

## COUNTY COUNCIL

### COUNTY COUNCIL MEETING – 4 MARCH 2008

**MINUTES** of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 4 March 2008 commencing at 10:30am, the Council being constituted as follows:

Mrs Angela Fraser DL – Chairman  
Mr Geoff Marlow – Vice-Chairman

- |   |                                  |                                     |
|---|----------------------------------|-------------------------------------|
| * | Mr Victor Agarwal                | Yvonna Lay                          |
|   | Mrs Mary Angell                  | Mr R A N Lowther                    |
|   | Mr Timothy Ashton                | Mr Ernest Mallett                   |
|   | Mr Cyril Baily                   | Mrs Sally Ann B Marks (left 2.30pm) |
| * | Mr W D Barker OBE                | Mr Peter Martin                     |
|   | Ian Beardsmore                   | Mrs Jan Mason                       |
|   | Mr Mike Bennison                 | Mrs D M Mitchell                    |
|   | Mr Laurie Burrell                | * Mrs Marsha J Moseley              |
|   | 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 (left 3.15pm)        |
|   | Mr David Davis (left 3.30pm)     | Mr Nigel Petrie MBE (left 2.45pm)   |
|   | Sarah Di Caprio                  | Mr Tom Phelps-Penry                 |
| * | Mr Terry Dicks                   | Chris Pitt                          |
| * | Mr John Doran                    | Dr Andrew Povey                     |
|   | Mr John Farmer                   | Mr Kenneth Rimington                |
|   | Mr Chris Frost                   | Mr Tony Rooth                       |
|   | Mrs Pat Frost                    | * Mrs Dorothy Ross-Tomlin           |
|   | Mr David Goodwin                 | Mrs Denise Saliagopoulos            |
|   | Mr Michael Gosling (left 3.15pm) | Mrs Lavinia Sealy                   |
|   | Dr Lynne Hack                    | Mrs Pauline Searle                  |
|   | Tim Hall                         | Mr N W Skellett                     |
|   | Mrs K Hammond                    | Chris Slyfield                      |
|   | Mr Simon Harding                 | Mrs Diana Smith                     |
|   | Mr David Harmer                  | Mr James E Smith OBE                |
|   | Mr Nick Harrison                 | Jean Smith                          |
|   | Ms Marisa Heath                  | Mrs Christine Stevens               |
|   | Mr Peter Hickman                 | Mr Shamas Tabrez                    |
|   | Mrs M A Hicks                    | Mr Roy Taylor                       |
|   | Mr David Hodge                   | Mr Colin Taylor                     |
|   | Mr David Ivison                  | Mrs Val Tinney                      |
|   | Mr Daniel Kee                    | Denise Turner-Stewart               |
|   | Frances King                     | Mrs Hazel V A Watson                |
|   | Mr Ian R Lake                    | Mrs Fiona White                     |
| * | Mr Peter Langham                 | Mrs Elise S Whiteley                |

\*absent

22/08 **MINUTES (ITEM 1)**

The minutes of the meeting of the County Council held on 5 February 2008 were submitted, confirmed and signed.

23/08 **APOLOGIES FOR ABSENCE (ITEM 2)**

Apologies for absence were received from Mr Agarwal, Mr Barker, Mr Dicks, Mr Doran, Mr Langham, Mrs Moseley, Mr Nevins and Mrs Ross-Tomlin.

24/08 **CHAIRMAN'S ANNOUNCEMENTS (ITEM 3)**

The Chairman made the following announcements:

- That Members were invited to visit displays that had been set up in the Grand Hall today to update them on changes to the School Appeals process and the many inspections that the County Council was hosting over the next month.
- She also informed Members that advice about declaring interests at today's meeting had been circulated by the Head of Legal Services.

