

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 14 October 2021

Present:

Cllr L S Lyons (Chair)
Cllr S Hussain (Vice-Chair)

Cllr A Azad	Cllr I Johnson
Cllr T Aziz	Cllr C S Kemp
Cllr A-M Barker	Cllr A Kirby
Cllr A J Boote	Cllr R N Leach
Cllr M A Bridgeman	Cllr N Martin
Cllr J Brown	Cllr R Mohammed
Cllr K M Davis	Cllr L M N Morales
Cllr S Dorsett	Cllr E Nicholson
Cllr G W Elson	Cllr M I Raja
Cllr W P Forster	Cllr C Rana
Cllr D Harlow	Cllr D Roberts
Cllr K Howard	Cllr J R Sanderson
Cllr D E Hughes	

Also Present: Claire Storey, Independent Co-Opted Member.

Absent: Councillors M Ali, S Ashall and M A Whitehand.

1. MINUTES.

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 29 July 2021 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE.

Apologies for absence had been received from Councillor Ali, Councillor Ashall and Councillor Whitehand.

3. MAYOR'S COMMUNICATIONS.

The Mayor reported on the many events he had attended following the last meeting of the Council. These had included a celebration event hosted by Horsell Scrubbers, a group which had created over 11,000 items for the NHS during the pandemic, together with a memory banner. Woking College had held a celebration event for those who had achieved qualifications in English as a second language, including a number of Syrian refugees

living in the Borough. Events had also been held by the Woking Air Cadets at Brooklands Museum, the Young Musicians' Trust at St Peter's Church, Woking People of Faith, and Send Prison, which had staged an exhibition of art created by Prisoners.

The Mayor had also started the Surrey Half Marathon, which had been won by a Woking resident, and undertaken a parachute jump to raise funds for the Mayoral Charity, Woking Mind.

4. URGENT BUSINESS.

No items of Urgent Business were considered.

5. DECLARATIONS OF INTEREST.

In accordance with the Members' Code of Conduct, Councillor A Azad declared a non-pecuniary 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 K M Davis 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 D Harlow declared a non-pecuniary 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 I Johnson declared an interest in respect of Item 7e – Recommendations of the Executive and Committees (Woking Site Allocations Development Plan Document (DPD – the Inspector's Final Report) in light of reference within the report to Woking Football Club. The interest arose from his wife's position as Chairman of Woking Football Club and was such that Councillor Johnson left the meeting during the determination of the item.

In accordance with the Members' Code of Conduct, Councillor C S Kemp 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 Officer Employment Procedure Rules, the Chief Executive, Julie Fisher, 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 Fisher could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Legal and Democratic Services, Joanne McIntosh, 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 McIntosh could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Planning, Giorgio Framalico, 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 Framalico could advise the Council on those items.

In accordance with the Officer Employment Procedure Rules, the Director of Neighbourhood Services, Geoff McManus, 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 McManus 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 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 her husband having a small shareholding in Woking Football Club. The interest was such that Mrs Clarke could advise the Council on those items.

6. QUESTIONS.

Copies of questions submitted under Standing Order 8.1 together with draft replies had been published before the meeting. The replies were confirmed by Members of the Executive, supplementary questions were asked and replies given.

7. RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES WBC21-034.

Councillor A Azad moved and Councillor C Kemp seconded the reception and adoption of the report and recommendations from the meetings of the Executive held on 9 September and 7 October 2021.

Councillor R Leach moved and Councillor I Johnson seconded the reception and adoption of the report and recommendation from the meeting of the Licensing Committee held on 5 October 2021.

7a. Notice of Motion - Cllr A Kirby - Pollinator Plan for Woking EXE21-080.

The Portfolio Holder for Climate Change Strategy, Councillor Davis, introduced the recommendation of the Executive in respect of the notice of motion submitted by Councillor Kirby on a pollinator plan for the Borough. It was noted that, as reported at the meeting of the Executive, work was already taking place regarding the delivery of wildflowers in suitable locations in the Borough, overseen through the Climate Change Task Group. In view of this, Councillor Howard, Chairman of the Task Group, had proposed an amended Motion, to read as follows:

“Council recognises the seriousness of the loss of wildflower meadows and the decline in the numbers of insect pollinators.

Officers will present a report to the December meeting of the Climate Change Working Group addressing these problems and incorporating such concepts as selective mowing and “No Mow May”.

