of its Single Use Plastic Policy and encourages other organisations to do the same.

The Council’s Refill Woking scheme now has 32 retailers participating across Woking Town Centre and five in the first village scheme in West Byfleet. The scheme enables members of the public to refill their drinks containers with free tap water avoiding the need to purchase single use plastic drinks bottles.

ThamesWey has collaborated with Town Centre food retailers to reduce the use of single use plastics by promoting the use of reusable containers. A number of participating retailers are offering discounts to customers that choose to reuse their own containers. To kick-start this phase ThamesWey has purchased 500 lunch boxes made from bamboo and wheat fibre to encourage a change in behaviour. When circumstances allow, the reusable boxes will be distributed through large employers in the town centre to target regular customers of lunch time takeaway food outlets. ThamesWey will be inviting employers to provide a small financial contribution to Woking Foodbank in return for each container. This adds a charitable incentive for customers to use a container along with the environmental benefit of reducing the use of single-use plastics, and the benefit of discounts offered by several of the stall holders.

Elsewhere in the Town Centre, Woking Shopping contract out the waste management of the Peacocks, Wolsey Place and Export House through Skanska who use Biffa for waste removal. Woking Shopping segregates its general waste, mixed recycling, glass, cardboard and food waste and is one of the first shopping centres in the country to be accredited to ISO14001.

The Council continues to provide residents with a kerbside recycling service to enable them to recycle plastic bottles, pots, tubs and trays. Cartons and cups can be recycled at recycling sites located at supermarket car parks in Brookwood, Goldsworth Park, Woking Town Centre and West Byfleet. Surfers against Sewage has also produced a [Community Toolkit](#) to help communities and individuals do their bit to reduce single use plastic consumption.”

### 6. Question from Mr Oliver Whittall

“On 10th October 2019, Cllr. Azad responded to a question of whether Woking Borough Council has a financial interest in GolDev Woking Ltd. The reply was “no”. Would the Executive agree that from this, residents would conclude that no loans had been agreed with GolDev at that point?”

### Reply by Councillor A Azad

"This I believe was an oral question to which I responded on hearing whether the Council had a financial interest in GolDev. To which I responded 'no'. The loan agreement with GolDev Woking was completed on 30 January 2019."

#### 7. Question from Mr Oliver Whittall

"On 10th October 2019, Cllr. Azad stated that WBC provides financing to VSWL. The Councillor said financing "would be considered" for other projects. Does the Executive agree that residents would infer that no loans had been agreed, but may be considered, to GolDev?"

### Reply by Councillor A Azad

"I cannot speculate on what people may infer. As previously set out, the Council would consider financing for other projects in which it has an interest and where that finance may be the difference between viability and inviability. The Council has land interests in the GolDev development and has therefore agreed access to loan finance."

#### 8. Question from Mr Oliver Whittall

"Can the Executive confirm the status of Connect2Innovation Ltd? Does Woking Borough Council own the company? It is Mr. Morgan who is a Person with Significant Control, and not Woking Borough Council."

### Reply by Councillor A Azad

"Connect2Innovation Limited was a company created when there was a South East England Development Agency (SEEDA). It had a series of individual directors and supported innovation. When SEEDA was discontinued Mr Morgan remained as a Director and the Council used its intellectual property to set up the Incubator at Export House and start the programme of engagement with business that is now incorporated in Woking Works.

The company is due to be closed.

Mr Morgan does not receive any remuneration from the company."

#### 9. Question from Mr Paul Whittall

"In Question 12 on 6th February 2020, Cllr. Azad reassured residents that the expenses filed for three lunches in October were incorrect, with the decimal point seeming to have been left out. With such a significant error being published it calls in to question the integrity of the entire dataset. It would, therefore, be useful to know the processes behind the dataset, and the point at which the error occurred. Could the executive:

1. Say where the data originates (for example from forms submitted by the expense claimant or from transaction data);
2. Explain how the dataset is compiled;
3. Explain the process by which expense claims are checked;
4. In the context of this claim, answer whether the expense of ~£20,000 was factored into the Green Book."

### Reply by Councillor A Azad

"In answer to your question:

1. The data originates from Lloyds bank, the procurement card provider.
2. The data from the bank is loaded into the Council's financial system. A report is extracted for the purposes of publishing transactional details in accordance with the transparency guidelines, downloaded into Excel and converted into a publishable csv format. During this conversion process the decimal point was omitted from a number of values.
3. The Council uses a module of the finance system to electronically manage procurement card spend. The Cardholder is required to scan and attach supporting invoices or receipts for the spend. The transaction, together with the supporting information, is authorised on the system by another Officer.
4. The error identified was only in the transparency report published, it was not an error in the Council's financial system and so was not identified as a budget variation which would be reported in the Green Book.

Following the error being identified, the entire dataset for the year has been replaced to ensure that there were no further errors in it, and additional checks have been introduced to reduce the chance of similar errors occurring."

### 10. Question from Mr Paul Whittall

"Cllr. Azad explained at the last Council that 'when Planning Applications come forward for new homes we need to approve them and not look for reasons not to'. Could the Executive clarify what they think that the role of the Local Planning Authority is?"

### Reply by Councillor A Azad

"I made this statement in the context of our plans to build and provide homes so that we can assist the 300 families on our housing waiting list and also of being the generation that aims to eradicate homelessness through the provision of suitable housing. Lack of affordable housing is a major issue and one we as local authority are obligated to address.

Enshrined in the planning system is a presumption in favour of sustainable development unless there are sound, valid and defensible planning reasons for refusing an application. It is the role of the Local Planning Authority to assess each planning application on its merits and to determine it in accordance with the above principles. My comments reflected the spirit of these principles."

### 11. Question from Mr Paul Whittall

"Would the Executive agree that Mr. Bryant's decision to approve plans for submission to the Local Planning Authority on 2nd October 2019, two weeks prior to the vote by Full Council, predetermined the outcome of the decision made by Full Council?"

### Reply by Councillor A Azad

"Mr Bryant's decision ensured that the Council complied with its obligations in the Legal Agreements between it and GolDev Woking Limited. The decision did not prejudice the Council's consideration, at its meeting on 17 October 2019, of the Petition on the proposed Woking Football Club development."