25/08 **DECLARATION OF PERSONAL AND PREJUDICIAL INTERESTS (ITEM 4)**

- (i) Mrs Carol Coleman declared a personal interest in Surrey's Admission Arrangements for September 2009 for County & Voluntary Controlled Schools (item 12) because she had a child that would be transferring schools in September 2009.
- (ii) The following Members declared a personal interest in Surrey's Admission Arrangements for September 2009 for County & Voluntary Controlled Schools (item 12) because they were School Governors:
  - Mr Skellett – Oxted School
  - Mr Rimington – Oxted and Lingfield School
  - Mrs Diana Smith – a school in Woking
- (iii) Mr Bennison declared a personal interest in the Report of the Executive – consultation on proposals to expand Heathrow Airport (item 11) because he had a son who worked at the airport.

- (iv) Mr Burrell declared a personal interest in Members' questions 3 and 14 (item 6) because he was in receipt of a pension from the tobacco industry.
- (v) Mrs Mason declared a personal interest in the original motion standing in the name of Fiona White (item 10i) because she was involved with the Court and Ruxley self-reliance projects.
- (vi) Mr Colin Taylor declared a personal interest in the original motion standing in the name of Fiona White (item 10i) because he was involved with the Court self-reliance project.
- (vii) Mrs Pauline Searle declared a personal interest in the original motion standing in the name of Fiona White (item 10i) because she was on the North Guildford self-reliance management committee and a trustee of Disability Challenge.
- (viii) Mr Eddie Owen declared a personal interest in the original motion standing in the name of Fiona White (item 10i) because he was Chairman of Guildford Association of Voluntary Services and Surrey Council of Voluntary Youth Services.
- (ix) Mrs Fiona White declared a personal interest in the original motion standing in her name (item 10i) because she was on the management committee of the Barn Youth project.

26/08 **APPOINTMENT OF MEMBER CHAMPION (ITEM 5)**

**RESOLVED:**

That Ms Marisa Heath be appointed as Member Champion for Looked After Children.

27/08 **MEMBERS' QUESTION TIME (ITEM 6)**

Notice of 19 questions had been received. The questions and replies are attached as Appendix A.

The Chairman said that she did not intend to allow any supplementary questions on individual Member's fourth questions onwards although written answers were still provided (questions (17) – (19)).

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

**(Q1) Mr Lowther** asked the Executive Member for Environment, who agreed, to ensure that communications would continue with Mr Loveday concerning flooding issues in Chertsey.

**(Q3) Mrs Whiteley** asked the Executive Member for Schools, Children and the Youth Services what arrangements were made for 'Looked after Children' and foster children, to raise their awareness about smoking and related health issues. The Executive Member advised her that all Surrey Children's homes were non-smoking and also that 'Looked after Children' were given annual health checks.

**(Q6) Mrs Diana Smith** said that she had hoped to receive the vacancy rate for the Youth Development Service as a percentage / fraction and asked the Executive Member for Schools, Children and the Youth Services, who agreed, for this information outside the meeting.

**(Q7) Mr Slyfield** considered that pressure should be put on 'dual-hatted' colleagues to ask that Districts / Boroughs had a uniform 9.00am start time for the new concessionary bus fares scheme. The Executive Member for Transport said that, whilst SCC would be administering the scheme, it was the responsibility of Districts / Boroughs to operate it and currently there was a mixed picture across the County concerning start times.

**(Q8) Mrs Watson** asked the Executive Member for Resources for the actual completion date of BDR and whether the £3.9m consultant expenditure from 2006/07 was a full or part year figure? The Executive Member said that BDR had completed in June 2006 and therefore the expenditure was from July 2006 – March 2007. However, he said that he would confirm this and respond outside the meeting. He also said that since BDR stringent controls had been introduced around the use of consultants.

**(Q10) Mr Hall** urged the Executive Member for Schools, Children and Youth Services to persuade the Executive to support a school place planning and capital expenditure programme in order to alleviate future problems with admissions to secondary schools in the Horsleys / Fetcham / Bookham and Effingham areas. The Executive Member referred Mr Hall to the Leader's budget speech of 5 February 2008 and said that it was already being considered. He also said that SCC was considering asking Districts and Boroughs for Section 106 funding to support the infrastructure required for the Education Capital programme.

