

COUNTY COUNCIL

COUNTY COUNCIL MEETING – 15 DECEMBER 2009

MINUTES of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 15 December 2009 commencing at 10:30am, 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 (left at 2.30pm)
* 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 (left at 2.40pm)
* 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 (left at 2.40pm)
Mr Harrison		Mrs Turner-Stewart
* Ms Heath		Mr Walsh
Mr Hickman		Mrs Watson
Mrs Hicks (left at 2.05pm)		Mrs White (left at 3.05pm)
Mr Hodge		Mr Wood

*absent

98/09 **APOLOGIES FOR ABSENCE (ITEM 1)**

Apologies for absence were received from Mr Brett-Warburton, Mr Carasco, Mr Elias, Mrs Frost, Mr Furey, Ms Heath, Mrs Le Gal, Mrs Moseley, Mrs Searle and Mr Sydney.

99/09 **MINUTES (ITEM 2)**

The minutes of the meeting of the County Council held on 13 October 2009 were submitted, confirmed and signed.

100/09 **CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)**

The Chairman made the following announcements:

- He welcomed students from the Beacon School in Banstead to the meeting.

101/09 **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 Hammond declared a personal interest concerning the Surrey County Council Progress Report (item 18, paragraph 22) because she was an assessor for South East Employers.
- (iii) Mr Beardsmore declared a prejudicial interest concerning the Transport and Works Act 1992 – Heathrow Airtrack Order, (item 16) 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, (item 16) because she was a Member of Spelthorne Borough Council.
- (v) Mrs Bowes declared a personal interest concerning Members' Question Time (item 6, question 8) because she was an Ofsted Schools Inspector.

102/09 **LEADER'S STATEMENT (ITEM 5)**

- (i) The Leader of the Council made a verbal statement in which he informed Members of the following (copies were circulated after the statement had been made):

- There had been 2 inspection reports since the last county council meeting – the Care Quality Commission report on Adult Social Services 2008/09 and the Comprehensive Area Assessment. He was pleased to report that Surrey County Council was improving.
- A peer review of Children’s Services had been undertaken. Good improvements had been made in this area, which now needed to be embedded and sustained.
- There would be a ‘Have your say’ public debate in March 2010, possibly in Dorking.
- He announced a new vision for Waste Disposal, saying that there would be no Energy from Waste incinerators in Surrey and that he had instructed officers to withdraw the planning applications for Capel and Trumps Farm. He said that a range of flexible technologies was required rather than one approach. Mindful of the increased cost of landfill, he was pleased to report an increased percentage of re-cycling across the county, which he believe could be further increased with the extension of a food waste collection so he proposed setting a 70% recycling target by 2013.
- He said that there would be a new Eco-park with a community sized anaerobic digester and gasification at Charlton Lane, Shepperton. It would also have a Research and Development and Education facility on site.
- He considered that these plans would be more economic, greener and sustainable for the people of Surrey.
- That a new strategy on climate change had been adopted and agreed by the county council and districts and boroughs.
- He emphasised the importance of partnership working which he hoped would reduce some back office costs.
- Finally, he announced that, from April 2011, mileage allowances for both Members and officers would be related to CO2 emissions of vehicles.

(ii) The Cabinet Member for Environment also made a statement regarding Waste Disposal, and,

(iii) The Cabinet Member for Transport on the Streetlighting PFI contract.

Members had the opportunity to ask questions after each statement.

103/09 **MEMBERS’ QUESTION TIME (ITEM 6)**

Notice of 20 questions had been received. The questions and replies are attached as Appendix A.

A written answer to question 15 was circulated at the meeting. (Appendix A(i))

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

(Q1) Mrs Coleman asked the Cabinet Member for Transport to contact the Conservative Party to ask, should they be elected to Government in 2010, how they proposed to put their electric car proposals into practice. He responded by saying that he would always be willing to talk to the Conservative Party.

(Q2) In Ms Heath's absence, **Mrs Lay** thanked the Cabinet Member for Children and Families for her response and asked her for further explanation of the Children's Pledge and what Members could do to support it. The Cabinet Member said that Members had a responsibility to act as Corporate Parents to Looked after Children and requested that all Members signed the Pledge that was circulated at the meeting.

