COUNTY COUNCIL

COUNCIL MEETING – 13 DECEMBER 2011

MINUTES of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 13 December 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
	Mrs Hicks		Mr Wood
	Mr Hodge	*	Mr Young

*absent

107/11 **APOLOGIES FOR ABSENCE (ITEM 1)**

Apologies for absence were received from Mr Bennison, Mr Brett-Warburton, Mr Butcher, Mr Carasco, Mr Elias, Mr Ellwood, Mr Fuller,Mr Gosling, Mrs Hammond, Ms Heath, Mrs King, Mr Munro and Mr Skellett.

108/11 **MINUTES (ITEM 2)**

The Minutes of the meeting of the County Council held on 11 October 2011 were submitted, confirmed and signed.

109/11 **CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)**

The Chairman made the following announcements:

(i) **Urgent item**:

That the Council needed to consider whether Councillor Frances King may continue to be absent from Council meetings by reason of ill health. The reason for the urgency was that under section 85 of the Local Government Act 1972 a Member ceases to hold that office if he/she has not attended a meeting for a period of six consecutive months, unless the failure to attend was due to a reason approved by the authority during that six months.

RESOLVED:

That Mrs Frances King may continue to be absent from meetings by reason of her ill health until July 2012 and the Council looks forward to welcoming her back in due course.

(ii) A new sound system had been installed since the last Council meeting and this would be used today.

(iii) Royal Visit – Her Majesty the Queen and HRH Duke of Edinburgh attended a service at Guildford Cathedral, celebrating its Golden Jubilee, on 18 November, 50 years after Her Majesty the Queen had attended the Cathedral's consecration in 1961. The Queen & Prince Philip continued their Surrey visit by lunching at East Surrey College and officially opening its fabulous new building.

(iv) Mark Rowley, Chief Constable since 2008, had left Surrey Police at the beginning of December and would be taking up a new role as Assistant Commissioner in the Metropolitan

Police. Members thanked him for his services to Surrey and wished him well in his new role.

(v) Volunteering Fair – this event would take place in the Ashcombe on 14 December 2011, following the carol service. She also mentioned the Employee Supported Volunteering Scheme which included a proposal for two days per year, paid time off for volunteering.

(vi) Long Service Awards – the most recent ceremony took place in November and 80 staff received awards for 25 years service.

(vii) Chairman's Christmas Reception had taken place on 8 December 2011. This had been a successful event and an opportunity to thank people for their volunteering work.

(viii) High Sheriff's theme this year was the abuse of alcohol and its dangers. He was holding an alcohol symposium today.

(ix) Surrey's Air Ambulance – she urged Members to raise awareness of this unique service.

110/11 **DECLARATIONS OF INTEREST (ITEM 4)**

There were none.

111/11 **LEADER'S STATEMENT (ITEM 5)**

The key points from his speech were:

- These were tough financial times for Surrey County Council. The Local Government Finance Settlement for next year had been announced. Surrey's Grant Allocation has been reduced by 10% next year (£15.6m).
- Partnership working was one answer to this challenge. Examples where this was already happening were Surrey First and also Procurement with East Sussex County Council. He was confident that other ideas would emerge to improve services for the benefit of Surrey residents.
- He announced that there would be a Community Improvements Fund, which would be available to help communities support local initiatives. Details were circulated at the meeting. The fund would be open to bids from January 2012 and these bids would be considered by the Community Improvement Panel, led by Mr Skellett.
- Finally, he stressed his total commitment to Surrey and the importance of working together as One Team.

Members had an opportunity to make comments and ask questions.

112/11 **SURREY COUNTY COUNCIL PROGRESS REPORT JULY TO DECEMBER 2011**

The Leader introduced the Surrey County Council Progress Report – June - December 2011, the fifth of the Chief Executive's six monthly reports to Members. He said that there had been another six months of strong progress but there were still areas in need of attention, which Members and officers continued to address and foundations for continuous improvement were being established.

He said that there had been a thought provoking discussion at the recent seminar on this Progress Report, which many Members had attended.

Members made the following key points:

- A request for an update on the Tower Awards in the next Progress report – to date there have been 16.
- Thanks to the Chief Executive for his style of working and for building team cohesion. Also, thanks for his support on the Corporate Parenting Board.
- Significant progress had been made in the last 18 months and the Council should be proud of the progress to date.
- The Charter for Elected Member Development was achieved by the County Council in October, following a visit by an assessment panel convened by South East Employers. The feedback from the Leading Assessor said that Surrey had significantly exceeded the standard required. Also, that the County Council was poor at highlighting all the wonderful things achieved by the organisation and it should not always focus on its challenges.
- The Children's Services and Education Ofsted had validated the County Council's progress in its Children's Services Assessment 2011, published in November. The Council was judged to be 'performing well' and the Adoption Service as 'good' overall, following an inspection in June.
- A reference to Surrey as an economic powerhouse and a desire for it to look beyond Europe to try and forge business links with emerging markets.
- A request for future progress reports to include benchmarking information so that comparisons could be made with other County Councils.
- The 2010/11 Annual Audit Letter – for the second year running, the County Council had received an 'unqualified' audit opinion for its financial statements.