**(Q11) Mrs Coleman** asked the Executive Member for Transport for a copy of the signed response from February 2007. She also said that she considered that press releases should not be issued before divisional Members had been informed. The Executive Member said that he would try to provide her with a copy of the letter. On

press releases, he said that there was a protocol in place, however, he would endeavour to ensure that Members were advised about issues that were important to them.

**(Also, Q11) Mr Hodge** said that the introduction of the Low Emissions Zone (LEZ) had also caused problems in the Warlingham area and requested a report to the Transportation Select Committee on this issue. The Executive Member responded by stating that the County Council would monitor the situation, especially in the light of forthcoming changes to the scheme later in the summer.

**(Q12) Mrs Jean Smith** thanked the Executive Member for Transport for a positive response and asked to be kept informed of officer deliberations and Member input.

**(Also, Q12) Mr Hodge** said that he would like to contribute to a Member working group on this topic because damage to grass verges was also an issue in his division.

**(Also Q12)** other Members asked that the Member working group consider 'white stones' / bollards on verges and inconsiderate parking on pavements. The Leader of the Council suggested that the Chairmen of Local Committees discussed these issues with their local committee members to determine the way forward.

**(Q13) Ms Heath** asked the Executive Member for Environment whether, in the light of the Bluetongue outbreak, he took his responsibilities to animals and people seriously? He responded by assuring her that both he and the Government took the issue of Bluetongue very seriously and informed Members that a Bluetongue vaccination would be available for use from May.

**(Q14) Mrs Whiteley** said that she would be taking the issue of the Tobacco Strategy in Surrey to her local committee and the Executive Member agreed to discuss this further with her.

**(Q15) Mr Hall** expressed surprise that the response had not included 2007 data. However, he was advised by the Executive Member for Schools, Children and the Youth Services that the introduction of Equal Preferences from this year would not give a meaningful comparison and also there were some IT difficulties in obtaining the data but that Members would be provided with it when it became available.

**(Q16) Mr Rooth** said that Guildford Borough Council had not received sufficient Government money to fund the concessionary bus scheme in their area. He asked the Executive Member for Transport to ensure that the shortfall in Government funding would not be repeated in future years. The Executive Member said that,

overall, the County had received an excess of funding for this scheme this year and there had been 3 'losers' and 8 'winners' across the Districts / Boroughs. He also said that a working party would be set up to review the scheme but, as mentioned earlier, that Districts / Boroughs were responsible for the scheme.

28/08 **SURREY POLICE AUTHORITY (ITEM 7)**

No questions had been received for the Police Authority.

29/08 **REPORT OF THE SURREY POLICE AUTHORITY (ITEM 8)**

A written statement on the work of the Police Authority had been included in the agenda.

Members joined the Chairman in voicing her congratulations to the Chief Constable, Mr Quick on his new appointment with the Metropolitan Police.

The Chairman of the Surrey Police Authority informed Members that Mark Rowley had been appointed Deputy Chief Constable. As Mr Quick has now left Surrey Police to take up his new role, Mark Rowley becomes Temporary Chief Constable and Lynne Owens Deputy Chief Constable for the foreseeable future.

Dr Povey expressed concern about some of the performance information and also the high precept set for this year. He requested that the Safer & Stronger Communities Select Committee examine these areas in more detail. Both the Chairman of the Surrey Police Authority and the Chairman of the select committee agreed to his request.

30/08 **STATEMENTS BY MEMBERS (ITEM 9)**

There were 2 statements from Members:

- Mrs Denise Saliagopoulos on the impact of Heathrow expansion on Staines and the wider Spelthorne area. (Appendix Bi)
- Mrs Val Tinney on Transport for Woking. (Appendix Bii)

Copies of both statements were made available at the meeting.

