Woking £490m write down sparks 'worst fears'

Epsom and Ewell Times has been following a nearby Surrey Borough's debt woes. Epsom and Ewell Borough Council, in contrast to Woking, has consistently balanced its budgets. The Woking towers in question are visible from Epsom Downs. Chris Caulfield reports.

"Worst fears" have been confirmed in newly published accounts that exposed a half billion pound "black hole" in Woking Borough Council's finances and plunged the future of many services into doubt.

The figures, released this week on Companies House for 2021, show the council's biggest investment, Victoria Square, has had £490,479,300 wiped off its value.

Construction on the development began in 2017 after the previous administration signed off on £750m of loans to cover the investment.

It was billed as one of "the most ambitious developments in the South East" and included 429 apartments, retail and leisure space, a performing arts academy, a four star hotel, and a medical centre. It means its fair market value is now hugely below its carrying book value but the scale of the figures, though predicted by councillors, still shocked.

Councillor **Adam Kirby** (Lib Dem, Horsell) told the LDRS: "We've been looking at this for a really long time. We've taken control of the council a year ago and can now get a better idea of the council's financial position. This is our worst fears come true. We didn't want to be right about this but in the last few days the Company's House valuation has been eye catching. "We were told for many many years that these investments, if you could call them that, wouldn't impact the budget for council services, but what is likely is it will.

"There are statutory functions we have to provide by law and we could be going into special measures to help us – we are in conversation with a government task force who are working with councillors and the CEO. We are trying to protect things people need. Meals on Wheels, the leisure centre, don't have legal requirements to support them but we do not want to take them away. Stopping them won't solve the problem."

He added: "It would be irresponsible to speculate on what changes will be made at this stage, its people's jobs and residents who rely on these services. People who were told these investments wouldn't impact them." He said there were two ways to look at the problem, cash flow or valuation, but that it was the same problem.

The council borrowed £750m for the project and, according to the latest valuation report, it is only worth £199m. Cllr Kirby added: "There is a black hole in the balance sheet."

Furthermore the council's total debt is expected to hit £2.5billion by 2024/25, up from its current level of £2.1bn. The council, he said, was firmly in "section 114 territory" where the government takes over the financial running of a local authority that is effectively bankrupt and unable to pay for even basic services.

Woking Borough Council is running on a budget deficit of about £10m on a budget of £45m. There is £11m collected in council tax with the rest coming from sources such as parking or rent rates.

The Companies House report on Victoria Square Woking Limited (VSWL) indicates the company incurred a net loss of £490,479,300 during the year ended December 31, 2021.

VSWL owns the new shopping centre, residential development, and hotel - backed by a longstanding agreement with Woking Council.

The report adds that its current liabilities exceeded its total assets by £501,988,671 indicating a "material uncertainty exists that may cast significant doubt on the company's ability to continue as a going concern and, therefore, "that it may be unable to realise its assets and discharge its liabilities in the normal course of business".

Cllr Kirby said: "We are going to find out the impact on the council soon and it's not going to be good."

The council has said the £490 million write down not only "confirms its worst fears" but casts "uncertainty on further funding for Victoria Square project beyond May with imminent reports into financial implications for the council itself."

Cllr **Dale Roberts**, portfolio holder for finance and economic development at Woking Borough Council, said: "Even though we had fully anticipated massive losses and signalled them earlier in the year, this is still devastating news. He added: "As soon as we won last year's elections, we took immediate action to limit the damage. First, we reduced the period for which we would

commit working capital to VSWL from ten to five years. Then, we began to put in place the missing systems and processes to properly run a commercial operation – and to protect the long-term interests of all Woking residents.

"Now, these accounts will further inform ongoing work being carried out by public sector finance experts, who we commissioned earlier this year to better understand the sustainability of the council's own annual budget. Looking ahead, it would be irresponsible to speculate on the details and timings of what happens next. However it is responsible to be transparent about the scale of this situation. Only complete transparency will enable our commitment to finding solutions as soon as possible."

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Blot on Epsom Downs horizon to grow no more?

Epsom and Ewell planning improving after Government threat?

Three Surrey councils have been warned that their planning departments are "not good enough" and threatened with having their decision-making powers stripped.

