



## COUNCIL

**9 February 2023**

To: The Mayor and Members of  
WOKING BOROUGH COUNCIL

### SUMMONS TO A MEETING

You are hereby summoned to attend an ORDINARY MEETING of the COUNCIL to be held in the Council Chamber, Civic Offices, Gloucester Square, Woking on THURSDAY, THE NINTH DAY OF FEBRUARY 2023 at 7.00 pm to transact the business specified in the agenda overleaf.

JULIE FISHER  
Chief Executive

Civic Offices,  
Woking

NOTE: Filming Council Meetings

Please note the meeting will be filmed and will be broadcast live and subsequently as an archive on the Council's website ([www.woking.gov.uk](http://www.woking.gov.uk)). The images and sound recording will also be used for training purposes within the Council. Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed.



# AGENDA

Prior to the commencement of business, Venerable Ronnapop Jotilapho, from the Monastic Temple at Brookwood, Woking will say prayers.

## 1. APOLOGIES FOR ABSENCE.

## 2. MINUTES.

To approve the minutes of the meeting of the Council held on 1 December 2022, as published.

## 3. MAYOR'S COMMUNICATIONS.

## 4. URGENT BUSINESS.

To consider any business which the Chairman rules may be dealt with under Section 100B(4) of the Local Government Act 1972.

## 5. DECLARATIONS OF INTEREST. (Pages 5 - 6)

- (i) To receive declarations of disclosable pecuniary and other interests from Members in respect of any item to be considered at the meeting.
- (ii) In accordance with the Officer Employment Procedure Rules, the Chief Executive, Julie Fisher, declares a disclosable personal interest (non-pecuniary) in any items concerning the companies of which she is a Council-appointed director. The companies are listed in the attached schedule. The interests are such that Mrs Fisher may advise on those items.
- (iii) In accordance with the Officer Employment Procedure Rules, the Strategic Director - Corporate Resources, Kevin Foster declares a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he is a Council-appointed director. The companies are listed in the attached schedule. The interests are such that Mr Foster may advise on those items.
- (iv) In accordance with the Officer Employment Procedure Rules, the Strategic Director - Place, Giorgio Framalico, declares a disclosable personal interest (non-pecuniary) in any items concerning the companies of which he is a Council-appointed director. The companies are listed in the attached schedule. The interests are such that Mr Framalico may advise on those items.
- (v) In accordance with the Officer Employment Procedure Rules, the Strategic Director - Communities, Louise Strongitharm, declares a disclosable personal interest (non-pecuniary) in any items concerning the companies of which she is a Council-appointed director. The companies are listed in the attached schedule. The interests are such that Mrs Strongitharm may advise on those items.

**6. QUESTIONS.**

To deal with written questions submitted by Members under Standing Order 8.1. The questions and the draft replies (which are subject to amendment by the Leader of the Council) will be published before the meeting.

**7. RECOMMENDATIONS OF THE EXECUTIVE WBC23-009. (Pages 7 - 10)**

To receive and consider recommendations from the Executive.

7a Empty Homes Plan EXE22-049

7b Notice of Motion - Cllr S Dorsett - Renaming of Henry Plaza EXE23-018

7c Notice of Motion - Cllr S Dorsett - Minutes of Council Meetings EXE23-019

7d Notice of Motion - Cllr W Forster - Community Diagnostic Centre in Woking EXE23-020

**8. ALLOCATION OF POLLING PLACES WBC23-007. (Pages 11 - 16)**

**9. APPOINTMENTS TO COMMITTEES 2022-23 WBC23-006. (Pages 17 - 18)**

**10. APPOINTMENT OF STATUTORY OFFICER WBC23-008. (Pages 19 - 24)**

**11. NOTICES OF MOTION.**

To deal with any motions received in accordance with Standing Order 5.0. Any motions received before the deadline has passed for the receipt of motions will be published in advance of the meeting.

AGENDA ENDS

Date Published - 1 February 2023

Note: At the close of the meeting the Worshipful the Mayor, Councillor Hussain, would like to invite the following to join him in the parlour:-

Councillors Ali, Azad, Aziz, Barker, Boote, Caulfield, Davis, Dorsett, Elson, Graves, Johnson, Kemp, Kirby, Leach, Lyons, Morales, Oades and Raja, Claire Storey (Independent Co-Opted Member and Tim Stokes (Independent Person) together with Officers attending the meeting.

