

MINUTES  
OF A MEETING OF THE  
**BOROUGH COUNCIL OF WOKING**

held on 15 October 2020

Present:

Cllr Mrs B A Hunwicks (The Mayor)  
Cllr S Hussain (The Deputy Mayor)

Cllr M Ali	Cllr W P Forster
Cllr S Ashall	Cllr D Harlow
Cllr A Azad	Cllr K Howard
Cllr T Aziz	Cllr D E Hughes
Cllr A-M Barker	Cllr I Johnson
Cllr D J Bittleston	Cllr R N Leach
Cllr J E Bond	Cllr L S Lyons
Cllr A J Boote	Cllr R Mohammed
Cllr M A Bridgeman	Cllr L M N Morales
Cllr G G Chrystie	Cllr M I Raja
Cllr G S Cundy	Cllr C Rana
Cllr K M Davis	Cllr J R Sanderson
Cllr G W Elson	Cllr M A Whitehand

Also Present: Claire Storey, Independent Co-opted Member

Absent: Councillors C S Kemp and N Martin

**1. MINUTES.**

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 30 July 2020 be approved and signed as a true and correct record.

**2. APOLOGIES FOR ABSENCE.**

Apologies for absence had been received from Councillor Colin Kemp and Councillor Nancy Martin.

**3. MAYOR'S COMMUNICATIONS.**

The Mayor reported on the events and activities that she had participated in over recent months. These had included a visit to Woking by the High Commissioner of Pakistan to participate in a cricket match between a Woking Team and a Team representing the High Commission, and the AGM of the Ashford & St Peter NHS trust at which it had been made clear that the Hospital was well prepared in the event the number of Covid-19 infections grew significantly.

The Mayor took the opportunity to congratulate the team at Brookwood Cemetery which had recently been awarded the prestigious Green Flag Award by the Keep Britain Tidy Group, awarded to the best managed parks and green open spaces.

It was announced that the Remembrance Day Service would be held on 8 November 2020, with the number of attendees limited in accordance with the Covid-19 measures introduced by the Government.

#### **4. URGENT BUSINESS.**

The Mayor reported that there were two items of Urgent Business for the Council to consider on the basis that the decisions had to be taken before the Council next met.

##### Planning Committee

Councillor Nancy Martin, a member of the Planning Committee, was currently on maternity leave and would be unable to attend the next three of four meetings of the Planning Committee. It was therefore proposed that Councillor Chitra Rana should be appointed as a substitute member of the Planning Committee for the remainder of the 2020/21 Municipal Year.

##### RESOLVED

That Councillor Chitra Rana be appointed as a substitute member of the Planning Committee for the remainder of the 2020/21 Municipal Year.

##### Election of Leader of the Council

It was noted that, under Agenda Item 10, the Leader of the Council would be making a statement. The Council was advised that, in the event that the Leader resigned from his position as Leader of the Council, there would need to be an election of a new Leader of the Council.

#### **5. DECLARATIONS OF INTEREST.**

In accordance with the Members' Code of Conduct, Councillor D J Bittleston declared a non-pecuniary interest 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 speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor A Azad declared a nonpecuniary interest 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 speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor C S Kemp declared a nonpecuniary interest 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 speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor D Harlow declared a nonpecuniary interest 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 speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor G S Cundy declared a nonpecuniary interest in any items concerning the companies of which he was a Council appointed director. The companies are listed in the attached schedule. The interests were such that speaking and voting were permissible.

In accordance with the Officer Employment Procedure Rules, the Chief Executive, Ray Morgan, 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 Morgan could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Deputy Chief Executive, Douglas Spinks, 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 Spinks could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Legal and Democratic Services, Peter Bryant, declared a disclosable personal interest (nonpecuniary) 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 Bryant could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Finance, Leigh Clarke, 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 Clarke could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Housing, 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 the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Community Services, Julie Fisher, declared a disclosable personal interest (nonpecuniary) 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 Fisher could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Finance, Leigh Clarke, declared a disclosable personal interest (non-pecuniary) in any items concerning Woking Football Club and/or the GolDev Woking Limited development. The interest arose 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 was such that Mrs Clarke could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Legal and Democratic Services, Peter Bryant, declared a disclosable personal interest (nonpecuniary) in any items concerning Woking Football Club and/or the GolDev Woking Limited

development. The interest arose 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 was such that Mr Bryant could advise the Council on those items.