Guildford, Waverley, and **Epsom and Ewell Borough Councils** have each been written to by the Housing Secretary Michael Gove over their "very poor" quality of service that fell "far below" expected thresholds.

Councils must determine at least 70 per cent of non-major planning applications within eight weeks – or agree to an extension. The three Surrey councils have fallen well below that figure, the department said.

Mr Gove was therefore "minded" to designate the councils, meaning developers could bypass them completely and submit planning applications directly to the Planning Inspectorate. The impact effectively strips a local authority's say over planning matters.

The letter to all three councils, part of a group of 10 nationally to be given final warning, read:

"The Government is clear that having an efficient and effective planning service at local authority level is essential to delivering the homes, building and investment the country needs.

"The planning performance regime was introduced to ensure that all local planning authorities contribute to this objective. I have significant concerns about the performance of a handful of local authorities including your council."

For Guildford, its performance of 50.1 per cent between October 2020 and September 2022 was far below the expected threshold of 70 per cent. In **Epsom and Ewell that level was 52.5 percent**, and in Waverley it was 61.7 per cent.

The letter continued: "That is indicative of a very poor quality service to local residents and a significant deterrent to investment in your local housing market and wider economy. That is not good enough, and despite some more encouraging recent data, I am therefore minded to designate [the council]. "

Mr Gove has now asked the Planning Inspectorate to prepare for designations over the summer period but said they had until June to make the required improvement to their planning service and "to exceed our performance thresholds and stay above it consistently".

If levels were to drop again, he said, he would "not hesitate" to use his "powers to designate your council later this year".

Waverley Conservatives have since called on the council's ruling coalition to "get a grip" on planning.

Councillor Carole Cockburn, acting leader of Waverley Conservatives, said: "Communities and local businesses have had the threat of the planning department being taken into special measures hanging over them for months because of the Lib Dem-Labour-Green-Farnham Residents Party coalition administration's inability to deal with the problem. They need to get a grip, and fast, to save our local voice in planning matters. Otherwise, people and businesses across Waverley will continue to suffer."

A spokesperson for Waverley Borough Council said that planning performance suffered in 2021 and early 2022, was a result of the pandemic, "teething issues" with a new planning IT system, an increase in applications following lockdown and a nationwide

shortage of planning officers.

Since then, they said there had been a "significant uplift in planning performance, and we are making headway in reducing the backlog of planning applications, but caseloads for our officers remain high". Staffing remains a "significant challenge".

They added: "Mr Gove has acknowledged the improvement in our performance and rather than moving to formally designate the council, has given us the opportunity to demonstrate this improvement over a longer period of time."

Waverley Borough Council portfolio holder for planning and economic development, Councillor Liz Townsend, said: "We have been working closely with the Planning Advisory Service to improve our performance, and during the three most recent quarters 83 per cent, 92 per cent and 96 per cent of non-major applications respectively, were determined within the allotted time – significantly above the Government's 70 per cent target. Our view is that designation is not appropriate and would be counterproductive to sustaining and improving on the gains in planning performance we have achieved over the last year."

A Guildford Borough Council spokesperson said that it have been working to reduce backlog since June but that caseloads remain high. They said: "To supplement our internal planning team and improve performance, we have employed external planning consultants and temporary planning officers.

"With housing and the cost of living so high in Surrey, recruiting and retaining talent in the South-East remains a significant challenge. However, we are actively recruiting new permanent planners to help build a resilient planning function. Our new executive head of planning development, Claire Upton-Brown, took up post on March 20, 2023. She has a strong history of turning services around and is well qualified to address the challenges we are facing, with the support of the senior management and councillor team."

Jackie King, chief executive of Epsom and Ewell Borough Council said the authority was hopeful the secretary of state would recognise the "significant" improvements it had made in recent months. She said: "The council has been fully aware of this historic issue relating to performance over that period, which was a result of Covid and capacity-related issues. "Having acknowledged the issues, the council took swift decisive action to address issues, resulting in the recruitment of a new management team in early 2022, the securing of additional staffing resourcing within the department as well as investing in IT and improved ways of working. Additional process reviews and follow on improvements were identified and implemented. All actions and process improvements have the full support of members. As a result of the council's actions, performance on planning applications has improved rapidly and significantly. Since early 2022, the council has continued to determine well over 90 per cent of planning applications within the statutory timescale target."

