



COUNCIL MEETING

19 October 2017

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 NINETEENTH DAY OF OCTOBER 2017 at 7.00 p.m. to transact the business specified in the agenda overleaf.

RAY MORGAN
Chief Executive

Civic Offices,
Woking,
11 October 2017

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). 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

If you have any queries regarding this, please contact the Head of Democratic and Legal Services at the meeting.

AGENDA

Prior to the commencement of business, Reverend Rob Bennett, of St John's Church, St John's, Woking will say prayers.

1. **MINUTES.** To approve the minutes of the Meeting of the Council held on 28 September 2017, as published.
2. **APOLOGIES FOR ABSENCE.**
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.** To receive declarations of disclosable pecuniary and other interests from Members and Officers in respect of any item to be considered at the meeting.

In accordance with the Members' Code of Conduct, the Leader of the Council, Councillor D J Bittleston, Councillor Mrs B A Hunwicks, Councillor C S Kemp and Councillor J Kingsbury will declare a non-pecuniary interest in any items under which the Thamesway Group of Companies is discussed, arising from their positions as Directors of the Thamesway Group of Companies. The interest is such that speaking and voting are permissible.

In accordance with the Members' Code of Conduct, Councillor J Kingsbury will declare a non-pecuniary interest in any items under which the Victoria Square Development is discussed, arising from his position as a Director of Victoria Square Woking Limited. The interest is such that speaking and voting are permissible.

In accordance with the 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, will declare an interest in any items under which the Thamesway Group of Companies is discussed, arising from their positions as Directors of the Thamesway Group of Companies. The interest is such that speaking is permissible.

In accordance with Officer Procedure Rules, the Chief Executive, Ray Morgan, will declare an interest in any items under which the Victoria Square Development is discussed, arising from his position as a Director of Victoria Square Woking Limited. The interest is such that speaking is permissible.

In accordance with Officer Procedure Rules, the Deputy Chief Executive, Douglas Spinks, and Head of Democratic and Legal Services, Peter Bryant, will declare an interest in any items under which Brookwood Cemetery is discussed, arising from their positions as Directors of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited. The interest is such that speaking is permissible.

In accordance with the Officer Procedure Rules, the Chief Executive, Ray Morgan, has declared an interest in Agenda Item 8 – Notice of Motion – Councillor M I Raja – Democratic Principles – as a result of being the subject of the Monitoring Officer’s investigation. The Chief Executive will leave the Chamber during any discussion of the issues raised.

6. QUESTIONS.

To deal with written questions submitted by Members under Standing Order 8.1. Copies of the questions and of the draft replies (which are subject to amendment by the Leader of the Council) will be laid upon the table.

7. RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES. To receive and consider recommendations from the Executive and the Licensing Committee.

WBC17-031

8. NOTICE OF MOTION – COUNCILLOR M I RAJA – DEMOCRATIC PRINCIPLES

WBC17-032

9. NOTICES OF MOTION.

To deal with any motions received in accordance with Standing Order 5.0. The list of motions will be published after the deadline for the receipt of motions has passed. A copy of the list will be tabled at the meeting.

AGENDA ENDS

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

Councillors W P Forster (Deputy Mayor), T Aziz, A-M Barker, D J Bittleston, J E Bond, M Bridgeman, K Davis, D Harlow, D Hughes, S Hussain, C S Kemp, L M N Morales and M Pengelly together with Officers attending the meeting.

COUNCIL – 19 OCTOBER 2017

QUESTIONS TO COUNCIL – 19 OCTOBER 2017

The following questions have been received under Standing Order 8.1. The draft replies, which are subject to amendment, are set out below.

“Councillors are thanked for their questions.”

1. Question from Councillor A E Murray

“#WEAREWOKING appears on several hoardings around the town and the Victoria Square Construction Site.

What is #WEAREWOKING and what is it being used for?”

Reply from Councillor D J Bittleston

“#WEAREWOKING is a media campaign supporting the Victoria Square development but more importantly recognising and sharing the very positive position of Woking as a place to live, work and visit. Members will be aware of the national review which established Woking as the eighth happiest place to live in the UK and the happiest in Surrey. Sometimes we forget to tell everyone how great Woking is, indeed often we concentrate on the negative issues that exist in a place and do not spend enough time telling everyone how great it is to be in and part of Woking.

On Wednesday #WEAREWOKING was launched to the business community at a well attended Woking Means Business event; it was very well received. The #WEAREWOKING platforms will enable our businesses, our community organisations, our residents and our visitors to share with everyone how great it is to be part of Woking.

I encourage all Members to participate positively in this campaign; use the core strapline of the campaign #WEAREWOKING and positively promote the activities of Woking. Please be positive as the future of our economic success and the ability to provide our wide range of social and environmental policies depends on us succeeding economically.”

2. Question from Councillor G G Chrystie

“Neighbourhood Forums: Following upon the successful Referendum in West Byfleet held on 5th October 2017 and the number of Forums passed now being 3, does the Borough intend to actively assist other suitable areas to set up local forums and prepare Neighbourhood Plans?”

Reply from Councillor A C L Bowes

“The Council is always willing to assist local communities to set up a Neighbourhood Forum to prepare a Neighbourhood Plan.

Officers are presently working with Brookwood and Bridley Neighbourhood Forum to prepare their Neighbourhood Plan. The Forum is at an advanced stage of preparing the Neighbourhood Plan, and Officers have recently reviewed a draft of the plan and have submitted some comments for the Forum to consider.

Byfleet has a designated Neighbourhood Forum and a Neighbourhood Area. A draft of their Neighbourhood Plan is yet to be submitted. There is further scope for Officers to proactively engage with the Neighbourhood Forum to assess any assistance they can provide to speed up the process.

Officers have proactively engaged with residents of Sheerwater to encourage them to establish a Forum and prepare a Neighbourhood Plan because of the potential future regeneration of the area. These attempts have been unsuccessful to persuade the local residents to establish a Forum. Officers have not given up trying, and will continue to proactively engage with the hope they will establish a Neighbourhood Forum.

Members should note that the setting up of a Neighbourhood Forum to prepare a Neighbourhood Plan is not something that the Council could impose. First and foremost local residents must be willing and committed to do so. Officers will always be willing to assist any community that wishes to set up a Neighbourhood Forum to prepare a Neighbourhood Plan.”

3. Question from Councillor I Johnson

“South Western Railways are undertaking consultations about their rail service. Would the Leader please advise whether or not the Council has responded to, or been involved in, the consultations, particularly in light of the proposed reduction of the number of fast trains from Woking to Waterloo in the morning rush hour?”

