

MINUTES
OF A MEETING OF THE
BOROUGH COUNCIL OF WOKING

held on 1 December 2022

Present:

Cllr S Hussain (Chairman)

Cllr M I Raja (Vice-Chair)

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 A Caulfield	Cllr J P Morley
Cllr G T Cosnahan	Cllr E Nicholson
Cllr K M Davis	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	Cllr M A Whitehand
Cllr D M C Jordan	

Absent: Councillors H Akberali, M Ali and G W Elson.

1. APOLOGIES FOR ABSENCE.

Apologies for absence had been received from Councillor H Akberali, Councillor M Ali and Councillor G Elson.

2. MINUTES.

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 13 October 2022 be approved and signed as a true and correct record.

3. MAYOR'S COMMUNICATIONS.

The Mayor reported on the events he had attended following the previous meeting of Council, including three birthday parties for residents celebrating their 103rd, 102nd and 80th birthdays. The Christmas lights in Byfleet and the Town Centre had been switched on, with the Town Centre dominated by the Christmas tree donated by the Asian Business Forum.

A gala had been held to mark the 50th anniversary of Transform Woking, a charitable initiative which supported vulnerable people in housing need. The Mayor had visited

residents with the Community Meals Service, and reported that the service provided a wide range of support and engagement with the residents.

A very successful Remembrance Day Service had been held in the Town Centre, followed by a service at the Brookwood Military Cemetery.

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. ARMED FORCES COVENANT WBC22-031.

The Council had before it a report on the Woking Armed Forces Covenant which proposed that the significant progress made by the Council in supporting the armed forces should be noted and that a revised Covenant should be signed, marking ten years since the Council first entered into the Covenant.

The Mayor welcomed to the meeting Major Thomas Wallis RLC, Regimental Second in Command, Headquarter Regiment, Alexander Barracks at the Pirbright Army Training Centre, and Debbie Goldsmith, Civil Engagement Officer at the Centre.

The revised Covenant would have the effect of further strengthening the Council's relationship and commitment to the Army Training Centre, the Armed Forces and its communities. Councillor Forster, the Council's Armed Forces Champion, welcomed the

revised Covenant and spoke of the achievements the partnership with the Pirbright Army Training Centre had led to.

The Council welcomed the report and the Mayor and Major Wallis signed the revised Covenant.

RESOLVED

That (i) the significant progress the Council has made in supporting the Armed Forces in Woking be noted; and

(ii) the revised Armed Forces Covenant be signed.

7. QUESTIONS.

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

8. RECOMMENDATIONS OF THE EXECUTIVE WBC22-028.

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 17 November 2022.

8a. Notice of Motion - Cllr J Morley - Fair Tax EXE22-076

At its meeting on 13 October 2022, the Council had referred the following Notice of Motion of Councillor J Morley to the Executive.

“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 Leader of the Council introduced the recommendation of the Executive to support the motion, welcoming the measures for fair tax initiatives. The concerns of public in the fairness of tax were significant and any measures to reinforce the importance of fair tax, including across the Council’s contractors and suppliers, were to be supported. Councillor Morley spoke in support of his motion, noting that similar measures had been adopted by Councils across the Country in response to growing concerns over the fairness of tax.

The Council debated the proposals within the motion and reservations were expressed over the need for the motion, noting that many of the proposals were ones which the Council already had in place. However, it was felt that the motion would reassure residents and would affirm the Council’s support for fair tax.

Following the debate, the Leader of the Council summarised the key points from the discussion, advising that the motion would set a positive example and was in-line with the wishes of residents. The Members of the Council were asked to indicate whether they wished to support the motion, and the recommendation was carried by twenty votes in favour and no votes against. Seven Councillors abstained from the vote. The names of those voting were not recorded.

RESOLVED

That the Motion be supported.

8b. Victoria Place Update EXE22-054

The Leader of the Council introduced the recommendations of the Executive in respect of Victoria Place. The report considered by the Executive had provided an update on Victoria Place, including around the positive positions of the new retail outlets, the Italia Conti Performing Arts Academy and The Marches residential developments. The development had clearly led to a rejuvenation of the east of the Town Centre. However, the opening of the hotel had been delayed as a result of a failure in the building’s cladding, and it was now expected that the new Hilton Hotel would open by Christmas 2023.