She added: "Epsom and Ewell Borough Council has demonstrated a sustained improvement in service and performance and have been in regular contact with officials at DLUHC over the past year to keep them up to date with the progress which the council has made. When the Minister reviews Epsom and Ewell's performance again in June, the council will be able show five successive quarters of performance well above the 70 per cent target:

APR/MAY/JUN 2022 - 95 per cent JUL/AUG/SEP 2022 - 92 per cent OCT/NOV/DEC 2022 - 94 per cent JAN/FEB/MAR 2023 - 96 per cent APR/MAY/JUN 2023 - 97 per cent (to date)

"Once reviewed we are hopeful that the minister will acknowledge and recognise that the issues the council faced were historic and temporary in nature and this council has taken significant proactive steps to address and improve."

The full list of councils written to by Michal Gove were:

Calderdale, Cotswold, **Epsom and Ewell**, Guildford, Hinckley and Bosworth, Pendle, Portsmouth, Vale of White Horse and Waverley councils, as well as the Peak District National Park Authority.

A Surrey Borough funds legal fight to stop oil drilling

The June 8th judicial review against the Government's decision to allow fossil fuel drilling near an **Area of Outstanding Natural Beauty** will go ahead. Waverley Borough Council held a special meeting of its executive committee to approve the £82,500 in funding to proceed - £32,500 for legal costs with a further £50,000 set aside in case it is liable for the oil driller's costs.

According to the published papers, the executive considered "it a moral imperative to continue its legal challenge". The money

was approved on Thursday, May 11, as the council continues its four-year battle to stop UK Oil and Gas from drilling at Loxeley Well in Dunsfold – and means the judicial review into the exploratory drilling of £123 million of oil by UK Oil and Gas (UKOG) can proceed.

Addressing the meeting was Councillor Steve Williams, Green Party member and portfolio holder for environment and sustainability. He said: "In July 2019, we held a listening panel where we could listen to the views of residents on this proposal that was in the air to undertake on-shore drilling in Waverley, in Dunsfold. We listened and we listened to the concern after concern in terms of the local environment as well as to the planet and the people of Dunsfold. The impact was absolutely clear and from that point on Waverley Borough Council saw it as its mission to do exactly that, to protect Dunsfold and to stop the drilling. It was consistent in terms of our position in declaring a climate emergency and committing ourselves to carbon neutrality."

The original planning applications were rejected by Surrey County Council's planning committee members in 2020. UKCOG then mounted an appeal which was eventually called in for review by the Secretary of State, Michael Gove. Mr Gove recused himself due to possible conflicts of interest, but former Housing Minister, Stuart Andrew ruled in favour of the plans.

Cllr Williams added: "Now is the opportunity for Waverley executive to follow this through. We would, if we did not do so, be inconsistent with our previous clear commitment on this issue. We would be neglecting our duty to the people of Dunsfold, we would be flying in the face of our climate emergency. It is imperative, for if we are to be successful in this, and I very much hope we shall be, but we should be putting our money where our mouth is, for the people of Dunsfold, for the natural environment, and for the planet." He said the council must "take the next step and secure that judicial review in the anticipation of the outcome we've been working for four years".

Cllr Liz Townsend, Lib Dem member and portfolio holder for planning and economic development, said the application had "wide implications", not just for the borough, but the country as a whole. She said: "It's difficult to believe that the UK already has 509 fossil fuel sites specifically in protected areas. More than any other country in the world. South Downs national park already holds nine oil and gas sites. If the Loxley well site is successful how many other sites will be allowed?"

She added, while some may view this as a David versus Goliath battle we "should remember who was the winner of that conflict".

The committee heard that the cost to residents would work out to about 65p per person but had the potential to set a national precedent.

The committee also called on Dunsfold and Alfold Parish Councils to offer their "substantive" and vocal support.

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Surrey MPs oppose each other on drills in the hills

Fractious Court case anticipated

Don't forget your ID when you vote

Thursday, May 4th, is election day in all of Surrey's 11 boroughs and districts. This means voters in Elmbridge, **Epsom and Ewell**, Guildford, Mole Valley, Reigate and Banstead, Runnymede, Spelthorne, Surrey Heath, Tandridge, Waverley, and Woking will be going to the polls.