## Schedule Referred to in Declaration of Interests

### Council-appointed directorships

<b>Julie Fisher, Chief Executive</b>	
Brookwood Cemetery Limited	Thameswey Guest Houses Limited
Brookwood Park Limited	Thameswey Housing Limited
Energy Centre for Sustainable Communities Ltd	Thameswey Limited
Rutland Woking (Carhouse Lane) Limited	Thameswey Maintenance Services Limited
Rutland Woking (Residential) Limited	Thameswey Solar Limited
Rutland (Woking Limited)	Thameswey Sustainable Communities Limited
Thameswey Central Milton Keynes Limited	VSW Hotel Limited
Thameswey Developments Limited	Victoria Square Residential Limited
Thameswey Energy Limited	Victoria Square Woking Limited
Woking Necropolis and Mausoleum Limited	

<b>Kevin Foster, Strategic Director – Corporate Resource</b>	
Brookwood Cemetery Limited	Thameswey Housing Limited
Brookwood Park Limited	Thameswey Limited
Energy Centre for Sustainable Communities Ltd	Thameswey Maintenance Services Limited
Thameswey Central Milton Keynes Limited	VSW Hotel Limited
Thameswey Energy Limited	Victoria Square Residential Limited
Thameswey Guest Houses Limited	Victoria Square Woking Limited
Woking Necropolis and Mausoleum Limited	

<b>Giorgio Framalitto, Strategic Director - Place</b>	
Brookwood Cemetery Limited	Thameswey Developments Limited
Brookwood Park Limited	Thameswey Energy Limited
Export House Limited	Thameswey Limited
LAC 2021 Limited (Dormant)	Thameswey Solar Limited
Kingfield Community Sports Centre Limited	Thameswey Sustainable Communities Limited
Thameswey Central Milton Keynes Limited	Woking Necropolis and Mausoleum Limited
Woking Shopping Limited	

<b>Louise Strongitharm, Strategic Director – Communities</b>	
Rutland Woking (Carhouse Lane) Limited	Thameswey Developments Limited
Rutland Woking (Residential) Limited	Thameswey Guest Houses Limited
Rutland (Woking) Limited	Thameswey Housing Limited
Thameswey Limited	



COUNCIL – 9 FEBRUARY 2023

## RECOMMENDATIONS OF THE EXECUTIVE

### Executive Summary

The Council is invited to consider the recommendations from the meetings of the Executive held on 8 December 2022 and 19 January 2023. The extracts from the minutes of the Executive are set out in this report.

## THE EXECUTIVE – 8 DECEMBER 2022

### 8A. EMPTY HOMES PLAN EXE22-049

Councillor Johnson, Portfolio Holder for Housing, introduced the report which sought approval of the Executive to recommend to Council the adoption of the Empty Homes Plan 2022 – 2027. It was explained that the Plan set out the Council's three strategic priorities to reduce the number of empty homes in the Borough. The Plan also detailed how the Council would work to prevent properties becoming 'long-term' empty and how it would bring back into use homes that had been previously left empty. Councillor Johnson highlighted that an Empty Homes Working Group had been established in 2021, attended by representatives from teams across the Council, to discuss the top ten cases of concern. It was noted that public consultation had been undertaken and the Housing Task Group had been consulted on the Plan.

Councillor Dorsett, Shadow Housing Portfolio Holder, raised a number of questions regarding the report, including availability of a Ward breakdown of the 729 long term empty homes identified in the report, the number of premium empty homes, the rate of empty home Council Tax premium, success metrics, and use of the Empty Homes Grant. Councillor Johnson responded to the points raised and highlighted that the figures in the report related to October 2021. Councillor Johnson undertook to ask Officers to compile a Ward breakdown of current long term empty homes for circulation to the Executive and Councillor Dorsett. It was noted that lists of empty homes in their own Wards had previously been circulated to Councillors. In regard to success metrics, it was noted that the Green Book set a target of 40 empty homes brought back into use through Council intervention per annum. The Executive heard that the Empty Homes Grant had been very rarely used and therefore, it was proposed that it be removed for 2023/24.

The Executive welcomed the initiatives set out in the report to reduce the number of empty homes within the Borough, such as the Let's Rent Scheme, and acknowledged the work undertaken previously by the Overview and Scrutiny Committee on the issue. The Leader encouraged everyone to contact the Council if they had any information on empty homes given the desperate need for housing in the Borough.