It was explained that the development cost of Victoria Place was £700m. However, the need for further funds had now been identified for the first few years of operation. The funding would be available over a five year period, with the money to be released on receipt of evidence of need. It was emphasised that, without the additional support, there was a likelihood that the Victoria Place development would have to go into administration.

The proposal to provide further funding was debated at length, with concerns expressed over the increase in the level of borrowing to complete the project, recognising that the costs had risen significantly from the original proposals. The positive impact of the retail and leisure units, together with the residential accommodation of The Marches, was emphasised and the Council was reminded that, without the additional funding, the Victoria Place development as a whole was expected to go into administration.

Disappointment was expressed that the cycle scheme suggested in conjunction with the development would no longer be taken forward, though it was noted that the scheme had not been included in the project plans.

The Leader of the Council addressed the points made during the debate before the recommendations were put to a vote in accordance with Standing Order 10.8. The names of Members voting for and against the recommendations, were recorded as follows:

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

Total in favour: 19

Against: None.

Total against: 0

Present not voting: The Mayor, Councillor S Hussain, and Councillors A Azad, J Brown, K Davis, S Dorsett, C Kemp, S Oades and M Whitehand.

Total present not voting: 8

The recommendations were therefore carried by 19 votes in favour, with no votes against.

RESOLVED

- That (i) the work to date on the delivery of the regeneration project, to support its completion and the next stages of the regeneration of the town centre, be noted;
- (ii) a revolving loan facility of £745m be approved, representing an increase of £45m to the £700m revolving loan facility approved in February 2021; and
- (iii) the development budget be retained at £700m with a reduced scope to exclude elements of the February 2021 approval including the Lockfield Drive pedestrian and cycle bridge, Victoria Way central reservation landscaping and Export House Building Maintenance Unit (BMU) to enable conclusion of the final account with Sir Robert McAlpine.

8c. Woking Strategic Partnerships EXE22-059

The Executive had considered a framework for working with partners following the County Council's decision to end the Woking Joint Committee arrangements. The Leader of the Council explained that a Woking Strategic Partnership Board would be established to lead on improving outcomes for residents on issues where joint working was essential. Key areas to be covered by the Board included climate change, infrastructure delivery, improving health outcomes and keeping residents safe.

It was further proposed to establish a Place Board which would be responsible for driving the economy, involving the larger employers in the Borough. The third strand of the proposals within the Executive report dealt with the Government's Levelling Up White Paper, and the County Council's ambitions to bid for a Level 2 County Deal which would see more powers devolved from Government to Surrey County Council. Whilst discussions were ongoing, it was intended by the Borough and District Authorities to seek the devolution of key powers from the County Council and the report noted the positive work undertaken to-date.

Reference was made to the proposal within the report for major Community Infrastructure Levy (CIL) applications to be determined by the Executive, whilst applications for sums under £10,000 would be determined by a newly established cross-party Group. Councillor Azad proposed that all CIL applications should be determined by the new Group and accordingly moved the following amendment to recommendation (v) before Council. The motion was seconded by Councillor Kemp.

“(v) from the start of the Municipal Year 2023/24, a new party-proportional Community Infrastructure Levy (CIL) Committee be created with delegation to determine all of the allocation and spend of CIL Neighbourhood funds.”

The Mayor invited Members to debate the amendment. A concern was expressed that the amendment would lead to a lack of transparency if the CIL Group meetings were held in private. It was argued, however, that the meetings could be held in public. The Leader of the Council sought to address the points raised, noting that Members of the Opposition would be able to attend meetings of the Executive at which the larger CIL applications would be determined. It was also emphasised that the determination of CIL applications could not be considered political in nature.

The amendment was put to a vote in accordance with Standing Order 10.8 and the names of Members voting for and against the amendment were recorded as follows:

In favour:	Councillors A Azad, J Brown, K Davis, S Dorsett, C Kemp, and M Whitehand.
Total in favour:	6
Against:	Councillors A-M Barker, A Boote, A Caulfield, G Cosnahan, W Forster, P Graves, I Johnson, D Jordan, A Kirby, R Leach, L Lyons, L Morales, J Morley, E Nicholson, S Oades, D Roberts, J Sanderson and T Spencer.
Total against:	18
Present not voting:	The Mayor, Councillor S Hussain, and Councillors T Aziz and M I Raja,

Total present not voting: 3

The motion was therefore lost by 6 votes in favour and 18 votes against.