Reply from Councillor D J Bittleston

“South Western Railways (SWR) is currently consulting on its timetable for December **2018**. The consultation runs until 22 December 2017 and Officers are in the process of preparing a response. SWR is planning to undertake some face to face meetings at key stations and I would be delighted to invite the Chairman of the Overview and Scrutiny Committee to join me at the Woking meeting. I will let him know when the meeting details are announced.

On a positive note Officers have engaged with both Network Rail and South Western Railways on future investment in rail infrastructure in Woking. This includes the grade separated junction with the Portsmouth line crossing the Basingstoke line, a new and widened Victoria Arch bridge, a new platform at the station, a new station building on the south side of the railway and a new gateline on the north side of the station. All this will improve the station and support growth of 40% in rail capacity of passenger movements from Woking to Waterloo, linking with Crossrail 2 at Wimbledon or Clapham and hopefully providing direct rail access from Woking to Heathrow.”

4. Question from Councillor I Johnson

“Given the proposed roll-out of Universal Credit in Woking in July 2018 will the Leader please

- a) provide a statement as to how the Council will deal with rent and Council tax arrears arising and
- b) advise whether there has been any assessment of the extent of assistance which will be needed by Universal Credit claimants, the application process being online?”

Reply from Councillor A Azad

“In respect of a) I can assure the Council that Officers will work positively with residents who may be adversely affected by changes in benefit arrangements. Our experience in dealing with the benefit has been positive in helping people cope with the change and either help them in finding more affordable homes and/or increased income through accessing work. Obviously this has taken time and some additional housing payments have been made to assist those in greatest difficulty. Officers will do all they can to help those of our residents in need and I will monitor the impact. What we shouldn't do is speculate and cause local residents unnecessary worry.

As to question b) we have not done an assessment as to what help is needed, save to the fact that we know that some will. Members will be aware that seeking housing

accommodation from the Council is already an online activity and those that need help get it from Officers and from partners; this will continue and to the extent to which we need to increase resources in the short term to assist any peak work load we will do so.

As this is such a complex issue I have attached as an Appendix to this answer a brief explanation of where we are in the process of Universal Credit roll out.”

5. Question from Councillor D E Hughes

“The lead article in the local paper this week paints a literally sunny picture of the Victoria Square development, and cites the £460 million pounds price tag. However, at the Council meeting on the 28th Sept there was an inference that this price tag may change.

Can the Leader confirm the rosy picture as in the article and reassure the Council that the project is on track and also within the agreed costs?”

Reply from Councillor D J Bittleston

“I am delighted to confirm that the rosy picture is a true reflection of the development of Victoria Square as approved by the Council.

I intimated at Council on 28 September, that we were considering other matters upon which I briefed the Victoria Square Project Board meeting on 27 September. I now know with greater certainty that we will be asked to consider at the Executive on 23 November 2017, and to recommend to Council on the 7 December, to provide additional capital resources for three issues. The first issue is to revise the fire strategy of the development in light of the Grenfell Tower incident, the second is the opportunity to provide additional residential units which will generate additional income and additional town centre car parking which again will generate additional income. I have also arranged for a private briefing of all Members to be held on 22 November prior to the Executive on 23 November.”

Date Published:

19 October 2017

REPORT ENDS

Note for Explanation about Universal Credit

The Department for Work and Pensions (DWP) is slowly rolling out Universal Credit across the country. This is already 4 years behind schedule and Woking Job Centre will be one of the last in the country to move to “full service”. Hopefully some of the issues regarding payments will have been ironed out by the time it is rolled out in this area. As we speak there are on-going debates in Parliament about delaying the roll out.

Full Service means that universal credit will be open to **all new claims** at the Woking Job Centre from July 2018. Previously it was limited to a small selection of single claimants.

Universal Credit will amalgamate 6 current social security benefits, including Housing Benefit which relates to payment of housing costs.

It will not include Council Tax Support which will continue to be claimed and awarded through local authorities. Therefore, the impact on Council Tax arrears should be minimal as the local authority can make a determination on a Council Tax Support claim without a decision regarding Universal Credit.

Existing claimants of Housing Benefit (working age only affected) will NOT move onto Universal Credit from July 2018; this will not start nationally until July 2019, at the earliest and not be completed until March 2022.

Claimants for Universal Credit will need to apply on-line and the claim process is administered by the DWP, not the local authority. It is understood that a Universal Credit advisor will be assigned, by the DWP, to help and support the claimant through the claim process. As is the case now, applications can be made at the Council Offices using the customer terminals and staff will be able to provide assistance. Existing Housing Benefit staff already provide further support on budgeting and managing finances for the most vulnerable, but this tends to be via referrals from the job centre as detailed records have to be submitted to the DWP for these cases.

In preparation for Universal Credit, New Vision Homes (NVH) has been running digital inclusion courses for residents using “We are Digital”, a specialist provider. The courses were advertised to all residents.

To understand and review the extent of residents' digital skills, NVH surveyed residents as part of its annual survey asking:

1. Does your household have access to the internet?

63% are in households with internet access, whilst 5% said they don't have internet access now but did have in the past. 32% do not have internet access.

2. Overall, when you go online, do you mostly use your mobile phone or mostly use some other device like a desktop, laptop or tablet computer?

Of those with internet access, 26% mostly use a mobile phone and 25% use some other device when online. 17% said they use both equally.

3. Overall, how confident are you as an internet user?

Excluding those who responded 'don't know', 39% of respondents describe themselves as 'very confident' internet users with 76% either 'very/fairly confident'. 24% said they were either 'not very or not at all confident' when going online.

These recent survey results will inform how NVH approach and target its current digital inclusion initiatives.

COUNCIL - 19 OCTOBER 2017

RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES

Summary

The Council is invited to consider the recommendations from the meetings of the Executive held on 14 September 2017, the Licensing Committee held on 19 October 2017 and the Executive held on 12 October 2017 and determine accordingly. The recommendations as set out in the minutes of the Executive on 14 September 2017 and in the reports of the Licensing Committee on 10 October and the Executive on 12 October 2017 are set out below.

