

MINUTES  
OF A MEETING OF THE  
**COUNCIL**

held on 5 April 2018

Present:

Cllr G S Cundy (Chairman)  
Cllr W P Forster (Vice-Chair)

Cllr Mrs H J Addison	Cllr D E Hughes
Cllr A Azad	Cllr Mrs B A Hunwicks
Cllr T Aziz	Cllr S Hussain
Cllr A-M Barker	Cllr I Johnson
Cllr D J Bittleston	Cllr C S Kemp
Cllr J E Bond	Cllr J Kingsbury
Cllr A J Boote	Cllr R Mohammed
Cllr A C L Bowes	Cllr L M N Morales
Cllr G G Chrystie	Cllr A E Murray
Cllr K M Davis	Cllr M Pengelly
Cllr I Eastwood	Cllr M I Raja
Cllr D Harlow	Cllr C Rana
Cllr K Howard	Cllr M A Whitehand

Absent: Councillors M Ali, M A Bridgeman and Mrs C Storey

**1. MINUTES.**

RESOLVED

That the minutes of the Ordinary Meeting of the Council held on 8 February 2018 be approved and signed as a true and correct record.

**2. APOLOGIES FOR ABSENCE.**

Apologies for absence had been received from Councillor Bridgeman and Claire Storey, Independent Co-Opted Member.

**3. MAYOR'S COMMUNICATIONS.**

The Mayor reported on the events he had attended since the last meeting of Council. These had included the funeral of Brigadier Salamat at the Shah Jahan Mosque, the Act of Witness in Jubilee Square on Good Friday and a visit to Brookwood Cemetery for an event to remember the soldiers who lost their lives at Gallipoli. The Mayor had hosted the Civic Ball, attended the Surrey Half Marathon, and overseen annual Pancake Race which had raised money for ShopMobility.

Forthcoming events included a ladies lunch on 18 April 2018, organised by the Mayoress in aid of the Mayor's Charity, and the Civic Reception on 27 April 2018.

As this was the last Council meeting before the May election, the Mayor expressed his appreciation of the contribution to Woking made by those Councillors standing down, and extended his best wishes to those Councillors standing for re-election.

**4. URGENT BUSINESS.**

No matters of Urgent Business were raised.

**5. DECLARATIONS OF INTEREST.**

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 declared a non-pecuniary interest in any items under which the Thameswey Group of Companies was discussed, arising from their positions as Directors of the Thameswey Group of Companies. The interest was such that speaking and voting were permissible.

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

In accordance with the Members' Code of Conduct, Councillor J Kingsbury declared a non-pecuniary interest in any items under which the Brookwood Cemetery was discussed, arising from his position as a Director of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor J Kingsbury declared a non-pecuniary interest in any items under which Export House was discussed, arising from his position as a Director of Export House Limited. The interest was 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 any items under which the Thameswey Group of Companies was discussed, arising from their positions as Directors of the Thameswey 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 any items under which the Victoria Square Development was discussed, 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 Chief Executive, Ray Morgan, and the Deputy Chief Executive, Douglas Spinks, declared an interest in any items under which Export House was discussed, arising from their positions as Directors of Export House 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 any items under which Brookwood Cemetery was discussed, arising from their positions as Directors of Woking Necropolis and Mausoleum Limited, Brookwood Park Limited and Brookwood Cemetery Limited. The interest was such that speaking was permissible.

In accordance with the Members' Code of Conduct, Councillor A-M Barker declared a non-pecuniary interest in Agenda Item 7 – Recommendations of the Executive and Committees – arising from a family member's employment by EY. The interest was such that speaking and voting were permissible.

In accordance with the Members' Code of Conduct, Councillor I Johnson declared a non-pecuniary interest in Agenda Item 8 – Sheerwater Regeneration Scheme – arising from his wife's employment by Citizens Advice Woking. The interest was such that speaking and voting were permissible.

## **6. QUESTIONS.**

Copies of questions submitted under Standing Order 8.1 together with draft replies were laid upon the table. The replies were confirmed by Members of the Executive, supplementary questions were asked and replies given.

## **7. RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES.**

Councillor Murray moved and Councillor Whitehand seconded the reception and adoption of the report and recommendations of the meeting of the Standards and Audit Committee held on 8 March 2018.

