

RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES

Executive Summary

The Council is invited to consider the recommendations from the meetings of the Executive held on 17 June 2021 and 15 July 2021, and the Planning Committee held 20 July 2021. The recommendations of the meetings are outlined below.

EXECUTIVE – 17 JUNE 2021

9A. NOTICE OF MOTION – CLLR L LYONS – CONSTRUCTION SITE NOISE LIMITS

At its meeting on 11 February 2021, the Council referred the following Notice of Motion to the Executive.

Councillor L Lyons

“In accordance with the Control of Pollution Act (Noise) 1974, construction sites operating in Woking must currently limit site noise to the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 on Saturday and not at all on Sunday, with no noise permitted to be audible from the site boundary outside of those hours.

- (i) These times are to be confirmed as a matter of Council policy, and any review of, or amendments to, these times must be determined by the Council.
- (ii) Any permission to vary from these times may only be granted to an applicant with the permission of the Planning Committee.
- (iii) Any such permission by the Planning Committee will only be granted in exceptional circumstances, and for a limited and specified period.
- (iv) Permission to vary these times on a single occasion, for a maximum period of one day, may be granted by relevant Officers under delegated powers. Subsequent applications, or applications for longer than one day, must be considered by the Planning Committee.
- (v) On all such instances of permission to vary from these times being granted, residents likely to be affected will be notified by post.
- (vi) Works deemed to be an emergency will continue to be exempt from these restrictions.”

The Executive considered the Motion at its meeting on 25 March 2021 and recommended to Council that the Motion be not supported. At Council on 8 April 2021, it was resolved that the Motion be deferred to enable it to be considered by the Overview and Scrutiny Committee on 7 June 2021 and the Executive on 17 June 2021 with a view to the matter being brought back to Council on 29 July 2021. Attention was drawn to a supplementary report which set out the views of the Overview and Scrutiny Committee for consideration by the Executive. The Executive welcomed both the measures proposed within the report, and those recommended by the Overview and Scrutiny Committee.

RECOMMENDED to Council

Recommendations of the Executive and Committees

That the measures as proposed within the report, together with the measures recommended by the Overview and Scrutiny Committee as set out below, be adopted.

- i) **Ward Councillors to be consulted where a Prior Consent Notice has been submitted requesting noisy works outside of usual hours, to the extent this is practically possible, before a decision is made;**
- ii) **a quarterly report be prepared and submitted to the Overview and Scrutiny Committee providing details of noise complaints received; and**
- iii) **the communication with local residents on upcoming noisy works be improved by the use of the Council website and social media, ensuring consistency of the use of direct communication to local residents such as letters and door knocks.**

Reason: To consolidate existing arrangements.

9B. NOTICE OF MOTION – CLLR W FORSTER – GREEN FLAG AWARD

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor W Forster

“This Council notes that more people than normal have enjoyed spending time in Woking’s parks since the first national lockdown was ordered due to the coronavirus pandemic.

The Council acknowledges that one of the Borough’s open spaces, Brookwood Cemetery, has been granted a Green Flag Award, whereas in neighbouring Guildford Borough, ten of their parks have Green Flag Awards. The Council notes that our parks could be better managed for the residents who use them, the environment and future of our Borough.

Accordingly, this Council resolves to ask Officers to investigate how to improve the Borough’s parks and open spaces so more would be eligible for a Green Flag Award and enable local people to enjoy their leisure time in better public spaces.”

Councillor Forster attended the meeting and spoke in support of the Motion. The Executive noted that the current environmental maintenance contract would come to an end in March 2023 and that there would be an opportunity to prepare the new tender specification with the Green Flag Award criteria in mind. It was noted that there would be associated costs involved with Green Flag aspirations. In the interim, Officers advised that standards of the Borough’s open spaces could be looked at. Regarding resources, the Executive was informed that there was flexibility in the current contract. The possibility of community involvement in any future Green Flag applications was suggested.

RECOMMENDED to Council

That the Motion be supported.

