

COUNTY COUNCIL

COUNCIL MEETING – 19 JULY 2011

MINUTES of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 19 July 2011 commencing at 10:30am, the Council being constituted as follows:

Mrs Sealy – Chairman
Mr Munro – Vice-Chairman

*	Mr Agarwal	*	Mr Ivison
*	Mr Amin		Mrs Kemeny
*	Mrs Angell		Mrs King
	Mr Barker OBE		Mr Kington
	Mr Beardsmore	*	Mr Lake
	Mr Bennison		Mr Lambell
	Mrs Bowes		Mrs Lay
	Mr Brett-Warburton		Ms Le Gal
	Mr Butcher		Mr MacLeod
	Mr Carasco		Mr Mallett
	Mr Chapman		Mrs Marks
	Mrs Clack		Mr Marlow
*	Mrs Coleman		Mr Martin
	Mr Cooksey		Mrs Mason
*	Mr Cooper		Mrs Moseley
	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		Mrs Ross-Tomlin
	Mrs Frost		Mrs Saliagopoulos
	Mr Fuller		Mr Samuels
*	Mr Furey		Mrs Searle
	Mr Gimson		Mr Skellett CBE
	Mr Goodwin		Mrs Smith
	Mr Gosling		Mr Sutcliffe
*	Dr Grant-Duff		Mr Sydney
	Dr Hack		Mr Colin Taylor
	Mr Hall		Mr Keith Taylor
	Mrs Hammond		Mr Townsend
	Mr Harmer		Mrs Turner-Stewart
	Mr Harrison		Mr Walsh
	Ms Heath		Mrs Watson
	Mr Hickman		Mrs White (arrived 11.25am)
	Mrs Hicks		Mr Wood
	Mr Hodge		Mr Young

*absent

70/11 **APOLOGIES FOR ABSENCE (ITEM 1)**

Apologies for absence were received from Mr Agarwal, Mr Amin, Mrs Angell, Mrs Coleman, Mr Cooper, Mrs Curran, Mr Elias, Mr Furey, Dr Grant-Duff, Mr Ivison and Mr Lake

71/11 **MINUTES (ITEM 2)**

The Minutes of the meeting of the County Council held on 14 June 2011 were submitted, confirmed and signed.

72/11 **CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)**

The Chairman made the following announcements:

- (i) The retirement of two long standing and valued officers – Mike Dawson, the Countryside Manager and John Ambrose, the Local Education Officer North West.
- (ii) Armed Forces Week in which Freedom Parades took place in Epsom, Farnham and in Boroughs and Districts plus the flag raising at County Hall.
- (iii) The opening of a new annex at the Royal Alfred Seafarers Society by HRH Princess Royal.
- (iv) Other major events attended by the Chairman were (i) Royal Holloway's 125th Anniversary, (ii) the Science Festival and the High Sheriff's Garden Party at Brooklands, and (iii) the Surrey Economic Forum.
- (v) The celebration of 200 years of church schools, commemorated at Guildford Cathedral on 25 June.
- (vi) Finally, she announced that four army personnel would be addressing Members on the 'Army in Surrey', during lunch today.

73/11 **DECLARATIONS OF INTEREST (ITEM 4)**

Mrs Smith declared a personal interest in the Original Motion (ii) (item 11), because she was the secretary of the Friends Group at Knaphill Library.

Mr Marlow declared a personal interest in the Original Motion (ii) (item 11), because his wife was Chairman of the Friends of Byfleet Library.

74/11 **LEADER'S STATEMENT (ITEM 5)**

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

- The world record for the largest human Olympic ring, achieved by 1900 people, mostly children, at George Abbot School on 23 June. (The Cabinet Member for Community Services and the 2012 Games presented the certificate to the Chairman at the meeting)
- That the Surrey Cycle Classic Test Race would take place on Sunday 14 August 2011.
- A visit from the Cabinet Office had resulted in recognition for Surrey's work on both Public Value Reviews and the sharing of office space with partners.
- The Office for Civil Society had praised Surrey's Youth Transformation project.
- The sharing of facilities with other authorities, such as the plans for Surrey to provide the mobilisation centre for the Isle of Wight, giving 'value for money' for Surrey residents.
- A review of the financial context nationally and for Surrey. The 'Medium Term Financial Plan' would be reviewed and circulated to Members in the Autumn.
- The Big Society / personal responsibility and further recognition for volunteers – 'Everyone a Volunteer'.
- A challenge to Members to think of ways to provide services differently, in order to improve life for Surrey residents.