The Mayor referred the Members to the recommendations from the Executive and in accordance with Standing Order 10.8 the recommendations were put to a vote. The names of Members voting for and against the recommendations were recorded as follows:

In favour: Councillors T Aziz, A-M Barker, A Boote, A Caulfield, 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, J Sanderson and T Spencer.

Total in favour: 20

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

Total against: 6

Present not voting: The Mayor, Councillor S Hussain.

Total present not voting: 1

The recommendations of the Executive were therefore carried by 20 votes in favour and 6 votes against.

RESOLVED

That (iii) the positive work underway to pursue a County Deal for Surrey be noted;

(iv) the current Woking Joint Committee arrangements for small scale neighbourhood Community Infrastructure Levy (CIL) and the Health and Wellbeing Task Group and the Community Safety Task Group will continue to the end of March 2023, and that CIL Neighbourhood funds to a value over £10k will be approved by the Executive; and

(v) from the start of the Municipal Year 2023/24, a new Community Infrastructure Levy (CIL) Committee be created with delegation to determine of the allocation and spend of small scale CIL Neighbourhood funds to the value up to £10k.

8d. Review of Fees and Charges 2023-24 EXE22-062

The Mayor referred the Council to the recommendations of the Executive in respect of the fees and charges for the coming year. In doing so, the Mayor advised that a supplementary paper had been published earlier in the week which had set out a revised Appendix 4 and an amended recommendation (i).

Councillor Roberts, Portfolio Holder for Finance, introduced the recommendations of the Executive in respect to the 2023/34 fees and charges. The financial position of the Council

was such that charges could not continue to be kept low and that increases would have to go above the level of inflation, recognising the disproportionate increases in costs such as energy. The approach adopted would seek to be fair and equitable, and affordable for the residents of the Borough whilst maintaining the Council's social responsibility. All local authorities were facing similar financial pressures, the result of a number of factors including the war in Ukraine, the Covid-19 pandemic and the economic downturn.

During the debate, a number of concerns were voiced over the size of some of the increases in the fees and charges, affecting some of the key services for elderly and disabled residents and impacting on the evening economy. A number of examples were given, including a 20% increase in the Careline service, and significant increases for the Community Meals Service, parking charges and other services. The proposed introduction of a fee for the use of Electric Vehicle charging points was generally supported, though it was suggested that the Council should seek to use the same system adopted by Surrey County Council.

The Portfolio Holder responded to the points raised and emphasised that many of the concerns were shared. However, the Council had a responsibility to deliver a balanced budget for the coming year and the fees and charges would be key in achieving that while enabling the Council to maintain its services. The Council would continue to support those residents in highest need.

Following the debate, the Mayor referred the Members to the recommendations from the Executive and in accordance with Standing Order 10.8 the recommendations were put to a vote. The names of Members voting for and against the recommendations were recorded as follows:

In favour:	Councillors A-M Barker, A Caulfield, G Cosnahan, W Forster, P Graves, I Johnson, A Kirby, R Leach, L Lyons, L Morales, J Morley, E Nicholson, D Roberts and J Sanderson.
Total in favour:	14
Against:	Councillors A Azad, J Brown, K Davis, S Dorsett, C Kemp, M I Raja, and M Whitehand.
Total against:	7
Present not voting:	The Mayor, Councillor S Hussain, and Councillors T Aziz, A Boote, D Jordan, S Oades and T Spencer
Total present not voting:	6

The recommendations of the Executive were therefore carried by 14 votes in favour and 7 votes against.

