

COUNTY COUNCIL

COUNCIL MEETING – 20 JULY 2010

MINUTES of the meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 20 July 2010 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
Mr Carasco		Mr Mallett MBE
Mr Chapman		Mrs Marks
Mrs Clack		Mr Martin
Mrs Coleman		Mrs Mason
Mrs Compton	*	Mrs Moseley
Mr Cooksey		Mr Munro
* Mr Cooper		Mrs Nichols
Mr Cosser		Mr Norman
* Mrs Curran	*	Mr Orrick
Mr Elias		Mr Phelps-Penry
Mr Ellwood		Mr Pitt
Mr Few		Dr Povey
Mr Forster		Mr Renshaw
Mrs Fraser DL		Mr Rooth
* Mr Frost		Mrs Ross-Tomlin
* Mrs Frost		Mrs Saliagopoulos
Mr Fuller		Mr Samuels
* Mr Furey		Mrs Searle
Mr Goodwin		Mr Skellett CBE
Mr Gosling		Mrs Smith
Dr Grant-Duff		Mr Sutcliffe
Dr Hack		Mr Sydney
Mr Hall		Mr Colin 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

72/10 **APOLOGIES FOR ABSENCE (ITEM 1)**

Apologies for absence were received from Mr Cooper, Mrs Curran, Mr Frost, Mrs Frost, Mr Furey, Mrs Lay, Mrs Le Gal, Mr Lord, Mr MacLeod and Mr Orrick.

73/10 **MINUTES (ITEM 2)**

The Minutes of the meeting of the County Council held on 15 June 2010 were submitted, confirmed and signed, subject to the inclusion of Patricia Lewis, a Surrey County Council Youth Worker who was awarded an MBE.

74/10 **CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)**

The Chairman made the following announcements:

- (i) He reported the death of Mr David Morris, former County Councillor for Molesey West from 1993 to 2005. Members stood in silent tribute.
- (ii) He welcomed Nigel Sutcliffe who had been duly elected as County Councillor for the Worplesdon division at the recent by-election held on 15 July 2010.

[The election of County Councillor Nigel Sutcliffe was formally announced by the Chief Executive.]

75/10 **DECLARATIONS OF INTEREST (ITEM 4)**

Mr Rooth declared a personal interest in the motion standing in the name of Eber Kington (item 11(ii)) because he was the Leader of Guildford Borough Council.

Mr Goodwin, Mrs Searle, Mr Keith Taylor and Mrs White all declared personal interests in the motion standing in the name of Eber Kington (item 11(ii)) because they were Members of Guildford Borough Council.

Mr Butcher declared a personal interest in Statements by Members (item 10) because he was a Member of Elmbridge Borough Council.

76/10 **LEADER'S STATEMENT (ITEM 5)**

The Leader of the Council made a verbal statement, in which he informed Members of the following:

- He reiterated that it was an exciting time to be involved in Local Government with announcements on new

arrangements for the NHS, and expected announcements about GOSE and the Police.

- He said that he would be looking to put Surrey forward as a Local Enterprise Partnership to build on Surrey's success.
- That the new Director of Public Health was currently being recruited and would be a joint appointment between Surrey County Council and NHS Surrey.
- At the recent LGA Conference, he had put forward a motion (supported by seven other Councils in the South East) calling for more central Government investment in Highways in the area. The motion has been referred to the appropriate LGA committee.
- He stressed the importance of being proactive in suggesting savings and mentioned the 'Freedom to Lead' document and work on 'Total Place.'
- He also mentioned three key announcements by Michael Gove, Secretary of State for Education – (i) that capital allocations would have a strong local element, (ii) improvements to nursery education, (iii) a new advisory group for his department.
- He mentioned the appointment of Greg Clark as Minister for Decentralisation, based within Department for Communities and Local Government but with a remit across all Government departments. He said that Mr Clark saw the role as serving Local Government not regulating it.
- A key theme of this Administration was openness and transparency. The rationale behind this was accountability to the electorate and the taxpayer.
- The next Surrey Strategic Partnership meeting would be webcast.
- He encouraged Members to read the Surrey Safeguarding Adults Board annual report, presented to Cabinet for the first time on 13 July 2010.
- Following agreement of the petitions scheme, he reported that two e-petitions had been started.
- Funding from Central Government could reduce by 25-30% and, therefore, the authority needed to consider new ways of working, increased partnership working, doing more for less and providing better value for money.
- That the Public Value Reviews had identified significant savings.
- He announced £1m extra funding for the council's roads. Each of the 11 local committees would be asked how and where the money should be spent.
- He expressed a desire to become the leading county council in the country and said that Surrey County Council was the only authority that published invoices on line, had a digital inclusion agenda and had a PVR programme.

