

CABINET

The following decisions were taken by the Cabinet on Tuesday, 21 October 2014 and will take effect on Thursday 30 October 2014 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 29/10/14.**

The following represents a summary of the decisions taken by the Cabinet. It is not intended to represent the formal record of the meeting but to facilitate the call-in process. The formal minutes will be published in due course to replace this decision sheet.

County Members wishing to request a call-in on any of these matters, should contact the Senior Manager for Scrutiny or relevant Democratic Services Officer.

The Cabinet at its meeting on Tuesday, 21 October 2014 considered the following matters and resolved:

- **PUBLIC QUESTIONS** (Item 4b)

A question from David Beaman was received. The question response is attached as **Appendix 1**.

- **REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL** (Item 5)

Report of Council Overview and Scrutiny Committee in relation to the Finance and Budget Monitoring report for August 2014 as appendix 2.

The response from the Leader of the Council is attached as appendix 3.

- **SURREY SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2013 - 14** (Item 6)

1. Prior to it being published, the Surrey Safeguarding Adults Board Annual Report be noted.
2. The provision of paper copies of the Surrey Safeguarding Adults Board Annual Report to Surrey libraries be agreed.

Reasons for Decisions:

By accepting the recommendations, the Cabinet will show that the council has fulfilled its obligations to co-ordinate the activities of the SSAB. It will support the SSAB to be transparent by providing information to the public on the performance of the Board in the delivery of its strategic plan.

The provision of paper copies of the SSAB Annual Report to Surrey libraries will assist to ensure that there is easy access to the report for Surrey residents who do not have internet access.

From 1 April 2015 when the Care Act 2014 will be implemented, it will be a statutory requirement for Safeguarding Adults Boards to produce and publish a Strategic Plan and an Annual Report. The Strategic Plan will need to set out how

SSAB will protect and help adults in Surrey and what actions each member of the SSAB will take to deliver the plan. The Annual Report will need to state what both the SSAB and its members have done to carry out and deliver the objectives and other content of its strategic plan. The SSAB wish to comply with these future requirements in advance of the statutory duty.

- **SURREY SAFEGUARDING CHILDREN BOARD (SSCB) ANNUAL REPORT 2013 - 2014** (Item 7)

1. Prior to it being published, the Surrey Safeguarding Children Board Annual Report be noted.
2. The provision of paper copies of the Surrey Safeguarding Children Board Annual Report to Surrey libraries be agreed.

Reasons for Decisions:

The Board is constituted Under Section 13 of the Children Act 2004; its objectives are set out in Section 14 of the Children Act 2004. Regulation 5 of the Local Safeguarding Children Board (LSCB) Regulations 2006 sets out the statutory functions of the LSCB.

Section 14a of the Children Act 2004 requires that the independent Chairman publishes an Annual Report on the effectiveness of child safeguarding and promoting the welfare of children in the local area.

Accepting the recommendation will provide evidence the Council has fulfilled its obligations under Section 13 of the Children Act 2004.

- **SURREY EDUCATIONAL TRUST - ANNUAL REPORT** (Item 8)

That the projects funded through the Surrey Educational Trust be noted.

Reasons for Decision:

Reporting the activity of the Trust to Cabinet demonstrates a continuing investment in improving outcomes for Surrey's children and young people. It also ensures greater public accountability and transparency about how the funds are used to support projects of an educational nature. To date the funding allocated to the Trust by the County Council totals £1,213,003.07.

- **FINANCE AND BUDGET MONITORING REPORT FOR SEPTEMBER 2014** (Item 9)

1. That the Council forecasts a £0.4m overspent revenue position for 2014/15, as set out in Annex 1, paragraph 2 of the submitted report.
2. That services forecast achieving £69.0m efficiencies and service reductions by year end, as set out in Annex 1, paragraph 54 of the submitted report.
3. That the Council forecasts investing £207m through its capital programme in 2014/15 as set out in Annex 1, paragraph 58 of the submitted report.
4. That the quarter end balance sheet as at 30 September 2014 and

movements in earmarked reserves and debt outstanding be noted, as set out in Annex 1, paragraphs 61 to 63 of the submitted report.

