

**COUNTY COUNCIL**

**COUNTY COUNCIL MEETING – 13 OCTOBER 2009**

**MINUTES** of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 13 October 2009 commencing at 10:00am, the Council being constituted as follows:

Mr Marlow – Chairman  
Mrs Sealy – Vice-Chairman

Mr Agarwal	Mr Ivison
Mr Amin	Mrs King
Mrs Angell	Mr Kington
Mr Barker OBE	Mr Lake
Mr Beardsmore	Mr Lambell
Mr Bennison	Mrs Lay
Mrs Bowes	Ms Le Gal
Mr Brett-Warburton	Mr Lord
* Mr Butcher	Mr MacLeod
Mr Carasco	Mr Mallett
Mr Chapman	Mrs Marks
Mrs Clack	Mr Martin
Mrs Coleman	* Mrs Mason
Mrs Compton	Mrs Moseley
Mr Cooksey	Mr Munro
Mr Cooper	* Mr Nevins
Mr Cosser	Mrs Nichols
Mrs Curran	Mr Norman
Mr Elias	Mr Orrick
Mr Ellwood	Mr Phelps-Penry
Mr Few	Mr Pitt
Mr Forster	Dr Povey
Mrs Fraser DL	* Mr Renshaw
Mr Frost	Mr Rooth
Mrs Frost	Mrs Ross-Tomlin
Mr Fuller	Mrs Saliagopoulos
Mr Furey	Mrs Searle
Mr Goodwin	* Mr Skellett CBE
Mr Gosling	Mrs Smith
Dr Grant-Duff	Mr Sydney
Dr Hack	Mr Colin Taylor
Mr Hall	Mr Roy Taylor
Mrs Hammond	Mr Keith Taylor
Mr Harmer	Mr Townsend
Mr Harrison	Mrs Turner-Stewart
Ms Heath	Mr Walsh
Mr Hickman	Mrs Watson
Mrs Hicks	Mrs White
Mr Hodge	Mr Wood

\*absent

78/09 **MINUTES (ITEM 1)**

The minutes of the meeting of the County Council held on 21 July 2009 were submitted, confirmed and signed.

79/09 **APOLOGIES FOR ABSENCE (ITEM 2)**

Apologies for absence were received from Mr Butcher, Mrs Mason, Mr Nevins, Mr Renshaw and Mr Skellett.

80/09 **CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)**

The Chairman made the following announcements:

- (i) On behalf of Members, he welcomed David McNulty, the new Chief Executive to his first meeting.
- (ii) That alcoholic drinks would no longer be served at County Hall during the working day.
- (iii) He congratulated Mr Jonathan Lord on being selected as the Conservative candidate for the Woking Parliamentary Division.

81/09 **DECLARATION OF PERSONAL AND PREJUDICIAL INTERESTS (ITEM 4)**

- (i) Dr Povey declared a personal interest concerning social care matters in the general debate of the meeting because he was a director of a company that supplies social care to adults in Surrey.
- (ii) Mrs Smith declared a personal interest concerning the finance of the Basingstoke Canal, question 5, Members Question Time (item 6) because she was a Surrey County Council Member of the Joint Management Committee of Basingstoke Canal.
- (iii) Mr Beardsmore declared a prejudicial interest concerning the Transport and Works Act 1992 – Heathrow Airtrack Order, Report of the Cabinet (item 13) because he was a Member of Spelthorne Borough Council.
- (iv) Mrs Nichols declared a prejudicial interest concerning the Transport and Works Act 1992 – Heathrow Airtrack Order, Report of the Cabinet (item 13) because she was a Member of Spelthorne Borough Council.

- (v) Mrs Bowes declared a personal interest concerning the motion standing in the name of Peter Martin (item 11(i)) because she was an Ofsted Schools Inspector.

