

COUNTY COUNCIL**COUNCIL MEETING - 15 MARCH 2016**

MINUTES of the meeting of the Council held at the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN on 15 March 2016 commencing at 10.00 am, the Council being constituted as follows:

Sally Marks (Chairman)

Nick Skellett CBE (Vice-Chairman)

Mary Angell		David Hodge
W D Barker OBE		Saj Hussain
Mrs N Barton		David Ivison
Ian Beardsmore	*	Daniel Jenkins
John Beckett		George Johnson
Mike Bennison		Linda Kemeny
Liz Bowes		Colin Kemp
* Natalie Bramhall		Eber Kington
Mark Brett-Warburton		Rachael I Lake
Ben Carasco	*	Yvonna Lay
Bill Chapman		Ms D Le Gal
Helyn Clack	*	Mary Lewis
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	*	Mr D Munro
Robert Evans		Christopher Norman
Tim Evans		John Orrick
Mel Few		Adrian Page
Will Forster		Chris Pitt
Mrs P Frost		Dorothy Ross-Tomlin
Denis Fuller	*	Denise Saliagopoulos
John Furey		Tony Samuels
* Bob Gardner		Pauline Searle
Mike Goodman		Stuart Selleck
David Goodwin		Michael Sydney
Michael Gosling		Keith Taylor
Zully Grant-Duff		Barbara Thomson
Ramon Gray		Chris Townsend
Ken Gulati		Richard Walsh
Tim Hall		Hazel Watson
Kay Hammond		Fiona White
Mr D Harmer		Richard Wilson
Nick Harrison		Helena Windsor
Marisa Heath		Keith Witham
Peter Hickman		Mr A Young
Margaret Hicks		Mrs V Young

*absent

11/16 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Mrs Bramhall, Mr Cosser, Mr Ellwood, Mr Gardner, Mrs Lay, Mrs Lewis, Mrs Mountain and Mrs Saliagopoulos.

12/16 MINUTES [Item 2]

The minutes of the meeting of the County Council held on 9 February 2016 were submitted, confirmed and signed.

13/16 CHAIRMAN'S ANNOUNCEMENTS [Item 3]

The Chairman informed Members of the following events which she had attended recently:

- The Flag Raising Ceremony for Commonwealth Day at County Hall on 14 March 2016
- Armed Forces Champions Meeting, with 9 of the Boroughs and Districts represented and the Guildford Duke of Edinburgh Awards Presentation, which were both on 3 March 2016
- Lord-Lieutenant of Surrey's Reception for the Nominees for the Queen's Award for Voluntary Service 2016
- Surrey Countryside and Rural Enterprise Conference on 10 March 2016
- Sandhurst Leadership Challenge at the Military Academy on 5 March 2016
- Lord-Lieutenant of Surrey's Poppy Appeal Cadet Competition Presentation Evening on 9 March 2016

- On 16 February 2016, there had been royal visits to Denny's Brands, Denbies Wine Estate (Limbcare) and Brocks Chocs by HRH Princess Royal
- HRH The Prince of Wales had visited Ashley CofE Primary School in Walton on Thames on 10 February 2016 and opened the Harmony Centre at the school

- She also reported that at least 25 events that took place in Surrey over the weekend of 4-6 March 2016 to mark the Clean for the Queen initiative

- Improvement and Efficiency Awards Ceremony – 1 March 2016. She informed Members that Surrey Emergency Service Partners won the 'Working Together' gold award and she was delighted to present the awards to Ben Burke, representing South East Coast Ambulance Service, to Mark Hamshar, on behalf of Surrey Police and Ian Thomson from Surrey Fire and Rescue.
- Also at the same event, Buckinghamshire and Surrey Trading Standards received two silver awards for their successful partnership and she presented their awards to Amanda Poole of Buckinghamshire Trading Standards and Steve Ruddy of Surrey Trading Standards.

- Lastly, she informed Members that Mr Daniel Jenkins, County Councillor for Staines South and Ashford West had resigned with immediate effect.

14/16 DECLARATIONS OF INTEREST [Item 4]

Mr Forster declared a non-pecuniary interest in item 9 (the motion standing in the name of Mrs Watson) because he worked for a Member of the European Parliament.