After the debate, it was:

RESOLVED:

(1) That the report of the Chief Executive be noted.

(2) That the staff of the Council be thanked for the progress made during the last six months.

(3) That the support for the direction of travel be confirmed.

113/11 **MEMBERS' QUESTION TIME (ITEM 7)**

Notice of 23 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 Renshaw asked the Cabinet Member for Community Services and 2012 Games if she knew when the Overdrive model would be available in libraries and whether there was anything Members could do to hasten the arrangements for their local libraries. The Cabinet Member said that officers were working to resolve the issues and suggested that Members should lobby their local libraries.

(Q2) Mrs Watson considered that the Equality Impact Assessment on Surrey's Community Partnered Libraries highlighted the problems for residents with disabilities and asked the Cabinet Member if she considered that it was inappropriate to reduce the service, in the light of the recent judgement. The Cabinet Member responded by stating that she had given a comprehensive response and Surrey should not be compared to Gloucestershire or Somerset County Councils.

(Q3) Mr Few requested that the Cabinet Member for Transport and Environment gave an assurance that all existing signs in front of schools, known as Wigwags, were fully operative and enforced at all locations. The Cabinet Member advised him that officers were working on its implementation.

(Q4) Mrs Fraser said that there had been a dramatic increase in heritage crime and urged the Leader or Chief Executive to work in partnership with other counties to try to reduce this problem. The Leader referred her to the last sentence of the response and gave an assurance that he would consider her request.

(Q6) Mr Cooksey asked the Cabinet Member for Transport and Environment to comment on officer time, wasted developing a

range of on-street parking charges schemes and now no longer required. The Cabinet Member responded by stating that the development of the proposals provided information that would enable local committees to consider whether to introduce schemes and therefore officer time had not been wasted.

(Q8) Mr Beardsmore requested information on the evidence base used to evaluate bids for contracts considered by the Cabinet. The Leader assured him that the Cabinet did not rubber stamp awards of contracts and he considered that it was the role of procurement officers to evaluate the bids and provide a recommendation to Cabinet.

(Q9) Mr Forster queried the delegation of the decision from 26 July 2011 Cabinet meeting, concerning the case for investment in Solar PV and asked for clarification from the Leader who said that the case to move forward had been finely balanced in July. After the proposed changes were published by the Government in October 2011, he took advice from officers not to proceed with investment in Solar PV.

(Q11) Mr Mallett asked the Cabinet Member for Children and Learning for assurance that he would work towards resolving the delayed SEN statements, caused by the lack of timely information from Kingston Primary Care Trust. This was given.

(Q12) The Chairman announced that there would be no supplementary questions to this question because, in the absence of the Chairman of Planning and Regulatory Committee, a written answer would be sent to Mrs Nichols. **Mr Beardsmore** requested that the written response to this question was circulated to all Members.

(**Q14) Mr Beardsmore** asked how the surplus / deficit revenue from parking charges would be managed. The Cabinet Member for Transport and Environment advised Members that discussions on this and other arrangements were ongoing with Boroughs and Districts and these needed to be completed first.

(Also, Q14) Mrs Frost said that she had already been informed about the breakdown of the revenue split between county and borough, by the Chief Executive of Waverley Borough Council. She asked the Leader who had made that decision and was informed that, whilst the select committee had produced guidelines on this issue, no decision had yet been made. Mrs Frost agreed to discuss this matter further with the Leader outside the meeting.

(Q15) Mrs Watson asked the Cabinet Member for Children and Learning to write a letter of apology to all parents who had received a letter concerning overdue school meal money. The Cabinet

Member responded by stating that, as he did not know which school this referred to, it would be an impossible task. He also assured Members that revised guidelines would be issued to all schools in January.

(Q16) Mr Cooksey asked the Leader of the Council if he would consider devolving further powers to local committees and also whether he considered that 45% was a satisfactory target for Surrey residents who feel that they can influence decisions. The Leader confirmed that he had no plans to devolve further powers to local committees. He also said that 45% was a stretch target that compared favourably with other councils and not to forget the silent majority.

