

COUNTY COUNCILCOUNCIL MEETING - 18 MARCH 2014

**MINUTES** of the meeting of the Council held at the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN on 18 March 2014 commencing at 10.30 am, the Council being constituted as follows:

David Munro (Chairman)

\* Sally Marks (Vice-Chairman)

	Mary Angell		David Ivison
	W D Barker OBE		Daniel Jenkins
	Nikki Barton		George Johnson
	Ian Beardsmore		Linda Kemeny
	John Beckett		Colin Kemp
	Mike Bennison		Eber Kington
	Liz Bowes		Rachael I Lake
	Natalie Bramhall	*	Stella Lallement
	Mark Brett-Warburton	*	Yvonna Lay
*	Ben Carasco		Denise Le Gal
	Bill Chapman		Mary Lewis
	Helyn Clack		Christian Mahne
	Carol Coleman	*	Ernest Mallett MBE
	Stephen Cooksey		Peter Martin
	Steve Cossier		Jan Mason
	Clare Curran		Marsha Moseley
*	Graham Ellwood		Tina Mountain
	Jonathan Essex		Christopher Norman
	Robert Evans		John Orrick
	Tim Evans	*	Adrian Page
	Mel Few		Chris Pitt
	Will Forster		Dorothy Ross-Tomlin
	Pat Frost		Denise Saliagopoulos
	Denis Fuller		Tony Samuels
	John Furey		Pauline Searle
*	Bob Gardner		Stuart Selleck
	Mike Goodman		Nick Skellett CBE
	David Goodwin		Michael Sydney
	Michael Gosling		Keith Taylor
	Zully Grant-Duff		Barbara Thomson
	Ken Gulati		Chris Townsend
	Tim Hall		Richard Walsh
	Kay Hammond		Hazel Watson
	David Harmer		Fiona White
	Nick Harrison		Richard Wilson
	Marisa Heath		Helena Windsor
	Peter Hickman		Keith Witham
	Margaret Hicks		Alan Young
	David Hodge		Victoria Young
*	Saj Hussain		

\*absent

#### **12/14 APOLOGIES FOR ABSENCE [Item 1]**

Apologies for absence were received from Mr Carasco, Mr Ellwood, Mr Gardner, Mr Hussain, Mrs Lallement, Mrs Lay, Mr Mallett, Mrs Marks and Mr Page.

#### **13/14 MINUTES [Item 2]**

The minutes of the meeting of the County Council held on 11 February 2014, as amended, were submitted, confirmed and signed.

#### **14/14 CHAIRMAN'S ANNOUNCEMENTS [Item 3]**

The Chairman made the following announcements:

- (i) Related Party Disclosures – Members were reminded to complete their forms and return them to Finance by the end of March.
- (ii) Guildford Cathedral's appeal for £7m to repair the roof of the cathedral's nave.
- (iii) Royal Visits: HM the Queen and HRH Duke of Edinburgh had visited Surrey twice recently – Reed's School, Cobham and the Royal Holloway College, Egham.
- (iv) He had undertaken a number of visits to flooded areas of the county and was impressed by the fantastic community spirit of the residents.
- (v) He drew Members attention to the Surrey Primary Schools competition to design a new Coat of Arms for Surrey and their display in the Grand Hall.
- (vi) The recent flag raising ceremony for the new Commonwealth flag.
- (vii) That the Institute of Excellence had awarded the Surrey Fire and Rescue Service project of the year for its work with the Adult Social Care Service in relation to fire safety and vulnerable adults.
- (viii) He announced the passing of Danny Kee, former County Council for Merstham and Reigate Hill between 1985 – 2009. Mr Kee had also been Vice-Chairman of the County Council between 1996/97 and again between 2003/05.

Members stood in silent tribute.

- (ix) The lunchtime speaker was Commander Susan Lochner JP DL RN.

#### **15/14 DECLARATIONS OF INTEREST [Item 4]**

Mr Forster declared a pecuniary interest in the Original Motion standing in the name of Stephen Cooksey (item 8i) because he was a Research Case Work Organiser for Catherine Bearder MEP and said that he would take no part in the discussion or vote on this item.