(Also, Q2) Mr Colin Taylor asked the Cabinet Member about Members visiting Children's Homes because he understood that this role was currently being revised. It was confirmed that, as part of the restructure of Children's Services, this was the case. However, she stressed that the service was committed to having Member involvement with the Children's Homes.

(Also, Q2) Mrs Hicks asked for a meeting for those Members who undertake visits to Children's Homes. She also explained why Children's Homes can sometimes be the preferred option for some young people.

(Q3) Mr Agarwal asked the Cabinet Member for Children and Learning what plans the county council had to reduce the number of NEETS and NETS in Spelthorne. He was advised that plans were being discussed with the Children's Alliance and Surrey Strategic Partnership (SSP) and that Garath Symonds could provide more detail, if required. The Cabinet Member stressed the importance of urgently addressing this potential loss of vocational places in Spelthorne and said that he was seeking a meeting with Lord Mandelson for an explanation.

(Q4) Mr Lord asked the Chairman of Health Scrutiny Committee for assurance that the committee would continue to give its support to community hospitals. The Chairman said that, whilst the NHS was trying to move away from providing in-patient beds and provide more care at home, in some cases, beds were needed and the committee would always listen carefully to the wishes of residents and their representatives.

(Q5) Mrs Fraser said that she had the receipt from Ofcom and that the application had been submitted before the deadline so she

asked the Cabinet Member for Community Safety if she would agree that it had been an expensive learning experience and not the best use of youth service funding. The Cabinet Member undertook to further investigate this issue and to advise all Members at a later date. She also requested that Mrs Fraser supplied her with all the information so that her concerns could be properly investigated.

(Q6) Mr Lambell said that he had received many enquiries about the possible withdrawal, as part of the bus review, of bus services in Reigate and asked the Cabinet Member for Transport for more specific information concerning the responses to the consultation. He was advised that the consultation was with bus users as well as others and all views will be taken into account.

(Also, Q6) Mr Harrison drew the Cabinet Member for Transport's attention to 'School Specials', which he said could transverse other Boroughs / Districts and may not be in this phase of the review. The Cabinet Member acknowledged this issue and said that officers would be willing to supply him with more details if he requested it.

(Also, Q6) Mr Agarwal asked the Cabinet Member for Transport how possible cuts in bus services equated to the council's green policy. He also asked him for his comments on hybrid buses as used by Transport for London. He was advised that, unfortunately, there was no funding for hybrid bus transport. However, the Cabinet Member said that the council had been working with consultants to ensure that the new proposals were environmentally friendly and he hoped that the end result would be a more efficient bus service across Surrey.

(Q7) Mrs Watson considered that, if the Leader of the Council wished to increase the powers of local committees, his response was contradictory. The Leader said that local committees already had the power to decide on the allocation of the Highways Budget.

(Q8) Mrs Smith referred to the delays in recruiting staff for Ruth House and asked the Cabinet Member for Children and Families for assurance that this facility would be open at weekends and holidays. The Cabinet Member confirmed that it would be open at weekends and said that she was committed to having it fully staffed as soon as possible. However, she said that it was difficult to recruit staff to work with young people who had extremely challenging behaviour.

(Q9) Mrs White asked the Cabinet Member for Adults Social Care if he had read the full version of the Care Quality Commission's report and was he aware that Surrey County Council was the only county in the South East to receive 'adequate'. She also asked for his assurance that he would fight to receive sufficient funding for this

service so that it could be brought up to the level Surrey residents had the right to expect. The Cabinet Member confirmed that he had read the report and urged all Members to read it. He said that the guidelines had changed and advised Members to read the improvement plan, which he would circulate to all Members who requested it. With reference to the budgetary request, he said that the county council was a cash strapped authority and stressed the importance of getting a balance between all services' budget demands.

(Q10) Mr Wood asked for assurance from the Cabinet Member for Transport that all Vehicle Activated Signs (VAS) currently not working would be repaired quickly. He was particularly concerned about those signs that had been installed as a result of gifts from outside bodies. The Cabinet Member said that the county tried to maintain these signs but, with 500 signs, said that their maintenance had always been an issue due to many demands on the Highways revenue budget.

(Also, Q10) Mrs Coleman said that most VAS in her area were attached to lamp columns and asked the Cabinet Member for Transport whether they would be affected by the replacement programme resulting from the Streetlighting PFI. The Cabinet Member hoped that they would be attached to the new columns.