Members had the opportunity to make comments and ask questions in respect of the Leader's statement.

77/10 **MEMBERS' QUESTION TIME (ITEM 6)**

Notice of 15 questions had been received. The questions and replies are attached as Appendix A.

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

(Q1) Mr Rooth asked the Cabinet Member for Change and Efficiency a series of supplementary questions: (i) what was the point of installing CCTV cameras when their effectiveness was questioned; (ii) he considered that the installation benefited the café rather than the school children; and (iii) what other independent advice had been obtained concerning other options to deal with the problem. The Cabinet Member responded by stating that the CCTV installation was part of a range of measures to actively manage the site. He reminded Members that the County Council only owned the café and the lay-by area. He considered that installation of CCTV was a deterrent and would assist in the management of the site. He reminded Members that the council also had a duty towards the café owner and that some of the land was common land, which the authority was not allowed to fence.

(Q2) Mr Kington asked the Cabinet Member for Children and Learning if top slicing the Play Builder grant was a good example of partnership working. The Cabinet Member said that his response, together with a letter received from the Department of Education on 14 July 2010, set out the position. He offered to provide Members with a copy of the letter after the meeting.

(Also, Q2) Mr Townsend said that Districts, Boroughs and residents had provided funds to supplement the Play Builder grant and therefore he had serious concerns with the proposals. He considered that it was a serious blow for localism, partnership working and the total place agenda. The Cabinet Member agreed.

(Also, Q2) Mrs Watson asked the Cabinet Member for Children and Learning whether the grant was ring-fenced. This was confirmed by the Cabinet Member. However, he said that as a result of the Department for Education letter received on 14 July 2010, the grant was subject to cuts. He confirmed that the letter had gone to Districts and Boroughs. He also said that the position could change and it was possible that some schemes may be allowed.

(Q3) Mr Lambell said that he had not intended to criticise the powers of the local committees but he would like an amendment to the Constitution to enable them to elect their own chairmen and vice-chairmen. The Leader considered that he had answered the question and said that there were discussions with Group Leaders about these appointments prior to their ratification by the County Council.

(Q4) Mrs Watson considered that Mr Frater should be invited back to provide a progress report. The Leader said that he had received a letter from him, which confirmed that Mr Frater considered that a return visit from him would not provide a benefit to Surrey residents. He offered to provide her with a copy.

(Q5) Mr Cooksey asked the Leader of the Council about gritting routes and what responsibility would be given to local committees. The Leader confirmed that they would remain a Cabinet decision but that the routes would go to local committees. He confirmed that they could be changed but the budget would be finite.

(Q6) Mr Gosling asked the Cabinet Member for Transport, who confirmed, that the additional £1m for Highways could be used for general carriageway repairs.

(Q7) Mrs Smith asked the Cabinet Member for Community Safety for clarification on what posts were cut in the Youth Development Service. The Cabinet Member reiterated that, as stated in her response, the savings were made by deleting vacant posts. She also said that this year more work would be done to enable Members to understand the budgets and confirmed that more decisions would be made locally on what provision was needed.

