

RESOURCES AND PERFORMANCE SELECT COMMITTEE

FRIDAY, 7 OCTOBER 2022

**REFERRAL FROM COUNCIL – MOTION ON PROCUREMENT POLICY, TAX AVOIDANCE AND THE FAIR TAX MARK**

Purpose of report: To provide input and feedback on the aforementioned council motion referred to the Resources and Performance Select Committee by the full council.

Introduction:

1. At the meeting of Council held at Woodhatch on Tuesday, 12 July 2022, Members of Surrey County Council under item 8 voted to refer motion (iv) on procurement policy, tax avoidance and exemplary tax conduct to the Resources and Performance Select Committee for their feedback and input.
2. Focussing on leading by example and the fair tax mark accreditation, the motion, inter alia, highlights the good practice when awarding contracts, asking the Surrey County Council (SCC) to take active steps in order to promote exemplary tax conduct – including ensuring contractors pay their proper share of tax; deterring potential corporate tax avoidance; and inviting the SCC to approve the “Councils for Fair Tax Declaration”.
3. Full text of the motion is attached as Annex 1 to this report.
4. A briefing report prepared by the Service is attached as Annex 2 to this report.

The Process:

5. According to the Surrey County Council constitution, Part 1 of the Standing Orders under points 12.5 to 12.8, it states that:
 - 5.1 When an original motion is referred to the Cabinet or appropriate committee under Standing Order 12.3, the Member of the Council who has moved the original motion and his/her seconder shall be notified of

the meeting at which the Cabinet or committee will consider it. They shall have the right to attend the meeting and speak to the motion.

- 5.2 Where an original motion is referred to the Cabinet or a committee, it will report upon the motion to the following ordinary meeting of the Council and Standing Order 8.8(b) shall not apply to such report.
- 5.3 The Cabinet or committee may recommend exceptionally that consideration of an original motion should be deferred, in which case the appropriate member of the Cabinet or the committee chairman may explain the reasons for the recommendation. The mover and seconder Part 4 Standing Orders May 2022 12 of the original motion may also speak. The recommendation will then be put to the Council without further debate.
- 5.4 If a notice of an original motion relates to a matter which, under legislation or the County Council's Constitution, is the responsibility of the Cabinet, the motion may only call on the Council to request the Cabinet to consider a particular course of action and may not bind the Cabinet.
6. Councillor Jonathan Essex (Proposer), Councillor Robert King (Secunder) have been invited to speak to present this motion to the Select Committee at the meeting. Service officers will be available at the meeting to assist the Select Committee with any technical or service queries.

Recommendations:

7. Resources and Performance Select Committee is invited to consider the motion (Annex 1) along with the briefing report prepared by the Service (Annex 2) and provide its feedback to the full council through a set of recommendations, if any, that should have clear and measurable outcomes.

Next steps:

8. Recommendations agreed by the Resources and Performance Select Committee will be presented to the full council meeting.

Report contact

Kunwar Khan, Scrutiny Officer, Law and Governance

kunwar.khan@surreycc.gov.uk | 07988 522219

Annex 1 – Full text of the motion

Annex 2 – Service briefing on responsible tax conduct motion

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