



Agenda and Reports
for the meeting of
THE COUNTY COUNCIL
to be held on
14 OCTOBER 2014

County Hall
Kingston upon Thames
Surrey

3 October 2014

TO THE MEMBERS OF SURREY COUNTY COUNCIL

SUMMONS TO MEETING

You are hereby summoned to attend the meeting of the County Council to be held in the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN, on Tuesday, 14 October 2014, beginning at 10.30 am, for the purpose of transacting the business specified in the Agenda set out overleaf.

DAVID McNULTY
Chief Executive

Note 1: *For those Members wishing to participate, Prayers will be said at 10:25am. Mrs Jo Jacques, Chaplain from More House School, Frensham has kindly consented to officiate. If any Members wish to take time for reflection, meditation, alternative worship or other such practice prior to the start of the meeting, alternative space can be arranged on request by contacting Democratic Services.*

There will be a very short interval between the conclusion of Prayers and the start of the meeting to enable those Members and Officers who do not wish to take part in Prayers to enter the Council Chamber and join the meeting.

Note 2: *This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting.

If you would like a copy of this agenda or the attached papers in another format, e.g. large print or braille, or another language please either call Democratic Services on 020 8541 9122, or write to Democratic Services, Surrey County Council at Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 9698, fax 020 8541 9009, or email anne.gowing@surreycc.gov.uk

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Anne Gowing on 020 8541 9938

1 APOLOGIES FOR ABSENCE

The Chairman to report apologies for absence.

2 MINUTES

To confirm the minutes of the meeting of the Council held on 15 July 2014.

(Note: the Minutes, including the appendices, will be laid on the table half an hour before the start of the meeting).

(Pages 1
- 12)

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman to report.

4 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

NOTES:

- Each Member must declare any interest that is disclosable under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, unless it is already listed for that Member in the Council's Register of Disclosable Pecuniary Interests.
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner).
- If the interest has not yet been disclosed in that Register, the Member must, as well as disclosing it at the meeting, notify the Monitoring Officer of it within 28 days.
- If a Member has a disclosable interest, the Member must not vote or speak on the agenda item in which it arises, or do anything to influence other Members in regard to that item.

5 LEADER'S STATEMENT

The Leader to make a statement.

There will be an opportunity for Members to ask questions.

6 MEMBERS' QUESTION TIME

The Leader of the Council or the appropriate Member of the Cabinet or the Chairman of a Committee to answer any questions on any matter relating to the powers and duties of the County Council, or which affects the county.

(iii)

(Note: Notice of questions in respect of the above item on the agenda must be given in writing, preferably by e-mail, to Anne Gowing in Democratic Services by 12 noon on Wednesday 8 October 2014).

7 STATEMENTS BY MEMBERS

Any Member may make a statement at the meeting on a local issue of current or future concern.

(Note: Notice of statements must be given in writing, preferably by e-mail, to Anne Gowing in Democratic Services by 12 noon on Monday 13 October 2014).

8 ORIGINAL MOTIONS

ITEM 8(i)

Mr Chris Townsend (Ashtead) to move under Standing Order 11 as follows:

'This Council notes that, underlying the extensive funding and overall provision of school places in Surrey, fundamental problems still exist in the planning and delivery of school places.

2014 has again seen failures in forecasting based on birth rates, the planning of school places, the early phase co-ordination of planning, education and highway, and the promotion of sustainable transport and travel options.

As a result:

- parents seeking school places have experienced unnecessary concerns about their children's opportunities to both attend their local schools, but also to arrive at that school safely and
- residents living close to schools have seen their concerns in relation to planning and highways ignored.

This Council therefore calls upon the Cabinet Members for Schools & Learning, Highways, Transport & Flooding Recovery, Environment & Planning and Business Services to work together to produce an Action Plan which tackles the current problems related to forecasting, the early coordination of teams responsible for the expansion of schools, late planning applications, and travel arrangements to schools, to be in place by the end of 2014.

This Council further agrees that the Action Plan be subjected to scrutiny by a joint meeting of Members of the relevant Select Committees.'

ITEM 8(ii)

Mr Peter Martin (Godalming South, Milford and Witley) to move under Standing Order 11 as follows:

‘This Council welcomes the statement made by the Prime Minister following the No vote in the Scottish Referendum and in particular welcomes the formation of a Cabinet sub-committee to examine English constitutional change and the continuing commitment that “power can and must be devolved more locally.”

This Council commends the One Place, One Budget initiative taken by the County Councils Network and chaired by the Leader of Surrey County Council, which creates an ambitious vision for public services to be more closely controlled by local people. This envisages a new devolution settlement between Whitehall and the Counties to move decisions about how all local services are delivered closer to the people affected by those decisions. This would deliver better public services, reverse decades of centralisation and revitalise UK democracy.

This Council urges the Government to take the opportunity now for a radical English Devolution settlement devolving power to both the Counties and the Cities of England.’