(Also, Q10) Mrs Mason expressed concern that Members had been encouraged to put part of their Member's allocation towards VAS signs, which were now not working and considered that it was unacceptable that they had failed so quickly. The Cabinet Member for Transport said that a review was currently being undertaken and he would try to address these issues, where Members had particular concerns.

(Q11) Mr Keith Taylor asked for reassurance, which the Cabinet Member for Transport was not able to give, due to the budgetary position not yet being finalised, that the A248 Chilworth Road would be fully opened before March 2010.

(Q13) Mr Kington asked the Cabinet Member for Transport whether all outstanding maintenance / repairs on 1 March 2010 had to be reported again to Skanska Laing. The Cabinet Member confirmed that the information would be transferred from the Contact Centre and that it would not have to be re-reported.

(Also, Q13) Mr Cooksey said that Mole Valley District Council would be the last district / borough to benefit from the PFI streetlighting replacement programme and asked the Cabinet Member for Transport what criteria had been used to prioritise them. The Cabinet Member said that he would ask the responsible officer for details and advise him outside the meeting.

(Q14) Mr Hickman said that, given the shortfall of school places in the Elmbridge area, he was surprised that there were vacancies at Long Ditton Primary School and requested actual figures. The Cabinet Member for Children and Learning said that the figures were not yet available but agreed to supply them when he received them. He also confirmed that Elmbridge was an area of growth and that there were pressures in this area. Therefore, he was continuing to press for additional capital to meet these needs.

Under standing order 10.11, question time was limited to 45 minutes and therefore, no supplementary questions were taken for questions 15 – 20.

104/09 **SURREY POLICE AUTHORITY (ITEM 7)**

One question had been received for the Surrey Police Authority. The question and reply is attached as Appendix A.

One supplementary question was asked:

Mr Renshaw said that it was an encouraging response and asked the Surrey Police Authority representative if those residents living in rural areas could now be reassured. She responded by stating that the Operational Policing Review would meet the expectation of residents because there would be more visual policing. She reiterated that no police stations would close until an alternative, better provision was in place in an area.

105/09 **REPORT OF THE STANDARDS COMMITTEE (ITEM 8)**

The Chairman of the Council presented the report of the Standards Committee meetings held on 30 November 2009.

Under SO 8.8(c), Mr David Hodge moved an amendment to the recommendation, which was formally seconded by Mr Denis Fuller:

After the words 'the Council delegates responsibility to a selection panel', delete 'of Standards Committee' and substitute 'comprising the Chairman of the Standards Committee and three County Councillors, one to be nominated by each of the Group Leaders'.

The remaining words of the recommendation remained the same.

Members voted and it was:

RESOLVED:

That responsibility be delegated to a selection panel comprising the Chairman of the Standards Committee and three County

Councillors, one to be nominated by each of the Group Leaders, to shortlist and interview applicants to the position of Independent Representative of Standards Committee.

RESOLVED:

That the report of the meeting of the Standards Committee held on 30 November 2009, as amended, be adopted.

106/09 **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.

107/09 **STATEMENTS BY MEMBERS (ITEM 10)**

There were no statements from Members.

ORIGINAL MOTIONS (ITEM 11)

108/09 **ITEM 11 (i)**

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

Under Standing Order 11, Mrs Kay Hammond moved the motion standing in her name, which was formally seconded by David Goodwin, as follows:

‘That this Council:

- (i) Reminds the residents of Surrey and those visiting the county of the importance of not drinking and driving, particularly during the Christmas period;
- (ii) Notes the recent introduction of the ban on the consumption of alcohol during working hours for staff and Members in council premises;
- (iii) Reiterates its belief that all forms of anti-social driving, and not simply drink driving, should not be tolerated;
- (iv) Reiterates previous enjoiners that as many young people as possible should see the excellent Safe Drive, Stay Alive presentation; and
- (v) Urges people to be mindful of the aims of the Drive SMART campaign.’

After the debate on the motion, in which 6 Members spoke, it was put to the vote.

It was:

RESOLVED (unanimously):

That this Council:

- (i) Reminds the residents of Surrey and those visiting the county of the importance of not drinking and driving, particularly during the Christmas period;
- (ii) Notes the recent introduction of the ban on the consumption of alcohol during working hours for staff and Members in council premises;
- (iii) Reiterates its belief that all forms of anti-social driving, and not simply drink driving, should not be tolerated;
- (iv) Reiterates previous enjoiners that as many young people as possible should see the excellent Safe Drive, Stay Alive presentation; and
- (v) Urges people to be mindful of the aims of the Drive SMART campaign.