The amended motion had been supported by the Executive and was welcomed by Councillor Kirby.

RESOLVED

That the motion, as amended by the Executive, be supported

7b. Notice of Motion - Cllr A Kirby - Freedom to Vote by Post EXE21-081

The Council had before it the recommendation of the Executive in respect of Councillor Kirby’s notice of motion on the freedom to vote by post. The Executive had been advised that the matters raised by the Motion were the personal responsibility of the Returning Officer and that the Council was not able to determine or influence the process. The Executive had not been supportive of Councillor Kirby’s Motion in the form submitted but had agreed that the support for the actions taken by the Electoral Registration Officer should be noted. An amended form of wording had therefore been proposed, as follows:

“Freedom to vote by post

This Council believes that democracy is best secured by maximising electoral turnout and participation, as much as that democracy must start by more literally securing residents’ votes.

It is therefore with regret that this Council notes the proportion of people voting by post in the Borough did not rise between 2019 and 2021, despite this year’s elections being the first to be held since the arrival of Covid-19. Despite the understandable caution from residents around in-person events – and for many even medically-advised isolation – the proportion of local people voting by post in fact fell.

In light of these facts, this Council recognises its responsibility to better uphold and inspire democratic participation through challenging times.

This Council also recognises the importance and legal status of the fully independent Electoral Commission. Equally this Council notes the importance of our independent Electoral Registration Officer, responsible for upholding the Electoral Commission’s advice, and welcomes our new Chief Executive to this role.

This Council notes that Woking Borough is an outlier in asking residents already on the electoral register for photo-identification in order to support their application for a postal vote, contrary to official guidance and legal requirements as set out by the Electoral Commission.

Therefore, this Council resolves to:

- 1) Support the Electoral Registration Officer in reflecting the latest exact wording as recommended by the Electoral Commission on its own website, when describing the

- process of registering to vote by post, on all relevant communications whether in print, digital or in person.
- 2) Remove from general council communications all other suggestion of restriction, advice to follow legally unnecessary steps, or any other effective impediment created by the Council's advice or processes, on the ability of residents to register for a postal vote.
 - 3) Support the Electoral Registration Officer by proactively communicating the existing legal reality of postal registration requirements to residents, via all Council-controlled media channels and to issue a public statement to all local media on behalf of this Full Council, clarifying the exact contents of this motion.
 - 4) Note the actions already taken by the Returning Officer in section 2 of her report to the Elections and Electoral Registration Panel dated 23 August 2021 in the matter of Absent Voter Registrations.
 - 5) Continue to run elections with regard to the fundamental principles of elections open to all and free from fraud."

The Council welcomed the revised Motion, noting that the Returning Officer had recently undertaken a review of the practices and procedures in place and had concluded that the request for electors to provide additional photo ID for applications to vote by post was no longer necessary.

RESOLVED

That the Motion, as amended by the Executive, be supported.

7c. Review of the Infrastructure Capacity Study and Delivery Plan - East of the Borough and Borough-wide Study EXE21-062.

Councillor Elson, Portfolio Holder for Planning Policy, introduced the recommendation of the Executive which proposed the approval of the contents of the Infrastructure Capacity Study and Delivery Plan. The Local Development Framework Working Group had considered the Plan at its meeting on 21 July 2021 and had been supportive. Stakeholder involvement had been central to the preparation of the Infrastructure Delivery Plan (IDP) and there had been ongoing involvement and partnership working with the relevant Infrastructure Providers.

It was noted that the IDP had been published in 2018 and that it was intended to publish the revised IDP (2021) by the end of the year. The Plan was a living document which would be regularly updated to take account of new information to ensure it continued to be robust in supporting the delivery of the Core Strategy and the Site Allocations DPD.

Councillor Kemp proposed and Councillor Azad seconded an amendment to the recommendation to enable the document and future infrastructure studies to be monitored and reviewed by the Woking Joint Committee's Infrastructure Task Group.

Councillor Barker, noting that the Infrastructure Task Group had not met for two years, moved, and Councillor Morales seconded, a broader amendment to recommend to the Joint Committee that the Infrastructure Task Group be revived with cross-party

membership, and work to achieve the infrastructure needed to match current and future developments.

The proposals were welcomed and the Members were advised to vote on the second of the two amendments, proposed by Councillor Barker, which, in view of its broader approach, also covered the point made by Councillor Kemp's amendment.

