

COUNTY COUNCIL
COUNCIL MEETING – 19 MARCH 2013

MINUTES of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 19 March 2013 commencing at 10:30am, the Council being constituted as follows:

Mrs Sealy – Chairman

Mr Munro – Vice-Chairman

	Mr Agarwal	Mr Ivison
*	Mr Amin	Mrs Kemeny
	Mrs Angell	Mr Kington
	Mr Barker OBE	Mr Lake
	Mr Beardsmore	Mr Lambell
	Mr Bennison	* Mrs Lay
	Mrs Bowes	Ms Le Gal
	Mr Brett-Warburton	* Mr MacLeod
	Mr Butcher	Mr Mallett MBE
	Mr Carasco	Mrs Marks
	Mr Chapman	Mr Marlow
	Mrs Clack	Mr Martin
	Mrs Coleman	Mrs Mason
	Mr Cooksey	Mrs Moseley
*	Mr Cooper	* Mrs Nichols
	Mr Cosser	Mr Norman
	Mrs Curran	Mr Orrick
*	Mr Elias	* Mr Phelps-Penry
	Mr Ellwood	* Mr Pitt
	Mr Few	Dr Povey
	Mr Forster	Mr Renshaw
	Mrs Fraser DL	Mrs Ross-Tomlin
	Mr Frost	Mrs Saliagopoulos
	Mrs Frost	Mr Samuels
	Mr Fuller	Mrs Searle
	Mr Furey	Mr Skellett CBE
	Mr Gimson	Mrs Smith
	Mr Goodwin	Mr Sydney
	Mr Gosling	* Mr Colin Taylor
*	Dr Grant-Duff	Mr Keith Taylor
	Dr Hack	Mr Townsend
	Mr Hall	Mrs Turner-Stewart
	Mrs Hammond	Mr Walsh
	Mr Harmer	Mrs Watson
	Mr Harrison	Mrs White
	Ms Heath	Mr Witham
	Mr Hickman	Mr Wood
	Mrs Hicks	Mr Young
	Mr Hodge	

*absent

14/13 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Mr Cooper, Mr Elias, Dr Grant-Duff, Mrs Lay, Mr MacLeod, Mrs Nichols, Mr Pitt and Mr Colin Taylor.

15/13 MINUTES [Item 2]

The Minutes of the meeting of the County Council held on 12 February 2013, were submitted, confirmed and signed.

16/13 CHAIRMAN'S ANNOUNCEMENTS [Item 3]

The Chairman made the following announcements:

- That the County Council had been named local authority of the year at the recent Improvement and Efficiency Awards and she presented the award to the Chief Executive.
- That the lunchtime speaker was His Honour Judge Christopher Critchlow DL, Senior Judge at Guildford.
- Finally, she invited Members to visit the Surrey Save Credit Union stand, which would be in the Ashcombe corridor during the lunchtime break.

17/13 DECLARATIONS OF INTEREST [Item 4]

1. Mr Butcher declared a personal interest relating to item 7 (Statement by Members), and his statement on Cedar Road, Cobham because he was a member of Elmbridge Borough Council's Planning Committee and its relevant sub-committee.
2. Mrs Hammond declared a disclosable interest relation to item 11 (Elected Member Development Strategy) because she was an assessor for South East Employers.

18/13 LEADER'S STATEMENT [Item 5]

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

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

- That the contribution to Surrey Save was welcomed.
- That the Leader comment on the Administration's plans for vulnerable communities.

- Whether the County Council would be learning lessons from the demise of the North Yorkshire initiative on Super Fast Broadband
- The commitment and investment from the County Council for Children's Centres.
- The success of the apprenticeship scheme.

19/13 MEMBERS' QUESTION TIME [Item 6]

Notice of six 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) Dr Povey said that he was disappointed with the reply and asked the Leader of the Council who would be on the review panel, when the outcomes would be published and when Members of this council would have the opportunity to scrutinise it. The Leader said that he had nothing further to add and referred to his tabled answer.

(Q2) Mr Hall considered that his question had not been answered and asked the Cabinet Member for Community Safety for consideration of a countywide scheme and its cost. She responded by stating that the authority would look at any new initiatives, including the London travel discount scheme for apprentices and that any proposals would be costed.

