

MINUTES of the meeting of the **COMMUNITIES SELECT COMMITTEE** held at 9.30 am on 14 August 2013 at County Hall.

These minutes are subject to confirmation by the Committee at its meeting on Thursday, 26 September 2013.

Elected Members:

- * Mrs Denise Saliagopoulos (Chairman)
- * Mr Chris Norman (Vice-Chairman)
- Mrs Jan Mason
- * Mr John Orrick
- * Mr Saj Hussain
- * Rachael I. Lake
- Mrs Mary Lewis
- * Mr Christian Mahne
- Mr Chris Pitt
- * Ms Barbara Thomson
- * Mr Alan Young
- Mr Robert Evans

Ex officio Members:

Co-opted Members:

Substitute Members:

Eber Kingston
Mike Bennison
Tim Hall

1/13 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Jan Mason, Robert Evans, Mary Lewis, Chris Pitt and Denise Saliagopolous.

Mike Bennison substituted for Mary Lewis, Eber Kington for Jan Mason and Tim Hall for Chris Pitt.

2/13 DECLARATIONS OF INTEREST [Item 2]

There were no declarations of interests.

3/13 CALL-IN OF CABINET DECISION: 23 JULY 2013 [Item 3]**Declaration of interest:**

None

Witnesses:

Helyn Clack, Cabinet Member for Community Services
 Susie Kemp, Assistant Chief Executive
 Rhian Boast, Programme Lead for Legacy and Magna Carta
 Peter Milton, Head of Cultural Services
 Susan Smyth, Strategic Finance Manager

Key points raised during the discussion:

1. With apologies being received from the Chairman of the Communities Select Committee, the Vice-Chairman of the Committee chaired the meeting.
2. The Vice-Chairman introduced the extraordinary meeting of the Communities Select Committee to consider the Cabinet decision of 23 July in respect of the Magna Carta 800th anniversary. He explained that the Cabinet decision was to agree the outline Magna Carta Partnership Masterplan, its additional project funding, and delegation of project oversight. The Vice-Chairman went on to explain that four members of the Committee had called-in this Cabinet decision for re-consideration.
3. The Vice-Chairman explained the procedure for considering Cabinet decisions which have been called in by a Select Committee and how the meeting would be administered. The Vice-Chairman also highlighted key pages of the agenda and reports for the benefit of the public and Committee Members. The Vice-Chairman reminded the Committee of emails received from members of the public in respect of this issue.

4. Members who had called-in the decision were given the opportunity to present their concerns to the Committee. One Member reminded the Committee of their discussions around this issue at the Communities Select Committee meeting of 11 July 2013. He considered this to be a full and wide ranging debate, which led to serious concerns being raised with the Cabinet. He stated that whilst these concerns were noted, he did not feel that Cabinet had taken these concerns into account when making its decision on 23 July 2013. The Member stated that in his view no real discussion had taken place at the Cabinet meeting, especially with regards to the lack of a business case and detailed Masterplan. The Member queried whether budget decisions had been made on the basis of an outline plan. He expressed concern over whether there would be potential extra costs involved. The Member stated that we should be clear on what we were getting in return for spending taxpayers' money. The Member stated that he understood the national importance of this event, but questions remained over how much funding was being contributed by others including Runnymede Borough Council and central government. The Member concluded that the Committee had a duty to explore these issues and some of those raised by the public, for example restrictions on carrying out works on the common land by the Magna Carta site, before the Council backed this considerable expenditure.
5. The Vice-Chairman invited the Cabinet Member for Community Services and the lead officers to respond.
6. The Cabinet Member for Community Services responded to the concerns raised by the Member. She reinforced the importance of the anniversary celebrations for both the Country, the County and internationally, and explained the duty of the Council to fully support such an occasion. The Cabinet Member for Community Services explained that the report presented to Cabinet on 23 July was an outline of the programme. She stated that there were no members of the Communities Select Committee present at the meeting to ask questions of the Cabinet or discuss the issue. However, she explained that she had discussed the issue with the Chairman of the Committee before Cabinet and they had agreed to hold a Member seminar in the autumn, to seek further input from Members as the plan develops. The Cabinet Member for Community Services stated that no cheques had yet been signed, however, financial support from a number of sources including central government were being sought.
7. The Programme Lead for Magna Carta explained that what they were asking for in terms of capital investment from the Council was £700,000 for a commission in the landscape to mark the 800th anniversary. In addition, £300,000 had been factored into the MTFP for an events programme and £200,000 to cover staffing costs in order to manage this. Other costs would become clearer as the project

developed, but partners and the Heritage Lottery Fund (if bid was successful) would contribute for this. The Programme Lead explained that the issues surrounding the use of common land would be managed in a sensible manner and would be no different to other projects involving planning procedures.