82/09 **STATEMENT BY CABINET MEMBERS (ITEM 5)**

- (i) The Leader of the Council made a verbal statement in which he informed Members of the following:
- He thanked the Chief Executive and his Senior Management Team for their help and support during his first three months as Leader.
  - He stressed the importance of an open and transparent administration and reiterated his ambition for Surrey County Council to be a world class authority.
  - He reminded Members of two specific pledges for his first 100 days as Leader and said that: (i) the Drive Smart campaign had been launched in partnership with Surrey Police, and (ii) the streetlighting PFI contract had been signed off.
  - The following recent inspections were mentioned: (i) the unannounced Ofsted inspection of Children services in August 2009, (ii) the Youth Justice inspection, (iii) the Equality and Diversity review by peers, and (iv) the Comprehensive Area Assessment. He said that he was confident that progress was being made in all these areas.
  - He said that the Accord with the Federation of Small Businesses had been signed and that the Constitution had been amended to allow businesses in Surrey to ask questions and submit petitions at local committees.
  - He was pleased to announce that the County Council would re-join the tourist organisation, 'Visit Surrey'.
  - He reported that the first Public Value Review, in Adult Social Care, was underway.
  - Accountability meetings and a new style performance report to Cabinet had been introduced.
  - With immediate effect, all consultant's appointments with a value of more than £50,000 would be approved by the Leader.
  - He praised Surrey residents for increasing the percentage of recycled waste. This had resulted in £1m savings on landfill tax and these savings would be used to fund more waste initiatives.
  - Also, with immediate effect, all AGLV sites in Surrey, would be treated as if they were ANOB sites.
  - He urged local committees to give more consideration to the effects of climate change and said that he would be allocating £50,000 from the policy initiatives budget, which local committees could bid for.

- He thanked officers involved in the transfer of social care funding for people with learning disabilities from NHS Primary Care Trust to Surrey County Council, for their efforts in obtaining a satisfactory outcome.
- He announced that there would be an alcohol ban in Council buildings during the working day.
- He also said that he hoped, assuming that all technical difficulties could be met, that County Council meetings would be webcast from January 2010.
- On Partnership working, he informed Members that Surrey County Council had signed up to the Schools Pledge to guarantee training to NVQ level 2 and was fully supportive of the recruitment of the Olympics coordinator and would look at joint initiatives next year.
- On the Budget for 2010/2011, he said that the Council faced unprecedented financial pressures for the next few years but that it would rise to the challenge and that the forward strategy would be based on 'Value for Money'. It was essential to plan for a significant reduction in funding and he has asked officers to look for £100m savings, over the next 4 years, from revenue budgets.
- He said that the Council would do its utmost to protect jobs and avoid redundancies but that a pay freeze was inevitable for one or two years.
- He gave an assurance to Surrey taxpayers that the council tax rise in April 2010 would be a maximum 2.5% and that subject to the election of a Conservative Government, there would be no further increases in 2011 and 2012.
- He said that a framework for Budget discussions was being finalised and that there would be open discussions with Members about the Budget. He stressed the importance of scrutiny.
- He had also asked officers to look at a new format for the statutory budget consultation meetings with businesses.
- He said that discussion points for the future would include; (i) broadband, (ii) sustainability, and (iii) climate change.
- He also made reference to Dame Kelly Holmes recent visit to Surrey and her desire that schools' Olympics would be an appropriate legacy from the 2012 games and that he hoped that Surrey would have its first school Olympics in 2011.
- Finally, he said that he hoped to bring the new Waste Strategy to the Council meeting in December.

(ii) The Cabinet Member for Community Safety made a verbal statement regarding the Youth Development Service and the proposed purchase of a number of off-road wheelchairs.

(iii) The Cabinet Member for Environment also made a verbal statement regarding food waste collections and funding the

extension of the scheme across all Surrey Districts and Boroughs.

- (iv) The Cabinet Member for Community Services and the 2012 Games on the Changing Role of the County Contact Centre. (Appendix A1)

(Mr Kington requested that the success of the workforce at the Contact Centre was recorded in the minutes. Council agreed.)

- (v) The Cabinet Member for Adult Social Care tabled 2 statements:

- (a) the Green Paper – ‘Shaping the Future of Care Together’
- (b) the Transfer of social care funding for People with Learning Disabilities from NHS Surrey to Surrey County Council.

(Copies of both statements are attached as Appendix A2)

## 83/09 MEMBERS’ QUESTION TIME (ITEM 6)

Notice of 20 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:

**(Q1) Mr Munro** requested that a review of the procedures for LEA governors was undertaken. As there was general agreement from Members, the Cabinet Member for Children and Learning acceded to this request.

