

MINUTES of the meeting of the **COMMUNITIES SELECT COMMITTEE** held at 2.00 pm on 14 November 2012 at Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on 16 January 2013.

Elected Members:

- * Mr Steve Cosser (Chairman)
- * Mr Mike Bennison
- A Mr Graham Ellwood
- * Mrs Angela Fraser
- A Denis Fuller
- * Mr David Ivison
- * Mrs Jan Mason
- * Mr Chris Norman (Deputy Chairman)
- * Mr John Orrick
- A Mr Michael Sydney
- A Mr Colin Taylor
- * Mr David Wood
- * Mr Richard Walsh
- * Mrs Hazel Watson
- * Dr Lynne Hack

Ex officio Members:

- * Mrs Lavinia Sealy, Chairman of the County Council
Mr David Munro, Vice Chairman of the County Council

Substitute Members:

Mr Graham Ellwood
Denis Fuller
Mr Michael Sydney
Mr Colin Taylor

In attendance:

Mrs Helyn Clack, Cabinet Member for Community Services and the 2012 Games

50/12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Denis Fuller, Graham Ellwood, Colin Taylor and Michael Sydney. Richard Walsh, Lynne Hack and Hazel Watson substituted respectively.

51/12 DECLARATIONS OF INTEREST [Item 2]

There were no declarations of interests. However it was noted that Steve Cosser, John Orrick, Chris Norman and Michael Bennison's wife were all members of the National Trust. It was also noted that Mrs Angela Fraser was a member of the CPRE.

52/12 SUPPORT FOR NATIONAL MAGNA CARTA 800TH ANNIVERSARY CELEBRATIONS [Item 3]

Declarations of interest: None.

Witnesses:

Cllr Hugh Meares, Vice Chair of Corporate Management - Runnymede and one of RBC's representatives on the Magna Carta Committee
Paul Turrel, Chief Executive – Runnymede
Mario Leo, Head of Governance – Runnymede
Sarah Walsh, Project Officer – Runnymede
Andrew Telford, Campaign to Protect Rural England
Nic Durston, National Trust
Mrs Lynne Bates, Lead petitioner
Yvonna Lay, County Councillor Runnymede
Mel Few, County Councillor Runnymede
Helyn Clack, Cabinet Member for Community Services & the 2012 Games
Susie Kemp, Assistant Chief Executive – Surrey County Council
Peter Milton, Head of Cultural Services – Surrey County Council
David Stempfer, Major Schemes Manager – Surrey County Council

Key points raised during the discussion:

1. The Chairman began by giving a brief explanation of the Call In procedure for the benefit of members of the public who were not familiar with detailed Council processes.
2. The Chairman explained that he had submitted the Call In in consultation with the Vice Chairman and that the detail was in the papers that had been published in advance of the meeting. The Chairman stated that the Call In did not relate to the celebration of the Magna Carta as they fully supported this. He went on to say that it was in response to concerns expressed by individuals and organisations about:
 - the visitor centre and in particular the business case which it was felt lacked detail; and that
 - the benefits to Surrey more widely had not been clearly stated.

3. The meeting was then opened up to the witnesses to speak and put their case. Runnymede Borough Council were invited to speak first.
4. It was explained that the main objectives of this project related to creating a legacy for Surrey for many decades to come, improving the local economy, as well as providing increased recreational opportunities.
5. The Committee were informed that the creation of the visitor centre would provide a focal point for one of the most important events in English history. A feasibility study had been commissioned and following a tender evaluation exercise, preferred bidders had been selected. The Borough was in discussions with the County Council about governance arrangements.
6. The Chairman then opened up the meeting for questions from members of the Select Committee.

The Business Plan, Project Costs and Liability

7. The robustness of the business plan was questioned by the Committee. It was noted that the plans had been considered by the Borough Council as a Part 2 confidential item which meant that members of the public were excluded from hearing the business plan proposals.
8. The Committee questioned whether the sustainability of the tourism trade in the years following the Magna Carta anniversary had been factored into the business case. They also questioned who would bear the financial risk if there was a shortfall in projected income from tourism.
9. Mr Andrew Telford suggested that the County Council had not been made aware that any income generated could not be used outside of the pleasure ground. Mr Mel Few stated the Land was the property of Runnymede Playground Trust who would make the financial profit.
10. The Runnymede Borough Council witnesses confirmed that although work had commenced on the business plan (including benchmarking charging policies) and it did include financial information, a due diligence exercise had yet to be carried out. It was acknowledged that timescales were tight.
11. It was noted that the Heritage Lottery Fund had turned down an application for funding and the reasons were questioned. The Runnymede Borough Council witnesses went on to explain that the Heritage Lottery Fund tends to support refurbishment rather than new build and they felt it was important for the Committee to note that point.
12. A more detailed breakdown of the project costs was requested and in particular the amount which had been earmarked for road and traffic improvements. On a related point, it was suggested that the local roundabout would be unable to cope with the increased traffic and

there would also be issues with the feeder road becoming congested. It was suggested by a witness that as a consequence, there would be an increase in accidents.