ADJOURNMENT

The meeting adjourned for lunch at 12.40pm and resumed at 1.50pm with all those present who had been in attendance in the morning session except for Mr Agarwal, Mr Barker, Mr Bennison, Mr Chapman, Mr Ellwood, Mr Harmer, Mr Lord, Mr Mallett, Mrs Mason, Mrs Nichols, Mr Orrick, Mr Phelps-Penry, Mrs Ross-Tomlin and Mr Skellett.

109/09 **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 Mr Ian Beardsmore, as follows:

‘That this Council:

- (i) opposes cuts in frontline services to Surrey residents already agreed by the Cabinet including the Pegasus bus service, public bus services and winter gritting.

- (ii) believes that these services are essential public services which not only provide a lifeline to many residents in Surrey, but should be an integral part of the Council's environmental policy. Cuts to these services will isolate vulnerable members of the community and will increase congestion and pollution on our already overcrowded roads.
- (iii) believes that cuts to frontline services are unnecessary as the council is spending too much money on bureaucracy, agency staff and consultants and wasting money on contracts and purchasing which provide poor value for money.'

After a further 12 Members had spoken, the motion was put to the vote.

11 Members voted for the motion and 37 Members voted against it. There were 5 abstentions.

Therefore, the motion was lost.

110/09 **REPORT BACK ON MOTIONS REFERRED (ITEM 12)**

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

(i) The Chairman of the Corporate Management Select Committee presented the report of the Corporate Management Select Committee held on 24 November 2009, in which the committee considered a motion referred to it by the Council on 13 October 2009. However, she said that the recommendations had not yet been agreed by the select committee and resolved to refer it back to the Corporate Management Select Committee for further consideration.

(ii) The Chairman of the Environment and Economy Select Committee presented the report of the Environment and Economy Select Committee held on 2 December 2009, in which the committee considered a motion referred to it by the Council on 13 October 2009.

RESOLVED:

That the decision made by the Environment and Economy Select Committee, in respect of the referred motion, at its meeting on 2 December 2009, and set out in the submitted report, be noted.

111/09 **REPORT OF THE CABINET (ITEM 13)**

Dr Povey presented the reports of the Cabinet's meetings held on 29 September, 3 November and 1 December 2009.

The minutes of the Cabinet meeting held on 1 December 2009 were circulated to Members separately on 8 December 2009. (Appendix B)

(1) Statements / Updates from Cabinet Members

- Cabinet Member for Adult Social Care did not make a statement on the Annual Performance Assessment / Care Quality Commission report on Adult Social Services for the year 2008/09 because it had already been discussed within Members' Question Time.
- Cabinet Member for Environment on Surrey's Mineral Apportionment – report on the Regional Public Examination. (Appendix C(i))
- Cabinet Member for Community Services and 2012 Games on the Olympic Games, the Contact Centre and an update on Member training. (Appendix C(ii))

(2) Reports for Information / Discussion

The following reports were received and noted:

- Cabinet Decisions Called In - 'Ride Pegasus' Pilot School Bus Service
- Local Committee Decisions Called In

Annex: Cabinet meeting minutes

Item 262/09 – Draft 14-19 Plan and Update on the Transition of Learning and Skills Council Functions:

Comments from the Chairman of the Schools and Learning Select Committee were tabled at the meeting. (Appendix D)

RESOLVED:

That the reports of the meetings of the Cabinet held on 29 September, 3 November and 1 December 2009 be noted.

112/09 **APPOINTMENT OF LOCAL COMMITTEE VICE-CHAIRMAN
(ITEM 14)**

RESOLVED:

That David Harmer be appointed as Vice-Chairman of Waverley Local Committee for the remainder of the 2009/10 Council Year.

113/09 **AMENDMENTS TO THE CONSTITUTION (ITEM 15)**

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

RESOLVED:

- (1) That the Terms of Reference of the Standards Sub-Committees, as attached at Annexe 1 to the submitted report be approved, to replace the Terms of Reference of the Assessment and Consideration Sub-Committees of the Standards Committee at Articles 9.05 and 9.06 of the Constitution.
- (2) That the Standards Committee statement 'Granting Dispensations: Processes', as attached at Annex 2 to the submitted report be approved and be included in Part 6 of the Constitution.
- (3) That the Standards Committee protocol 'Politically Restricted Posts and Exemptions from Political Restriction', as attached at Annex 3 to the submitted report be approved and be included in Part 6 of the Constitution.