**(Q5) Mrs Smith** asked the Cabinet Member for Environment if essential repairs to the Basingstoke Canal were identified in the Asset Management Plan (AMP), whether she would consider using capital reserves, if necessary, to ensure that the work was done, in order to keep Surrey residents safe. The Cabinet Member said that she was unable to commit any funds in advance of consideration of the AMP. However, she would be considering other options for raising additional funding to offset costs.

**(Also, Q5) Mrs White** asked for a breakdown of the contributions paid from counties / districts and boroughs towards the upkeep of the Basingstoke Canal and also asked whether there were any outstanding contributions. The Cabinet Member for Environment advised her that there was a negotiated formula for contributions to its upkeep, based on the number of residents living in each district / borough. However, she would provide a more detailed response outside the meeting.

**(Q6) Mr Beardsmore** asked the Cabinet Member for Children and Families if 19.6% reduction in the use of agency staff filling social worker's posts was hours worked or cost. He was advised that it was the former. The Cabinet Member also informed Members that as of Friday 9 October, 20 more social workers had been recruited to permanent posts.

**(Q7) Mrs Watson** asked the Leader of the Council if he agreed whether many of the problems facing the Council, identified in 2001, were the same today. The Leader considered that there was no value in looking backwards and reiterated his view that the current problems facing the Council were being addressed.

**(Q8) Mr Rooth** referred to the Leader's motion to County Council concerning the Conservative Green Paper on Localism, which was supported by the Residents' Association but not the Liberal Democrats. He considered that the way forward was via the localism agenda. The Leader of the Council agreed.

**(Q9) Mrs Nichols** said that, whilst the process was clear, she wished to reassure her residents about the future use of the Charlton Lane site. The Cabinet Member for Environment said that the Leader of the Council would be making a statement on Waste Strategy, at the County Council meeting in December 2009.

**(Q11) Mr Hickman** asked the Cabinet Member for Environment if the Midlands was the nearest sorting facility for mixed plastics. He was informed that recycling mixed plastics was problematic for Surrey but she hoped to resolve the issue as a matter of urgency.

**(Q12) Mr Kington** requested that the Cabinet Member for Transport circulated guidelines to Members and issued a press release this week on the repair of streetlights in the Autumn months. The Cabinet Member said that he would provide details to Members and he looked forward to the new PFI contract assisting the Council with its street lighting problems.

**(Also, Q12) Mr Harrison** said that, given the 5 year roll out period, how would the streetlights not currently working be repaired. The Cabinet Member for Transport promised a reply outside the meeting.

**Mr Phelps-Penry** also asked a similar supplementary question.

**(Q16) Mrs Watson** asked the Leader of the Council for the Terms of Reference for the 'Golden Rules' review and when would Members be informed of this. The Leader promised a response outside the meeting.

**(Q17) Mr Forster** asked the Cabinet Member for Transport why the major bus / rail routes had been separated out in the Winter Service

policy. He was advised by the Cabinet Member that this policy had been revised following last February's adverse weather and that a detailed explanation could be found in the recent Cabinet report.

**(Q19) Mr Mallett** asked the Cabinet Member for Transport whether 'credits' were the same as 'grants' and whether the PFI contract needed to be funded from the revenue budget. The Cabinet Member said that he would provide the information outside the meeting.

**(Q20) Mr Kington** accepted that the cross-party Member Development Steering Group would co-ordinate information for candidates. However, he was concerned about information being distributed by other services. The Leader of the Council considered that officers were careful with information that was circulated to Members / candidates during the purdah period.

84/09 **SURREY POLICE AUTHORITY (ITEM 7)**

Three questions had been received for the Surrey Police Authority. 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:

**(Q3) Mr Kington** asked the Police Authority representative whether she agreed that suggesting taking control of Surrey Police without consulting them first was not a particularly good example of partnership working. She responded by stating that these remarks were made at a Conservative party conference fringe meeting but that there was value in having the debate and that the Council should always be looking at new ways of working.

85/09 **REPORT OF THE STANDARDS COMMITTEE (ITEM 8)**

A supplementary report of the Standards Committee meeting, held on 4 September and 2 October 2009, was circulated to Members on 8 October 2009. (Appendix C)

The Chairman of the Council presented the reports of the Standards Committee meetings held on 4 September and 2 October 2009.

**RESOLVED:**

That the report of the meetings of the Standards Committee held on 4 September and 2 October 2009 be noted.

