

MINUTES
OF A MEETING OF THE
EXECUTIVE

held on 18 January 2018

Present:

Cllr D J Bittleston (Chairman)
Cllr A Azad (Vice-Chair)

Cllr A C L Bowes Cllr S Hussain
Cllr Mrs B A Hunwicks Cllr M Pengelly

Also Present: Councillors A-M Barker, K Howard and I Johnson

Absent: Councillors C S Kemp

1. MINUTES

RESOLVED

That the minutes of the meeting of the Executive held on 14 December 2017 be approved and signed as a true and correct record.

2. DECLARATIONS OF INTEREST

In accordance with the Members' Code of Conduct, the Leader of the Council, Councillor D J Bittleston and Councillor Mrs B A Hunwicks declared a non-pecuniary interest in minute item 4 – Protocols of the Thamesway Group of Companies and minute item 7 – Performance and Financial Monitoring Information arising from their positions as Directors of the Thamesway Group of Companies. The interests were such that speaking and voting were permissible.

In accordance with Officer Procedure Rules, the Chief Executive, Ray Morgan, Deputy Chief Executive, Douglas Spinks, Strategic Director, Sue Barham and Head of Democratic and Legal Services, Peter Bryant, declared an interest in minute item 4 – Protocols of the Thamesway Group of Companies and minute item 7 – Performance and Financial Monitoring Information arising from their positions as Directors of the Thamesway Group of Companies. The interest was such that speaking was permissible.

In accordance with Officer Procedure Rules, the Chief Executive, Ray Morgan declared an interest in minute item 7 – Performance and Financial Monitoring Information arising from his position as a Director of Victoria Square Woking Limited. The interest was such that speaking was permissible.

In accordance with Officer Procedure Rules, the Deputy Chief Executive, Douglas Spinks, and Head of Democratic and Legal Services, Peter Bryant, declared an interest

in minute item 7 – Performance and Financial Monitoring Information arising from their positions as Directors of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited. The interests were such that speaking was permissible.

In accordance with Officer Procedure Rules, the Chief Executive, Ray Morgan, and the Deputy Chief Executive, Douglas Spinks, declared an interest in minute item 7 – Performance and Financial Monitoring Information arising from their positions as Directors of Export House Limited. The interests were such that speaking was permissible.

3. NOTICES OF MOTION

At its meeting on 7 December 2017, the Council referred the following Notices of Motion to the Executive.

Councillor W P Forster

“Care leavers have had their childhoods punctuated by instability and trauma, they leave home earlier and have less support than other young people. As a result, care leavers have some of the worse life chances in the country.

A 2016 report by the Children’s Society found that when care leavers move into independent accommodation, they find managing their own finances extremely challenging. With no family to support them and insufficient financial education, care leavers are falling into debt and financial difficulty. The Children’s Society recommends that care leavers should be taken out of Council Tax until they turn 25.

The Children and Social Work Act 2017 places corporate parenting responsibilities on borough and district councils for the first time, requiring them to have regard to children in care and care leavers when carrying out their functions.

To ensure that transition from care to adult life is as smooth as possible and to mitigate the chances of care leavers falling into debt as they begin to manage their own finances, this Council agrees not to charge care leavers under 25 living in Woking Borough any Council Tax from April 2018.

This Council also agrees to look at ways of supporting care leavers further to ensure they fulfil their potential.”

The Executive received the Officer comment and noted that the Council had the power to introduce a discretionary local scheme discount funded by the Council for care leavers, if a charge was still payable after considering statutory schemes. Councillor A-M Barker suggested that information on the discounts available to care leavers were made available in the documentation which was sent out by the Council regarding Council Tax. The Executive was supportive of the Motion and agreed to add the suggestion regarding an addition to Council tax documentation to the reply at Council.

RECOMMENDED to Council

That the Motion be supported.

Councillor K Howard

“With a view to finding a solution to the ongoing problem of roadside litter, officers will

investigate and recommend ways in which the Council can target people who throw litter from vehicles on the public highway.”

Councillor K Howard attended the meeting and spoke in support of the Motion. In particular, Councillor Howard highlighted Littlewick Road, Shores Road and the A320 towards McLaren as being affected by the problem of roadside litter.

The Executive noted that new powers were expected to be available to Local Authorities from April 2018 which would allow councils to issue notices against car registration plates for littering from vehicles. The Executive agreed that Officers would bring a report to the Executive on 22 March 2018 regarding the new powers available to Local Authorities to tackle the problem of roadside litter.

RECOMMENDED to Council

That the Motion be supported.

6. PROTOCOLS OF THE THAMESWEY GROUP OF COMPANIES

The Executive received a report which sought approval of the Executive to recommend to Council the changes to the Protocols of the Thameswey Group of Companies proposed by the Overview and Scrutiny Committee at its meeting on 27 November 2017. The Leader of the Council, Councillor D J Bittleston, thanked Councillor I Johnson and Councillor J Kingsbury for their work on reviewing the Protocols.

