

RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES

Executive Summary

The Council is invited to consider the recommendations from the meetings of the Executive held on 9 September and 7 October 2021, and the Licensing Committee held on 5 October 2021. The recommendations of the meetings are outlined below.

EXECUTIVE – 9 SEPTEMBER 2021

7A NOTICE OF MOTION - CLLR A KIRBY - POLLINATOR PLAN FOR WOKING EXE21-080

At its meeting on 29 July 2021, the Council referred the following Notice of Motion to the Executive.

Councillor A Kirby

“Pollinator Plan for Woking

This Council notes the systemic importance of pollinators to our food supply and economy, as well as their intrinsic value to nature in Woking Borough. This Council also notes the success and popularity elsewhere across the UK of the ‘No Mow May’ campaign, during which grass verges were left undisturbed by mowing during this critical month for flowers, wildlife and pollinators in particular.

The Council acknowledges the existing local work in this area of the ‘Planet Woking’, ‘Woking Environment Action Group’ and other voluntary organisations, in supporting bees and other pollinators through the sowing and planting of wildflowers. The Council recognises the importance of wild meadow spaces to the public realm, residents’ enjoyment of the Borough – and the benefits to the visual appeal of our communities.

The Council also acknowledges the success of its own existing wildflower strategies, which have so far been run on a more site-specific basis.

Accordingly, this Council resolves to instruct Officers to arrange for a broad and Borough-wide set of policies, classifying our grass cutting activities in each location according to the frequency of mowing required. This should result in a set of Borough-wide ‘wildness grades’ associated with different levels of mowing.

This system should be designed to achieve four key things:

- 1) Maximise the level of diverse wild flora and fauna in all council-maintained grassland, with the first assumption for maximum biodiversity
- 2) Continue to ensure public safety and amenity where essential (such as sports pitches or road verges)
- 3) Create an easily understandable set of ‘wildness grades’ to enable residents to understand and engage with the Council’s grass cutting policies

Recommendations of the Executive and Committees

- 4) Allow Council contractors to refocus on keeping public footpaths clear of vegetation

This Council resolves that the vast majority of grassland within this scheme will be left unmown during the entire period 1st May – 1st June, excluding only the most exceptional of locations within the 'least' wild category, as outlined for exceptional reasons of safety or public utility mentioned above. Beyond this initial distinction of inclusion in the 'No Mow May' principle, further grades of reduced cutting should be considered – up to and including a policy in some locations of cutting grass only once per year in August.

Council instructs Officers and the relevant Portfolio Holder to create a clear set of such 'wildness grades' for Woking grassland and to allocate all grassy areas maintained by Woking Borough Council to one of these 'grades' – with a preference for the most wild to suit each location.

Council also resolves that Officers should report back to Full Council at their earliest convenience with estimates of the potential net savings from such a systematic and organised policy of reduced grass-cutting, so that all Councillors can debate the best use of these savings for other purposes."

Councillor Kirby attended the meeting and spoke in support of the Motion. The Portfolio Holder for Climate Change Strategy, Councillor Davis, expressed disappointment at the Motion and was of the opinion that the issues raised by the Motion should have been discussed at the cross-party Climate Change Working Group beforehand. The Portfolio Holder drew attention to the Officer Comment to the Motion and the work that was already taking place regarding the delivery of wildflowers in suitable locations in the Borough. Councillor Howard, Chairman of the Climate Change Working Group, reported that the Council's Green Infrastructure Team was currently working on solutions to achieve biodiversity benefits and increase resident engagement, whilst striking a careful balance that respected the wide range of residents' views on the topic. Councillor Howard advised that the matter would be discussed at the Climate Change Working Group, at its meeting on 1 December 2021, and that the Group would make recommendations to the Executive. An amended Motion was proposed by Councillor Howard and agreed by the Executive. The amended Motion to read as follows:

"Council recognises the seriousness of the loss of wildflower meadows and the decline in the numbers of insect pollinators.

Officers will present a report to the December meeting of the Climate Change Working Group addressing these problems and incorporating such concepts as selective mowing and "No Mow May"."

RECOMMENDED to Council

That the Motion, as amended by the Executive, be supported.

