

COUNTY COUNCILCOUNCIL MEETING - 14 OCTOBER 2014

MINUTES of the meeting of the Council held at the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN on 14 October 2014 commencing at 10.30 am, the Council being constituted as follows:

Mr D Munro (Chairman)  
Sally Marks (Vice-Chairman)

Mary Angell		David Ivison
W D Barker OBE		Daniel Jenkins
Mrs N 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		Ms D Le Gal
Bill Chapman		Mary Lewis
* Helyn Clack		Christian Mahne
Carol Coleman		Ernest Mallett MBE
Stephen Cooksey		Mr P J Martin
Mr S Cosser		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
Mrs P 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
Mr D Harmer		Fiona White
Nick Harrison		Richard Wilson
* Marisa Heath		Helena Windsor
Peter Hickman	*	Keith Witham
Margaret Hicks		Mr A Young
David Hodge		Mrs V Young
Saj Hussain		

\*absent

#### **57/14 APOLOGIES FOR ABSENCE [Item 1]**

Apologies for absence were received from Mrs Clack, Miss Heath, Mr Kemp, Mrs Moseley, Mrs Saliagopoulos, Mrs Searle and Mr Witham.

#### **58/14 MINUTES [Item 2]**

The minutes of the meeting of the County Council held on 15 July 2014 were submitted, confirmed and signed.

#### **59/14 CHAIRMAN'S ANNOUNCEMENTS [Item 3]**

The Chairman made the following announcements:

- There were three presentations made:
  - (i) Mr Du Bois, Chairman of SATRO presented a 'Thank You' certificate to the Chairman, to mark 30 years of successive Surrey County Council chairmen giving their support to this voluntary organisation.
  - (ii) The Cabinet Member for Highways, Transport and Flooding Recovery informed Members that the County Council had won the Best Practice award from the British Construction Industry for the A244 Walton Bridge project. James Young, Principal Design Engineer for this highways project presented the award to the Chairman.
  - (iii) The Cabinet Member for Business Services congratulated the officers within the Shared Services Centre who worked on the Local Assistance Scheme within My Helpdesk for winning the '2014 Peer Award for Excellence'. They had entered the category for Corporate Responsibility - Giving to the Community.
- He also mentioned attending the World War 1 commemoration Service held on 4 August 2014 in Guildford Cathedral.
- He drew Members attention to the charity wine tasting event, to be held at the Living Planet Centre in Woking, in aid of the Guildford Cathedral 'Make your Mark' fund raising campaign.
- He also advised Members that he would be abseiling down Guildford Cathedral tower on 24 October 2014.
- Finally, he said that Members were invited to view the beautiful display and demonstration of lace work in the Grand Hall today.

#### **60/14 DECLARATIONS OF INTEREST [Item 4]**

There were none.

#### **61/14 LEADER'S STATEMENT [Item 5]**

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

Members raised the following topics:

- The impact of any increased infrastructure for any proposed expansion at Gatwick or Heathrow airports, on the provision of school places in Surrey.
- Support for the Environment and Transport Select Committee's flooding task group.
- The fairer funding settlement for schools and that forecasting and planning for school places was critical, along with lobbying the Government for adequate funding for elderly care.

## 62/14 MEMBERS' QUESTION TIME [Item 6]

Notice of 17 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 Robert Evans** asked whether it was acceptable for the Council to enter into this project without a cost benefit analysis and budget. He also expressed concerns relating to the increased response times for 999 calls to Surrey Fire and Rescue. In the absence of the Cabinet Member for Community Services, the Cabinet Associate for Fire and Police Services was invited to respond. She said that commercial sensitivity was critical when purchasing property or land and therefore, any details would be confidential. However, Members were able to contact officers directly to obtain that information. She also confirmed that funding for the new fire station in Spelthorne was included within the Surrey Fire and Rescue budget. Finally, she said that 'community' risk was constantly monitored, looked at across the county and that the proposed location for the new fire station in Spelthorne would be able to meet the response times for emergency incidents.

**(Q2) Mr Forster** said, as the Cabinet Member for Community Services was not at the meeting, he would take his supplementary question outside the meeting.

