

COUNTY COUNCIL
To be agreed at the next council meeting
COUNTY COUNCIL MEETING – 13 JUNE 2006

MINUTES of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 13 June 2006 commencing at 10:00am, the Council being constituted as follows:

Mr David Davis – Chairman
Mrs Angela Fraser DL – Vice-Chairman

	Mr Victor Agarwal	Yvonna Lay
	Mrs Mary Angell (left 2.55pm)	Mr R A N Lowther
	Mr Timothy Ashton	Mr Ernest Mallett
	Mr Cyril Baily	Mrs Sally Ann B Marks
	Mr W D Barker OBE	Mr Geoff Marlow
*	Ian Beardsmore	Mr Peter Martin
	Mr Mike Bennison	Mrs Jan Mason
	Mr Laurie Burrell	Mrs D M Mitchell
	Mr Fred Chipperfield	Mr D J Munro
	Mrs Helyn Clack	Marian Myland
	Mrs Carol Ann Coleman	Mr Maurice D Neighbour
	Mrs Elizabeth Compton	Mike Nevins
	Mr Stephen Cooksey	Tim Oliver
	Mr Andrew Crisp	* Eddie Owen
	Frank Davies	Mr Alan Peirce
	Sarah Jane Di Caprio	Mr Nigel Petrie MBE (left 3.20pm)
	Mr Terry Dicks (left 3.15pm)	Mr Tom Phelps-Penry
	Mr John Doran	Chris Pitt
	Mr John Farmer	Dr Andrew Povey
	Mr Chris Frost	Mr Kenneth Rimington (left 3.45pm)
	Mrs Pat Frost	Mr Tony Rooth
	Mr David Goodwin	Mrs Dorothy Ross-Tomlin
	Mr Michael Gosling	Mrs Denise Saliagopoulos
	Dr Lynne Hack	Mrs Lavinia Sealy
	Tim Hall	Mrs Pauline Searle
	Mrs K Hammond	Mr N W Skellett
	Mr Simon Harding	Chris Slyfield
	Mr David Harmer	Mrs Diana Smith
	Mr Nick Harrison	Mr James E Smith OBE
	Mr Peter Hickman	Jean Smith
	Mrs M A Hicks	Mrs Christine Stevens
	Mr David Hodge	Mr Shamas Tabrez
*	Mr David Ivison	Mr Roy Taylor
	Mrs Carole Jones (left 2.55pm)	Mr Colin Taylor
	Mr Daniel Kee	Mrs Val Tinney
	Frances King (left 3.55pm)	Denise Turner
	Mr Ian R Lake	Mrs Hazel V A Watson
	Mr Peter Langham	Mrs Fiona White
		Mrs Elise S Whiteley

*absent

MINUTES (ITEM 1)

- 64/06 The Minutes of the meeting of the County Council held on 2 May 2006 were submitted, confirmed and signed.

APOLOGIES FOR ABSENCE (ITEM 2)

- 65/06 Apologies for absence were received from Mr Beardsmore, Mr Ivison and Mr Owen.

CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)

- 66/06 The Chairman made the following announcements:

Mr John Ades

The Chairman of the Council reported the death of John Ades on Friday 2 June. Mr Ades had served as County Councillor for the Ash division since June 2001. Members stood in silent tribute.

DECLARATION OF PERSONAL AND PREJUDICIAL INTERESTS (ITEM 4)

- 67/06 A detailed guidance note, from the Head of Legal Services, on declaring interests at this meeting was circulated to all Members both via email and at the meeting. A copy is attached as Appendix A.

Mr Doran declared a personal interest in item 9, the notice of motion, because he was an Executive Director of the Highways Agency.

Mr Harrison declared a personal interest in item 12, the Surrey Waste Plan 2006, because he was a member of the Reigate & Banstead Council for the Protection of Rural England.