5. That services' management actions to mitigate overspends be noted as set out throughout Annex 1 of the submitted report.
6. That a virement of £1.1m gross expenditure budget from Human Resources & Organisational Development to Shared Services (£1m) and Finance (£0.1m) to realign budgets and service responsibilities be approved, as set out in Annex 1, paragraphs 33 to 35 of the submitted report.

Reasons for Decision:

This report is presented to comply with the agreed policy of providing a monthly budget monitoring report to Cabinet for approval and action as necessary.

[The decisions on this item can be called in by the Council Overview and Scrutiny Committee]

• **SURREY SCHOOLS' FUNDING FORMULA 2015/16 (Item 10)**

1. The funding formula for Surrey schools be prepared on the basis of a £10m transfer within Dedicated Schools Grant from Schools to High Needs -principally to children with special educational needs and disabilities (SEND).
2. The commitment to a long term resolution of funding pressures in special educational needs and disabilities (SEND) be noted, with the Cabinet to receive a report on progress in February 2015.
3. The revisions to the schools' funding formula, as recommended by the Schools Forum and set out in paragraph 21 of the submitted report, be introduced.
4. The proposed Surrey formula factors as set out in Annex 2 of the submitted report be approved for submission to the DfE by the 31 October deadline.
5. Authority is delegated to the Assistant Director, Schools & Learning, in conjunction with the Leader and the Cabinet Member for Schools & Learning, to update and amend the formula as appropriate following receipt of the DSG settlement and DfE pupil data in December 2014. This is to ensure that total allocations to schools under this formula remain affordable within the council's DSG settlement to be announced during December.

Reasons for Decisions:

To comply with DfE regulations requiring notification of the Council's funding formula for schools by 31 October 2014.

[The decisions on this item can be called in by the Children and Education Select Committee]

- **CREATION OF A JOINT TRADING STANDARDS SERVICE WITH BUCKINGHAMSHIRE COUNTY COUNCIL** (Item 11)
 1. The proposal to create a new Joint Trading Standards Service with Buckinghamshire County Council with effect from 1 April 2015 be approved.
 2. That the Executive functions of the Council, which are within the remit of the Trading Standards service, shall be discharged by a newly constituted Joint Committee to be established with Buckinghamshire County Council with effect from 1 April 2015 be agreed.
 3. That the Joint Committee will comprise one Cabinet Member from each partner authority, together with another member from each who may attend regularly in an optional advisory and supportive capacity but who would not form part of the Joint Committee itself be agreed.
 4. The responsibility for agreeing the detail of an Inter Authority Agreement with Buckinghamshire, and other related issues including establishing the Standing Orders for the Joint Committee, be delegated to the Strategic Director for Customers and Communities, in consultation with the Cabinet Member for Community Services.
 5. The responsibility to amend the Council's Constitution to reflect the changes arising from the report be delegated to the Director of Legal and Democratic Services.

Reasons for Decisions:

The creation of a new joint Trading Standards service will enhance services for residents and business in Surrey and in Buckinghamshire.

A new joint service will enable both local authorities to achieve the Medium Term Financial Plan targets, and will position the service better to generate further income in future years.

The alternative for each service would be to make service delivery reductions which in turn would reduce protection for residents and the support available for local businesses.

[The decisions on this item can be called in by the Communities Select Committee]

- **SUPPORTING ECONOMIC GROWTH: IMPLEMENTING THE LOCAL GROWTH DEALS** (Item 12)
 1. The principles and approach for determining local contributions for transport schemes be agreed and a further report to Cabinet in December 2014 will seek agreement to the County Council match funding contribution to the second tranche of 2015/16 schemes.
 2. The proposed approach to prioritising schemes be agreed and be applied to the sustainable transport and resilience schemes for 2015/16.
 3. That approval of the prioritised list of sustainable transport and resilience schemes for submission to the LEPs be delegated to the Strategic Director for Environment and Infrastructure, in consultation with the Leader, the

Deputy Leader and the Cabinet Member for Transport, Highways and Flooding Recovery.