8. The Head of Cultural Services stressed that the areas of common land subject to the proposals was mainly owned by the National Trust. Their special advisors, experienced in dealing with common land issues, would be advising the Masterplanners and addressing any issues. He explained that the Masterplanners were exploring any constraints of holding events on common land and only reasonable proposals would be put forward. He stated that a number of possible locations had been identified for the commission in the landscape, out of which possibly only one was on common land. He confirmed that designs would ensure they did not compromise surrounding common land.
9. A member of the Committee stated the importance of scrutiny by Select Committees in the democratic processes of the Council. The Member stated that the Cabinet should therefore deal with the Committee's concerns and recommendations in an open and transparent manner. The Member stated that he did not feel the Cabinet had seriously considered or discussed the recommendations of the Committee at its meeting of 23 July. The Cabinet Member for Community Services stated that the Committees' concerns and the Cabinet Members response to it were tabled at the Cabinet meeting. She explained that there was no one from the Committee present to ask supplementary questions. The Cabinet Member assured the Committee that once the detailed plan was available, further discussions involving the Committee would take place in the form of a Member seminar.
10. A member of the Committee explained that she had not received notification that the Chairman and Vice Chairman would not be attending the Cabinet meeting of 23 July. The Member asked that in future, members of the Committee be made aware of this. The Member went on to state that obtaining feedback from 430 people as part of a consultation process was not an adequate figure on which to build a business case. The Member explained that she did have enthusiasm for the project, but still stood by the concerns of the Committee. She therefore felt that the consultation process needed to continue and be extended to ensure a better understanding of resident opinion. The Member explained that in her understanding, the project could cost £8-£10million for SCC (which includes transport provision), and she would therefore like to see solid financial commitment from partners and also a debate in Cabinet to show the public that the Council were looking after taxpayer's money.

11. The Cabinet Member for Transport, Highways and Environment explained that a bid for work to be carried out to the Runnymede roundabout was currently being submitted to central government, with funds being available at the beginning of 2015. Therefore, this would not form part of SCC additional costs. The Cabinet Member for Transport, Highways and Environment added that the crossing points were part of the roundabout bid, to further reassure the Committee, and that he was confident that works to the roundabout would be delivered efficiently, on time, and not be a burden to the taxpayer.
12. The Assistant Chief Executive stated that further work on the programme was required and would be done in partnership with a number of different stakeholders including the National Trust, Runnymede Borough Council and the Royal Holloway University. The Assistant Chief Executive reiterated the position that the Select Committee would be involved with discussions regarding the plans for the programme as they continued to develop.
13. Councillor Alan Young apologised for arriving late to the meeting. He stated that as a point of procedure, having a more detailed report at the Select Committee meeting on 11 July, along with finance details and a business plan well in advance, could have prevented a call-in from taking place. He offered constructive feedback to officers that more time should be invested in reports to the Select Committee to avoid this situation developing again.
14. Some members of the Committee expressed their support for the programme and the possible economic benefits for the County from the expected increase in tourism. Some Members expressed the importance of the programme in creating jobs and putting Surrey on the map. Some Members acknowledged that with planning a project you needed to start somewhere and that the plans would develop and change with time and there was nothing wrong with this approach. Some Members commented that the total funding being put forward by the County Council was realistic when considering the amount of funding being committed by partners. A Member stated that the money was being well spent and Surrey should be proud of its heritage.
15. A member of the Committee commented on the necessity of the programme especially when considering the advanced tourism and legacy programmes of other Counties. The Member asked the Strategic Finance Manager whether £1.2m was typical of the start up budgeting for a project of this scope. The Strategic Finance Manager explained that she would not describe the £1.2m as budgeting but rather as an envelope, a provision for the project.

