

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 31 March 2022

Present:

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

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

Also Present: Tim Stokes, Independent Person.

Absent: Councillors M A Bridgeman and K Howard, Claire Storey, Independent Co-Opted Member and Julie Fisher, Chief Executive.

1. MINUTES.

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 10 February 2022 be approved and signed as a true and correct record.

2. APOLOGIES FOR ABSENCE.

Apologies for absence had been received from Councillor A Bridgeman, Councillor K Howard, Independent Co-Opted Member Claire Storey and the Chief Executive, Julie Fisher.

3. MAYOR'S COMMUNICATIONS.

The Mayor reported on the recent events he had attended, including meetings of both Rotary Clubs in the Borough. The Mayor had visited the Really Useful Wood Company and had attended an awards evening following the nomination of the Lighthouse Charity for

the Queen's Award for Voluntary Service. A further awards evening had been held at The Pool in the Park for young lifesavers who had gained various awards.

Other events had included a memorial service at Brookwood Cemetery for the former patients of Brookwood Hospital and Botley Park Hospital, the Surrey Half Marathon and the AGM of Woking's Chamber of Commerce. A number of unveilings and openings had taken place since February, including the unveiling of a statue of Dame Ethel Smyth on International Women's Day and the opening of Marks and Spencer, Sketchers, Moss Bros and Gail's Bakery.

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 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 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 Framalitto, 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 Framalitto 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 were laid upon the table. The replies were confirmed by Members of the Executive, supplementary questions were asked and replies given.

7. RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES WBC22-010.

Councillor D Hughes moved and Councillor D Roberts seconded the reception and adoption of the report and recommendations from the meeting of the Standards and Audit Committee held on 3 March 2022.

Councillor L Morales moved and Councillor T Aziz seconded the reception and adoption of the report and recommendations from the meeting of the Planning Committee held on 22 March 2022.

Councillor A Azad moved and Councillor S Ashall seconded the reception and adoption of the report and recommendations from the meeting of the Executive held on 24 March 2022.

7A Review of Code of Conduct Arrangements STA22-001.

Councillor Hughes, Vice-Chairman of the Standards and Audit Committee, introduced the recommendations of the Committee which had been drawn up following a review of the Council's arrangements for dealing with allegations of misconduct by Councillors. The new arrangements were seen as more supportive and efficient, the previous scheme having been considered confusing and slow. It was noted that the Committee had proposed to allow complainants to have the opportunity to rebut any matters raised during hearings as part of the summing up arrangements, rather than this being allowed at the discretion of the Chairman.

RESOLVED

That (i) the arrangements for dealing with Allegations of Misconduct by Councillors under the Localism Act 2011 be adopted subject to the following amendment:

“Summing up

The Investigating Officer sums up the complaint.

The Complainant to have the opportunity to rebut any matters raised within the Panel to which they disagree.

The Subject Member or their representative sums up their case.”;

- (ii) the Standards Hearing Sub-Committee shall be renamed the Standards Panel; and
- (iii) the Council’s constitution be updated to include the arrangements.

7B Planning Peer Review.

The Council had before it the recommendations of the Planning Committee in respect of actions identified in response to the findings of the Peer Review of planning services undertaken by the Local Government Association. The Chairman of the Planning Committee, Councillor Morales, explained that an action plan had been drawn up to ensure the recommendations were adopted. The Members of the Planning Committee had proposed that a quarterly update on the progress of the action plan would be given to the Planning Committee.

A revised version of the action plan, incorporating the changes proposed by the Members of the Planning Committee, had been included in the papers now before the Council.

RESOLVED

- That (i) the action plan be approved, subject to the amendments agreed above, and;
- (ii) a quarterly update on the action plan be presented to the Planning Committee.

7C Notice of Motion - Cllr A Kirby - Easy access to Council recordings EXE22-033.

