

CABINET – 26 NOVEMBER 2013

PROCEDURAL MATTERS

Members' Questions

Question (1) from Mrs Hazel Watson (Dorking Hills) to ask:

At the County Council meeting on 15 October, I asked Cllr Helyn Clack the Cabinet Member for Community Services and the County Councillor for Dorking Rural Division on which date and who at Surrey County Council made the decision that the Prudential Ride London Surrey classic event would take place in Surrey for 5 years starting in 2013. The response to my question received from Democratic Services following the meeting referred to a decision of the Cabinet made in private in December 2011, but this decision or the confidential paper do not refer to a 5 year commitment. As there are no Cabinet decisions or individual Cabinet Member decisions about the Prudential cycle event or the Marathon on Wheels as it was originally named, apart from December 2011, and therefore the assumption has to be that the Leader of the Council decided to approve the Prudential event for 5 years on his own accord, outside the formal decision making system of the Council.

- a) Is my assumption correct that the Leader of the Council informally decided that the Prudential cycle event would come to Surrey for 5 years from 2013 without a formal decision and if not who at Surrey County Council made the decision and when was the decision made?
- and
- b) Given that the only formal decision of the County Council in relation to the Prudential Ride London cycle event (formerly named the Marathon on Wheels) was taken in private, does the Leader of the Council agree with me that Surrey residents and businesses have had no opportunity to scrutinise or to raise concerns about the County Council's plans to allow the Prudential Ride London cycle event to take place in Surrey before the decision was taken despite the significant impact on many residents and businesses as a result of road closures as well as a commitment to allow the event to take place in Surrey for 5 years?

Reply:

To be tabled at the meeting

Helyn Clack
Cabinet Member for Community Services
26 November 2013

Question (2) from Mr Will Forster (Woking South) to ask:

At the meeting of Cabinet on 24 September 2013, I raised a concern regarding the Cabinet Member for Community Services being quoted in the local press on the purchase of Woking Magistrates Court, an item that had at that time not been discussed and was a disclosure of part 2 information under Schedule 12A of the Local Government Act 1972.

In an email to me on 13 October you stated that the issue " ...will be dealt with by me in private . You may be unaware that I hold accountability meetings with all my Cabinet Members. That is the right forum to discuss these issues."

Standing Order 46 of the Council's Constitution states:

CONFIDENTIALITY

Committee Papers, etc

46.1. All Members must respect the confidentiality of any papers made available to them whether for the purpose of meetings of the Cabinet, of Cabinet Members or of committees or otherwise, for so long as those papers remain confidential.

Failure to observe

46.2. Any or all of the rights conferred on a Member of the Council under the Constitution may be withdrawn by the Council if it is satisfied that he/she has not observed the requirements of Standing Order 46.1 in relation to any of its papers.

Does the Leader agree with me that the appropriate place to deal with breaches of the Constitution of the Council and relevant legislation by members is not through private discussions, but through Standards procedures?

Reply:

To be tabled at the meeting

David Hodge
Leader of the Council
26 November 2013

Question (3) from Mrs Fiona White (Guildford West) to ask:

At the Cabinet meeting on 22 October 2013, the Cabinet Member for Community Services stated that Surrey has a "Gin and Jag reputation". Does the Cabinet Member agree with me that such comments, however flippant, portray the wrong impression given the concerns over alcohol abuse?

Reply:

To be tabled at the meeting

Helyn Clack
Cabinet Member for Community Services
26 November 2013

Question (4) from Mrs Hazel Watson (Dorking Hills) to ask:

Please supply details of contractual agreements, Memoranda of Understanding and any other written agreements entered into by Surrey County Council with the Mayor of London, the Surrey Cycle Partnership, SweetSpot Group, London Marathon Ltd and related companies and organisations regarding the Tour of Britain and Prudential RideLondon including details of the dates contracts were signed, their period of operation with start and end dates and their purpose.

Please list all sums of money paid by Surrey County Council to the organisations above and any sums of money that have been agreed by Surrey County Council to be paid to those companies or organisations in the future regarding the Tour of Britain and Prudential RideLondon and the purposes of those payments.

Reply:

To be tabled at the meeting

Helyn Clack
Cabinet Member for Community Services
26 November 2013

Question (5) from Mrs Hazel Watson (Dorking Hills) to ask:

At two meetings held in public in November 2012 the Policy and Resources Committee and Streets and Walkways Subcommittee of the City of London Corporation both considered a detailed report on the Prudential RideLondon event with the option for members not to support the event being held in the City of London.

By contrast, in December 2011 Surrey County Council's Cabinet made decisions at a meeting held in private regarding the Tour of Britain and the Marathon on Wheels, now called the Prudential RideLondon Surrey.

1. Why was the whole of the item in December 2011 taken in part 2, the private part of the meeting, and why has the detail not been discussed in the public part of a meeting of Surrey County Council?
2. As the decision was a "key decision" as defined in the Councils constitution "...significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county.", will the Leader set out whether section 6.06 of the County Council constitution was observed:

6.06 Access to Information Rules:

Part B - Cabinet

Notice of Key Decisions to be taken

(a) Notice of decisions

A notice will be published at least 28 clear days before the Cabinet (or its committees), Cabinet Member or other executive decision maker intends to make a key decision.

(b) Contents of notice of decisions

The notice of decisions will contain matters which the Cabinet has reason to believe will be the subject of a key decision to be taken by the Cabinet, a committee of the Cabinet, an individual Cabinet Member, or under joint arrangements in the course of the discharge of an executive function. It will describe the following particulars in so far as the information is available or might reasonably be obtained:

- (i) that a key decision is to be made on behalf of the local authority;
- (ii) the matter in respect of which a decision is to be made;
- (iii) where the decision taker is an individual, his/her name and title, if any and where the decision taker is a body, its name and details of membership;
- (iv) the date on which, or the period within which, the decision will be taken;
- (v) a list of the documents submitted to the decision taker for consideration in relation to the matter;
- (vi) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
- (vii) that other documents relevant to those matters may be submitted to the decision maker; and
- (viii) the procedure for requesting details of those documents (if any) as they become available.

The notice of decisions will contain particulars of the key decision but may not contain any confidential, exempt information or particulars of the advice of a political adviser or assistant.

3. Will the Leader release the Cabinet paper from December 2011 into the public domain in full, as there are no items in the paper which are not in the public domain.

Reply:

To be tabled at the meeting

David Hodge
Leader of the Council
26 November 2013