16. Referring to the consultation figures in Annex B of the Cabinet report, some Members felt the consultation was too Egham centric and queried whether 430 people constituted 'significant public support.' Some Members also asked if there had been any consultation with Surrey residents outside the local area. The Programme Lead for Magna Carta explained that at the last call-in meeting of the Select Committee, in respect of the Magna Carta programme in 2012, criticism was received for not fully consulting local residents. This year, officers ensured that residents in the local area were extensively consulted on the programme. She also stated that the online questionnaire was available to all Surrey residents. The Programme Lead for Magna Carta explained that although the number of responses from the consultation was 430, this only took account of those residents who had completed a questionnaire or form. These results did not take account of those who did not complete a questionnaire but had expressed their oral support for the programme during resident engagement. The Head of Cultural Services added that it was usually representatives of different groups and stakeholders who attended public events and meetings, and therefore it was not just a matter of headcount.
17. A member of the Committee asked if this Cabinet decision had been discussed by the political groups and if so whether any political group had taken a view or position in relation to it. Members stated that none of their political groups had discussed the programme to take a party position on it.
18. A member of the Committee felt that Members needed to do more to promote the programme in their local divisions and win the support of residents. The Cabinet Member for Community Services agreed that all Members had a role in raising awareness and promoting the Magna Carta anniversary in their districts and boroughs. She explained that there was a lot of discussion by the 800th Magna Carta Committee on how to promote the anniversary. The Cabinet Member for Community Services explained that there would be an educational programme in schools and welcomed ideas on the development of this. She emphasised that the project was not simply about one day but the legacy that could be built on this occasion.
19. The Head of Cultural Services stated that the previous Chairman of the Communities Select Committee had held a meeting at the Surrey History Centre with Members of the Districts and Boroughs to discuss the Magna Carta programme as well as commemorating WW1. He stated that it was essential to have the support of the District and Boroughs for this project.
20. The Vice-Chairman of the Committee asked the Cabinet Member for Community Services to explain the Magna Carta 800th Committee to

members of the Committee. The Cabinet Member for Community Services stated that the 800th Committee was made up of a variety of people representing a wide range of groups from local government to legal. The Chairman of the Committee was Sir Robert Worcester and the Committee was constituted by Her Majesty the Queen and therefore Lord Dyson, Master of the Rolls, was also responsible for it. The Cabinet Member for Community Services explained that the Committee meets monthly to discuss progress of the national programme. It was explained that the Queen had agreed to become patron of the Magna Carta Trust.

21. A Member of the Committee asked whether there was extensive public support throughout Surrey for a duplicate Magna Carta memorial. He further explained that the purpose of this call-in meeting was not to prevent the marking of the anniversary but to ensure the Council's proposals for it were robust. The Member queried whether alternatives to the master plan were being considered, for example a suggestion by a member of the public for a £1.2 million Magna Carta scholarship. The Member asked what the Council had planned to do to mark this occasion before they had been approached by Runnymede Borough Council. The Vice-Chairman stated that during a consultation at Egham library which he attended, consultees had expressed a desire for a memorial piece funded by and belonging to Surrey. Another Member commented that calling the memorial a piece of art (which it would be) would be more publicly acceptable as there was already an existing memorial on site.
22. A Member raised a question over how dependant the programme was on winning the Heritage Lottery Fund (HLF) bid. The Head of Cultural Services stated that if the Council were unsuccessful in securing the bid it would just mean that the vision and scale of the programme would be reduced. Feedback from current visitors to the area was disappointment in the experience and facilities, hence the need for an ambitious vision and support through HLF funding.
23. A Member of the Committee asked for a commitment from the service to consult with the Committee again before the end of the year on the developing proposals. Another member of the Committee asked if all Members of the County Council could be invited to a future seminar on the Magna Carta programme. The Cabinet Member for Community Services agreed to this.
24. A member of the Committee explained that he was in favour of the Council taking a lead in marking the 800th anniversary of the sealing of the Magna Carta but he had concerns about spending a large amount of money on a celebration at a time of austerity, when it was not clear what the Council were paying for. He therefore suggested that Officers come back to the Select Committee for scrutiny when the plans were

clearer. The Cabinet Member for Community Services stated that the Cabinet welcomed the Committee's scrutiny on this matter and referred to the service commitment for a Member seminar in the autumn