12. Question from Mr Andy Caulfield

"In light of the recent Inspector's decision on the Poole Road development [in relation to WBC's own appeal, through its Thameswey business, against itself - how is that in the best interests of WBC residents?] - we yet again query how the current Goldev proposals can even be put forward to the planning committee given their clear WBC planning policy breaches (not to mention the flimsy financial model previously relied on being shattered by the new post-pandemic world we will all be facing). Will WBC now sensibly be re-assessing matters in the interests of its residents?"

Reply by Councillor A Azad

"The applicants are entitled to have their planning application determined by the Planning Committee. It would be wholly inappropriate for me to comment on a specific planning application which is the subject of very comprehensive report to be considered by the Planning Committee on 23 June 2020."

13. Question from Mr Andy Caulfield

"We have previously asked Executive questions about WBC's knowledge of the developers proposed Site 6, and particularly its plans to build any medical centre there, rather than as shown in the current plans as part the football ground redevelopment (1176). Does WBC have any updated information to share with its residents on this matter?"

Reply by Councillor A Azad

"There is no information on this matter".

14. Question from Mr Andy Caulfield

"Given the size and scale of this proposed development, and the unusual nature of the current proposed developers for such a major project, can WBC please confirm whether any members, officers, staff, employees or related persons (including inter alia family members or business contacts), have at any stage discussed or been offered (now or in the future) any roles, payments or inducements by these developers? Or has there been any suggestion at any stage that such matters could be discussed at a future date, perhaps once current WBC personnel are no longer part of WBC?"

Reply by Councillor A Azad

"To my knowledge, no. This in my view would not be compatible with the Code of Conduct for either Members or Officers."

15. Question from Mr Tural Huseynov

"Can we spend 250million pound on supporting small businesses and create new workplaces where we could generate more continues income by providing services, production, manufacturing instead of building excessively tall buildings with thousands of flats without any purpose."

### Reply by Councillor A Azad

"The Council has worked and aims to work with small and large businesses across the Borough. We realise their importance to the local economy and therefore we have acquired a number of strategic properties in the town over the last few years to protect employment space which might otherwise have been converted to residential. In order to continue to provide a balanced economic climate, there is also a continued need for housing that people who work for, supply and support these businesses will need to live in. Housing for people is therefore never 'without any purpose'."

### 16. Question from Mr Tural Huseynov

"Also is WBC is thinking to lower the council tax?"

### Reply by Councillor A Azad

"The Council is not considering lowering Council Tax at this economically uncertain time when the most vulnerable in our community need our support more than ever."

### 17. Question from Ms Danielle Widener

"In light of the recent Inspector's decision on the Poole Road development, how can the current Goldev proposal for the stadium "redevelopment" and the 11 storey buildings with 1048 flats be put forward to the planning committee, given their clear WBC planning policy breach, where they consider the football ground to be in the town centre?"

### Reply by Councillor A Azad

"As stated in my reply to Question 12, the applicants are entitled to have their planning application determined by the Planning Committee. It would be inappropriate for me to comment on a specific planning application which is the subject of very comprehensive report to be considered by the Planning Committee on 23 June 2020."

### 18. Question from Mr Alex Keep

"Given the lack of football (without any plan for the resumption of matches) resulting in no income, continued outgoings of Woking FC, the drop in spectators whenever football does resume and anticipated property crash in the South East as a result of the upcoming post-COVID19 recession please could you explain how the loan of £250 million to Goldev can ever be thought possible, let alone likely to be repaid? Surely this development will destroy Woking FC rather than assist it? Will the councillors personally underwrite this loan if they believe so strongly in it?"

### Reply by Councillor A Azad

"The Council has agreed to provide a loan facility to GolDev Woking Limited. There is no obligation on GolDev to utilise the facility. If it chooses to do so, this can only be following the satisfaction of a number of conditions. These conditions include security arrangements to ensure that the Council's interests are protected. It is unreasonable to suggest that Councillors should be personally liable for obligations taken on by the Council in its corporate capacity (even if that was legally possible)."

19. Question from Mr Alex Keep

"The development will result in 13 storey buildings being created to the south of Woking Park. This will result in a loss of light to many in Kingfield and to Woking Park. Has sufficient contingency been given to the litigation (and settlements that Goldev will be required to pay) to every household that will result as a consequence of such loss of light and other amenities?"

Reply by Councillor A Azad

"Any rights to light issues that arise as part of the development are for Goldev Woking Limited to address."

20. Question from Mr Alex Keep

"The increase in traffic has been repeatedly mentioned with gridlock widely anticipated should this development go ahead. What do Woking BC plan to do about this, given they are supporting and underwriting this development?"

Reply by Councillor A Azad

"This issue will be among those considered by the Planning Committee as part of its determination of the application on 23 June 2020."

21. Question from Mrs Katie Neiman

"It is now widely known due to discussions with the CCG, the fact that Goldev have options on two houses in Kingfield Road, and discussions have taken place between Goldev and APNE, who own two neighbouring houses, that Goldev is planning a separate application - known as Site 6 - into which they plan to locate a new medical centre. Do any Council members, officers or staff have any knowledge of these matters, or any involvement at all? (If not, we in SWAG would be delighted to bring them up to date). Also, does anyone within WBC have any connection with APNE Ltd or its owners/ Directors?"

Reply by Councillor A Azad

"I cannot comment on discussions that may have taken place between parties other than the Council. To my knowledge, no-one within the Council has any connection with APNE Ltd, or its owners/directors."

22. Question from Mrs Katie Neiman

"Based on the existing submission, can WBC confirm how many apartments are being built that have no impact on the present ground in the first phase i.e. they could be built with little or no disruption to the football club?"

Reply by Councillor A Azad

"The Council has not assessed this as it is not material to the planning application being considered. It would be a matter for Woking Football Club and GolDev Woking Limited to consider in the first instance."



23. Question from Mrs Katie Neiman

“Please could WBC confirm, as Goldev has on several occasions, that Goldev will fund the total cost of any new football stadium, and that no council tax payers or public loan / subsidy will be granted or loaned for this purpose.”

Reply by Councillor A Azad

“The Council has agreed to provide a loan facility to GolDev Woking Limited. There is no obligation on GolDev to utilise this facility, but it may choose to do so. The Council believes the loan facility is sufficient for GolDev to fulfil its undertaking subject to planning permission being granted.”

24. Question from Ms Karen Woodland

“Wayne Gold was flying a Drone over local residents homes, when he was questioned about this by a concerned resident, he said that he needed to do it as part of his planning application. Did Woking Borough Council request this to be done? And if they did, why did they, as this was blatantly flouting the lockdown regulations.”