15/16 LEADER'S STATEMENT [Item 5]

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

Members made the following comments:

- The expansion of Project Horizon, to include restoration of Surrey's pavements and the extra funding, was welcomed. However, the Leader was asked what impact this initiative would have on this year's revenue budget and whether the £20m was additional money or funding already within the Project Horizon programme.
- Members looked forward to receiving more information at local committees regarding the plans for improving the pavements.
- Surrey taxpayers should not be funding any damage to pavements caused by builders working on property developments and builders should be responsible for reinstating the pavements.
- That Members should be consulted when the pavement repair programme was drawn up.
- The local committees were the right place for the Surrey pavements programme to be agreed because local people had in-depth knowledge of the issues.
- An update on the current position on the combined authorities devolution bid was requested.

16/16 SURREY COUNTY COUNCIL PROGRESS REPORT [Item 6]

The Leader presented the Surrey County Council Progress Report, the thirteenth of the Chief Executive's reports to Members.

Members made the following comments:

- The Chief Executive was complimented on his progress report
- Attention was drawn to the improving completion rates for appraisals, in particular in the Environment and Infrastructure and Adult Social Care Directorates
- Staff survey results and a hope that the concerns highlighted would be addressed because Scrutiny Boards would be monitoring progress
- The Leader was asked about Governance arrangements for the Devolution Bid and whether he would be lobbying Government for a Mayor for the area
- A request for more information relating to the proposed new ways of working
- Increasing demand for services was highlighted, in particular school places, where there was a funding shortfall of £30m every single year – this information should be made clearer in any subsequent re-print of this report
- Attention was drawn to the case studies set out in the part 2 section of the report – Celebrating Success. Staff were thanked for their work in making a difference to residents' experience
- A request that future Chief Executive reports included a list of all staff nominated for STAR awards
- Finally, Surrey's transformation and improvement networks were highlighted.

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 nine months.
- (3) That the support for the direction of travel be confirmed.

17/16 MEMBERS' QUESTION TIME [Item 7]

Notice of eight 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 Deputy Leader for assurance that he would monitor the 'state of play' closely and have a legal team on standby should it become necessary. The Deputy Leader agreed to monitor the situation but said that he would be reluctant to rush into litigation.

(Q2) Mrs Windsor asked the Cabinet Member for Wellbeing and Health when the County Council would be signing up to the Motor Neurone Disease Charter. She also said that she hoped that the Leader / Deputy Leader would support it. The Cabinet Member could not give a timeframe but said that she didn't envisage any problems in signing it. She also said that she would like Mrs Windsor's resident to be invited to the Health and Wellbeing Board to present her case.

(Q3) Mr Townsend requested that arrangement for the three newly created senior leadership roles in the Children, Schools and Families Directorate be reviewed in one year's time to ensure that it was working satisfactorily. The Cabinet Member for Schools, Skills and Educational Achievement agreed to the request and said that she would be keeping the new structure under close review to ensure all workstreams were in place.

(Q4) Mrs Watson asked for clarity on who would make any decision to reduce grant or contract funding to particular organisations and would Members or carers be involved.

Also Q4, Mr Mallett asked the Cabinet Member for Adult Social Care, Wellbeing and Independence to confirm that the £17.4m savings was 'real money' and also what percentage of the grants / contracts it represented? He also asked for confirmation that front line services would not be affected by the cuts. **Mr Essex** requested information about the Equality Impact Assessments (EIA).

The Cabinet Member's response to the supplementary questions was that 116 organisations in Surrey received approximately £22m in grants from the Council and that it was currently working in partnership with the voluntary organisations to examine these grants and contracts carefully. He also confirmed that going forward EIAs would be produced.

(Q5) Mr Beardsmore queried the last sentence of the response from Cabinet Member for Schools, Skills and Educational Achievement and said how could the Council work with schools to manage the transition if there had not been a decision on the proposed national funding formula for schools. The Cabinet Member said that

the Council knew the broad terms of the proposals but detail was being released in a piecemeal fashion and that she would update Mr Beardsmore when she had more information.

(Q6) The Cabinet Member for Highways, Transport and Flooding provided a verbal response to Members, which he agreed to circulate after the meeting. He said that:

- The £6m pavement programme would follow the lines of Project Horizon.
- Last year, Highways officers had carried out a full assessment to determine the functionality and impairment of this network.
- Due to funding decisions that have had to be made, the funding for Year 1 had been set but in subsequent years, local committee input would be required to determine the programme, in consultation with residents.
- The method of allocation had been graded in the officers' review by priority 1-4 and details would be sent to local committee Chairmen and Members shortly.