The Executive had considered a notice of motion submitted by Councillor Kirby which had proposed that recordings of public meetings of the Council should be made available indefinitely, rather than the current twelve months. The Executive had taken into account the provisions within the General Data Protection Regulation (GDPR) and the few occasions on which requests for old recordings had been received, and had drawn up an amended Motion as follows:

“Easy access to Council recordings

This Council resolves that all video recordings of public meetings of Council and its Committees will continue to be made available for public viewing on demand in accordance with the Council’s retention periods. The Council shall continue to keep its retention periods

under review with particular regard being given to information held in respect of the Council's long-term projects.

Archive recordings of all previously public meetings of Council and Council Committees will also be made available on request wherever this is legally and technically possible. The Council shall ensure that residents are fully informed as to how they can access these recordings and that access to this information is available in a quick and simple manner."

Councillor Kirby, however, considered that recordings should be made available longer through the Council's website and moved the following amendment, seconded by Councillor Barker:

The following be added to the wording proposed by the Executive:

"In addition, this Council resolves that the current practice of making recordings of public meetings available by request on DVD format after one year be replaced with a continuation of availability online.

Council resolves that the online platform for viewing meetings be extended up to an ideal time of four years as soon as technically possible."

The Members debated the amendment and the Director of Legal and Democratic Services and Monitoring Officer, Joanne McIntosh, provided advice on the implications for retaining data for any period of time. In view of the lack of clarity on the GDPR implications and the unknown costs of retaining recordings on the Council's website for an additional three years, Councillor Azad moved and Councillor Ashall seconded a proposal to defer consideration of the notice of motion to the next business meeting of Council to allow time for Officers to explore the legal and financial implications.

In accordance with Standing Order 10.8 the names of Members voting for and against the proposal to defer consideration were recorded.

In favour: Councillors S Ashall, A Azad, J Brown, K Davis, S Dorsett, G Elson, D Harlow, S Hussain, C Kemp, N Martin, R Mohammed, C Rana and M Whitehand.

Total in favour: 13

Against: Councillors M Ali, T Aziz, A-M Barker, A Boote, W Forster, D Hughes, I Johnson, A Kirby, R Leach, L Morales, E Nicholson, M I Raja, D Roberts and J Sanderson.

Total against: 14.

Present not voting: The Mayor, Councillor Lyons.

Total present not voting: 1

The proposal to defer was therefore lost by 13 votes in favour to 14 votes against and the Council returned to the Notice of Motion as amended by the Executive and the amendment proposed by Councillor Kirby.

Following further debate on the implications of the motion as proposed and additional advice from the Director of Legal and Democratic Services and Monitoring Officer, the

Council moved to the vote. In view of the concerns over the GDPR implications, Councillor Barker suggested the addition of the following words: "subject to appropriate guidelines being adhered to." The Mayor made clear, however, that, were the Council to pass a motion which was not legally actionable it would not be implemented.

In accordance with Standing Order 10.8 the names of Members voting for and against the proposal to defer consideration were recorded.

In favour: Councillors M Ali, S Ashall, T Aziz, A-M Barker, A Boote, G Elson, W Forster, D Hughes, I Johnson, C Kemp, A Kirby, R Leach, L Morales, E Nicholson, M I Raja, D Roberts and J Sanderson.

Total in favour: 17

Against: None

Total against: 0

Present not voting: The Mayor, Councillor Lyons, and Councillors A Azad, J Brown, K Davis, S Dorsett, D Harlow, S Hussain, N Martin, R Mohammed, C Rana and M Whitehand.

Total present not voting: 11

The Motion, as amended by the Executive and Councillor Kirby, was therefore carried by 17 votes in favour to no votes against.

RESOLVED

That the Motion, as amended below, be supported.

"Easy access to Council recordings

This Council resolves that all video recordings of public meetings of Council and its Committees will continue to be made available for public viewing on demand in accordance with the Council's retention periods. The Council shall continue to keep its retention periods under review with particular regard being given to information held in respect of the Council's long-term projects.