RESOLVED

- That (i) the contents of the Infrastructure Capacity Study and Delivery Plan be noted and approved; and
- (ii) the Joint Committee be recommended that the Infrastructure Task Group be revived with cross-party membership, and work to achieve the infrastructure needed to match current and future developments.

7d. Review of Development Management Policies Development Plan Document (DPD) EXE21-069.

Councillor Elson, Portfolio Holder for Planning Policy, introduced the recommendations from the Executive in respect of the approval of the review of the Development Management Policies DPD. The Council had a statutory duty to review its development plan documents at least once every five years to determine whether they needed to be updated. A review had been conducted and it was recommended that no immediate modification was required.

Attention was drawn to the uncertainty caused by the Government's Planning White Paper and the 2021 Queen's Speech regarding laws to modernise the planning system. The situation would be monitored and the Council would be advised in the event the DPD needed to be modified in accordance with changes in national policy.

Reference was made to the consultation and, although no points raised had been significant enough to justify an immediate modification of the DPD, Councillor Hughes moved and Councillor Barker seconded an amendment to add the following to the recommendations before the Council to ensure the responses were retained for future consideration:

- “(v) the evidence collated during this review from stakeholder engagement to be retained and considered in future revisions and iterations of the DPD.”

The Portfolio Holder welcomed the amendment and advised that the Planning Policy Team would ensure the information received through the consultation would be retained and used in the future.

RESOLVED

- That (i) the review of the Development Management Policies DPD, included in Appendix 1 to the report, be approved;
- (ii) the Development Management Policies DPD continue to be up to date for the purposes of managing development across the Borough;

- (iii) the details of the review be published on the Council's website as soon as it is reasonable to do so after Council's approval;
- (iv) authority be delegated to the Director of Planning, in consultation with the Portfolio Holder for Planning, to approve any minor changes to the review to reflect new information, including any national guidance before it is published; and
- (v) the evidence collated during this review from stakeholder engagement to be retained and considered in future revisions and iterations of the DPD.

7e. Woking Site Allocations Development Plan Document (DPD) – the Inspector's Final Report EXE21-147.

Councillor Elson, Portfolio Holder for Planning Policy, introduced the recommendations of the Executive in respect of the adoption of the Site Allocations Development Plan Document (DPD) and the Proposals Map, subject to the Inspector's Main Modifications and the Council's Additional Modifications. The Members were advised that the Council had made a commitment in the Core Strategy to prepare the Site Allocations DPD to identify specific sites to enable the delivery of the Core Strategy, including a commitment to release Green Belt land between 2022 and 2027 to provide at least 550 new homes. In presenting the recommendations, the Portfolio Holder acknowledged that some residents would have concerns over some of the proposals within the DPD and referred to the extensive consultation that had been undertaken.

The Members of the Council debated the proposals, with particular concerns raised over the proposed release of Green Belt land for housing in West Byfleet. As noted in the recommendations, whilst the DPD presented a sustainable way forward for the development of the Borough taking into account housing requirements, elements of the Inspector's Final Report were not what some Councillors and local residents would want. However, it was acknowledged that the failure to timely adopt the recommendations would result in a worse outcome for the Borough as a whole and that the Inspector had been clear in their modifications.

In light of the debate and in accordance with Standing Order 10.8, the names of Members voting for and against the recommendations were recorded.

In favour: Councillors A Azad, T Aziz, A-M Barker, K Davis, S Dorsett, G Elson, W Forster, D Harlow, K Howard, D Hughes, S Hussain, C Kemp, A Kirby, R Leach, N Martin, R Mohammed, L Morales, C Rana, D Roberts and J Sanderson.

Total in favour: 20

Against: Councillor A Boote, M Bridgeman and J Brown.

Total against: 3

Present not voting: The Mayor, Councillor L Lyons, and Councillors E Nicholson and M I Raja.

Total present not voting: 3

The recommendations were therefore carried by 20 votes in favour to 3 votes against.