(Q3) Mr Orrick asked the Cabinet Member for Transport and Environment whether the failure of a sub-base was common amongst other resurfacing failures and whether Surrey Highways were developing a strategy to prevent future issues with the sub-base. The Cabinet Member confirmed that lessons had been learnt and that going forward the design process had been improved.

(Q4) Mrs Watson expressed her surprise at the response because she had received a different answer recently. The Cabinet Member for Transport and the Environment responded by stating that it was his intention that no Surrey roads would deteriorate to 'poor' in the next 5 years. The aim was to achieve best practice through improved highways maintenance and the investment from Project Horizon.

(Q6) Mrs Watson asked the Cabinet Member for Community Services and the 2012 Games for the criteria for setting up a micro library, which was given by the Cabinet Member, who also referred to the success of the micro library at Shere, staffed by volunteers. She said that the County Council had not closed any libraries but had opened an additional one.

20/13 STATEMENTS BY MEMBERS [Item 7]

There was one local Member statement from Mr John Butcher relating to Cedar Road, Cobham.

21/13 ORIGINAL MOTION [Item 8]

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

Under Standing Order 12.1, Mr Ian Beardsmore moved the updated motion, which had been tabled at the meeting, which was:

‘Council notes:

1. Surrey County Council has a proud history as the creator of the Green Belt. The County’s Countryside Estate founded by the Surrey County Council Act of 1931 was the basis of the London County Council’s Green Belt Act of 1938.
2. The Coalition Agreement states:

We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.
3. The Chancellor of the Exchequer has signalled that he would support building on Green Belt land.

Council believes:

Surrey’s Green Belt, Countryside Estate, SSSIs and other green spaces are vital, not only for the county’s environment but also for maintaining a “green lung” around London.

Council resolves:

1. To do everything in its power to protect Surrey’s Green Belt.
2. To oppose any moves by government to weaken Green Belt legislation.
3. To make Surrey’s MPs and the County’s Districts and Boroughs aware of this resolution.
4. That any Green Belt development in the County is in line with the needs and wishes of Surrey residents.

Mr Beardsmore made the following points:

- The background to the founding of the Green Belt
- That it was essential to protect Surrey’s Green Belt

- The need to support the County's Boroughs and Districts in this area because the new Planning Guidelines had put these councils under pressure
- A reference to the number of empty houses in Surrey and also MOD property
- That any 'creep' on Green Belt can never be reversed.

The motion was formally seconded by Mrs Hazel Watson, who referred to the Green Belt in the metropolitan areas of London. She also said that without the Green Belt, Surrey's unique character would disappear and she pressed for the development of brownfield sites. Finally, she said that any decision on Green Belt land should be made at local level by democratically elected representatives.

Mr John Furey tabled an amendment at the meeting (formally seconded by Mr Martin) which was:

'Council notes:

1. Surrey County Council has a proud history as the creator of the Green Belt. The County's Countryside Estate founded by the Surrey County Council Act of 1931 was the basis of the London County Council's Green Belt Act of 1938.

2. The Coalition Agreement states:

'We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.'

Council believes:

Surrey's Green Belt, Countryside Estate, SSSIs and other green spaces are vital, not only for the county's environment but also for maintaining a "green lung" around London.

Council resolves:

1. To use its power to protect Surrey's Green Belt.
2. To support the National Planning Policy Framework (section 9 – paragraphs 79 to 92) and the Government's policy of protecting the Green Belt.
3. To make Surrey's MPs and the County's Districts and Boroughs aware of this resolution.
4. That any Green Belt development in the County is in line with the needs and wishes of Surrey residents.'

Mr Furey said that he strongly supported the Green Belt policy and would accept the broad principle of the motion. However, he had proposed three

amendments to it and explained the reasons behind them. He said that most planning applications were decided by Boroughs and Districts and that residents were consulted. He reiterated that Surrey would use its power to protect Surrey's Green Belt.

In seconding the amendment, Mr Martin explained the reasons for deleting the reference to the Chancellor of the Exchequer and for amending point 2 so that it referred to the National Planning Policy Framework which he hoped gave a more positive approach to the wording of the motion.

Mr Beardsmore agreed to accept the amendment and therefore the amendment became the substantive motion.

After a short debated in which 3 Members spoke, it was:

RESOLVED (unanimously):

Council notes:

1. Surrey County Council has a proud history as the creator of the Green Belt. The County's Countryside Estate founded by the Surrey County Council Act of 1931 was the basis of the London County Council's Green Belt Act of 1938.