**(Q4) Mrs Watson** asked the Cabinet Member for Highways, Transport and Flooding Recovery why the quality issues concerning Bailey Road and Ashley Road had not been addressed. The Cabinet Member explained that the solution was dependent on weather conditions and the work could only be undertaken between May – September. However, he confirmed that the improvements would be included in the programme for next year.

**(Q6) Mr Beardsmore** asked the Cabinet Member for Schools and Learning to provide re-assurance, which she did, that the new commissioning model for youth provision would still ensure good provision at Spelthorne Youth Centre.

**(Q7) Mr Cooksey** expressed concern about the rate of progress to date in reducing the number of wetspots across the county. The Cabinet Member for Highways, Transport and Flooding Recovery said that Mr Cooksey was aware of the wetspots programme and its' progress – he hoped that the county would continue to reduce the number. However, progress was subject to availability of resources.

**(Q8) Mr Jenkins** asked if it was the case that SITA's design failed to meet Ofgem criteria for Renewable Obligation Certificates (ROC) and why had it failed to be

accredited to date. Also, was the County Council going back on a previous statement that the Plant would not be accepted as a gasifier if it failed to qualify for Ofgem accreditation.

**Mr Beardsmore** made three points: (i) it is Ofgem's opinion that counts because they were a determining factor on whether or not the plant was a gasification plan, (ii) that 'pre-accreditation' and 'accreditation proper' were different things so the reference to 'accreditation power' was irrelevant, and (iii) it was not essential to have the revenue from ROCs for the plant to run but it probably would not run as a profit without it.

**Mr Essex** asked for confirmation on whether the financial impact had been included or excluded from the 'Value for Money' analysis on the different options in the previous Cabinet report on the Eco park.

The Cabinet Member for Environment and Planning said that, apart from agreeing to provide a response outside the meeting in relation to the financial implications, he had nothing further to add to his written response, other than to say that there would be a report to Cabinet on 25 November which would provide additional information.

**(Q9) Mr Ivison** referred to the offer from the Ministry of Defence for resources and support to help towards promoting the knowledge and awareness on WW1 in schools. The Cabinet Member for Schools and Learning thanked him for bringing this information to her attention and said that she would advise the relevant officer of this resource. She also confirmed that awareness of the origins of WW1 did form part of the history curriculum for schools.

**(Q10) Mr Mallett** referred to the School Transport Policy and asked whether it could be further amended from September 2015 to alleviate the issues in his division concerning free transport to Esher High School rather than to a nearer out-county school. The Cabinet Member for Schools and Learning said that any change could not be implemented from September 2015 because the policy for that academic year had already been published.

**(Q11)** The Cabinet Member for Schools and Learning said that she would discuss any possible plans for the Manor school site in Byfleet with **Mr Forster** outside the meeting.

**(Q13) Mr Cooksey** said that the new gully cleaning programme had resulted in a reduction of gully cleaning and therefore a considerable number of gullies remained blocked. He asked for a guarantee that the new programme would result in an improvement. The Cabinet Member for Highways, Transport and Flooding Recovery said that he was unable to provide a guarantee but that the new programme would be an improvement.

**(Q14) Mr Jenkins** considered that he had not received an answer to his question relating to whether Surrey County Council had made any of its officers available to potential developers of this site to undertake work. **Mr Essex** said that the issue was wider than Highways issues and asked about the effect that any development would have on school place provision. **Mr Beardsmore** asked if the County Council was able to have access to data gathered – whatever happened to any development proposals. The Cabinet Member for Environment and Planning confirmed that he thought that the County Council would have access to the collated data, also provision of school places would be factored into any proposed development. However, he said that both the Leader and the Chief Executive of Spelthorne Borough Council had confirmed that no planning application had currently been received for this site.

**(Q15) Mr Mallett** asked the Cabinet Member for Schools and Learning to request that Babcock 4S were asked to advise schools to include a statement on Schools' Governing Body agendas relating to the new statutory requirements to all Governing Bodies for maintained schools to reconstitute by September 2015. The Cabinet Member said that she would check with Babcock FourS, however, there was a task group set up and information was also disseminated via the Schools Bulletin. Mrs Hicks referred to the fact that the County Council was no longer going to nominate governors. The Cabinet Member for Schools and Learning confirmed that this was being considered as part of the reconstitution and that the local authority was reviewing this but no decision had yet been taken.