These are the councils that decide planning matters, housing, and bin collections. With a year to go until the next general election this could serve as an indication of the national mood towards the current government.

As ever, voters will have plenty of questions about the rules and what needs to be taken to polling stations – even more so in the light of recent changes to voter ID requirements.

The Local Democracy Reporting Service answers some of the most common questions so voters can be are armed with everything they need to know as they head to their polling stations between 7am and 10pm.

Changes to voter ID rules - Bring ID

These local elections will be the first where all voters need photo ID in order to cast their ballot. Forms of ID accepted at polling stations will include a driving licence, passport, Blue Badge, Oyster 60+ Card, Older Person's Bus Pass and more. Equivalent travel cards for young people, such as the Oyster 18+ card, will not be accepted forms of ID.

Expired ID, for example an out-of-date passport, is allowed so long as the photograph still bears a strong resemblance.

The full list is HERE

Where do I go to vote?

Vote at the polling station listed on your polling card. Your poll card is for information only, you do not need to bring it with you to vote. If you do not know where your card is, you can always check your polling station location by entering your postcode here.

Ballot papers

Your ballot paper will list out all the candidates and parties you can vote for. You may be given more than one ballot paper, particularly if there is a parish council election happening in your area on the same day. Take your ballot into a polling booth, so no one can see how you vote. Read it carefully as it will tell you how to cast your vote. Mark your paper according to your own wishes, fold it in half and put it in the ballot box.

What time do polling stations shut?

Polling stations always open at 7am and close at 10pm. If you want to avoid a queue it's best to head down during the workday or in the evening as it tends to be the busiest first thing in the morning, before school run, and around 5pm-6pm after work. People who are in the queue before closing time are still allowed to vote, regardless of whether you are inside or outside the building.

Can I take my own pen to vote in the 2023 Local Elections?

There is nothing in the legislation that says ballot papers must be marked with a pencil. Pencils are provided in polling stations but you can choose to take a pen with you. There is a risk ink may transfer onto the other side of the ballot paper when folded, and if it looks like the voter has chosen more than one candidate, it could potentially lead to their vote being rejected. Some people prefer to use a pen in case someone erases their cross and adds one elsewhere.

Can I take a selfie when I vote?

Although not against the law to take a selfie at a polling station, it is strongly discouraged in or near a voting booth. Anyone who reveals how someone else voted, even without meaning to, could be fined £5,000 or get sent to prison for six months. Voting is supposed to be secret and it's illegal to share a photo of a ballot paper – including your own – under Section 66 of the Representation of the People Act 1983.

Can I bring my dog?

Please do! Pictures of dogs at polling stations are one of the highlights of any election.

Many Surrey motorists will be paying the ULEZ charge.

There could be more than 250,000 cars on Surrey's roads that do not meet ULEZ complaint standards. That figure climbs to 335,584 cars when counting those with Statutory Off Road Notifications (SORN), according to a Freedom of Information request by the LDRS.

The figures are based on collective postcode data supplied by the DVLA and include some crossover, for example with Chipstead and Coulsden in London, and on the border with East Grimstead in West Sussex.

According to Transport for London "petrol cars that meet the ULEZ standards are generally those first registered with the DVLA after 2005, although cars that meet the standards have been available since 2001. Diesel cars that meet the standards are generally those first registered with the DVLA after September 2015."

In Surrey postcodes, recorded information held by the DVLA shows there were 71,892 petrol engine cars first registered before January 1 2005, with a further 50,655 classed as SORN. The figures are worse for non-compliant diesel cars, with 190,026 licensed and 23,011 SORN first registered before September 1 2015. Combined that means there are 261,918 non ULEZ compliant taxed cars registered to Surrey postcodes and a further 73,666 off road.

The figures were from a snapshot census of the DVLA vehicle record which is taken quarterly and is up to date to February 2023.

The ULEZ boundary is expected to be expanded to the Surrey border in August and would mean that those driving with petrol vehicles registered before 2005 or diesels users before 2015 will need to pay a £12.50 daily charge.

In February, **Surrey County Council** joined forces with four London boroughs to launch a High Court legal challenge against Transport for London (TfL) and the Mayor of London's decision to expand the zone.