MEMBERS' QUESTION TIME (ITEM 5)

- 68/06 Notice of 20 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:

Mr Hall

Mr Hall asked the Leader of the Council whether he was aware that Kent County Council had an officer co-ordinating all Olympic related

issues and he also enquired whether the lead would be taken by Districts / Boroughs or by a Surrey partnership. The Leader said that this issue needed to be considered at the Surrey LGA where he would be happy to partake in the discussion.

Mr Doran

Mr Doran expressed concern that the gang productivity report was still confidential even though it had been in existence for several months and asked the Leader of the Council how much longer it would take to remove names and also to conclude the commercial negotiations with the contractors so that the report could be made public? The Leader of the Council informed Mr Doran that negotiations with the contractor had reached a conclusion but that the names in the gang productivity report still needed to be removed. It was likely that a report on the agreement with Carillion would be presented to the next Executive, providing that the Chairman of the Transportation Select Committee agreed that the report could be considered as an urgent item. After that, the gang productivity report could be made public.

He also asked where in the BDR report did it mention savings that could be made on the SHiP contract. He was informed that the initial BDR report from November 2005 had identified savings in Highways expenditure but after further debate with the BDR steering group, the final budgetary report to Council on the efficiencies in the Highways revenue expenditure was shelved.

Finally, he reiterated his request, made in the last paragraph of his question for a date and a copy of the minutes from the meeting with the contractor. He was informed that the agreement had been reached, over invoices submitted until May 2005, at an informal working group so minutes were not available. However, a report on the productivity issues would be submitted to the Executive soon.

Mr Doran

Mr Doran said that he could not find the requested, detailed breakdown of £50m funding gap in the written response. He was informed, by the Leader of the Council, that the explanation was set out in paragraph 3 and he invited him to contact officers from the Corporate Finance team to arrange for a detailed explanation of the figures in the attached table if he wished.

Mr Bennison

Mr Bennison asked the Executive Member for Support Services for further information on the accommodation review. He was informed that officers would report back in the Autumn. However, some

maintenance of County Hall was currently being undertaken to accommodate the BDR office moves.

Mr Doran

Mr Doran asked the Executive Member for Support Services, who confirmed, that there was an on-going plan for staff office space.

Mr Doran

Mr Doran did not consider that the response from the Executive Member for Support Services referred to 'Value for Money' and the benefits of SAP. However, the Executive Member considered that this had been addressed in the last paragraph of his response.

Mr Slyfield

Mr Slyfield asked the Executive Member for Support Services if the savings identified from BDR still applied? The Executive Member agreed to respond to this question outside the meeting. Mr Slyfield also asked if he could confirm that new consultants were working on SAP? The Executive Member for Support Services confirmed that the consultants were still from IBM.

Mr Phelps-Penry

Mr Phelps-Penry considered that officers working on the replacement for Walton Bridge had acted beyond their authority. The Executive Member for the Environment agreed to discuss this matter further with Mr Phelps-Penry outside the meeting.

Mr Phelps-Penry

Mr Phelps-Penry asked the Executive Member for Transport if she accepted that the replacement of Walton Bridge was a bridge maintenance scheme and asked her whether she had any plans to modify the project? She confirmed the former and said that currently, there were no plans to modify the proposed scheme.

Mr Phelps-Penry

Mr Phelps-Penry considered that the decriminalised parking arrangements in Walton were in urgent need of review and asked whether Highways staff were currently undertaking a review, given the new town centre development? The Executive Member for Transport confirmed that the Local Committee was working on this and the outcome would result in improved decriminalised parking arrangements.

Mr Frost

Mr Frost asked the Executive Member for Transport if she was aware that not all Local Committees had discussed the new assessment system for LTP schemes? She confirmed that she was aware of this and urged Local Committee members who had yet to do this to discuss this matter as soon as possible so that comments can be submitted to the Executive.

Mrs Diana Smith

Mrs Diana Smith requested that Members were included on the circulation list so that they receive the same information as schools on Safer & Smarter Travel. This request was agreed by the Executive Member for Transport.