13. The Borough was also asked clarify its financial contribution. The Runnymede Borough Council witnesses explained that rather than making a direct financial contribution the Borough was seeking sponsorship from the private sector.
14. In response to a question about financial liability should the compressed timescales not be met given that costs had already been incurred, the Runnymede Borough Council witnesses confirmed that the total liability would be £250,000 and that the County would bear £180,000 this amount.
15. It was noted by Mr Mel Few who questioned the business case that the contribution by the County Council was equivalent to almost 1% of the council tax yield. It was suggested that this money would be better spent on key services for example those related to Adult Social Care or Children's Services.

The Visitor Centre and Surrounding Area

16. The Runnymede Borough Council witnesses confirmed to the Committee that sustainability had been a factor in choosing the design of the building. The Runnymede Borough Council witnesses confirmed that they were able to share a concept design of the visitor centre with the Committee and this was circulated. The County Council's views would be taken into account when making a decision.
17. The Runnymede Borough Council witnesses confirmed that a decision had not yet been made about which organisation would run the visitor centre. Discussions were being held with the County Council over this matter.
18. It was also confirmed that catering facilities were not intended to be in competition with the existing National Trust who had not raised this as a concern.
19. Concerns were expressed by witnesses that the proposals required the demolition of properties and in particular people's homes.
20. Witnesses, including Mr Andrew Telford and Mrs Lynne Bates suggested that Egham Museum should be the preferred site for the visitor centre and it was noted that this was in close proximity to the Common. It was felt that this offered more potential for celebrating the anniversary and at a lower cost. The view was also expressed that by siting the visitor centre in the town, local businesses would be boosted. It was felt that the Runnymede Borough Council proposals would not encourage tourists to visit other parts of Surrey, rather they would travel to nearby Windsor.

21. Mr Mel Few also suggested that Runnymede Borough Council could partner with the National Trust on developing a proposal. The National Trust confirmed that they were not opposed to the Runnymede Borough Council proposals and that they would be open to considering working together on other ideas.
22. The mitigating measures for flood risk were also touched on by both the Committee and witnesses.
23. It was confirmed that although surrounded by common land, the proposed site was on 'uncommon land'. Other sites, including some owned by the National Trust, had been considered but rejected as they were not suitable.

Environmental Impact Assessment

24. The Runnymede Borough Council witnesses confirmed that the completed work included an Extended Phase One habitat assessment. They also confirmed that the Borough wished to maintain the atmosphere of the site and hoped to open parkland to members of the public.

Public Consultation

25. The Committee and witnesses, including Mrs Lynne Bates and Mrs Yvonna Lay, suggested that the evidence showed there had been limited public consultation and asked how confident Runnymede Borough Council were that they had the public view. Mrs Yvonna Lay, who is a Runnymede Borough Council Member and resident, confirmed that she had not received notification of the public consultation.
26. The Runnymede Borough Council witnesses responded that there had been 2 public consultations, one of which was classed as formal consultation. Methodologies included visiting County Shows and an on-line questionnaire. It was felt that the consultation exercises had been sufficient to the needs of the project and those consulted over whelming endorsed opening a visitor centre on the proposed site using minimal public funding.
27. The Chairman thanked all of the witnesses and welcomed the Cabinet Members and senior members of staff.
28. The Cabinet Member thanked the witnesses and Committee. The Cabinet Member went on to emphasise the importance of the Magna Carta Celebrations to the UK and the rest of the world. She stated that the visitor centre would help to raise the profile of Surrey and that tourism would impact positively on the economy. The Cabinet Member confirmed that the proposal was based on sound financial management information and appropriate governance arrangements would be put in place.

The Business Case and Governance

29. In response to a question from the Committee, she also stated that this was an 'in principle' decision subject to appropriate governance arrangements being developed as well as a robust business case. The governance arrangements would include a least 3 layers and, as with the Olympics, there would be consultation with Members.
30. Mrs Susie Kemp confirmed that there was still a lot of work to be done to establish a sound business case and planning was a key issue. It was confirmed that this was a capital rather than a revenue project.
31. In response to a question, the Cabinet Member confirmed that she had not seen the JDD Report. Mr Peter Milton confirmed that this was being made available to Surrey.
32. The Cabinet Member reiterated that this was an 'in principle' decision subject to a sound business case and governance arrangements that would be developed by a cross-party group of Members. If the business case was not feasible then this would be reported back to Cabinet.
33. Mrs Susie Kemp confirmed that Runnymede Borough Council were clear that if the timeline was not met, including the provision of evidence that there was match funding, that the County Council would not go ahead with the proposal. The timeline was confirmed as by the end of December 2012.