4. That further schemes should be prioritised for funding for 2016/17. Identification of these schemes be delegated to the Strategic Director for Environment and Infrastructure in consultation with the Leader, the Deputy Leader and the Cabinet Member for Transport, Highways and Flooding Recovery.

Reasons for Decisions:

The LEPs' Strategic Economic Plans, submitted to Government in March 2014, were developed with considerable input from the County Council and identified priority schemes for Surrey. Almost all of the schemes put forward for funding for 2015/16 were successful, including all of the transport projects.

Councils are required to provide a local contribution to the schemes to reflect the local benefits that will be secured. A critical part of the business case submission to secure funding will be identifying the source and amount of such local contributions. Hence the need for agreed principles and a firm agreement with the relevant borough or district on their financial contribution (Recommendation 1). The second tranche of schemes for 2015/16 requiring a contribution from the County Council will come forward in a report to Cabinet in December.

Whilst large schemes were identified in the Growth Deals for specific funding, smaller schemes will be supported through pots of additional funding. The Council needs to make bids into these pots reflecting priority schemes. The approach set out in this report will be the basis for such prioritisation (Recommendation 2). Given the deadlines for submission of proposals to the LEPs and the level of detailed work still to be completed within these timescales, the report proposes that the application of these principles is delegated to the Strategic Director for Environment and Infrastructure, in discussion with the relevant portfolio holders (Recommendation 3).

Government have also set a very tight timetable for any bids for further funding for 2016/17. The report identifies the schemes being considered for Surrey and proposes that the final decision on which ones to put forward is also delegated to the Strategic Director, in consultation with the relevant portfolio holders (Recommendation 4).

[The decisions on this item can be called in by the Environment and Transport Select Committee]

- **LOCAL STRATEGIC STATEMENT AND SURREY STRATEGIC PLANNING AND INFRASTRUCTURE PARTNERSHIP (Item 13)**

The Leader of the Council be authorised to sign the Memorandum of Understanding for the Surrey Strategic Planning and Infrastructure Partnership to work towards the preparation of a Local Strategic Statement for Surrey.

Reasons for Decisions:

A number of local authorities who have recently had their plans examined have failed to meet the requirements of the Duty to Cooperate and have had to withdraw their Local Plans. Most Surrey local authorities are in the process of preparing planning documents and it is increasingly clear that meeting the requirements of the duty is a test that has been extremely difficult and would be

significantly more likely if an appropriate framework to coordinate partnership working to address common strategic planning issues is established.

The Memorandum of Understanding and preparation of a Local Strategic Statement setting out common priorities can help overcome the difficulties that local authorities are presently experiencing and will help to make the case for investment in Surrey, especially funding for transport and other infrastructure from the Local Enterprise Partnerships.

The proposed partnership will also ensure a collective voice exists within Surrey to manage relationships with neighbouring authorities, particularly London, where projected increases in population suggest that it will not be able to meet all its future housing needs and this is likely to create further pressure to increase housing provision above locally identified needs in Surrey.

[The decision on this item can be called in by the Environment and Transport Select Committee]

- **RIGHTS OF WAY PRIORITY STATEMENT (Item 14)**

The revised Rights of Way Priority Statement be approved by the Cabinet and recommended to Council for approval.

Reasons for Decision:

The revision alters the document to better reflect the Council's statutory duties, address public safety issues and maximise opportunities to improve the rights of way network.