#### **16/14 LEADER'S STATEMENT [Item 5]**

The Leader made a statement. A copy of his statement is attached as Appendix A.

Members were invited to make comments, ask questions and made the following points:

- Reiteration of thanks to all staff who had helped with the flooding crisis
- That the three months Council Tax relief for residents who had suffered internal flooding to their homes was welcomed
- The setting up of the task group was needed
- Fund defences should be improved
- The importance of communicating to residents
- A request to re-consider Surrey Fire and Rescue's requirements for Spelthorne
- A request to comment on utility companies and their accountability to their customers

#### **17/14 MEMBERS' QUESTION TIME [Item 6]**

Notice of 10 questions had been received. The questions and replies are attached as Appendix B.

A number of supplementary questions were asked and a summary of the main points is set out below:

**(Q1) Mr Bennison** asked the Leader of the Council to comment on the Surrey Apprentice who had been forward for 'Apprentice of the Year'. The Leader said that the apprentice was hoping to win the award.

**(Q2) Mr Robert Evans** asked the Cabinet Member for Business Services for details of the third party who was holding the outstanding amount due to the Council and if and when it may be received. **Mr Harrison** said that some of the losses were attributable to the Police Authority and confirmed that the Audit and Governance Committee took a cautious approach to investment. The Cabinet Member confirmed that, whilst the balance is expected to be received, it is subject to capital controls and currently there is no indication when they will be lifted. **Mr Selleck** queried whether any Icelandic Banks had a triple 'A' rating in 2005/06 and asked the Cabinet Member for Business Services to review both the overall structure for investing and also interbank lending with other Local Authorities. The Cabinet Member said that valuable lessons had already been learnt from the collapse of the Icelandic economy.

**(Q4) Mr Cooksey** requested that both the data set on gully assets and the survey on all visible highway drainage assets, when completed, be made available to all Members. This request was agreed by the Cabinet Member for Transport, Highways and Environment.

**(Q5) Mrs White** thanked the Cabinet Member for Transport, Highways and Environment for the apology and asked for reassurance that procedures with the contractors have been reviewed and the appropriate notifications would be made in future. The Cabinet Member referred to the written response and drew attention to the last two paragraphs which said that this bus stop improvement scheme was being delivered as part of the Local Sustainable Transport Fund (LSTF) programme, which had been approved by Guildford Local Committee.

**(Q8) Mr Orrick** referred to the last paragraph of the Cabinet Member for Children and Families' written response and asked if she would be available to meet again with some of the key players, to ensure that there was maximum consultation in relation to future short breaks provision. **Mr Hodge** asked the Cabinet Member, who agreed, that it was unhelpful when Members raised questions in the middle of the consultation process. The Cabinet Member said that the period of public consultation would end on 24 April 2014 and until it finishes, she was unable to comment because she will not want to influence the outcome. However, she confirmed that parents would be involved in the analysis of the comments.

**(Q9) Mr Robert Evans** said that residents were concerned about some of the pothole repairs and asked the Cabinet Member for Transport, Highways and Environment for the number of cases where quality was an issue because he considered that short term temporary repairs were not best use of Council funds. The Cabinet Member referred to his written response which set out details of Surrey County Council quality inspection team reviews and the standards expected. However, he acknowledged that since December 2013 the percentage of passes for permanent repairs had dropped below target which was due in part to the number of potholes caused by the adverse weather but this is now reverting back as the County Council moves towards the end of the recovery phase.

**(Q10) Mr Orrick** asked the Cabinet Member for Business Services why there was some discrepancy in the figures provided in 2012 and those provided in 2014 and cited an example in Waverley Borough. **Mr Essex** said that the number of claims appeared to differ widely across the Boroughs and Districts. The Cabinet Member said that discrepancies could occur when claims were carried over into the next financial year, that each claim was judged on its own merit and she would expect regional differences. She also said that the number of claims in 2013/14 was likely to be higher.