In April a judge ruled there was a case to be heard on two grounds - the legal basis for the scheme and the rollout of the scrappage scheme. It is expected to be heard in July.

Among the things Surrey County Council is calling on the Mayor of London provide are more data on the impact to residents, extend car scrappage and the Zone 6 Oyster Card scheme and to provide corridors to NHS facilities that are on the border,

Key workers, who regularly have to travel to London, should also be exempt, the county argues.

The Local Democracy Service has also requested that these figures be broken down by individual postcode.

The full list of postcodes included in the data is: CR3, CR5, CR6, GU1, GU10, GU12, GU15, GU16, GU18, GU19, GU2, GU20, GU21, GU22, GU23, GU24, GU25, GU26, GU27, GU3, GU4, GU5, GU6, GU7, GU8, GU9, KT10, KT11, KT12, KT13, KT14, KT15, KT16, KT17, KT18, KT20, KT21, KT22, KT23, KT24, KT7, KT8, RH1, RH10, RH12, RH19, RH2, RH3, RH4, RH5, RH6, RH7, RH8, RH9, SM7, TN16, TN8, TW15, TW16, TW17, TW18, TW19, TW20

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ULEZ will come to Epsom and Ewell borders

Voter ID deadline warning

Epsom and Ewell Times has reported before about anxieties around the new requirement for photo ID for voters at the upcoming local elections 4th May. LDRS reports on anxieties in the Surrey Borough of Runnymede which are no doubt shared in Epsom and Ewell:

Don't leave getting your voter ID for the May local elections sorted until the last minute. That is the message from Runnymede Borough Council's election manager as the deadline to secure proof approaches.

Local elections are taking place this year on Thursday May 4 and this year, for the first time, every voter heading to a polling station in England must show a photo ID in order to cast their ballot.

Councils across Surrey have been rolling out communication pushes as the "last thing they want" is to be turning people away at the polls. Kath Richards is the election manager for Runnymede Borough Council. She said: "The deadline to apply for voter id is April 25 at 5pm. After the 25th there is nothing they can do. My concern is people will leave it until the last minute. The nearer the election day they've got to rely on the post. If they leave it they might have to collect it themselves. We don't know if there is going to be a rush."

There are a host of valid IDs that will be accepted on the day, including expired official documents such as passports, so long as there is still a strong resemblance to the photograph.

Those who do not own an accepted ID can apply for what is known as the free Voter Authority Certificate – a fast track card that will allow people to vote.

However, the deadline to apply is fast approaching leading to fears some may leave it too late. Applying for the voter card can be done online. Residents upload a photo of themselves and it lands with the council where it is then checked to ensure the person is

6th November 2025 weekly



ISSN 2753-2771

who they say they are.

After that it is sent to a printing company in Sunderland before being posted back to people's homes.

So far Runnymede has received about 60 applications – which have come through 'in dribs and drabs' despite the communications push that saw notices go up on bins, banners and through people's doors.

She said: "We don't want people to turn up on the day and not be able to vote because they've not got the right information. The ID needs to be an original document. I've got a picture of my passport on my phone but I can't use it. I can be an out of date passport as long as the picture bears a resemblance. If you still look like the picture in your passport it will still be accepted. I don't want to be in a position where somebody says they don't know about it. The last thing we want to do is turn people away."

She estimates that there are between two and eight per cent of the voting population who do not have a valid photo ID.

Not a massive figure in a population of about 60,000 voters but enough to potentially swing the balance in wards where there is a small majority.

Accepted forms of photo ID:

You can use any of the following accepted forms of photo ID when voting at a polling station.