### **RECOMMENDED to Council**

- That (i) **the Empty Homes Plan 2022 – 2027, as set out in Appendix 1 to the report, be adopted; and**
- (ii) **the Strategic Director - Communities be delegated authority to make minor amendments to the Empty Homes Plan in consultation with the Portfolio Holder for Housing.**

**Reason: To provide a transparent framework for the Council to bring empty homes back in to use.**

**THE EXECUTIVE – 19 JANUARY 2023**

**8B. NOTICE OF MOTION - CLLR S DORSETT - RENAMING OF HENRY PLAZA EXE23-018**

At its meeting on 1 December 2022, the Council referred the following Notice of Motion to the Executive.

Councillor S Dorsett

“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.”

Councillor Dorsett attended the meeting and spoke in support of the Motion. Although supportive of the sentiment of the Motion, the Executive was of the opinion that it would be more appropriate to name somewhere new in honour of Queen Elizabeth II. It was noted that Henry Plaza had been named in honour of Henry Cawsey, a distinguished and influential local figure. The Executive was advised that the Leader had asked Officers to progress a plaque to be displayed in the Plaza on Henry Cawsey. It was suggested that surviving relatives of Henry Cawsey could be invited to its unveiling. Alternative locations which could be named in honour of Queen Elizabeth II were invited by Members for consideration by Officers.

**RECOMMENDED to Council**

**That the Motion be not supported.**

**8C. NOTICE OF MOTION - CLLR S DORSETT - MINUTES OF COUNCIL MEETINGS EXE23-019**

At its meeting on 1 December 2022, the Council referred the following Notice of Motion to the Executive.

Councillor S Dorsett

“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.



## Recommendations of the Executive

At present Councillor Questions to Full Council are recorded with the written answers given 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 spoke in support of the Motion. The Executive was supportive of the Motion, noting that providing written answers to supplementary questions would further openness and transparency of Council meetings. In order to reduce the burden upon Democratic Services, it was agreed that minutes of the meeting should be drafted as a priority and answers to supplementary questions should be drafted separately. Following discussion, it was felt that the timescale for minuting supplementary questions should be by the next Ordinary Council meeting. Public Questions to the Executive were highlighted, and it was agreed that the Motion should be amended before Council on 9 February 2023 to also include the minuting of supplementary questions at Executive.

### **RECOMMENDED to Council**

#### **That the Motion, to be amended to include Public Questions to the Executive, be supported.**

The Executive recommended that the motion should be expanded to include reference to the minutes of the Executive, ensuring that questions from Members of Public received at meetings of the Executive are minuted. Accordingly, it is proposed that the motion should be amended as follows (additional wording is highlighted):

“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 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. **Furthermore, the Council resolves to include in the minutes of the Executive all public questions, supplementary questions and the answers given at meetings of the Executive.”**

**8D NOTICE OF MOTION - CLLR W FORSTER - COMMUNITY DIAGNOSTIC CENTRE IN WOKING EXE23-020**

At its meeting on 1 December 2022, the Council referred the following Notice of Motion to the Executive.

Councillor W Forster

“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.”

Councillor Forster spoke in support of the Motion. The Executive welcomed the Motion, noting the Council’s important partnership work with key partners to bring forward a planned expansion at Woking Community Hospital to provide a diagnostic hub for the benefit of residents of Woking. The Executive further welcomed that the decision to open a community diagnostic centre at Woking Community Hospital would provide diagnostic facilities to residents locally and would reduce the need for Woking residents to travel to Ashford. Councillor Forster informed the Executive that the proposed development would increase parking pressures at Woking Community Hospital. Therefore, Officers had been asked to consider how the Council could help NHS service delivery by offering parking permits at a public sector rate in its car parks.

**RECOMMENDED to Council**

**That the Motion be supported.**

The Council has the authority to determine the recommendations set out above.