Both **Mr Cooksey and Mr Essex** asked for the level of funding in the 2016/17 budget for this project and whether it would come out of the budget for safety defects on roads and if not, where was the funding coming from? **Mrs White** asked the Cabinet Member if he agreed that developers should reinstate pavements damaged by their building works and suggested that there was a need for sufficient enforcement officers to make this happen.

The Cabinet Member confirmed that, as announced by the Leader, there was £6m to invest in pavement restoration this year, out of a £20m budget for this work over the next 5/6 years. He also confirmed that Project Horizon for roads was still in place and that Years 4 and 5 of this programme would go ahead. Finally, he said that he would discuss Mrs White's request with the Leader.

(Q7) Mr Kington asked the Leader of the Council if he was committed to supporting reform of the County Council's budget making process and was advised by the Leader that all Scrutiny Boards had the right to request information to scrutinise services and that it could be requested earlier with Members working on provisional data.

(Q8) Mr Cooksey asked the Cabinet Member for Highways, Transport and Flooding if he would agree that Boroughs and Districts should be informed, as a matter of course, when gully emptying and cleaning was about to take place. The Cabinet Member agreed that Boroughs and Districts should be advised and that as part of the Devolution discussions, the County Council would discuss improvements to these working practices with them and then advise Members.

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

Members made the following comments:

- The Cabinet Member for Environment and Planning was asked to explain the benefits of the Rural Statement for Surrey, issued last week, which he did. He also said that he would provide copies of the document to all Members.
- The Cabinet Member for Adult Social Care, Wellbeing and Independence was asked for his view on the funding shortfall in his portfolio and to expand on the issues facing Adult Social Care. The Cabinet Member said that increased demand continued to be an issue, as was the status of providers in the market

and the impact of the introduction of the living wage on those providers. The transition of special needs children into the Adult Social Care service was also significant. He hoped that, if demand continued to increase that the Government would allow an increased precept going forward.

- In response to a query about joint commissioning of the Occupational Therapy Service, the Cabinet Member for Schools, Skills and Educational Achievement confirmed that speech therapy was included within the contract.
- The Cabinet Member for Schools, Skills and Educational Achievement was pleased to report that secondary school places had recently been allocated for September 2016. Applications had increased by 11,000 but 85% of Surrey pupils had been offered their first preference, with 96% of Surrey pupils being offered one of their six preferences. She acknowledged that there were a few problem areas and in response to a plea from the Member for Claygate, agreed to try to resolve the issues in that area.
- Mr Kington asked the Cabinet Member for Wellbeing and Health several detailed questions relating to Welfare Reform and the impact on low paid families, in relation to their council tax payments and the Borough / District hardship fund. The Cabinet Member agreed to respond outside the meeting.

18/16 STATEMENTS BY MEMBERS [Item 8]

There were no local Member statements.

19/16 ORIGINAL MOTIONS [Item 9]

ITEM 9(i)

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

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

‘This Council requests the Leader of the Council to write to the Prime Minister to give the support of Surrey County Council to achieving his objective of remaining within the European Union as:

- (i) jobs in Surrey are more secure with Britain remaining part of Europe – the biggest trading market in the world,
- (ii) prices are lower than they would be if we were outside Europe – meaning households in Surrey save on average £450 a year; and
- (iii) our police can make our streets safer by being part of a wider European force that tackles cross border crime.’

Mrs Watson made the following points:

- She requested that the Leader wrote to the Prime Minister to support the UK remaining in the European Union (EU) because she considered that an exit would profoundly impact on Surrey and the UK.

- That remaining in the EU would protect jobs, including those jobs in tourism.
- That prices would be lower if the UK remained in EU.
- That Surrey University received EU funding and also the EU helped to protect the environment i.e. setting emission limits.
- That remaining in the EU made Surrey safer because information was shared in the fight against terrorism.

The motion was formally seconded by Mr Orrick who reserved his right to speak.

Mr Hodge moved an amendment, which was tabled at the meeting. This amendment was formally seconded by Mr Hall.

The amendment was as follows (with additional words underlined and deletions crossed through):

~~'This Council requests the Leader of the Council to write to the Prime Minister to give the support of Surrey County Council to achieving his objective of remaining within the European Union as:~~

- (i) ~~jobs in Surrey are more secure with Britain remaining part of Europe—the biggest trading market in the world,~~
- (ii) ~~prices are lower than they would be if we were outside Europe—meaning households in Surrey save on average £450 a year; and~~
- (iii) ~~our police can make our streets safer by being part of a wider European force that tackles cross border crime.'~~

thanking him for keeping his election promise to establish a process that affords the residents of this County the opportunity to vote in a referendum on the key question of this Country's membership of the EU.