86/09 **REPORT OF THE SURREY POLICE AUTHORITY (ITEM 9)**

A written statement on the work of the Surrey Police Authority had been included in the agenda.

87/09 **STATEMENTS BY MEMBERS (ITEM 10)**

There was one statement from Members:

- Mr Keith Taylor made a statement on the legal challenge to the South East Plan as it affects Guildford.

88/09 **ORIGINAL MOTIONS (ITEM 11)**

89/09 **ITEM 11 (i)**

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

Under Standing Order 11, Mr Peter Martin moved the motion standing in his name, which was formally seconded by Mrs Mary Angell, as follows:

‘That this Council:

- (a) Welcomes the very positive result of the recent unannounced Ofsted inspection;
- (b) Recognises that significant improvements are being made in the Children’s Service since the Joint Area Review (JAR) report;
- (c) Is determined to continue to address the ‘areas for development’ and reiterates its desire to make Surrey County Council’s Children’s Services the best in the country; and
- (d) Believes that the findings of this report accurately reflect the hard work of our staff and pays tribute to their efforts to provide Surrey’s children with a service that this Council can be proud of.’

After the debate on the motion, in which 4 Members spoke, it was put to the vote.

It was:

**RESOLVED (unanimously):**

That this Council:



- (a) Welcomes the very positive result of the recent unannounced Ofsted inspection;
- (b) Recognises that significant improvements are being made in the Children's Service since the Joint Area Review (JAR) report;
- (c) Is determined to continue to address the 'areas for development' and reiterates its desire to make Surrey County Council's Children's Services the best in the country; and
- (d) Believes that the findings of this report accurately reflect the hard work of our staff and pays tribute to their efforts to provide Surrey's children with a service that this Council can be proud of.

[Note: there was a 10 minute comfort break between 12.00pm – 12.10pm]

90/09 **ITEM 11 (ii)**

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

Under Standing Order 11, Mrs Hazel Watson moved the motion standing in her name, which was formally seconded by Mrs Fiona White, as follows:

'This Council supports the findings contained within the report of the Interim Chief Executive to Cabinet "*Surrey County Council – Diagnostic and Stocktake: Handover report to new Chief Executive, Leader and Cabinet*" dated 14 July 2009 and notes the criticism by Surrey residents and by the press that the administration is "burying" this critical report and seeks urgent action to resolve the problems identified by developing an action plan with measurable outcomes to improve the Council for the benefit of Surrey residents.'

After 2 Members had spoken, Mr Martin moved:

'That the question be now put'

20 Members supported this request. However, the Chairman considered that there had not been sufficient debate and did not agree to it.

After a further 7 Members had spoken, the motion was put to the vote.

22 Members voted for the motion and 51 Members voted against it. There was 1 abstention.

Therefore, the motion was lost.

91/09 **ITEM 11 (iii)**

Under Standing Order 12.3, the Council decided it wished to hear further before agreeing whether or not to debate the motion.

Mr Peter Lambell made a short statement giving the reasons why the motion should not be referred.

Dr Lynne Hack made a short statement setting out the reasons for referral.

The Council agreed not to debate this motion.

It was:

**RESOLVED:**

That this motion be referred to the Environment and Economy Select Committee for consideration. Under Standing Order 12.6, the select committee must report back to the County Council at the earliest possible meeting.

92/09 **ITEM 11 (iv)**

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

Under Standing Order 11, Mr David Hodge moved the motion standing in his name, which was formally seconded by Mr Tim Hall, as follows:

'That this Council:

- (a) Acknowledges the content of the following three reports that went to Cabinet on Tuesday 14 July – '*Diagnostic and Stocktake: Handover Report to the New Chief Executive, Leader and Cabinet*', '*Leading The Way: Standing up for Surrey, and Shaping our Future*' & '*Leading The Way: Changing the way we do business*';
- (b) Further acknowledges that since the appointment of the former Interim Chief Executive and the publication of the reports, a number of changes have taken place within the organisation, including the election of a new Leader and Deputy Leader, the appointment of a new Chief Executive and the election of a large number of new Members; and

- (c) Resolves to work with the aforementioned new political and administrative leadership to move Surrey County Council forwards, to deliver value for money services and to ensure the highest standards of management of the Council.'