[The decision on this item can be called in by the Environment and Transport Select Committee]

- **SUNNYDOWN SCHOOL, CATERHAM: SPECIAL EDUCATION NEEDS IMPROVEMENT PROJECT (Item 15)**

That subject to the agreement of the detailed financial information for the expansion as set out in agenda item 19 in Part 2 of this agenda, the business case for the provision of improved teaching and dining facilities at Sunnydown School in Caterham be approved.

Reasons for Decision:

The proposal supports the Authority's statutory obligation to provide appropriate facilities for all vulnerable children who attend the school and who have failed to thrive in a mainstream setting and will benefit from this specialist facility.

[The decision on this item can be called in by either the Council Overview and Scrutiny Committee or the Children and Education Select Committee]

- **SURREY COUNTY COUNCIL IN HOUSE RESIDENTIAL CARE HOMES FOR OLDER PEOPLE (Item 16)**
 1. That a consultation with residents, families, carers, staff, trade unions and other affected stakeholders commences regarding the future of Surrey County Council's six in-house older people's residential care homes be approved

The homes are as follows:

 - Brockhurst in Ottershaw
 - Cobgates in Farnham
 - Dormers in Caterham
 - Longfield in Cranleigh
 - Park Hall in Reigate
 - Pinehurst in Camberley
 2. Further recommendations on the results of the consultation on 24 February 2015 be received.

Reasons for Decisions:

As people continue to live independently in the community for longer, when they do require residential care their needs tend to be more complex. As such, there has been an increase in the number and proportion of nursing care placements being commissioned as opposed to residential care placements. Surrey County Council is considering its commissioning strategy as a result of this. Surrey County Council's Adult Social Care Directorate, in partnership with Clinical Commissioning Groups, continues to commission services that support a shift away from residential care to personalised social care in community settings, supporting individuals to live independently and safely. The physical environments of the homes reduce the ability to deliver a quality service maintaining dignity and no longer represent best value for money in light of the new CQC requirements.

[The decisions on this item can be called in by the Adult Social Care Select Committee]

- **LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING (Item 17)**

The decisions taken by Cabinet Members since the last meeting as set out in Annex 1 of the submitted report be noted.

Reasons for Decisions:

To inform the Cabinet of decisions taken by Cabinet Members under delegated authority.

- **EXCLUSION OF THE PUBLIC** (Item 18)

RESOLVED that under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information under paragraph 3 of Part 1 of Schedule 12A of the Act.

PART TWO – IN PRIVATE

THE FOLLOWING ITEMS OF BUSINESS WERE CONSIDERED IN PRIVATE BY THE CABINET. SET OUT BELOW IS A PUBLIC SUMMARY OF THE DECISIONS TAKEN.

- **SUNNYDOWN SCHOOL , CATERHAM: SPECIAL EDUCATION NEEDS IMPROVEMENT PROJECT** (Item 19)

1. The business case for the provision of improved teaching and dining facilities at Sunnydown School in Caterham be approved at a total estimated cost as set out in the submitted report.
2. The arrangements by which a variation of up to 10% of the total value may be agreed by the Strategic Director for Business Services, in consultation with the Cabinet Member for Schools and Learning, the Cabinet Member for Business Services and the Leader of the Council.

Reasons for Decisions:

The proposal supports the Authority's statutory obligation to provide appropriate facilities for all vulnerable children who attend the school and who have failed to thrive in a mainstream setting and will benefit from this specialist facility.

[The decisions on this item can be called in by either the Council Overview and Scrutiny Committee or Children and Education Select Committee]

- **WOKING FIRE STATION** (Item 20)

1. A payment of £2m (in two tranches as set out below) to BSDL Ltd in consideration of improvements in facilities delivered in relation to the new Woking Fire Station, being developed under Phase 1 of the project, over and above the direct replacement of the existing station be approved.
2. The consideration be paid in tranches; for example with the first payment being made upon exchange of the Development Agreement and a second tranche upon effective completion of the new Fire Station in 2016, with the proposed underlying contractual arrangements being subject to appropriate financial and legal due-diligence be approved, in principle.
3. Appropriate contractual and financial arrangements, following completion of the required due-diligence be delegated to the Strategic Director for Business Services, in consultation with the Cabinet Member for Business Services and the Section 151 Officer.