(Q7) Mr Cosser referred to the select committee debate and said that there was some concern about the uncommitted grant allocations and not back room costs being reduced. He considered that what was articulated in select committee had not happened. The Cabinet Member for Community Safety said that the process had been explained in committee. She said that a Transformation Board was now in place and all options were now being considered. She confirmed that she would be pleased to discuss this further outside the meeting.

(Q8) Mr Agarwal asked the Cabinet Member for Children and Families how many families had been helped by the Aiming High for Disabled Children grant. The Cabinet Member agreed to provide the answer outside the meeting.

(Q9) Mr Forster asked for clarification from the Cabinet Member for Transport on why the County Council would not be bidding directly for funding for new low carbon buses. The Cabinet Member

confirmed that the council worked closely with bus operators. He said that, compared to other authorities, the county council already had a high number of low emission vehicles. However, it was something that the bus companies may consider.

(Q11) Mrs Watson asked the Cabinet Member for Community Safety, why the Cabinet had not reduced administration costs rather than cutting the funding to voluntary organisations providing services that supported vulnerable children. The Cabinet Member explained the history of Connexions and the contract, including its breakdown between the voluntary sector and VT4S. She confirmed that the County Council was working with the voluntary sector to address these issues and gave an undertaking to try and protect services for the most vulnerable.

(Also, Q11) Mr Munro referred to his division in Farnham and said that there were pockets of deprivation in an otherwise affluent area. He expressed concern that his area would receive disproportionate cuts. He asked the Cabinet Member for Community Safety for assurance that the process would look at the overall area and this was given.

(Q11) Mrs Sealy informed Members that, as Chairman of the Safer and Stronger Communities Select Committee, she would be calling in this element of the decision taken by Cabinet on 13 July 2010 on the Revenue and Capital Budget implications of the recent Coalition Government deficit recovery measures.

(Q12) Mr Cooksey asked the Cabinet Member for Change and Efficiency to explain the purpose of the local public consultation event for St Martin's Walk. The Cabinet Member said that its purpose would be to obtain a 'whole town' view on the proposed site for the new library. Mrs Clack, as a local Member asked to be involved.

(Q14) Mr Forster asked the Leader of the Council if the County Council would be formally objecting to the proposed closure of these magistrate's courts. The Leader said that it needed a holistic response from the county council and districts and boroughs.

(Q15) Mrs Watson asked the Cabinet Member for Children and Families to confirm that Family Support Workers were not being used to do work that should be done by qualified social workers. This assurance was given.

78/10 **SURREY POLICE AUTHORITY (ITEM 7)**

Two questions had been received for the Surrey Police Authority. The questions and replies are within Appendix A.

(Q1) Mr Forster asked the representative from Surrey Police Authority whether the Authority would be writing to the Government advisor on this issue and was advised that debates were on-going and as stated in her response, the Authority was a forerunner in a range of collaborative projects.

(Note: the Surrey Police Authority response to Mrs Angell's question was emailed to all Members on 23 July 2010.)

79/10 **REPORT OF THE STANDARDS COMMITTEE (ITEM 8)**

Mr Simon Edge, Chairman of the Standards Committee presented the report of the Standards Committee.

The Leader of the Council proposed that the Standards Committee report, including the recommendation to Council on the Proposed Amendment to the Constitution regarding Members' Rights to attend Standards Sub-Committees be deferred to the next council meeting. This was agreed.

RESOLVED:

That the Standards Committee report be deferred to the next meeting of the Council.

80/10 **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.

81/10 **STATEMENT BY MEMBERS (ITEM 10)**

There was one Member statement:

- Mr Butcher regarding a motorway service area at Downside and its risk to surrounding roads.

ORIGINAL MOTIONS (ITEM 11)

In view of the public interest in Mr Rooth's motion, the Chairman agreed that his motion (item 11(vi)) should be considered first.