International travel

Passport issued by the UK, any of the Channel Islands, the Isle of Man, a British Overseas Territory, an EEA state or a Commonwealth country

Driving and Parking

Driving licence issued by the UK, any of the Channel Islands, the Isle of Man, or an EEA state (this includes a provisional driving licence)

A Blue Badge

Local travel

Older Person's Bus Pass funded by the Government of the United Kingdom

Disabled Person's Bus Pass funded by the Government of the United Kingdom

Oyster 60+ Card funded by the Government of the United Kingdom

Freedom Pass

Scottish National Entitlement Card

60 and Over Welsh Concessionary Travel Card

Disabled Person's Welsh Concessionary Travel Card

Senior SmartPass issued in Northern Ireland

Registered Blind SmartPass or Blind Person's SmartPass issued in Northern Ireland

War Disablement SmartPass issued in Northern Ireland

60+ SmartPass issued in Northern Ireland

Half Fare SmartPass issued in Northern Ireland

Proof of age

Identity card bearing the Proof of Age Standards Scheme hologram (a PASS card)

Other government issued documents

Biometric immigration document

Ministry of Defence Form 90 (Defence Identity Card)

National identity card issued by an EEA state

Electoral Identity Card issued in Northern Ireland

Voter Authority Certificate

Anonymous Elector's Document

The name on your ID should be the same name you used to register to vote.

Those who have registered to vote anonymously and want to vote in person, need to apply for an Anonymous Elector's Document.

Voter ID cards can be applied for via the Government's website

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No photo - no vote!

(Image: SecretLondon Creative Commons)

Oiling the wheels of justice on Surrey Hills

The High Court legal challenge into oil drilling at Dunsfold has been confirmed for June 8. The case will examine planning permission granted for exploratory drilling of £123million of oil near the **Surrey Hills Area of Outstanding Natural Beauty.**

The **UK Oil and Gas** (UKOG) was originally refused planning permission to search for fossil fuels at Loxley Well in Dunsfold in December 2020 by **Surrey County Council**'s planning committee.

UKOG appealed in June 2022 after a public inquiry and was given the green light by the Department of Levelling Up, Housing and Communities, led by Surrey Heath MP **Michael Gove**.

Almost immediately, **Waverley Borough Council** challenged the appeal decision in the High Court with £13,000 set aside for the legal challenge.

In March this year anti-fracking campaigners celebrated the news that the case would be heard in the High Court after being granted a judicial review.

The June 8 date was pencilled in for the hearing, and this week it was set in stone after some discussion over potentially moving the date.

The case has been picked up by the **Good Law Project** and is being challenged on two fronts. The first, they argue, relates to the "inconsistency in decision-making by the Secretary of State" who approved Dunsfold drilling the same day he refused a comparable site in Ellesmere Port over greenhouse gas emissions. The second argument relates to the drilling site being on the edge of an Area of Outstanding Natural Beauty (AONB) and national policy requires planning decisions to give great weight to "conserving and enhancing landscape and scenic beauty" in AONBs.

Good Law Project legal manager, **Jennine Walker** said: "Let's be clear: exploiting our natural landscape for fossil fuels should be a thing of the past and is completely at odds with our crucial efforts to reach net-zero. This is why we are delighted to be supporting the next stage of Protect Dunsfold's legal challenge which seeks to overturn the Government's scandalous decision to overrule the local council and give the green light to a gas exploration scheme in the Surrey Hills.

"The High Court recently confirmed Protect Dunsfold's case is arguable and we now look forward to the hearing in June at which we hope the Judge will overturn the Government's scandalous decision".

MP Jeremy Hunt said the plans should be "formally shelved" altogether.

A crowdfunding page has also been launched for those looking to support the legal challenge.

Related reports:

Surrey MPs oppose each other on drills in the hills

The Hills Are Alive With the Sound of Drilling...?

Fractious Court case anticipated

Image: Residents strongly campaigned against an exploratory well (Image: Surrey Advertiser)

ULEZ Court battle looming

Sadiq Khan's proposed ULEZ expansion to the Surrey border will be challenged in the High Court after a judge ruled there were valid legal arguments to be heard.

Five councils, including **Surrey County Council**, launched a joint legal bid against **Transport for London** (TfL) and the Mayor of London's decision to expand the **Ultra Low Emission Zone** (ULEZ) on a series of grounds including that it failed to comply

6th November 2025 weekly



ISSN 2753-2771

with statutory requirements, that it unlawfully failed to consider compliance rates. and did not consult on scrappage schemes.

Other matters raised by lawyers in February 2023 were the lack of cost benefit analysis, inadequate consultation and apparent predetermination.

Now a judge has said there is "an arguable case" that the Mayor of London, Sadiq Khan, has improperly handled the expansion decision.

