

COUNTY COUNCIL

COUNCIL MEETING – 12 OCTOBER 2010

MINUTES of the meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 12 October 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

93/10 **APOLOGIES FOR ABSENCE (ITEM 1)**

Apologies for absence were received from Mrs Bowes, Mrs Coleman, Mrs Compton, Mr Few, Dr Hack, Ms Heath, Mrs Lay, Mr Lord and Mrs Mason.

94/10 **MINUTES (ITEM 2)**

The Minutes of the meeting of the County Council held on 20 July 2010 were submitted, confirmed and signed.

95/10 **CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)**

The Chairman congratulated two services:

- the Contact Centre, following its recent success at the European Call Centre Awards; and
- the Procurement Service for winning a CIPS Supply Management Award for the streetlighting contract.

He invited the respective portfolio holders to speak on each achievement.

96/10 **DECLARATIONS OF INTEREST (ITEM 4)**

Mr Beardsmore and Mrs Nichols both declared prejudicial interests in the Report of the Cabinet – minute number: 175/10 – Airtrack (item 13) because they were Members of Spelthorne Borough Council.

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

97/10 **LEADER'S STATEMENT (ITEM 5)**

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

- He congratulated the Chairman for organising a very successful event, celebrating the Heroes of the Battle of Britain.
- He also said that he was pleased to hear of various awards that services and officers had received.
- That Surrey County Council would be one of the first councils with a Quality Management Framework.
- That Surrey Heath Borough Council had achieved a 64% recycling rate, which made it the top council in the country for recycling.

- He was expecting the Ofsted Inspection of Children's Services (report embargoed until 18 October) to reflect the progress made in the service.
- He confirmed the continued high level of attainment in Surrey schools.
- He thanked Members and officers for their achievements to date.
- He considered that, in order to maintain the momentum for cultural change, the Council needed to adopt a 'can do approach' and mentioned the importance of the STARS Training programme for officers.
- He said that there was a 'stretch target' for 90% visibility of senior management by 2013 (currently it was 12%).
- That the meeting of Surrey Strategic Partnership had been webcast.
- That a second 'Have Your Say' event would take place in Runnymede on 18 November 2010.
- He thanked the Transportation Select Committee and its winter performance task group for their report on winter maintenance and confirmed that an extra £1m had been allocated to this budget. However, he stressed the importance of a joint partnership with District and Boroughs and also personal responsibility.
- He announced that, before a maintained school in England was converted into an Academy, the school's governing body must consult such persons as they think appropriate and that he was delegating the response to any consultation to the Cabinet Member for Children and Learning.
- Also, that when a school was converted to an Academy, the local authority must determine whether, immediately before the conversion date, the school had a surplus and if so, the amount of the surplus and that as Leader, he would retain this decision making power.
- He had become the substantive Chairman of SE7 and was pressing the Government for funding and investment in the south east.
- He said that he had attended a Public Health meeting in London, where participants had discussed the proposed transfer of public health to local authorities and that, under these proposals, some health staff may transfer to local authority employment.
- That the Big Society was wider than volunteering. Its intention was to transfer power from government to the individual.
- He said that he had attended a meeting in Mole Valley where they had identified seven topics on which the county council / district council could work together in partnership, to progress the localism agenda and encourage other areas to consider a similar approach locally.
- He also considered that there were three areas in which Members, on an individual basis, could take the lead: (i) CO2

reduction, (ii) Big Society, and (iii) local environment / street scene.

- On 'Value for Money', he confirmed that he was working with SE7 to drive down costs and commended the work undertaken to date by the Deputy Leader.
- He said that Surrey County Council was involved in 'Tell Us Once' and cited the Registration Service.
- He also informed Members that there were proposals to restructure some county council services.
- He said that the county council was awaiting the Comprehensive Spending Review announcement on 20 October, to ascertain the level of funding Surrey County Council would receive.
- Finally, he said that he hoped to start a project on 'what a modern Member should look like' and would be setting up a Member Task Group comprising 3 Conservative, 1 Liberal Democrat and 1 RA/Independent and invited the political groups to make nominations to this.

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

98/10

MEMBERS' QUESTION TIME (ITEM 6)

Notice of 18 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 Agarwal asked the Cabinet Member for Adult Social Care for assurance, which was given, that any person who has been deemed suitable to make decisions on support still has the freedom of choice and can choose to take up services from the county council.