**[Note: As there was public interest in Surrey's Admission Arrangements for September 2009 for County and Voluntary Controlled Schools, this item was taken next.]**

31/08

**SURREY'S ADMISSIONS ARRANGEMENTS FOR SEPTEMBER 2009 FOR COUNTY AND VOLUNTARY CONTROLLED SCHOOLS (ITEM 12)**

The views and recommendations of the Executive on Surrey's Admission Arrangements for September 2009, for County and Voluntary Controlled Schools, arising from its meeting on 26 February 2008 were emailed and circulated to Members as a supplementary report on 29 February 2008. (This report is attached as Appendix C to these minutes)

Mr Skellett presented the report of the Executive's meetings held on 15 and 29 January, 12 and 26 February 2008.

The Executive Member for Schools, Children and Youth Services introduced the report.

Mr James Smith proposed an amendment, standing in his name (circulated at the meeting) and formally seconded by Mr Hall, which was as follows:

That, in paragraph 9, the sentence relating to the tie-breaker be amended as follows, i.e. by the deletion of 'alternative':

'Within the catchment area, the tie-breaker will be nearest school and outside the catchment area, the Surrey standard tie-breaker as set out in 2(6).'

After the debate on the amendment, in which 6 Members spoke, the amendment was put to the vote with 11 Members voting for it. There were 9 absentions. However, the amendment was clearly LOST.

Returning to the main debate, a further 9 Members spoke.

The Leader of the Council informed Members that he had received a petition requesting that St Francis' Catholic Primary School, Caterham was also included as a feeder school in criteria (iv) for Oxted School. He informed Members that he did not consider that it was appropriate to support this request.

At the end of the debate, the recommendations were taken in one block, with no Member voting against them. However, there were 12 abstentions.

Therefore, it was:

**RESOLVED:**

That the County Council agree the following Admissions Arrangements for 2009 for Surrey's Community and Voluntary Controlled Schools:

1. All Surrey schools will operate an Equal Preference System and give parents the opportunity to state 3 ranked school preferences.
2. The majority of Surrey's Community and Voluntary Controlled schools will use the following criteria when a school is oversubscribed:
  1. Looked After Children
  2. Exceptional Arrangements
  3. Siblings
  4. Children for whom the school is the nearest
  5. Any other applicant
  6. **Home to School measurements:** For the majority of Community and Voluntary Controlled Schools, in the event of any category being oversubscribed, home to school distance will be measured by a straight line from the address point of the pupil's house, as set by Ordnance Survey to the nearest school gate for pupils to use. Priority being given to those living nearest.
  7. **Waiting Lists:** For all Community and Voluntary Controlled schools waiting lists will be held for the period of one academic year (September – July), except in subsequent years in the event of more than one request for places to the school and the appropriate year group is full. The waiting lists will be prioritised using the admissions criteria as appropriate to the school(s) concerned
3. Partner / feeder school status be given to The Hermitage Junior and The Oaktree Infant Schools, who share the same site and Published Admission Number.
4. 'Shared school status' to Knowle Park Infant and Kingscroft Junior Schools, and Marshfields Infant and Christchurch Junior Schools be discontinued.
5. A Published Admissions Number of 90 be maintained at Tillingbourne Junior School.

Local Admissions Arrangements as follows:

6. Named partner/feeder schools in Waverley.
7. Fixed catchment area for Warlingham School.
8. Fixed catchment area for Oxted School as set out in the map at Appendix C, Annex 1. The September 2009 admissions criteria to be as follows:
  - (i) Looked After Children
  - (ii) Exceptional arrangements
  - (iii) Siblings
  - (iv) Those children who **both** live in the catchment area **and** who attend one of the following partner/feeder schools: Crockham Hill, Dormansland, Godstone, Holland, Lingfield, St Catherine's, St John's, St Mary's, St Stephen's, Tatsfield, Woodlea
  - (v) Those children who live in the catchment area but do not attend one of the partner/feeder schools named in (iv) above
  - (vi) Any other applicant

The tie-breaker within each criterion will be those who live furthest from the nearest alternative school as measured by a straight line.