Councillor Bittleston moved and Councillor Kemp seconded the reception and adoption of the report and recommendations of the meeting of the Executive held on 22 March 2018

### **STANDARDS AND AUDIT COMMITTEE – 8 MARCH 2018**

#### **REVIEW OF ARRANGEMENTS FOR DEALING WITH STANDARDS ALLEGATIONS UNDER THE LOCALISM ACT 2011.**

The recommendation before the Council proposed amendments to the Council's arrangements for dealing with Standards Allegations under the Localism Act 2011 and was introduced by Councillor Murray.

#### **RESOLVED**

That the Council's arrangements for dealing with Standards Allegations under the Localism Act 2011 be amended as set out in the appendix to the report.

### **EXECUTIVE – 22 MARCH 2018**

#### **NOTICES OF MOTION**

The Council had before it the recommendation of the Executive to approve the Notice of Motion submitted by Councillor Johnson as follows:

"The Council

- a) notes the national campaign 'Changing Places' which encourages the provision of public toilets which are accessible for people with such profound disabilities that they need additional facilities not met by the standard accessible toilets; and

- b) agrees to incorporate into the Victoria Square development the provision of a toilet which conforms to the standards requested by the Changing Places campaign."

RESOLVED

That the Council notes the action sought by the Motion has already been taken.

#### **PARKING STANDARDS SUPPLEMENTARY PLANNING DOCUMENT (SPD)**

Councillor Bowes introduced the recommendations of the Executive in respect of the adoption of the Parking Standards Supplementary Planning Document and responded to the questions raised by the Members of the Council.

RESOLVED

That (i) the various representations to the Parking Standards Supplementary Planning Document consultation together with the Officers' response and recommendations, as set out in Appendix 1 to the report, be noted;

(ii) subject to the proposed modifications, the Parking Standards Supplementary Planning Document in Appendix 2 to the report be adopted for the purposes of managing development across the Borough;

(iii) the requirements of the Parking Standards Supplementary Planning Document should apply to all relevant planning decisions on and after the date of adoption, in this case 5 April 2018; and

(iv) authority be delegated to the Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, to approve any changes to reflect new information before the SPD is adopted.

#### **SELF-BUILD AND CUSTOM HOUSEBUILDING GUIDANCE NOTE**

The recommendations before the Council proposed the adoption of the draft Self-build and Custom Housebuilding Guidance Note and were presented by Councillor Bowes.

RESOLVED

That (i) the draft Self-build and Custom Housebuilding Guidance Note, as set out in Appendix 1 to the report, be adopted as Guidance Note to provide useful advice for individuals and organisations who wish to acquire serviced plots for self build and custom housebuilding; and

(ii) authority be delegated to the Deputy Chief Executive, in consultation with the Portfolio Holder for Planning, to approve any amendments to the draft Guidance Note to reflect new information before it is approved, and thereafter to make sure that the Guidance Note is regularly reviewed to bring it up to date.

## **MEDIUM TERM FINANCIAL STRATEGY**

(NOTE: In light of reference made to Dukes Court during the discussion and in accordance with the Officer Procedure Rules, the Chief Executive, Ray Morgan, and the Head of Democratic and Legal Services, Peter Bryant, declared an interest in the following item arising from their positions as Directors of the Dukes Court Property Company. The interest was such that speaking was permissible.)

Councillor Azad introduced the recommendations of the Executive in respect of the Medium Term Financial Strategy and responded to the points raised by Councillors.

**RESOLVED**

That the Medium Term Financial Strategy report be approved and the Executive authorised to prepare an Investment Strategy for consideration as part of the Budget process for 2019/20 which would generate sufficient income to avoid reduction in services for local people.

## **THE CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005**

Councillor Mrs Hunwicks introduced the recommendations of the Executive in respect of the Clean Neighbourhoods and Environment Act 2005, noting the key role played by the Climate Change Working Group.

**RESOLVED**

- That (i) the Council issue fixed penalty notices for offences under Part 2 of Section 3 of the Clean Neighbourhoods and Environment Act 2005;
- (ii) the level of fixed penalty notices shall be set at £100 per penalty notice where it is considered that a person has committed an offence under Part 2 of Section 3 of the Clean Neighbourhoods and Environment Act 2005;
- (iii) authority be delegated to the Assistant Director (Place), in consultation with the Portfolio Holder for Environmental and Well Being Services, to vary all environmental fixed penalty notice charges in accordance with the legislation; and
- (iv) authority be delegated to the Assistant Director (Place) to authorise any persons to issue fixed penalty notices for an offence under Part 2 of Section 3 of the Clean Neighbourhoods and Environment Act 2005.