114/09 **TRANSPORT AND WORKS ACT 1992 THE HEATHROW
AIRTRACK ORDER (ITEM 16)**

As Mr Ian Beardsmore had declared a prejudicial interest, he left the Council Chamber and took no further part in the discussion of this item.

The Cabinet Member for Transport made a small amendment to point (i), including 'Staines' after High Street.

Mrs Yvonna Lay (the Local Member for Egham, Thorpe and Hythe) drew members attention to a letter from Airtrack, which she would circulate to all Members that said in their opinion, Airtrack considered that the funding for the mitigation measures was primarily the responsibility of Surrey County Council and Runnymede Borough Council.

Mr David Munro (formerly Executive Member for Transport) said that he was confident that the council's negotiators would make a strong case for suitable mitigation measures at the Public Enquiry in the spring.

Mrs Denise Saliagopoulos (the local Member for Staines) thanked officers for their hard work on Airtrack.

After a short debate, in which 6 Members spoke and there was cross party support, it was:

RESOLVED (unanimously):

That the following response to the Transport & Works Act 1992 – the Heathrow Airtrack Order be approved:

That Surrey County Council respond formally to the Transport and Works Act (TWA) order in the following terms. The County Council will lodge objections, as set out in the submitted report to Cabinet, to the elements of the scheme, which would cause undue adverse impacts to some parts of Surrey and it is essential that suitable mitigation measures are sought with changes to the proposal and/or funding from the scheme promoters. Whilst the County Council supports the principles and objectives of the scheme, it cannot support the proposal as currently defined unless these mitigation actions are taken.

The points on which the County Council should **OBJECT** are:

- i. the business case for the scheme assumes that the new rail services can be added without detriment to existing rail services. However the scheme promoters have yet to provide a complete draft rail timetable for the scheme. The County Council needs assurance that the new airport services can be accommodated on the existing network without reducing existing services or the capacity of the rail network to allow for future growth in rail travel. In addition the Council requests HAL to provide the reasons why the High Street Station, Staines does not have a sound business case.
- ii That officers be asked to explore whether Surrey County Council should request that the Secretary of State issue a formal Regulation 19 request for the additional information prior to determining this application and to delegate to the Cabinet Member for Transport the decision on the request, if officers advise that it is appropriate.
- iii Request HAL provide a detailed study on the potential impacts of the TWA on air quality across Surrey.

Relating to Spelthorne Borough

- iv the proposed Bridleway 50 located between the planned railway and the M25 is unsuitable because it would be an unattractive route for horse riders and cyclists. The Council recommends that HAL should be required to enter into further negotiations with the County Council and Spelthorne Borough Council to find a mutually acceptable and safe solution to Bridleway 50 and Cycle Route T5, which has minimal impact on Staines Moor ahead of any public inquiry.
- v the proposed Rights of Way amendments should be amended, both to correct errors in the application and to create more sensible routes. The County Council should continue its dialogue with BAA/HAL and Spelthorne Borough Council to define an appropriate network of Rights of Way.
- vi the proposed Staines – Stanwell Moor – T5 Cycle Route is not suitable because it does not meet Core Design Values for cycling, in safety, directness, attractiveness and comfort where an improvement could be made. A T5 cycle route must be retained and the Council recommends that HAL should be required to enter into further negotiations with the County Council and Spelthorne Borough Council to find a mutually acceptable and safe solution to Cycle Route T5, which has minimal impact on Staines Moor ahead of any public inquiry.
- vii the SSSI and Ecology treatment proposals submitted in the TWA Environmental Statements due to insufficient compensatory land proposed for the loss of nationally important SSSI. The Council wishes to register serious concerns regarding the likelihood of successfully translocating biologically important plants to new habitats and the uncertainty in relation to the implementation of the scheme if all the proposed compensation land identified is not all acquired by HAL.
- viii insufficient landscaping proposals have been submitted in the TWA Environmental Statements. A Landscaping Plan would need to be submitted that is acceptable to the County Council to remove the objection.
- ix the proposals submitted in the TWA Environmental Statements for waste management are insufficient. BAA/HAL should submit a Waste Management Plan to allow Surrey County Council to form a judgement on this point.
- x the originally planned High Street (Staines) station should be reinstated to provide a direct rail service between Staines, Woking and Guildford. If not the Council requests HAL to

provide the evidence why the High Street station does not have a sound business case.