Reply by Councillor A Azad

“The Local Planning Authority asked Mr Gold to provide drone footage of the application site (as Planning Committee Members were unable to undertake a formal site visit). The method by which he did so is a matter for Mr Gold.”

25. Question from Ms Karen Woodland

“Why did WBC pay more than the actual value for the Greenbelt land, which I understand was purchased from a former Councillor.”

Reply by Councillor A Azad

“I assume Ms Woodland is referring to the Egley Road land. The Council did not pay more than it was worth according to valuations that were received at the time. The land was not purchased from a former Councillor.”

26. Question from Mrs Karen Woodland

“As we head into a recession, do you not think that the WFC development should be reassessed? Property prices will fall & who knows when football will resume with spectators!”

Reply by Councillor A Azad

“The development will, if it proceeds, be undertaken by GolDev Woking Limited, not the Council. I expect GolDev continually reassesses the economic conditions affecting the development.”

27. Question from Mr Kym Promnitz

"As you would be aware, the recent appeal of development planned in Poole Road (APP/A3655/W/19/3229047 9-13 Poole Road) was unsuccessful for a variety of reasons, not least, due to the planned high-rise buildings. These points included:

Point 18, "the [Tall Buildings] strategy specifies that areas with a predominantly low-rise character, outside the core of the town centre, are not considered suitable for tall buildings."

Point 20, "The appeal site lies immediately outside the designated town centre, with the buildings on the opposite side of Poole Road and Butts Road included within the centre, as well as land within the fire station car park and the railway. But the site's closeness to the boundary does not necessarily mean that it has town centre character."

Point 21, "It is clear that the policy framework outlined above offers no support in principle for tall buildings outside the town centre or within low-rise areas within the designated centre."

Given there has been no recent major planning policy change at Woking Borough Council (WBC), the planning section will be applying the same scrutiny to PLAN/2019/1176. Given Poole Road plan (mentioned above) is 0.5 miles from town centre and Woking Football Club (WC) ground is over 1 mile from the town centre, it would appear obvious this current planning application will be rejected and any appeal will be likewise dismissed.

What changes are Goldev and/or WFC and/or WBC applying to the current PLAN/2019/1176 to reduce the height of the accommodation towers to conform with current local plan?"

Reply by Councillor A Azad

"The issue is covered in the extensive report to be considered by the Planning Committee on 23 June 2020."

28. Question from Mr Kym Promnitz

"What has the Overview and Scrutiny Committee done to review the use of ratepayers money in the above appeal (APP/A3655/W/19/3229047 9-13 Poole Road)? This appears to be WBC appealing against a WBC planning decision and potentially a waste of public funds."

Reply by Councillor A Azad

"The planning application and appeal were submitted by Thameswey Developments Limited, a legal entity distinct from the Council. No "ratepayers money" was therefore spent on the application or appeal.

I am not in a position to comment on that part of the question which relates to the Overview and Scrutiny Committee. Mr Promnitz can, of course, direct the question to Councillor Hughes, the Chairman of the Overview and Scrutiny Committee."

29. Question from Ms Emma Price

"As some council members will be aware ~ Ray Morgan, Peter Bryant, Douglas Spinks ~ there is video footage from April 25, of Wayne Gold of Goldev using a drone to take footage of the proposed development site (PLAN/2019/1176).

There are a number of very concerning issues here:

- Covid lockdown started March 23, and is ongoing. Government stated that only key and essential workers were able to leave their home, other than to exercise for one hour within walking distance from your home.
- Drone usage. Government guidelines for drone usage are: not to fly your drone over a congested area, never fly within 50 metres of a person, vehicle or building not under your control; if you wish to use a drone for commercial purposes then you need to have permission from the CAA.

Wayne Gold, as a property developer (not to be confused with Construction) is neither a key or essential worker; he also resides in North London. His driving from North London to Woking on April 25, was in clear breach of Covid lockdown. His use of a drone over houses, gardens and buildings of which he does not own is also in breach of Government legislation; and also in breach of the CAA ~ he was taking footage for commercial purposes, as he has an application for proposed development of the site, he stands to gain commercially.

Does WBC condone the actions of Wayne Gold in this instance?"

Reply by Councillor A Azad

"As stated in my reply to Question 24, the Local Planning Authority asked Mr Gold to provide drone footage of the application site as Planning Committee Members were unable to undertake a formal site visit."

30. Question from Ms Emma Price

"If WBC does not condone the actions of Wayne Gold, then is it prudent to be continue with the 'loan agreement' of £250 million public money to a man who flouts the law, and clearly appears to have very little understanding or appreciation for legislation?"

Reply by Councillor A Azad

"We have entered into an agreement with GolDev Woking Ltd and the Council intends to honour its agreements, as it does in all circumstances."

31. Question from Ms Emma Price

"Based on the above answers, and particularly as parts of the global economy are already in recession and the IMF predicting a global depression not seen since the 1930's ~ many jobs/industry furloughed, UK unemployment figures due to be released on May 19 will know doubt show higher unemployment ~ financial uncertainty for the short-and-medium term future our only certainty. It is morally and ethically wrong to continue with any form of this whole development, least of all without the findings from Oversight and Scrutiny Committee ~ so why does WBC continue to proceed and put the whole of Woking Borough residents at risk of loosing fundamental services?"

Reply by Councillor A Azad

"The development will, if it proceeds, be undertaken by GolDev Woking Limited, not the Council, with no impact on services provided by the Council.

The recommendations of the Overview and Scrutiny Committee will be considered by Council on 30 July 2020."

32. Question from Mr Robert Shatwell

“How can the council leadership, under the executive, allow breaches of policy proposals to proceed financial decisions making Woking the most indebted council in UK with debts, according to the Feb 2020 green book of £1.4bn.”

Reply by Councillor A Azad

“The Council’s borrowing has been used to invest in improving the Borough and for the acquisition of residential and commercial properties to further our housing and economic development service objectives. I do not accept that there have been any issues with the Council’s financial decision making.”

33. Question from Mr Robert Shatwell

“How can the executive allow our town to be brought into disrespect by having a parliamentary committee investigate it’s financial management.”

Reply by Councillor A Azad

“The Public Accounts Committee is investigating the use of public borrowing by local authorities. As part of this the Committee will seek a wide range of evidence and examples to understand the issues involved. Some groups from our Borough have chosen to submit evidence relating to Woking; the Public Accounts Committee did not institute any kind of investigation into the Borough. There is no suggestion that the borrowing used by the Council to improve its Borough is in any way inappropriate; in fact all the noises being made indicate that Woking has used the PWLB facility for its intended purpose.”