9. Fixed catchment area for The Howard of Effingham School as set out in the map at Appendix C, Annex 2. The September 2009 admissions criteria to be as follows:
  - (i) Looked After Children
  - (ii) Exceptional arrangements
  - (iii) Siblings
  - (iv) Those children who **both** live in the catchment area **and** who attend one of the following partner/feeder schools: Oakfield, Eastwick, St Lawrence, The Raleigh and The Dawnay
  - (v) Those children who live in the catchment area but do not attend one of the partner/feeder schools named in (iv) above
  - (vi) Any other applicant

Within the catchment area the tie-breaker will be nearest alternative school and outside the catchment area the Surrey standard tie-breaker as set out in 2(6) above.

10. Admission arrangements for Brockham Primary School to be as follows:

If the school receives more applications than there are places available, priority will be given in the following order:

- (i) Looked After Children
- (ii) Exceptional arrangements
- (iii) Siblings of existing pupils who will be attending the school at the time of admission and for whom the school is the nearest community, voluntary-controlled or foundation school
- (iv) Non-siblings for whom the school is the nearest community, voluntary-controlled or foundation school
- (v) Siblings for whom the school is not the nearest school
- (vi) Any other applicant

Within each category children will be ranked in order of how close their home is to the point of entry to the school, measured as the 'crow flies' (straight line distance).

## **NOTICES OF MOTION**

### **32/08 ITEM 10(i)**

Under Standing Order 11.3, the Council agreed to debate this motion.

Under Standing Order 10, Mrs Fiona White moved the motion standing in her name, which was formally seconded by Mr Colin Taylor, as follows:

'This Council notes the effective work that the County Council has supported financially in partnership with other organisations in the most disadvantaged areas of Surrey under the "self-reliance" programme.

This Council agrees that adequate financial support should be continued or re-instated for all such disadvantaged areas for the next three years and then reviewed.'

Mrs Stevens proposed an amendment, standing in her name (circulated at the meeting) and formally seconded by Mr Skellett, which was as follows:

To retain the first sentence:

‘This Council notes the effective work that the County Council has supported financially in partnership with other organisations in the most disadvantaged areas of Surrey under the “self-reliance” programme.

To replace the second sentence with the following words:

‘This Council:

- a) notes the provision made in the budget for the contribution of this year’s ‘self-reliance’ initiatives;
- b) agrees that its original ‘self reliance’ strategy has been successful and is now in need of a refresh and;
- c) therefore calls for a comprehensive review of various initiatives coming under the ‘self reliance’ umbrella, so that continued financial support can be directed to agreed priorities.’

After the debate on the amendment in which 8 Members spoke, the amendment was put to the vote with 17 Members voting against it. It was clearly carried.

The amendment became the substantive motion and was put to the vote with no Member voting against it. However, there were 12 abstentions.

Therefore it was:

**RESOLVED:**

That this Council notes the effective work that the County Council has supported financially in partnership with other organisations in the most disadvantaged areas of Surrey under the “self-reliance” programme.

And:

- a) notes the provision made in the budget for the contribution of this year’s ‘self-reliance’ initiatives;
- b) agrees that its original ‘self reliance’ strategy has been successful and is now in need of a refresh and;
- c) therefore calls for a comprehensive review of various initiatives coming under the ‘self reliance’ umbrella, so that continued financial support can be directed to agreed priorities.’

## **ADJOURNMENT**

The meeting adjourned for lunch at 12.50pm, part way through item 10(i) and resumed at 2.05pm with all those present who had been in attendance in the morning session except for Mr Bennison, Mr Chipperfield, Mrs Frost, Mrs Hammond, Mr Rimington, Mr Rooth, Mrs Saliagopoulos and Mr Roy Taylor.

### **33/08 ITEM 9(ii)**

Under Standing Order 11.3, the Council agreed to debate this motion.

Under Standing Order 10, Mr Andrew Crisp moved the motion standing in his name, which was formally seconded by Mrs Lay, as follows:

‘This Council welcomes the establishment of Children's Trust arrangements in Surrey and recognises the importance of partnership working in successfully delivering better outcomes for children and families.

