

# Cabinet – Questions and Responses and Select Committee Reports and Responses



Date & time	Place	Contact	Acting Chief Executive
Tuesday, 30 January 2018 at 2.00 pm	Ashcombe Suite, County Hall, Kingston upon Thames, Surrey KT1 2DN	Vicky Hibbert or Angela Guest Room 122, County Hall Tel 020 8541 9229 or 020 8541 9075  vicky.hibbert@surreycc.gov.uk c angela.guest@surreycc.gov.uk	Julie Fisher

**We're on Twitter:**  
**@SCCdemocracy**

**Cabinet Members:** Mr David Hodge CBE, Mr John Furey, Mrs Helyn Clack, Mr Mel Few, Mr Mike Goodman, Mr Colin Kemp, Mrs Mary Lewis, Mr Tim Oliver, Ms Denise Turner-Stewart and Mrs Clare Curran

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**This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Vicky Hibbert or Angela Guest on 020 8541 9229 or 020 8541 9075.**

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*If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting.*

#### **4 PROCEDURAL MATTERS**

##### **b Public Questions**

(Pages 1  
- 4)

The deadline for public questions is seven days before the meeting (23 January 2018).

Responses to the five questions received from members of the public are attached.

#### **5 REPORTS FROM SCRUTINY BOARDS, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL**

(Pages 5  
- 12)

A report from the Overview and Budget Scrutiny Committee regarding Revenue and Capital Budget 2018/19 to 2020/21 and updated Corporate Strategy (Item 10) is attached along with a response from the Cabinet to the recommendations proposed.

**Julie Fisher**  
**Acting Chief Executive**  
Tuesday, 30 January 2018

#### **QUESTIONS, PETITIONS AND PROCEDURAL MATTERS**

The Cabinet will consider questions submitted by Members of the Council, members of the public who are electors of the Surrey County Council area and petitions containing 100 or more signatures relating to a matter within its terms of reference, in line with the procedures set out in Surrey County Council's Constitution.

##### **Please note:**

1. Members of the public can submit one written question to the meeting. Questions should relate to general policy and not to detail. Questions are asked and answered in public and so cannot relate to "confidential" or "exempt" matters (for example, personal or financial details of an individual – for further advice please contact the committee manager listed on the front page of this agenda).
2. The number of public questions which can be asked at a meeting may not exceed six. Questions which are received after the first six will be held over to the following meeting or dealt with in writing at the Chairman's discretion.
3. Questions will be taken in the order in which they are received.
4. Questions will be asked and answered without discussion. The Chairman or Cabinet Members may decline to answer a question, provide a written reply or nominate another Member to answer the question.
5. Following the initial reply, one supplementary question may be asked by the questioner. The Chairman or Cabinet Members may decline to answer a supplementary question.

#### **MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE**

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Use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to the PA or Induction Loop systems, or any general disturbance to proceedings. The Chairman may ask for mobile devices to be switched off in these circumstances.

It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

*Thank you for your co-operation*

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**CABINET – 30 January 2018**

**PROCEDURAL MATTERS**

**Public Questions**

**Question 1: Mr David Beaman – Farnham Town Councillor, Castle Ward**

On 23rd December the Department of Transport launched a 12 week consultation exercise on which roads to include in new Major Road Network in which funding would be available for projects of up to £100 million for upgrades and improvements. All the main roads serving Farnham potentially qualify and will SCC be using this opportunity to bid for funding for a relief road to bypass Farnham to reduce congestion, improve air quality and road safety?

**Reply:**

The consultation is on the establishment of a Major Roads Network (MRN), which would be established based on quantitative and qualitative criteria including traffic flow, linking economic centres, ensuring a coherent network and access to/resilience of the Strategic Road Network (SRN). The investment decisions are based on five objectives including reducing congestion, supporting economic growth and housing delivery, supporting all road users and the Strategic Road Network. We will be assessing all our roads against these criteria, including the roads around Farnham, and submitting evidence on which roads within Surrey meet the criteria for inclusion in the Network.