7B. NOTICE OF MOTION - CLLR A KIRBY - FREEDOM TO VOTE BY POST EXE21-081

At its meeting on 29 July 2021, the Council referred the following Notice of Motion to the Executive.

Councillor A Kirby

"Freedom to vote by post

This Council believes that democracy is best secured by maximising electoral turnout and participation, as much as that democracy must start by more literally securing residents' votes.

Recommendations of the Executive and Committees

It is therefore with regret that this Council notes the proportion of people voting by post in the Borough did not rise between 2019 and 2021, despite this year's elections being the first to be held since the arrival of Covid-19. Despite the understandable caution from residents around in-person events – and for many even medically-advised isolation – the proportion of local people voting by post in fact fell.

In light of these facts, this Council recognises its responsibility to better uphold and inspire democratic participation through challenging times. This Council also recognises the importance and legal status of the fully independent Electoral Commission.

This Council notes that Woking Borough is an outlier in asking residents already on the electoral register for photo-identification in order to support their application for a postal vote, contrary to official guidance and legal requirements as set out by the Electoral Commission.

Therefore, this Council resolves to:

- 1) Reflect the latest exact wording used by the Electoral Commission on its own website, when describing the process of registering to vote by post, on all relevant communications whether in print, digital or in person.
- 2) Remove all other restrictions, suggestion of restriction, advice to follow legally unnecessary steps, or any other effective impediment created by the Council's advice or processes, on the ability of residents to register for a postal vote.
- 3) Proactively communicate this change to residents, via all Council-controlled media channels and to issue a public statement to all local media on behalf of this Full Council, clarifying the change and the exact contents of this motion."

Following the meeting of Council on 29 July 2021, Councillor Kirby requested some changes to the Motion (shown in bold in the revised Motion below) in order to reflect the importance of the Chief Executive's role as Electoral Registration Officer and the role's independence in light of the electoral law and Electoral Commission who are the legal source of authority on the existing rules.

Revised Motion:

Councillor A Kirby

"Freedom to vote by post

This Council believes that democracy is best secured by maximising electoral turnout and participation, as much as that democracy must start by more literally securing residents' votes.

It is therefore with regret that this Council notes the proportion of people voting by post in the Borough did not rise between 2019 and 2021, despite this year's elections being the first to be held since the arrival of Covid-19. Despite the understandable caution from residents around in-person events – and for many even medically-advised isolation – the proportion of local people voting by post in fact fell.

In light of these facts, this Council recognises its responsibility to better uphold and inspire democratic participation through challenging times.

This Council also recognises the importance and legal status of the fully independent Electoral Commission. **Equally this Council notes the importance of our independent Electoral Registration Officer, responsible for upholding the Electoral Commission's advice, and welcomes our new Chief Executive to this role.**

Recommendations of the Executive and Committees

This Council notes that Woking Borough is an outlier in asking residents already on the electoral register for photo-identification in order to support their application for a postal vote, contrary to official guidance and legal requirements as set out by the Electoral Commission.

Therefore, this Council resolves to:

- 1) **Support the Electoral Registration Officer in reflecting** the latest exact wording as **recommended** by the Electoral Commission on its own website, when describing the process of registering to vote by post, on all relevant communications whether in print, digital or in person.
- 2) Remove **from general council communications all other suggestion of restriction**, advice to follow legally unnecessary steps, or any other effective impediment created by the Council's advice or processes, on the ability of residents to register for a postal vote.
- 3) **Support the Electoral Registration Officer by proactively communicating the existing legal reality of postal registration** requirements to residents, via all Council-controlled media channels and to issue a public statement to all local media on behalf of this Full Council, **clarifying the exact contents of this motion.**"

Councillor Kirby spoke in support of the Motion. The Leader of the Council, Councillor Azad, advised that the matters raised by the Motion were the personal responsibility of the Returning Officer and that the Council was not able to determine or influence the process. The Executive was informed that the Returning Officer had undertaken a review of the practices and procedures in place and had concluded to no longer request electors to provide additional photo ID for applications to vote by post. Members were reminded that the extra steps had been adopted due to Woking being identified as an area where the risk of future allegations of electoral fraud was higher due to the previous confirmed case of proven fraud. The Executive was not supportive of Cllr Kirby's Motion in its current form but agreed that support for the actions taken by the Electoral Registration Officer be noted. It was therefore agreed to add to the Motion additional points 4) and 5), the amended Motion to read as follows:

"Freedom to vote by post

This Council believes that democracy is best secured by maximising electoral turnout and participation, as much as that democracy must start by more literally securing residents' votes.