2. The Coalition Agreement states:

'We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.'

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2. To support the National Planning Policy Framework (section 9 – paragraphs 79 to 92) and the Government's policy of protecting the Green Belt.
3. To make Surrey's MPs and the County's Districts and Boroughs aware of this resolution.
4. That any Green Belt development in the County is in line with the needs and wishes of Surrey residents.

22/13 REPORT OF THE CABINET [Item 9]

The Leader presented the reports of the Cabinet meetings held on 5 and 26 February 2013.

(1) Statements / Updates from Cabinet Members

The Cabinet Member for Children and Families introduced her statement in relation to the Celebration and Bursary Fund for Surrey's Looked After Children which had been included in the agenda.

(2) Recommendations on Policy Framework Documents

A The Consultation on Surrey's Admission Arrangements for September 2014 for Community and Voluntary Controlled Schools and Co-ordinated schemes

The Cabinet Member for Children and Learning was invited to present the report.

RESOLVED:

- (1) A feeder link is introduced for Banstead Community Junior School for children from Banstead Infant School for September 2014, as follows:
 - a) Looked after and previously looked after children
 - b) Exceptional social/medical need
 - c) Children attending Banstead Infant School
 - d) Siblings not admitted under c) above
 - e) Any other children
- (2) The introduction of a feeder link for Reigate Priory for children from Holmesdale and Reigate Parish is deferred until alternative options are considered.
- (3) The admission criteria for Southfield Park are changed so that, for September 2014, children who have Southfield Park Primary School as their nearest school would receive a higher priority when allocating places **outside** the catchment area, as follows:
 - a) Looked after and previously looked after children
 - b) Exceptional social/medical need
 - c) Siblings
 - d) Children living in the defined catchment of the school with priority being given to children living furthest away from the school
 - e) Other children for whom the school is their nearest school
 - f) Any other children

- (4) That a feeder link is introduced for St Ann's Heath Junior School for children from Trumps Green Infant School for September 2014, as follows:
- a) Looked after and previously looked after children
 - b) Exceptional social/medical need
 - c) Siblings
 - d) Children attending Trumps Green Infant School
 - e) Children for whom St Ann's Heath Junior School is the nearest school with a Junior PAN
 - f) Any other children
- (5) A reciprocal sibling link between St Ann's Heath Junior School and Trumps Green Infant School is introduced for September 2014 so that the schools would be described as being on a shared or adjoining site for applying sibling criteria.
- (6) A catchment area based on the Parish of Tatsfield and a phased tiered sibling priority based on the catchment is introduced for Tatsfield Primary School for September 2014, as follows:
- a) Looked after and previously looked after children
 - b) Exceptional social/medical need
 - c) Children who will have a sibling on roll at the school at the end of the 2013/14 academic year and that sibling will still be expected to be on roll at the school on the date of the child's admission
 - d) Siblings who live within the catchment area
 - e) Other children who live within the catchment area
 - f) Siblings who live outside the catchment area
 - g) Other children who live outside the catchment area
- (7) Tiered arrangements are introduced for Thames Ditton Junior School for September 2014 so that siblings, children at the feeder school and other children who have the school as their nearest receive priority ahead of those who do not, as follows:
- a) Looked After and previously looked after children
 - b) Exceptional social/medical need
 - c) Children with a sibling attending Thames Ditton Junior School at the time of the child's admission for whom the school is the nearest school to their home address
 - d) Children attending Thames Ditton Infant School for whom the school is the nearest school to their home address
 - e) Other children for whom the school is the nearest school to their home address
 - f) Other children with a sibling attending Thames Ditton Junior School at the time of the child's admission for whom the school is not the nearest school to their home address