Mrs Hazel Watson proposed an amendment, standing in her name (circulated at the meeting) and formally seconded by Mrs Fiona White, which was as follows:

'Add after (c) as follows:

- (d) Agrees to a public debate about the Diagnostic report by the former Interim Chief Executive and to develop an action plan with measurable outcomes to resolve the problems identified in the report to improve the Council for the benefit of Surrey residents; and that quarterly reports are presented to the Council's Corporate Management Select Committee to enable the committee to monitor the progress of the plan.'

After 3 Members had spoken on the amendment, Mr Martin moved:

'That the question be now put'

The Chairman agreed to put this motion and 20 Members supported it.

The majority of Members voted against the amendment and, therefore, the amendment was lost.

Returning to the original motion, Mr Munro moved:

'That the question be now put'

The Chairman agreed to put this motion and 20 Members supported this request

The motion was put to the vote. 50 Members voted for the motion and 13 Members voted against it. There was 1 abstention.

Therefore, it was:

**RESOLVED:**

That this Council:

- (a) Acknowledges the content of the following three reports that went to Cabinet on Tuesday 14 July – '*Diagnostic and Stocktake: Handover Report to the New Chief Executive, Leader and Cabinet*', '*Leading The Way: Standing up for Surrey, and Shaping our Future*' & '*Leading The Way: Changing the way we do business*';

- (b) Further acknowledges that since the appointment of the former Interim Chief Executive and the publication of the reports, a number of changes have taken place within the organisation, including the election of a new Leader and Deputy Leader, the appointment of a new Chief Executive and the election of a large number of new Members; and
- (c) Resolves to work with the aforementioned new political and administrative leadership to move Surrey County Council forwards, to deliver value for money services and to ensure the highest standards of management of the Council.

93/09     **ITEM 11 (v)**

Under Standing Order 12.3, the Council decided it wished to hear further before agreeing whether or not to debate the motion.

Mr Eber Kington made a short statement giving the reasons why the motion should not be referred.

Mr David Hodge made a short statement setting out the reasons for referral.

The Council agreed not to debate this motion.

It was:

**RESOLVED:**

That this motion be referred to the Corporate Management Select Committee for consideration. Under Standing Order 12.6, the select committee must report back to the County Council at the earliest possible meeting.

**ADJOURNMENT**

The meeting adjourned for lunch at 1.30pm and resumed at 2.30pm with all those present who had been in attendance in the morning session except for Mr Agarwal, Mr Amin, Mr Elias, Mr Furey, Mrs Hicks, Mr Lord, Mr Macleod, Mrs Moseley, Mrs Nichols, Mr Orrick, Mrs Sealy, Mr Sydney, Mr Keith Taylor, Mrs White and Mr Wood.

94/09     **REPORT BACK ON MOTIONS REFERRED (ITEM 12)**

Under Standing Order 12.6, the Council was required to consider the report.

The Chairman of the Corporate Management Select Committee presented the report of the Corporate Management Select

Committee held on 7 September 2009, in which the committee considered a motion referred to it by the Council on 28 April 2009.

**RESOLVED:**

That the decision made by the Corporate Management Select Committee, in respect of the referred motion, held on 7 September 2009, and set out in the submitted report, be noted.

95/09      **REPORT OF THE CABINET (ITEM 13)**

The Chairman drew Members' attention to the statement (circulated at the meeting), from the Head of Legal and Insurance services, in relation to Heathrow Airtrack. (Appendix D)

He proposed that Members should note the paragraph relating to Airtrack in the Cabinet report and not enter into debate on the response because there would be an opportunity to debate it fully at the Council meeting on 15 December 2009.

As there was no debate on this paragraph, those Members who declared a prejudicial interest in relation to Airtrack did not need to leave the chamber.

Dr Povey presented the reports of the Cabinet's meetings held on 14 July and 8 and 29 September 2009.

**(1) Recommendations on Policy Framework Documents**

**Surrey Minerals Plan – Publication of the Core Strategy, Primary Aggregated and Draft Aggregates Recycling DPDs and the Final Draft Minerals Site Restoration SPD**

After a short debate, in which 6 Members spoke, it was:

**RESOLVED:**

- (1) That it be agreed that the *Core Strategy* and *Primary Aggregates DPDs* be published for representations on their soundness and legal compliance.
- (2) That authority be delegated to the Head of Environment Service, in consultation with the Cabinet Member for Environment, to approve any schedule of suggested amendments following publication of the above documents, to be submitted with the DPDs to the Government for independent examination.
- (3) That the *Draft Aggregates Recycling DPD* and *Minerals Site Restoration SPD* be approved for consultation.