Recommendations of the Executive and Committees

9C. NOTICE OF MOTION – CLLR M RAJA – BROOKWOOD CEMETERY BURIAL CHARGES

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor M Raja

“The COVID-19 pandemic has seen a massive increase in deaths across the country, with 20% more deaths registered from March 2020 to the end of the year than would be expected under pre-pandemic conditions.

Since Woking Borough Council has taken over Brookwood cemetery, the effective costs for burials have gone up, putting further strain on families who’ve lost loved ones in these difficult times. We are not offering local residents discounts on burial charges, a scheme that is common in many local authorities.

Due to the high death toll from COVID and the consideration that many families have lost multiple family members, this council will

- i) Reconsider the burial charges it has introduced to the cemetery
- ii) Introduce a system offering a discount to local taxpayers, as is common among many parishes.”

Councillor Raja attended the meeting and spoke in support of the Motion. The Executive noted that fees and charges for interment at Brookwood Cemetery had not increased for six years following the Council’s purchase of the historic site. The Leader advised that the fees and charges were determined by Brookwood Park Limited and its Board, and if it wished, the Board could undertake a competitor analysis of burial charges. The Leader further advised that the Council had invested significant capital and revenue funds to restore the Cemetery. The Executive was not supportive of Cllr Raja’s Motion and agreed an amended Motion to read as follows:

“The Council notes that since Woking Borough Council has taken over Brookwood Cemetery, the initial charges introduced in 1 August 2015 have been frozen and the service provided by the cemetery to the Woking community has conspicuously improved.

Therefore the Council:

- i) expresses its appreciation of the frozen charges from 2015 and encourages the board of Brookwood Cemetery to freeze in 2022/3 for 50 years Exclusive Right of Burial, including the establishment of free resident infant graves;
- ii) notes the system offering a discount to local taxpayers in both the south and the north cemetery; and
- iii) is happy to offer both i) and ii) despite the increasing pressure on Council finances and the need to generate income to fund services.”

RECOMMENDED to Council

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

Recommendations of the Executive and Committees

9D. NOTICE OF MOTION – CLLR M RAJA – SUPPORTING THE WORK OF THE PLANNING AND OVERVIEW AND SCRUTINY COMMITTEES

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor M Raja

“In the past year, members of the Planning Committee have worked diligently, and under great pressure, in upholding Woking planning policy and responding to residents’ views and concerns.

Similarly, over the past few years, the task group members of the Overview and Scrutiny Committee have produced important work in leading the effort to review council practices in the face of strong opposition and denial; and eventually had their concerns vindicated by the report from the external investigation.

Given the exemplary work of both the Planning and O&S Committee in the past year, this council commends and thanks them for their commitment to democracy and their service to the residents of Woking and calls for providing the right support to these committees as and when needed.”

Councillor Raja spoke in support of the Motion. Following a question regarding Dr Edila’s recommendations following her independent investigation into the Woking Football Club and associated developments, the Leader confirmed that an update, which would include the recommended appointment of a part-time Scrutiny Officer, would be received at Council on 29 July 2021. The Leader commended the work of all the Council’s Committees and various working groups over the past year. The Executive was not supportive of Cllr Raja’s Motion and agreed an amended Motion to read as follows:

“In the past year, the need for training to support Members of all parties who serve on all committees has been highlighted by the nature of remote working. This Council agrees that in respect of officer time, training and resources, all committees of the Council should be supported properly and expresses its appreciation that training and support for committee chairs has already been put in train by this administration.”

RECOMMENDED to Council

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

9E. NOTICE OF MOTION – CLLR T AZIZ – PUBLIC CONSULTATION ON HOUSING INFRASTRUCTURE FUND (HIF) SCHEME

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor T Aziz

“While we fully believe in development, improvement and raising Woking’s profile it seems odd and contrary to democratic principles that we do not consult public on major plans.

It strikes most odd that the council consulted on building 2180 homes, as in the DPD, but did not consult on 5000+ homes in the town center and simply wishes to adopt the HIF scheme.

This motion calls for:

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- 1) The HIF scheme housing to be put to public consultation with full honest disclosures.
- 2) The council cease to make any further promises on HIF to any bodies until such consultation is complete.
- 3) The council re assess the scheme's housing targets under new market conditions, (especially post COVID) public opinion and if needed is open to renegotiations with central government.”

