

MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD AT THE COUNCIL CHAMBER, COUNTY HALL, KINGSTON UPON THAMES, KT1 2DN ON 21 MARCH 2017 COMMENCING AT 10.00 AM, THE COUNCIL BEING CONSTITUTED AS FOLLOWS:

Sally Marks (Chairman)
Nick Skellett CBE (Vice-Chairman)

	Mary Angell	*	Saj Hussain
	W D Barker OBE		David Ivison
	Mrs N Barton		George Johnson
	Ian Beardsmore		Linda Kemeny
	John Beckett		Colin Kemp
	Mike Bennison		Eber Kington
	Liz Bowes		Rachael I Lake
	Natalie Bramhall		Yvonna Lay
*	Mark Brett-Warburton		Ms D Le Gal
	Ben Carasco		Mary Lewis
	Bill Chapman		Ernest Mallett MBE
	Helyn Clack		Mr P J Martin
*	Carol Coleman		Jan Mason
	Stephen Cooksey		Marsha Moseley
	Mr S Cosser		Tina Mountain
	Clare Curran		Christopher Norman
	Graham Ellwood		John Orrick
	Jonathan Essex	*	Adrian Page
	Robert Evans		Karan Persand
	Tim Evans		Chris Pitt
	Mel Few		Wyatt Ramsdale
	Will Forster		Dorothy Ross-Tomlin
	Mrs P Frost		Denise Saliagopoulos
	Denis Fuller		Tony Samuels
	John Furey		Pauline Searle
	Bob Gardner		Stuart Selleck
	Mike Goodman		Michael Sydney
	David Goodwin		Keith Taylor
	Michael Gosling		Barbara Thomson
	Zully Grant-Duff	*	Chris Townsend
	Ramon Gray		Denise Turner-Stewart
	Ken Gulati		Richard Walsh
	Tim Hall		Hazel Watson
	Kay Hammond		Fiona White
	Mr D Harmer		Richard Wilson
	Nick Harrison		Helena Windsor
	Marisa Heath		Keith Witham
	Peter Hickman		Mr A Young
	Margaret Hicks	*	Mrs V Young
	David Hodge CBE		

*absent

11/17 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Mr Townsend, Mrs Young, Mrs Coleman, Mr Brett-Warburton and Mr Page.

12/17 MINUTES [Item 2]

The minutes of the meeting of the County Council held on 7 February 2017 were submitted, confirmed and signed.

13/17 DECLARATIONS OF INTEREST [Item 3]

The Chairman announced that if any Members were school governors they could take part in the debate on schools but were asked to sign a form to declare that personal interest before leaving the Chamber.

14/17 CHAIRMAN'S ANNOUNCEMENTS [Item 4]

The Chairman made the following announcements:

- She had attended the official opening of the Innovation for Health Learning Laboratory at Surrey University, which was a centre of excellence.
- The Earl of Wessex visited three projects in Surrey and the Chairman attended one of those: the GASP Motor Project in Leatherhead.
- The celebration of 90 years of the Surrey Playing Fields.
- The County Chief Scouts Gold Award Presentation in Ashted.
- The Queen's Award for Voluntary Service reception at Loseley. Many volunteers had been nominated but the winners were not known yet.
- The Commonwealth flag raising ceremony & WWI commemorative act.
- The investiture of British Empire Medals which was inspirational in the stories of those receiving BEMs.
- Lord-Lieutenant of Surrey's 2016 Poppy Appeal Cadet competition presentation night. Many thousands of pounds had been raised by these young people.
- Turf cutting at Lindon Farm near Cranleigh, which will be the site for a centre of excellence for young people with learning disabilities.
- The Vice-Chairman attended the Official opening of Send CofE Primary School new Key Stage 2 building (for years 3 to 6).

Finally she paid tribute to the many Members who were not standing in the forthcoming election and had served on the Council for many years. She wished them all success for the future.

15/17 LEADER'S STATEMENT [Item 5]

The Leader made a detailed statement. A copy of the statement is attached as Appendix A.

Members raised the following topics:

- Whether there would be a referendum next year if the Government didn't come through with the Business Rate pilot.