**(Q16) Mrs Watson** asked the Cabinet Member for Environment and Planning, and was given, the name of the contact officer with responsibility for the Surrey Road Verges Action Plan – John Edwards.

**(Q17) As Mrs Watson** had asked questions at a previous Cabinet meeting and at this Council meeting relating to Superfast Broadband, the Deputy Leader suggested that if she had any further questions, that she approached the team directly for a response to her concerns.

#### **63/14 STATEMENTS BY MEMBERS [Item 7]**

There were no statements from Members.

#### **64/14 ORIGINAL MOTIONS [Item 8]**

##### **Item 8(i)**

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

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

'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.'

Mr Townsend made the following points:

- That planning for school places should have started earlier.
- It was difficult for parents to find out information re. school places in their local areas.
- School expansions – parents of pupils attending the schools were consulted. However, the consultation process did not necessarily extend to local residents.
- Proper consultation and communication was key to the success of school expansions.
- The importance of addressing traffic issues around schools and ensuring pupil safety.
- A need to look at school place planning for secondary schools now.

The motion was formally seconded by Mr Kington.

Thirteen Members spoke, making the following points:

- The Leader's statement, which had been about the rising demand for school places in Surrey, and the actions taken by the Council, was welcomed.
- In order that all Surrey children could have a school place, no one in the Chamber was against the expansion of schools, but concern was expressed about the consultation process and communication issues, particularly with local residents – it was considered that the key issue was to ensure that Highways officers worked more closely with local residents.
- Pupil forecasting was not an exact science, due in part to some children crossing borders and coming into Surrey for education. The Plan needed to be constantly updated. Also, the exact figures for primary schools would only be known in January each year for the following September.
- More land was needed to build new schools.
- Frustration and lack of confidence, in relation to the Council's plans to deliver school places in some Members' divisions.
- That the Council was doing its best for Surrey residents and that this motion was an attack on officers.
- The Council was proud that a school place had been offered to every Surrey child.
- That the Authority did have a 10 year forecasting plan, which was revised each year – this year the forecast was 98% accurate.
- A request for a joined up service with Education, Highways, Police and Cabinet to deliver school expansions.
- Acknowledgement that some traffic disruption was inevitable but measures should be in place to mitigate disruption, particularly where new schools were being built.

- Teachers parking in residential roads was also an issue in some areas and the Council needs to work together with local residents and schools to address this.
- The importance of early planning was stressed - building work should not commence until planning permission had been granted and a school travel plan was in place.
- Reference to the significantly increased birth rate in Surrey.
- That the County was in the process of building 5 new schools.
- Predicting demand for school places was a complex process but the Authority had recently acquired a new forecasting tool which should help.
- An offer for the Cabinet Member for Schools and Learning to visit local areas where residents were concerned with school expansion.
- The key to the way forward was co-operation, co-ordination and clear communication.

After the debate, the motion was put to the vote, with 22 Members voting for it and 52 Members voting against it. There were no abstentions.

Therefore the motion was lost.

#### **Item 8(ii)**

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

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

‘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.’

Mr Martin made the following points in support of his motion:

- That following the Scottish Referendum, he welcomed the clear decision of the Scottish people to remain with the United Kingdom and believed that now was the time for a radical English Devolution settlement, which he believed had cross party consensus.
- That it was important that Surrey’s voice was heard by members of the Government’s new sub-committee looking at Constitutional Change.

- The Prime Minister had mentioned devolving some powers to cities but counties should also be included in the process.
- Surrey had a vibrant economy and the County's Plan for future devolvement of some powers and increased local decision making had already been sent to Government.
- Surrey County Council had a strong track record for partnership working plus the ambition to deliver.

The motion was formally seconded by Ms Le Gal.

Mrs Watson moved an amendment at the meeting, which was formally seconded by Mr Cooksey.

A copy of the amendment was attached as Appendix C.

Speaking to her amendment, Mrs Watson made the following points:

- The amendment improved the original motion and provided the background as to why devolution was necessary because England needed to make more local decisions.
- It also referred to Boroughs and Districts and requested that Surrey MPs and the Council's Cabinet lobbied for urgent devolution of power.
- That this was a 'Once in a Lifetime' opportunity that would benefit Surrey's businesses and residents.
- Westminster should not continue to micro-manage Surrey County Council's affairs.

Speaking to the amendment, Members made the following points:

- The points made in the original motion relating to the County Councils' Network (CCN) were missing.
- It was contradictory and the language used in the amendment was aggressive
- The omission of combining with other counties to petition government.
- Agreement that the amendment was complementary and did make the original motion stronger.
- More powers for Local Government would be beneficial.
- The amendment was urging more radical change.
- More devolution to English cities and counties was the way forward.
- The importance of an in-depth discussion re. devolvement of more powers to local areas.
- There didn't appear to be any real objections to the amendment.
- Concern that the original motion was not sufficiently radical.

The amendment was put to the vote with 16 Members voting for and 46 Members voting against it. There was 1 abstention.

Therefore, the amendment was lost.

Returning to the original motion, 9 Members spoke, making the following points:



- Devolution for English counties and cities was welcomed by all levels of Local Government.
- The increased need to use voluntary organisations as Central Government reduced costs and therefore, the importance of increasing the public's confidence in Local Government.
- The best way to achieve success for increasing devolved powers to local areas was through the LGA and CCN.
- Suggest focussing on one area, for example – Health and Social Services so that savings could be made by these services working together.
- Support for the motion, as it is going in the right direction.
- No further review of county boundaries - stability was essential.
- Promotion of the opportunity and benefits of increased local decision making, for Surrey residents.
- Confidence that the County Council could meet and address the challenges of more devolved powers.
- The excellent record to date of the County Council efficiency savings and sharing services to provide more effective services

After the debate, the motion was put to the vote and agreed, with no Member voting against it.

Therefore it was:

**RESOLVED:**

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.

**ADJOURNMENT**

The meeting adjourned for lunch at 12.45pm, part way through the debate on the motion standing in Mr Martin's name, and resumed at 1.30pm with all those present who had been in attendance in the morning session except for Mrs Angell, Mr Barker, Mrs Bowes, Mrs Bramhall, Mrs Coleman, Mrs Curran, Mr Ellwood, Mrs Frost, Mrs Hicks, Mr Hussain and Mrs Thomson.

**Item 8(iii)**

Mrs Watson agreed to withdraw her motion.

**Item 8(iv)**

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

Under Standing Order 12.1, Mr Robert Evans moved the motion which was:

‘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.’

The motion was formally seconded by Mr Essex.

Mr Robert Evans made the following points:

- He referred to negotiations between the proposers of the previous two motions and the possibility of merging the motions. However, it was agreed that they should remain as separate motions.
- Residents in his division did not consider that a two tier Surrey was a good idea – they wanted a unitary model.
- That there were about 600 councillors across Surrey, all receiving allowances and he considered that this was a costly and confusing way to provide local democracy.
- It was essential that Surrey County Council was part of any future debate on the nation’s democratic structures.
- Surrey could be a unitary authority because he considered that single local authorities, responsible for all local services had greater democratic accountability and this viewpoint crossed all political boundaries.

Mr Jenkins moved an amendment at the meeting, which was formally seconded by Mr Johnson.

The motion, as amended read:

(Note: additional words underlined and deletions crossed through)

‘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.

Any unitary authority model proposed in this investigation must include an equitable level of democratic local representation.

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

The amendment to the original motion was accepted by Mr Robert Evans and Mr Essex and therefore became the substantive motion.

11 Members spoke making the following points:

- There should be a focus on cost effective and efficient government and not the proposal for a re-run of the unitary issue - this would incur set up and transition costs.
- Continued co-operation and working with partners was the way forward.
- Stop complaining that this County Council was underfunded and examine other options that may be available.
- Reducing the number of borough and districts may save costs.
- The motion was not asking Members to vote for the unitary authority model but only to investigate it as a possible option.
- That any consideration of a unitary model for Surrey was premature and that residents may want a debate on this issue first.
- The current two tier arrangement worked well, with Borough / Districts dealing with local issues and the County Council dealing with wider, more strategic issues.
- Stability of borough boundaries was essential.
- Spelthorne Borough Council did support the unitary option in the 1990s but times have moved on and it was acknowledged that some decisions needed to be made at County level.
- The current arrangements were not perfect but any unitary alternative would not save money or result in improved funding for Surrey.
- Surrey County Council did a significant piece of work on the unitary option in the 1990s, and this demonstrated that having three / four unitary authorities across Surrey would cost more. There was a 76% vote to keep the two tier option.
- Continue the working in partnership with other local authorities and bodies, as 'One Team', to ensure efficient and effective working.
- The Council should be concentrating its efforts to obtain more devolved power from Central Government.
- This motion was only asking the Council to consider how devolved powers were organised locally and it was important to re-consider and investigate the unitary option in 2014.

After the debate, the motion was put to the vote with 7 Members voting for and 51 Members voting against it. There were no abstentions.

Therefore, the motion was lost.

### **Item 8(v)**

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

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

'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.'

Mr Essex made the following points:

- That this motion was about democracy and that Chairmen of Scrutiny Committees may be more effective if selected from opposition parties because scrutiny should be representative of the Council's backbenchers.
- He highlighted the number of Special Responsibility Allowances held by the Administration, as opposed to the opposition parties.

The motion was formally seconded by Mr Robert Evans.

Six Members spoke on the motion, making the following points:

- Reference to the Local Government Act 2000 and the Central Government model, where their select committees did have opposition chairmen.
- That there had been select committee chairmen from the opposition in previous Surrey County Council Administrations.
- That this Administration had considered senior scrutiny roles for opposition Members.
- Using opposition Members for scrutiny roles was good practice and would strengthen the structure of the County Council.

After the debate, the motion was put to the vote with 20 Members voting for it and 34 members voting against it. There were no abstentions.

Therefore, the motion was lost.

## **65/14 REPORT OF THE CABINET [Item 9]**

The Leader presented the report of the Cabinet meeting held on 22 July and 23 September 2014.

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

There were none.

### **(2) Reports for Information / Discussion**

The following reports were received and noted:

- Local Government Ombudsman Report with a finding of maladministration

Mr Goodwin asked the Leader of the Council, who agreed to provide a response outside the meeting, for the timeframe for Members to receive the response to the Monitoring Officer and the Ombudsman's report.

- Developing the first University Technical College in Surrey

The Cabinet Member for Schools and Learning informed Members that since the report had been submitted, Babcock / FourS had joined the Academy Trust.

- National Autistic Society / Cullum Autism Centres in Surrey Schools
- Quarterly report on decisions taken under Special Urgency Arrangements: 1 July – 30 September 2014

### **RESOLVED:**

That the report of the meetings of the Cabinet held on 22 July and 23 September 2014 be adopted.

## **66/14 REPORT OF THE CONSTITUTION REVIEW GROUP [Item 10]**

Mrs Marks, Chairman of the Constitution Review Group introduced the report and thanked Rachel Crossley and Katie Booth for their officer support to the Group.

She explained the objectives for the review and the consultation that had been undertaken, including the survey results, all of which had contributed to the final recommendations of the task group.

She highlighted the following key points from the review:

- The offer of training to Members, if required and, particularly for new Members who joined the Council mid-term.
- Improvements to the Council Chamber, including webcasting and the electronic voting system.

- Inclusion of Cabinet Member briefings within the Member Question Time item.
- Limiting the number of motions at each meeting.
- Reducing the number of signatures required on a petition which would trigger a debate at Council.

Finally, she drew attention to the recommendations and said that recommendations (1) to (6) had the unanimous support of the Review Group but a further two recommendations, set out on page 25 of the agenda had the support of the majority of the task group. However, she hoped that Council would support the report in its entirety.

Mrs Lewis formally seconded the recommendations of the task group and made the following points:

- Reinforcement of the points made by Mrs Marks and emphasis of the spirit of the task group and the proposals put together by the group.
- Adjustment to the start time would help those Members with carer responsibilities.
- The ability to question Cabinet Members would make Surrey a better Council.
- The proposed changes for motions and the reasons for them.
- That the recommendations were a package which could be reviewed again in future years.

Other Members of the task group were invited to speak.

Mr Harrison focussed on the two recommendations that had been agreed by the majority of the task group. He considered that the proposed changes to time limits would give more opportunity for backbenchers to speak and hoped they would avoid a cap on the number of motions for each meeting, which if exceeded could be a difficult decision for the Chairman to make. On petitions, he considered that it was unlikely that a petition would receive 10,000 signatures to enable it to be debated at Council.

Mrs Watson also had concerns in relation to limiting the number of motions to three per meeting, with none permitted at the Budget meeting. She considered that these restrictions would limit the democratic debate. She also strongly opposed the proposed threshold of 10,000 signatures for petitions to be debated at Council and proposed amending this figure to 3,000, which she considered achievable.

Mr Skellett said that the purpose of the full Council meetings was for the Administration to report the business of the Council and for the opposition to challenge it and put down motions. He referred to the key issues of concern raised during the task group's review, including the increased number of motions at recent Council meetings. He said that many Members wanted morning only meetings, which was one of the reasons that the group had proposed a limit of three motions. He also hoped that amending the time limit for speakers would enable more Members to participate in the debates.

Mr Kington moved an amendment at the meeting, which was formally seconded by Mr Mallett. A copy is attached as Appendix D.

Speaking to his amendment, Mr Kington made the following points:

- Motions should be allowed at the Budget and AGM Council meetings.
- That a limit on motions was morally and politically flawed and that this proposal could not guarantee fairness.
- The time limit for speeches could enable the debate to flow better.
- The perception that some Members considered full Council meetings a time-consuming inconvenience.
- The Chairman already had the power to curtail debates.
- If necessary, Members would find other ways to raise issues.

Three Members, including Mr Mallett, the seconder, spoke in support of the amendment before the Chairman agreed a short adjournment at 3.55pm, with Members returning at 4pm.

The Leader of the Council informed Members that the Administration was minded to accept Mr Kington's amendment.

Therefore, it was put to the vote and agreed.

**RESOLVED:**

1. Council meetings start at 10am (with prayers at 9:50am for those wishing to attend).
2. Where it is necessary to continue the meeting after lunch, the expectation should be that the lunch break will last no longer than one hour.
3. The AGM meeting should include a formal lunch with a speaker but for the other meetings, there is no need for special arrangements.
4. Standing Orders be amended in relation to:
  - i. the procedure to be followed for the election of the Leader of the Council;
  - ii. the Leader's statement;
  - iii. the inclusion within the Members' Question Time item of Cabinet Member briefings, for which a time limit of 15 minutes will be applied. in line with the processes outlined in the report (detailed changes attached at appendix 1.)
5. Changes to the Council Chamber and Ashcombe be considered to ensure that:
  - i. the audio and webcast systems are more reliable and of higher quality;
  - ii. the electronic voting system in the Chamber enables a record to be kept of each individual's vote;

- iii. the Chamber is fit for purpose, with space to store papers, ports to recharge equipment and comfortable seating.
6. The 'Guide to County Council Meetings' should:
- i. be revised and reissued on an annual basis; and
  - ii. remind Members on the requirement to act with courtesy during meetings.
7. That the Council refers back to the Constitution Review Task Group all those recommendations upon which the Constitution Review Group could not agree for further discussion, with the remit to produce recommendations that more clearly reflect a consensus amongst all groups and political parties represented on the Council.

Mr Martin proposed three further amendments, with additional words underlined, as follows:

Amendment 1: Page 31, Standing Order 6.8:

The Deputy Leader and other Members of the Cabinet will be appointed by the Leader of the Council and reported to the Council at the AGM or at the next appropriate meeting of the Council.

Amendment 2: Page 36, Standing Order 11.5:

In the event of the submission of more than three motions for a meeting of the Council, a meeting between the Chairman and the Group Leaders will determine which motions will be considered at the meeting and the order in which they are to be taken, with an assumption of a cap of three to be taken at any one meeting. In the event of no agreement being reached on the matter, the Chairman will have the discretion to take the decision on which motions will be taken and in what order, taking into account the political balance of the Council and the need for fair representation for all political groups and parties.

Amendment 3: Page 40, (ii)

Leaders speaking in the debate on the Budget. (5 minutes) – change to 10 minutes

However, the Chairman ruled that amendments (2) and (3) were out of order because the Council had already agreed to refer back to the Constitution Review Group, the element of the report that referred to those amendments, for further discussion. However the first amendment was agreed:

**RESOLVED:**

Page 31, Standing Order 6.8:

The Deputy Leader and other Members of the Cabinet will be appointed by the Leader of the Council and reported to the Council at the AGM or at the next appropriate meeting of the Council.

Mr Robert Evans proposed ending County Council meetings by 2pm and therefore recommendations (2) and (3) could be deleted. This proposal was not supported.



**67/14 THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014  
[Item 11]**

A report from the Democratic Services Lead Manager was included in the agenda asking the Council agree amendments to the Constitution to reflect requirements of the Openness of Local Government Bodies Regulations, which came into effect on 6 August 2014.

Mr Kington referred to the Chairman's right to suspend webcasting of any meeting held in public if the need arose and said that the requirements of the Openness of Local Government Bodies Regulations 2014, could enable members of the public to have and circulate an electronic version of a debate where the webcasting of a meeting had been suspended. He requested that any amendments required to the Constitution, arising from these regulations would have Member input. The Leader of the Council confirmed that he would discuss it further outside the meeting.

**RESOLVED:**

That the relevant changes to its Constitution, as set out in the Annex to the submitted report, be approved, to ensure that the requirements of the Openness of Local Government Bodies Regulations 2014 are met.

**68/14 REPORT OF THE PEOPLE, PERFORMANCE AND DEVELOPMENT  
COMMITTEE [Item 12]**

As Chairman of the People, Performance and Development Committee, the Leader of the Council introduced the report.

**RESOLVED:**

That the proposed revisions to the Officer Code of Conduct and Use of Social Media guidance to Council be approved, for inclusion in the Constitution.

**69/14 REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE [Item 13]**

The Chairman of the Audit and Governance Committee said that his committee had undertaken a review of its effectiveness and he commended the minor changes which reflected the actual work of the committee to Council.

**RESOLVED:**

That the Audit and Governance Committee's terms of reference be amended as follows:

- i. A brief Statement of Purpose to be included: "The Council recognises the importance of undertaking scrutiny of the management of the internal control systems and the Audit & Governance Committee provides an independent and high-level focus on audit, governance and financial accounts matters".
- ii. To amend section (b) under Regulatory Framework to read: To monitor the effectiveness of the councils' anti-fraud and anti-corruption strategy, *including by reviewing the assessment of fraud risks*".

- iii. To add “To approve the Internal Audit Charter” under Audit Activity, following section (b).
- iv. To amend section (b) under Audit Activity to read: “To approve the annual Internal Audit Plan & Inspection Plan *and monitor its implementation*”.
- v. To add “To provide oversight to the Annual Report of the Council” under Regulatory Framework, following section (e).
- vi. To add “That the Chairman (or in his/her absence, the Vice-Chairman) be consulted upon the appointment or removal of the Chief Internal Auditor” under Audit Activity, following section (d).

#### **70/14 AMENDMENTS TO THE SCHEME OF DELEGATION [Item 14]**

This report outlined the changes to the Scheme of Delegation relating to section 106 agreements, pensions functions and Rights of Way orders.

Also, included in this report were the executive functions brought to Council for information. These referred 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 which proposed the amendment of approval thresholds for virements and changes to the review process for fees and charges were included as Annex A to this report. The Council was also asked to agree a further deletion on page 86 of the agenda, namely: ‘Over £500,000, £250,000 (full year effect) and within a portfolio directorate – relevant Cabinet Member’

#### **RESOLVED:**

1. That the relevant changes to the Constitution be approved, regarding:
  - i) the extension of delegations in relation to Section 106 agreements to Senior Managers in the School Commissioning and Libraries services;
  - ii) the new division of responsibilities regarding pensions functions and the Internal Disputes Resolution process;
  - iii) the reinstatement of the provision to enable officers to make rights of way orders where no significant objections are made and related updates to wording;
  - iv) revised Financial Regulations.
2. That the amendments agreed by the Cabinet to the Scheme of Delegation be noted.

**71/14 MINUTES OF THE MEETING OF THE CABINET [Item 15]**

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.

[Note: there was a typo on P.104 – first bullet point in the Cabinet Member for Highways, Transport and Flooding Recovery’s response – ‘not’ should be deleted.]

[Meeting ended at: 4.15pm]

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**Chairman**

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