EXECUTIVE – 14 SEPTEMBER 2017

1. PRIVATE RENTED SECTOR ACCESS SCHEME POLICY

The Executive received a report which recommended to Council the adoption of the Private Rented Sector Access Scheme Policy. Councillor C S Kemp, Portfolio Holder for Private Sector Housing, explained that the Policy set out how the Council intended to assist homeless households access accommodation in the private rented sector to prevent and relieve homelessness, as well as encouraging landlords to engage with the Council. Following a question regarding the impact on existing tenants and bond holders from April 2018, it was noted that tenants with bonds would be given advice. The Portfolio Holder confirmed that a holistic approach would be taken when assisting tenants. The Executive was advised that the report would be reviewed by the Overview and Scrutiny Committee at its meeting on 18 September 2017. EXE15-110

RECOMMENDED to Council

- That (i) **the Private Rented Sector Access Scheme Policy, as set out in the Appendix to the report, be adopted;**
- (ii) **the Strategic Director for Housing be delegated authority to agree leases with private landlords for accommodation to be used in accordance with the Policy;**
- (iii) **the Strategic Director for Housing be delegated authority to make minor amendments to the Policy (specifically including changes to the scope and level of incentives) in consultation with the Portfolio Holder;**
- (iv) **the Council's Allocation Policy be amended such that existing tenants accommodated through the Council's existing Private Rented Sector Access schemes cease to be eligible to apply for the Council's Housing Register after 31 March 2018; and**
- (v) **the Flexible Homelessness Support Grant be used to provide the additional £95k budget provision required to deliver the Let's Rent Connect scheme and £10k for the Let's Rent Complete scheme.**

Recommendations of the Executive and Committees

Reason: The adoption of a policy ensures that the Council acts consistently in providing incentives and other activities to procure private rented accommodation for homeless households. It also provides private landlords with transparent information on how the Council intends to work with them in helping homeless households secure accommodation and assists in marketing the Council's schemes to private landlords. The policy also ensures that the Council's offer to private landlords is competitive within the marketplace and that wherever possible homes across the Borough are secured for local families rather than homeless households from other local authority areas.

2. LICENSING PRIVATE RENTED ACCOMMODATION - PROPOSAL TO MAKE A SELECTIVE LICENSING DESIGNATION IN PART OF CANALSIDE WARD

(Note: A supplementary report in respect of this item will be circulated in advance of the meeting.)

The Executive received a report which recommended to Council the proposal to introduce a selective licensing scheme in part of Canalside Ward. It was noted that the scheme aimed to deliver improvements to the management of private rented accommodation through the imposition of licence conditions. The Portfolio Holder for Private Sector Housing, Councillor Kemp, reported that there would be opportunities for landlords to join the proposed scheme without paying a fee. Councillor Kemp advised that the report would be reviewed by the Overview and Scrutiny Committee, at its meeting on 18 September 2017, which would provide an opportunity for Members to go through the proposal in detail. Concern was expressed about the suitability of the scheme, the cost of the scheme, the potential impact on tenants and the consultation responses to the proposal. Councillor I Johnson commented that information on the schemes used by other Borough's would be useful when the matter was discussed further at the Overview and Scrutiny Committee.

EXE17-041

RECOMMENDED to Council

- That (i) **the Head of Democratic and Legal Services be delegated authority to designate a selective licensing designation under the Housing Act 2004 within the area of Canalside Ward set out in the report and at Appendix 1 and Appendix 2 to the report;**
- (ii) **the selective licensing designation come into force on 01 March 2018;**
- (iii) **the selective licensing designation cease on 28 February 2023;**
- (iv) **the fee structure for the selective licensing scheme set out in Appendix 9 to the report be adopted and subsequently reviewed as part of the Council's fees and charges setting process;**
- (v) **the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to amend the Council's Houses in Multiple Occupation Licensing Policy to**

Recommendations of the Executive and Committees

incorporate the introduction of selective licensing and rename as the Housing Standards Licensing Policy; and

- (vi) the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to make minor amendments to the Housing Standards Licensing Policy.**

Reason: Following completion of the public consultation in respect of the proposal to introduce a selective licensing scheme in part of Canalside Ward, it was now appropriate for a decision to be made whether to proceed with the scheme.

If it was agreed that the scheme be introduced, the Council was required to make a designation for the scheme and delegated authority was required for that purpose.

The introduction of the scheme would also require amendments to the Council's Houses in Multiple Occupation Licensing Policy to incorporate the selective licensing scheme, and it was proposed that the policy be renamed. The provision of delegated authority to make minor amendments to the policy would ensure that the policy could readily be updated to reflect minor legislative change.

3. MAJOR WORKS AFFECTING LEASEHOLDERS AND ARRANGEMENT FOR THE PAYMENT OF SERVICE CHARGES

The Executive received a report which recommended to Council proposed updates to the procedure for consulting Leaseholders for major works and approval for an updated scheme for recharging major works service charges. It was noted that Leaseholders had been consulted via the Leaseholder Forum held on 6 September 2017. EXE17-045

RECOMMENDED to Council

- That (i) the consultation procedure and payment plan arrangements for Leaseholders outlined in the report be adopted; and**
- (ii) delegated authority be given to the Strategic Director for Housing to make minor changes to the policy in consultation with the Portfolio Holder for Housing.**

Reason: To update the existing procedures to ensure the Council consults effectively with Leaseholders and in doing so, complies with the statutory legal duty to notify Leaseholders of works and additionally, provide financial payment options that can assist Leaseholders to meet their commitments whilst adopting a sympathetic approach.

LICENSING COMMITTEE – 10 OCTOBER 2017

Set out below are the recommendations before the Licensing Committee in respect of the Review of Scheme of Delegations. The extract from the minutes of the meeting will be tabled at Council.

4. REVIEW OF SCHEME OF DELEGATIONS

Recommendations

The Committee is requested to:

RECOMMEND TO COUNCIL That authority be delegated to the Legal Services Manager to:

- (i) authorise named officers of the Licensing Team to be “authorised persons” for the purposes of the Licensing Act 2003; and
- (ii) authorise named officers of the Licensing Team to be “authorised officers of the Council” for the purposes of the Local Government (Miscellaneous Provisions) Act 1976.

EXECUTIVE – 12 OCTOBER 2017

Set out below are the recommendations before the Executive in respect of the introduction of a mandatory training programme for elected Members and the adoption of Ordinary Watercourse Byelaws. The extract from the minutes of the meeting will be tabled at Council.

5. THE TRANSFORMATION AGENDA – MANDATORY TRAINING PROGRAMME FOR ELECTED MEMBERS

Recommendations

The Executive is requested to:

RECOMMEND to Council That

a programme of mandatory training for Elected Members be introduced as part of the Council’s Learning and Development Programme for Councillors from May 2018 onwards as outlined in Section 3.0 of the report.

6. ADOPTION OF ORDINARY WATERCOURSE BYELAWS

Recommendations

The Executive is requested to:

RECOMMEND to Council That

- i) the proposal to make drainage byelaws, as set out in Appendix 1 to the report, be endorsed;
- ii) the Council consult with Defra, Natural England and the local navigation authority on the Council’s proposal to make the drainage byelaws;

Recommendations of the Executive and Committees

- iii) subject to there being no objections by Defra, Natural England and the local navigation authority to the informal consultation the byelaws be made;
- iv) the Assistant Director (Place), in consultation with the Portfolio Holder, be authorised to consider and seek to resolve any objection to the said byelaws being made (including amending the proposed byelaws);
- v) the byelaws be submitted to the Secretary of State for confirmation with or without any outstanding objections (as the case may be); and
- vi) in the event these byelaws are adopted by the Council, authority be delegated to the Assistant Director (Place) to authorise or refuse any applications for consents submitted under the said byelaws.