Councillor Aziz attended the meeting and spoke in support of the Motion. Attention was drawn to the comprehensive Officer comment and it was noted that there was no requirement for further promises in relation to HIF. Following a question regarding the details of the agreement with Homes England, Councillor Kemp advised that the Executive at its meeting on 6 February 2020, and Council at its meeting on 13 February 2020, had received a draft copy of the full agreement in Part II. Councillor Kemp advised that he had asked Officers to check whether there were any differences between the draft and final agreement.

The Leader stated that wider consultation on the town centre would take place through the Town Centre Masterplan process and that it would be appropriate to include the HIF scheme housing requirement as part of that consultation. It was noted that the development of the Masterplan was underway and would form a key element of the Council's Big Conversation with all sectors of the community. In addition, the Council's consultation on its Housing Strategy was currently live and all Members and residents were encouraged to submit their views.

The Executive was not supportive of Cllr Aziz's Motion and agreed an amended Motion to read as follows:

“When the successful Housing Infrastructure Fund bid for £95m was made, the Council did not know it would succeed and therefore did not consult in detail on building the homes in the town centre afforded by the scheme.

In order to address this, this Council agrees:

- i) the HIF scheme housing requirement be part of the Town Centre Masterplan consultation;

This Council also notes:

- ii) the commitment already made by the Council as part of the HIF project; and
- iii) the housing numbers already agreed by the Government.”

RECOMMENDED to Council

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

Recommendations of the Executive and Committees

9F. NOTICE OF MOTION – CLLR T AZIZ – REVIEW OF THE OPERATION OF WOKING BOROUGH COUNCIL'S PLANNING DEPARTMENT

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor T Aziz

“In recent times, Woking Borough Council’s Planning Department has recommended a number of mega-development planning applications despite having major failures against Woking policy.

While many of the recommendations given were subsequently voted down by the Planning Committee, it should not fall to them to uphold council policy. Decisions such as the football club, Goldsworth Road plans and numerous others which contravene planning policy have resulted in public calling into question the impartiality and independence of the department. It is also not clear what advice was given to developers and if they were given to believe that they had realistic chances of success despite major breaches. Clarity is needed on how these decisions were made by planning department and the extent of contact of those heading the department with developers.

Thus, this council calls for a review of the operation of the planning department of Woking Borough Council, including the steps taken by planning officers to come to decisions where plans which contravened Woking Planning Policy were recommended, advice given to developers and an independent investigation into correspondence and links between LPA and developers.”

Following discussions between Councillor Aziz and Officers, attention was drawn to a supplementary report which set out an amended form of wording which removed reference to those Officers who head the planning department. The revised wording of the Motion reads as follows:

“In recent times, Woking Borough Council’s Planning Department has recommended approval of a number of mega-development planning applications. While many of the recommendations given were subsequently voted down by the Planning Committee, it should not fall to them to uphold council policy. Decisions such as the football club, Goldsworth Road plans and numerous others which have been refused by the Planning Committee have resulted in the public calling into question the role of the planning department. It is also not clear what advice was given to developers and if they were given to believe that they had realistic chances of success despite the applications being refused. Clarity is needed on the role of the planning department.

Thus, this council calls for a review of the operation of the planning department of Woking Borough Council, including the steps taken by planning officers to come to recommendations where applications were refused by the Planning Committee, advice given to developers and an independent investigation into correspondence and whether there are any links between the LPA and developers.”

Councillor Aziz spoke in support of the revised Motion. The Executive acknowledged that planning was a complex process involving balancing Development Plan policies and material considerations. It was noted that Council policies applicable to planning applications were clearly noted in Planning Committee reports. Also, Officers arranged drop-in sessions in respect of large scale developments before consideration at Planning Committee. The Executive was in favour of an LGA-appointed review of the operation of the Council’s planning function which would include the steps taken by officers and Members to come to decisions in performing their professional and statutory duties.

Recommendations of the Executive and Committees

The Executive was not supportive of Cllr Aziz's Motion and agreed an amended Motion to read as follows:

"In recent times, Woking Borough Council's Planning Department has recommended a number of planning applications subsequently voted down by the Planning Committee.