Members had the opportunity to make comments and ask questions in respect of this statement.

Following the meeting, a copy of the key points from this statement was circulated to Members.

[Note: items 9, 12 and 13 were taken next]

75/11 **REPORT OF THE STANDARDS COMMITTEE (ITEM 9)**

The Chairman of the Standards Committee was invited to present the report.

He confirmed that the committee had achieved its objectives this year. He also referred to the Government's decision to abolish Standards for England. However, he said that the Standards Committee would continue to provide assurance to the public about the conduct of Members and co-opted Members of Surrey County Council. It would also continue to provide Members with training and guidance until the legislation abolishing the current arrangements was enacted.

The Deputy Leader made a short statement in response.

RESOLVED:

That the second annual report be agreed.

76/11 **REPORT OF THE CABINET (ITEM 12)**

Dr Povey presented the reports of the Cabinet meeting held on 21 June 2011.

(1) Statements / Updates from Cabinet Members

- The Cabinet Member for Change and Efficiency made a verbal statement on the draft recommendations for Surrey, received from the Local Government Boundary Commission.

He also tabled a statement on Surrey County Council's Apprenticeship Scheme (Appendix A).

- The Cabinet Member for Community Services and the 2012 Games tabled two statements:
 - (i) London Surrey Cycle Classic Test Race on Sunday 14 August (Appendix B).
 - (ii) Customers and Communities Service Achievements, including the Voluntary Sector (Appendix C).

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

A: Surrey Minerals Plan

Key points made in support of the Surrey Minerals Plan were:

- The County Council had been successful in protecting large parts of the Surrey countryside and argued for lower extraction figures, based on environmental evidence.
- The Plan represented an enormous amount of work, undertaken over many years and it was well-balanced.
- A new Minerals Plan which identified areas for quarrying was needed and the Plan would be used for consideration of all planning applications.
- That Eashing Farm had been removed.

- The County Council had a dedicated restoration officer and restoration of mineral extraction sites may lead to an improved landscape.
- The Planning and Regulatory Committee carefully consider all applications and are mindful to protect Spelthorne.

Key points of concern were:

- That the Waste Plan had recently been approved and Spelthorne would be taking a disproportionate amount of Surrey's waste.
- Concern for the environment in Spelthorne.
- The recent approval for an Eco-park at Charlton Lane.
- That there should be no further extraction in Spelthorne until the existing sites had been restored.

After debate, the recommendations were put to the vote with 49 Members voting for and 12 Members voting against. There were 4 abstentions.

RESOLVED:

- (1) That the *Core Strategy* and *Primary Aggregates* DPDs with changes recommended by the Inspector (Annexes C and D to the submitted report) be adopted.
- (2) That the *Minerals Site Restoration* SPD (Annex E to the submitted report) and the revised *Minerals and Waste Development Scheme* (Annex G to the submitted report) be adopted.
- (3) That the publication of the *Aggregates Recycling* DPD (Annex F to the submitted report) for representations on its soundness and legal compliance and subsequent submission to Government for independent examination be approved.

B: Youth Justice Plan 2011 - 12

The Cabinet Member for Community Safety amended two typos on page 17 of the Youth Justice Plan – on the target relating to reducing the number of Looked After Children in the youth justice system, the date should read April 2012 and 'reduction' was incorrectly spelt in the success criteria.

Key points from the debate were:

- That the Youth Justice Plan was a partnership plan which was constructive and forward looking.

- The statistics were impressive with 60% fewer young people in the system than three years ago.
- These results had been achieved through focus and the dedication of officers and partners.
- There were interesting challenges ahead for the service as it re-focuses resources on preventative measures.
- The current leadership, the work of staff within the Youth Justice Board and the work of the Cabinet Member for Children and Families concerning Looked After Children was commended.
- Members would have greater involvement in this area through local committees.

RESOLVED (unanimously):

That the Youth Justice Plan 2011-12 be approved.