- g) Other children attending Thames Ditton Infant School for whom the school is not the nearest school to their home address
 - h) Any other children
- (8) The PAN for Thames Ditton Junior School is decreased from 120 to 90 for September 2014.
- (9) That the Published Admission Numbers (PAN) for all other Community and Voluntary Controlled schools are determined as they are set out in Annex 1 of Appendix 1, of the Cabinet report, which include the following changes:
- a) Banstead Infant to increase its Reception PAN from 80 to 90
 - b) Bell Farm Primary to increase its Reception PAN from 60 to 90
 - c) Bell Farm Primary to decrease its Junior PAN from 120 to 30
 - d) Earlswood Infant to increase its Reception PAN from 90 to 120
 - e) Earlswood Junior to increase its Junior PAN from 90 to 120
 - f) Grovelands Primary to decrease its Reception PAN from 90 to 60
 - g) Salfords Primary to increase its Reception PAN from 45 to 60
 - h) Spelthorne Primary to increase its Reception PAN from 60 to 90
 - i) Trumps Green Infant to increase its Reception from 30 to 60
 - j) West Ewell Infant to increase its Reception PAN from 90 to 120
- (10) The number of preferences permitted under Surrey's Primary Coordinated Scheme is increased from three to four.
- (11) That the Coordinated Admission Schemes for 2014/15 are agreed as set out in Annex 4 to Appendix 1 of the Cabinet report.
- (12) Surrey's Relevant Area is agreed as set out in Appendix 2 of the Cabinet report.
- (13) That the remaining aspects of Surrey's admission arrangements for Community and Voluntary Controlled schools for September 2014, for which no consultation was required, are agreed.

B Implementation of the Public Value Review of Community Partnership – Constitutional Changes

Members welcomed this report, which had been to all local committees for comment and discussion, and looked forward to more decisions being devolved to a local level.

The Cabinet Member for Community Services and the 2012 Games thanked Members for expressing support for the proposals and recommendations. She invited Mr Kington to discuss options for making the process more transparent outside the meeting. She also acknowledged the lengthy process of this Public Value Review and thanked the Local Committee Chairmen and the steering group for their

input in moving the proposals forward. She also agreed with Mrs White in relation to recommendation (5) and hoped that some funding from Boroughs / Districts would be forthcoming during the next Administration.

RESOLVED:

- (1) That the guidance for the allocation of Members Allocations and Local Committee Capital Allocations be strengthened and the language simplified with the introduction of an updated Financial Framework for these allocations as attached in Annex A of the submitted report.
- (2) That Local Chairmen should be given greater discretion in relation to public participation at formal Local Committee meetings to make these meetings more engaging for residents. (The relevant amendments to Standing Orders are included in Annex B of the submitted report.)
- (3) That Local Committee Vice-Chairmen be given a greater role in Committee business and that consideration be given to Vice-Chairmen taking on a specific role as Highways Spokesperson for their Local Committee.
- (4) That one consistent set of protocols governing public participation in Local Committees is introduced to make processes clearer for residents and more efficient to administer. (The relevant amendments to Standing Orders are included in Annex B of the submitted report.)
- (5) That Local Committees allow equal voting rights for District and Borough Members unless restricted by law. (The relevant amendments are included in Annex B of the submitted report.)
- (6) That each Local Committees decides on whether it wishes to employ the rule of District or Borough Member substitutes or not. (The relevant amendments are included in Annex B of the submitted report.)

RESOLVED:

That the report of the meetings of the Cabinet held on 5 and 26 February 2013 be adopted.

23/13 SURREY PAY POLICY STATEMENT 2013 - 2014 [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 2013.

24/13 ELECTED MEMBER DEVELOPMENT STRATEGY [Item 11]

Mrs Hammond declared a disclosable interest because she was an assessor for South East Employers and left the room for this item.

The Cabinet Member for Change and Efficiency said that an Elected Member Development Strategy had been approved by the County Council in March 2011 and it had been agreed that it would be reviewed every other year.

The Member Development Steering Group had revised the Strategy and had also drafted additional role profiles for inclusion in the strategy.

Members made the following points:

- That the proposed protocol for elected Members attendance at external courses and conferences (Appendix D to the submitted report) could discourage Members from attending them.
- Access to the Members Portal could be easier.
- It was a good report.
- Recognition of the progress made by the County Council in this area.
- Acknowledgement of the excellent officer support.
- That the County Council was engaged in the whole training process. However, there was a need to examine the relevance of training and its Value for Money.

RESOLVED:

- (1) That the Elected Member Development Strategy, attached at Appendix 1 to the submitted report, be approved.
- (2) That the role profiles for the Surrey County Councillor, the Vice-Chairman of the Planning and Regulatory Committee and the Vice-Chairman of the Audit and Governance Committee, as set out in Appendix B of the Strategy, be agreed for publication in the County Council's Constitution.