**Mr Colin Kemp**  
**Cabinet Member for Highways**  
**30 January 2018**

**Question 2: Ms Sally Blake**

The Cabinet is being asked to approve the introduction of car park charges of £1.30 an hour (max £5) at 15 countryside car parks at Chobham, Whitmoor, Rodborough, Witley and Ockham Commons, and Norbury Park.

The paper presented by Cllr Goodman indicates under proposed Option 5 (with payment by card and phone only) an average total revenue of £448,000 pa, with average expenditure (presumably to 'run the parking scheme') of £247,000 pa, and average net revenue (presumably to 'conserve the countryside') of £201,000 pa. These are averages over 15 years.

What is the Council's policy in approving this proposal, based on these figures, relating specifically to the following:

- Presently there are 446,000 cars visiting these car parks each year. Your own consultation, where people were not even told the proposed high level of the charges, showed 54% of people would avoid coming in future and 16% would come less often. The average total revenue of £448,000 pa looks extraordinarily high.
- The financial impact on your social care budget, by reducing access to the countryside for the elderly and less well-off, has not been assessed and included in

the figures. Substantial expert evidence has been provided to support the negative impact of reduced public access to green spaces and the natural environment.

- The cost of 'running the parking scheme' and the amount going to 'conserve the countryside' must be considered separately as they are only permitted under two separate Acts of Parliament. The parking charges must be 'reasonable' and must not make a profit. The charges to 'conserve the countryside' must, over a number of years, equate to the amount being spent on that service. The proposed charges are extremely high for natural countryside car parks with no facilities and may not be considered reasonable.
- Your own figures show that only £201,000 pa, 45% of the total revenue, would be going towards 'conserving the countryside'. This amount could be considerably lower if the total revenue is less, as the cost of 'running the parking scheme' will be fixed. The value of carrying out this project at all, particularly as your consultation results showed 75% public opposition, must be very questionable.

### Reply:

This proposal is put forward on a basis that the investment would allow the charging scheme to generate enough income to cover the borrowing costs, cover the operating cost and help improve, maintain and enhance the countryside sites.

It is important that the car parks are maintained so that they remain available to the public to access them for health and wellbeing.

There may have been a misunderstanding here, because the charges are for parking and there is no proposal to make separate charges for maintenance of the countryside estate.

The parking charges are not set to generate a surplus. It should be noted that, since the parking here is ancillary to the countryside service, the 'cost of the service' for these purposes is the cost of providing the countryside service, and not just the parking. Although the income will make a contribution to the cost of maintaining the countryside estate, it is not expected to exceed the costs of provision of the service. Charges at other car parking sites in the area have also been taken in to account as a relevant factor in determining whether the proposals are reasonable, which is in line with the legislation.

**Mr Mike Goodman**  
**Cabinet Member for Environment and Transport**  
**30 January 2018**

### Question 3: Mr John Oliver

Mr Chairman, Cabinet Members have received a copy of my correspondence concerning legal issues relating to the placing of parking charge infrastructure, and introducing charges, at the Pay and Conserve sites. I am not alone in believing that the infrastructure needs consent from the Planning Inspectorate (PINS) and I have set out the legal arguments to support this. Cllr Goodman has not set out the Council's legal arguments to support not making an application for consent – in fact his paper gives no mention to this contentious issue whatsoever. Even Lord Gardiner, Parliamentary Under Secretary of State for Rural Affairs, gave no support to Cllr Goodman's approach to him to have the PINS guidance

relaxed. This is yet another example of a policy paper failing to set out the legal background to proposals.

Do you agree that Cllr Goodman should be asked to fully investigate, with the Council's legal team, the need to apply for consent and provide the Cabinet with a full and proper explanation of the legal position before a decision is made on his proposals and, if not, why not?

**Reply:**

The correspondence with DEFRA that you refer to confirmed that there are no plans to make any changes to the current legislation in respect of consent for works which might prevent or impede access to commons.