(3) Reports for Information / Discussion

The following reports were received and noted:

- Cabinet Decisions Called In – On-street parking charges in Elmbridge and Reigate and Banstead
- Surrey Fire and Rescue Service Public Safety Plan 2011 - 2020

RESOLVED:

That the report of the meeting of the Cabinet held on 21 June 2011 be adopted.

77/11 REVIEW OF THE PETITION SCHEME (ITEM 13)

The Chairman of Council Overview and Scrutiny Committee presented the report. She reported that there had been a robust debate on the Petition Scheme at the scrutiny committee and highlighted the key points. She said that recommendation (a) had not been a unanimous decision. She also drew Members' attention to Appendix 2, the list of petitions, and the nature of the area that the petition related to, received by the Council between June 2010 to May 2011.

Dr Povey moved two small amendments to the recommendations as follows:

- Recommendation (c) insert 'upto' before 'one hour'
- Recommendation (d) insert 'or after' after 'before'.

Members agreed to these amendments.

Mr Cooksey proposed an amendment to the recommendations, which was formally seconded by Mrs Watson, as follows:

Delete recommendation (a) and replace with:

‘Paragraph 21 of the petition scheme at Appendix 1 to be amended to read: ‘If a petition contains more than 10,000 signatures and is on an issue that affect more than one of the County’s Boroughs or Districts, the County Council will debate it...’

Delete recommendation (e) and replace with:

‘Paragraph 25 of the petition scheme at Appendix 1 to be amended to read: If your petition contains at least 5,000 signatures and your petition clearly states the specific issue you want to raise, the relevant senior officer will give evidence at a public meeting of the appropriate select committee.’

In support of the amendment, Mr Cooksey cited the threshold numbers used by some other local authorities and said that he considered that a lower threshold would enable the Council to be more responsive to residents.

After a short debate, this amendment was put to the vote with 18 Members voting for and 46 Members voting against it.

Therefore, the amendment was lost.

The recommendations of the Overview and Scrutiny Committee, as amended by Dr Povey, were put to the vote with 49 Members voting for and 12 Members voting against it. There were 4 abstentions.

Therefore, it was

RESOLVED:

- (1) That the number of signatures needed to require a debate at Council remain at 20,000.
- (2) That the lead petitioner continue to be allowed to speak for five minutes when presenting a petition to Council.
- (3) That the time allowed for debate on a petition at meetings of the Council be increased from 30 minutes upto one hour.
- (4) That paragraph 22 of the scheme be amended as follows:

‘The petition organiser will be given five minutes to present the petition at the meeting. The Leader or relevant Cabinet Member

will then be given five minutes for a right of reply before or after Members have an opportunity to debate the petition for no more than one hour with each Member allowed to speak for a maximum of 3 minutes.'

- (5) That the number of signatures needed to require an officer to be held to account by a Select Committee remain at 10,000.

78/11 **MEMBERS' QUESTION TIME (ITEM 6)**

Notice of 13 questions had been received. The questions and replies are attached as Appendix D.

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

(Q1) Mr Kington considered that some of the points from his question had been missed and asked the Cabinet Member for Change and Efficiency to comment on whether he agreed that labelling financial data as confidential when it was not was against the spirit of open government and also to comment on the £2.6m spent by the Council last year on unoccupied Adult Social Care beds. The Cabinet Member said that the contractual arrangements for this provision had been agreed over 10 years ago. However, the County Council was seeking to amend the contract to change the provision as demand for Adult Social Care varied on a monthly basis. He added that the Cabinet Member for Adult Social Care and Health had said that this issue would be an item on the Adult Social Care select committee agenda later this year and that all Members were invited to attend this committee for this item.

(Q2) Mrs Mason considered that her question had not been fully answered and that she had brought the question to council because the issue had remained unresolved.

(Q4) Dr Povey provided the response to **Mrs Watson's** question and stated that the national coalition stretched to Mole Valley and it would be upto the Mole Valley local committee to decide on the arrangements to take forward on-street parking proposals. Mrs Watson asked the Leader if, in view of the strong opposition to the proposals, he would scrap these proposals. The Leader reiterated his previous response.

(Also, Q4) Mrs White requested assurance from the Leader that decisions made by local committees would not be called-in by the Cabinet. The Leader agreed that this would be the case provided due process was followed and local committees did not go against county policy.

