

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 13 October 2022

Present:

Cllr S Hussain (Chairman)
Cllr M I Raja (Vice-Chair)

Cllr H Akberali	Cllr D M C Jordan
Cllr A Azad	Cllr C S Kemp
Cllr T Aziz	Cllr A Kirby
Cllr A-M Barker	Cllr R N Leach
Cllr A J Boote	Cllr L S Lyons
Cllr J Brown	Cllr L M N Morales
Cllr G T Cosnahan	Cllr J P Morley
Cllr K M Davis	Cllr E Nicholson
Cllr S Dorsett	Cllr S M Oades
Cllr G W Elson	Cllr D Roberts
Cllr W P Forster	Cllr J R Sanderson
Cllr P J T Graves	Cllr T G Spenser
Cllr I Johnson	

Absent: Councillors M Ali, A Caulfield and M A Whitehand

1. APOLOGIES FOR ABSENCE.

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

2. MINUTES.

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 21 July 2022 be approved and signed as a true and correct record.

3. MAYOR'S COMMUNICATIONS.

The Mayor reported on events he had attended following the previous meeting of the Council. On the afternoon of Sunday, 11 September, the Mayor had announced the proclamation of King Charles III in Jubilee Square. On the following Sunday, the Council had invited members of public to an event in Jubilee Square to mark the National Moment of Reflection. Both events had been well attended by local residents and visitors to Woking.

Other events in recent weeks had included the 1st birthday celebrations of the Eastwood Leisure Centre, a reception to mark the 27th anniversary of the charity Eikon, the Chinese Association's mid-term festival and the 40th anniversary of the Woking Town Twinning Association.

4. URGENT BUSINESS.

No items of Urgent Business were considered.

5. DECLARATIONS OF INTEREST.

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 on those items.

In accordance with the Officer Employment Procedure Rules, the Strategic Director - Corporate Resources, Kevin Foster 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 Foster could advise on those items.

In accordance with the Officer Employment Procedure Rules, the Strategic Director - Place, 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 on those items.

In accordance with the Officer Employment Procedure Rules, the Strategic Director - Communities, 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 on those items.

6. PETITION - REVIEW OF THE SADPD WBC22-023.

The Mayor welcomed Mr Alan George to the meeting to present a petition which sought a review of the Council's Site Allocations Development Plan Document (SADPD). The petition had been signed by 714 individuals.

The petition expressed the concerns of the residents of Byfleet, West Byfleet and Pyrford in respect of the proposed housing allocations and the detrimental effects on traffic levels, school places and surgery provision. Mr George questioned the need for the level of office and retail space proposed, and argued that the DPD should recognise the impact of Covid-19 on the needs of residents. Infrastructure concerns were highlighted, including the need to upgrade the A245 and the sewer system in Byfleet. Members were invited to ask questions of the petitioner before moving to the debate.

The Council had before it a report on the petition which set out the background to the Development Plan Document and noted that the Document had been adopted by the

Council in October 2021. The DPD was a key delivery document to the Core Strategy, allocating land for housing, employment and infrastructure to meet its development requirements. It included a commitment to release Green Belt land between 2022-2027 to provide at least 550 new homes to meet housing needs. It was noted that the Document was founded on a comprehensive evidence base including a Green Belt boundary review, and that any review of sites would need to be undertaken through a review of the Local Plan.

The matter was debated by the Members, and the concerns over infrastructure in the areas of Byfleet, West Byfleet and Pyrford were noted, including the wider issue of health care provision. The Portfolio Holder for Planning, Councillor Lyons, responded to the points raised during the debate, outlining the process followed by the Council in the development of the DPD. Whilst a review of the DPD was not supported, the Council would seek to secure the necessary infrastructure to support the existing and future communities.

RESOLVED

- That (i) the Petitioner be thanked for the petition;
- (ii) the SADPD must continue to remain in place in order to secure sustainable planned development for the Borough; and
- (iii) the Council is committed to ensuring adequate infrastructure delivery in the Byfleet, West Byfleet and Pyrford areas, as well as across the Borough, as part of its approach to sustainable development. Woking will work with partners, including Surrey County Council and Enterprise M3, on the delivery of this infrastructure. To this end, a senior planner is currently being recruited who will work with partners to get this infrastructure delivered.

7. 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.

8. RECOMMENDATIONS OF THE EXECUTIVE WBC22-024.

Councillor A-M Barker moved and Councillor W Forster seconded the reception and adoption of the report and recommendations from the meeting of the Executive held on 6 October 2022.

8a. Notice of Motion - Cllr W Forster - Proportional Representation EXE22-057

At its meeting on 21 July 2022, the Council had referred the following Notice of Motion from Councillor Forster to the Executive.

“The Council notes that Belarus and the United Kingdom are the only European countries that use First Past the Post for their national elections.

This Council believes that Proportional Representation ensures all votes count, have equal value, and those seats won match votes cast. Under Proportional Representation, Parliaments better reflect the age, gender and protected characteristics of local communities and the nation. Members of Parliament better reflecting their communities leads to improved decision-making, wider participation and increased levels of ownership of decisions taken.

Proportional Representation would also end minority rule. In 2019, 43.6% of the vote produced a Government with 56.2% of the seats and 100% of the power. Proportional Representation also prevents 'wrong winner' elections such as occurred in 1951 and February 1974.