Councillor **Tim Oliver**, Leader of Surrey County Council, said: "This is good news and I'm pleased that our challenge to the Mayor of London regarding ULEZ is proceeding. The impact on Surrey's residents and businesses has been ignored by the Mayor and it's frankly disgraceful that it's taken legal proceedings to have our voices heard.

"Our consultation response in July 2022 clearly highlighted that the Mayor's decision failing to include Surrey residents in any scrappage scheme was unacceptable, and proposed a number of other recommendations to help mitigate both the financial and potential environmental impacts of the expansion. Our concerns have not been addressed by The Mayor.

"We remain committed to delivering a greener future, but it must be done in a practical and sustainable way. We will now await the findings of the Judicial Review."

Taking to twitter was **Gareth Bacon**, Orpington MP and one of the London boroughs that joined forces with Surrey. He said: "I am delighted that the five local authorities, including Bromley, challenging ULEZ in the courts, have won the first stage in their legal battle against Sadiq Khan's decision. While the full legal case is still to be fought, today's decision is a significant step forward.

"The Court has decided that there is an arguable case that Sadiq Khan has improperly handled his decision to expand ULEZ across outer London. The Judicial Review will now proceed to a full hearing in the High Court. 2/5

"This means the Court believes there is an arguable case that the Mayor improperly handled the ULEZ consultation and failed to consult affected residents in neighbouring Home Counties properly.

"Sadiq Khan arrogantly dismissed this legal challenge like he ignored outer Londoners' concerns during the consultation. He was wrong to do so, and this should be a wake-up call. He still has time to cancel ULEZ expansion and spare residents his £12.50 daily road tax.

"Congratulations on today's success to Bromley, Bexley, Hillingdon, Harrow and Surrey councils, who brought this legal action. Like my constituents, I am pleased they have legally challenged ULEZ expansion, and I wish them every success in the upcoming hearing."

The court case follows TfL's November 2022 announcement that it would push on with proposals to expand the ULEZ scheme in August. It is understood that the High Court will sit to hear the matter in July. Should the court rule against the Mayor of London it has the potential to delay the August 29 expansion.

A spokesperson for the Mayor said: "The Mayor is pleased to see the court has refused permission for the majority of the grounds. We will continue to robustly defend his life-saving decision to expand the ULEZ and continue with preparations without delay. It is a shame that some local authorities have chosen to attempt this costly and misguided legal challenge instead of focusing on the health of those they represent.

"Around 4,000 Londoners die prematurely every year due to air pollution. This is a health emergency and the Mayor is not prepared to stand by and do nothing while Londoners are growing up with stunted lungs and are more at risk of heart disease, cancer and dementia due to our toxic air."

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Yet more on ULEZ....

Chance for Epsom and Ewell's say on Heathrow flights

Epsom and Ewell residents see and hear planes flying to and from Heathrow Airport. They are usually at a height of 6,000 to 7,000 feet. A new consultation is out for everyone effected by flight noise and pollution from the main London Airports of Heathrow, Gatwick and Stansted. Chris Caulfield of LDRS reports generally on the topic and with reference to Gatwick in particular:

Communities living under the Gatwick flight path face trading off quieter modern aircraft for an increase in night flights. Current restrictions on night flights are due to expire in 2025 and the government is seeking views as part of its next night flight abatement policy.

It says it is aiming to balance the impact of sleep deprivation with the benefits to the wider economy.

Aviation minister **Baroness Vere of Norbiton** said: "There's no doubt night flights have an effect on local residents underneath busy flight paths, but as aircraft become quieter, we have an opportunity to strike a balance to make sure we can support the aviation industry without having a debilitating impact on people's lives. This consultation will help us to shape policy and create a flightpath towards a more sustainable approach to night-time aviation noise."

Currently about 16 aircraft, about 80 per cent of Heathrow's night flights, land at the airport between 4.30am and 6am. At Gatwick and Stansted, which are in more rural areas, the figures are higher.

Overall Heathrow can have 3,250 total night flight "movements" during seven summer months and 2,550 during winter. At Gatwick that figure is far higher at 11,200 in summer and 5,150 in winter, with Stansted taking 8,100 and 5,600 respectively.

Paul Beckford, chairperson of **HACAN group** which acts as a voice for those under Heathrow flight paths, said: "We welcome the recognition of the health impact of night flights which is a shift in the right direction, but we are worried about the change in wording in the economic benefits."