RESOLVED

- That (i) the discretionary fees and charges, as set out in Appendices 1 – 3 of the report received by the Executive and the amended Appendix 4 attached to supplementary report before the Council, be approved;

- (ii) delegated authority be given to the Green Infrastructure Manager and Strategic Director - Place, in consultation with the Greener Woking and Planning and Regulation Portfolio Holders, to finalise the proposed street naming and numbering fees before implementing these from 1 April 2023;
- (iii) delegated authority be given to the Strategic Director – Place, in consultation with the Portfolio Holder for Planning and Regulation, to revise charges for the stray dogs service following the commencement of the new service contract to be effective from 1 January 2023; and
- (iv) delegated authority be given to the Strategic Director – Place, in consultation with the Portfolio Holder for Planning and Regulation, to agree charging fees in respect of electric vehicle charging.

8e. Calendar of Meetings 2023-24 EXE22-063

The Council was invited to agree the calendar of meetings for the 2023/24 municipal year.

RESOLVED

That the Calendar of Meetings 2023/24 be approved as set out in Appendix 1 to the report.

9. NOTICES OF MOTION.

Three notices of motion had been received from Councillors in accordance with Standing Order 5.0.

9a. Cllr S Dorsett - Renaming of Henry Plaza.

Councillor S Dorsett

The following motion was moved by Councillor Dorsett and seconded by Councillor Brown and referred to the Executive on 19 January 2023 in accordance with Standing Order 5.7.

“The passing of Her Majesty Queen is one of the most important events in our lifetime. Many Woking residents, including current and former Councillors, made the journey to Westminster to pay tribute by “Queuing for the Queen”. Our own events over that week, including the Proclamation of the new King, and the moment of National Reflection, were extremely well attended by Woking residents, and Jubilee Square was fill to capacity. Given the strength of feeling Woking residents clearly have for the Royal Family and especially to the memory of Her Majesty the Queen, we are proposing a permanent tribute to Her Majesty. With that in mind it is proposed we rename Henry Plaza, the newest part of the Victoria Place, to Queen Elizabeth II Plaza.

Given that the Plaza opened in March of this year, the same year of her Platinum Jubilee and her untimely passing, it feels right in this year we can commemorate her memory with this tribute. Few residents are aware of the reasoning behind the current name of Henry

Plaza. But having it be named Queen Elizabeth II Plaza, along with Jubilee Square and the Victoria Place itself, feels thematically constant. This tribute will reflect the love and admiration for her felt by our Woking community.”

9b. Cllr S Dorsett - Minutes of Council Meetings.

Councillor S Dorsett

The following motion was moved by Councillor Dorsett and seconded by Councillor Brown and referred to the Executive on 19 January 2023 in accordance with Standing Order 5.7.

“Openness and Transparency are vital to the workings of this Council. Therefore the minutes of Full Council should adequately reflect members supplementary questions to the Leader and the Executive.

At present Councillor Questions to Full Council are recorded with the written answers given 5 as a printed document. However supplementary questions and answers are not minuted.

This means the only way for our residents to understand the supplementary question and subsequent answer is to watch the meeting from the webcast.

We want to make it as easy as possible for our residents to engage with the work we as a council do therefore moving forwards this Council resolves to include in the minutes all Supplementary Questions from members, along with the answers given. This will allow our residents to better understand and follow how the Executive is held to account by members.”

Councillor Dorsett advised the Council that he would withdraw the motion in the event it was addressed through the review of the Constitution.

9c. Cllr W Forster - Community Diagnostic Hub.

Councillor W Forster

The following motion was moved by Councillor Forster and seconded by Councillor Nicholson and referred to the Executive on 19 January 2023 in accordance with Standing Order 5.7.

“This Council notes that our residents’ closest diagnostic centres are currently in Ashford, Chertsey and Guildford. At present Woking residents often have to travel outside the Borough for medical tests or a diagnosis.

This Council warmly welcomes and fully supports the decision to open a community diagnostic centre at Woking Community Hospital. The planned expansion of a diagnostic hub in Woking is in line with the NHS Long Term Plan will provide a local, accessible service for our residents. The Council recognises that access to the new services has the potential to improve our residents quality of life and may help to save lives.

This Council believes that the decision to open a strategic community diagnostic hub in Woking is a clear example of this authority’s close working relationship with our key partners, especially Ashford and St Peters NHS Trust, Surrey Heartlands Integrated Care Board and CSH.

The meeting commenced at 7.00 pm
and ended at 10.10 pm

Chairman: _____

Date: _____