- Clarification on what had happened in between the Cabinet decision for a 15% rise in Council Tax and one week later when the Council agreed a 5% rise.

16/17 MEMBERS' QUESTION TIME [Item 6]

Notice of 21 questions had been received. The questions and replies are attached as Appendix B.

A number of supplementary questions were asked and a summary of the main points is set out below:

(Q2) Mrs Barton asked if the Council should be taking a £30m risk, to which the Leader responded that a full response would be available at Cabinet next week if Mrs Barton cared to attend.

(Q3) Mr Beckett asked if the Cabinet Member for Highways, Transport and Flooding agreed that the fear of crime was still prevalent even if not a crime. The Cabinet Member responded that the police, safer neighbourhood teams and borough councils were working closely on fear of crime and where the fear was real it would be reacted to appropriately.

(Q5) Mr Sydney did not feel that his question had been answered and asked if his successor could be given a proper response. The Cabinet Member for Localities and Community Wellbeing responded that he felt a full answer had been given and referred Mr Sydney to the Cabinet Member briefing.

(Q6) Mrs Watson asked if the Leader agreed that Members should have a copy of the CIPFA report before making a decision on the budget, to which he reiterated that the report was to be issued later today.

(Q7) Mrs White asked why Surrey lagged behind other authorities in the amount of additional funding it was to receive. The Cabinet Member for Adult Social Care, Wellbeing and Independence responded that the calculation was decided by the Minister and was linked to Council Tax.

(Q9) Mr Cooksey asked where the money would be found for extending the Alt contract by six months and would full consultation take place with residents of Mole Valley? **Mr Hall** asked if the Cabinet Member would agree that the contract would be welcomed and in the summer all would have better chance of coming up with clear proposals. **Mrs Saliagopoulos** asked about a rumour of the closure of the Jarvis Centre in Guildford and asked for her comment on the users of the Blanche Herriott unit being spread across other areas when that closes. The Cabinet Member responded that much consultation had taken place during the commissioning of the contract and agreed with Mr Hall's comment. She had no knowledge of the position of the Jarvis Centre but would find out.

(Q10) Mr Orrick asked if the Leader would make a statement against hate crime and agree that all employees were wanted regardless of where they came from. The Leader agreed.

(Q12) Mr Essex asked if the local repair budget was to remain the same and asked why there were differences to resurfacing budgets between the boroughs. The Cabinet Member for Highways, Transport and Flooding explained that the amount of

deterioration was key to the amount of money spent and that the local committees were to be involved in the decision on the repair budget.

(Q13) Mr Essex asked why Members were not shown the CIPFA report earlier. The Leader responded that the report had to be read and checked for accuracy.

(Q14) Mr Cooksey asked when a decision would be taken regarding the 465 bus. The Cabinet Member for Environment and Planning reported that talks had concluded late on the previous Friday and that there was an agreement in principle for the 465 bus to continue unchanged for the next five years. A joint statement would be made later today.

(Q18) Mr Evans stated that whilst age provided experience, the makeup of the council did not reflect society and asked if council was to review its working practices to attract younger members. Several Members made comments to the effect that this was an ageist question and it should be about quality rather than age, and cited many examples of good works undertaken by older people, many of whom were volunteers.

Cabinet Member Briefings on their portfolios are attached as Appendix C.

Members made the following comments:

Cabinet Member for Highways, Transport and Flooding: The Cabinet Member was urged to look at ways in which parish councils could be more involved as they knew their areas. The Cabinet Member agreed that parish councils were underused, that they had been invited to take on more services and he would continue to work with all partners and review.

Cabinet Member for Environment and Planning: The waste recycling centres are said to have implemented changes and are now giving expected savings, so why have they not met their targets and the further savings needed. The Cabinet Member responded that implementation of the charging did not take place until after April. The Cabinet Member also confirmed that involvement of parish councils would take place on highways, BOATs and byways.

17/17 STATEMENTS BY MEMBERS [Item 7]

A statement was made by Mr Alan Young in relation to the Surrey Young Musician of the Year Award.