25/13 AMENDMENTS TO THE CONSTITUTION (HEALTH AND WELLBEING BOARD AND HEALTH SCRUTINY) [Item 12]

The Cabinet Member for Adult Social Care and Health introduced the report and said that the Health and Social Care Act 2012 required the County Council to establish a Health and Wellbeing Board from 1 April 2013. He

confirmed that the Board would be subject to scrutiny, as detailed in the report.

The Chairman of the Health Scrutiny Committee referred to paragraph 12 of the main report and requested that Appendix 2, paragraph 1.1(b) be amended from 'the provision of such services to those inhabitants' to 'the provision of both private and NHS Services to inhabitants'. This was agreed.

After a short debate, in which Members received clarity on the new processes and procedures, it was:

RESOLVED:

- (1) That the new Article 8A Health and Wellbeing Board be adopted as part of the Council's Constitution as attached at Appendix 1, to the submitted report.
- (2) That Article 7 Select Committees be amended to reflect the changes to Health Scrutiny as set out in Appendix 2 (as amended), to the submitted report.
- (3) That the Council delegates responsibility for health scrutiny in Surrey to the Health Scrutiny Committee.
- (4) That the Council delegates power of referral to the Secretary of State to the Health Scrutiny Committee.

26/13 FORMATION OF A NEW SURREY COUNTY COUNCIL PENSION FUND BOARD [Item 13]

The Cabinet Member for Change and Efficiency said that previously the Investment side of Surrey County Council's Pension Fund had been managed separately, without any reference to liabilities, which was not good practice. Following publication of the draft Pension Fund Bill, this report set out the new requirements for each administering authority of a Local Government Pension Scheme to establish and maintain a Pension Fund Board.

In order to comply with statutory regulations, the Surrey Pension Fund required an authoritative decision making platform on which to resolve and implement decisions on (i) asset liability management, (ii) investment best practice, (iii) clear pathway to full funding status.

She commended the report and its recommendations to Members.

RESOLVED:

1. That the Surrey Pension Fund Board be established as a Committee of the County Council in accordance with section 101 of the Local

Government Act 1972 with all matters delegated to it, as set out in Appendix A to the submitted report, as its terms of reference with effect from 21 May 2013.

2. That the Surrey Pension Fund Board shall also carry out any functions of a Scheme Pension Board that are required by legislation.
3. That the changes to the Audit and Governance Committee's terms of reference, as set out in Appendix B to the submitted report, be approved and included within the Council's Constitution.
4. That the changes to the Chief Finance Officer's, Strategic Finance Manager's (Pension Fund and Treasury) and Pensions Manager's delegated powers, as set out in Appendix C to the submitted report, be approved and included within the Council's Constitution.
5. That the Surrey Pension Fund Board receive committee support from the Council's democratic services team.
6. That the Investment Advisory Group be disbanded with effect from 21 May 2013.
7. That any consequential amendments be made to the Council's Constitution as required.

27/13 CODE OF BEST PRACTICE IN PLANNING PROCEDURES [Item 14]

The Chairman of the Planning & Regulatory Committee presented the report and drew Members attention to paragraph 2.2, relating to the role of Planning & Regulatory Committee Members, in the Surrey Code of Best Practice in Planning Procedures.

RESOLVED:

That the Code of Best Practice in Planning Procedures be approved and included in the Council's Constitution.

28/13 AMENDMENT TO THE SCHEME OF DELEGATION - THE EXERCISE OF EXECUTIVE FUNCTIONS [Item 15]

The Leader of the Council introduced the report.

Mrs White requested that the words 'where appropriate' be deleted from paragraph 6, bullet point 3 and this was agreed by the Leader. Mrs Watson requested that 'local Members' be included in paragraph 6, bullet point 2. The Leader of the Council said that he would consider this request outside the meeting.

RESOLVED (as amended):

That the amendments agreed by the Leader to the Highways and Youth functions for Local Committees and the related Officer delegations within the Scheme of Delegation be noted.

29/13 MINUTES OF THE MEETINGS OF THE CABINET [Item 16]

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

30/13 CHAIRMAN'S CLOSING REMARKS RE. THE COUNCIL TERM [Item]

The Chairman closed the meeting by stating that at least 17 Members would be standing down and that therefore this was their last meeting. She hoped that they had enjoyed their time at the County Council and made new friends. She expressed appreciation to the remaining Members and to officers who had helped Members with their work.

[Meeting ended at: 12.50pm]

Chairman