Mr Agarwal also requested examples of those cases where it would no longer be possible for individuals to enforce human rights protection against the council. The Cabinet Member agreed to provide the answer in writing and circulate it to all Members of the Council.

(Q8) Mr Orrick hoped that the county council would adopt a pragmatic approach to allow salt bins, purchased by parish councils or businesses, to be sited in suitable locations. The Cabinet Member for Transport gave that assurance, however, he also mentioned public liability.

(Q9) Mr Rooth asked the Cabinet Member for Change and Efficiency whether he was aware of the extensive press coverage relating to the Hog's Back lay-by. He also asked why, as local

Member, he had not been sent the latest update report. The Cabinet Member confirmed that he was aware of the media coverage. He said that a significant amount of work had been undertaken to resolve the situation. He also said that Mr Rooth should have received an update report and undertook to ensure that he was on the distribution list.

(Q10) Mr Brett-Warburton considered that the Thames Basin Heaths Special Protection Area was a cost to the Surrey economy and requested that the Leader of the Council investigated that the council was not just meeting European legislation but also what is best for Surrey. The Leader said that he would refer this request to the Cabinet Member for Environment.

(Q13) Mrs Nichols said that the Enviro report was a key document and asked the Leader of the Council if it had been scrutinised by the Leader and Cabinet Members before December 2009, and if so, when? The Leader said that he would arrange for a written response to this question.

(Q14) Mrs Watson asked the Cabinet Member for Children and Families if the 22 children who had not been found emergency overnight accommodation were safe. This was confirmed.

(Q15) Mr Forster asked the Leader of the Council what additional plans the county council had to meet local carbon budgets. He was advised that the Leader considered this was an area that local government should be taking the lead on and he would welcome Government guidance on this matter.

(Q 18) Mr Harrison said that he understood that work was on-going on a bye-law to prevent damage to grass verges. The Cabinet Member for Transport confirmed that this work was currently at a preliminary stage.

99/10 **SURREY POLICE AUTHORITY (ITEM 7)**

One question had been received for the Surrey Police Authority. The question and reply are within Appendix A.

100/10 **REPORT OF THE STANDARDS COMMITTEE (ITEM 8)**

The Chairman of the County Council presented the report of the Standards Committee.

RESOLVED:

That the Constitution be amended, as set out in Appendix A to the submitted report, to reflect the legislative changes relating to the designation of politically restricted posts and the role of the

Standards Committee in dealing with exemptions and directions arising from this process.

RESOLVED:

That the report of the Standards Committee be adopted.

101/10 **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.

102/10 **STATEMENT BY MEMBERS (ITEM 10)**

There was one Member statement:

- Mr John Butcher concerning the re-development in Cedar Road, Cobham.

ORIGINAL MOTIONS (ITEM 11)

103/10 **ITEM 11 (i)**

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

Under Standing Order 12.1, Mrs Denise Saliagopoulos moved the motion standing in her name, as set out on the agenda. The motion was formally seconded by Mrs Sally Marks.

Mr Eber Kington proposed the following amendment, which was formally seconded by Mr Chris Townsend.

To add the following clauses to the existing motion:

- (d) Calls upon the Leader to publish on the SCC website all cuts it has made and will make to the support it gives voluntary organisations and charities in 2010 and 2011.
- (e) Requests a review of the recently amended rules on paid leave for SCC employees who volunteer to serve their community.

In support of his amendment, Mr Kington stated the additional clauses allowed for greater transparency and also encouraged staff to volunteer in their community.

After a short debate, the amendment was put to the vote. 22 Members voted in favour, 43 Members voted against and there were four abstentions. Therefore, the amendment was lost.

Returning to the original motion, there was further debate before it was put to the vote. 65 Members voted in favour and there were 6 abstentions. No Member voted against. The motion was carried.

RESOLVED:

That this Council:

- (a) Recognises the contribution of the Voluntary, Community and Faith (VCF) sector to the life and social fabric of Surrey;
- (b) Encourages Surrey's residents to actively support the VCF sector to help build the Big Society in Surrey; and
- (c) Restates its support for the voluntary sector and the Surrey Compact.

104/10 **ITEM 11(ii)**

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

Under Standing Order 12.1, Mr Will Forster moved the motion standing in his name as set out on the agenda. The motion was formally seconded by Mr John Orrick.