82/10 **ITEM 11 (vi)**

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

Mr Tony Rooth made a short statement giving the reasons why the motion should not be referred, including moving an amendment to

the motion standing in his name (amendments shown in bold) as follows:

'That this Council shares the concern of local residents and parents that a Public Sex Environment should not be allowed to exist in close proximity to Puttenham Church of England Primary School. **In order to protect the school's children**, this Council agrees to recommend to Cabinet **to consider and take as soon as possible all the measure necessary (which may include the closure of the council's owned lay-by on the A31 which provides the major access to this sex site.'**

Dr Andrew Povey 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 an urgent meeting of the Safer and Stronger Communities Select Committee for consideration. Under Standing Order 12.6, the select committee must report back to the County Council at the earliest possible meeting.

83/10 **ITEM 11(i)**

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

Mrs Hazel Watson made a short statement giving the reasons why the motion should not be referred.

Mr David Ivison 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 Transportation Select Committee for consideration. Under Standing Order 12.6, the select committee must report back to the County Council at the earliest possible meeting.

84/10 **ITEM 11(ii)**

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

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

Dr Andrew Povey 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 Transportation Select Committee for consideration. Under Standing Order 12.6, the select committee must report back to the County Council at the earliest possible meeting.

85/10 **ITEM 11(iii)**

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

Under Standing Order 12.1, Mr David Hodge moved the motion standing in his name, which was formally seconded by Mrs Helyn Clack, as follows:

‘That this Council:

- (i) Welcomes the decision of the new Secretary of State for Communities and Local Government, Rt. Hon Eric Pickles, to scrap many league tables for local government and also the abolition of the Comprehensive Area Assessment (CAA);
- (ii) Is concerned that, under the previous government, inspections were seen almost as an end in themselves, rather than a means to improving outcomes for residents;
- (iii) Believes that being able to deliver value for money services and make Surrey County Council a World Class local authority depends on having robust performance management and Quality Assurance systems driven by and within the council; and

- (iv) Believes that the existence of the aforementioned systems and processes will help us deliver good quality services for the residents and businesses of Surrey.'

After a short debate in which two Members spoke, it was put to the vote and it was:

RESOLVED:

That this Council:

- (i) Welcomes the decision of the new Secretary of State for Communities and Local Government, Rt. Hon Eric Pickles, to scrap many league tables for local government and also the abolition of the Comprehensive Area Assessment (CAA);
- (ii) Is concerned that, under the previous government, inspections were seen almost as an end in themselves, rather than a means to improving outcomes for residents;
- (iii) Believes that being able to deliver value for money services and make Surrey County Council a World Class local authority depends on having robust performance management and Quality Assurance systems driven by and within the council; and
- (iv) Believes that the existence of the aforementioned systems and processes will help us deliver good quality services for the residents and businesses of Surrey.

86/10 **ITEM 11(iv)**

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

Under Standing Order 12.1, Mr Tim Hall moved the motion standing in his name, which was formally seconded by Mr Mel Few, as follows:

'That this Council:

- (i) Recognises that the country is in a parlous financial state as a result of the previous government's mishandling of the economy and profligate overspending;
- (ii) Is cognisant of the fact that the coalition Government has inherited from its predecessor the largest budget deficit of any economy in Europe with the single exception of Ireland;

- (iii) Acknowledges that the coalition government faced difficult challenges in preparing its emergency budget;
- (iv) Supports the coalition government's efforts to reduce the deficit whilst attempting to protect frontline services where possible;
- (v) Welcomes the honesty about the country's finances as articulated by the Chancellor and Chief Secretary to the Treasury;
- (vi) Resolves to work with the government to take advantage of their pledge to help local authorities to freeze Council Tax; and
- (vii) Will continue to press the government for a fairer share of funding for Surrey.'

Mrs Hazel Watson proposed an amendment standing in her name, which was formally seconded by Mr Ian Beardsmore, which was as follows:

'Delete after 'That this Council:' paragraphs (i) to (v) and renumber paragraph (vi) and (vii) as (i) and (ii).

The amended motion to read as follows:

'That this Council:

- (i) Resolves to work with the government to take advantage of their pledge to help local authorities to freeze Council Tax; and
- (ii) Will continue to press the government for a fairer share of funding for Surrey.'

After a short debate on the amendment, it was put to the vote with 11 Members voting for it. The majority of Members voted against it and there was one abstention. Therefore, the amendment was lost.

Returning to the original motion, a further five Members spoke before it was put to the vote. 43 Members voted for it and there were 16 abstentions. No Member voted against it.

Therefore it was:

RESOLVED:

That this Council:

- (i) Recognises that the country is in a parlous financial state as a result of the previous government's mishandling of the economy and profligate overspending;
- (ii) Is cognisant of the fact that the coalition Government has inherited from its predecessor the largest budget deficit of any economy in Europe with the single exception of Ireland;
- (iii) Acknowledges that the coalition government faced difficult challenges in preparing its emergency budget;
- (iv) Supports the coalition government's efforts to reduce the deficit whilst attempting to protect frontline services where possible;
- (v) Welcomes the honesty about the country's finances as articulated by the Chancellor and Chief Secretary to the Treasury;
- (vi) Resolves to work with the government to take advantage of their pledge to help local authorities to freeze Council Tax; and
- (vii) Will continue to press the government for a fairer share of funding for Surrey.

87/10 **ITEM 11(v)**

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

Under Standing Order 12.1, Mrs Mary Angell moved the motion standing in her name, which was formally seconded by Mr Richard Walsh, as follows:

'That this Council:

- (i) Notes the content and aims of the Private Member's Bill put forward by the MP for Mole Valley, Sir Paul Beresford, to amend the Domestic Violence, Crime and Victims Act 2004;
- (ii) Agrees to support Sir Paul in his endeavours wherever possible; and
- (iii) Restates its belief that domestic violence is unacceptable in all circumstances.'

After a short debate in which three Members spoke, it was put to the vote and it was:

RESOLVED (unanimously):

That this Council:

- (i) Notes the content and aims of the Private Member's Bill put forward by the MP for Mole Valley, Sir Paul Beresford, to amend the Domestic Violence, Crime and Victims Act 2004;
- (ii) Agrees to support Sir Paul in his endeavours wherever possible; and
- (iv) Restates its belief that domestic violence is unacceptable in all circumstances.

ADJOURNMENT

The meeting adjourned for lunch, part way through the debate on the motion standing in the name of Tim Hall (item 11(iv)), at 12.45pm and resumed at 2.00pm with all those present who had been in attendance in the morning session except for Mr Agarwal, Mr Chapman, Mr Elias, Mrs King, Mrs Mason, Mrs Nichols and Mr Sydney.

88/10 REPORT OF THE CABINET (ITEM 12)

Dr Povey presented the report of the Cabinet meetings held on 29 June and 13 July 2010.

Copies of the report of the Cabinet from the meeting held on 13 July 2010 were circulated to Members on 15 July 2010 and are attached as Appendix B.

(1) Statements/Updates from Cabinet Members

Cabinet Member for Adult Social Care on the Government White Paper 'Liberating the NHS'

A copy of the statement is attached as Appendix C.

(2) Reports for Information/Discussion

The following reports were received and noted:

- Surrey Rural Strategy 2010-2015: Implementation by Surrey County Council
- Revenue and Capital Budget Implication of recent Coalition Government Deficit Recovery Measures and Emergency Budget Announcement

- Review of Local Bus Provision: School special Services
- Operation of Civil Parking Enforcement
- Safeguarding Adults

RESOLVED:

That the report of the meetings of the Cabinet held on 29 June and 13 July 2010 be received.