#### **18/14 STATEMENTS BY MEMBERS [Item 7]**

There were no local Member statements.

#### **19/14 ORIGINAL MOTIONS [Item 8]**

##### **ITEM 8(i)**

Under Standing Order 12.3, the Council decided it wished to hear further before agreeing whether or not to debate this motion.

Mr Cooksey made a short statement giving reasons why the motion should not be referred. He considered that his motion had been submitted three weeks ago and was similar to the motion proposed by Mr Martin. His motion had identified areas for improvement and made suggestions, whilst Mr Martin's motion just reflected the comments made in the Leader's statement made earlier in the meeting.

The Leader of the Council made a short statement saying that whilst he welcomed Mr Cooksey's comments in relation to staff and partners, he proposed to refer this motion to Cabinet because some of the work proposed was already underway and some of the suggestions would need to be considered by the proposed Environment and Transport Select Committee's task group, who would then report back to their select committee before submitting their recommendations to Cabinet.

20 Members voted for debating the motion today but 47 Members voted against debating it today.

Therefore, it was:

**RESOLVED:**

That this motion be referred to the Cabinet, for determination. Under Standing Order 12.6, the Cabinet must report back to County Council at the earliest possible meeting.

**ITEM 8(ii)**

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

Under Standing Order 12.1, Mr Peter Martin moved the motion which was:

'This Council:

1. Notes and recognises the seriousness of the recent severe weather and flooding in the County and the impact it is having on residents' homes and businesses, with many thousands damaged, in some instances severely, as well as much of the County's infrastructure, for which the estimated repair bill currently stands at over £10m
2. Expresses sympathy and concern for the residents, businesses and livelihoods affected
3. Commends the County's Fire & Rescue Service, Surrey Police, our District and Borough Council colleagues, HM Armed Forces, SCC staff, and the large number of individuals and community and voluntary organisations on their response to this major incident.
4. Acknowledges and welcomes the Government's commitment to support local authorities in helping those residents and businesses affected by providing Council Tax relief
5. Recognises that Surrey's economy, at £32.7 billion GVA, is substantial and creates a very significant net contribution to the Exchequer

This Council therefore resolves:

- a) To continue working alongside our partners to help Surrey's residents and businesses with advice and assistance and to ensure any future incidents are met with a rapid, comprehensive multi-agency approach.
- b) To assess the viability of longer term engineering and environmental solutions for Surrey in conjunction with utility companies, the Environment Agency, other Local Authorities and appropriate Government departments.
- c) To call on Government to help protect, and demonstrate the government's commitment to, this key part of the UK economy by fully funding the Environment Agency's Lower Thames Flood Alleviation Scheme.'

Mr Martin made the following points:

- Reference to the Leader's statement in relation to the recent flooding. He also informed Members that they would receive an information pack regarding the Council's response to it.
- He thanked all organisations and the public who helped with the flooding emergency and welcomed the Government help for financial assistance.
- That it was vital to get Surrey back to 'business as usual'.
- Highways repairs were likely to be in excess of £10m.
- That the Environment Agency had described the Lower Thames area (Datchet to Teddington) as most at risk, affecting 21,000 people and that the Government should fully fund the Lower Thames Flood Alleviation Scheme.
- There was a very high threshold for applications for European Union funding and it could only be applied for by Government.
- The County Council had created a Flood Recovery Co-ordination Group and officers would be available to answer Member questions over the lunchtime period.
- Finally, he commended the motion to Council

The motion was formally seconded by Mr Harmer who stressed that the County Council should as far as possible be self sufficient in funding its needs. However, the Lower Thames Flood Alleviation Scheme was different as the scale of funds required was beyond Surrey County Council's resources.

He outlined the remit of the task group and confirmed that Local Committees and Local Members would be consulted, along with Borough and District colleagues and other agencies if appropriate. Finally, he said that the proposed task group would report to the full Environment and Transport Select Committee prior to making recommendations to Cabinet.