He said the 16 flights currently arriving before 6am were "the most disturbing" and had a cumulative effect on people. Any one flight could wake a person up "but the real problem is when there are more and more flights coming. You wait for the next one. You are woken up at 4.30am and then you know another one is coming."

Most night flights, he said, were long-haul trips in demand for their cargo haulage but Mr Beckford suggested these could be reorganised into the normal flight schedule which would both preserve people's restful nights as well as bring economic benefits.

He cited the drop in aviation traffic post pandemic and the increase in online meetings as reasons for there being greater flexibility in runway slots.

Mr Beckford also questioned the consultation being carried out before the results of the **Dr Charlotte Clark** report into the health impacts of night noise was published - due out in 2024/25.

Sally Pavey, chairperson of the **Community Against Gatwick Noise Emissions**, said the group was pleased to see the "long-awaited" consultation but that night flight, and the subsequent noise, was "much hated by residents and well documented to cause health issues".

She said: "We would like to see a ban on night flights at Gatwick Airport but we know that the airlines are far too powerful for this to ever happen no matter how many reports are produced by medical officials to the health impacts they have on those seeking sleep.

"The government needs to change its attitude towards aviation and seek to address this health risk that they are subjecting residents to every night in Surrey, Sussex, and Kent all the time they continue to allow holiday makers flying during the night. We can't believe that bucket and spade travellers seeking all year round sun and leisure overseas really want to travel at night, so we can only keep up pressure on government and the airline to have night flights banned on health grounds."

The six-week consultation is taking input and evidence from the aviation industry and communities before forming the backbone of to manage aviation noise from October 2025.

Once decided upon, the government said it will pursue the "most cost-effective measures for achieving the desired outcomes".

Night noise at airports was last consulted on in December 2020 which resulted in rolling over existing restrictions from October

2022 to October 2025.

The consultation closes on May 9 and is available here.

Worrying about voter ID law

Voter disenfranchisement and how to overcome it was discussed at **Reigate and Banstead Borough Council** Thursday 30th March as the authority wound up its business ahead of the May 4 elections.

The country goes to the polls in a little over a month amid the "biggest change to the electoral process in decades" as people will be required to present valid photo identification before casting their ballot.

Councillor **Ruth Ritter**, during questions from members at the March 30 full council meeting, asked what measures were in place to feed back on its impact on turnout.

She said: "At a time when voter turnout for local elections in Reigate and Banstead Borough Council was as low as 29 per cent in one ward last year and voters need to be encouraged to partake in democracy. Voter ID is the biggest change to the electoral process in decades, and it will affect voters in polling stations at the upcoming elections on May 4. It is therefore important that we have assurances that voters aren't being disenfranchised by this significant change.

"With that in mind, will the returning officer be gathering data on how many people are unable to vote at polling stations due to not having appropriate ID so that this data can be fed back to national government?"

Last time the average turnout for the borough was 35 percent two power cent higher than the national leverage last year.

Responding was **Mari Roberts-Wood**, managing director at Reigate Borough Council whose responsibilities include increasing participation in elections.

She spoke of the "extensive communications about the massive changes to electoral law" and how the council had been targeting hard-to-reach groups such as younger voters and the elderly.

Ms Roberts-Wood said: "We can always do more and should do more and with the introduction of voter ID we need to do more than ever."

Councils, she said, would also be collecting data from polling stations about the impact of the legislation and sending that to the electoral commission – who will be collecting the data centrally.

A report on its impact is expected to be published in November this year.

She said: "This data will include the number of voters who are essentially refused a ballot paper due to suspected forgery or impersonation, or they failed to answer the statutory required questions, they showed the wrong ID – there are 23 different types of ID that you can show on May 4. For those who don't have one of those or don't have any ID at all we will be collecting that data. Also recording those asked to show their ID in private and those who are refused a ballot paper but returned with a valid ID. We're trying to capture as much as possible."

She added that it was an "opportunity to collect a lot of data to understand the impact of these changes and hopefully increase our reach coming forward".

Reigate and Banstead Council has a voter ID section on its website that people can use to ensure they can vote on May 4.

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No photo - no vote!

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