Reasons for Decisions:

The proposal to develop an enlarged fire station on Goldsworth Road in Woking

will provide a modern facility with enhanced capability and enhanced training facilities and will ensure resilience to the provision of fire fighting capability in the west of the county.

The project as a whole will deliver further regeneration of Woking Town Centre and will improve the long-term viability of the existing retail offer in the town. The development will create additional employment in both the development phase and in the longer term.

The Council's payment to BSDL recognises that the new fire station delivers substantial betterment compared to the facilities at the existing station and to recognise that the backlog maintenance associated with the existing building can be removed.

[The decisions on this item can be called in by either the Council Overview and Scrutiny Committee or Communities Select Committee]

- **PUBLICITY FOR PART 2 ITEMS** (Item 21)

That non-exempt information relating to items considered in Part 2 of the meeting may not be made available to the press and public.

Public Questions

Question (1) from David Beaman to ask:

There is a long standing concern of many residents of Hale and Upper Hale regarding the increasing level and general speed of traffic which includes a high number of HGVs using Upper Hale Road. On behalf of the constituents of Upper Hale that I represent on Farnham Town Council I submitted a question to the meeting of the SCC/Waverley Local Committee that was held on Friday 26 September regarding a number of issues relating to Upper Hale Road including a number of suggestions to improve safety of all road users and pedestrians using Upper Hale Road as well as improving the general environment of all residents living along Upper Hale Road and associated side roads. The response that I received to my question was more or less what is already known although there is one interesting fact given in the reply that the average recorded speed on Upper Hale Road is 32 mph which is higher than the speed limit along most of this road and being an average implies that some traffic is travelling even faster! The reply that I received does not give any indication of any action that is planned to be implemented in the foreseeable future by either SCC or WBC to either reduce the number of HGVs and /or reduce the general average speed of all traffic using Upper Hale Road. I am particularly concerned that any proposals that are implemented to reduce the level of traffic passing through Central Farnham to improve conditions for people living, working and visiting Farnham Town Centre and in particular reduce vehicle emissions to levels within allowed European limits will only result in more traffic including more HGVs using Upper Hale Road. A high number of children walk and cross Upper Hale Road when travelling to and from Hale Primary School which has 443 children aged between 3 and 11 on its school roll (Ofsted report on visit made in June 2013) and Hale Sure Start Children's Centre whose reach area includes 754 children under the age of 5 (Ofsted report on visit made in January 2014). Both Hale Primary School and Hale Sure Start Children's Centre are located on Upper Hale Road as is the Sandy Hill Community Bungalow which is used for a number of various community activities at all times of day by a significant number of local residents and particularly those living on the Sandy Hill estate whilst the Tesco Express store at the junction of Upper Hale Road with Alma Lane is the main convenience store used by residents of Hale and Upper Hale many of whom are elderly. With this high level of pedestrian movement and with narrow footpaths in many places the current situation is an accident waiting to happen.

I have the following questions for Surrey County Council's (SCC) Cabinet:-

1. Could an assurance be given that any traffic measures that are implemented in Farnham Town Centre will not result in any increase in total traffic and in particular HGVs using Upper Hale Road;
2. Could SCC working with Waverley Borough Council and Farnham Town Council actively investigate means that could be implemented to reduce the level of traffic, and in particular HGVs, using Upper Hale Road and reduce the average speed of traffic that is currently recorded at 32 mph to an average speed within the existing 30 mph speed limit; and
3. In the response to my written question to the SCC/Waverley Local Committee, I was advised that in October and November work would be undertaken to raise kerbs at vehicle accesses to preserve a surface water check along the edges of Upper Hale Road and in the supplementary

question allowed to me, I asked if specific attention could be given to resolving the problems caused by the formation of surface water outside 67 Upper Hale Road which currently takes place on a frequent basis, and has remained unresolved despite being reported to SCC on several occasions over recent years. I would be grateful if an assurance could now be given to ensuring that whatever action is necessary will be taken to resolve this long outstanding problem.