<b>Background Papers:</b>	None.
<b>Reporting Person:</b>	Julie Fisher, Chief Executive Email: julie.fisher@woking.gov.uk, Extn: 3333
<b>Contact Person:</b>	Frank Jeffrey, Head of Democratic Services Email: frank.jeffrey@woking.gov.uk, Extn: 3012
<b>Portfolio Holder:</b>	Councillor Ann-Marie Barker Email: cllrann-marie.barker@woking.gov.uk
<b>Shadow Portfolio Holder:</b>	Councillor Ayesha Azad Email: cllrayesha.azad@woking.gov.uk
<b>Date Published:</b>	1 February 2023

REPORT ENDS

COUNCIL – 9 FEBRUARY 2023

## ALLOCATION OF POLLING PLACES

### Executive Summary

The Council is responsible for the designation of polling places across the Borough and must comply with the following access requirements for all polling places;

- ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.

Following the 5 May 2022 election and the Elections Act 2022 proposal to implement measures to improving accessibility at elections, a review was undertaken by the Council's (Acting) Returning Officer/Electoral Registration Officer. The focus of this review was the evaluation of the suitability of three polling places currently used within the Borough.

The three existing polling places are:

- Oaktree School on Gorsewood Road (St John's West polling district (K1) in the St John's Ward)
- Barnsbury Primary School and Nursery on Almond Avenue (Barnsbury polling district (D5) in the Heathlands Ward)
- The Lightbox on Chobham Road (Town Centre polling district (B1) and Town Centre North polling district (B2) in the Canalside Ward)

The Council is now recommended to agree the designation of three new polling places, to take effect in advance of the 2023 Borough elections. The proposed polling places are:

- Sutton Avenue, St John's West polling district in the St John's Ward
- The Lighthouse Barnsbury, Barnsbury polling district in the Heathlands Ward
- The Welcome Church, Town Centre/Town Centre North polling district in the Canalside Ward

### Recommendations

The Council is requested to:

**RESOLVE That** the designation of the following sites as polling places be agreed:

- Sutton Avenue, St John's West polling district in the St John's Ward;
- The Lighthouse Barnsbury, Barnsbury polling district in the Heathlands Ward; and
- The Welcome Church, Town Centre/Town Centre North polling district in the Canalside Ward.

The Council has the authority to determine the recommendation set out above.

**Background Papers:** None.

**Reporting Person:** Julie Fisher, Chief Executive and (Acting) Returning Officer  
Email: julie.fisher@woking.gov.uk, Extn: 3333

**Contact Person:** Frank Jeffrey, Head of Democratic Services  
Email: frank.jeffrey@woking.gov.uk, Extn: 3012

**Portfolio Holder:** Councillor Ann-Marie Barker  
Email: cllrann-marie.barker@woking.gov.uk

**Shadow Portfolio Holder:** Councillor Ayesha Azad  
Email: cllrayesha.azad@woking.gov.uk

**Date Published:** 1 February 2023

### 1.0 Introduction

- 1.1 The Council is responsible for the designation of polling places across the Borough. A polling place is defined as:

“The building or area in which polling stations will be selected by the (Acting) Returning Officer. A polling place within a polling district must be designated so that polling stations are within easy reach of all electors from across the polling district.”

- 1.2 A polling station is the room or area within the polling place where voting takes place. Unlike polling districts and polling places which are fixed by the local authority, polling stations are chosen by the relevant Returning Officer for the election.

- 1.3 Following the 5 May 2022 election and the Elections Act 2022 proposal to implement measures to improving accessibility at elections, a review was undertaken by the Council's (Acting) Returning Officer/Electoral Registration Officer. The focus of this review was the evaluation of the suitability of three polling places currently used within the Borough.

#### Identifying a Suitable Polling Place

- 1.4 Local authorities must comply with the following legislative requirements regarding the designation of polling districts and polling places:
- the council must designate a polling place for each polling district, unless the size or other circumstances of a polling district are such that the situation of the polling stations does not materially affect the convenience of the electors
  - the polling place must be an area in the district, unless special circumstances make it desirable to designate an area wholly or partly outside the district (for example, if no accessible polling place can be identified in the district)
  - the polling place must be small enough to indicate to electors in different parts of the district how they will be able to reach the polling station Accessibility
- 1.5 Local authorities must also comply with the following access requirements. As part of the review, they must:
- seek to ensure that all electors in a constituency in the local authority area have such reasonable facilities for voting as are practicable in the circumstances
  - seek to ensure that so far as is reasonable and practicable every polling place for which it is responsible is accessible to electors who are disabled
- 1.6 The Council must have regard to the accessibility to disabled persons of potential polling stations in any place which it is considering designating as a polling place or the designation of which as a polling place it is reviewing.