In addition, applications have been called in by Members and subsequently agreed by Councillors against officer advice even when previous refusals on identical schemes had already been issued – or enforced.

This Council calls for an LGA-appointed review of the operation of the planning function of Woking Borough Council, including the steps taken by officers and Members to come to decisions in performing their professional and statutory duties."

RECOMMENDED to Council

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

9G. NOTICE OF MOTION – CLLR T AZIZ – INVESTIGATION INTO NEW VISION HOMES

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor T Aziz

"Over the past few years, New Vision Homes has repeatedly shown itself to be unable to deal with housing issues in the properties they manage.

We all know of the NVH tenant who tragically took her own life in 2016 after battling mental and physical health issues exacerbated by the regular flooding of her home over 13 years,

In recently The Housing Ombudsman judgement criticizes severe Maladministration in case case where an elderly resident is left without heating or hot water for 3 years and council failed to take any appropriate action to resolve the situation and council has been fined £6000.

Thus, in light of some of the unacceptable failures in maintaining council properties, this motion calls for a thorough investigation into the causes of the failures, conducted by the chair of the O&S committee and a select cross-party panel appointed by the chair of O&S. This investigation will:

- I. Analyze the root causes of the failures.
- II. Hear from officers and portfolio holders, and
- III. Recommend steps going forward to ensure such events do not occur again."

Following discussions between Councillor Aziz and Officers, attention was drawn to a supplementary report which set out an amended form of wording which addressed concerns of Officers. The revised wording of the Motion reads as follows:

"Over the past few years, New Vision Homes has repeatedly shown itself to be unable to deal with housing issues in the properties they manage.

Recommendations of the Executive and Committees

Recently the Housing Ombudsman judgement criticizes severe Maladministration in a case where an elderly resident was left without heating or hot water for 3 years and council failed to take any appropriate action to resolve the situation and council has been fined £6000.

Thus, in light of these failures in maintaining council properties, this motion calls for the Council to learn from such cases as it plans its Housing Services for the period after the NVH contract ends in 2022. The lessons learnt, along with an improvement plan, should be reported to, and progress monitored through, the Housing Task Group to ensure that residents benefit from an improved service going forward.”

Councillor Aziz spoke in support of the amended Motion. The Executive supported the amended Motion and noted that an update would be received by the Housing Task Group in July 2021.

RECOMMENDED to Council

That the Motion, as amended, be supported.

9H. NOTICE OF MOTION – CLLR M ALI – ELIGIBILITY OF RESIDENTS TO POSITIONS WITH THE COUNCIL AND RESIDENTS' PANEL

At its meeting on 8 April 2021, the Council referred the following Notice of Motion to the Executive.

Councillor M Ali

“The report on Independent Directors of Subsidiaries (EXE21-010), discussed at the meeting of the Executive on 14 January 2021, stipulates that “Applicants will not qualify for the role of Independent Directors if they are politically active, either Party Political or in an active Protest Group or are conflicted by the nature of their employment or other activity.”

Under a free and functioning democracy, the term “Protest Group” is an egregious definition for residents of Woking who may not agree with the actions and decisions of Woking Borough Council. We should not discriminate against those who take an active interest in local matters merely because they are openly critical of the council.

Similarly, the questionnaire for applying for the council’s Residents’ Panel includes a “Satisfaction Survey” in which the resident has to present their view of the council, including if they agree with statements such as “I trust” WBC, or “ I support WBC to take the appropriate actions today that will benefit my area in the future”. Residents who disagree with these statements may be discouraged from applying as they may think that it will negatively impact their application, and thus contribute to a less diverse Residents Panel. Furthermore, whether or not the resident agrees with these statements should have no bearing on their suitability for the panel. Thus, the council

- I. Resolves that the view of any resident regarding planning policies or other council matters should not be used against them as criteria in determining their eligibility to positions within the council, including but not limited to directorships, resident panels and other bodies.
- II. Moves to delete the term ‘protest groups’ from the criteria and does not use it within WBC to define any residents.
- III. Will remove the requirement of filling out a “Satisfaction Survey” in an application to the Residents’ Panel.”