In accordance with the Members' Code of Conduct, Councillor R Mohammed declared an interest in Item 7D – Recommendations of the Licensing Committee – Vehicle Specification Policy and Item 7E – Recommendations of the Licensing Committee – Delegated Authority in Respect of Taxi and Private Hire Licensing, as a taxi licence holder in the Borough. The interest was such that Councillor Mohammed left the meeting during consideration of the two items.

## **6. QUESTIONS.**

Copies of questions submitted under Standing Order 8.1 together with draft replies had been circulated to Members in advance of the meeting. Supplementary questions had been received and replies were given at the meeting.

## **7. RECOMMENDATIONS OF THE EXECUTIVE, COMMITTEES AND THE HOUSING INFRASTRUCTURE FUND OVERSIGHT PANEL WBC20-024.**

Councillor Johnson moved and Councillor Bittleston seconded the reception and adoption of the report and recommendations from the meeting of the Housing Infrastructure Fund Oversight Panel held on 3 September 2020.

Claire Storey moved and Councillor Johnson seconded the reception and adoption of the report and recommendations from the meeting of the Standards and Audit Committee held on 17 September 2020.

Councillor Ali moved and Councillor Hussain seconded the reception and adoption of the report and recommendations from the meeting of the Licensing Committee held on 6 October 2020.

Councillor Bittleston moved and Councillor Azad seconded the reception and adoption of the report and recommendations from the meetings of the Executive held on 10 September and 8 October 2020.

## **7A HEADS OF TERMS.**

The Council had before it a recommendation from the Housing Infrastructure Fund Oversight Panel to agree changes to the Panel's Terms of Reference. Councillor Johnson drew attention to the need to ensure that the Terms of Reference correctly referred to "Member of the Independent Group", not "Independent Member" in paragraph 2.2.

### **RESOLVED**

That the amended Housing Infrastructure Fund Oversight Panel Terms of Reference (as attached to the report, but with the substitution of "One Member of the Independent Group" for "Independent Member" in paragraph 2.2) be adopted by the Council.

**7B NOTICE OF MOTION - CLLR M ALI - EXPENSES PAID BY WOKING COUNCIL OWNED BODIES EXE20-051**

The Council had before it the recommendation of the Executive in respect of the following notice of motion submitted by Councillor Ali.

“This council requires that expenses of all kinds (e.g. benefits, gifts and trips) are published for Council Officers and Councillors appointed by Woking Council to be Directors of companies owned by Woking Council and its residents.

These expenses will be publicly available at monthly intervals henceforth and also retrospectively back to the formation of the bodies or appointment.”

The Council was advised that the provisions sought through the Notice of Motion had been, or were in the process of being, adopted. Details of the Council’s expenditure were routinely published on the Council’s website, as were details of the gifts and hospitality received by Councillors. The details of gifts and hospitality received by Officers were recorded in an open register and would in future be published on the website. Expenses paid by Council-owned bodies would be added to the website, backdated 2-3 years.

Although the Motion had not been formally supported by the Executive, it was clear that the intent of the Executive had been to support the spirit of the motion. With the agreement of the Portfolio Holder and Councillor Ali, it was recommended that the Notice of Motion should be supported, subject to an amended timetable of 2-3 years for the backdating of expenses information on Council-owned bodies.

**RESOLVED**

That the Motion be supported subject to the addition that the details of the expenses paid by Council-owned bodies added to the website would be backdated 2-3 years.