The amendment was not accepted by Mrs Watson and therefore Mr Hodge spoke to his amendment, making the following points:

- That it was improper to tell Surrey residents how to vote in the referendum.
- It was also inappropriate for Surrey County Council Members to politicise this issue because it was for individuals to decide.

Mr Hall seconded the amendment and reserved his right to speak.

Eleven Members also spoke to the amendment and made the following comments:

- That whatever the outcome of the referendum, there would be an impact on Surrey residents.
- That the Residents' Association / Independents had been elected to represent their constituents on local issues and therefore they would not participate in a debate on national issues and could not give a public view on this issue.
- The decision by the Prime Minister to have a referendum on whether the UK should remain in the EU was welcomed but it was a personal decision for Surrey residents.

- That Surrey's economy would be OK whatever the outcome of the referendum.
- That EU law was still supreme, if the UK remained in Europe and this new deal offered very little.
- Surrey's economy would benefit from less bureaucracy if the UK left the EU.
- That this was a political issue which divided all parties, however the elected representatives of Surrey had a duty to explain the issues and the implications to Surrey residents.
- That the EU comprised 28 countries (approximately 550 million people) and if the UK left the EU, this country would be isolated.
- A request to ask Surrey MPs Michael Gove and Philip Hammond to participate in a referendum debate at County Hall.
- That in the forthcoming local elections in May, Members would be asked for their views on this topic.
- That 23 June 2016 would be a historic date, it was a free vote and the people of the UK would decide whether or not to remain in the EU.

The amendment was put to the vote with 55 Members voting for and nine Members voting against it. There were six abstentions.

Therefore the amendment was carried and became the substantive motion.

Under Standing Order 23.1, Mr Kington moved:

'That the question be now put'

Despite objections from Mr Robert Evans who had wished to table a second amendment, the Chairman considered that there had been adequate debate and agreed to the request and the debate was wound up.

The substantive motion was put to the vote with 55 Members voting for it. Five Members voted against it and there were seven abstentions.

Therefore, it was:

RESOLVED:

This Council requests the Leader of the Council to write to the Prime Minister thanking him for keeping his election promise to establish a process that affords the residents of this County the opportunity to vote in a referendum on the key question of this Country's membership of the EU.

ITEM 9(ii)

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

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

'This Council requests the Cabinet to change its property investment strategy to discontinue investing in properties outside Surrey for solely investment purposes and to divert the money saved to invest in much needed capital schemes such as pedestrian crossings to enable Surrey residents including school children to cross the road safely.'

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

- That her motion was about the Council's priorities.
- She referred to the Budget Monitoring report which was considered at the Cabinet meeting on 24 November 2015 that set out the Council's equity investment outside Surrey. She questioned whether the County Council should be investing in property outside the county rather than in capital schemes such as pedestrian crossings outside Surrey schools.
- That parents would continue to drive their children to school, if they considered that the highways were not safe.
- The budget was a balancing exercise, she was not against the principle of buying investment properties but it was about priorities.
- Safety outside schools was an issue for all Members and she referred to a petition received at Guildford Local Committee about the crossing in Aldershot Road.

The motion was formally seconded by Mrs Watson, who reserved her right to speak.

Twelve Members spoke on the motion, with the following points being made:

- The importance of differentiating between capital and revenue funding – it was revenue that the County Council needed and it didn't matter whether the investment was in or outside Surrey, providing it was a good investment and the Council received a good income.
- That a full report of the accident in Aldershot Road would be considered at Guildford Local Committee next week.
- That the County Council had a sound investment strategy and was planning for the future.
- The importance of sustainability, however it was important to look at social sustainability such as investing in local transport schemes, Surrey Wildlife Trust or affordable housing.
- A request for a seminar to provide Members with information on where the County Council was investing.
- That the County Council was borrowing significant sums of money for these investments and was the rate of return sufficient – these projects needed to be considered within the total overall budget envelope.
- That the County Council had been looking for revenue opportunities since 2013, with the aim to look countrywide for an income stream in order to deliver the best possible outcome for the Surrey taxpayer so that there was less reliance on Government grants.
- Support for property investment in Surrey and that funding should be prioritised for the benefit of Surrey residents.

After the debate, the motion was put to the vote, with ten Members voting for it. 59 Members voted against it and there were no abstentions.

Therefore the motion was lost.

20/16 MINUTES OF THE MEETINGS OF THE CABINET [Item 10]

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: 12.30pm]

Chairman