34. Question from Mr Robert Shatwell

“If Woking Borough Council should be declared bankrupt, as is quite likely, would the executive expect every resident, including themselves, to pay £12,628 in order to bail the council out. The situation is so bad that the residents have no confidence in any of the council executives and believe they should all resign forthwith.”

Reply by Councillor A Azad

“The Council has in recent years invested in strategic assets in the Borough to create a sustainable balanced community with employment space and residential properties. The Council’s debt is offset by the assets it has acquired and created. Whilst in these particularly economically uncertain times it is difficult to value assets, the property will continue to be available for the purpose intended. As consumer habits and business practices change it may be necessary to change the use of the Council’s asset base, however I believe that ownership of these properties puts us in a good position to address the challenges ahead.”

35. Question from Mrs Jacquie Butterick

“WBC has a policy of no high rise blocks outside of the main town centre. How therefore can WBC leadership allow these huge breaches of policy by proposing 5 tower blocks of such density, height, bulk and mass to proceed in a low density out of town village. Peter Bryant (Head of Legal Services WBC) summarised the recent Planning Inspectors ruling in the proposed high rise development at Poole Road as the fact that there was no planning support for tall buildings outside of town centre and that the proposed development would adversely

affect the character and appearance of the surrounding area. Surely this applies in exactly the same way to the proposed development of the football ground?"

Reply by Councillor A Azad

"Any applicant has the right to apply for development of any site and the Council has a duty to consider that application. Issues around height will be among those considered by the Planning Committee on 23 June 2020."

36. Question from Mrs Jacquie Butterick

"WBC are in debt to the approx value of £1.2 billion. How can they justify loaning £250 million of tax payers money to Goldev to support this development. When (if ever) will this money be recuperated?"

Reply by Councillor A Azad

"The Council considers each project on its own merits as well as assessing the implications for the Council as a whole. In this case the proposed development, subject to planning permission, would deliver a new community stadium and 468 afford housing units. The loan will be repaid through sale of the residential properties."

37. Question from Mrs Jacquie Butterick

"How was Mr Golds allowed to visit the football ground in April in breach of lockdown regulations, and use drones in a residential area. Has no action been taken on this?"

Reply by Councillor A Azad

"As stated in my reply to Question 24, the Local Planning Authority asked Mr Gold to provide drone footage of the application site as Planning Committee Members were unable to undertake a formal site visit."

38. Question from Mr Tony Butterick

"In the light of current traffic congestion in the locality, how will the routing & traffic be managed? Last year there was an hour delay for traffic travelling along the Kingfield Road with a regularity nearing once a week. The proposed development will clearly present increased problems & raise the traffic density."

Reply by Councillor A Azad

"This issue will be among those considered by the Planning Committee on 23 June 2020."

39. Question from Mr Tony Butterick

"The services of sewage & water supply are at capacity, a report has already stated by the service provider that the new development cannot be managed through the present services. How will this be managed in terms of feasibility, time, disruption & cost?"

Reply by Councillor A Azad

"I realise this is an important issue but it is one to be considered by the Planning Committee on 23 June 2020."

40. Question from Mr Mark Gibbs

"I have three questions focused on the proposed development at Woking Football Club.

Is the council to be able to offer detailed contingencies on what they will do if revenue from existing and proposed developments does not meet expectations (with particular focus on underperformance of income from sale of residential and commercial property)."

Reply by Councillor A Azad

"In the event that any proposed sale was not going to meet required values, the Council would seek to rent residential properties for the short, medium or long term. There continues to be a housing shortage in this country so I believe there will be demand whether that is through sales or the rental markets. The Council is not currently proposing to sell any commercial property."

41. Question from Mr Mark Gibbs

"How can the council justify the risks associated with further borrowing in this economic climate especially when Woking is already the most indebted council in the UK? For example, what makes Woking so different from, for example, Guildford which has a small fraction of Woking's borrowing?"

Reply by Councillor A Azad

"The Covid crisis has only reinforced the need for decent affordable housing in Woking and across the country. I believe that it is right that we continue to invest in our Borough for the long-term, for future generations and for the benefit of those who are not fortunate enough to have decent and affordable housing. The current economic climate does not change that nor does it dampen our desire to improve our town for all our residents."

42. Question from Mr Mark Gibbs

"Given the challenges of Covid-19, why is the council choosing to spend it's time / resources on a high density housing project rather than, say, social care initiatives or investment to support existing business? The recent redundancies at McLaren are not likely to be the last in our area."

Reply by Councillor A Azad

"The Council's involvement in the Woking Football Club project pre-dates Covid-19. I am proud that we have been able to continue to progress this project, whilst responding, so well, to the challenges Covid-19 has placed on our community. The challenges have confirmed the need for additional homes in Woking."

43. Question from Mr Patrick Lonergan

"I am worried about the proposed development of Woking FC at a time of great economic uncertainty locally and nationally. I would like a response to the following questions on the proposed development.

What are the numbers of affordable housing places in the development and are they affordable to buy or rent?"

Reply by Councillor A Azad

"Paragraph 146 of the report to the Planning Committee states that there will be 468 affordable dwellings of which 277 units will be in rented tenure (social and affordable) and 191 dwellings will be at intermediate level (i.e. shared ownership)."

44. Question from Mr Patrick Lonergan

"At a time when Woking Borough council is committed to climate change targets, how can such a large scale development be justified. with traffic levels increasing. How will it improve air quality in the South Woking area?"

Reply by Councillor K M Davis

"It would be wholly inappropriate for me to comment on a specific planning application which is the subject of a very comprehensive report to be considered by the Planning Committee on 23 June 2020. However, more generally I advise that there are currently proposals to alleviate traffic congestion into and out of the town centre which will have a positive effect on traffic flows across the Borough as a whole. In addition to traffic management, a number of initiatives to improve air quality are in progress, including introduction of safe cycle and walking routes, electric vehicle charging points and education of school children / parents on air pollution reduction measures."

45. Question from Mr Patrick Lonergan

"How can Woking Borough council justify such a large scale development at this time, when there is not a need for high cost housing, but a bigger need for genuine affordable housing."

Reply by Councillor D Harlow

"The Government requires local authorities to determine housing need using a national standard methodology. By applying this standard method, the housing need for Woking is 431 dwellings per year. This requirement includes both market and affordable housing."