- (4) That authority be delegated to the Head of Environment Service to make any amendments to the documents prior to publication for consultation following Cabinet and County Council consideration, in consultation with the Cabinet Member for Environment.
- (5) That a re-examination of the proposed restoration scheme for Manor Farm, Laleham be considered by officers in consultation with the Cabinet Member for Environment.

**(2) Reports for Information / Discussion**

The following reports were received and noted:

- Transport and Works Act 1992 – the Heathrow Airtrack Order
- ‘Ride Pegasus’ Pilot School Bus Service

**RESOLVED:**

That the reports of the meetings of the Cabinet held on 14 July and 8 and 29 September 2009 be adopted.

96/09 **AMENDMENTS TO THE CONSTITUTION (ITEM 14)**

The Chairman of the Council introduced the report, setting out a number of amendments to the Constitution

**RESOLVED:**

**(1) That revised Standing Orders 65.1 and 66.1 be agreed as follows:**

65.1 At the start of any ordinary meeting of the Cabinet, a Cabinet Member or a committee any member of the public who is an elector of the Surrey County Council area may present a petition, containing 100 or more signatures, relating to a matter within the terms of reference of the Cabinet, the Cabinet Member or the committee as appropriate. In addition, a local business may present a petition to an ordinary meeting of a Local Committee. The presentation of a petition on the following business will not be allowed:

- (a) matters which are “confidential” or “exempt” under the Local Government Access to Information Act 1985; and

(b) planning applications.

66.1 At the start of any ordinary meeting of the Cabinet or any Committee, any member of the public who is an elector of the Surrey County Council area may ask one question relating to a matter within the Cabinet's or Committee's terms of reference. In addition, a local business may ask one question at an ordinary meeting of a Local Committee. Questions will not be allowed on matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985 or on planning applications. Questions should relate to general policy and not to detail.

**(2) That Standing Orders 40(g), (h) and (i) be agreed as follows:**

40(g) The Council will appoint named substitutes to serve on the Planning and Regulatory Committee, comprising up to seven Members each from the Conservative, Liberal Democrat and Residents' Associations/Independent Groups, subject to no more than four Conservative, one Liberal Democrat and one Residents' Associations/Independent Group Member being substituted at any one time.

40(h) The Council will appoint named substitutes to serve on the Personnel and Appointments Committee and its Appointments Sub-Committee, comprising up to seven Cabinet Members and up to seven Members each from the Liberal Democrat and Residents' Associations/Independent Groups, subject to no more than 50% of the membership of the committee/sub-committee being substituted on any one occasion.

40(i) The Council will appoint named substitutes for the Health Scrutiny Committee, comprising up to seven Members each from the Conservative, Liberal Democrat and Residents' Associations/Independent Groups, subject to no more than four members of the committee being substituted on any one occasion.

**(3) That the revised paragraph 7 (set out in Appendix 1 as set out in the submitted report) replace the current terms of reference for local committees set out in Part 3 Section 2 of the Constitution.**

**(4) That the Leader's decision to delegate to Cabinet Members the write-off of irrecoverable debts between £10,000 and £100,000 not otherwise delegated to the Head of Finance be noted, and the following consequent amendments to Financial Regulations be approved:**

13.10 The Head of Finance, in consultation with the Head of Legal & Insurance, is authorised to write-off individual debts of up to £100,000 considered by them to be irrecoverable, where:

- the debtor has gone into liquidation
- the debtor is deceased and there are no funds and the debt has been registered as a liability to the executor
- the evidence against a debtor is inconclusive, and the Head of Legal and Insurance recommends write-off
- the debtor has absconded and all enquiries have failed
- the debtor is in prison and has no means to pay

For other debts under £10,000 not covered by the criteria above, the Head of Finance can approve the write-off of irrecoverable debts. For debts of more than £10,000 and up to £100,000 which are not covered by the criteria above, having taken into consideration the advice of the Head of Finance and the Head of Legal & Insurance, the relevant Cabinet Member can approve the write-off of irrecoverable debts in their portfolio in consultation with the Deputy Leader. All other write-offs will require the approval of the Cabinet. Write-offs granted in-year must be reported in year-end financial outturn reports to the Cabinet.