Background Papers:

None.

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Portfolio Holders:

Cllr Ashley Bowes
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Cllr Mrs Beryl Hunwicks
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Cllr Colin Kemp
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Date Published:

11 October 2017

REPORT ENDS

COUNCIL - 19 OCTOBER 2017

SUPPLEMENTARY REPORT

RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES

Summary

Set out below are the recommendations before the Council as set out in the minutes of the meetings of the Executive held on 14 September, the Licensing Committee held on 10 October and the Executive held on 12 October 2017.

EXECUTIVE – 14 SEPTEMBER 2017

1. PRIVATE RENTED SECTOR ACCESS SCHEME POLICY

The Executive received a report which recommended to Council the adoption of the Private Rented Sector Access Scheme Policy. Councillor C S Kemp, Portfolio Holder for Private Sector Housing, explained that the Policy set out how the Council intended to assist homeless households access accommodation in the private rented sector to prevent and relieve homelessness, as well as encouraging landlords to engage with the Council. Following a question regarding the impact on existing tenants and bond holders from April 2018, it was noted that tenants with bonds would be given advice. The Portfolio Holder confirmed that a holistic approach would be taken when assisting tenants. The Executive was advised that the report would be reviewed by the Overview and Scrutiny Committee at its meeting on 18 September 2017. EXE15-110

RECOMMENDED to Council

- That (i) **the Private Rented Sector Access Scheme Policy, as set out in the Appendix to the report, be adopted;**
- (ii) **the Strategic Director for Housing be delegated authority to agree leases with private landlords for accommodation to be used in accordance with the Policy;**
- (iii) **the Strategic Director for Housing be delegated authority to make minor amendments to the Policy (specifically including changes to the scope and level of incentives) in consultation with the Portfolio Holder;**
- (iv) **the Council's Allocation Policy be amended such that existing tenants accommodated through the Council's existing Private Rented Sector Access schemes cease to be eligible to apply for the Council's Housing Register after 31 March 2018; and**
- (v) **the Flexible Homelessness Support Grant be used to provide the additional £95k budget provision required to deliver the Let's Rent Connect scheme and £10k for the Let's Rent Complete scheme.**

Recommendations of the Executive and Committees

Reason: The adoption of a policy ensures that the Council acts consistently in providing incentives and other activities to procure private rented accommodation for homeless households. It also provides private landlords with transparent information on how the Council intends to work with them in helping homeless households secure accommodation and assists in marketing the Council's schemes to private landlords. The policy also ensures that the Council's offer to private landlords is competitive within the marketplace and that wherever possible homes across the Borough are secured for local families rather than homeless households from other local authority areas.

2. LICENSING PRIVATE RENTED ACCOMMODATION - PROPOSAL TO MAKE A SELECTIVE LICENSING DESIGNATION IN PART OF CANALSIDE WARD

(Note: A supplementary report in respect of this item has been circulated.)

The Executive received a report which recommended to Council the proposal to introduce a selective licensing scheme in part of Canalside Ward. It was noted that the scheme aimed to deliver improvements to the management of private rented accommodation through the imposition of licence conditions. The Portfolio Holder for Private Sector Housing, Councillor Kemp, reported that there would be opportunities for landlords to join the proposed scheme without paying a fee. Councillor Kemp advised that the report would be reviewed by the Overview and Scrutiny Committee, at its meeting on 18 September 2017, which would provide an opportunity for Members to go through the proposal in detail. Concern was expressed about the suitability of the scheme, the cost of the scheme, the potential impact on tenants and the consultation responses to the proposal. Councillor I Johnson commented that information on the schemes used by other Borough's would be useful when the matter was discussed further at the Overview and Scrutiny Committee.

EXE17-041

RECOMMENDED to Council

- That (i) **the Head of Democratic and Legal Services be delegated authority to designate a selective licensing designation under the Housing Act 2004 within the area of Canalside Ward set out in the report and at Appendix 1 and Appendix 2 to the report;**
- (ii) **the selective licensing designation come into force on 01 March 2018;**
- (iii) **the selective licensing designation cease on 28 February 2023;**
- (iv) **the fee structure for the selective licensing scheme set out in Appendix 9 to the report be adopted and subsequently reviewed as part of the Council's fees and charges setting process;**
- (v) **the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to amend the Council's Houses in Multiple Occupation Licensing Policy to incorporate the introduction of selective licensing and rename as the Housing Standards Licensing Policy; and**

- (vi) the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to make minor amendments to the Housing Standards Licensing Policy.**

Reason: Following completion of the public consultation in respect of the proposal to introduce a selective licensing scheme in part of Canalside Ward, it was now appropriate for a decision to be made whether to proceed with the scheme.

If it was agreed that the scheme be introduced, the Council was required to make a designation for the scheme and delegated authority was required for that purpose.

The introduction of the scheme would also require amendments to the Council's Houses in Multiple Occupation Licensing Policy to incorporate the selective licensing scheme, and it was proposed that the policy be renamed. The provision of delegated authority to make minor amendments to the policy would ensure that the policy could readily be updated to reflect minor legislative change.

3. MAJOR WORKS AFFECTING LEASEHOLDERS AND ARRANGEMENT FOR THE PAYMENT OF SERVICE CHARGES

The Executive received a report which recommended to Council proposed updates to the procedure for consulting Leaseholders for major works and approval for an updated scheme for recharging major works service charges. It was noted that Leaseholders had been consulted via the Leaseholder Forum held on 6 September 2017. EXE17-045

RECOMMENDED to Council

- That (i) the consultation procedure and payment plan arrangements for Leaseholders outlined in the report be adopted; and**
- (ii) delegated authority be given to the Strategic Director for Housing to make minor changes to the policy in consultation with the Portfolio Holder for Housing.**

Reason: To update the existing procedures to ensure the Council consults effectively with Leaseholders and in doing so, complies with the statutory legal duty to notify Leaseholders of works and additionally, provide financial payment options that can assist Leaseholders to meet their commitments whilst adopting a sympathetic approach.

LICENSING COMMITTEE – 10 OCTOBER 2017

4. REVIEW OF SCHEME OF DELEGATIONS

Joanne McIntosh introduced the report which proposed that the Scheme of Delegations be updated to delegate powers to the Legal Services Manager to ensure that the Licensing team could carry out their daily duties.