Three Members spoke on the original motion, making the following points:

- Nearly 1000 properties had been affected in Spelthorne
- Surrey Fire and Rescue had been assisted by Fire and Rescue teams from other areas
- That officers had put in long hours and some had worked 'round the clock' to deal with the flooding emergency. Thanks were expressed to them and in particular to Ian Good from the Emergency Planning team, the Gold Command and Surrey Community Action
- 80% of those affected lived in Spelthorne – 200 members of the public had attended its local committee meeting on 17 March
- Setting up the task group was welcomed
- Concern that several Boroughs and Districts were currently putting together Local Plans which need County Council input
- Assurance that any further building on flood plains would be carefully considered
- The importance of lessons learnt and the need for action

Mr Beardsmore then moved an amendment at the meeting (formally seconded by Mr Cooksey) which was to insert two additional paragraphs into the original motion (points 6 and 7) and also six further points after (c) as follows:

- (6) Notes that the date of the most recent published wetspots list, where past flooding incidents have been reported, on the County Council website is

February 2012 even though an update was promised to Members to be completed by February 2013.

- (7) Notes that the statutory Flooding Asset Register which includes key assets (structures and features such as a wall, ditch or bridge) that are known to cause or allow the major flooding of properties, critical infrastructure or block major roads when the asset is not functioning to an adequate level was last updated in December 2011 and only contains 65 items for the whole county.

And after (c), this Council therefore resolves:

- (d) The Flooding Asset Register and the wetspots list to both be completed and updated urgently, and at most within six months.
- (e) A review of the maintenance of highway drainage assets such as gullies, soakaways, ditches, channels, drains, grills and outlets. In particular, a review of the adequacy of the policy of gully cleaning at least once per year and put together a ditching programme in rural areas.
- (f) A programme of tree planting on higher ground, in particular to replace trees that have been lost, to help trap and slow down the movement of water.
- (g) The County Council to work with boroughs and districts to develop planning policies not to build on flood plains.
- (h) Flood damaged roads and bridges to be repaired.
- (i) The Leader to apply for any additional funding the County Council requires from the Severe Weather Recovery scheme, the European Union Solidarity Fund and the Regional Development Fund.

Mr Beardsmore made the following points:

- The substantive motion should be expanded so that it included some of the issues that pre-dated the setting up of a task group
- A need for increased capital funding for this issue and a requirement for an upto date wet spot register and improved gully maintenance and cleaning
- Recognition of the good work from the Emergency Services but that preventative work could have been done which may have minimised the extent of the flooding

In seconding the motion, Mr Cooksey said that the current Administration had not given priority to these areas of maintenance / cleaning in recent years and stressed the need to act together to consider future options and cost. He said that lessons needed to be learnt which is why he proposed a six point action plan in his motion and therefore, urged Members to adopt this amendment and work together with Borough and Districts to reduce the consequences from future heavy rainfall.

Three Members spoke on the amendment before Mr Kington moved, under Standing Order 23.1:

'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 to the request.

The amendment was put to the vote with 17 Members voting for and 44 Members voting against it. There were 3 abstentions.

Therefore the amendment was lost.

Returning to the original motion, six Members spoke and made the following points:

- Thanks to staff and in particular, the Chief Fire Officer who was Chairman of the Resilience Forum
- That over 32 agencies had been involved in the response to the flooding
- Support for the request for Government to fund the Environment Agency's Lower Thames Flood Alleviation Scheme
- Recognition of the work of local residents helping themselves and others in their neighbourhood
- Thanks to the Community Highways Officers in affected areas
- Confirmation that Project Horizon would continue, despite additional pressures on the Highways budget for repairs due to flooding damage
- A need to look at climate change

After the debate, the original motion was put to the vote and it was:

**RESOLVED:**

That this Council:

1. Notes and recognises the seriousness of the recent severe weather and flooding in the County and the impact it is having on residents' homes and businesses, with many thousands damaged, in some instances severely, as well as much of the County's infrastructure, for which the estimated repair bill currently stands at over £10m.
2. Expresses sympathy and concern for the residents, businesses and livelihoods affected.
3. Commends the County's Fire & Rescue Service, Surrey Police, our District and Borough Council colleagues, HM Armed Forces, SCC staff, and the large number of individuals and community and voluntary organisations on their response to this major incident.
4. Acknowledges and welcomes the Government's commitment to support local authorities in helping those residents and businesses affected by providing Council Tax relief.
5. Recognises that Surrey's economy, at £32.7 billion GVA, is substantial and creates a very significant net contribution to the Exchequer.