46. Question from Ms Elaine Devenish

"Plan/2019/1176 and plan/2019/1177 - High rise flats and New stadium in Kingfield and the connected Egley Road new houses + more hard stand parking area due to necessary move of David Lloyd premises.

How have members of the council been able to get a professional independent vetting of the real cash resources of the private investor and its construction project track record to get (very) comfortable that this company has adequate additional equity cash resources for inevitable

contingencies, without more debt being needed to be raised from WBC or a professional large construction company, to complete the project?"

Reply by Councillor A Azad

"The Council will need to be satisfied that the development plans and budgets continue to be achievable before the loan facility is accessed. This will be considered in the event of a successful planning application."

47. Question from Ms Elaine Devenish

"While a reduction of floors in the physical build may mean less construction-hours and materials, it results in fewer dwellings which was a critical element of cash protection, offering, perhaps, some buffer:

How can this project now break-even having only ever had a 2% return (according to the property advisors) unless vastly inferior materials etc. used? It was presumably assumed some properties would need to be sold "off-plan" to fully finance the build - this is high stakes real estate practice at any time but, right now, it is uncertain whether Woking as a hub is as appealing as it might have been for the type of accommodation on offer. Now, given its highly indebted existing risk profile exposed to further loss of retail related income (existing and forthcoming retail voids) in town-centre plus more ominously, a significantly compromised future of the London rail transport link prompting an increasing new trend to remote working and further local job losses are inevitable in hospitality as well as general retail very hard to fathom why ratepayers have to foot the bill.

Meaning how is the continuing viability (after impact of implied/revised assumptions and seriously impaired macro conditions across both plans as these are inextricably linked plans due to need for David Lloyd move) being systematically and cumulatively monitored, reported on and reassessed in the council's decision-making, to ensure a proper and full disclosure of the due diligence and an audit trail demonstrating the project is fully solvent at all times?

inter-alia:

-cumulative and phased cash-flow analysis of impact of all aggregated (already varying) assumptions/stress testing?"

Reply by Councillor A Azad

"As per my previous answer, the Council will need to be satisfied that the development plans and budgets continue to be achievable before the loan facility is accessed if planning consent is granted."

48. Question from Ms Elaine Devenish

"How is a yield of 2% for this development acceptable in the current climate without evidence of significant net cash inflows from a project of this scale where construction risks abound and large local football stadium has a poor prospect AND now much less, meaningful cash contribution, from other large venue events?

Considering Woking leases the land to the WFC club the borrowing figure and the land capital contribution it is making on land purchased as well as (expensively) inexplicably already paid for green belt procured, should yield significantly better returns for this overextended borough and its increasingly under-served rate-payers not to mention yet further destruction of Green Belt when Woking has already met its target housing stock for the foreseeable future."



### Reply by Councillor A Azad

"As per my previous response, the Council will need to be satisfied that the development plans and budgets continue to be achievable before the loan facility is accessed. The long term impact of the Covid crisis is not clear, however it is clear that there is a continuing need for housing and that Woking needs to continue to work to meet its targets in this area. Any development will provide the Council with new housing reflecting the value of its land included within the project."

### 49. Question from Mr James Gemmell

"Woking Borough Council has entered into agreements to acquire Peter Jordan's controlling interest of 66% of the ordinary shares in Woking Football Club Ltd. Woking Borough Council will therefore own the proposed new football stadium, the land on which the stadium is to be built and the football club."

Why has the Council's intended acquisition of that loss making, privately owned football club not been explained publically to the voters of Woking or to the supporters of Woking Football Club?"

### Reply by Councillor A Azad

"The Council has not entered into agreements to acquire the Peter Jordan Shares. The Council has the benefit of an option which, if exercised, would require GolDev Woking Limited to procure that transfer of the shares to the Council (subject to the satisfaction of a number of conditions). The Council has not decided whether it should exercise the option."

### 50. Question from Mr James Gemmell

"Does the Council intend to run that football club for the foreseeable future after completion of the proposed development (PLAN2019/1176) or does it intend to sell the club to the highest bidder?"

### Reply by Councillor A Azad

"As the Council has not decided whether it should acquire the Peter Jordan shares, this question cannot be answered."

### 51. Question from Mr James Gemmell

"Finally, because the planning applicant, Woking Football Club is to become a subsidiary of the planning authority, Woking Borough Council, there is a plain conflict of interest for the executive of Woking Borough Council when advising the Planning Committee. What governance safeguards are in place to ensure that the WBC planning executive can demonstrate proper and professional independence when advising the Planning Committee on PLAN2019/1176?"

### Reply by Councillor A Azad

“As stated in my reply to Question 50, the Council has not decided whether it should acquire the Peter Jordan shares in Woking Football Club. There is no corporate relationship between the Council and the Football Club, and there will be none when planning application PLAN/2019/1176 is due to be considered by the Planning Committee on 23 June 2020. Even if there had been a corporate relationship, the Planning Committee would consider the application solely on its planning merits (as it does in all cases where the applicant is the Council or a Council-controlled company).”

### 52. Question from Mr Lorin Adams

“Does the Executive accept the findings of the Part I Woking Football Club & Associated Developments Task Group report, published 5th June 2020?”

### Reply by Councillor A Azad

“The findings of the Woking Football Club & Associated Developments Task Group were considered by the Overview and Scrutiny Committee on 15 June 2020. The Overview and Scrutiny Committee made recommendations to Council. These recommendations will be considered, by Council, at its meeting on 30 July 2020. The recommendations of the Task Group have not been considered by the Executive. However, all Executive members will have the opportunity to express a view at the Council meeting on 30 July 2020.”

### 53. Question from Mr Lorin Adams

“Can the Executive explain why no risk assessment regarding the £250m loan facility was provided to the Woking Football Club & Associated Developments Task Group? Was one provided to Councillors during consideration of the issue?”

### Reply by Councillor A Azad

“To my knowledge all information requested by the Task Group was provided to them, as well as to Councillors during consideration of the issue.”

### 54. Question from Mr Lorin Adams

“Can the Executive please provide the following for each year since 2009/10:

- a) the number of properties acquired by the Council;
- b) a breakdown of the types of properties acquired (i.e. retail, office, residential, etc.);
- c) proportion purchased under delegated authority.”

