

Please note that the information redacted is not in respect of WFC but relates to other matters

EXECUTIVE – 28 MARCH 2019

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Not for publication by virtue of the following paragraph(s) of Part 1 of Schedule 12 A (L.G.A. 1972):

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

[NOTE: DECLARATIONS OF INTEREST

In accordance with the Officer Employment Procedure Rules, Peter Bryant (Head of Democratic and Legal Services) has declared an interest in this Notice of Motion arising from him (i) being a member of the Cards Trust, the supporters' club for Woking Football Club and (ii) providing occasional unpaid assistance to Woking Football Club, e.g. acting as Returning Officer for the election of directors. The interest does not prevent Mr Bryant from advising the Council on this matter.

In accordance with the Officer Employment Procedure Rules, Leigh Clarke, (Finance Director) has declared an interest in this Notice of Motion arising from her husband having a small shareholding in the Club. The interest does not prevent Mrs Clarke from advising the Council on this matter.]

NOTICES OF MOTION

Executive Summary

At its meeting on 13 February 2019, the Council referred the following Notice of Motion to the Executive.

Councillor M Ali

Partnership Working and Project Management

"1) On new partnerships - criteria for partnerships

Council does not enter into any new partnerships until a comprehensive criteria has been agreed to assess new partners.

Similarly we chose GolDev as a partner which is a company with no real assets or experience to back the amount they are to get from us and the scale of projects.

This raises serious concerns on how we are assessing our potential partners and this motion calls for a pause until we have a criteria developed

2) Pause the Partnership with GolDev – This motion calls for a reassessment of our partnership with GolDev. When we were asked to approve the partnership with GolDev we had no clue that we will be required to fund them via a revolving loan and the huge scale of it. I feel almost cheated that we were given half the information, either intentionally or we were just unaware, but either way it's an odd partnership and exposes us to huge risks. We

Notices of Motion

thus pause the partnership, do not enter into any agreement and re assess our decision the light of full information.

- 3) Not all our projects have the right Project Management teams in place. And as owners we have not put any owner's team in place. As a council we naturally lack these skills and experience. And it is not a criticism of anyone but the reality is that no one has the right experience. This matter can be raised in the individual oversight meetings but since it affects the whole range of projects its best agreed here.
- 4) We hire the right people and do not exert undue pressure on existing resources and also do not have unrealistic expectations from our staff or directors. Again the reality is that no one here has managed real life projects of this scale. As an example to expect a legal mind to manage a project is naïve. Let us put proper professionals in proper places."

Officer Comment

"The Council only enters into joint ventures/development partnerships once (i) all appropriate legal and financial due diligence has been carried out and (ii) the Council's three Statutory Officers (Chief Executive, Finance Director and Monitoring Officer) are satisfied that the Council's interests are properly protected.

The commercial relationships with [REDACTED] GolDev benefit the Council, with any risks mitigated by the security arrangements required by the Council before the legal obligations were entered into.

The Council's decision to enter into Agreements with GolDev was made following detailed consideration of all relevant information. In addition to the papers presented to the Executive and Council, Members were given the opportunity to be briefed by the Finance Director and Monitoring Officer on the transaction. Councillor Ali could have taken advantage of this if he had particular concerns; he did not do so. The Legal Agreements with GolDev have been exchanged. Any attempt to "pause" the relationship would be a breach of contract, and the Council would be liable to pay GolDev considerable damages.

Where appropriate, the Council should continue to enter into joint ventures and development partnerships. These projects benefit Woking. An arbitrary embargo would not be in the Council's interest.

The Council has extensive project management experience. Where it is not appropriate for a project to be managed by Council Officers, the Council appoints specialist external project managers. On major projects, Member Oversight Panels and Project Boards are set up. This ensures that Members have considerable oversight of the project concerned and its implementation."

Background Papers: None.

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