89/10 **APPOINTMENT OF COMMITTEE CHAIRMAN (ITEM 13)**

One nomination was received for the post of Chairman of Planning and Regulatory Committee.

RESOLVED:

That Ms Marisa Heath be appointed as Chairman of the Planning and Regulatory Committee for the remainder of the council year 2010/11.

As a result of this appointment, the post of Vice-Chairman of the Planning and Regulatory Committee was now vacant. One nomination was received for this post

RESOLVED:

That Mrs Margaret Hicks be appointed as Vice-Chairman of the Planning and Regulatory Committee for the remainder of the council year 2010/11.

90/10 **REVIEW OF MEMBERS' ALLOWANCES FOR 2010/11 (ITEM 14)**

The Chairman of the Change and Efficiency Select Committee presented the report of the select committee on the Review of Members' allowances 2010/1. This was circulated to Members via email on 19 July 2010 and tabled at the meeting. (Appendix D)

Dr Andrew Povey proposed an amendment to the recommendations standing in his name, which was formally seconded by Mr Tim Hall. This was tabled at the meeting. (Appendix E)

After a debate in which six Members spoke, the amendment and the recommendations of the Change and Efficiency Select Committee were put to the vote, with 54 Members voting for and two Members voting against them. There was one abstention. Therefore, it was:

RESOLVED:

- (1) That the hard work of the Independent Remuneration Panel (IRP) be acknowledged and that the Panel be thanked for its efforts.
- (2) That the recommendations at 10(a), 10(b), 10(c) and 10(d) of the Panel's report be rejected.
- (3) That the following with regard to Allowances and Special Responsibility Allowances be agreed:
 - (a) The role of Deputy Leader be set at an annual rate of £19,500, effective from the date of the Annual General Meeting 11 May 2010.
 - (b) The clothing allowance for the Chairman and Vice Chairman of the Council be discontinued with effect from 20 July 2010.
 - (c) All other Special Responsibility Allowances and the Basic Allowance for members be maintained at the current level for the 2010/2011 Council Year; and

- (4) That the following pertaining to Members' travel claims be agreed:

The mileage rate for private cars be amended as follows from 1 September 2010 and reviewed on an annual basis:

- (i) The rate for all cars with carbon dioxide emissions less than 150g/km will be set at 40 pence per mile for the first 10,000 miles and thereafter at a rate of 25 pence per mile.
 - (ii) The rate for all cars with carbon dioxide emissions greater than 150g/km will be set at 39 pence per mile for the first 10,000 miles and thereafter at a rate of 24 pence per mile.
- (5) That the list of approved duties in recommendation 10(e) of the IRP report be agreed, subject to the amendment of duty (p) and duty (q) to read as follows and the addition of duty (r):
 - (p) attendance at official openings at the specific invitation of, or when substituting for, the Chairman or Vice-Chairman of the Council.
 - (q) attendance at a formally arranged meeting with officers or representatives of external organisations to discuss a

significant issue relating to a County Council service or issue affecting the Member's Electoral Division.

- (r) Attendance at a meeting with a constituent from the Member's own division in a direct response to a request about County Council services.
- (6) That the role of both the Chairman and Vice-Chairman of Select Committees should be clearly defined within the Constitution.

91/10 **AMENDMENTS TO THE SCHEME OF DELEGATION – THE EXERCISE OF EXECUTIVE FUNCTIONS (ITEM 15)**

RESOLVED:

That the amendments to the Scheme of Delegation in relation to executive functions agreed by the Leader, as detailed in the submitted report, be noted.

92/10 **REPORTS OF COMMITTEES (ITEM 16)**

Audit and Governance Committee

The Chairman of the Audit and Governance Committee presented the report of the committee:

RESOLVED:

- (1) That the updated Risk Management Strategy, attached at Annex 1 to the submitted report, be approved and included into the Council's Constitution.
- (2) That the report of the Audit and Governance Committee be adopted.

[The meeting ended at 3.10pm]

Chairman