This Council therefore resolves:

- a) To continue working alongside our partners to help Surrey's residents and businesses with advice and assistance and to ensure any future incidents are met with a rapid, comprehensive multi-agency approach.

- b) To assess the viability of longer term engineering and environmental solutions for Surrey in conjunction with utility companies, the Environment Agency, other Local Authorities and appropriate Government departments.
- c) To call on Government to help protect, and demonstrate the government's commitment to, this key part of the UK economy by fully funding the Environment Agency's Lower Thames Flood Alleviation Scheme.

## **20/14 REPORT OF THE CABINET [Item 9]**

The Leader presented the report of the Cabinet meeting held on 25 February 2014.

### **(1) Statements / Updates from Cabinet Members**

There were none.

### **(2) Recommendations on Policy Framework Documents**

#### **A Admission Arrangements for September 2015 for Surrey's Community and Voluntary Controlled Schools and Co-ordinated schemes**

The Cabinet Member for Schools and Learning was invited to present the report and thanked the School Admission / Transport team for the excellent job that they do in compiling this information.

[Please note that, following Esher CofE High School becoming an Academy on 1 March 2014, recommendation 7 has been withdrawn.]

#### **RESOLVED:**

That the following Admissions Arrangements for September 2015 for Surrey's Community and Voluntary Controlled Schools and Co-ordinated Schemes be approved:

- (1) A feeder link be introduced for Auriol Junior School for children attending The Mead Infant School for September 2015, as follows:
  - a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Children attending The Mead Infant School
  - d) Siblings not admitted under (c) above
  - e) Any other children
- (2) That tiered sibling criteria be introduced for Reigate Priory for September 2015, as follows:
  - a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Siblings for whom the school is the nearest to their home address
  - d) Non-siblings for whom the school is the nearest to their home address
  - e) Other siblings for whom the school is not the nearest to their home address
  - f) Any other children

- (3) That a feeder link be introduced for St Ann's Heath Junior School for children attending Meadowcroft Infant School for September 2015, in addition to the existing feeder link with Trumps Green Infant School, as follows:
- a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Siblings
  - d) Children attending Trumps Green Infant School or Meadowcroft Infant School
  - e) Children for whom St Ann's Heath Junior School is the nearest school with a Junior PAN
  - f) Any other children
- (4) That a reciprocal sibling link be introduced between Meadowcroft Infant School and St Ann's Heath Junior School for September 2015 so that these schools would be described as being on a shared or adjoining site for applying sibling criteria.
- (5) That a reciprocal sibling link be introduced between Thames Ditton Infant and Thames Ditton Junior schools for September 2015 so that the schools would be described as being on a shared or adjoining site for applying sibling criteria.
- (6) That criteria for admission to nursery for two year olds who are eligible for the free extended provision be introduced for September 2015, as follows:
- a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Children who will have a sibling attending the nursery or the main school at the time of admission
  - d) Any other children
- (7) That, subject to Hinchley Wood School also agreeing changes to admission arrangements as they have proposed, the catchment area for Esher CofE High School be extended for September 2015 to include the whole of Claygate village. **(NOW WITHDRAWN)**
- (8) That admission priority based on a catchment be introduced for St Andrew's CofE (Controlled) Infant School for September 2015 so that, after siblings, children who live within the published catchment area for the school would receive priority for a place ahead of those who do not, as follows:
- a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Siblings
  - d) Children living within the catchment area of St Andrew's CofE Infant School
  - e) Any other children
- (9) That the Year 3 Published Admission Number for The Dawnay be decreased from 30 to 15 for September 2015.