Mr Doran

Mr Doran considered that the lack of data on the number of staff employed in Transportation in 2003 and 2004 was unacceptable. He also asked the Executive Member for Transport for reassurance that the staff reductions in Transportation would not have an adverse affect on the ShiP contract but she was unable to provide this guarantee.

Mr Taylor

Mr Taylor asked the Executive Member for Transport, who agreed, that in future all local Members could be advised of any Highways work taking place at night.

Mrs Sealy

Mrs Sealy asked the Executive Member for Environment on what basis was the assessment made on the Heather Farm Site and what did the report say? The Executive Member said that the report was very detailed but was unable to comment further because it had not yet been published and that any further comments could pre-empt a possible planning application. However, he agreed to have further discussions outside the meeting.

Mr Doran

Mr Doran asked the Executive Member for Environment if he could clarify whether this response meant that Woking Borough Council would be taken out of the Surrey Waste Plan. The Executive Member said that he was unable to comment on specific sites because the Surrey Waste Plan was controversial.

Mrs Sealy

Mrs Sealy asked the Executive Member for Environment if he was aware of the letter from English Nature urging the County Council to adopt a cautionary approach and asked whether their concerns had been taken into account. The Executive Member said that the issue of Special Scientific Interest sites was complex and that the council, together with other Local Authorities in the South East, was seeking urgent clarity from Government and English Nature.

SURREY POLICE AUTHORITY (ITEM 6)

69/06 Notice of 4 questions had been received for the Police Authority. 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:

Mr Dicks

Mr Dicks asked the Chairman of the Police Authority whether he was aware of the definition of the Surrey Police Authority provided by the Standards Board and the Independent Police Complaints Board. The Chairman of the Police Authority referred Mr Dicks to his response and invited him to attend the relevant meeting of the Police Authority if he wished.

Mr Dicks also asked the Chairman of the Police Authority, who said his role was to respond to questions on policy and not operational processes and therefore declined to comment on, whether he thought it was appropriate that the Chief Constable had a card index filing system. The Chairman of the Police Authority informed Members that the Chief Constable's performance, assessed by HMIC, against his objectives was exceptionally good.

Mr Dicks said that he was not satisfied with the response to his third question about a recent court case involving a police officer and would be taking this up outside the meeting.

Finally, Mr Dicks considered that the balance of resources to prosecute drug dealers as opposed to the resources available to prosecute drug users was wrong and asked the Chairman of the Police Authority for his comments. He said that he felt that it was about right but that the use of resources would be reviewed.

**STATEMENT BY CHAIRMAN OF THE SURREY POLICE
AUTHORITY (ITEM 7)**

70/06 A written statement on the work of the Police Authority had been included in the agenda and Mr Smith updated Members on the trilateral meeting.

STATEMENTS BY MEMBERS (ITEM 8)

71/06 There were none.

NOTICES OF MOTION (ITEM 9)

72/06 Under Standing Order 13a, Mr John Doran moved the notice of the motion standing in his name, which was formally seconded by Mr David Goodwin

‘That the Council takes note and,

agrees that the condition of the County’s roads is not meeting public expectations and urgent action is needed.

Mr Nick Skellett, seconded by Mrs Helyn Clack, moved an amendment to the motion. (A copy of the amendment was circulated at the meeting.) The amendment was:

‘That the Council takes note that,

1. In recognising that the condition of the County’s roads is not meeting public expectations everywhere;
2. Endorses the action already taken and the further action proposed to inform a thorough review of Partnership Contracts by:
 - (a) reporting the outcome of the Audits on amounts charged for schemes and maintenance for the last three years.
 - (b) reviewing the management and investigating the supervision of the contract by the contractors and Surrey County Council.
 - (c) reviewing the Business Processes for Planning, Ordering, Monitoring and Paying for maintenance and capital works.
 - (d) reviewing the design of the Contract to ensure it fully meets our statutory requirements.
 - (e) taking appropriate action urgently.

3. Call on the Government to review its chronic under-funding of Surrey's roads which has to be made up through Prudential Borrowing and Council Tax.