Mr David Hodge proposed a small amendment to the third paragraph of the amendment:

Adding in 'for' before environmental and financial benefits...and replacing 'establish' with 'investigate'.

This amendment was accepted by Mr Forster and the motion, as amended was put to the vote and carried. There was one abstention.

RESOLVED:

- (i) This Council welcomes the new Conservative – Liberal Democrat Coalition Government's announcement that local authorities are now allowed to sell renewable electricity to the National Grid.
- (ii) This Council notes that currently only 0.01% of electricity in England is generated through local authority owned renewable technology and the Local Government Association believes that local authorities could earn around £200 million a year by generating green energy.

- (iii) This Council acknowledges the potential for environmental and financial benefits that generating renewable electricity could bring and resolves to investigate how to generate renewable energy for much needed income for our priorities.

106/10 **REPORT BACK ON MOTIONS REFERRED (ITEM 12)**

(A) Safer and Stronger Communities Select Committee

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

The Chairman of the Safer and Stronger Communities Select Committee presented the report of the committee from its special meeting held on 5 August 2010, in which it considered the motion referred to it by the Council on 20 July 2010.

RESOLVED:

That the recommendation made by the Safer and Stronger Communities Select Committee and the decision made by the Cabinet in respect of the referred motion as set out in the submitted report be noted.

(B) Transportation Select Committee

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

The Chairman of the Transportation Select Committee presented the report of the committee from its meeting on 28 September 2010, in which the committee considered two motions referred to it by the Council on 20 July 2010.

As the motions were submitted separately and referred to different matters, it was agreed that the recommendations be taken in two parts.

Motion 1 was put to the vote. 45 Members voted for and 16 Members voted against it. There were 4 abstentions.

RESOLVED:

That this motion be not endorsed but the Public Value Review of Road Safety be asked to consider this issue as part of the review.

Motion 2

RESOLVED:

That paragraph 4 of the motion be endorsed:

The Council therefore calls upon the Leader and Members of the Cabinet to ensure that future policy changes are subject to proper scrutiny by the relevant Scrutiny Committee and where appropriate Local Committees, through the provision of timely reports which contain all appropriate information including financial costings and a risk analysis.

107/10 **REPORT OF THE CABINET (ITEM 13)**

Dr Povey presented the report of the Cabinet meetings held on 13 August and 28 September 2010.

Copies of the minutes from the Cabinet meeting held on 28 September 2010 were circulated to Members on 7 October 2010 and are attached as Appendix B.

(1) Statements/Updates from Cabinet Members

- Cabinet Member for Adult Social Care on the NHS White Paper
- Cabinet Member for Children and Families on the Ofsted Inspection of Children's Services (Appendix C)
- Cabinet Member for Children and Learning on the High Attainment by Surrey Schools (Appendix D)

(2) Recommendations on Policy Framework Documents and the Council's Constitution

(A) Changes to the Scheme of Delegation to Officers

RESOLVED:

- (1) That the following addition to Part 3 of the Scheme of Delegation to Officers be agreed:

L5	Head of Legal and Democratic Services	Where no objection has been received, to determine applications to register land as a Town or Village Green under the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007
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- (2) That the changes to delegations of executive functions as set out in Appendix A to the submitted report, be noted.

(B) A Plan for Waste Management

The Liberal Democrat Group abstained from voting on the Plan for Waste Management. Mrs Nichols voted against it.

RESOLVED:

That the Plan for Waste Management, which, subsequent to the Surrey Waste Partnership adoption of the revised strategy, replaces the current Joint Municipal Waste Management Strategy, be adopted as the Council's strategy for management of waste.

(3) Reports for Information/Discussion

The following reports were received and noted:

- Motion referred by Council regarding the Hog's Back
- Cabinet Decisions Called In – Revenue and Capital Budget – implications of the recent coalition Government deficit recovery measures and emergency budget announcement
- The Surrey Way – A Quality Management Framework for Surrey County Council
- Quarterly Report on Decisions taken under Special Urgency Arrangements: 1 July – 30 September 2010

RESOLVED:

That the report of the meetings of the Cabinet held on 13 August and 28 September 2010 be received.

108/10 **AMENDMENTS TO THE SCHEME OF DELEGATION – THE EXERCISE OF EXECUTIVE FUNCTIONS (ITEM 14)**

RESOLVED:

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

[The meeting ended at 12.55pm]

Chairman