Authority was sought for named officers of the Licensing team to be “authorised persons” for the purposes of the Licensing Act 2003, which would enable them to carry out a variety of routine functions including the right to request Premises Licences, Club Premises Certificates and Temporary Event Notices. The officers would also be able to enter premises with a view to seeing whether licensable activities were taking place.

Further authority was sought for named officers of the Licensing team to be “authorised persons of the Council” for the purposes of the Local Government (Miscellaneous Provisions) Act 1976. Officers would have the right to request the proprietor of any Hackney Carriage or Private Hire taxi driver licenced by the Council to produce their vehicle licence, drivers licence and insurance documents. The officers would also have the right to inspect and test any vehicle to ascertain its fitness and if deemed necessary suspend the licence forthwith.

Cllr Eastwood agreed that the delegated powers should be adopted as the drivers would have the right of appeal to a licence revocation. Joanne McIntosh reported that the Legal Services Manager post currently held delegated authority to revoke and suspend licences, due to there being insufficient time for a Sub-Committee to be arranged to determine the urgent matters. Since Licensing had moved to become under the remit of Democratic and Legal Services in November 2015, there had been 24 revocations and suspensions for reasons including Home Office information on immigration; drivers being medically unfit to drive; driving standards such as the use of mobiles and not wearing seatbelts whilst driving; and notifications from Surrey Police regarding criminal investigations.

Cllr Pengelly stated that it was important for the Committee to be aware of decisions taken under delegated authority to ensure that Members were aware in the event that they were contacted by taxi drivers or local residents, and that the level of usage of delegated authority should be considered at a future meeting of the Committee. Joanne McIntosh reported that it was proposed for the Licensing Committee to receive an annual report containing anonymised data on delegated activity over the past year. Cllr Kingsbury agreed that either all Members of the Committee or the Chairman should be kept informed of delegated decisions. The Committee was advised that all revocation and suspension decisions were currently undertaken in consultation with the Chairman, or in their absence the Vice-Chairman, of the Committee. The notification would depend on the level of urgency and would usually involve a telephone call followed by an email containing a detailed report. The Chairman added that no notification was received of licence refusals which could be an area to consider for the future.

Cllr Howard stated that he agreed with the report and that officers should have the further powers, subject to consultation with the Chairman.

Cllr Eastwood asked as to the level of information which could be released by email to the Committee on the background of revocations and suspensions. Joanne McIntosh stated that it would depend on the situation as information relating to Police investigations could not be released, and undertook to investigate the matter in consultation with the Chairman and advise the Committee outside of the meeting.

Recommendations of the Executive and Committees

The Chairman asked the Legal Services Manager to outline the process followed by a taxi driver on suspension or revocation of a licence. Joanne McIntosh advised that there was a strict legal process to provide the taxi driver with 21 days to appeal to the Magistrates' Court. For matters which were not deemed to be serious enough for immediate revocation or suspension officers could consider whether to call a Sub-Committee to determine the matter. Following a question by Cllr Kingsbury, it was noted that there had been three recent appeals to the Magistrates' Court, which had all resulted in the Council's position being upheld and significant costs awarded.

The Chairman put the resolution set out in the report to the Committee and it was,

RECOMMENDED TO COUNCIL

LIC17-003

That authority be delegated to the Legal Services Manager to:

- (i) authorise named officers of the Licensing Team to be "authorised persons" for the purposes of the Licensing Act 2003; and**
- (ii) authorise named officers of the Licensing Team to be "authorised officers of the Council" for the purposes of the Local Government (Miscellaneous Provisions) Act 1976.**

EXECUTIVE – 12 OCTOBER 2017

5. THE TRANSFORMATION AGENDA – MANDATORY TRAINING PROGRAMME FOR ELECTED MEMBERS

Councillor C S Kemp, Lead Member for Elected Member Development, introduced the report which recommended to Council the introduction of mandatory training for Elected Members as part of the Council's Learning and Development Programme for Councillors from May 2018 onwards. It was noted that the Overview and Scrutiny Committee had supported the development of a mandatory training programme at its meeting in February 2017. Members discussed the proposed topics for the mandatory programme and it was commented that some topics could be incorporated in order to reduce the time burden for Members and simplify the programme. Councillor Kemp agreed to discuss the suggestion with Officers.

Councillor I Johnson, Chairman of the Overview and Scrutiny Committee, welcomed the proposed Scrutiny Training and asked for Officers to explore whether such training could be incorporated into the next meeting of the Committee on 27 November 2017.

Following a question regarding IT Training, Councillor Kemp advised that IT Training was not part of the mandatory programme due to the individual IT skill levels of Councillors. It was noted that IT Training would continue to be part of Induction Training and that there was an expectation that Councillors would take responsibility for their development and attend one to one sessions if required.

Regarding Planning Training, it was highlighted that the Conservative Group was of the opinion that all Members should attend Planning Training once every four years. The importance of arranging Planning Training immediately after Elections was highlighted in order to ensure that Planning Committee Members attending the first Planning Committee of the Municipal Year had attended the relevant training.

Recommendations of the Executive and Committees

The Executive welcomed the greater use of online training proposed in the report. Equality of representation was also highlighted, namely the need to encourage people from different backgrounds to stand for election, and it was commented that the time burden of training should not be prohibitive.

Regarding Finance Training, it was considered important that all Councillors had an awareness and understanding of the Council's business and that such training was required more than once during each four year term of office. Councillor Kemp commented that Councillors did receive a briefing on budgets each year and that broadening that briefing could be explored in the future.

The Executive supported the adoption of a mandatory programme of training and development for Elected Members, noting it would improve the quality of democratic decision making. EXE17-055

RECOMMENDED to Council

That a programme of mandatory training for Elected Members be introduced as part of the Council's Learning and Development Programme for Councillors from May 2018 onwards as outlined in Section 3.0 of the report.

Reason: To establish a mandatory training programme for Elected Members to ensure that Members have a clear understanding of their roles and responsibilities and are aware of any significant risks including any corporate or personal liabilities.

6. ADOPTION OF ORDINARY WATERCOURSE BYELAWS

The Executive received a report which recommended to Council a proposal to make land drainage byelaws in order to assist the Council in its role to help reduce the risk of flooding for local communities. A map setting out the location of ordinary watercourses within Woking was displayed at the meeting, along with a leaflet entitled "Riparian Owners – rights and responsibilities". The Executive was advised that the Council would use the legally enforceable model land drainage byelaws, as set out in Appendix 1 to the report, and that the byelaws would be translated into plain English. Following a question regarding riparian owners, the Portfolio Holder for Environment and Sustainability, Councillor Mrs B A Hunwicks, advised that the Council would inform riparian owners of their responsibilities. Katherine Waters, the Council's Drainage and Flood Risk Engineer, informed the Executive that ordinary watercourses would appear in search packs and property deeds. In addition, where the ordinary watercourse was known, the Council would send out a letter with the riparian owner leaflet and Officers would meet with any owners who had questions and explain to them their riparian responsibilities.