- (10) That the Reception Published Admission Number for North Downs Primary School be decreased from 64 to 60 for September 2015.
- (11) That Bishop Wand CofE School, Saint Ignatius Roman Catholic School and St Andrew's Catholic School be added to the list of own admission authority schools which will be considered to admit local children when assessing nearest school for community and voluntary controlled schools in Surrey.
- (12) That Camelsdale Primary School in West Sussex be discounted for the purpose of applying the admission arrangements for community and voluntary controlled schools in Surrey.
- (13) That the Published Admission Numbers (PAN) for September 2015 for all other community and voluntary controlled schools be determined as they are set out in Annex 1 of Appendix 1 of the Cabinet report, which include the following changes:
- i. Bell Farm Primary School – removal of Junior PAN
  - ii. Bishop David Brown – increase in PAN from 120 to 150
  - iii. Esher High School – increase in PAN from 210 to 240
  - iv. Holmesdale Community Infant - increase in Reception PAN from 90 to 120
  - v. The Hythe Community Primary – increase in Reception PAN from 30 to 60
  - vi. Manorcroft Primary - increase in Reception PAN from 58 to 60
  - vii. Meath Green Infant - increase in Reception PAN from 70 to 90
  - viii. Onslow Infant – increase in Reception PAN from 60 to 90
  - ix. St Ann's Heath Junior - increase in Junior PAN from 64 to 90
  - x. St Mary's C of E (VC) Infant – increase in Reception PAN from 25 to 30
  - xi. Stamford Green Primary – increase in Reception PAN from 60 to 90
- (14) That the remaining aspects of Surrey's admission arrangements for community and voluntary controlled schools for September 2015, for which no consultation was required, be agreed as set out in Appendix 1 and its Annexes of the Cabinet report.
- (15) That the Coordinated Admission Schemes for 2015/16 be agreed as set out in Annex 4 to Appendix 1, of the Cabinet report.

## **B Formation of Woking Joint Committee**

The Cabinet Member for Community Services commended the formation of a Woking Joint Committee and said that she hoped to see the formation of more joint committees of this kind across the County Council.

### **RESOLVED:**

- (1) That the establishment of a Woking Joint Committee to deal with both executive and non-executive functions from 1 June 2014, in place of the current Local Committee in Woking which will cease to function from that date, be approved.

- (2) That the current non-executive functions delegated to the Local Committee be delegated to the Woking Joint Committee.
- (3) That the relevant changes to the County Council's Constitution to enable the Joint Committee to be established and become operational, as set out in Appendix 3 of the submitted report be approved, and that the Constitution of the Woking Joint Committee, as set out in Appendix 2 of the submitted report, be noted and be annexed to the County Council's constitution.

**RESOLVED:**

That the report of the meeting of the Cabinet held on 25 February 2014 be adopted.

**21/14 SURREY PAY POLICY STATEMENT 2014 - 2015 [Item 10]**

The Leader of the Council introduced the report by stating that, in line with the Localism Act, the County Council was required to approve a Pay Policy Statement for publication on the Council's website.

**RESOLVED:**

That the Pay Policy Statement, Annex A to the submitted report, to be published on Surrey County Council's external website with effect from 1 April 2014.

**22/14 AMENDMENTS TO FINANCIAL REGULATIONS [Item 11]**

This report, together with the tabled amendments (Appendix C) was introduced by the Leader of the Council. He agreed to provide a response outside the meeting to the Chairman of Environment and Transport Select Committee on whether paragraph 3.9 also applied to grants.

**RESOLVED:**

That the Financial Regulations in Annex 1 of the submitted report, together with the tabled amendments, be approved, for inclusion into the Constitution of the Council.

**23/14 MINUTES OF THE MEETING OF THE CABINET [Item 12]**

No notification had been received from Members wishing to raise a question or make a statement on any of the matters in the minutes, by the deadline.

[Meeting ended at: 12.45pm]

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**Chairman**