- xi the proposal should be amended to provide additional cycle parking facilities on the north side of the planned new Staines station. The precise details of these facilities should be agreed between the County Council, scheme promoters and South West Trains.
- xii the lack of mitigation measures. The County Council is not satisfied that sufficient mitigation measures have been planned to alleviate on-street parking in the area of Staines station and elsewhere in Surrey and therefore requires funding towards consultation and implementation of a Controlled Parking Zone.
- xiii the impact of traffic in Staines town centre. This is of concern whilst the construction of the planned railway is being undertaken. The TWA application modelling has not been presented adequately to enable a judgement to be made. This modelling should show the longer term impacts arising from increased delays from the additional junction in South Street for the multi-storey car park and the impact of queuing at the Thorpe Road level crossing on the A308/A320 roundabout and Staines Bridge.
- xiv the proposals for the Staines Chord in relation to the combined car parks onto the Thames Street junction on grounds of congestion. The County Council would wish to work with BAA/HAL to resolve this issue and address concerns relating to the phasing of the works to complete the ramp for the multi storey car park, prior to the rest of the Elmsleigh surface car park being taken to build the scheme.
- xv that HAL should fully demonstrate that the shortest possible and practical length of overhead electric lines on Stanwell Moor be agreed subject to HAL providing full technical information of the change over process.
- xvi the potential impacts of the TWA on air quality especially in relation Spelthorne as an Air Quality Management Area (AQMA).

Relating to Runnymede Borough

- xvii the scheme as proposed will cause unacceptable traffic problems at a number of level crossings, with increased down times. This will lead to traffic congestion and delays, poor bus reliability and access problems for the emergency services, especially the Thorpe Road, Vicarage Road and Station Road areas. A mitigation package of measures currently being

identified could overcome these concerns, subject to funding of the identified measures by the scheme promoters and subject to Cabinet approval. The capacity and funding of stations within Runnymede Borough be considered especially in relation to car parking.

- xviii Virginia Water station should be included in the schedule of stations that the Airtrack service (Guildford/Woking to T5) will call at. The capacity and funding of Virginia Water station be considered especially in relation to car parking.

Relating to Surrey Heath Borough

- xix Ascot station should be included in the schedule of stations that the Airtrack service (Reading to T5) will call at. The capacity and funding of the station be considered especially in relation to car parking.

In addition, there are a number of issues which are of concern but which may not be suitable for an objection to the TWA order. In particular, the scheme promoters should continue to work closely with the County Council, borough/district councils and other interested parties to mitigate the impact of the construction of the scheme.

If the scheme is successful in its application for TWA powers, a steering group of the Transport for Surrey Partnership should be established to oversee the construction process and any other issues, which arise during implementation of the scheme.

115/09 GOVERNANCE ISSUES (ITEM 17)

The Chairman of the Council introduced the report. He informed Members that the Governance Task group had comprised Members of the Audit and Governance and Standards Committees. He asked Members to consider the report and the recommendations of the task group.

Mr David Hodge moved an amendment to: Whistle Blowing, recommendation (4). He proposed inserting 'consideration be given that' prior to the Chairman of Audit and Governance Committee.....

This amendment was seconded by Dr Andrew Povey.

Mr Nick Harrison also proposed an additional recommendation – that a progress report on the Governance Issues and the Chief Executive's report be brought back to council in June 2010.

This amendment was seconded by Mr Eber Kington.

There was a short debate on the amendment, in which 9 Members spoke before it was put to the vote.