RESOLVED

- That (i) the Local Development Framework (LDF) Working Group accepts that the Inspector's Final Report is binding and that the Council has a binary choice to adopt the Inspector's recommendations in full or not to adopt the DPD. Although in the main the DPD presents a sustainable way forward for the development of the borough taking into account housing requirements, elements of the Inspector's Final Report are not what some Councillors and local residents would want. Notwithstanding this, it is clear that the failure to timely adopt the recommendations would result in a worse outcome for the borough as a whole. Taking into account the above and national planning policy, the Working Group recommends that the Inspector's Final Report and the Main Modifications document be accepted by the Council in full;
- (ii) subject to the Main Modifications recommended by the Inspector and the Council's Additional Modifications, the Woking Site Allocations Development Plan Document and the Proposals Map be adopted in full for the purposes of development management and all other planning decisions;
- (iii) the entire provisions of the Woking Site Allocations DPD (draft is in Appendix 4 to the report) and the Proposals Map (Appendix 3 to the report) should be given full weight for the purposes of development management and all other planning decisions;
- (iv) delegated authority be given to the Director of Planning, in consultation with the Portfolio Holder for Planning, to make sure that the Inspector's Main Modifications and the Council's Additional Modifications are fully incorporated into the Site Allocations DPD. A draft of the DPD is in Appendix 4 to the report;
- (v) delegated authority be given to the Director of Planning, in consultation with the Portfolio Holder for Planning, to oversee the preparation and publication of the post adoption Sustainability Appraisal Statement; and
- (vi) delegated authority be given to the Director of Planning and Director of Legal and Democratic Services, in consultation with the Portfolio Holder for Planning, to ensure that the adoption process as set out in Section 8 (next stages) of the report is strictly followed.

7f. Review of Licensing Policy

Councillor Leach, Chairman of the Licensing Committee, introduced the recommendation of the Licensing Committee which recommended the adoption of the Licensing Policy. The Council was advised that the Policy had been approved in 2016 for a five year period and

had been due for renewal prior to January 2021. The review had been delayed as a result of the pandemic and the Committee had noted that no changes had been proposed to the current Policy. The Committee itself, however, made several changes to the Policy, including corrections and the incorporation of reference to the Council's Corporate Equality Scheme, and the recommendation before the Council was to adopt the Policy as amended.

The proposal was agreed nem con.

RESOLVED

That the Licensing Policy be adopted, as amended by the Licensing Committee at its meeting on 5 October 2021.

8. STANDARDS HEARINGS SUB-COMMITTEE - 29 SEPTEMBER 2021 WBC21-035.

The Council received a report which advised of a recent decision made by the Standards Hearings Sub-Committee on 29 September 2021 in regard to a breach of the Members' Code of Conduct. The Sub-Committee had taken the decision to report its findings to the Council meeting and to publish a notice in a local newspaper.

In considering the report, it was noted that the Council's procedures for dealing with breaches of the Code of Conduct was being reviewed by the Standards and Audit Committee, in conjunction with the Monitoring Officer, and all Members were encouraged to respond to the invitation to comment and engage in relation to the review.

RESOLVED

That the findings of the Standards Hearings Sub-Committee on 29 September 2021 be noted.

9. NOTICES OF MOTION WBC21-036.

Councillor W Forster

The following motion was moved by Councillor Forster and seconded by Councillor Nicholson and referred to the Executive on 18 November 2021 in accordance with Standing Order 5.7.

"The Victoria Arch widening scheme has brought into focus that Woking's rail aggregates yard is in a completely unsuitable location.

The Council agrees to use its best endeavours to encourage Network Rail, Surrey County Council and other partners to move the aggregates yard to a more appropriate and non-residential location."

Councillor S Ashall

In the absence of Councillor Ashall, the following motion was moved by Councillor Azad and seconded by Councillor Kemp. Councillor Azad asked for the motion to be determined on the night.

“This Council recognises the profound suffering caused to laying hens through the use of cages in commercial egg production. It welcomes the Caged Laying (Prohibition) Bill - otherwise known as Beatrice’s Bill - brought by Henry Smith MP to the House of Commons and resolves to write to Jonathan Lord MP to request his support for the Bill at its Second Reading on October 22.

Furthermore, it recognises that in common with this Council’s future ambitions for an Animal Welfare Policy agreed by the Executive in June and currently awaiting consultation, caged laying – and cages in general – should be included within this consultation and resulting debate.”

Councillor Azad spoke in support of the motion, outlining the impact Beatrice’s Bill would have on improving the welfare of laying hens. The profound suffering of laying hens through the use of cages was outlined, and the changes that the Bill would bring about. The motion was agreed nem con.

RESOLVED

That the Motion be approved.

The meeting commenced at 7.00 pm
and ended at 9.10 pm

Chairman: _____

Date: _____