In addition, it confirmed that it is for the person proposing to carry out works on common land to come to a view on whether those works would impede access to the common. If that person considers that they do not, there would be no need, on the face of it, to apply for consent.

The Council's view is that an application is not necessary in these circumstances because the work involved in installing pay and display equipment at the car parks is intended to facilitate the maintenance of the car parks and the common to an appropriate standard and thus access to the common, particularly for those visiting from further afield.

In addition, if the works are so small and or of such short duration that they do not impede access then we do not consider an application necessary. Both criteria are used by the Planning Inspectorate in drawing up the list of works which they consider to fall outside the scope of s38, contained in their Common Land Guidance Sheet 1b. This list is not exhaustive and we consider that it is a guide.

**Mr Mike Goodman**  
**Cabinet Member for Environment and Transport**  
**30 January 2018**

**Question 4: Mr John Oliver**

Mr Chairman the equalities impact assessment accompanying the policy paper 'Pay and Conserve, car park charging on the Countryside Estate' states "This is on the basis that the parking charges should be set at a reasonable level in comparison to other countryside sites". Section 43 of the Countryside Act 1968 states that charges should be "reasonable", not "reasonable in comparison to other countryside sites".

Legislation dealing with local authority charges stresses that charges should be set to cover the cost of providing the service and not to generate surpluses. "Reasonable" should be viewed in that context and not on what the market can stand, and certainly not in comparison with other, commercially-orientated, organisations.

Do you agree, therefore, that Cllr Goodman and Mr Russell should be asked to revisit the scale of charges based on what the legislation intends, rather than on what others charge and, if not, why not?

**Reply:**

I have answered this point in my reply to question 2, above.

**Mr Mike Goodman**  
**Cabinet Member for Environment and Transport**  
**30 January 2018**

**Question 5: Ms Julie Brown**

The proposed parking charge policy for the Pay and Conserve sites sets out only one charge, but this is in fact, made up of two legally separate charges; one for the countryside management and the other for parking. They should be discussed and shown separately in the policy proposal for the benefit of Cabinet members. The charge for countryside management can only be made if the receiver of the service agrees to it.

Given that it is well known that many people visit sites, but stay in the car park for a variety of reasons, for example due to infirmity or to have lunch or a period of quiet contemplation, they will not need to access the countryside. Could you please confirm:

- What the charge would be for each of the two services
- How the receivers of the services will be told this and how they will agree it with the council
- People will be able to turn down the countryside management charge and pay only the parking charge if they stay in the car park

In addition, the accompanying paragraph 14 of the policy proposal states, "SCC and SWT will use some of the income to improve access by cycle or foot to sites where appropriate.

In addition, public transport access is also being looked at as an option". Please could you explain:

- What authority the Council has to raise surpluses from charging for the management of the Countryside Estate, supposedly to be ring-fenced, and to use them on different services, i.e. the highway service and the public transport service
- What steps are under way to look at the provision of public transport, which sites does this involve, when will this consideration be reported upon and to whom and when and how will the public be told about it?

**Reply:**

I have explained, in my answer to question 2 above, that there is no proposal for two separate charges. By parking and paying the charges, a visitor will have agreed to the provision of the service.

On your second set of points we are looking at access to the countryside sites by foot and on bike via the existing rights of way network or possible with some upgrading of that network and providing bike stands where appropriate.

With public transport we will explore the possibility of providing stopping points on existing public transport routes.