It is therefore with regret that this Council notes the proportion of people voting by post in the Borough did not rise between 2019 and 2021, despite this year's elections being the first to be held since the arrival of Covid-19. Despite the understandable caution from residents around in-person events – and for many even medically-advised isolation – the proportion of local people voting by post in fact fell.

In light of these facts, this Council recognises its responsibility to better uphold and inspire democratic participation through challenging times.

This Council also recognises the importance and legal status of the fully independent Electoral Commission. Equally this Council notes the importance of our independent Electoral Registration Officer, responsible for upholding the Electoral Commission's advice, and welcomes our new Chief Executive to this role.

This Council notes that Woking Borough is an outlier in asking residents already on the electoral register for photo-identification in order to support their application for a postal vote, contrary to official guidance and legal requirements as set out by the Electoral Commission.

Recommendations of the Executive and Committees

Therefore, this Council resolves to:

- 1) Support the Electoral Registration Officer in reflecting the latest exact wording as recommended by the Electoral Commission on its own website, when describing the process of registering to vote by post, on all relevant communications whether in print, digital or in person.
- 2) Remove from general council communications all other suggestion of restriction, advice to follow legally unnecessary steps, or any other effective impediment created by the Council's advice or processes, on the ability of residents to register for a postal vote.
- 3) Support the Electoral Registration Officer by proactively communicating the existing legal reality of postal registration requirements to residents, via all Council-controlled media channels and to issue a public statement to all local media on behalf of this Full Council, clarifying the exact contents of this motion.
- 4) Note the actions already taken by the Returning Officer in section 2 of her report to the Elections and Electoral Registration Panel dated 23 August 2021 in the matter of Absent Voter Registrations.
- 5) Continue to run elections with regard to the fundamental principles of elections open to all and free from fraud."

RECOMMENDED to Council

That the Motion, as amended by the Executive, be supported.

7C. REVIEW OF THE INFRASTRUCTURE CAPACITY STUDY AND DELIVERY PLAN - EAST OF THE BOROUGH AND BOROUGH-WIDE STUDY EXE21-062

Councillor Elson, Portfolio Holder for Planning Policy, introduced a report which recommended to Council the contents of the Infrastructure Capacity Study and Delivery Plan. It was noted that the Local Development Framework Working Group had considered the Plan at its meeting on 21 July 2021 and had been supportive. The Portfolio Holder explained that stakeholder involvement had been central to the preparation of the Infrastructure Delivery Plan (IDP) and there had been ongoing involvement and partnership working with the relevant Infrastructure Providers.

The Executive was informed that the latest IDP was published in 2018 and that the revised IDP (2021) was intended to be published by the end of the year. It was noted that the IDP was a living document that would be regularly updated to take account of new information to ensure it continued to be robust in supporting the delivery of the Core Strategy and the Site Allocations DPD. It was explained that there was no action plan as there were no development proposals as yet.

It was suggested that Working Joint Committee's Infrastructure Task Group could be involved going forward.

Following a question regarding the Sheer House development in West Byfleet, the Executive was informed that Officers had been in discussion with the Clinical Commissioning Group (CCG) about the impact on health resources.

RECOMMENDED to Council

That the contents of the Infrastructure Capacity Study and Delivery Plan be noted and approved.

Recommendations of the Executive and Committees

Reason: To ensure that there is an up to date IDP to enable the sustainable delivery of the Core Strategy and the Site Allocations DPD.