Archive recordings of all previously public meetings of Council and Council Committees will also be made available on request wherever this is legally and technically possible. The Council shall ensure that residents are fully informed as to how they can access these recordings and that access to this information is available in a quick and simple manner.

In addition, this Council resolves that the current practice of making recordings of public meetings available by request on DVD format after one year be replaced with a continuation of availability online.

Council resolves that the online platform for viewing meetings be extended up to an ideal time of four years as soon as technically possible."

7D Woking for all Strategy and Directorate Service Plans EXE22-007.

The recommendations of the Executive in respect of the Woking for all Strategy and Directorate Service Plans were introduced by Councillor Azad, Portfolio Holder for Corporate Services. The Strategy provided an overview of the Authority's strategic outcomes for the coming five years. The Directorate Plans replaced the existing service plans and provided links between the strategic outcomes and the priorities and service actions of the Directorates.

RESOLVED

- That (i) the Woking for all Corporate Strategy 2022-27, as attached to the report, be adopted; and
- (ii) the Directorate Plans 2022/23, as attached to the report, be adopted.

7E Term Financial Strategy (MTFS) EXE22-030.

Councillor Ashall, Portfolio Holder for Corporate Financial Planning and Policy, introduced the recommendations of the Executive in respect of the Council's Medium Term Financial Strategy (the MTFS). The financial forecast for the Council over the period 2022-23 to 2025-26 was outlined in the Strategy, based around the budget agreed at the February meeting of the Council. The Strategy would be kept under review and it was anticipated that regular updates would be made.

It was noted that effective financial management in the public sector had always been built on planning for the long-term. The challenge for Woking Borough Council now was increasingly about ensuring the Authority had the resilience to deliver annual savings and manage significant financial risks while still pursuing ambitious regeneration goals for the benefit of the Borough's communities. It was in this context that financial resilience for the Council described its ability to remain viable, stable and effective in the medium to long term in the face of pressures from growing demand, tightening funding and an increasingly complex and unpredictable financial environment.

Councillor Barker expressed support for the Strategy though outlined a few reservations. In view of these, Councillor Barker moved and Councillor Hughes seconded the following amendment:

"The Medium Term Financial Strategy (MTFS) report be approved with the following matters reserved for future consideration of council as part of the development of proposals to the MTFS to be presented to Council in 2022/23

- the implications of the 2022/23 updates to the Council's companies and joint venture business plans and financial models*
- external legal opinion on the Council's Minimum Revenue Provision (MRP) policy*
- financial and legal due diligence for the purchase of the Victoria Square car park for £58 million."*

The merits of the amendment were debated before Councillor Ashall responded to the points raised, including those discussed during the debate and those set out in the

amendment itself. The points included the use of the Council's reserves and the position of the 2019/20 accounts which were yet to be signed off by the Auditors. The Officers were thanked for their extensive work in drawing up the MTFS before the Mayor directed the Members to the amended recommendation. The amendment was agreed nem con and accordingly it was

RESOLVED

That the Medium Term Financial Strategy (MTFS) report be approved with the following matters reserved for future consideration of council as part of the development of proposals to the MTFS to be presented to Council in 2022/23

- the implications of the 2022/23 updates to the Council's companies and joint venture business plans and financial models
- external legal opinion on the Council's Minimum Revenue Provision (MRP) policy
- financial and legal due diligence for the purchase of the Victoria Square car park for £58 million."

7F Safeguarding Policy EXE21-053.

Councillor Harlow, Portfolio Holder for Community Safety, outlined the recommendations of the Executive for the implementation of the Council's updated Safeguarding Policy. It was proposed that the Director of Housing, in consultation with the Portfolio Holder, would be delegated authority to update the Policy to take into account future changes.

RESOLVED

- That (i) the Safeguarding Policy dated April 2022, attached at Appendix 1 to the report, be implemented with a formal review every two years; and
- (ii) the Director of Housing, in consultation with the Portfolio Holder, be given delegated authority to update the Policy when changes occur, as informed through countywide safeguarding networks and lead officer/member groups.

8. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE WBC22-013.

Councillor Sanderson, Chairman of the Overview and Scrutiny Committee, introduced the annual report of the Committee, outlining the key activities undertaken during the year. A wide range of interesting topics had been covered by the Committee over the year and the three standing Task Groups – Economic Development, Finance and Housing – had continued to monitor and review the core areas of the Council's activities. A fourth task group – the HIF Housing Outputs Task Group – had been established in early 2022 to review the housing element of the Housing Infrastructure Fund.

Councillor Sanderson thanked the Members of the Committee for their support over the year.

RESOLVED

That the report be received.

9. ANNUAL REPORT BY COUNCIL REPRESENTATIVES ON OUTSIDE BODIES WBC22-012.

The Leader of the Council, Councillor Azad, introduced the report and welcomed the contributions from the Council's representatives on outside bodies.

RESOLVED

That the report be noted.

10. ANNUAL REPORT ON MEMBER LEARNING AND DEVELOPMENT WBC22-011.

Councillor Elson, Lead Councillor for Member Learning and Development, presented the annual report on the Council's learning and development activities over the past year. It was noted that the areas of finance and planning would be prioritised over the coming Municipal Year.

Included in the report was the Council's Policy for Member learning and development which had been reviewed and was before the Council for approval.

RESOLVED

That (i) the Elected Member learning and development activities of 2021-22 be noted; and

(ii) the updated Policy for Elected Member Learning and Development, as set out in Appendix 2 to the report, be adopted.

11. NOTICES OF MOTION WBC22-014.

11A Notice of Motion - Cllr S Dorsett - Russian Invasion of Ukraine.

Councillor S Dorsett

The following motion was moved by Councillor Dorsett and seconded by Councillor Mohammed, proposing that the Motion should be determined on the night rather than referred to the next meeting of the Executive in accordance with Standing Order 5.7.

"Woking Borough Council is saddened and disturbed by the unprovoked aggression against Ukraine, which has caused horrific devastation, and created an escalating humanitarian crisis with millions displaced or affected. In light of this, and as a way of expressing support for the people of Ukraine and members of our communities who are from or who have ties with Ukraine this Council;

a. Condemns the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Woking.

- b. Stands ready to provide support and open our arms to innocent people displaced and affected by this unprovoked Russian aggression.
- c. Will work with and support the efforts of our local communities to provide help, support and comfort to those in need.”

Councillor Dorsett spoke on support of the motion before the Mayor invited Members of the Council to debate the proposal. Councillor Forster moved an amendment which had the effect of strengthening the motion through the addition of wording agreed recently at a meeting of Surrey County Council. The amendment, set out below, was seconded by Councillor Dorsett (changes highlighted in italics).

“Woking Borough Council is saddened and disturbed by the unprovoked aggression against Ukraine, which has caused horrific devastation, and created an escalating humanitarian crisis with millions displaced or affected. In light of this, and as a way of expressing support for the people of Ukraine and members of our communities who are from or who have ties with Ukraine this Council;

- a. Condemns the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Woking. *Agrees to continue to fly the Ukrainian flag as a gesture of support at the Civic Offices, until such time as hostilities cease.*
- b. Stands ready to provide support and open our arms to innocent people displaced and affected by this unprovoked Russian aggression. *Agrees to fully engage in and support national schemes for Ukrainian refugees, to identify accommodation and homes for those arriving in Woking, to assist those fleeing the country to find a safe haven here for as long as is necessary, and to facilitate their return to Ukraine as and when it is safe to do so.*
- c. Will work with and support the efforts of our local communities to provide help, support and comfort to those in need. *Promote as widely as possible the mechanisms by which Woking residents can donate and support Ukraine and the Ukrainian people.”*

The amendment was welcomed by Members who expressed their strong support for the citizens of Ukraine and the objectives of the motion. Councillor Dorsett thanked the Elected Members for their support before the Council unanimously agreed the motion.