(Q 17) Mr Forster considered that it was time to review the County Council's ban on tweeting during meetings. However, the Leader disagreed, he considered that it would be wrong for Members to sit in the Council Chamber and tweet. It was his view that Members attended meetings to debate issues and represent the residents of Surrey.

(Q22) Mr Harmer requested that the County Council lobbied Government for support for the Renewable Heat Incentive Scheme to include private residences. The Cabinet Member for Transport and Environment agreed to pursue this request outside the meeting.

114/11 **SURREY POLICE AUTHORITY (ITEM 8)**

Notice of 3 questions for the Surrey Police Authority had been received. The questions and replies are attached as Appendix A.

One supplementary question was asked:

(Q3) Mr Harrison asked whether a refund for the extra costs of policing the 2012 Olympics was guaranteed and if so, why was it still showing in the Police Budget as a cost. Mrs Hicks, as representative of the Surrey Police Authority, agreed to provide a written response.

115/11 **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.

116/11 **REPORT OF THE STANDARDS COMMITTEE (ITEM 10)**

The Vice-Chairman of the Standards Committee presented the report.

She began by stating that Mr Edge had declared an interest on 28 October 2011 and withdrawn from the meeting for that item and there was a typo on the report, Mr Colin Taylor had been present for that meeting.
She highlighted the key points, making reference to the Localism Bill and its effect on the Standards Committee.

She explained the proposed arrangements for the Standards Committee, as set out in the report. She said that Mr Edge did not claim expenses for his role and therefore there would be no cost implications. However, the agreed arrangements could be terminated at any time, if necessary.

RESOLVED:

That Mr Simon Edge be appointed as an independent representative on the Standards Committee for a further term of 4 years (May 2012 – May 2016).

117/11 **STATEMENT BY MEMBERS (ITEM 11)**

There was one local Member statement, from Mrs Marks concerning Surrey's Air Ambulance.

A copy of the statement is attached as Appendix B.

118/11 **ORIGINAL MOTIONS (ITEM 12(i))**

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

Under Standing Order 12.1, Mrs Hazel Watson moved the motion standing in her name which was:

> 'On 18 November the Cabinet Member for Children and Families sent out two emails to Members highlighting some good news about Surrey's Adoption Service in the light of National Adoption Week.
>
> However, the Child in Care and Adoption Performance Tables, published by the Department for Education on 1 November 2011, showed many major failings by Surrey County Council in its performance for children in care and adoption services.
>
> In fifteen key indicators, Surrey was in the bottom half of the country in nine, and in the bottom quartile in four.
>
> Council calls for urgent action to:

- Ensure that looked after children have a stable home life with a minimal number of placements and that they are fully supported so that they fulfil their full potential in education, training and employment.
- Ensure that young adults who were formerly looked after are living in suitable accommodation.
- Strive to maximise the number of looked after children who are adopted and to improve the speed of adoption.

  Council calls on the Leader to establish a cross party Member Working Group to urgently examine the issues highlighted by the Department for Education performance tables and to learn from the best practice of other authorities.'

Mrs Watson began by saying that Looked After Children (LAC) were the responsibility of the Council and cited the performance statistics set out in the Child in Care and Adoption Performance Tables published by the Department of Education on 1 November 2011. She considered that more LAC should achieve KS2 Level 4 and attend further education.

She also mentioned other areas of concern which included: (i) damaging relationships from changing schools, (ii) adoption delays caused by the courts, (iii) funding should be available to purchase laptops or books, and (iv) suitable accommodation should be provided for older Looked After Children.

The motion was formally seconded by Mrs Fiona White.

The Cabinet Member for Children and Families responded to the motion and said that Mrs Watson had not attended the recent briefings on these tables. She said that Children's Services was the most regulated and inspected of any County Council service, including unannounced inspections. She also explained that the Performance League Tables were based on a 3 year average of data collected between 2008-2010. The information in the report was out of date and that data for 2011 would not be available until later this month. Mrs Watson had failed to mention that the Ofsted 2010 report had confirmed that Surrey County Council was working on the right things in the right way.

She stressed the commitment of Members and officers of the Corporate Parenting Board and confirmed that all Looked After Children were monitored monthly and that some of the children attended the Corporate Parenting Board to provide their views on areas to improve.

Finally, she drew Members attention to the Ofsted Inspection report for the SCC Adoption Service tabled at the meeting which had

given the Council an overall quality rating of 'good', with some outstanding elements.