18/17 ORIGINAL MOTIONS [Item 8]

URGENT MOTION

Under Standing Order 11.8 the Chairman had accepted an urgent motion which the Council agreed to debate.

Under Standing Order 12.1, Mrs Hazel Watson moved the motion which was:

‘That this Council has no confidence in the Leader of the Council.’

Mrs Watson made the following points:

- That the credibility of the Council had been undermined by the recent media leaks which was a distraction for the Council.
- That the Leader had not provided a well thought out budget.
- That senior Members were puppets for supporting the Leader.
- Opposition councillors had voted against the budget as full information was not available to make an informed decision.
- That the Leader was working for partisan Conservative benefits and not for residents and should resign.

The motion was formally seconded by Mr Forster who made the following points:

- Lobbying for a better deal for Surrey should have been applauded but the way in which it was done has brought the Council into disrepute.
- Other council leaders were also saying that the Leader should stand down from the LGA and the chairmanship of the LGA Conservative Group.
- There was a need for a fresh start with a new Leader.

Fifteen Members spoke on the motion and made the following points:

- The work that the Leader had undertaken in getting adult social care up the agenda was recognised and to ask him to step down now meant that what he had done was wrong – the vote of no confidence should take place on 4 May.
- Several Members questioned the timing of this motion, as it was the last council meeting before the election, and thought that the vote should rest with the residents.
- The referendum could not be won and therefore the Leader had caused weeks of concern for residents expecting a 15% rise in Council Tax.
- There had been a lack of transparency.
- There was a challenge to the Surrey Advertiser to print the Leaders' letters, written to the Secretary of State, the Chancellor of the Exchequer and the Prime Minister, in full.
- Several Members from all sides of the Council spoke of the hard work and good leadership of the Leader.
- There was too much secrecy and a call for more openness and transparency was made.
- The motion gained no benefit to residents.
- The vote for Leader was unopposed at the recent Conservative group meeting.
- That the motion should be aimed at the whole Cabinet and not just the Leader.

Under Standing Order 23.1 Mrs Hammond moved 'that the question be now put'. Under Standing Order 23.2 twenty Members stood in support for this procedural motion.

Under Standing Order 28.1 Mrs Watson requested a recorded vote, which was supported by seven of the required ten Members, and therefore was not carried.

The urgent motion was put to the vote, with 8 Members voting for and 47 voting against. There were 12 abstentions.

Therefore, the motion was lost.

Item 8a

Under Standing Order 12.3 the Council agreed to debate this motion.

Under Standing Order 12.1 Mr Kington moved the motion, which was:

'This Council supports the introduction of a new and more open and transparent budget making process to be implemented following the Surrey County Election on 4th May including:

- An earlier start to the engagement of Scrutiny Boards in scrutinising already identified savings and forward plans and future thinking
- A set of budget proposals detailing draft service changes available in January for final scrutiny by Scrutiny Boards
- A fully costed budget with details of service changes, to be the subject of a vote at the budget meeting every February'

Mr Kington made the following points:

- The Council Overview Board involvement in the budget scrutiny worked well.
- Other boards did not work so well as the information they received was either incomplete or not available and therefore added no value to the budget process.
- The budget process should have started earlier and two budgets provided, one with a 5% increase in Council Tax and the other with a 15% increase.

The motion was formally seconded by Mr Selleck who made the following points:

- That the process should be re-worked for the new council.
- That the boroughs also be taken into consideration when deciding the process.

Ten Members spoke on the motion and made the following comments:

- The budget process/timetable was not an easy one, 2017/18 had been particularly challenging, and the boroughs' settlement was not known until the New Year.
- The time between knowing the settlement and needing to make a decision was only a matter of weeks.
- Budget seminars had been held for Members during the year and the process/budget was open to scrutiny to make recommendations.
- That more was needed to be done to involve all Members in the budget process and that various scenarios should be drafted.
- That as well as the final settlement there were also various grants awarded for specific areas which were announced after the budget grant and that this complicated the process further.
- That expertise of Members had been under-utilised since the Local Government Act 2000 and formation of the Cabinet.
- Several Members expressed sympathy with the motion but also recognised the difficulty with timing.