Reply by Councillor A Azad

<b><u>Number of properties acquired by WBC:</u></b>											
YEAR	Land	Retail	Offices	Mix of Retail/ Office	Mix of Residential/Retail	Hostel	Hospice	Depot	Residential (Note 1)	TOTAL	Proportion purchased under delegated authority
2009/10		1								1	0%
2010/11										0	0%
2011/12										0	0%
2012/13						1				1	100%
2013/14	4			2						6	83%
2014/15	1			1					3	5	100%
2015/16	2								11	13	15%
2016/17	1		2	3	1				6	13	62%
2017/18		1	1				1	1	7	11	100%
2018/19	3	1	5	1	1				31	42	17%
2019/20	2	5	4						21	32	63%
2020/21		1							2	3	67%
Total	13	9	12	7	2	1	1	1	81	127	
Note 1: Each purchase of part shared ownership is counted as 1. Individual residential acquisitions are made under delegated authority											

55. Question from Mr Morgan Adams

"The Executive is under no obligation to answer questions pertaining to Confidential information. On 10th October, both Mr. Morgan and Cllr. Azad suggested no lending had been agreed with the developer. Mr. Morgan categorically denied any money being "allocated, projected, or budgeted" for the Kingfield development. This was after clarification from the resident that they intended a broad interpretation of the question. We have now seen the projection for the loan facility presented to Council, and the loan agreement signed in January of that year. Does the Executive accept that residents feel they were misled by the Executive? Would the Executive agree that these statements were misleading?"

Reply by Councillor A Azad

"Mr Morgan stated on 10th October that there is a contractual arrangement with the Council and GolDev Woking Ltd in respect of the redevelopment of the ground in the event of securing planning. This is normal confidential/exempt information at this stage.

A loan may be made to the developer in the future subject to the criteria in the development agreement being met. Whilst a future lending facility has been agreed, no loans have been made.

I do not accept that these statements could reasonably be construed as an attempt to mislead."

56. Question from Mr Morgan Adams

“The Council wasted no time in suspending Freedom of Information in response to COVID-19 despite the ICO making no such recommendation. Many other Councils did not take such action so early if at all. The exceptional nature of the current circumstance is understood. Can the Executive provide its justification for suspending Freedom of Information when other Councils did not?”

Reply by Councillor A Azad

“It was reasonable for the Council to suspend dealing with Fol requests until the end of May. This enabled the Officers concerned to concentrate on the Council’s response to the COVID-19 pandemic and, in particular, to assist the most vulnerable members of our community. Following a review, Fol requests are now being dealt with.”

57. Question from Mr Morgan Adams

“With no vote at Full Council, the Constitution was amended using delegated authority. Again, the exceptional nature of the current circumstance is understood. Can the Executive identify the Officer’s source of power, give a full justification for using this power, the limits (if any) on those powers, and provide the addendum so that residents can view the constitution by which their Council is governed?”

Reply by Councillor A Azad

“The Addendum to the Constitution gave effect to changes to the Council’s operational arrangements necessitated by the Coronavirus pandemic. It incorporated requirements of the Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel Meetings)(England and Wales) Regulations 2020 (S.I.2020 No. 392). A copy of the Addendum is attached at Appendix 1.

The Addendum was formally authorised by the Monitoring Officer under

- (i) Article 14.02(a) of the Constitution which provides that “*The Monitoring Officer may ... make amendments [to the Constitution] consequential upon changes to operational arrangements ...*”, and
- (ii) The Emergency/Urgency Powers contained in the Council’s Scheme of Delegations which provide that “*Each CMG Member is authorised to act in an emergency, or in relation to an urgent matter, arising in respect of any of the Council’s powers, duties or functions.*”

The Monitoring Officer acted following the Chief Executive formally consulting with Group Leaders on the proposed changes.”

58. Question from Ms Judy Adams

“Does the Executive consider up to £250,000,000 of public money being used to finance a private developer a small detail?”

### Reply by Councillor A Azad

"The basis on which the Council has agreed to provide a revolving loan facility of £250m to GolDev Woking Limited has been repeatedly referred to. I can add nothing to what I have said previously except that the money is not being used to "finance a private developer" but as a facility to enable a scheme that might otherwise not be viable to go ahead subject to terms including planning consent."

### 59. Question from Ms Judy Adams

"Regarding your answer to Question 17 of the Executive Questions 6/2/2020, whilst as a resident I congratulate the Executive that the ICO recently upheld a decision to redact information, it should be noted that both recent decision notices still found that the Council breached the relevant legislation. Additionally, I was pleased to note that the Woking Football Club & Associated Developments Task Group report's (5/6/2020) acknowledges residents' struggle with the Council in terms of its secrecy and opaqueness. Considering the severity of the report's findings, clearly in the public interest, will the Executive agree to commit to releasing as much of the evidence base as is possible (including in redacted form) using a visible, transparent and independent decision process, and provide a reasonable timeframe for when residents can access it?"

### Reply by Councillor A Azad

"The reply I gave on 6 February 2020 is included below. The recommendations of the Overview and Scrutiny Committee, following the report of the Woking Football Club & Associated Developments Task Group, will be considered by Council on 30 July 2020. The Council will need to consider any further appropriate actions in the light of this meeting.

#### "Reply to Question 17 - Executive 6 February 2020

The Council does not have written procedures for the publication of documents. Each case is judged on its own merits in accordance with the relevant statutory provisions and guidance. Publication is the default position, with documents only being kept confidential when it is necessary to do so. I was pleased to note that the Information Commissioner recently upheld the Council's decision to redact a small amount of information relating to the Kingfield development."

### 60. Question from Ms Judy Adams

"Regarding that report's finding that the £250m loan facility "appears high risk" and that the Council "does not appear to be insured" against such risks, does the Executive still stand by the reply given to Question 4, 16th January 2020?"

### Reply by Councillor A Azad

"This reply is included below and I do not agree with the Task Group's view that the loan "appears high risk" for the reasons stated in it and the reasons I stated to the Task Group when interviewed by it. The recommendations of the Overview and Scrutiny Committee, following the report of the Woking Football Club & Associated Developments Task Group, will be considered by Council on 30 July 2020.

### “Reply to Question 4 - Executive 16 January 2020

I do not agree that the decision to provide a revolving loan facility has put £250m at risk. As has been explained previously, the security arrangements provided for in the loan facility agreement protect the Council's interests. In particular, the Council will have:-

- (i) a legal charge over GolDev's property interests in the Kingfield Stadium and Egley Road sites, and
- (ii) a debenture over GolDev's assets.