Proportional Representation is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland, but not for Westminster elections.

This Council therefore resolves to write to the Prime Minister and Woking's Member of Parliament calling for a change in our outdated electoral laws to enable Proportional Representation to be used for future General Elections."

The Executive had supported the motion and the Leader of the Council, Councillor Barker, introduced the recommendation, outlining the key elements of proportional representation. Councillor Johnson moved and Councillor Aziz seconded an amendment to add the words "and Local" after the word "General" in the final paragraph, with the paragraph to read: "This Council therefore resolves to write to the Prime Minister and Woking's Member of Parliament calling for a change in our outdated electoral laws to enable Proportional Representation to be used for future General and Local Elections."

The Members of the Council debated the merits of proportional representation, arguing for and against the changes in political representation it would bring about. Councillor Barker responded to the points raised during the debate before the motion, as amended, was put to a vote.

In accordance with Standing Order 10.8 the names of Members voting for and against the motion, including the amendment, were recorded.

In favour: Councillors H Akberali, T Aziz, A-M Barker, A Boote, G Cosnahan, W Forster, P Graves, I Johnson, D Jordan, A Kirby, R Leach, L Lyons, L Morales, J Morley, E Nicholson, S Oades, M I Raja, D Roberts and J Sanderson and T Spencer.

Total in favour: 18

Against: Councillors A Azad, J Brown, K Davis, S Dorsett, G Elson and C Kemp.

Total against: 6

Present not voting: The Mayor, Councillor S Hussain.

Total present not voting: 1

The recommendation to support the motion as amended was therefore carried by 20 votes in favour to 6 votes against.

RESOLVED

That the motion, as amended below, be supported.

“The Council notes that Belarus and the United Kingdom are the only European countries that use First Past the Post for their national elections.

This Council believes that Proportional Representation ensures all votes count, have equal value, and those seats won match votes cast. Under Proportional Representation, Parliaments better reflect the age, gender and protected characteristics of local communities and the nation. Members of Parliament better reflecting their communities leads to improved decision-making, wider participation and increased levels of ownership of decisions taken.

Proportional Representation would also end minority rule. In 2019, 43.6% of the vote produced a Government with 56.2% of the seats and 100% of the power. Proportional Representation also prevents ‘wrong winner’ elections such as occurred in 1951 and February 1974.

Proportional Representation is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland, but not for Westminster elections.

This Council therefore resolves to write to the Prime Minister and Woking’s Member of Parliament calling for a change in our outdated electoral laws to enable Proportional Representation to be used for future General and Local Elections.”

8b. Animal Welfare Policy EXE22-023

Councillor Lyons, Portfolio Holder for Licensing, introduced the recommendation of the Executive in respect of the revised Animal Welfare Responsibilities Guidance document. The document set out guidance on animal welfare for residents, signposting organisations which were responsible for animal welfare and licensing.

The recommendation was welcomed by the Members of the Council, noting that the document would be published on the Council’s website if agreed. The Portfolio Holder addressed the points raised during the debate before the Mayor directed the Members to the recommendation before them.

RESOLVED

That the Council’s revised Animal Welfare Responsibilities Guidance document be agreed.

9. NOTICES OF MOTION.

Councillor J Morley

The following motion was moved by Councillor Morley and seconded by Councillor Kirby and referred to the Executive on 17 November 2022 in accordance with Standing Order 5.7.

“This Council notes that:

1. The pressure on organisations to pay their fair share of tax has never been stronger.
2. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
3. Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.
4. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens.
5. It has been conservatively estimated that losses from multinational profit-shifting (just one form of tax avoidance) could be costing the UK some £17 billion per annum in lost corporation tax revenues.
6. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.

This Council believes that:

1. Paying tax is often presented as a burden, but it should not be.
2. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
3. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct; be that by ensuring contractors are paying their proper share of tax, or by refusing to go along with offshore tax dodging when buying land and property.
4. Where councils hold substantive stakes in private enterprises, influence should be wielded to ensure that such businesses are exemplars of tax transparency and tax avoidance is shunned.
5. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils’ ability to either penalise poor tax conduct (as exclusion grounds are rarely triggered) or reward good tax conduct, when buying goods or services.
6. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

The Council recognises the importance of delivering the Council’s Key Priorities for the residents of Woking whilst acting within the confines of the law and balancing the budget. With this in mind, the Council resolves to:

1. Support the Councils for Fair Tax Declaration.

2. This commits the Council to promoting responsible tax conduct through:
 - Leading by example and demonstrating good practice in our tax conduct, right across the Council's activities.
 - Ensure IR35 is implemented robustly and contract workers pay a fair share of employment taxes.
 - Discouraging the use of offshore vehicles for the purchase of land and property, especially where this leads to reduced payments of stamp duty.
 - Undertaking appropriate due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers as an artificial device to reduce the payment of tax and if necessary take appropriate action within the confines of the procurement regime.
 - Seeking clarity, when appropriate, on the ultimate beneficial ownership of major suppliers UK and overseas and their consolidated profit and loss position, given lack of clarity could be strong indicators of poor financial probity and weak financial standing.
3. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
4. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
5. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies."

The meeting commenced at 7.00 pm
and ended at 8.47 pm

Chairman: _____

Date: _____