RESOLVED

That the motion, as amended and as set out below, be supported.

“Woking Borough Council is saddened and disturbed by the unprovoked aggression against Ukraine, which has caused horrific devastation, and created an escalating humanitarian crisis with millions displaced or affected. In light of this, and as a way of expressing support for the people of Ukraine and members of our communities who are from or who have ties with Ukraine this Council;

- a. Condemns the unprovoked Russian invasion of Ukraine and stands in solidarity with the people of Ukraine and their families and friends, including those local to Woking. *Agrees to continue to fly the*

Ukrainian flag as a gesture of support at the Civic Offices, until such time as hostilities cease.

- b. Stands ready to provide support and open our arms to innocent people displaced and affected by this unprovoked Russian aggression. Agrees to fully engage in and support national schemes for Ukrainian refugees, to identify accommodation and homes for those arriving in Woking, to assist those fleeing the country to find a safe haven here for as long as is necessary, and to facilitate their return to Ukraine as and when it is safe to do so.
- c. Will work with and support the efforts of our local communities to provide help, support and comfort to those in need. Promote as widely as possible the mechanisms by which Woking residents can donate and support Ukraine and the Ukrainian people.”

11B Notice of Motion - Cllr K Davis - Housing Allocations.

Councillor K Davis

The following motion was moved by Councillor Davis and seconded by Councillor Harlow and referred to the Executive on 16 June 2022 in accordance with Standing Order 5.7.

“It is vitally important that our residents directly benefit from new housing development in their local area. The Council already requires a 2-year local connection for applicants joining its Housing Register for affordable homes, as well as expecting any shared ownership homes secured through the Section 106 process to be first marketed to those living or working in the Borough.

However, the Council should consider going further in promoting a “Local First” approach by:

- Investigating any further flexibilities that could be incorporated into the Housing Allocations Policy to prioritise local residents;
- Exclusively marketing any new homes built and sold by Thamesway for a set period of time to residents living in that Ward or Neighbourhood Area;
- Considering a local connection policy for any new homes delivered under the Government’s new “First Homes” tenure that prioritises residents living in that Ward or Neighbourhood Area before opening up to the Borough.”

11C Notice of Motion - Cllr D Roberts - Benefits Management.

Councillor Roberts

The following motion was moved by Councillor Roberts and seconded by Councillor Nicholson and referred to the Executive on 16 June 2022 in accordance with Standing Order 5.7.

“The council undertakes programmes of work to deliver benefits to the borough and controls are put in place to ensure the work is delivered on time, on budget and to scope.

Whilst delivering to scope should result in the delivery of benefits, it may not always be the case. Complex projects spanning many years can require interim decisions to balance budgets, timescales, and scope because of issues arising throughout the life of the project.

This council is committed to both best practice and transparent project reporting including benefits tracking from the point at which it is considered for approval by members through to the conclusion and delivery of the project.

This council will therefore investigate how it will implement benefits management on all major projects as part of existing standard project controls such as risk and issues management.”

12. ANNOUNCEMENT OF DEPUTY MAYOR 2022/23.

The Leader of the Labour Group, Councillor Aziz, announced the intention to nominate Councillor M Ilyas Raja as Deputy Mayor for the 2022/23 Municipal Year.

13. VOTE OF THANKS.

The Leader of the Council and Group Leaders thanked the Mayor and Deputy Mayor for their service over the past year and expressed their appreciation of the work undertaken by Officers and Councillors.

It was noted that Councillor Ken Howard, Councillor Deborah Hughes, Councillor Mary Bridgeman and Councillor Nancy Martin would be standing down as Councillors at the next Election after serving the Borough for 22 years, 6 years, 6 years and 4 years respectively. The Council recorded their thanks for the outstanding roles they had taken on during their terms of office.

The meeting commenced at 7.00 pm
and ended at 10.00 pm

Chairman: _____

Date: _____