**7C PROTOCOLS FOR CONFIDENTIALITY AND OFFICER CONFLICT OF INTERESTS STA20-012**

Claire Storey, Chairman of the Standards and Audit Committee, introduced the recommendations from the Committee for the adoption of Protocols on Confidentiality and Officer Conflict of Interests.

Councillor Barker moved and Councillor Hughes seconded an amendment to the Officer Conflicts of Interest Protocol to include reference to professional interests as well as personal interests in paragraph 3.1. The paragraph to read:

“3.1 For the purposes of this Protocol, a conflict of interest arises when:-

- an Officer’s personal or professional interests compromise his/her integrity and/or ability to act in the best interests of the Council in respect of a particular matter, **or**
- a reasonable person, with knowledge of all relevant facts, would consider this to be the case.”

The amendment was welcomed and it was therefore

RESOLVED

That the draft Confidentiality Protocol and Officer Conflicts of Interest Protocol, as attached to the minutes of the meeting of the Standards and Audit Committee, be adopted by the Council, subject to the following amendment to the Officer Conflicts of Interest Protocol:

Paragraph 3.1 to read:

“3.1 For the purposes of this Protocol, a conflict of interest arises when:-

- an Officer’s personal or professional interests compromise his/her integrity and/or ability to act in the best interests of the Council in respect of a particular matter, **or**
- a reasonable person, with knowledge of all relevant facts, would consider this to be the case.”

**7D VEHICLE SPECIFICATION POLICY LIC20-008**

Councillor Ali introduced the recommendations of the Licensing Committee in respect of the Council’s Vehicle Specification Policy. The Committee had considered two options, one which would ensure that the Council’s Hackney Carriage Vehicle Specification for DDA/Wheelchair Accessible Vehicles continued to have effect, and one which would see the adoption of an Ultra Low Emissions Vehicle Specification policy. The second option would allow the drivers to decide which type of vehicle to purchase, saloon or wheelchair accessible.

Having considered the implications of both options and the feedback received through consultation, the Committee had supported the second option and had recommended accordingly to Council.

The Council considered the implications and, in response to concerns that the option could lead to an insufficient number of wheelchair accessible vehicles, it was noted that a review of the arrangements would be undertaken within a year of implementation. Councillor Ali responded to the points raised before the Mayor referred the Council to the recommendations.

RESOLVED

- That (i) Woking Borough Council’s Ultra Low Emissions Vehicle Specification policy be adopted (Option 2); and
- (ii) within a year of implementation of Option 2, a report on the impact on the number of accessible vehicles be brought to the Licensing Committee.

**7E DELEGATED AUTHORITY IN RESPECT OF TAXI AND PRIVATE HIRE LICENSING LIC20-007**

The Council received the recommendation of the Licensing Committee which proposed a change to the delegated authority arrangements for the refusal of applications for a new

taxi or private hire licence or the renewal of an existing licence. The proposal had the effect of allowing any Member of the Council to refer to the Licensing Committee an application for a new taxi or private hire licence or the renewal of an existing licence where the Licensing Officer was minded to refuse the application. Councillor Ali advised that the proposal was the same as the approach adopted by Runnymede Borough Council.

The proposal was debated at length by the Council, with the discussion covering various elements of the proposals, including the process through which such a scheme would operate and the most suitable body to consider such appeals. Whilst it was agreed that any such appeals would be determined by the Taxi and Private Hire Licensing Sub-Committee, rather than the Licensing Committee itself, concerns over the proposal remained. In view of the concerns, it was proposed that the matter should be referred back to the Licensing Committee for further discussion.

**RESOLVED**

That the proposal to change the Officer scheme of delegation be given further consideration at the next meeting of the Licensing Committee.

**7F HOUSING MANAGEMENT AND MAINTENANCE SERVICE EXE20-050**

Councillor Harlow, Portfolio Holder for Housing, introduced the recommendation of the Executive which proposed a preferred approach for the future delivery of the Housing Management and Maintenance Service following the expiry of the New Vision Homes (NVH) contract on 31 March 2022. The recommendations sought authority to undertake the required statutory consultation with tenants and leaseholders on the preferred approach.