That there may be inadequate scrutiny in Surrey as there were monthly budget monitoring reports available. One Member responded that much of the information was confidential and therefore scrutiny boards were not privy to the detail.

Under Standing Order 13.2 the mover of the motion replied that he was heartened by the show of sympathy for the motion, that other counties did not have these problems and that every year Members are asked to vote for Council Tax increases without knowing what residents would get for it.

The motion was put to the vote with 22 Members voting for and 42 Members voting against. There were 3 abstentions.

Therefore, the motion was lost.

Item 8b

Under Standing Order 12.1, Mr Forster moved the motion, which was:

‘This Council:

1. recognises that the financial outlook for Surrey schools is likely to deteriorate as cost pressures increase;
2. regrets the phasing out of the Education Services Grant and its impact on schools and the council;
3. calls upon HM Government to increase the schools budget in order to prevent a serious detrimental impact on class sizes, support for pupils with special needs or valuable extra-curricular activities;
4. asks the Leader of the Council to write to all Surrey MPs, urging them to raise the council's concerns with the Secretary of State for Education.’

Due to time constraints it was agreed by the Council to take this motion without debate:

The motion was put to the vote with a majority voting for and no Members voting against. There were no abstentions.

Therefore, the motion was carried.

Item 8c

The time limit for debating motions had been used. Therefore this motion was not debated.

ADJOURNMENT

The meeting adjourned for lunch at 12.44pm and reconvened at 2pm with all those present who had been in attendance at the morning session except for Mrs Angell, Mrs Bramhall, Mr Carasco, Mr Ellwood, Ms Heath, Mr Hickman, Mrs Hicks,

Mr Johnson, Mrs Moseley, Mrs Mountain, Mrs Saliagopoulos, Mr Selleck, Mr Sydney and Mr Young.

19/17 SURREY COUNTY COUNCIL PROGRESS REPORT [Item 9]

The Leader presented the Surrey County Council Progress Report, the fifteenth of the Chief Executive's reports to Members. He said that included in the report were some outstanding examples of Surrey County Council achievements where the Council had listened and delivered.

Members made the following comments:

- That wellbeing of residents was extremely important and impossible to provide without the officers.
- Thanks was given to all staff for their hard work, loyalty and dedication.
- There was a call for more engagement of Members with Children and Young Peoples service.
- That the balance of the report should be more towards the budget challenges.
- That lobbying had raised £41m extra funding over the last four years.
- The report indicated positive change and transformation of services with partners.

RESOLVED:

- (1) That the report of the Chief Executive be noted.
- (2) That the staff of the Council be thanked for the progress made during the last six months.
- (3) That the support for the direction of travel be confirmed.

20/17 ELECTED MEMBER DEVELOPMENT STRATEGY [Item 10]

The Chairman of the Member Development Steering Group introduced the report stating that the strategy and role profiles had been refreshed. She highlighted the new Members' Portal which would soon be accessible via SharePoint and would not require an additional password to access it.

Members made the following comments:

- That Members' responsibility as corporate parents was an important one and not all seemed fully aware of it.
- It was suggested that the strategy be amended to include a process whereby Members' attendance at training would be noted and attendance notified to Members' group leaders on an annual basis.
- Attendance at all member development events was already recorded. Some Members spoke against this being imposed on them and others gave reasons why Members were not always able to attend development events.

RESOLVED:

That the Elected Member Development Strategy be approved.

21/17 REPORT FROM PEOPLE PERFORMANCE AND DEVELOPMENT COMMITTEE - OFFICER CODE OF CONDUCT POLICY [Item 11]

The Leader of the Council introduced the report which suggested changes to the Officer code of conduct.

RESOLVED:

That the Officer Code of Conduct be agreed.

22/17 REPORT FROM SURREY PENSION FUND COMMITTEE - LOCAL GOVERNMENT PENSION SCHEME ASSET POOLING [Item 12]

The Cabinet Member for Business Services and Resident Experience introduced the report which set out the proposed case for Border to Coast Pension Pool including the Inter Authority Agreement, Articles of Association and Governance documents. She thanked the Surrey Pension Fund Committee Members and Officers for all their hard work on this. She thanked the Members of the Scrutiny Board who were looking at the Environmental, Social and Governance (ESG) Policy.