Councillor Johnson highlighted two amendments to the Protocols. The first amendment was a consequential change following the deletion of Part 1 (public) and Part 2 (press and public excluded) arrangements for Thameswey Board papers. It was explained that, as Board papers would only be provided to Members who had signed a Non Disclosure Agreement, all Board papers would be Part 2. Therefore, Councillor Johnson proposed that paragraph 22 concerning website communication on page 12 of Appendix 2 be removed as it would not be possible to publish any Board papers on the Thameswey Group website.

The second amendment proposed by Councillor Johnson was to paragraph 10 on page 5 of Appendix 2 concerning use of the Thameswey brand. Councillor Johnson proposed that the first sentence of the second paragraph be amended to read “The brand should be used consistently in all published material and communications”.

The Executive agreed the amendments to the Protocols put forward by Councillor Johnson. Officers advised that once the Protocols had been formally adopted by Council, each Thameswey Board would be advised of the new Protocols at their next meeting.

Following a question regarding Councillor access to Thameswey meetings and decisions, it was confirmed that Councillors who signed a Non Disclosure Agreement would receive agendas and minutes of respective Thameswey meetings.

RECOMMENDED to Council

That the revised Protocols of the Thameswey Group of Companies, as set out in Appendix 2 to the report, and as amended by the Executive, be adopted.

Reason: To consider the recommendation from the Overview and Scrutiny Committee.

7. FIXED PENALTY NOTICE (FPN) POLICY FOR FLY TIPPING OFFENCES

The Executive received a report which sought approval of the Executive to recommend to Council the introduction of a fixed penalty notice (FPN) scheme for fly tipping offences. Officers advised that the scheme would provide the Council with a further tool to tackle the problem of fly tipping. Following a question regarding who would be authorised to issue FPNs for fly tipping, the Executive was informed that FPNs would be issued by authorised officers within the Environmental Health and Neighbourhood Teams, as well as Environmental Enforcement Officers contracted through Kingdom, the Council's litter enforcement contractor.

The different scales of fly tips were raised and it was commented that there could be confusion between small to medium sized fly tips and larger scale fly tips. Councillor Mrs Hunwicks, Portfolio Holder for Environmental Control, advised the Executive that Officers would make a decision in each case and it was anticipated that the differences should be clear.

RECOMMENDED to Council

- That (i) the Council issue fixed penalty notices for fly tipping under the Environmental Protection Act 1990;**
- (ii) the level of fixed penalty notices shall be set at £400 per penalty notice for fly tipping, such penalty to be reduced to £300 if paid within 10 days as provided for under Regulation 2 of the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016;**
- (iii) authority be delegated to the Assistant Director (Place), in consultation with the Portfolio Holder for Environmental and Well Being Services, to vary the level of all environmental fixed penalty notice charges in accordance with legislation; and**
- (iv) authority be delegated to the Assistant Director (Place) to authorise any persons to issue fixed penalty notices for fly tipping under the Environmental Protection Act 1990.**

Reason: The introduction of a fixed penalty notice scheme for fly tipping offences is considered a necessary and proportionate response to the current environmental issues facing the Council.

8. PARKING FOR THE FAITH COMMUNITY AND COMMUNITY GROUPS

The Executive received a report which set out the outcome of the recent review of the Council's Policy Statement in respect of allowing members of the faith community and other community groups to park free of charge in the Council's car parks. The Executive

agreed with the recommendation of the review which stated that there should be no material change to the Council's Policy Statement. It was noted that the Policy Statement would be reviewed in January 2023.

RESOLVED

That there be no change in the Council's Policy Statement for Parking Charges for Members of the Faith Community and Community Groups (save for (i) recording that the Policy Statement was affirmed by the Executive on 18 January 2018 and (ii) providing for a review in January 2023).

Reason: The Policy Statement was due to be reviewed in July 2017.

9. PERFORMANCE AND FINANCIAL MONITORING INFORMATION

The Executive considered the Performance and Financial Monitoring Information (Green Book), November 2017. Discussion ensued on the number of affordable homes delivered and the Leader of the Council highlighted that the Council had provided 456 affordable homes over the last four years, exceeding the Council's target of 102 per year.

Regarding satisfaction with street cleaning and landscaping statistics it was noted that, although they were increasing, the figures were below the target set for 2017/18. It was suggested that Officers checked the target setting to ensure it was correct. Councillor Mrs Hunwicks informed the Executive that the Serco contract was very flexible in terms of street cleaning and that Officers regularly met with Serco to monitor and address issues.

RESOLVED

That the Performance and Financial Monitoring Information, November 2017, be received.

Reason: To manage the performance of the Council.

<p>This document was published on Friday, 19 January 2018 and the decisions within it will be implemented on Monday 29 January 2018, subject to call-in.</p>

The meeting commenced at 7.00 pm
and ended at 7.30 pm

Chairman: _____

Date: _____