

MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD AT THE COUNCIL CHAMBER, COUNTY HALL, KINGSTON UPON THAMES, KT1 2DN ON 17 MARCH 2020 COMMENCING AT 10.00 AM, THE COUNCIL BEING CONSTITUTED AS FOLLOWS:

Tony Samuels (Chairman)
* Helyn Clack (Vice-Chairman)

* Mary Angell	* Naz Islam
Ayesha Azad	Colin Kemp
* Nikki Barton	Eber Kington
* John Beckett	Graham Knight
* Mike Bennison	* Rachael I Lake
* Amanda Boote	* Yvonna Lay
Chris Botten	* David Lee
* Liz Bowes	Mary Lewis
Natalie Bramhall	* Andy MacLeod
* Mark Brett-Warburton	* Ernest Mallett MBE
* Ben Carasco	David Mansfield
* Bill Chapman	Peter Martin
Stephen Cooksey	* Jan Mason
Clare Curran	Cameron McIntosh
Nick Darby	Sinead Mooney
* Paul Deach	* Charlotte Morley
* Graham Ellwood	Marsha Moseley
Jonathan Essex	* Tina Mountain
Robert Evans	Bernie Muir
* Tim Evans	Mark Nuti
* Mel Few	John O'Reilly
Will Forster	Tim Oliver
* John Furey	Andrew Povey
Matt Furniss	* Wyatt Ramsdale
* Bob Gardner	* Penny Rivers
* Mike Goodman	* Becky Rush
* Angela Goodwin	* Stephen Spence
* David Goodwin	* Lesley Steeds
Zully Grant-Duff	Peter Szanto
Alison Griffiths	Keith Taylor
Ken Gulati	* Barbara Thomson
Tim Hall	* Rose Thorn
Kay Hammond	Chris Townsend
David Harmer	Denise Turner-Stewart
Jeffrey Harris	Richard Walsh
Nick Harrison	Hazel Watson
Edward Hawkins	* Fiona White
Marisa Heath	Keith Witham
Saj Hussain	* Victoria Young
Julie Iles	

*absent

14/20 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Mrs Angell, Mrs Barton, Mr Beckett, Mr Bennison, Amanda Boote, Mrs Bowes, Mr Brett-Warburton, Dr Chapman, Mrs Clack, Mr Deach, Mr Ellwood, Mr Evans, Mr Few, Mr Furey, Mr Gardner, Mr Goodman, Mrs Goodwin, Mr Goodwin, Mr Islam, Rachael I Lake, Mrs Lay, Mr Lee, Mr MacLeod, Mr Mallett, Mrs Mason, Mrs Mountain, Mr Ramsdale, Mrs Rivers, Mrs Rush, Mr Spence, Mrs Steeds, Ms Thomson, Mrs Thorn, Mrs White and Mrs Young.

15/20 MINUTES [Item 2]

The minutes of the meeting of the County Council held on 4 February 2020 were submitted, confirmed and signed.

16/20 DECLARATIONS OF INTEREST [Item 3]

There were none.

17/20 CHAIRMAN'S ANNOUNCEMENTS [Item 4]

The Chairman:

- Highlighted to Members that the Chairman's Announcements were located in the agenda front sheet.

18/20 LEADER'S STATEMENT [Item 5]

Mr Harrison arrived at 10.05 am

Ms Azad arrived at 10.09 am

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

Members raised the following topics:

- Offered full support to the actions taken by the Council in respect of the current circumstances concerning coronavirus, thanking officers and partners for continuing to support vulnerable residents.
- Highlighted the importance of communities coming together to provide reassurance to one another, it was encouraging that volunteers and neighbours were offering to help vulnerable individuals and those self-isolating.
- Recognised the changing priorities of the Council and that the challenges faced by the Council were met bravely and boldly by the Leader and Chief Executive.
- Urged all Members to work proactively in communities to support local initiatives and noted that although it was a difficult time the Council were equipped to address the crisis.
- Welcomed the cross-party support concerning coronavirus and requested more information from the Leader on the Council's emergency helpline.
- That some residents had written to the Leader querying the Council's recently agreed precept percentage concerning Council Tax.