Members made the following comments:

- Asset management would be the role of the pool and the actuary role would remain with the Council. Discussion had taken place regarding having a pension member as an observer on the committee and further detail had been requested. There was also some work taking place to look at how to work with other pension boards.
- The Leader thanked the Cabinet Member for the work she had done for pensioners in relation to increasing the size of the pension fund enormously since she had chaired the Pension Committee.
- Nothing of what is on the table will affect the benefits to any member of the pension plan.
- Guidance was expected from the Scheme Advisory Board regarding non-voting member representation on the committee.

RESOLVED:

1. That the Border to Coast Pension Pool (BCPP) be approved as the County Council's pooling option to provide compliance with the legislation that mandates pooling
2. That the acquisition by the Council, as Administering Authority of the Surrey Pension Fund, of one share in the Border to Coast Pensions Partnership Limited be approved and that the Chairman of the Pension Fund Committee (or Vice Chairman in their absence) be nominated to attend any meetings of the BCPP Shareholder Board on behalf of the Council.
3. That the creation of the BCPP Joint Committee be approved and that the Chairman of the Pension Fund Committee (or Vice Chairman in their absence) be nominated to attend on behalf of the Council.
4. That authority be delegated to the Director of Finance and the Monitoring Officer in consultation with the Chairman of the Pension Fund Committee to update the Council's Constitution to reflect the above approvals and to approve for

execution by the Council the final versions of any documents necessary to put these decisions into effect.

5. That the revised Pension Fund Committee Terms of Reference functions as set out within the Constitution be approved with the following addition: "Receive minutes and consider recommendations from and ensure the effective performance of the Joint Committee of the Border to Coast Pensions Pool and any other relevant bodies".

23/17 AMENDMENTS TO THE CONSTITUTION - SCHEME OF DELEGATION - PUBLIC CONSULTATION [Item 13]

The Leader introduced the report.

Members made the following comments:

- If consultation on service delivery changes is delegated to officers then that could cut out scrutiny. Will proposals go to scrutiny in other ways and will there be notification on the Council's website when consultations are taking place? The Leader responded that there would always be those opportunities.

RESOLVED:

The amendments to the Scheme of Delegation as agreed by the Leader were noted.

24/17 REPORT FROM THE WELLBEING AND HEALTH SCRUTINY BOARD [Item 14]

The Chairman of the Wellbeing and Health Scrutiny Board introduced the report, which was a legislative requirement, and set out the work of the Board over the last four years.

RESOLVED:

That the report be noted.

25/17 REVIEW OF STANDING ORDERS - REPORT OF THE CONSTITUTION REVIEW GROUP [Item 15]

The Chairman of the Constitution Review Group introduced the report which suggested changes to the Constitution in order to ensure that it is up-to-date, consistent and easy to follow. A paper was tabled suggesting further amendments to the annex of the submitted report and is attached as Appendix D.

Members made the following comments:

- That amendments to motions should be presented to Members in advance as by hiding them just compounds secrecy and is not good for decision making.
- That further amendments to this report should be brought back to the Annual Council Meeting, rather than dealt with at this meeting.
- One Member stated that it seemed unfair that if there were more than one amendment on the same motion and the first one carried then the second amendment would not even be known or discussed. The Chairman explained that amendments were taken in the order presented.

- It is not a good idea to make amendments during a debate like this and should be reviewed by the Group.
- The tabled proposals are the result of much difficult work and should be accepted with any further suggested amendments being looked at further and brought to a future Council meeting.

RESOLVED:

1. That the amendments to Standing Orders, as set out in the annex to the report, be approved for implementation from May 2017.
2. That the tabled paper on further amendments be brought to the Council Annual Meeting.

26/17 MINUTES OF CABINET MEETINGS [Item 16]

No notification had been received by the deadline from Members wishing to raise a question or make a statement on any matters in the minutes.

[Meeting ended at: 3.15 pm]

Chairman

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