EXE17-065

RECOMMENDED TO COUNCIL

That (i) the proposal to make drainage byelaws, as set out in Appendix 1 to the report, be endorsed;

(ii) the Council consult with Defra, Natural England and the local navigation authority on the Council's proposal to make the drainage byelaws;

Recommendations of the Executive and Committees

- (iii) subject to there being no objections by Defra, Natural England and the local navigation authority to the informal consultation the byelaws be made;
- (iv) the Assistant Director (Place), in consultation with the Portfolio Holder, be authorised to consider and seek to resolve any objection to the said byelaws being made (including amending the proposed byelaws);
- (v) the byelaws be submitted to the Secretary of State for confirmation with or without any outstanding objections (as the case may be); and
- (vi) in the event these byelaws are adopted by the Council, authority be delegated to the Assistant Director (Place) to authorise or refuse any applications for consents submitted under the said byelaws.

Reason: A decision is sought to allow the process of making land drainage byelaws to begin and to agree to make byelaws in connection with drainage matters to assist the Council in its role to help reduce the risk of flooding for local communities.

Background Papers:

None.

Reporting Person:

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Portfolio Holders:

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Date Published:

19 October 2017

REPORT ENDS

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men						Any implications arising from the proposals have been identified in the reports considered by the Executive and the Licensing Committee.
	Women						
Gender Reassignment							
Race	White						
	Mixed/Multiple ethnic groups						
	Asian/Asian British						
	Black/African/Caribbean/Black British						
	Gypsies / travellers						
	Other ethnic group						

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action) THIS SECTION NEEDS TO BE COMPLETED AS EVIDENCE OF WHAT THE POSITIVE IMPACT IS OR WHAT ACTIONS ARE BEING TAKEN TO MITIGATE ANY NEGATIVE IMPACTS
		Eliminate discrimination	Advance equality	Good relations			
Disability	Physical						Any implications arising from the proposals have been identified in the reports considered by the Executive and the Licensing Committee.
	Sensory						
	Learning Difficulties						
	Mental Health						
Sexual Orientation	Lesbian, gay men, bisexual						
Age	Older people (50+)						
	Younger people (16 - 25)						
Religion or Belief	Faith Groups						
Pregnancy & maternity							
Marriage & Civil Partnership							
Socio-economic Background							

The purpose of the Equality Impact Assessment is to improve the work of the Council by making sure it does not discriminate against any individual or group and that, where possible, it promotes equality. The assessment is quick and straightforward to undertake but it is an important step to make sure that individuals and teams think carefully about the likely impact of their work on people in Woking and take action to improve strategies, policies, services and projects, where appropriate. Further details and guidance on completing the form are [available](#).

Sustainability Impact Assessment

Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes. For assistance with completing the Impact Assessment, please refer to the instructions below. Further details and guidance on completing the form are [available](#).

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials				
Waste generation / sustainable waste management				
Pollution to air, land and water				
Factors that contribute to Climate Change				
Protection of and access to the natural environment				
Travel choices that do not rely on the car				
A strong, diverse and sustainable local economy				
Meet local needs locally				
Opportunities for education and information				
Provision of appropriate and sustainable housing				
Personal safety and reduced fear of crime				
Equality in health and good health				
Access to cultural and leisure facilities				
Social inclusion / engage and consult communities				
Equal opportunities for the whole community				
Contribute to Woking's pride of place				

COUNCIL – 19 OCTOBER 2017

NOTICE OF MOTION - CLLR RAJA - DEMOCRATIC PRINCIPLES

[Note: In accordance with the Officer Procedure Rules, the Chief Executive, Ray Morgan, has declared an interest in this item as a result of being the subject of the Monitoring Officer's investigation. The Chief Executive will leave the Chamber during any discussion of the issues raised.]

1.0 Background

- 1.1 At its meeting on 20 July 2017, Council received the recommendations of the Executive in respect of a Notice of Motion submitted by Councillor Raja in December 2016, and the subsequent investigation by the Monitoring Officer.
- 1.2 The Notice of Motion had related to comments made by the Chief Executive during a radio interview. The investigation by the Monitoring Officer had concluded that the Chief Executive had not acted inappropriately, and that he had not breached the Officer Procedure Rules. The Executive, at its meeting on 13 July 2017, considered the Monitoring Officer's report and recommended to Council as follows:-

RECOMMEND to Council That

- (i) Council notes the outcome of the Monitoring Officer's investigation into the issues raised by Councillor Raja's Notice of Motion, i.e.
- that the Chief Executive did not act inappropriately in making the comments he did during the BBC Radio Surrey interview referred to in the Notice of Motion, and
 - accordingly, the Chief Executive did not breach the Officer Procedure Rules.
- (ii) Councillor Raja's Notice of Motion be not supported; and
- (iii) Council reaffirms the sentiments contained in the resolution passed by it on 14 July 2016 (following the EU referendum), i.e.

"That we are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country.

We, Woking Borough Council, condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Woking Borough Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in Woking that they are valued members of our community."

- 1.3 At the Council meeting on 20 July 2017, Councillor Raja spoke against the recommendations of the Executive. Councillor Raja considered that the Monitoring Officer's investigation had been inadequate, subjective and incorrect. Councillor Raja called upon the Chief Executive to give a public apology for any offence caused by his remarks.
- 1.4 In order that Members could receive a copy of the Monitoring Officer's report to the Executive (which contained a transcript of the Chief Executive's radio interview), Council

Notice of Motion - Cllr Raja - Democratic Principles

resolved that consideration of Councillor Raja's Notice of Motion should be deferred to the next ordinary meeting of the Council.

- 1.5 A copy of the report to the Executive is attached (Appendix 1). This gives details of the investigation carried out by the Monitoring Officer, and the reasons why he concluded that the Chief Executive had not acted inappropriately or breached the Officer Procedure Rules.
- 1.6 The Monitoring Officer's position remains as set out in the report to the Executive.

Recommendations

The Council is requested to:

RESOLVE That

- (i) Council notes the outcome of the Monitoring Officer's investigation into the issues raised by Councillor Raja's Notice of Motion, i.e.
- that the Chief Executive did not act inappropriately in making the comments he did during the BBC Radio Surrey interview referred to in the Notice of Motion, and
 - accordingly, the Chief Executive did not breach the Officer Procedure Rules.
- (ii) Councillor Raja's Notice of Motion be not supported; and
- (iii) Council reaffirms the sentiments contained in the resolution passed by it on 14 July 2016 (following the EU referendum), i.e.

"That we are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country.

We, Woking Borough Council, condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Woking Borough Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in Woking that they are valued members of our community."