18/20a CONSTITUTIONAL CHANGES [Item 5a]

The Leader of the Council introduced the report, noting that the draft report had been circulated to group leaders and committee chairmen. Legislation surrounding special arrangements for local government was constantly evolving in respect of new provisions by the Secretary of State for Housing, Communities and Local Government - such as holding meetings remotely. As a result, there would be small changes to the Council's constitution to enable Council business to continue. He highlighted that those arrangements were time-limited until the County Council meeting on 13 October, subject to review by the Audit and Governance Committee.

Members made the following comments:

- That one recommendation stated that the Chairman of the Council and group leaders would be consulted on a protocol setting out the arrangements for decision making with committee members prior to any officer decision usually referred to committee, querying whether all Members could receive the draft protocol.
- Felt that the report was a major step in altering democracy as it gave power to a small group of Members and officers, raising concerns with the provision for non-executive decision making (as far as the law allows) particularly the Planning and Regulatory Committee and its often contentious applications.
- Welcomed the inclusion of time limit and consultation with group leaders and committee chairmen.

In response the Leader explained that the constitutional changes would not change the power structure within the Council as it was a practical step to ensure the continuation of council business. He agreed that a draft protocol would be circulated to all Members. He was hopeful that the additional temporary powers granted such as the ability to hold meetings remotely, would lead to a future change in the legislation. He recalled that the Secretary of State for Housing, Communities and Local Government had given special consideration to planning and licensing committees. The Leader noted that in some situations there would not be delegated decisions by officers regarding the Planning and Regulatory Committee, as significant decisions would be delayed where possible until full meetings were convened.

The chairman of the Audit and Governance Committee asked for any committee members present to discuss outside of the meeting how it wished to operate as a result of the report's recommendations - despite self-isolating he urged Members to contact him if they had any concerns.

RESOLVED:

1. To amend the definition within the Council's Constitution (as far as the law allows) to define Cabinet as a formal meeting of Cabinet or the Leader or nominated Cabinet Member making a decision in consultation with at least two other Cabinet Members.

2. To delegate all non-executive decisions (as far as the law allows) to the relevant proper officer in consultation with the relevant chairman or member nominated by the chairman.
3. To agree that any member unable to attend a council meeting for a period greater than six months for virus related reasons, receives a dispensation further to section 85(1) of the Local Government Act 1972 to December 2020.
4. To resolve that a protocol be agreed with the Chairman of the Council and group leaders to set out the arrangements for decision making with committee members prior to any officer decision usually referred to committee. Protocol to include:
 - a) Notice and reports for the public and committee members
 - b) Any representations from members on decisions
 - c) Arrangements for 'virtual' meetings, discussions or recommendations from members of the committees/members of the public/other councillors.
5. To agree that the Audit and Governance Committee will monitor the use of the protocol and make recommendations on any required amendments to the protocol to ensure that Members remain informed in relation to council decision making.
6. To authorise the Monitoring Officer in consultation with the Chairman of the Council and group leaders to incorporate any legislative changes issued by Government into council business processes.
7. To agree existing chairmen, vice-chairmen and committee appointments continue in line with political group wishes.
8. To review these measures at the 13 October 2020 meeting of the Council or as soon as practicable thereafter as determined by the Audit and Governance Committee.

19/20 MEMBERS' QUESTION TIME [Item 6]

Member Questions:

Notice of thirteen questions had been received. The questions and replies were published in a supplementary agenda on 16 March 2020.

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

(Q1) Mr John O'Reilly did not ask a supplementary question.

Mr Jonathan Essex noted the upcoming review by the Government on the Airports National Policy Statement (ANPS) concerning Heathrow and Gatwick expansion. He asked whether the Council would review its position on its support of the expansion of Gatwick to 15 million passenger movements annually, prior to the Court of Appeal's recent ruling on the ANPS and despite the Government's 10 million passenger movement limit set out in response to the Gatwick Area Conservation Campaign.