Funding and the Site

34. A Member questioned why Surrey was not making a case for a share of the profits from the visitor centre to recoup its loan costs. Mrs Susie Kemp confirmed that there still needed to be discussions with Runnymede Borough Council about the funding as well as the management arrangements.

Access and Highways

35. A Member questioned whether other sites had been considered and whether the Cabinet were satisfied with road safety arrangements. Mr David Stempfer confirmed that a Road Impact Report would be produced and that the County had been intent on improving the Runnymede Borough Council roundabout for some time and a bid was being made in a paper to Cabinet in November. It was also confirmed that County Engineering staff were working closely with the police on developing proposals for the road network.
36. The Chairman thanked the Cabinet Member and witness for attending.
37. The Chairman confirmed that Members of the Committee all supported celebrations of the anniversary of the Magna Carta.
38. Mr Mel Few also asked for it to be put on the permanent record that he recognised the importance of the anniversary.
39. The Chairman confirmed that the purpose of the Call in was in response to anxieties about the Cabinet committing to tight timescales

without the usual level of scrutiny and enquiry and consideration of alternatives. He confirmed that the Committee understood this was an 'in principle' decision. The Chairman said that he would like Members of the Committee to each give their views and the conclusions they had drawn from the evidence today.

40. The key themes from the evidence – views of the Committee:

- In difficult financial circumstances, with many County Council services under strain £5,000,000 (which represents nearly 1% of our annual Council tax yield) it was felt that it was perhaps better spent on other key Council services.
- Whatever benefits may accrue from this development will principally benefit the Borough of Runnymede yet the Borough Council is making no direct financial contribution towards the estimated £8,000,000 costs. This might reasonably be considered to be unbalanced by the many Council Tax payers in other parts of Surrey who will bear most of the costs.
- Many of the financial arguments advanced in favour of the development seemed to be based on untested and potentially optimistic assumptions about tourism numbers and employment. It was of concern that no detailed business case or environmental impact assessment had been prepared or considered by Cabinet before this decision was taken. Consideration should be given to asking the Council Overview and Scrutiny Committee to undertake an investigation of the financial assumptions underlying this proposal before approval of any County Council funds is given.
- There is little clarity about exactly how the £8,000,000 figure had been arrived at and exactly what the County Council would be getting for its investment. The Cabinet Report also referred to the need for 'requisite local improvements to the highways'. It was unclear if this expenditure was in addition to the £8,000,000 project cost. It was also unclear if it was a reference to fairly minor local highways expenditure or major roundabout works, costing several £million, which it had been argued would be necessary if the Visitor Centre project went ahead. There was a need for transparency on this point so that any impacts on the County's overall highways budgets and priorities could be assessed.
- There did not seem to have been proper consideration given to other alternative proposals which would be less costly and potentially more appropriate in celebrating the 800th Anniversary celebrations. (Details of some of these were included in the written representations made to the Select Committee). Attention was also drawn to the fact that this project was rejected for funding by the Heritage Lottery Fund as it was considered 'not a strong match' against the necessary criteria of conservation, learning, participation benefits, need and value for money. It was suggested that the Cabinet should seek further information on this assessment as part of its own reconsideration of support for the project.

- Representations made to the Select Committee suggested very limited consultation with local people and growing opposition to the proposal (on grounds of cost, feasibility and loss of a valued local open space) now that it was clear that the Visitor Centre proposal involves somewhat more than the 'minimal public funding' it was stated would be used in the Borough Council 2012 questionnaire.
 - Runnymede had accepted that there were significant risks in completing this project in accordance with the compressed timescale for the building. There were also potentially linked problems and challenges in connection with use of open space and the common land running along side the site which presented further risks. The Cabinet should seek legal and other appropriate officer advice on these matters so that any risks could be properly calculated and the Cabinet could satisfy itself that investment of such a significant sum of public money was appropriate.
41. A Member of the Committee expressed support for the idea as it was an 'in principle' decision that the Cabinet should be trusted to take.
42. The Committee took a vote and resolved to support the Call In and refer the decision back to Cabinet for reconsideration. The vote was 9 Members in support of the Call In and one Member against supporting the Call In.

Select Committee next steps:

The Committee will consider any future issues in relation to the visitor centre as and when the matter comes up.

53/12 DATE OF NEXT MEETING [Item 4]

The Committee noted that the next meeting of the Committee would take place on 21 November 2012.

Meeting ended at: 5.10 pm

Chairman