34 Members voted for it, and 1 Member voted against it. There were 6 abstentions.

RESOLVED:

That the following recommendations, as amended, be approved:

Whistle-blowing

- (1) That, when reviewing the whistle-blowing policy, officers ensure that the policy is clearly rebranded as a whistle-blowing policy, that they consider best practice from other areas, that it contains clear escalation routes, including alternative avenues of reporting, such as the Chairman of the Council, the Chairman of the Standards Committee (an independent person who is not a member of the Council) and the Chairman of the Audit and Governance Committee, and a process for taking, recording and reporting decisions in respect of any allegations.
- (2) That a communications plan aimed at raising awareness and creating a culture of greater accessibility to whistle-blowing from both internal and external sources be implemented.
- (3) That any whistle-blowing allegations received and the actions taken in respect of them should be reported on a twice yearly basis to the Audit and Governance Committee.
- (4) That consideration be given that, the Chairman of the Audit and Governance Committee should be a member of one of the minority groups and that paragraph 6.8 of Section 2 of Part 3 of the Constitution (Responsibility for Functions – Audit and Governance Committee) and the Member Officer Protocol be amended accordingly.

Leadership

- (5) That regular recorded weekly meetings between the Chief Executive and the Leader be commended as best practice.
- (6) That proper appraisal processes for the Chief Executive and Strategic Directors are in place and agreed by the People, Performance and Development Committee, including the setting and reviewing of clear objectives,

and that all Members have an opportunity to contribute to this process.

Statutory Officer reporting lines

- (7) That the Audit and Governance Committee maintains a watching brief with regard to the effectiveness of the new organisational structure.

Member/Officer Protocol

- (8) That the Member/Officer Protocol attached at Annex 1, to the submitted report, including the changes shown in track changes, be agreed.
- (9) That all senior officers and Members receive awareness training on the Member/Officer Protocol.
- (10) That the Standards Committee reviews the sections of the Member/Officer Protocol relating to Member/officer behaviour and relations (paragraphs 16 and 17), in light of other authorities' protocols, to ensure that the Protocol adequately addresses expected behaviours, and recommends any changes to Council.

Scrutiny

- (11) That Select Committees (a) maintain a 4-month rolling forward plan, and (b) regularly evaluate their performance on a six monthly basis, and the Select Committee Chairmen's Group be called upon to put this into effect in order to improve the scrutiny process.

Audit Report on Transformation Programme Governance Arrangements

- (12) That the following become key features of all future major change programmes:
 - (a) Robust Business Case – Robust business cases for projects are established to support all significant spending decisions and these are fully supported by the Head of Finance and other relevant officers.
 - (b) Changes to Business Cases Any significant changes to projects should require a revised business case, which must be reported to Cabinet for re-approval with the full support of the Head of Finance and other relevant officers.
 - (c) Procurement – There should be full compliance with procurement rules in respect of tendering and contract negotiation for all major change programmes with full

involvement of the Head of Procurement who should report instances of non-compliance to the Chief Executive and Audit and Governance Committee.

- (d) Governance - The progress of all major change programmes should be managed through proper governance arrangements including regular and documented monitoring meetings covering achievement of key milestones and review of project risks.

Bullying

- (13) That the Council makes clear its zero tolerance policy in respect of bullying of any kind.
- (14) That staff be encouraged to report any incidences of bullying in line with County Council policy.
- (15) That any incidences of bullying should be reported on a twice yearly basis to the People, Performance and Development Committee.

Role of the Standards Committee

- (16) That officers be reminded about the role of the Standards Committee and the processes for reporting breaches of the member Code of Conduct.
- (17) That the Standards Committee considers how to promote its work more widely and continues to carry out the annual survey of Members and senior officers, which can help to identify areas of both strengths and weaknesses in Member/Officer relationships.

Progress Report

- (18) That a progress report be brought back to County Council in June 2010.

116/09

REPORT OF CHIEF EXECUTIVE TO COUNCIL – SURREY COUNTY COUNCIL PROGRESS REPORT FOR 2009 (ITEM 18)

After a short debate, it was:

RESOLVED (unanimously):

That the report of the Chief Executive be noted and Council thanks the staff of the council for the progress made during 2009 and that the actions outlined to ensure continued progress during 2010 be approved.

117/09

ADDRESSING INEQUALITIES - ACCREDITATION OF SURREY COUNTY COUNCIL AS A LEVEL 3 AUTHORITY AGAINST THE EQUALITY STANDARD AND AN 'ACHIEVING' AUTHORITY AGAINST THE NEW EQUALITY FRAMEWORK – FEEDBACK & THE WAY FORWARD (ITEM 19)

The Cabinet Member for Community Safety presented the report.

RESOLVED:

That the report from the Improvement and Development Agency be noted.

[The meeting ended at 3.30pm]

Chairman