The Council has authority to determine the recommendations above.

Background Papers:

None

Reporting Person:

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Contact Person:

Peter Bryant, Monitoring Officer

Notice of Motion - Cllr Raja - Democratic Principles

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Date Published:

11 October 2017

EXECUTIVE - 13 JULY 2017

NOTICE OF MOTION - CLLR RAJA - DEMOCRATIC PRINCIPLES

[Note: In accordance with the Officer Procedure Rules, the Chief Executive, Ray Morgan, has declared an interest in this item as a result of being the subject of the Monitoring Officer's investigation. The Chief Executive will, if advised to do so by the Monitoring Officer, leave the Chamber during any discussion of the issues raised. Whether this is necessary will depend upon the nature of that discussion.]

Executive Summary

At its meeting on 2 February 2017, the Executive referred a Notice of Motion submitted by Councillor Raja to the Monitoring Officer for investigation. This report details the outcome of the Monitoring Officer's investigation.

Reasons for Decision

To recommend action to Council on Councillor Raja's Notice of Motion.

Recommendations

The Executive is requested to:

RECOMMEND to Council That

- (i) **Council notes the outcome of the Monitoring Officer's investigation into the issues raised by Councillor Raja's Notice of Motion, i.e.**
 - **that the Chief Executive did not act inappropriately in making the comments he did during the BBC Radio Surrey interview referred to in the Notice of Motion, and**
 - **accordingly, the Chief Executive did not breach the Officer Procedure Rules.**
- (ii) **Councillor Raja's Notice of Motion be not supported; and**
- (iii) **Council reaffirms the sentiments contained in the resolution passed by it on 14 July 2016 (following the EU referendum), i.e.**

"That we are proud to live in a diverse and tolerant society. Racism, xenophobia and hate crimes have no place in our country.

We, Woking Borough Council, condemn racism, xenophobia and hate crimes unequivocally. We will not allow hate to become acceptable.

Woking Borough Council will work to ensure local bodies and programmes have support and resources needed to fight and prevent racism and xenophobia.

We reassure all people living in Woking that they are valued members of our community."

<p>The recommendations above will need to be dealt with by way of a recommendation to the Council.</p>

Background Papers:

None

Reporting Person:

Peter Bryant, Monitoring Officer
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Contact Person:

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Shadow Portfolio Holder:

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Date Published:

7 July 2017

1.0 Introduction

- 1.1 At its meeting on 8 December 2016, the Council referred the following Notice of Motion to the Executive.

Councillor M I Raja

“Recently a senior person at WBC made some comments which challenged the very concept of democracy.

These did not go unnoticed by the public and some just concern was expressed including in local press.

We would like to assure the residents of Woking that WBC is governed according to democratic principles by the elected members and all lawful points of views are heard and considered, while making decisions. Woking is a tolerant town where everyone is welcome to live and contribute.”

- 1.2 The Notice of Motion was considered by the Executive on 2 February 2017. Councillor Raja attended the meeting and spoke in support of the Motion. Councillor Raja explained that the Motion concerned comments made by the Chief Executive during a BBC Radio Surrey interview broadcast on 5 October 2016. Councillor Raja stated that he had been contacted by many residents who had been upset by the Chief Executive’s comments. The Chief Executive spoke in response to the allegation against him which could be considered a breach of Officer Procedure Rules and expressed his disappointment that Councillor Raja had not made him aware beforehand that he was the senior officer referred to in the Motion. The Executive was of the opinion that it was not appropriate to discuss the issue at the present time and resolved that the matter be referred to the Monitoring Officer for investigation.

2.0 Action taken by the Monitoring Officer

- 2.1 Immediately after the meeting of the Executive, the Monitoring Officer invited Councillor Raja to submit any documentary evidence he had to evidence the upset he said residents had suffered as a result of the Chief Executive’s comments.
- 2.2 The Monitoring Officer subsequently met with Councillor Raja on two occasions as part of his investigation into this matter.
- 2.3 Councillor Raja advised the Monitoring Officer that, following the Chief Executive’s interview, he received *“several telephone calls, an e-mail and was stopped in the street and outside of my home in the Woking area on many occasions in order to discuss the interview.”*
- 2.4 Councillor Raja has provided the Monitoring Officer with a number of documents (some of which are confidential) which express dissatisfaction with the Chief Executive’s comments. The majority of these documents date from March 2017, i.e. after the Notice of Motion was submitted.
- 2.5 The Monitoring Officer also met with the Chief Executive as part of the investigation.

3.0 The BBC Radio Surrey Interview

- 3.1 A transcript of the relevant part of the Chief Executive's interview is appended to this report. The following extracts are relevant to Councillor Raja's Notice of Motion:

Interviewer:

"We've been to a number of other towns and one thing that has struck me is wherever you see a Council trying to do something to improve the look and the feel and the welcome of a place – you get people who don't like it, so how do you feel about that personally, when you are trying so hard to do good things to the town and people just find reasons to try and block it or to knock it?"

Chief Executive:

"I think we've just got to accept that news programmes and newspapers would never exist if there wasn't controversy so just look at it from your business continuity its really good that people have different views. We live in a democracy, not everybody will like what we are doing. It's healthy to have that discussion. We've been fortunate in the public consultations we've done on what we have done in the town centre to have very positive support for that but the local papers and your news programmes are often filled with a few detractors but that's life."

Interviewer:

"Yeah and I think my attitude in this couple of weeks we've been on the road, I can, you know I am standing out here on a lovely sunny day and I will take a certain amount of moaning but at some point I am going to say 'enough'. That's fair enough do you think? From my point of view it is."

Chief Executive:

"From your point of view and mine at a private level? Absolutely, I have been known to say to a complainant 'if our town is so bad, we're not making you stay'. The Leader of the Council gets a little upset because he has to stand for election. I don't, but I think there is a point where people complain too much and, if it's really that bad, we live in a democracy. People can live wherever they want, and I don't mind if the complainers leave."

4.0 Monitoring Officer's Conclusions

- 4.1 The Monitoring Officer accepts that a number of people have expressed concern at what was said by the Chief Executive in the BBC Radio Surrey interview or, in some cases, what they perceive him to have said. The issue to be resolved is whether there is any justification for those concerns and, accordingly, a basis on which the first two paragraphs of Councillor Raja's Notice of Motion could be supported. The Monitoring Officer has concluded that there is not for the following reasons:

- when looked at, both in context and in isolation, the Chief Executive's comments are innocuous. In particular, he said:

I have been known to say to a complainant "if our town is so bad, we're not making you stay".

"People can live wherever they want, and I don't mind if the complainers leave."

Notice of Motion - Cllr Raja - Democratic Principles

He did not, as has been subsequently alleged, state that complainers **should** leave.