Other points made in the debate were:

- Support for the Cabinet Member's comments.
- Since 2008, the County Council's Children's Service had continued to improve year on year.
- The Children and Families Select Committee was cross party, received regular monitoring reports and no Member of the committee had voted against these reports.
- The Education Select Committee was an open and transparent committee where Members received performance information for all schools. The committee had recently congratulated several Looked After Children on their exam results in June 2011.
- Mrs Watson was invited to become a member of the Fostering Panel and also to meet the Head of the Virtual School.
- It was important to consider the cohort of children leaving care now and ensure that resources should be available for this group of young people.
- Disappointment that the Department of Education had put out misleading data and that the Council had moved on and was in a different position today.
- The motion discredited each Member as Corporate Parents.
- Disappointing that the reaction to the debate had been defensive and complacent.

Mrs Marks requested that:

'The question be now put'

20 Members stood in support of this request.

The Chairman considered that there had been adequate debate and agreed that, after hearing from the Leader, the seconder of the motion and Mrs Watson, the motion could be put to the vote with 12 Members voting for and 52 Members voting against it.

Therefore, the motion was lost.

ADJOURNMENT

The meeting adjourned for lunch at 12.55pm and resumed at 2.10pm, with all those present who had been in attendance in the morning session except for Mrs Hicks, Mr Kington, Mrs Moseley, Mrs Nichols and Dr Povey.

119/11 **INTERIM REPORT OF THE INDEPENDENT REMUNERATION PANEL: REVIEW OF MEMBERS' MILEAGE RATES (ITEM 13)**

RESOLVED:

(1) That the mileage rates paid to Members for use of their own vehicles on Council business be increased to 45p per mile for the first 10,000 miles and 25p for mileage over 10,000 miles, with effect from 1 October 2011.

(2) That the additional payment for each passenger (not exceeding four) for whom travel expenses would otherwise be payable be increased from 3p to 5p per mile.

120/11 **REPORT OF THE CABINET (ITEM 14)**

Mr Hodge presented the reports of the Cabinet meetings held on 1 and 29 November 2011.

(1) Statements / Updates from Cabinet Members

In addition to the Cabinet Member statements printed in the agenda, the following statement was tabled at the meeting:

- Mrs Angell, Cabinet Member for Children and Families on the Ofsted Annual Assessment of Children's Services: published November 2011 (Appendix C).

(2) Reports for Information / Discussion

The following reports were received and noted:

- Time for Leadership: Leading the Change Agenda
- Quarterly Report on Decisions taken under Special Urgency Arrangements – 1 July – 30 September 2011

Members had an opportunity to ask questions and comment on both the statements from Cabinet Members and the Reports for Information.

RESOLVED:

That the reports of the meetings of the Cabinet held on 1 and 29 November 2011 be adopted.

121/11 **SURREY FIRE AND RESCUE SERVICE – COMMUNITY FIRE PROTECTION – DELEGATED POWERS OF SIGNATORIES (ITEM 15)**

In the absence of the Cabinet Member for Community Safety,

Mr Gimson, who was a member of the Fire and Rescue Advisory Group presented the report.

RESOLVED:

That the changes to the Scheme of Delegation attached at Appendix 1 to the submitted report, be approved, which:

a) gives Station Managers delegated powers to serve and withdraw formal notices under Article 31 of the Regulatory Reform (Fire Safety) Order 2005, Section 10 of the Safety at Sports Grounds Act 1975, Sections 21 and 22 of the Health and Safety at Work Act 1974.

b) updates job titles and further clarifies the specific delegated powers.

122/11 **AMENDMENTS TO THE SCHEME OF DELEGATION – THE EXERCISE OF EXECUTIVE FUNCTIONS (ITEM 16)**

The Leader presented the report, which outlined the changes made by him to the Scheme of Delegation between October and December 2011. It was:

RESOLVED:

That the amendments to the Scheme of Delegation in relation to Community Pride Fund, the declaration of surplus in the budget of a school converting to an academy, delegation to the London Borough of Havering to enable the prosecution of an individual plus other general amendments, agreed by the Leader as detailed in the submitted report be noted.

123/11 **APPOINTMENT OF COMMITTEE CHAIRMEN AND VICE-CHAIRMEN (ITEM 17)**

a) Chairman and Vice-Chairman of People, Performance and Development Committee.

The Chief Executive reported on the nominations that had been received. It was:

RESOLVED:

That Mr Hodge and Mr Martin be appointed as Chairman and Vice-Chairman respectively on the People, Performance and Development Committee for the remainder of the council year 2011/12.

b) Chairman and Vice-Chairman of Surrey Heath Local Committee.

The Chief Executive reported on the nominations that had been received. It was:

RESOLVED:

That Mr Ivison and Mr MacLeod be appointed as Chairman and Vice-Chairman respectively on the Surrey Heath Local Committee for the remainder of the council year 2011/12.

[The meeting ended at 2.35 pm]

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Chairman