Reply:

1. A public consultation has been undertaken considering pedestrianisation of Farnham Town Centre. This has been led by the Local Member of Parliament (Mr Jeremy Hunt) but has not yet formally been considered by the County Council. Before any formal decision is made as to the viability or otherwise of such a proposal, work will be undertaken to assess any potential consequences. In advance of this work, it is not possible to give you an assurance that there will not be any impact on Upper Hale Road.
2. Highway improvements to amend traffic flow or speeds are a matter for the Waverley Local Committee, who have to determine priorities for their area. I would refer you to the answer provided at the Waverley Local Committee on 26 September 2014.
3. The County Council is arranging kerbing works to be completed as you have described in the coming months. Officers have been advised of your concerns for 67 Hale Road and will address the problem as appropriate.

Mr John Furey
Cabinet Member for Highways, Transport and Flooding Recovery
21 October 2014

COUNCIL OVERVIEW & SCRUTINY COMMITTEE

**Item under consideration: FINANCE AND BUDGET MONITORING REPORT
FOR AUGUST 2014**

Date Considered: 2 October 2014

- 1 At its meeting on 2 October 2014 the Council Overview & Scrutiny Committee considered the finance and budget monitoring report for August 2014. This had previously been reviewed by the Committee's Performance & Finance Sub-Group, along with detailed monitoring reports for the three areas within the Committee's remit: Business Services; Chief Executive's Office; and Central Income & Expenditure.

- 2 The Committee was mindful of the budget pressures faced by services in the current financial year, and was also aware that these pressures were likely to intensify in the coming year. The Central Income & Expenditure budget includes risk contingencies totalling £5m, and the Committee was of the view that, as the budget position was likely to become more challenging in the future, this contingency fund should be carried forward in its entirety and not be used to deal with any budget shortfalls which may arise in services in the current financial year. The Committee therefore **recommends:**

That the full risk contingency budget of £5m contained within the Central Income & Expenditure budget be carried forward to 2015/2016.

NICK SKELLETT

Chairman of the Council Overview & Scrutiny Committee

**CABINET RESPONSE TO COUNCIL OVERVIEW AND SCRUTINY
COMMITTEE**

**FINANCE AND BUDGET MONITORING REPORT FOR AUGUST 2014
(considered by COSC on 2 October 2014)**

COMMITTEE RECOMMENDATION:

The Committee recommends that the full risk contingency budget of £5m contained within the Central Income & Expenditure budget be carried forward to 2015 / 2016.

RESPONSE:

The Council takes a multi-year approach to its budget management, which has served it well in meeting and managing the budget pressures it has faced. As a part of this approach, the council has successfully balanced its budget each year and been able to carry forward the risk contingency each year. The council has achieved this by considering the use of reserves and balances, along with the carry forward of budgets, as a part of a coordinated approach to budget planning. In doing so, the council is aware that the use of carry forwards and reserves are only a one-off measure, and that ultimately, the council must achieve a sustainable budget through achieving on-going savings and, or increases in income.

The budget monitoring for the end of September 2014, which is on the agenda for today's meeting, is forecasting that the council will have a balanced budget for the current financial year. The forecast is for an overspending of £400,000. While this is positive and welcome, there are still risks ahead.

The option of carrying forward the risk contingency budget to help off-set pressures in the next financial year is only achievable if revenue budget does not overspend. Officers are working on plans to achieve a balanced budget and the Chief Executive and the Director of Finance are continuing their supportive challenge sessions with budget managers to ensure the Medium Term Financial Plan is delivered. If successful, the council can look to carry forward the risk contingency budget to be used as the motion recommends when it considers the budget outturn.

**David Hodge
Leader of the Council
21 October 2014**

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