25. A member of the Committee stated the numbers consulted as part of the consultation were considerable and higher than response rates on other programmes. It was further expressed that having consultations across the County may not be useful and necessary as the primary focus should be on those people directly affected by the proposals.
26. A member of the Committee expressed concern over the Cabinet response to the Committee's recommendation for the need for a detailed business case. He noted that the Cabinet response referred to an immovable date of June 2015. The Member stated that in his opinion, the lack of a business case for these proposals was a break from the norm.
27. A member of the Committee raised concerns over explaining to his residents the spending of £300,000 for celebrations over a weekend and £200,000 for staff to organise this party, as well as the impact this would have on the Medium Term Financial Plan (MTFP). The Head of Cultural Services explained that the £300,000 was not just for a weekend, it was for events and activities over the course of the two-year build up to the anniversary. He explained that this would include events on Egham High Street to draw people in, as well as educational programmes and raising the profile of Runnymede. The Head of Cultural Services explained that the allocated £200,000 would fund a small team required to maintain a professional, high level support for the programme and in working with some important stakeholders for the Council.
28. A member of the Committee expressing support for the programme stated that officers had completed a great deal of hard work on the programme already. He stated that the 800th anniversary celebrations should be seen as an opportunity for the County to develop its tourism strategy. The Member stated that if Members felt unsure about any details relating to the programme they should simply approach the Cabinet Member for Community Services or relevant officers who could answer their questions. The Member commented that the financial commitment from the County was considerably less than that of its partners, which for some Members would prove the commitment of partners and also demonstrate the strength of the business case for the proposals.
29. The Vice-Chairman permitted the Members who had called-in the decision or their substitutes to sum up their position before proceeding to voting. Some Members of the Committee felt that there was still a

lack of clarity regarding a business case for the programme. In their view, there had been a failure to consult widely, and the cost of the programme could not be justified in light of the Council's budget pressures. It was felt by some Members that the reasons for the decisions being called-in had not been adequately answered at the present meeting. It was felt by some Members that the proposed programme should be abandoned in favour of a smaller and less costly project. Some Members agreed with celebrating the occasion in principal but felt unclear as to what was being agreed to and funded.

30. The Cabinet Member for Community Services stated that although it was the Cabinet's responsibility to decide whether to approve the programme, she would be more than happy to bring reports on progress to the Select Committee.
31. The Vice-Chairman explained to the Committee that if a decision was taken to refer the decision back to Cabinet for reconsideration, the Cabinet had requested that the meeting take place on 3 September, due to some Cabinet Members being on leave, but the Committee would need to agree to this. The Head of Legal and Democratic Services explained that although the Constitution states that a Cabinet meeting should take place within 7 days of a decision being referred back to Cabinet by a Select Committee, it was possible for the Committee to agree to this period being extended.
32. The Committee took a recorded vote on whether or not to refer the Cabinet decision of 23 July 2013, on the Magna Carta Anniversary, back to Cabinet for reconsideration. Mr John Orrick and Mr Eber Kington voted to refer the decision back to Cabinet. Mr Chris Norman, Mr Mike Bennison, Mrs Barbara Thomson, Mr Christian Mahne, Mr Keith Witham, Rachael I Lake, Mr Saj Hussain and Mr Tim Hall voted not to refer the decision back to Cabinet. Mr Alan Young abstained from the vote.
33. Therefore, the Cabinet decision takes effect from the date of this Select Committee meeting.

Resolved:

That the following decision made by Cabinet on 23 July take effect on 14 August 2013.

- (1) The outline Partnership Masterplan be agreed as set out in paragraphs 10 to 19.
- (2) Additional project funding support, comprising of £700,000 capital funding for the legacy programme and £300,000 revenue funding for the events programme, to be factored into the refresh of the Medium Term Financial Plan.

(3) A major bid will be made to the Heritage Lottery Fund to contribute to the Magna Carta programme.

(4) To delegate the financial oversight of the Partnership Masterplan to the Leader of the Council, with implementation by the Assistant Chief Executive, in consultation with the Leader of the Council and the Cabinet Member for Community Services.

Actions/Further information to be provided:

The Lead Officers for the Magna Carta anniversary proposals organise an all Member seminar in autumn 2013 to consult with members on the developing programme.

The Service is to keep the Communities Select Committee updated on the developing programme.

Committee next steps:

None

4/13 DATE OF NEXT MEETING [Item 4]

The next meeting will be held on 26 September 2013.

Meeting ended at: 11.45

Chairman