- It is clear from the way in which the questions were put, and answered, that the Chief Executive was asked for his personal/private view on the point raised. He is entitled to express his opinion. In any event, the comments made are well within the bounds of acceptable comments for a local authority's Chief Executive to make.
- The Chief Executive's comments did not challenge the concept of democracy. On the contrary, the comments referred to the result of living in a democracy being (i) that not everyone will like what the Council is doing and (ii) people may live wherever they want.

4.2 Accordingly, the Monitoring Officer has concluded that the Chief Executive did not act inappropriately in making the comments he did during the BBC Radio Surrey interview. As such, he has not breached the Officer Procedure Rules.

4.3 The sentiments contained in the third paragraph of Councillor Raja's Notice of Motion are consistent with the view expressed by the Council, on 14 July 2016, following the EU referendum on 23 June 2016. It would be appropriate for the Council to reaffirm its support for the sentiments expressed by it at that time.

5.0 Implications

Financial

5.1 None.

Human Resource/Training and Development

5.2 None.

Community Safety

5.3 None.

Risk Management

5.4 None.

Sustainability

5.5 None.

Equalities

5.6 None.

6.0 Consultations

6.1 None.

REPORT ENDS

Ray Morgan's Interview

Interviewer: Good Morning Ray

Ray: Welcome and welcome to sunny Woking and hopefully all your listeners will rush in and join you.

Interviewer: Well I can see no reason why they wouldn't. I was saying to someone earlier if you hadn't been here for a while, you were standing just, sort of, dropped into Jubilee Square here, this looks like a town that is on the up actually. It looks and feels confident. I love the paving – what have you put down here? It is so lovely.

Ray: So it is York stone. Lots of London paving is York stone, but they don't clean it so it looks grey. Here you get all the colours of it because we clean it, so come and enjoy it.

Interviewer: See, I don't know if you're setting a trend with that. We were in Uckfield last week and they have just redone their High Street and there is York stone down there and it just has a lovely look to it and with all the different shading in it, really makes it feel very open and welcoming and impressive as well.

Ray: So we've done the square in York stone, but if you look through the rest of the town, we've used granite and multiple colour granite because they are harder wearing and easier to clean, so I'm afraid the accountant in me said I can clean the other streets better but this looks like a good centre piece, so we'll do that in York stone.

Interviewer: OK so there's compromise number 1 already, but I can see the thinking behind that. The new development – tell us about getting to the point where perhaps you're ready to start to build there

Ray: Really exciting times – as you said the construction cost is £250m, there's quite a few other costs around the project to make that work and we have probably spent around £80m so far in preparation for that. Plan is that the Council will be asked on 8th December to finally sign off all the arrangements for the delivery, and then that should see the contractors start on site in the Spring. Excuse the Spring because some of it is knocking it down, and some of it is building it up, but we would think by April it will be well underway but then it is a three year build program, so it is not until October 2020 when we would see Marks and Spencer and the other retailer offers open.

Interviewer: We've been to a number of other towns during our eight day tour so far Ray, and it won't be a surprise to you to know that other Councils are spending various amounts of money, whether its improving their High Street or putting down new paving in the town centres, and one thing that has struck me is wherever you see a Council trying to do something to improve the look and the feel and the welcome of a place – you get people who don't like it, so how do you feel about that personally, when you are trying so hard to do good things to the town and people just find reasons to try and block it or to knock it?

Ray: I think we've just got to accept that news programmes and newspapers would never exist if there wasn't controversy, so just look at it from your business continuity, it's really good that people have different views. We live in a

Notice of Motion - Cllr Raja - Democratic Principles

democracy, not everybody will like what we are doing. It's healthy to have that discussion. We've been fortunate in the public consultations we've done on what we have done in the town centre to have very positive support for that, but the local papers and your news programmes are often filled with a few detractors, but that's life.

Interviewer: Yeah and I think my attitude in this couple of weeks we've have been on the road, I can, you know I am standing out here on a lovely sunny day and I will take a certain amount of moaning, but at some point I am going to say 'enough'. That's fair enough do you think? From my point of view it is.

Ray: From your point of view and mine at a private level? Absolutely, I have been known to say to a complainant 'if our town is so bad we're not making you stay'. The Leader of the Council gets a little upset because he has to stand for election. I don't, but I think there is a point where people complain too much and if it's really that bad, we live in a democracy. People can live wherever they want, and I don't mind if the complainers leave.

Equality Impact Assessment

The purpose of this assessment is to improve the work of the Council by making sure that it does not discriminate against any individual or group and that, where possible, it promotes equality. The Council has a legal duty to comply with equalities legislation and this template enables you to consider the impact (positive or negative) a strategy, policy, project or service may have upon the protected groups.

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action)
		Eliminate discrimination	Advance equality	Good relations			
Gender	Men					X	
	Women					X	
Gender Reassignment						X	
Race	White					X	
	Mixed/Multiple ethnic groups					X	
	Asian/Asian British					X	
	Black/African/Caribbean/Black British					X	
	Gypsies / travellers					X	
	Other ethnic group					X	

		Positive impact?			Negative impact?	No specific impact	What will the impact be? If the impact is negative how can it be mitigated? (action)
		Eliminate discrimination	Advance equality	Good relations			
Disability	Physical					X	
	Sensory					X	
	Learning Difficulties					X	
	Mental Health					X	
Sexual Orientation	Lesbian, gay men, bisexual					X	
Age	Older people (50+)					X	
	Younger people (16 - 25)					X	
Religion or Belief	Faith Groups					X	
Pregnancy & maternity						X	
Marriage & Civil Partnership						X	
Socio-economic Background						X	

Sustainability Impact Assessment

Officers preparing a committee report are required to complete a Sustainability Impact Assessment. Sustainability is one of the Council's 'cross-cutting themes' and the Council has made a corporate commitment to address the social, economic and environmental effects of activities across Business Units. The purpose of this Impact Assessment is to record any positive or negative impacts this decision, project or programme is likely to have on each of the Council's Sustainability Themes.

Theme (Potential impacts of the project)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Use of energy, water, minerals and materials			X	
Waste generation / sustainable waste management			X	
Pollution to air, land and water			X	
Factors that contribute to Climate Change			X	
Protection of and access to the natural environment			X	
Travel choices that do not rely on the car			X	
A strong, diverse and sustainable local economy			X	
Meet local needs locally			X	
Opportunities for education and information			X	
Provision of appropriate and sustainable housing			X	
Personal safety and reduced fear of crime			X	
Equality in health and good health			X	
Access to cultural and leisure facilities			X	
Social inclusion / engage and consult communities			X	
Equal opportunities for the whole community			X	
Contribute to Woking's pride of place			X	