The proposals were welcomed by the Council, noting that bringing Housing Management Services back in-house would give the Council direct control and reduce confusion amongst residents. Repairs and maintenance services would be delivered by external providers with the repairs and maintenance contract directly managed by the Council to ensure the Council had clear oversight.

**RESOLVED**

- That (i) approval be given to the preferred approach of Housing Management and Asset Management Services being brought back in-house and housing repairs and maintenance works and services being procured through third party contractors (Option 2) from 1 April 2022, subject to tenant and leaseholder consultation;
- (ii) the Director of Housing, in consultation with the Portfolio Holder for Housing, be authorised to take such decisions as may be necessary to facilitate the process of transition to a new model of Housing Management and Maintenance Service, including any decisions around procurement timing and approach;
- (iii) the Director of Housing, in consultation with the Head of Legal and Democratic Services and the Portfolio Holder for Housing, be authorised to undertake the statutory tenant and leaseholder consultation, as determined by s.105 of the Housing Act 1985 and s.20 of the Landlord and Tenant Act 1985 (as amended by s.151 of the Commonhold and Leasehold Reform Act 2002) as

necessary, regarding the future of the Housing Management and Maintenance service post 31st March 2022; and

- (iv) following the statutory consultation and engagement process, a report on the outcome is brought back to the Executive and Full Council in February 2021 to inform the final decision on the future of the Housing Management and Maintenance Service.

**7G WOKING BOROUGH COUNCIL SOCIAL MEDIA POLICY EXE20-057**

The report before the Council recommended the adoption of the Woking Borough Council Social Media Policy. A number of concerns over the Policy were raised by Members, including its status as a policy rather than guidance, reference to documents yet to be adopted and the possibility of misunderstandings. It was moved by Councillor Morales and seconded by Councillor Howard that the Policy should be deferred to allow for an opportunity for all Members to provide feedback on the proposals. The suggestion was supported by Members and it was

RESOLVED

That determination of the Social Media Policy be deferred to allow for further consideration in light of feedback from Councillors.

**8. COMMUNITY GOVERNANCE REVIEW WBC20-025**

Councillor Bittleston introduced a report which set out proposals for plans to be drafted for community governance in Woking. It had been intended that the plans would be formally considered as part of a Community Governance Review if proposals for unitary authorities in Surrey were taken forward. In recent days Surrey County Council had confirmed that it would not be pursuing its aims to create a single unitary authority across Surrey. However, it was still considered appropriate to take the proposals forward.

RESOLVED

- That (i) preparatory work be carried out to form the basis of draft proposals for community governance structures in Woking;
- (ii) the draft proposals arising from (i) above form the basis of a Community Governance Review if proposals for unitary authorities across Surrey are agreed; and
  - (ii) the Elections and Electoral Registration Review Panel be responsible for overseeing all work in relation to the pre-Review scoping exercise and the conduct of the Community Governance Review.

**9. NOTICES OF MOTION**

Councillor A-M Barker

The following motion was moved by Councillor A-M Barker and seconded by Councillor W Forster. The Council was advised that, in view of the deadline for responses to the Government's consultation, the motion would be dealt with on the night.

**“Protecting the public’s say in the planning process**

This Council notes:

The publication by Government of the White Paper, ‘Planning for the Future’ on 6 August 2020, which set out proposals on reforms to the planning process for the future.

That the vast majority of planning applications are given the go ahead by local authority planning committees, with permission granted to around 9 out of 10 applications.

That research by the Local Government Association has said that there are existing planning permissions for more than one million homes that have not yet been started.

This Council is concerned that proposals in the White Paper seek to:

1. Reduce or remove the right of residents to object to applications near them.
2. Grant automatic rights for developers to build on land identified as ‘for growth’.
3. Remove section 106 payments for infrastructure replace these payments with a national levy.

