

MINUTES of the meeting of the **ECONOMIC PROSPERITY, ENVIRONMENT AND HIGHWAYS BOARD** held at 10.30 am on 14 April 2016 at Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN.

These minutes are subject to confirmation by the Board at its meeting on 9 June 2016.

Elected Members:

- * Mr David Harmer (Chairman)
- * Mr Bob Gardner (Vice-Chairman)
- a Mrs Nikki Barton
- * Mr Mike Bennison
- a Mrs Natalie Bramhall
- * Mr Stephen Cooksey
- * Mrs Pat Frost
- * Mr David Goodwin
- a Dr Zully Grant-Duff
- * Mr Ken Gulati
- * Mr Peter Hickman
- * Mr George Johnson
- * Mr Richard Wilson
- a Mrs Victoria Young

23/16 APOLOGIES [Item 1]

Apologies were received from Nikki Barton, Zully Grant-Duff, Victoria Young and Natalie Bramhall.

Rachael I Lake attended as a substitute for Victoria Young and Michael Sydney attended as a substitute for Natalie Bramhall.

24/16 DECLARATIONS OF INTEREST [Item 2]

No declarations of disclosable pecuniary interests had been received.

25/16 CALL IN OF CABINET DECISION: THE AGREEMENT WITH SURREY WILDLIFE TRUST FOR THE MANAGEMENT OF THE COUNTY COUNCIL'S COUNTRYSIDE ESTATE [Item 3]

Witnesses:

David Hodge, Leader of the Council
Denise Le Gal, Cabinet Member for Business Services and Resident Experience
Mike Goodman, Cabinet Member for Environment and Planning
Ian Boast, Assistant Director for Environment
Peter Hopkins, Asset Strategy and Planning Manager

Key points raised during the discussion:

1. The Economic Prosperity, Environment and Highways (EPEH) Chairman introduced the item and informed the Board that the item had been called in as some Members felt that Cabinet made a decision with the effect of bypassing scrutiny of detail. He added that the call-in was a constitutional meeting and would ensure that the proper process was followed.
2. The Chairman allowed for Members who had called-in the item to explain their reasons for call-in. Members expressed concerns around the amount of responsibility being given to Surrey Wildlife Trust, concerns around management of the countryside and the viability of the business plans. Call-in Members asked for the item to be withdrawn in order for specific concerns raised by the board to be addressed. The need to give the board the opportunity to adequately scrutinise the business plans was also raised as a concern. A Member of the Board stated that it was vital to allow for proper scrutiny of the countryside as this was one of the largest assets the County Council had.
3. The Leader of the Council responded to the points made, he expressed that he was an advocate of boards calling in items. He stated that it was not the role of Cabinet to decide what should be scrutinised but to focus on policy decisions. It was added that no board members were present at the Cabinet meeting when the decision on SWT was taken; if members had attended then they could have voiced their concerns. The leader felt that a call-in meeting on this decision should not have taken place based on the fact that Cabinet cannot decide what scrutiny boards should do. He further added that the board has the power to ask for items of concern to come to their meetings as and when they wish.
4. In response to points made by the Leader, the Chairman said that he was content with the original recommendation, which is the reason for him not being present at the Cabinet meeting. However the wording of the Cabinet decision suggested that the board would not be involved in the scrutiny of the business plans. The Chairman stated that he believed that the wording of the decision should be changed.
5. The Board were told that when Members were not satisfied with a decision they should always attend the Cabinet meeting where they would be given the opportunity to voice their concerns. The Leader stated that he did not believe that the wording of the decision should be changed as the Cabinet are not in a position to state when scrutiny should and should not be undertaken.
6. The Chairman informed witnesses that the decision was called in because of timing issues and that the board had not had the opportunity to scrutinise the Cabinet paper in detail before it was taken to Cabinet for a decision.
7. The Cabinet Member for Business Services and Resident Experience called Members attention to a line in the report stating that the EPEH Board would continue to scrutinise the item and the decision would be open to scrutiny at every stage.

8. The Cabinet Member for Environment and Planning stated that the Cabinet were aware of the boards concerns and has been noting these for the last two years. An annual review of SWT would be taken to the board for scrutiny to ensure governance arrangements were strengthened. It was explained that a Board had been set up to review progress on business plans and the agreement as a whole.
9. A Member stated that his concern had been reduced after being informed by the Leader that the Board had the opportunity to access the business plans when they wished. It was further stated by the Cabinet Members present that future scrutiny would be an important element of the continuation of the agreement.
10. In response to these points, a Member stated that once a decision has been made, scrutiny would not be as effective. There was a fear that SCC was signing a blank cheque.
11. Some Members of the Board stated that a good scrutiny process was in place and great progress had been made since 2002. If there were key concerns then the board should add this to the work programme for consideration.
12. It was stated that the key concern was the business plans and mechanisms needed to be put in place to ensure the board had the opportunity to scrutinise these.
13. In response to the concerns raised, the Cabinet Member for Environment and Planning suggested that quarterly meetings be set up to update the board on progress with the agreement. He added that any major decisions made would first come through the EPEH Board for scrutiny. Any projects that would require investment would also need to be signed off by the investment panel.
14. The Chairman stated that the key concern had been around the wording of the decision but there had been clarification from the Leader and Cabinet Members. It was unanimously decided to withdraw the call-in.

Recommendations:

The Board reviewed the decision of the Cabinet regarding the agreement with Surrey Wildlife Trust for the management of the County Council's countryside estate taken on 22 March 2016 and unanimously agreed to withdraw the call in and not refer the decision back to Cabinet for reconsideration.

26/16 DATE OF NEXT MEETING: 21 APRIL 2016 [Item 4]

The next meeting of the Economic Prosperity, Environment and Highways Board will be held on 21 April 2016 at 10.30am.

Meeting ended at: 11.30 am

Chairman