### 2.0 Existing polling places

- 2.1 The current designated polling place for the St John's West polling district (K1) in the St John's Ward is the Oaktree School on Gorsewood Road. The current designated polling place for the Barnsbury polling district (D5) in the Heathlands Ward is the Barnsbury Primary School and Nursery on Almond Avenue. The following concerns have been received from both school Headteachers and parents over the continued use of these schools as a polling place.
- safeguarding of the children on polling day
  - the impact on the school and its teaching staff
  - disruption to the children's education by the closure of the school

## Allocation of Polling Places

2.2 The current designated polling place for the Town Centre polling district (B1) and Town Centre North polling district (B2) in the Canalside Ward is The Lightbox on Chobham Road. The following accessibility issues to all voters and the financial impact to the Council were identified as part of the review.

- considerable cost incurred of hiring the venue as a polling place
- location and accessibility of the polling place by all electors within the polling district
- lack of parking

### 3.0 Proposed polling places

3.1 Sutton Avenue is part of the Council's independent living scheme. Its residential accommodation is located on the corner of Sutton Avenue/Copley Close which is within a short walking distance of The Oaktree School and is therefore within the St John's West polling district. Sutton Avenue is accessible to electors from Copley Close and Sutton Avenue by foot. It should be noted that disabled access is only accessible via Sutton Avenue.

3.2 Sutton Avenue has a common room available to use as a dual polling station. The common room is situated within a self-contained unit and is a separate facility to any of the other residential accommodation units at Sutton Avenue. On street parking and multiple designated disabled parking bays are available.

3.3 To ensure Sutton Avenue is accessible to all those entitled to attend the polling place a temporary ramp will be required to be installed at the entrance to provide level access on polling day.

3.4 The Lighthouse Barnsbury on Ash Road is located near to The Barnsbury Primary School and Nursery. It is centrally located in the main residential area of the Barnsbury polling district and therefore accessible to the majority of voters by foot.

3.5 The Lighthouse Barnsbury's function room is available for use as a polling station. The Lighthouse Barnsbury is accessible to all electors and has suitable disabled access with the instalment of a widened door entrance and a ramp for use by wheelchair and mobility scooters users.

3.6 There is currently no designated disabled parking bays in the vicinity therefore a temporary bay will be created within the layby directly outside The Lighthouse Barnsbury on polling day.

3.7 The Welcome Church on Church Street West is located within half a mile of The Lightbox, a seven minute walk on foot and is therefore within the Town Centre/Town Centre North polling districts. The Welcome Church is accessible to all electors from Oak's Road where a large car park is available with multiple designated disabled parking bays.

3.8 The Welcome Church has a large auditorium available to use as a polling station. The auditorium is separate to the rest of the Church and can be accessed directly from the car park through automated double doors. Multiple polling stations could be accommodated with ease if required and the Welcome Church is capable of accommodating all voters going into and out of the polling stations even in the event of a high turnout.

### 4.0 Corporate Strategy

4.1 Ensuring that all Polling Stations are fully accessible to all residents of Woking Borough Council is a priority of the (Acting) Returning Officer and the Electoral Commission. The Woking Strategy For All highlights the importance of engagement with all residents of the Borough and the Council will continue to seek to improve access to the electoral process.

## 5.0 Implications

### Finance and Risk

- 5.1 Designating the following premises as the polling place for the respective polling district ensures that all electors in those areas have suitable facilities for voting.
- Sutton Avenue, St John's West polling district
  - The Lighthouse Barnsbury, Barnsbury polling district
  - Welcome Church, Town Centre/Town Centre North polling district

### Equalities and Human Resources

- 5.2 Sutton Avenue, The Lighthouse Barnsbury and the Welcome Church are accessible for all electors in their respective polling districts.
- 5.3 There are no human resource implications associated with these proposals within this report

### Legal

- 5.4 There are no specific legal implications or risks identified within the report.

## 6.0 Engagement and Consultation

- 6.1 The Ward Councillors for the respective polling districts were contacted separately and have confirmed that they are content with the proposed alternative polling places. Furthermore, as part of the review of polling places, the Council has discussed measures that can put in place to improve the voting experience for electors with disabilities such as sight loss. The Chairman of Woking Access Group was consulted on measures the Council could put in place to ensure all electors, regardless of disability, will be able to attend a polling station and vote in person.
- 6.2 The proposals were considered by the Council's Elections Panel at its meeting on 31 January 2023.
- 6.3 As part of a review of a polling place, the local (Acting) Returning Officer must be included as a consultee. The (Acting) Returning Officer has confirmed that she supports the recommendations in this report.

REPORT ENDS





COUNCIL – 9 FEBRUARY 2023

## APPOINTMENTS TO COMMITTEES 2022/23

### Executive Summary

The Leader of the Council has confirmed that Councillor Peter Graves has been appointed to the Executive with effect from 1 January 2023 following the decision of Councillor Rob Leach to stand down from the Executive. Councillor Graves will be responsible for the portfolio area of Greener Woking and has resigned from his positions on the Overview and Scrutiny Committee, the Planning Committee, the Standards and Audit Committee and the Standards Panel. This report proposes the appointment of Councillor Leach to those positions left vacant by the resignations of Councillor Graves.

The appointments do not affect the proportionality of the Committees.

Council is invited to appoint Councillor Rob Leach to the following Committees for the remainder of the 2022/23 Municipal Year:

- The Overview and Scrutiny Committee
- The Planning Committee
- The Standards and Audit Committee\*
- The Standards Panel

\*The Standards and Audit Committee will be asked to appoint a Vice-Chairman for the remainder of the Municipal Year at its next meeting.

Working Groups and Task Group are unaffected by the changes.

### Recommendations

The Council is requested to:

**RESOLVE That** Councillor Leach be appointed to the Overview and Scrutiny Committee, the Planning Committee, the Standards and Audit Committee and the Standards Panel for the remainder of the 2022/23 Municipal Year.

The Council has the authority to determine the recommendation set out above.

<b>Background Papers:</b>	None.
<b>Reporting Person:</b>	Frank Jeffrey, Head of Democratic Services Email: frank.jeffrey@woking.gov.uk, Extn: 3012
<b>Contact Person:</b>	Frank Jeffrey, Head of Democratic Services Email: frank.jeffrey@woking.gov.uk, Extn: 3012
<b>Portfolio Holder:</b>	Councillor Ann-Marie Barker Email: cllrann-marie.barker@woking.gov.uk
<b>Shadow Portfolio Holder:</b>	Councillor Ayesha Azad Email: cllrayesha.azad@woking.gov.uk

**Date Published:** 1 February 2023

REPORT ENDS

COUNCIL – 9 FEBRUARY 2023

## APPOINTMENT OF STATUTORY OFFICERS

### Executive Summary

This report deals with management arrangements resulting from the resignation of the Director of Legal and Democratic Services.

These matters include the appointment of a Deputy Electoral Registration Officer, Data Protection Officer and Monitoring Officer.

### Recommendations

The Council is requested to:

#### RESOLVE That

- (i) Gareth John, Interim Director of Legal and Democratic Services designate, be appointed as Monitoring Officer, Deputy Electoral Registration Officer and Data Protection Officer with effect from 3<sup>rd</sup> April 2023;
- (ii) Kevin Foster, Strategic Director of Corporate Resource, be appointed as Senior Information Risk Owner (SIRO) with immediate effect; and
- (iii) Louise Strongitharm, Strategic Director of Communities, be appointed as Caldicott guardian with immediate effect.

The Council has the authority to determine the recommendations set out above.
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<b>Background Papers:</b>	None.
<b>Reporting Person:</b>	Joanne McIntosh, Director of Legal and Democratic Services Email: joanne.mcintosh@woking.gov.uk, Extn: 3038
<b>Contact Person:</b>	Joanne McIntosh, Director of Legal and Democratic Services Email: joanne.mcintosh@woking.gov.uk, Extn: 3038
<b>Portfolio Holder:</b>	Councillor Ann-Marie Barker Email: cllrann-marie.barker@woking.gov.uk
<b>Shadow Portfolio Holder:</b>	Councillor Ayesha Azad Email: cllrayesha.azad@woking.gov.uk
<b>Date Published:</b>	1 February 2023



**1.0 Introduction**

1.1 Joanne McIntosh, Director of Legal and Democratic Services, leaves the Council’s employment on 2 April 2023. Gareth John, Legal Services Manager, has been appointed Interim Director of Legal and Democratic Services with effect from 3 April 2023.

1.2 This report deals with matters consequential on these changes.

**2.0 Summary of Roles**

Monitoring Officer	The Monitoring Officer has the specific duty to ensure that the Authority, its officers and its Elected Councillors, maintain the highest standards of conduct in all they do. The main duties of the Monitoring Officer are. <ol style="list-style-type: none"> <li>1. To report on matters they believe are, or are likely to be, illegal or amount to maladministration;</li> <li>2. To be responsible for matters relating to the conduct of Councillors and officers; and</li> <li>3. To be responsible for the operation of the Constitution.</li> </ol>
Deputy Electoral Registration Officer (ERO)	Officer appointed to deputise for the Electoral Registration Officer if necessary. The electoral registration officer (ERO) has the statutory duty to compile and maintain the electoral register, which includes conducting the annual canvas.
Data Protection Officer	The primary role of the data protection officer (DPO) is to ensure that the Authority processes the personal data of its staff, customers, providers or any other individuals (also referred to as data subjects) in compliance with the applicable data protection rules.
Senior Information Risk Manager (SIRO)	A SIRO is a professional who has responsibility for implementing and managing information risks within the organisation. The SIRO role is mandatory for public sector organisations and organisations which are contracted to deliver services under the NHS Standard Contract. The SIRO has oversight of information risks within the Authority and will advise on how to mitigate the risk in accordance with the Authority’s risk appetite.
Caldicott Guardian	A Caldicott Guardian is a senior person responsible for protecting the confidentiality of people's health and care information. They make sure that the personal information about those who use the Authority’s services is used legally, ethically and appropriately, and that confidentiality is maintained. Local authorities which provide social services must have a Caldicott Guardian.

**3.0 Deputy Electoral Registration Officer**

3.1 The Chief Executive is formally designated as the Council’s Electoral Registration Officer. As a matter of good practice, the Council should appoint another Officer as Deputy Electoral Registration Officer. It is proposed that this should be Gareth John, Interim Director of Legal and Democratic Services who has management responsibility for the Elections team, is appointed to the role from 3<sup>rd</sup> April 2023.

### 4.0 Monitoring Officer

- 4.1 The Council is required to appoint a Monitoring Officer under Section 5 of the Local Government and Housing Act 1989 to carry out certain statutory functions. These relate to effective governance and ensuring that the Council operates lawfully and fairly in its decision making.
- 4.2 The Director of Legal and Democratic Services is the Council's Monitoring Officer. She has appointed Gareth John as her deputy.
- 4.3 It is recommended that Gareth John be appointed as the Council's Monitoring Officer with effect from 3 April 2023. Gareth John possesses the necessary qualifications and experience to undertake this role.

### 5.0 Data Protection and Information Governance

- 5.1 In order to comply with its obligations under the General Data Protection Regulation (GDPR) and the Data Protection Act 2018, the Council is required to have a Data Protection Officer. Joanne McIntosh was appointed as the Council's Data Protection Officer July 2021. It is recommended that Gareth John be appointed Data Protection Officer with effect from 3<sup>rd</sup> April 2023.
- 5.2 Joanne McIntosh currently holds the position of SIRO and Caldicott Guardian. Although permitted, current guidance recommends that these positions are not held by the same person. It is recommended that Kevin Foster, Strategic Director of Corporate Resource is appointed as SIRO and that Louise Strongitharm, Strategic Director of Communities is appointed as Caldicott Guardian.

### 6.0 Scheme of Delegations

- 6.1 The recent management changes will require the Scheme of Delegations to be updated to reflect where delegations now sit. As there are no changes to the extent of the delegations, the update can be done by the Monitoring Officer.

### 7.0 Conclusion

- 7.1 The above appointments shall ensure that the Council has experienced officers appointed to the roles to ensure continuing oversight and provision of these statutory functions.

### 8.0 Corporate Strategy

- 8.1 Appointments to the statutory roles shall ensure that the Council continues to deliver its priorities.

### 9.0 Implications

#### Finance and Risk

- 9.1 Interim arrangements and support to backfill the post shall be met out of existing budgets.

#### Equalities and Human Resources

- 9.2 There are no specific implications which arise from this report.

#### Legal

- 9.3 Making the appointments recommended in this report will ensure that the Council complies with its legal obligations.

**10.0 Engagement and Consultation**

10.1 Not applicable to the content of the report.

REPORT ENDS