Mr Skellett made a statement on the amendment. A copy is attached as Appendix C.

After the debate on the amendment in which 29 Members spoke, the amendment was put to the vote with 60 Members voting for and 10 Members voting against.

The amendment became the substantive motion.

During the debate on the substantive motion in which 3 Members spoke, Mr Kee moved that the 'question be now put' However, this motion was not carried.

2 Members spoke before the substantive motion was put to the vote with 60 Members voting for and 10 Members voting against. It was clearly carried.

Therefore, it was:

RESOLVED:

'That the Council takes note that,

1. In recognising that the condition of the County's roads is not meeting public expectations everywhere;
2. Endorses the action already taken and the further action proposed to inform a thorough review of Partnership Contracts by:
 - (a) reporting the outcome of the Audits on amounts charged for schemes and maintenance for the last three years.
 - (b) reviewing the management and investigating the supervision of the contract by the contractors and Surrey County Council.
 - (c) reviewing the Business Processes for Planning, Ordering, Monitoring and Paying for maintenance and capital works.
 - (d) reviewing the design of the Contract to ensure it fully meets our statutory requirements.
 - (e) taking appropriate action urgently.
3. Call on the Government to review its chronic under-funding of Surrey's roads which has to be made up through Prudential Borrowing and Council Tax.

[Note: partway through the debate on the motion, the meeting adjourned briefly between 11.40am – 12.00pm after which all Members returned.]

ADJOURNMENT

The meeting adjourned for lunch at 1.15pm and resumed at 2.15pm with all those present who had been in attendance in the morning session except for Mr Agarwal, Mr Burrell, Mrs Frost, Mrs Lay, Mr Langham, Mr Nevins, Dr Povey, Mrs Saliagopoulos and Mrs Turner.

REPORT OF THE EXECUTIVE (ITEM 10)

73/06 The report of the Executive had been divided into four sections because the Corporate Plan, the Waste Plan and the approval of the full Scheme of Delegation all required a decision from all County Council Members. Mr Skellett presented each item separately.

(1) Statements/updates from Members

Mr Skellett updated Members on the following Member 'champions':

- Mrs Sealy – Voluntary Sector
- Mr Farmer – Older People
- Mr Burrell – Looked after Children
- Mrs Saliagopoulos – Youth

The following Executive Members also made statements:

- The Leader of the Council – Hindhead A3 Tunnel project
- Executive Member for Schools, Children and Youth Services – an update on Youth Service issues.
- Executive Member for Safer and Stronger Communities – the proposed merger of Surrey Police with Sussex.

Copies of the above statements were circulated at the meeting and are attached as Appendix D.

The Executive Member for Adults & Community Care made a verbal statement informing Members that Surrey County Council was running Adult Protection Awareness week between 12 -18 June.

RESOLVED:

That the report of the meetings of the Executive held on 25 April, 23 May and 6 June 2006 be noted.

CORPORATE PLAN 2006–2009: TARGET SETTING (ITEM 11)

74/06 Mr Skellett presented the report of the Executive from the meeting held on 6 June 2006. The recommendations of the Executive were set out in the supplementary report, circulated to Members on 9 June 2006. A copy is attached as Appendix E.

A revised version of the document setting out the results and future targets for Best Value performance indicators was circulated to Members prior to the meeting. A copy is attached as Appendix F.

After a short debate, it was:

RESOLVED:

- (1) that the BVPI targets as set out in the tabled Annexe be approved.**
- (2) that the following amendments to the Corporate Plan be approved:**

Page 19 - the Transportation Operational Policy be revised to include an additional bullet point referring to investment in the school transport service

Page 22 - Safer and Stronger Communities Operational Policies

Amend last bullet point (amendment underlined):

- Providing leadership and developing partnership processes for stronger and therefore safer communities**

Add fifth bullet point:

- Undertaking contingency planning to deal with emergencies and maintain business continuity.**

THE SURREY WASTE PLAN 2006 – FOR SUBMISSION (ITEM 12)

75/06 Mr Skellett presented the report of the Executive from the meeting held on 6 June 2006. The recommendation from the Executive on the Surrey Waste Plan 2006 was set out in the supplementary report. (Appendix E)

After the debate in which 19 Members spoke, Mrs Di Caprio requested a recorded vote. 10 Members stood in support of this request.