In response the Leader of the Council agreed to look into the query subsequent to the meeting as the Cabinet Member for Environment and Waste was not present to respond.

(Q6) Mr Eber Kington asked the Cabinet Member for Highways to clarify his response concerning the Council's new application system for highway trees which he felt was unclear. He stated that applicants would be required to register online and pay a fee, which meant that data regarding requests on the number of trees and refused requests would be recorded. He asked if that data would be made available so the performance of the new policy could be assessed.

The Cabinet Member for Highways responded that the Council did not currently have a system for recording all trees planted in the county, unless they went through the Highways Arboriculture Team (HAT). A system would be put in place to facilitate the recording of the proposed 1.2 million trees and he agreed to provide data recorded by the HAT to Members if they requested it regarding trees in their division.

(Q8) Mr Robert Evans asked the Cabinet Member for Environment and Waste on whether issues on reducing emissions would still be prioritised in view of changed circumstances since the recent seminar on Climate Change in February.

In response the Leader of the Council agreed to look into the query subsequent to the meeting as the Cabinet Member for Environment and Waste was not present to respond.

Cabinet Member Briefings:

These were also published with the supplementary agenda on 16 March 2020.

Cabinet Member for Highways: A Member commended the Cabinet Member and Surrey Highways for their work in successfully resolving the long-standing flooding problem on the A24 near Downsland School. He also thanked the Council's highways officers responsible for the Mole Valley area and thanked the Local Highway Services Group Manager for resolving issues in his division.

20/20 STATEMENTS BY MEMBERS [Item 7]

There were none.

21/20 ORIGINAL MOTIONS [Item 8]

Item 8 (i)

Mr Botten agreed to withdraw his motion.

22/20 MEMBERS' COMMUNITY ALLOCATION - FINANCIAL FRAMEWORK [Item 9]

The Leader of the Council introduced the report and stated that there were no major changes to the Members' Community Allocation (MCA). The revised MCA encouraged Members to consider the wider ambitions of the Council as set out

in its Organisation Strategy 2020-2025, which included eight main areas of focus such as improving quality of life and addressing the inequality of opportunity and life expectancy.

The Cabinet Member for Children, Young People and Families emphasised that one way in which to tackle inequality was to continue to support Looked After Children (LAC) in the county. She was pleased that the Leader had agreed that Members could contribute £250 from their allowance to the Celebration Fund for Looked After Children and Care Leavers. She informed Members that the panel who were responsible for administering the Fund, had met recently to give out awards and the panel agreed that a report would be provided to Members detailing where MCA contributions were dedicated to last year. She encouraged Members to contribute again this year and noted that officers from other local authorities had said that it was a unique way to demonstrate corporate parenting.

RESOLVED:

That Council:

1. Approved the new MCA grant criteria of tackling inequality; supporting independence; joined up health and social care; creating a greener future; embracing Surrey's diversity; partnership; supporting the local economy; and digital revolution.
2. Approved the revised MCA exclusions disallowing the funding of political organisations and activities; national curriculum teaching or learning activities; planning disputes; reputation-damaging activities; and conflicts of interest.
3. Approved the new Financial Framework for Members' Community Allocation, with effect from 1 April 2020.

23/20 SURREY PAY POLICY STATEMENT 2020/2021 [Item 10]

The Leader of the Council introduced the report noting that it had been agreed at the People, Performance and Development Committee (PPDC) and was a requirement that the Council agreed it annually. He thanked the Director of Human Resources and Organisational Development for her work on the report. He summarised the main points on the Statement which were the remuneration of Chief Officers, the terms to which those Chief Officers were employed and the Council's current policies on equal pay, redundancy and Severance which involved sensitive discussions with Council's two Trade Unions and staff.

RESOLVED:

That Council agreed the Pay Policy Statement for 2020/2021.

24/20 MINUTES OF CABINET MEETINGS [Item 11]

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

[Meeting ended at: 10.38 am]

Chairman

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