This Council welcomes progress already being made, in particular improvements in the performance of Looked After Children in the education system, and thanks all staff involved for their contribution.

This Council further reiterates the need to focus on improving the lives of children and their families rather than structures and systems in the new arrangements.

This Council also calls on government to ensure adequate funding for children's services in Surrey, reducing bureaucracy and ensuring that the Children's Plan launched in the autumn delivers real improvements in the lives of children and families.’

After the debate on the motion, in which 6 Members spoke, it was put to the vote with no Members voting against it.

Therefore it was:

### **RESOLVED (unanimously):**

That this Council:

- (i) welcomes the establishment of Children's Trust arrangements in Surrey and recognises the importance of partnership working in successfully delivering better outcomes for children and families.

(ii) welcomes progress already being made, in particular improvements in the performance of Looked After Children in the education system, and thanks all staff involved for their contribution.

(iii) further reiterates the need to focus on improving the lives of children and their families rather than structures and systems in the new arrangements.

(iv) also calls on government to ensure adequate funding for children's services in Surrey, reducing bureaucracy and ensuring that the Children's Plan launched in the autumn delivers real improvements in the lives of children and families.

## 34/08 **REPORT OF THE EXECUTIVE (ITEM 11)**

Mr Skellett had already presented the report of the Executive's meetings held on 15 and 29 January, 12 and 26 February 2008.

### **(1) Statements/updates from Members**

- The Executive Member for Policy & Performance on the Corporate Assessment & the Joint Area Review. (Appendix D)

### **(2) Recommendations on Policy Framework Documents**

#### **Partnership Governance Arrangements**

It was:

#### **RESOLVED:**

That Appendix A to the Corporate Governance and Assurance Framework be amended at the next annual Annual meeting of the Council to add: 'Policy: Partnership Governance Arrangements; Executive portfolio holder: Executive Member for Policy & Performance; Strategic director: Director of Policy & Performance; Policy custodian: Head of Policy and Public Affairs'.

### **(3) Reports for Information / Discussion**

The following reports were received and noted:

- Surrey 50+ Strategy
- Transport for Surrey
- Consultation on proposals to expand Heathrow airport (The supplementary report on the motion referred to the Executive by the Council on 22 January 2008, and discussed at its meeting on 26 February 2008, regarding Heathrow airport is attached as Appendix E to these minutes. Members broadly supported the views of the Executive)

#### **RESOLVED:**

That the report of the meetings of the Executive held on 15 and 29 January, 12 and 26 February 2008 be adopted and the report in respect of the referred motion be noted.

35/08

### **REVIEW OF INDEPENDENT MEMBERSHIP OF THE STANDARDS COMMITTEE (ITEM 13)**

It was:

#### **RESOLVED:**

That the following constitutional changes are made:

1. The Standards Committee shall constitute ten members, of whom four will be independent representatives appointed after public advertisement.
2. Independent members of the Standards Committee will serve a four-year term, with effect from either the first or the third year of the Council (unless a casual vacancy arises). Full Council will approve the appointment of independent members following a selection process carried out, following public advertisement by a panel comprising four county councillors chaired by the Chairman of the Standards Committee (unless he or she is applying for reselection in which case the longest serving independent members not applying for reselection will be invited to act as chairman).
3. A person who has served two terms as an independent member of Surrey County Council's Standards Committee will be ineligible to make a further application to serve on the committee.
4. The Chairman of the Standards Committee may only hold that office for a maximum period of three years.

5. That the terms of office of Mr Nicolas Davies and Mr Simon Rutter as independent members of Surrey County Council's Standards Committee be extended to the Annual Meeting of the Council in May 2010.

36/08 **REPORTS OF COMMITTEES (ITEM 14)**

**(a) Personnel and Appointments Committee**

The Leader of the Council presented the report of the Personnel and Appointments Committee held on 21 January 2008.

**RESOLVED:**

That the report of the meeting of the Personnel and Appointments Committee held on 21 January 2008 be noted.

[The meeting ended at 3.45pm]

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Chairman