In addition, GolDev is obliged to pay to the Council 90% of the sale proceeds of each residential property, when it is sold.””

#### 61. Question from Mr Rhys Adams

“Does the Executive endorse the Chief Executive's published response to the Woking Football Club & Associated Developments Task Group's report?”

##### Reply by Councillor A Azad

“The Chief Executive's recommendation was that the recommendations of the Task Group and Overview and Scrutiny Committee, if they went forward, should go forward with additional professional input from the Council's independent Internal Auditor Mazars.

This did not preclude the recommendations going forward. It only meant that at the meeting on 30 July 2020 when the Council will consider them, it would have done so with additional context. Given that a further and broader investigation with professional resource was one of the Task Group's key recommendations, I was a little surprised that the Overview and Scrutiny Committee chose to vote down this option.”

#### 62. Question from Mr Rhys Adams

“In the published report, the findings note that no minutes were kept for more than 50 meetings with the developers. Can the Executive explain why this is and whether this finding is consistent with the principles of public life (for example integrity, accountability, openness, and honesty)?”

##### Reply by Councillor A Azad

“The recommendations of the Task Group have not been considered by the Executive. However, all Executive members will have the opportunity to express a view at the Council meeting on 30 July 2020.

All I can say is that at the moment there is no requirement for minutes to be taken. Following the meeting on 30 July, it will be for the Council to consider appropriate next steps. I would add that minutes being taken is in itself no guarantee of honesty and integrity; neither is a lack of minutes necessarily indicative of absence of these things.

However, I do agree that the Council should remain committed to the highest standards of probity in all its dealings and I will support any actions that ensure those standards.”

63. Question from Mr Rhys Adams

“Why was the Woking Football Club & Associated Task Group's request for external advice rejected and who rejected their request? Especially considering the CEO's use of external support (the legal opinion), and his suggestion that external support now be sought.”

Reply by Councillor A Azad

“It was stated at that meeting that the Chief Executive was not aware of this request. The exact circumstances surrounding it therefore appear unclear and I have no knowledge of to whom the request was made, nor the reasons for the request being declined if that was indeed the case.

Legal opinion was sought in relation to the lawfulness of one of the Task Group's recommendations. This had been communicated to the Task Group in advance but its reluctance to accept internal advice lead to the need to consult external counsel.”

**Background Papers:** None.

**Reporting Person:** Ray Morgan, Chief Executive  
Email: ray.morgan@woking.gov.uk, Extn: 3333  
Douglas Spinks, Deputy Chief Executive  
Email: douglas.spinks@woking.gov.uk, Extn: 3440  
Peter Bryant, Director of Legal and Democratic Services  
Email: peter.bryant@woking.gov.uk, Extn: 3030  
Leigh Clarke, Director of Finance  
Email: leigh.clarke@woking.gov.uk, Extn: 3277  
Louise Strongitharm, Director of Housing  
Email: louise.strongitharm@woking.gov.uk, Extn: 3599  
Julie Fisher, Director of Community Services  
Email: julie.fisher@woking.gov.uk, Extn: 3301  
Geoff McManus, Director of Neighbourhood Services  
Email: geoff.mcmanus@woking.gov.uk, Extn: 3707

**Contact Person:** Peter Bryant, Director of Legal and Democratic Services  
Email: peter.bryant@woking.gov.uk, Extn: 3030  
Leigh Clarke, Director of Finance  
Email: leigh.clarke@woking.gov.uk, Extn: 3277

**Portfolio Holder:** Councillor Ayesha Azad  
Email: cllrayesha.azad@woking.gov.uk  
Councillor Kevin Davis  
Email: cllrkevin.davis@woking.gov.uk  
Councillor Debbie Harlow  
Email: cllrdebbie.harlow@woking.gov.uk

**Shadow Portfolio Holder:** Councillor Ann-Marie Barker  
Email: [cllrann-marie.barker@woking.gov.uk](mailto:cllrann-marie.barker@woking.gov.uk)  
Councillor Ken Howard  
Email: [cllrken.howard@woking.gov.uk](mailto:cllrken.howard@woking.gov.uk)  
Councillor Deborah Hughes  
Email: [cllrdeborah.hughes@woking.gov.uk](mailto:cllrdeborah.hughes@woking.gov.uk)  
Councillor Liam Lyons  
Email: [cllrliam.lyons@woking.gov.uk](mailto:cllrliam.lyons@woking.gov.uk)

**Date Published:** 22 June 2020



## WOKING BOROUGH COUNCIL

### ADDENDUM TO THE CONSTITUTION – APRIL 2020

---

#### **1.0 Introduction**

- 1.1 This Addendum to the Council's Constitution gives effect to changes to the Council's operational arrangements necessitated by the Coronavirus pandemic.
- 1.2 This Addendum incorporates requirements of the Coronavirus Act 2020 and The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 (S.I.2020 No. 392).
- 1.3 In drafting this Addendum, regard has been had to The Remote Meetings Protocol and Procedure Rules published by Lawyers in Local Government (LLG) and the Association of Democratic Services Officers (ADSO).
- 1.4 Save to the extent varied by this Addendum, the Council's Constitution shall remain in full force and effect. In the event of there being a conflict between the provisions of this Addendum and the Constitution, the provisions of this Addendum shall prevail.
- 1.5 The provisions of this Addendum shall apply until 7 May 2021 (unless varied beforehand).

#### **2.0 Annual Meeting of the Council**

- 2.1 The next Annual Meeting(s) of the Council shall be held on 20 May 2021 (Mayor Making) and 24 May 2021 (Formal Business).
- 2.2 Appointments made at the Annual Meeting(s) of Council on 16 May 2019 (Mayor Making) and 20 May 2019 (Formal Business) shall remain in force and effect.
- 2.3 Meetings shall take place on the dates and times set out in the Council's published Calendar of Meetings for 2020/21, with an additional meeting of the Planning Committee being held at 7.00 pm on 12 May 2020.

#### **3.0 Conduct of Meetings**

##### **3.1 Access to Information**

- (a) For the purposes of the Constitution, the terms "notice", "summons", "agenda", "report", "written record" and "background papers", when referred to as being a document that is:-
  - (i) "open to inspection", shall include for this and all other purposes being published on the Council's website, and
  - (ii) to be published, posted or made available at the Council's Offices, shall include for this and all other purposes publication on the Council's website.

- (b) The summons, agenda, reports and background papers for meetings shall be published one week before the meeting. Hard copies of such papers will not be produced.