## **FIXED NOTICE (FPN) POLICY FOR LITTERING FROM VEHICLE OFFENCES**

Concern was expressed over the wording of recommendation (iii) and the reference to "authorise any persons to issue fixed penalty notices". However, it was explained that standard wording adopted by the Council for delegations had been used.

**RESOLVED**

- That (i) the Council issue fixed penalty notices for the offence of littering from vehicles under section 88A of the Environmental Protection Act 1990 from 6 April 2018;
- (ii) the level of fixed penalty notices shall be set at £100 per fixed penalty notice, such penalty to be reduced to £50 if paid within 14 days as provided for under section 6 of the Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018;
- (iii) authority be delegated to the Assistant Director (Place) to authorise any persons to issue fixed penalty notices from 6 April 2018 for littering from vehicles under section 88A of the Environmental Protection Act 1990; and
- (iv) from 6 April 2018 the level of fixed penalty notices shall be set at £100 per penalty notice where it is considered that a person has committed an offence under section 88 of the Environmental Protection Act 1990.

**GENERAL DATA PROTECTION REGULATION (GDPR)**

In considering the recommendations of the Executive, it was noted that the Overview and Scrutiny Committee had reviewed the Executive report on General Data Protection Regulation (GDPR) at its meeting on 26 March 2018 as part of its pre-decision scrutiny role. The Committee had drawn attention to the importance of the new Regulation and the need for training for Elected Members, and had resolved to note the report.

**RESOLVED**

- That (i) the progress made on compliance with the General Data Protection Regulation, as well as the need for further work, be noted;
- (ii) the draft new Data Protection Policy be adopted; and
- (iii) Peter Bryant (Head of Democratic and Legal Services/ Monitoring Officer) be appointed Data Protection Officer.

**HOUSING ALLOCATIONS POLICY 2018**

Councillor C S Kemp, Portfolio Holder for Housing, introduced the recommendations of the Executive for the adoption of a fully revised Housing Allocations Policy.

**RESOLVED**

- That (i) the Housing Allocations Policy, as set out in the Appendix 3 to the report, be adopted; and
- (ii) the Strategic Director, in consultation with the Portfolio Holder for Housing, be delegated authority to make minor amendments to the Policy as part of an annual review.

## 8. SHEERWATER REGENERATION SCHEME.

The Council had before it a report on the Sheerwater Regeneration Scheme which sought authority for Thameswey Developments Limited to be provided with the funds necessary for the implementation of the first part of the scheme, the provision of recreational facilities. The request for a Loan Facility of £26m, on terms previously agreed by the Council, would enable TDL to construct the leisure and recreational facilities at the Bishop David Brown site.

The report also provided an update on the response to the statutory consultation with Secure Tenants undertaken by the Council, the details of the Equality Impact Assessment, the success rates of Compulsory Purchase Orders and the progress in voluntary acquisitions of private homes and voluntary moves of tenants.

Following the presentation of the proposals, Members of the Council discussed the implications and on the whole welcomed the proposals. In accordance with Standing Order 10.8 the names of Members voting for and against the recommendations were recorded.

In favour: Councillors Mrs H J Addison, A Azad, D J Bittleston, J E Bond, A J Boote, A C L Bowes, G G Chrystie, K M Davis, I Eastwood, W P Forster, D Harlow, K Howard, D E Hughes, Mrs B A Hunwicks, S Hussain, I Johnson, C S Kemp, J Kingsbury, R Mohammed, L M N Morales, A E Murray, M Pengelly, C Rana and M A Whitehand.

TOTAL in favour – 24

Against: Councillors T Aziz and M I Raja.

TOTAL against – 2

Present not voting: Councillors A-M Barker.

TOTAL present not voting – 1

The amended recommendations were therefore carried by 24 votes to 2 votes.

### RESOLVED

That (i) a Loan facility of £26m, on terms previously approved by Council, to enable TDL to implement the approved Leisure and Recreational facilities as a first stage of the full regeneration of Sheerwater;

(ii) the assured shorthold tenancies, to be granted by Thameswey Housing Limited, of properties within the regenerated Sheerwater shall include the provisions set out in paragraph 3.10 of this report, and

(iii) the Chief Executive, in consultation with the Leader of the Council/Portfolio Holder, be authorised to take appropriate action to address the recommendations contained in the EqIA.

**9. ANNUAL REPORT OF THE OVERVIEW AND SCRUTINY COMMITTEE.**

Councillor Johnson, Chairman of the Overview and Scrutiny Committee, introduced the annual report of the Committee, outlining the key activities undertaken during the year. A wide range of interesting topics had been covered by the Committee over the year and Councillor Johnson thanked Councillor Davis for his supportive role over the year as Vice-Chairman.