(Q5) Mr Forster asked the Cabinet Member for Adult Social Care and Health if the Council would review its monitoring systems in the light of the Southern Cross difficulties. The Cabinet Member confirmed that the authority would continue to monitor and review it.

(Q7) Mrs Searle considered that the response did not reflect what she had been told locally and she mentioned a meeting held locally concerning a second bulge of pupils. The Cabinet Member for Children and Learning said that providing 9000 additional primary school places was a challenging programme. However, he was willing to discuss specific issues with Mrs Searle.

(Q8) Mr Fuller asked the Cabinet Member for Environment for confirmation, which was given, that if the conference with the Royal Academy of Engineering went ahead that Surrey County Council would be represented.

(Q9) Mr Butcher considered that all newspapers should publish a standard of ethics and that their dealings should stand up to public scrutiny. The Leader broadly agreed and stressed the importance of a free press which worked in an appropriate way.

(Q10) Several Members commented on this question and response. **Mr Cosser** considered that it was important that Members had the opportunity to influence locally which roads go into the priority roads scheme. **Mr Renshaw** acknowledged that the winter maintenance task group's role would be easier now that May Gurney had replaced the previous contractors. **Mr Colin Taylor** considered that the length of the roads should be taken into account. **Mr Harrison** considered that it was regrettable that Members did not have the opportunity to prioritise road maintenance requests in 2010/11. He also requested that the views of local highways officers were taken into account before adding new roads to the 'master' list.

In the absence of the Cabinet Member for Transport, the Deputy Leader responded to Members concerns.

ADJOURNMENT

The meeting adjourned for lunch at 12.55pm and resumed at 2.15pm, partway through Members' Question Time (item 6), with all those present who had been in attendance in the morning session except for Mrs Bowes, Mr Brett-Warburton, Mr Ellwood, Mrs Frost, Mr Harmer, Ms Heath, Mrs King, Mrs Lay, Mr MacLeod, Mrs Moseley, Mrs Nichols, Mrs Ross-Tomlin, Mr Samuels, Mr Sutcliffe and Mr Sydney.

79/11

SURREY POLICE AUTHORITY (ITEM 7)

There was 1 question for the Surrey Police Authority.

Mr Forster asked the representative from the Surrey Police Authority for assurance, which was given, that his question would be answered after the investigation had been completed. However, the representative said that it could take a considerable time before the Surrey Police Authority was in a position to provide it.

80/11 **REPORT OF THE SURREY POLICE AUTHORITY (ITEM 8)**

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

81/11 **STATEMENT BY MEMBERS (ITEM 10)**

There were no local Member statements.

ORIGINAL MOTIONS

82/11 **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 Watson made a short statement giving the reasons why the motion should not be referred. She stressed the importance for residents of having a consultation policy in place.

Dr Povey made a short statement stating that the Council undertook a wide variety of consultations and was unsure if a specific consultation policy was necessary.

14 Members voted for debating the motion today but the majority of Members voted against debating it today.

Therefore, it was:

RESOLVED:

That this motion be referred to the Council Overview and Scrutiny Committee, for consideration. Under Standing Order 12.6, the scrutiny committee must report to County Council at the earliest possible meeting.

83/11 **ITEM 11(ii)**

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

Under Standing Order 12.1, Mr Eber Kington moved the motion standing in his name:

'This Council notes with concern the large number of serious and significant errors which have now been accepted by the team who prepared the library Public Value Review study.'

This Council further notes that the study used to identify 11 libraries:

- (1) failed to accurately identify the least effective libraries.
- (2) was biased in favour of larger libraries.
- (3) has never been audited in order to confirm its veracity.

This Council therefore calls upon the Council Leader and Cabinet to halt the current process of redeploying staff out of the selected libraries until the on-going internal audit into this study is fully completed and the detailed results are made available for public information and debate and for review by the Communities Select Committee.'

Mr Kington set out the reasons for his motion which included: (i) the proposals were opposed by the vast majority of residents, (ii) library users were not consulted initially, (iii) the Library Service PVR proposals were constructed using incorrect data, and (iv) the 11 libraries being targetted. He referred to the Byfleet Library Action Group and their briefing note, which he had circulated prior to the start of the meeting and requested that the Public Value Review (PVR) was put on hold until an independent audit had taken place.