## 97/09 **REPORTS OF COMMITTEES (ITEM 15)**

### **(a) Audit and Governance Committee**

The Chairman of the Audit and Governance Committee presented the report of the Audit and Governance Committee meetings held on 30 June and 28 September 2009.

He highlighted the key areas of concern from the External Auditor's Annual Governance Statement 2008/09 and advised Members that the Council would receive a joint report from the Audit and Governance Committee and the Standards Committee, based on the report of the Governance Task Group, at its meeting on 15 December 2009.

After a short debate in which 3 Members spoke, it was:

#### **RESOLVED:**

- (1) That the following terms of reference, for the Audit and Governance Committee be approved:



## **Regulatory Framework**

- (a) To monitor the effective development and operation of the risk management and corporate governance arrangements in the council.
- (b) To monitor the effectiveness of the council's anti-fraud and anti-corruption strategy.
- (c) To monitor compliance with the council's corporate governance framework and advise or make recommendations to the Cabinet or County Council as appropriate.
- (d) To review the Annual Governance Statement and commend it to the Cabinet.
- (e) To conduct an annual review of the effectiveness of the system of internal audit.
- (f) To make proposals to appropriate Select Committees on suggested areas of scrutiny.

## **Audit Activity**

- (a) To consider the Head of Internal Audit's annual report and opinion, a summary of internal audit activity and the adequacy of management responses to issues identified.
- (b) To approve the annual Internal Audit & Inspection plan.
- (c) To consider periodic reports of the Head of Internal Audit and internal audit activity.
- (d) To consider and comment upon the reports and plans of the external auditor, including the annual audit letter.

## **Accounts**

- (a) To consider and approve the annual statement of accounts and the Surrey Pension Fund accounts.
- (b) To review the Council's Treasury Management strategy and consider periodic reports of treasury management activity.
- (c) To undertake statutory functions as required on behalf of the local government and fire fighters' pension schemes.

- (2) That the Cabinet to take note of the breakdown in governance and to take the necessary action, including taking account of the views of the special task group when they are available to improve governance and prevent a recurrence of the issues highlighted by the external auditor, be agreed.

**RESOLVED:**

That the report of the meetings of the Audit and Governance Committee held on 30 June and 28 September 2009 be noted.

**(b) Personnel and Appointments Committee**

The Chairman of the Personnel and Appointments Committee presented the report of the Personnel and Appointments Committee meeting held on 5 October 2009.

**RESOLVED:**

That the following terms of reference and change of name, from the Personnel and Appointments Committee to People, Performance and Development Committee be approved.

**Terms of Reference**

The Committee will, subject to paragraph 6.15, appoint officers to those senior posts referred to in the Officer Employment Procedure Rules; and determine the conditions of employment (including variations to fixed term contracts) of such officers under the Officer Employment Procedure Rules.

The Committee will also:

- (a) determine policy on pay, terms and conditions of employment of all staff.
- (b) discharge the function of dismissal and taking disciplinary action against Chief Officers as defined in the Local Government & Housing Act 1989 (including appointing a designated independent person when required to do so).
- (c) determine arrangements for joint consultation between the Council and representatives of recognised trade unions;
- (d) determine procedures for the resolution of disputes between the Council and recognised trade unions;
- (e) consider and seek to resolve such disputes where this has not been possible at earlier stages of these procedures;

- (f) determine any requests for early retirement under the Fire Fighters' Pension Scheme;
- (g) in relation to the Chief Executive to determine any compensation payable on the termination of his or her contract of employment by reason of redundancy, early retirement or in the interests of efficient exercise of the Council's functions and applications for early payment of pension benefits;
- (h) monitor individual performance management;
- (i) consider the recruitment, appointment and remuneration of senior managers;
- (j) monitor sickness absence management;
- (k) consider strategic workforce planning;
- (l) promote organisational development, skills and learning;
- (m) promote equalities and diversity; and
- (n) promote continuous professional development and training.

**RESOLVED:**

That the report of the meeting of the Personnel and Appointments Committee held on 5 October 2009 be noted.

[The meeting ended at 3.10pm]

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Chairman