RESOLVED

That the report be received.

**10. ANNUAL REPORT BY COUNCIL REPRESENTATIVES ON OUTSIDE BODIES.**

The Leader of the Council, Councillor Bittleston, introduced the report and welcomed the contributions from the Council's representatives on outside bodies.

RESOLVED

That the report be noted.

**11. ANNUAL REPORT ON MEMBER LEARNING AND DEVELOPMENT.**

Councillor Kemp, Lead Councillor for Member Learning and Development, presented the annual report on the Council's learning and development activities over the past year. It was noted that the Council's Policy for Member learning and development had been reviewed and was before the Council for approval.

RESOLVED

That (i) the Elected Member learning and development activities of 2017-18 be noted; and  
(ii) the updated Policy for Elected Member Learning and Development, as set out in Appendix 2 to the report, be adopted.

**12. PAY POLICY STATEMENT 2018/19.**

Councillor Bittleston introduced the report on the Pay Policy Statement for 2018/19 and the gender pay gap data. Councillor Bowes moved and Councillor Bittleston seconded an amendment to the recommendations before the Council, namely the following two recommendations be added:

- (iii) the Council acknowledges the importance of reducing the gender pay gap; and
- (iv) the Chief Executive shall report to the December 2018 meeting of the Executive the results of the steps outlined at paragraphs 14.14 to 14.18 of this report.”

The report was welcomed and Members of the Council expressed their support for the proposed amendments.

RESOLVED That

- (i) the Pay Policy Statement be approved for publication;
- (ii) the Gender Pay Gap data be approved for publication;
- (iii) the Council acknowledges the importance of reducing the gender pay gap; and
- (iv) the Chief Executive shall report to the December 2018 meeting of the Executive the results of the steps outlined at paragraphs 14.14 to 14.18 of the report.”

**13. APPOINTMENT OF A DIRECTOR TO VICTORIA SQUARE WOKING LTD.**

The report before the Council proposed the appointment of Councillor Bittleston to the post of Councillor Director to Victoria Square Woking Limited, which would become vacant in May following the retirement of Councillor Kingsbury.

It was further proposed that, to support continuity of business, John Kingsbury should be appointed to the vacant post of Independent Director of Victoria Square Woking Limited. Whilst the Independent Director would receive an annual payment from the Company, at a level determined by Victoria Square Woking Limited, no Councillors or Officers appointed as Directors of any of the Companies received payments for their roles.

RESOLVED

- That (i) Councillor D J Bittleston be appointed as the Councillor Director of Victoria Square Woking Limited from 7 May 2018 onwards; and
- (ii) John Kingsbury be appointed as the Independent Director of Victoria Square Woking Limited from 7 May 2018 onwards.

**14. NOTICES OF MOTION.**

Councillor A-M Barker

The following motion was moved by Councillor Barker and seconded by Councillor Hughes and referred to the Executive on 7 June 2018 in accordance with Standing Order 5.7.

“Tackling Plastics

Council is concerned that:

300 million tons of new plastic is made worldwide each year.

There is now a ratio of 1:2 plastic to plankton in our oceans.

Only 12% of plastic waste in the UK is reprocessed.

Council notes

There are many practical alternatives to plastics available for straws, cups and takeaway food containers that are either reusable or sustainable.

Freedom Leisure, our leisure facilities operator, has recently committed to reduce plastic and coffee cup waste.

Council commits to

Reduce as far as possible the use of disposable plastics in its offices and other facilities.

Work with local businesses to support them in reducing their use of disposable plastics.

Promote the use of reusable hot drinks cups to employees, contractors, business partners and local businesses.”

**15. EXCLUSION OF PRESS AND PUBLIC.**

The Mayor advised that there were no items to business to consider under Part II – Exclusion of the Press and Public.

**16. VOTE OF THANKS**

The Leader of the Council thanked the Mayor and Deputy Mayor for their service over the past year and expressed his appreciation of the work undertaken by Officers and Councillors.

It was noted that Councillor John Kingsbury and Councillor Anne Murray would be standing down as Councillors at the next Election after serving the Borough for 19 years and 15 years respectively. The Council recorded their thanks for the outstanding roles they had taken on during their terms of office, including the position of Mayor. Councillor Kingsbury responded to the Council, referring to some of the outstanding achievements of the Council during the past 19 years.

The meeting commenced at 7.00 pm  
and ended at 9.27 pm

Chairman: \_\_\_\_\_

Date: \_\_\_\_\_