ITEM 8(iii)

Mrs Hazel Watson (Dorking Hills) to move under Standing Order 11 as follows:

‘Council notes:

- The strong and enthusiastic participation shown by the people of Scotland in a remarkable democratic process leading to the Referendum on 18 September;
- The resulting increased discussion on the devolution of powers from central government in Westminster and Whitehall.

Council believes:

- That power should be devolved to the people in all parts of the United Kingdom;
- That England is currently ruled by an over-centralised state that fails to reflect localities and regions;
- That concentrating more power to English MPs in Westminster is not the answer for English devolution and that passing power down to local areas of England is essential.

Council therefore calls for:

Surrey’s MPs, the Leader of the Council and the Cabinet to lobby for urgent major devolution of power, including tax raising and spending, from central government to the regions, counties, boroughs & districts and cities of England.

And that such lobbying should emphasise:

(v)

That the devolution of powers and finance to English councils be carried out in ways that enhance and strengthen local democratic bodies. This must include agreement that it shall be for local people and communities to decide their form of democratic leadership without having a specific model imposed (for example directly elected Mayors) in return for more powers;

A recognition that English devolution must include both large cities and county areas, as the many councils not within city regions must also gain greater powers and finance in order to build successful and prosperous futures.'

ITEM 8(iv)

Mr Robert Evans (Stanwell and Stanwell Moor) to move under Standing Order 11 as follows:

'In the light of the recent referendum in Scotland and the widely held view that constitutional changes are essential in order to restore public confidence in the nation's democratic structures, this Council agrees to investigate the extent to which the unitary authority model could now better deliver quality services and efficiency savings.

Furthermore, this Council resolves that any future reorganisation of local government must ensure that Surrey retains a significant influence on the regional and national agenda.'

ITEM 8(v)

Mr Jonathan Essex (Redhill East) to move under Standing Order 11 as follows:

'This Council notes that the Local Government 2000 Act recommended that it is good practice for the Chairs of Scrutiny and Select Committees to be occupied by councillors from outside of the ruling party. Such an arrangement would support and enhance the transparency and accountability of decision making of the Council. It would also assert and protect the public interest on the issue of decision making.

Therefore, the Council agrees:

- That the Chair of the Overview and Scrutiny Committee should not be a member of the ruling group; and
- That the Chairs and Deputy Chairs of all Select Committees, and other committees of Surrey County Council with a scrutiny function will, in future, be allocated and distributed in proportion to the representation of councillors elected by the different groups.'

9 REPORT OF THE CABINET

(Pages
13 - 18)

To receive the report of the meeting of the Cabinet held on 22 July and 23 September 2014.

- 10 REPORT OF THE CONSTITUTION REVIEW GROUP** (Pages 19 - 46)
- To consider the findings of the Constitution Review Group and agree changes to Standing Orders in relation to Council meetings.
- 11 THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014** (Pages 47 - 58)
- The Council is asked to agree amendments to the Constitution to reflect requirements of the Openness of Local Government Bodies Regulations, which came into effect on 6 August 2014.
- 12 REPORT OF THE PEOPLE, PERFORMANCE AND DEVELOPMENT COMMITTEE** (Pages 59 - 68)
- To approve: (i) the Officer Code of Conduct, and (ii) the Use of Social Media Guidance, for inclusion in the Constitution.
- 13 REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE** (Pages 69 - 70)
- To approve amendments to the terms of Reference for the Audit and Governance Committee.
- 14 AMENDMENTS TO THE SCHEME OF DELEGATION** (Pages 71 - 100)
- It is the Council's responsibility to approve changes to the Scheme of Delegation regarding non-executive functions, while amendments to executive functions are delegated to the Leader and are brought to County Council to note.
- This report seeks Council's approval for changes to the Scheme of Delegation relating to section 106 agreements, Pensions functions and Rights of Way orders. The executive functions brought to Council for information in this report refer to revised decision making arrangements regarding youth services, changes to delegations on adopting roads and streets, and new delegations regarding local transport schemes. New Financial Regulations have also been prepared for Council's approval, proposing the amendment of approval thresholds for virements and changes to the review process for fees and charges.
- These changes are brought to Council in accordance with Articles 4.10 and 5.02 of the Council's Constitution.
- 15 MINUTES OF THE MEETING OF THE CABINET** (Pages 101 - 152)
- Any matters within the minutes of the Cabinet's meetings, and not otherwise brought to the Council's attention in the Cabinet's report, may be the subject of questions and statements by Members upon notice being given to Anne Gowing in Democratic Services by 12 noon on Monday 13 October 2014.

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, County Hall has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that those attending the meeting can be made aware of any filming taking place.

Use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to the PA or Induction Loop systems, or any general disturbance to proceedings. The Chairman may ask for mobile devices to be switched off in these circumstances.

It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation