

COUNTY COUNCILCOUNCIL MEETING - 9 DECEMBER 2014

**MINUTES** of the meeting of the Council held at the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN on 9 December 2014 commencing at 10.00 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 Thomsson
	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

#### **72/14 APOLOGIES FOR ABSENCE [Item 1]**

Apologies for absence were received from Mrs Angell, Mr Bennison, Mr Brett-Warburton, Mrs Hammond, Mr Harmer, Miss Heath, Mrs Moseley, Mrs Ross-Tomlin, Mrs White and Mrs Windsor.

#### **73/14 MINUTES [Item 2]**

The minutes of the meeting of the County Council held on 14 October 2014 were submitted, confirmed and signed.

#### **74/14 CHAIRMAN'S ANNOUNCEMENTS [Item 3]**

The Chairman made the following announcements:

- (i) That the County Council had received the Best Website Award 2014 from the Society of Information Technology Management.
- (ii) He reminded Members that their Christmas lunch was on Thursday 18 December 2014 and was preceded by the Member and staff carol service.
- (iii) He invited Members to view the exhibition in the Grand Hall today in relation to 'Thursley goes to War'.
- (iv) Finally, he said that the lunchtime speaker today would be the Rt. Hon, the Baroness Bottomley of Nettlestone, Virginia Bottomley.

#### **75/14 DECLARATIONS OF INTEREST [Item 4]**

There were none.

#### **76/14 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:

- Support for greater local devolution to Surrey.
- That the additional funding to support Children in Need in Surrey was welcomed.
- Fairer funding for school places in Surrey was critical - the potential shortfall was a huge challenge for Surrey.
- Disappointment that junction 9 was not included as one of the major improvements to junctions on the M25, in the Chancellor's Autumn Statement.
- Long term issues, such as provision for increasing numbers of school places and Adult Social Care, would not be solved in the forthcoming budget round.
- That Local Government in this area still needed to find £40m for flood defence schemes.
- Stamp Duty reforms, introduced in the Chancellor's Autumn Statement would be welcomed by Surrey residents, as would the reduction in National Insurance for apprentices.
- A request that the newly introduced Cabinet Member updates could be circulated a minimum of five working days before the Council meetings.

## 77/14 SURREY COUNTY COUNCIL PROGRESS REPORT: JULY - DECEMBER 2014 [Item 6]

The Leader presented the Surrey County Council Progress Report – July – December 2014, the eleventh of the Chief Executive's six monthly reports to Members. He considered that this regular report, including the case studies, was invaluable for keeping Members informed and expressed his appreciation to the Chief Executive for it.

Members made the following comments:

- Mr Witham thanked the Chief Executive for visiting his Worplesdon division. He also referred to paragraph 42 of the Chief Executive's Six Month Progress Report, which related to the affect of the Introduction of the Care Act from April 2015 and requested that there should be a single comprehensive database, available to every work practitioner in Surrey's Adult Social Care Service, detailing up to date information regarding voluntary organisations and the services provided, by area. Also, that an update re. this request is provided in the next Chief Executive's progress report in July 2015.
- Mr Walsh, who was the Mental Health Champion, welcomed the inclusion of a case study which tackled the mental health stigma in Surrey.

### RESOLVED:

- (1) That the report of the Chief Executive be noted.
- (2) That the staff of the Council be thanked for the progress made during the last six months.
- (3) That the support for the direction of travel be confirmed.

## 78/14 MEMBERS' QUESTION TIME [Item 7]

Notice of 14 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 the Cabinet Member for Environment and Planning if he shared his concern that the change to the 441 bus route was an accident waiting to happen and that the County Council should act now. The Cabinet Member referred him to his written response, which stated that private operators could alter routes without consulting the County Council. He also said that he had attended a meeting in Spelthorne in July where this issue had been discussed and said that further work and cost estimates would be presented to the Spelthorne local committee in due course for their consideration.

**(Q2) Mr Jenkins** queried the responses to his questions (a) and (d).

**Mrs Salaigopoulos** made reference to the Environment and Transport Select Committee's flooding task group report and said that the situation had now moved on. She asked the Cabinet Member for Highways, Transport and Flooding to confirm that Surrey County Council, as the Lead Flood Authority had no powers to compel Thames Water to accept responsibilities for the aqueduct in Staines.

**The Leader of the Council** asked the Cabinet Member to confirm that Thames Water would shortly sign a Memorandum of Understanding with the Environment Agency which would benefit Surrey in the long term.

**Mr Walsh** asked the Cabinet Member to acknowledge the huge amount of work undertaken by officers to alleviate and come up with solutions since the flooding had occurred.

In response, the Cabinet Member for Highways, Transport and Flooding confirmed that Thames Water was the owner of the aqueduct. He also referred to the Section 19 investigation, which would be published on the Council's website in due course. Finally, he confirmed that Thames Water were working with the County Council and that further meetings were planned in the New Year.

**(Q3) Mr Fuller** asked the Cabinet Member for Community Services if a league table, by Borough and District, showing the number of people penalised for dropping litter could be included on the County Council's website. Whilst the Cabinet Member said that she was encouraged by the progress that Borough and Districts had made in this area, she did not consider that a league table would be beneficial.

**(Q4) Mr Cooksey** expressed concern about the length of time proposed to repair the county's footways. He also asked the Cabinet Member for Highways, Transport and Flooding for details on the consultation process concerning the development of a number of models showing different outcomes for the condition of the footway asset. The Cabinet Member confirmed that this information would be circulated to all Members before Christmas.

**(Q5) Mr Orrick** said that details of the potential receipts from the sale of the residential home sites, if they were sold, and whether the information he requested could be put on the Council's website, were not set out in the response from the Cabinet Member for Adult Social Care. The Cabinet Member said that the results of the consultation process needed to be considered before any alternatives for the sites were explored. He would, however, discuss with officers whether the details set out in his written response could be placed on the Council's website.

**(Q6) Mrs Watson** asked the Leader of the Council if the information about reserves and balances had changed since 30 September 2014. **Mr Selleck** asked about the minimum level of reserves going forward. The Leader of the Council said that budget information was public information presented regularly at Cabinet meetings but that he was not in a position to know what the current balances were today. Referring to the minimum level of reserves, he said that he took advice from the S151 officer but it was likely to be approximately £17m / £22m.

**(Q7) Mr Forster** asked the Cabinet Member for Environment and Planning if he would consider not excluding local roads from this funding source and if he would ensure that local committees were consulted at the appropriate time. The Cabinet Member agreed to both requests.

**(Q8) Mr Beardsmore** said that he would like a copy of the North West Surrey Minerals Local Plan 1985 but it was three decades out of date. He said that his question referred specifically to Spelthorne and the answers would be different if it applied just to Spelthorne rather than the cumulative impact across North West Surrey. He also requested responses to his supplementary questions asked at the previous Council meeting.

The Cabinet Member for Environment and Planning agreed to provide a written response to Mr Beardsmore's questions by the end of the week.

**(Q10) Mr Jenkins** referred to the suffering of the residents in the Staines area who had been affected by the flooding earlier in the year and asked the Cabinet Member for Highways, Transport and Flooding if Surrey County Council would be conducting a thorough investigation. The Cabinet Member responded by stating that Surrey County Council was the Lead Flood Authority and not the 'supposed Lead Flood Authority' as stated in Mr Jenkins question. He also considered that his response had fully answered the question and said that the topic had been fully discussed at the Environment and Transport Select Committee.

**(Q11) Mr Essex** asked the Cabinet Member for Business Services for details of the cost and the return on investment for the installation of solar panels of the three existing schemes and whether there were any plans to expand this pilot to other Surrey buildings / sites. The Cabinet Member agreed to provide a response outside the meeting.

**(Q12) Mr Forster** asked the Cabinet Member for Highways, Transport and Flooding, who agreed, to attend a site visit with him so that he could see the issues for himself.

**Mr Townsend** asked for the latest update on Pebble Hill, in his division, which the Cabinet Member agreed to provide outside the meeting and he also said that all local committees would be provided with an updated and revised report on Operation Horizon.

**(Q13) Mr Robert Evans** made reference to the Drive Smart / Make Roads Safer web pages and asked about the effect that the Cabinet Member for Highways, Transport and Flooding road traffic offences would have on Surrey residents. The Leader of the Council referred him to his written reply.

**(Q14) Mr Jenkins** said that his question had been about the future fire and rescue cover for Spelthorne.

**Mrs Saliagopoulos** asked the Cabinet Member for Community Services if she agreed that Surrey Fire and Rescue Service's attendance at the incident on the Renshaw Industrial Estate was to be commended and that the reciprocal agreements had operated smoothly across boundaries.

The Cabinet Member for Community Services did not agree with Mr Jenkins suggestion. She did express her thanks and support to Surrey Fire and Rescue Service and other Fire and Rescue Services for the effective way that the fire had been dealt with and contained on the Renshaw Industrial Estate.

### **Cabinet Member Briefings on their portfolios are attached as Appendix C.**

7 Members made the following comments:

- Adult Social Care: Realignment of Senior Roles to ensure maximum joined up working with the six Clinical Commissioning Groups had saved £0.5m per year in senior management costs.
- Schools and Learning: (1) School place planning – a request for the highways officers/ community transport team to meet with the Headteacher at the Greville School, Ashted to discuss mitigating measures for their school transport plan. (2) Surrey Educational Trust – further details on how to apply was requested, together with the total funding available in the next round (this information is available via a link on the Council's website).
- Highways, Transport and Flooding – (1) flood mitigation and confirmation that the number of sandbags held this year was similar to last year's numbers,

(2) a specific road / junction in the Horsleys division and how it was categorised for priority flooding work, (3) a request to comment on the County's policy on roads that have been flooded and the effect on the planning applications for new developments being considered by Borough / District Planning committees.

- Environment and Planning – Eco park: clarification on why a further report to Cabinet was required in February 2015.

#### **79/14 STATEMENTS BY MEMBERS [Item 8]**

There was one statement from Mr Sydney in relation to Young Epilepsy.

#### **80/14 ORIGINAL MOTIONS [Item 9]**

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

Under Standing Order 12.1, Mrs Watson moved the motion which was:

'Council notes that:

1. the County Council has set as an objective that 99% of Surrey households will receive fibre based broadband by the end of 2014 and that 94% of households would achieve Superfast Broadband speeds of 15Mbps or more;
2. the Superfast Surrey Broadband Programme was established to ensure that these targets were met and to address the situation of residents in the County that were excluded from any fibre broadband coverage roll-out plans by commercial operators – with the result that more than 75,000 premises out of 84,000 premises in the Intervention Area are now able to access download speeds of at least 15mbps;
3. to be able to connect to fibre-based broadband, the distance from the fibre-enabled cabinet to the individual premises can be no more than 1.8km; a significant number of properties included in the commercial roll-out are further than 1.8km from the fibre-enabled cabinet that serves the area and as a result residents living in these areas are not being provided with a Superfast broadband service from the commercial operator;
4. areas that are currently part of the commercial roll-out of Superfast broadband that are not being served by the commercial operators cannot be included in the Intervention Area and become part of the Superfast Surrey Broadband Programme and thus are unable to receive a Superfast broadband service at all.

Council calls for the Leader of the Council to review the contracts with the commercial operators providing Superfast broadband to Surrey residents and to identify the emerging gaps in Superfast broadband coverage (such as areas in the commercial roll-out that are further than 1.8km from the fibre-enabled box that covers their area) and to develop solutions to ensure that either the commercial operators provide Superfast broadband to residents living in these areas or that the Surrey Superfast Broadband programme is extended to cover residents living in these areas.'

Mrs Watson made the following points in support of her motion:

- Superfast Broadband was essential in today's Digital Age but some households in parts of Surrey were unable to receive it.
- The County Council had set objectives for the percentage of households receiving the fibre based Broadband and these had not been achieved.
- The Intervention Area was supposed to fill the gap of the service provided by the commercial operator. However, there were still areas where the Superfast Broadband Service was not being provided.
- She requested that the Leader of the Council acted now to identify the emerging gaps and develop solutions so that the Broadband cover was extended to cover those households in the affected areas.

The motion was formally seconded by Mr Orrick.

Mr Martin moved an amendment at the meeting, which was formally seconded by Mr Kemp. He proposed deleting the last paragraph of Mrs Watson's motion and replacing it with the following paragraph:

'Council congratulates the Superfast Surrey team on its significant and successful rollout to 77,000 premises so far, acknowledges that Surrey is now the best broadband connected county in the country and requests the team to complete the delivery of the contract, and by the end of March 2015, to identify options for using any remaining funds to either focus on the existing Intervention Area or to broaden the scope of the programme.'

Copies of the amendment were tabled at the meeting.

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

- That his amendment had replaced the last paragraph of the original motion.
- That the review of contracts was beyond the scope of the County Council.
- He explained the history of the Superfast Broadband programme from 2011 and the reasons why the County Council had embarked on its ambitious programme, which had resulted in the county being the best broadband connected county in the country.
- He stressed the importance of this achievement and the positive effectiveness that it was having on the provision of Digital Services and the benefits to Surrey residents.
- That the County Council had allocated £20m in 2012 for the Superfast Surrey Broadband Programme and cited the improvements made to cabling and telephone exchanges in Surrey in 2013.
- He acknowledged that there were a small number of difficult to reach households and premises and had requested that BT undertook a review of the remaining 5000 premises in the Intervention Area. However, there was a need to balance the outcome of this review against the remaining funds in the programme.
- Finally, he urged Members to support his amendment which recognised the achievements of the programme to date and proposed action to bring the best possible service to Surrey residents.

Speaking to the amendment, Members made the following points:

- The amendment gave the opportunity to celebrate the achievement of the Superfast Broadband programme.
- It had brought economic benefits to Surrey.

- That it had been accepted from the outset of the programme that some areas would be hard to reach and there was a need to balance this against the funding available for the programme.
- It was important to enable people to work at home, particularly in rural areas and the lack of access to Superfast Broadband had been a huge issue in some areas.
- The commitment to look at options for using the remaining funds was welcomed.
- The original motion had not stated the achievements to date, which the amendment did.
- This initiative had been very successful and was received positively in many areas.
- The County Council Network (CCN) had requested, on 3 September 2014, a detailed report of Superfast Broadband programmes in each county and would be debating this issue on 9 March 2015.
- Concern that this technology could be obsolete in a few years.
- The amendment had deleted the objectives set out in the final paragraph of the original motion and did not seek to find a solution.
- An open invite for Members to contact or visit the Superfast Surrey Broadband team.

The amendment was put to the vote with 54 Members voting for it and 11 Members voting against it. There was 1 abstention.

The amendment was carried and became the substantive motion. This was put to the vote and Members agreed it.

Therefore, it was:

**RESOLVED:**

‘Council notes that:

1. the County Council has set as an objective that 99% of Surrey households will receive fibre based broadband by the end of 2014 and that 94% of households would achieve Superfast Broadband speeds of 15Mbps or more;
2. the Superfast Surrey Broadband Programme was established to ensure that these targets were met and to address the situation of residents in the County that were excluded from any fibre broadband coverage roll-out plans by commercial operators – with the result that more than 75,000 premises out of 84,000 premises in the Intervention Area are now able to access download speeds of at least 15mbps;
3. to be able to connect to fibre-based broadband, the distance from the fibre-enabled cabinet to the individual premises can be no more than 1.8km; a significant number of properties included in the commercial roll-out are further than 1.8km from the fibre-enabled cabinet that serves the area and as a result residents living in these areas are not being provided with a Superfast broadband service from the commercial operator;
4. areas that are currently part of the commercial roll-out of Superfast broadband that are not being served by the commercial operators cannot be included in the Intervention Area and become part of the Superfast Surrey Broadband Programme and thus are unable to receive a Superfast broadband service at all.

Council congratulates the Superfast Surrey team on its significant and successful rollout to 77,000 premises so far, acknowledges that Surrey is now the best broadband connected county in the country and requests the team to complete the delivery of the contract, and by the end of March 2015, to identify options for using any remaining funds to either focus on the existing Intervention Area or to broaden the scope of the programme.

#### **81/14 REPORT OF THE CABINET [Item 10]**

The Leader presented the Report of the Cabinet meeting held on 21 October and 25 November 2014.

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

There were none.

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

The following reports were received and noted:

- Surrey Educational Trust
- Creation of a Joint Trading Standards Service with Buckinghamshire County Council
- Endorsement of the Surrey Hills Area of Outstanding Natural Beauty (AONB) Management Plan

##### **RESOLVED:**

That the report of the meetings of the Cabinet held on 21 October and 25 November 2014 be adopted.

#### **82/14 RIGHTS OF WAY PRIORITY STATEMENT AND IMPROVEMENT PLAN [Item 11]**

This report set out the revised Public Rights of Way Priority Statement and the Rights of Way Improvement Plan for Surrey.

The Cabinet Member for Environment and Planning agreed to check whether the local committees had been consulted on the Plan and would advise Members.

##### **RESOLVED:**

1. That the revised Public Rights of Way Priority Statement 7<sup>th</sup> Edition dated October 2014, be approved.
2. That the revised Rights of Way Improvement Plan for Surrey 2014 be approved.

#### **83/14 REPORT OF THE PLANNING AND REGULATORY COMMITTEE [Item 12]**

The Chairman of the Planning and Regulatory Committee introduced the report.

**RESOLVED:**

That the Scheme of Delegation be amended so that:

For applications, under section 19 and paragraphs 6 to 9 of Schedule 2 of the Commons Act 2006, where the County Council is the determining authority, if no significant objection has been received and the authority has no legal interest in the land, after consultation with the Chairman of the Planning & Regulatory Committee, the decision to determine an application be delegated to the Director of Legal and Democratic Services.

**84/14 MINUTES OF THE MEETING OF THE CABINET [Item 13]**

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: 12.25pm]

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**Chairman**