**3.2 Remote Access to Meetings**

- (a) For the purposes of the Constitution, the terms:-

“meeting”	is not limited to a meeting of persons, all of whom, or any of whom, are present in the same place;
“place”	in the context of where a meeting is held, or to be held, includes reference to more than one place, including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers, and
“open to the public”	includes access to the meeting being through remote means including video conferencing, live webcast, and live interactive streaming. Where a meeting is accessible to the public through such remote means, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

- (b) If the Chairman of the meeting is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chairman shall immediately adjourn the meeting. If the provision of access through remote means cannot be restored within a reasonable period of time, the Chairman shall adjourn the meeting for such period of time that he/she considers reasonable and conducive to the dispatch of the remaining business.

**3.3 Remote Attendance at Meetings by Members**

- (a) A Member in remote attendance is present and attends the meeting, including for the purposes of the meeting’s quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:-
- (i) to hear and, where practicable, see and be so heard and, where practicable, be seen by the other Members in attendance;
  - (ii) to hear and, where practicable, see and be so heard and, where practicable, be seen by any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
  - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (b) A Member in remote attendance will be deemed to have left the meeting where, at any point during the meeting, any of the conditions for remote attendance in 3.3 (a) above are not met. In such circumstances, the Chairman of the meeting may, as he/she deems appropriate:-

- (i) adjourn the meeting for a short period of time (not exceeding ten minutes) to permit the conditions for remote attendance of a Member contained in 3.3 (a) above to be re-established;
- (ii) count the number of Members in attendance for the purposes of the quorum, or
- (iii) continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.

### 3.4 Remote Attendance at Meetings by Members of the Public

- (a) A member of the public entitled to attend the meeting in order to exercise a right to speak at the meeting is in remote attendance at any time if all three of the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:-
  - (i) to hear and, where practicable, see and be so heard and, where practicable, be seen by Members in attendance;
  - (ii) to hear and, where practicable, see and be so heard and, where practicable, be seen by any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
  - (iii) to be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- (b) A member of the public in remote attendance will be deemed to have left the meeting where, at any point during the meeting, any of the conditions for remote attendance in 3.4 (a) above are not met. In such circumstance. The Chairman of the meeting may, as he/she deems appropriate:-
  - (i) adjourn the meeting for a short period of time (not exceeding ten minutes) to permit the conditions for remote attendance contained in 3.4 (a) above to be re-established, or
  - (ii) suspend consideration of the item of business in relation to the member of public's attendance until such time as one or more following item(s) of business on the agenda have been transacted and the conditions for the member of the public's remote attendance have been re-established.

If the conditions for the member of public's remote access cannot be re-established before the end of the meeting, the item of business in relation to the member of public's attendance shall be determined in the absence of the member of public.

### 3.5 Declaration of Interests

Where a Member is required to leave a meeting as a result of having declared an interest in an item of business, the means of remote attendance to the meeting for that Member shall be severed whilst any discussion or vote takes place in respect of that item of business.

3.6 Part II Business

When a meeting goes into Part II to consider confidential/exempt items of business (as defined in Schedule 12A to the Local Government Act 1972), each Member in remote attendance shall ensure, and verbally declare, that there are no other persons present who are not entitled to hear, or see, consideration of such item(s).

3.7 Method of Voting

(a) A Member who considers that a vote on a recommendation before a meeting is required shall notify Member Services of that by noon on the working day prior to the meeting.

(b) Where a vote needs to be taken at a meeting, the Chairman of the meeting shall call, in alphabetical order, the names of the Members in remote attendance. The Member called shall state:-

“YES” if he/she is in favour of the recommendation, motion or amendment before the meeting, or

“NO” if he/she is against the recommendation, motion or amendment before the meeting, or

“ABSTAIN” if he/she does not wish to vote on the recommendation, motion or amendment before the meeting.

The result of the vote shall be announced by the Meeting Coordinator supporting the meeting.

(b) Where no vote needs to be taken, the Chairman of the meeting shall state that the recommendation, motion or amendment before the meeting is agreed.

3.8 Council Meetings – Notices of Motion

(a) When submitted to the Chief Executive’s office under Standing Order 5, a Notice of Motion shall include the names of the Proposer and Secunder of the Motion.

(b) Every valid Notice of Motion shall automatically be referred to a meeting of the Executive falling before the next ordinary meeting of Council for consideration and report.

(c) No motion under Standing Order 5 shall be debated and considered (i.e. “taken on the night”) at the Council meeting for which the Notice of Motion was given.

3.9 Council Meetings – Questions by Members

(a) Questions under Standing Order 8 shall be submitted to the Chief Executive’s office not later than noon, three working days before the Council meeting (i.e. by noon on the Monday prior to a Council meeting on a Thursday).

(b) Replies to questions shall be sent to all Members by 5.00 pm on the last working day before the Council meeting (i.e. by 5.00 pm on the Wednesday prior to a Council meeting on a Thursday).

- (c) If the Member asking the question wishes to ask a supplementary question, he/she shall notify Member Services of that fact, by email, by noon on the day of the Council meeting.
- (d) Subject to paragraph 3.9 (c) above having been complied with, the Mayor shall call the Member to ask the supplementary question at the Council meeting.

### 3.10 Executive and Committees – Time Limit for Speeches

- (a) A Member wishing to speak on an item of business before a meeting shall notify Member Services of that by noon on the working day prior to the meeting.
- (b) Unless the Chairman of the meeting agrees otherwise, no speech shall exceed the following time limit:-
  - (i) Five Minutes:- Executive, Overview and Scrutiny Committee, Standards and Audit Committee (and its Sub-Committee), Licensing Committee (and its Sub-Committees) and Appeals Committee.
  - (ii) Ten Minutes:- Planning Committee.

### 3.11 Executive Procedure Rules – Questions by the Public

- (a) A member of the public asking a question of a member of the Executive under Rule 3 of the Executive Procedure Rules shall not be entitled to attend the meeting to put the question in person.
- (b) All replies to questions of members of the Executive, submitted by members of the public, shall be in writing.
- (c) No supplementary questions shall be asked by a member of the public.

### 3.12 Urgent Business

- (a) If a Member considers that there is an item of urgent business, he/she shall notify the Chief Executive of that item.
- (b) Subject to the relevant Chairman agreeing, the Chief Executive may arrange for the item of urgent business to be considered at an appropriate forthcoming meeting.

Addendum Ends