Recommendations of the Executive and Committees

Councillor Aziz spoke in support of the Motion on behalf of Councillor Ali. The Executive noted the good response to the 10,000 Satisfaction Survey's which had been sent to residents. The Portfolio Holder, Councillor Ashall, advised that a Satisfaction Survey was no longer a requirement when applying to the Residents' Panel so iii) of the Motion was inaccurate. Regarding ii) of the Motion, the Executive was supportive of reviewing the term 'protest groups' ahead of the next round of appointments.

The Executive was not supportive of Cllr Ali's Motion and agreed an amended Motion to read as follows:

"This Council should not discriminate against those who take an active interest in local matters merely because they are openly critical of the Council.

Thus, the Council:

- i) resolves that the view of any resident regarding planning policies or other Council matters should not be used against them as criteria in determining their eligibility to positions within the Council including, but not limited to, directorships, resident panels and other bodies; and
- ii) undertakes to review all criteria and terms used ahead of the next round of appointments."

RECOMMENDED to Council

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

EXECUTIVE – 15 JULY 2021

91. HOUSING STRATEGY EXE21-051

Councillor Harlow, the Portfolio Holder for Housing, introduced the report which sought approval of the Executive to recommend to Council the adoption of the Housing Strategy 2021-2026. Following the good response to the consultation, the Executive noted that Officers were pulling together a full consultation report with the intention of publishing it on the Council's website and providing a copy at the next Housing Task Group. Following a question, it was noted that some Thamesway properties outside of the Borough were used in the Council's Let's Rent Scheme. Regarding shared ownership schemes, Officers advised that the main barrier was the number of new homes built as such schemes were usually delivered through new development. The low number of homes delivered by Thamesway was highlighted, however the Portfolio Holder commented that there had been a low number of new builds generally.

Downsizing was discussed and it was noted that the aspiration was to consult people currently under occupying and to understand what incentives would encourage them to downsize.

Members welcomed the Housing Strategy and congratulated Officers on their hard work.

RECOMMENDED to Council

That (i) the Housing Strategy 2021-2026, as attached to the report, be approved; and

Recommendations of the Executive and Committees

- (ii) **the Director of Housing, in consultation with the Portfolio Holder for Housing, be delegated authority to make minor amendments to the Strategy and to update the action plan as required.**

Reason: The Council has a legal duty to have an up-to-date Housing Strategy in place.

9J. HEALTH AND WELLBEING STRATEGY EXE21-016

The Executive received a report which sought approval of the Executive to recommend to Council the adoption of the Health and Wellbeing Strategy 2021-2031. Attention was drawn to a supplementary report which set out the views of the Overview and Scrutiny Committee following the Committee's pre-decision scrutiny of the Strategy at its meeting on 12 July 2021. The Executive noted that the Strategy identified five key priority areas to deliver the Council's vision for the health and wellbeing of the Woking population. Members welcomed that an Action Plan would set out the key actions to deliver the identified priorities. It was suggested that health and wellbeing implications could be considered in all Council policies. It was also suggested that specific reference be made to the health needs of care leavers and refugees.

The Executive welcomed the Health and Wellbeing Strategy, noting the synergy with the current work on the Housing Strategy and Town Centre Masterplan. The Chairman thanked all those involved for their work on the Strategy, noting that the Strategy underpinned the corporate objective to improve the health and wellbeing of all residents.

RECOMMENDED to Council

That the Health and Wellbeing Strategy 2021-2031 be approved.

Reason: The priorities identified in the Health and Wellbeing Strategy will positively impact and support the health and wellbeing of the residents of Woking.

A copy of the Strategy is attached for information.

PLANNING COMMITTEE – 20 JULY 2021

9K. SCHEME OF DELEGATION

RECOMMENDED to Council

That Applications for approval of details reserved by condition submitted by Woking Borough Council and their companies/entities are delegated to the Development Manager for determination in consultation with the Chairman of the Planning Committee (or in her absence, the Vice-Chairman) for a temporary period until the 7 September 2021 Planning Committee.

Background Papers: None.

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Recommendations of the Executive and Committees

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