7D. REVIEW OF DEVELOPMENT MANAGEMENT POLICIES DEVELOPMENT PLAN DOCUMENT (DPD) EXE21-069

Councillor Elson, Portfolio Holder for Planning Policy, introduced a report which recommended to Council the approval of the review of the Development Management Policies DPD. The Executive was advised that the Council had a statutory duty to review its development plan documents at least once every five years. Councillor Elson reported that a review had been conducted and it was recommended that no immediate modification was required. Attention was drawn to paragraph 1.8 of the report which set out uncertainty caused by the Government's Planning White Paper and the 2021 Queen's Speech regarding laws to modernise the planning system. Officers would be monitoring the situation closely and would notify Members if the DPD needed to be modified in accordance with changes in national policy.

Discussion ensued on the consultation responses. It was noted that all the representations had been considered and many worthwhile comments had been received. However none of the responses had been significant enough to justify an immediate modification of the DPD.

Following a question regarding climate change, the Executive was informed that the Council had embarked upon a review of the Climate Change Supplementary Planning Document (SPD) and a draft of the SPD would be received by the Executive in due course.

RECOMMENDED to Council

- That (i) the review of the Development Management Policies DPD, included in Appendix 1 to the report, be approved;**
- (ii) the Development Management Policies DPD continue to be up to date for the purposes of managing development across the Borough;**
- (iii) the details of the review be published on the Council's website as soon as it is reasonable to do so after Council's approval; and**
- (iv) authority be delegated to the Director of Planning, in consultation with the Portfolio Holder for Planning, to approve any minor changes to the review to reflect new information, including any national guidance before it is published.**

Reason: To enable the Council to meet its statutory duty to review the Development Management Policies Development Plan Document in accordance with paragraph 33 of the National Planning Policy Framework (NPPF).

EXECUTIVE – 7 OCTOBER 2021

7E. WOKING SITE ALLOCATIONS DEVELOPMENT PLAN DOCUMENT (DPD) – THE INSPECTOR’S FINAL REPORT

Set out below is an extract from the report before the Executive at its meeting on 7 October 2021. The draft minutes will be circulated once available after the meeting.

The Executive is requested to:

RECOMMEND TO COUNCIL That

- (i) the Local Development Framework (LDF) Working Group accepts that the Inspector’s Final Report is binding and that the Council has a binary choice to adopt the Inspector’s recommendations in full or not to adopt the DPD. Although in the main the DPD presents a sustainable way forward for the development of the borough taking into account housing requirements, elements of the Inspector’s Final Report are not what some Councillors and local residents would want. Notwithstanding this, it is clear that the failure to timely adopt the recommendations would result in a worse outcome for the borough as a whole. Taking into account the above and national planning policy, the Working Group recommends that the Inspector’s Final Report and the Main Modifications document be accepted by the Council in full;**
- (ii) subject to the Main Modifications recommended by the Inspector and the Council’s Additional Modifications, the Woking Site Allocations Development Plan Document and the Proposals Map be adopted in full for the purposes of development management and all other planning decisions;**
- (iii) the entire provisions of the Woking Site Allocations DPD (draft is in Appendix 4 to the report) and the Proposals Map (Appendix 3 to the report) should be given full weight for the purposes of development management and all other planning decisions;**
- (iv) delegated authority be given to the Director of Planning, in consultation with the Portfolio Holder for Planning, to make sure that the Inspector’s Main Modifications and the Council’s Additional Modifications are fully incorporated into the Site Allocations DPD. A draft of the DPD is in Appendix 4 to the report;**
- (v) delegated authority be given to the Director of Planning, in consultation with the Portfolio Holder for Planning, to oversee the preparation and publication of the post adoption Sustainability Appraisal Statement; and**
- (vi) delegated authority be given to the Director of Planning and Director of Legal and Democratic Services, in consultation with the Portfolio Holder for Planning, to ensure that the adoption process as set out in Section 8 (next stages) of the report is strictly followed.**

Recommendations of the Executive and Committees

Reasons for Decision

Reason: To ensure the adoption of the Site Allocations DPD to provide the necessary framework for the sustainable distribution of development across the borough.

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

LICENSING COMMITTEE – 5 OCTOBER 2021

7F. REVIEW OF LICENSING POLICY

RECOMMEND TO COUNCIL That

the Licensing Policy be adopted, as amended by the Licensing Committee at its meeting on 5 October 2021.

Background Papers: None.

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