This Council Further Notes:

1. The Royal Institute for British Architects has said that the Government proposals are ‘shameful and which will do almost nothing to guarantee delivery of affordable, well-designed and sustainable homes’. RIBA also said that proposals in the White Paper could lead to the next generation of slum housing.
2. The reforms are opposed by the all-party Local Government Association, currently led by Conservative Councillors.

This Council Believes:

That existing planning procedures, as currently administered in Woking, allow for local democratic control over future development, and give local people a say in planning proposals that affect them.

That proposals for automatic rights to build in ‘growth’ areas, and increased permitted development rights, risk unregulated growth and unsustainable communities.

That local communities must be in the driving seat on shaping the future of their communities, and local determination of the planning framework and planning applications play an important part in this process.

This Council resolves to:

- o Take part in the consultation in the planning proposals, and to make representations against the proposals as outlined in this motion.
- o Write to and lobby our Member of Parliament, urging him to oppose these proposals and to circulate his reply to the Council.
- o Highlight its concerns over these proposals with local residents.”

The Council was advised that the Deputy Chief Executive in consultation with the Portfolio Holder for Planning was in the process of preparing a comprehensive response on behalf of the Council. The principles of the concerns raised in the Notice of Motion had been covered in the draft response and it was therefore recommended that the Notice of Motion should be supported. It was noted that the response would be shared with the Group Leaders before it was submitted.

RESOLVED

That the motion be supported.

#### **10. STATEMENT BY THE LEADER OF THE COUNCIL.**

Councillor David Bittleston, Leader of the Council, made a formal statement advising the Council that he had taken the decision to stand down as Leader of the Council. In doing so, he thanked the residents of Mount Hermon, Officers of the Council, Councillors and Portfolio Holders for their support over the years.

In light of the announcement, the Mayor referred to the report on Urgent Business received earlier in the meeting and invited nominations for the position of Leader of the Council. Councillor Bittleston nominated Councillor Azad to the position. The nomination was seconded by Councillor Ashall. No further nominations were received and accordingly Councillor Azad was elected Leader of the Council

RESOLVED

That Councillor Ayesha Azad be elected Leader of the Council.

The Group Leaders were each invited to speak, recognising the contribution Councillor Bittleston had made during his term of office as Leader of the Council. Councillor Lyons, fellow Ward Councillor for Mount Hermon, referred to Councillor Bittleston's commitment to Woking and the ward of Mount Hermon.

Councillor Azad thanked Councillor Bittleston for all his work as Leader of the Council, in particular his achievements in the provision of housing and leisure facilities in the Borough, before making the Leaders Statement.

#### **11. EXCLUSION OF PRESS AND PUBLIC.**

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

RESOLVED

That the press and public be excluded from the meeting during consideration of Agenda Items 12 and 13 in view of the nature of the proceedings that, if members of the press and public were present during these items, 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).

**12. RECOMMENDATIONS OF THE EXECUTIVE WBC20-026**

Councillor D J Bittleston moved and Councillor A Azad seconded the reception and adoption of the Part II report and recommendations from the meeting of the Executive held on 8 October 2020.

**12A LOCAL AUTHORITY COMPANY EXE20-114**

The Council received the recommendations of the Executive in respect of a Local Authority Company.

RESOLVED

That the recommendations be resolved as set out in the confidential minutes of the meeting.

**12B PROPERTY MANAGEMENT - WOKING AND SAM BEARE HOSPICE EXE20-119**

The Council received the recommendations of the Executive in respect of the Woking and Sam Beare Hospice.

RESOLVED

That the recommendations be resolved as set out in the confidential minutes of the meeting.

**13. CONFIDENTIAL TRANSACTION 2020/1 WBC20-027**

The Council received a report entitled Confidential Transaction 2020/1.

RESOLVED

That the recommendations be resolved as set out in the confidential minutes of the meeting.

The meeting commenced at 7.00 pm  
and ended at 11.42 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_