The motion was formally seconded by Mrs Jan Mason.

The Cabinet Member for Community Services and 2012 Games responded to the motion and said that the PVR had considered a wide range of factors and said that it was the council's intention to have community libraries. She acknowledged that libraries were popular with residents. However, physical visits to libraries had declined but the proposals were not about closing libraries but providing the service in a different way.

Other points made in the debate were:

- Concern that more libraries would be identified for closure in a second tranche of cuts
- The public value review was too harsh
- The ranking system for libraries appeared arbitrary
- Several areas of the county had expressed interest in the volunteer community libraries concept
- In Byfleet, there were two groups of volunteers – the Byfleet Action Group and the Friends of Byfleet Library

- The Cabinet had failed to listen to residents and ignored the select committee's proposals
- The proposals would not save money
- Greater distance to travel to a library
- Concern about the data provided for the PVR
- An expectation that any anomalies would be addressed in the report to Cabinet in September
- An opportunity to consider innovative ways for the provision of the service
- Ensure that the service provided 'value for money' for residents. Personal circumstances changed and concern was expressed that volunteers may not always be available to provide the service
- Proposal to buddy smaller libraries with a larger library

After the debate, the motion was put to the vote with 20 Members voting for and 30 Members voting against it. There were 3 abstentions.

Therefore, the motion was lost.

84/11 **ITEM 11(iii)**

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

In the absence of Mr Samuels, Mrs Turner-Stewart moved the motion under Standing Order 12.1.

'This Council strongly supports the Government's proposals to decentralise powers to local government and welcomes all opportunities to be at the forefront of this exciting initiative.'

Mrs Turner-Stewart set out the reasons for the motion concerning the Government's proposal to decentralise powers which were; (i) that the council was ready for the challenges ahead and had a clear financial plan in place, (ii) working with SE7 partners to improve services such as IT, and (iii) the Surrey First project which would reduced costs by shared working.

The motion was formally seconded by Mr Fuller.

Mr Cooksey proposed the following amendment, which was formally seconded by Mrs White:

Delete the words 'to local government' and insert 'in particular the ability to devolve responsibilities and resources to Local Committees and local communities in order to encourage genuine local decision making'

The motion, as amended, would read:

'This Council strongly supports the Government's proposals to decentralise powers, in particular the ability to devolve responsibilities and resources to Local Committees and local communities in order to encourage genuine local decision making and welcomes all opportunities to be at the forefront of this exciting initiative.'

In support of his amendment, Mr Cooksey said that he would like a commitment to decentralisation by devolution of responsibilities and resources to local committees.

The Leader did not accept the amendment because he considered that the original motion was about getting Central Government to decentralise powers.

After the debate, the amendment was put to the vote with 12 Members voting for and 30 Members voting against the amendment. Therefore, the amendment was lost.

The original motion was then put to the vote with 30 Members voting for it. No Member voted against it but there were 11 abstentions.

Therefore it was:

RESOLVED:

That this Council strongly supports the Government's proposals to decentralise powers to local government and welcomes all opportunities to be at the forefront of this exciting initiative.

85/11 **AMENDMENTS TO THE SCHEME OF DELEGATION – SPECIFIC DELEGATIONS TO OFFICERS (ITEM 14)**

This item was withdrawn and the delegation remains as currently.

86/11 **AMENDMENTS TO THE SCHEME OF DELEGATION – THE EXERCISE OF EXECUTIVE FUNCTIONS (ITEM 15)**

The Leader presented the report and it was:

RESOLVED:

That the amendments to the Scheme of Delegation in relation to youth services agreed by the Leader as detailed in the submitted report be noted.

87/11 **REPORTS OF COMMITTEES (ITEM 16)**

(A) Audit and Governance Committee

The Chairman of Audit and Governance presented the report and said that the key change to the Code of Corporate Governance was the inclusion of the Quality Management Framework – the Surrey Way.

RESOLVED:

That the Code of Corporate Governance, attached as Annex 1 to the submitted report, be approved and included in the Council's Constitution to replace the Code of Corporate Governance currently included in the Constitution and dated May 2010.

[The meeting ended at 4.07pm]

Chairman