The following Members voted for:

Mr Ashton, Mr Baily, Mr Barker, Mr Bennison, Mr Chipperfield, Mrs Clack, Mrs Compton, Mr Crisp, Mr Frank Davies, Mr David Davis, Mr Farmer, Mrs Fraser, Mr Frost, Mr Gosling, Dr Hack, Mr Hall, Mrs Hammond, Mr Harding, Mr Harmer, Mr Harrison, Mr Hickman, Mr Hodge, Mr Kee, Mr Lake, Mr Mallett, Mrs Marks, Mr Marlow, Mr Martin, Mrs Mason, Mrs Mitchell, Mr Munro, Mrs Myland, Mr Neighbour, Mr Oliver, Mr Peirce, Mr Phelps-Penry, Mr Rooth, Mrs Sealy, Mr Skellett, Mr James Smith, Mrs Jean Smith, Mrs Stevens, Mr Tabrez and Mr Roy Taylor.

The following Members voted against:

Mr Cooksey, Mrs Di Caprio, Mr Doran, Mr Goodwin, Mrs Searle, Mr Slyfield, Mrs Diana Smith, Mr Colin Taylor, Mrs Watson and Mrs White

and the following Members abstained:

Mrs Coleman, Mr Lowther, Mr Pitt, Mrs Tinney and Mrs Whiteley.

RESOLVED:

That the waste development documents in the 'Surrey Waste Plan 2006 – for submission' for submission to the Secretary of State be approved

SCHEME OF DELEGATION (ITEM 13)

76/06 Mr Skellett presented the report of the Executive from the meeting held on 6 June 2006. The recommendation from the Executive on the Scheme of Delegation was set out in the supplementary report. (Appendix E)

RESOLVED:

That the whole Scheme of Delegation, as amended, subject to the typographical corrections by the Head of Legal Services, to take effect immediately in respect of Corporate Services, Policy and Performance and Services for Communities and from 1 July 2006 in respect of functions and officers within Services for Families be approved.

**ELECTION OF COMMITTEE CHAIRMEN / VICE-CHAIRMEN 2006/07
(ITEM 14)**

77/06 The nomination of Mrs Jean Smith as Chairman of Epsom & Ewell Local Committee was circulated to Members as a supplementary paper on 9 June 2006. (Appendix E)

RESOLVED:

(1) That Mrs Fiona White be elected as Vice-Chairman of the Adult & Community Care Select Committee for the council year 2006/07.

(2) That Mrs Jean Smith be elected as Chairman of Epsom & Ewell Local Committee for the council year 2006/07.

(3) That Dr Lynne Hack be elected as Chairman and Mrs Frances King be elected as Vice-Chairman of the Reigate & Banstead Local Committee for the council year 2006/07.

**REPORT OF THE INDEPENDENT REMUNERATION PANEL (ITEM
15)**

78/06 The Chairman of the Audit & Governance Committee presented the report of the Audit & Governance Committee held on 18 May 2006. This report was noted.

After a short debate, it was:

RESOLVED (with 4 Members voting against):

That the recommendations of the Panel in respect of Members Allowances for 2006/07, as set out in Appendix G, be agreed.

SELECT COMMITTEES AREA OF RESPONSIBILITY (ITEM 16)

79/06 It was agreed that:

- Surrey Commercial Services was part of the remit of Corporate Management
- Minerals was part of Strategic Planning and therefore part of the remit of Environment & Economy
- Typo correction – ‘Schools and Communities’ should be corrected to ‘Schools and Learning’.

RESOLVED:

That the areas of responsibility for the Council's Select Committees be agreed as set out in Appendix H.

[The meeting ended at 4.30pm]

Chairman