**Mr Mike Goodman**  
**Cabinet Member for Environment and Transport**  
**30 January 2018**

## OVERVIEW & BUDGET SCRUTINY COMMITTEE

### Item under consideration: REVENUE AND CAPITAL BUDGET 2018/19 to 2020/21

#### Date Considered: 26 January 2018

- 1 At its meeting on 26 January 2018 the Overview & Budget Scrutiny Committee considered the Revenue and Capital Budget for 2018/19 to 2020/21. Chairmen of the Select Committees also attended the meeting to provide input on specific service budgets and savings.
- 2 The Committee noted the challenging situation facing this council and the sector as a whole and therefore recommends a need for an increase in the pace of change to ensure services can continue to meet the needs of residents and save money.
- 3 Members did raise concerns about the level of reserves now held by the Council and how and when these could be replenished.
- 4 The Committee reviewed the transformation projects outlined in the reports and emphasised the need for both service specific and cross-cutting initiatives at the Council and in partnership with other organisations to help realise a sustainable budget.
- 5 The Chairman suggested to the Leader that a Cabinet Member should have responsibility for the achievement of the transformation projects with a similar responsibility created at officer level.
- 6 The Committee wished to commend Finance for their efforts in providing such a comprehensive and detailed report ahead of the Cabinet and Council meetings to allow for sufficient scrutiny of the proposals.
- 7 The Committee agreed the following recommendations:

#### **Corporate Services Select Committee**

- a) There should be a clear five-year strategy in place to deliver savings through improved energy efficiency across the whole of the Council's estate, including an awareness campaign to influence staff behaviour in relation to lighting and heating, replacement of existing lighting with LED bulbs, installation of passive infrared detectors, and effective management of energy contracts.
- b) The Select Committee was informed that relatively little of the existing £4.2M invest-to-save reserve had been used to date to deliver the savings so far in Orbis. Consideration should be given to whether the objectives of Orbis could be achieved without spending all of the allocated reserve, allowing this money to be used to reduce the budget shortfall in 2018/2019.
- c) The Audit & Governance Committee to be asked to review the existing procurement governance arrangements, to ensure that contracts are implemented in a timely manner and managed in an efficient and cost-effective way.

- d) Additional resources to be provided in Property Services to enable a separation between those officers supporting maintenance of the Council's existing property portfolio and those identifying new opportunities for investments which support modern service delivery: this will ensure that projects in other services which will achieve savings and/or relieve service pressure can be progressed in a more timely manner.
- e) The policy of using capital investment to achieve revenue savings by bringing services back in-house (for example SEN and extra care housing) should be prioritised.

#### **Adults and Health Select Committee**

- f) The Council to work with healthcare partners to reduce the number of disputed Continuing Healthcare Cases particularly those that are not with Surrey's six CCGs, to enable resources spent on administering these cases can be put back into the frontline.
- g) Increased priority to be given to the provision of Extra Care services, in order to achieve a significant improvement in the level of delivery.
- h) The Adult Social Care Directorate develop robust digital and assistive technology strategies in order to reduce demand on the service in the short and medium term.
- i) Proposals to increase charges for the provision of adult social care services to be supported; this to be done in a sustainable way to ensure that it doesn't lead to more individuals being unable to pay for the costs of their care.
- j) Cabinet continues to argue the case for fairer funding with Central Government in respect of Surrey's Public Health allocation.
- k) The Council moves towards a targeted approach to the delivery of Public Health services to ensure that they reach those most in need of support.
- l) Cabinet remains alert to the Council being too liberal in its interpretation of those initiatives that can be shadowed funded through the Public Health budget and is alert to the danger of the shadow-funding target leading to money being taken out of Public Health that would be better spent on the delivery of services actively commissioned by Public Health.
- m) Officers investigate opportunities for collaborating with the Voluntary, Community and Faith Sector in the planning and delivery of services commissioned by Public Health.

#### **Communities Select Committee**

- n) Encourages the Library Service to progress its development of community supported libraries.
- o) Recommends that the Library Service undertakes appropriate public consultation regarding future changes to libraries in early 2018.
- p) Recommends that Surrey Fire and Rescue Service investigates using a portion of its overtime budget to employ permanent, full-time staff to mitigate risks related staff resilience.

- q) Encourages a more proactive approach to collaborating with East and West Sussex fire authorities as detailed in Surrey Fire & Rescue Service's Public Safety Plan to deliver on potential savings that can be achieved through effective collaboration.

### **Cross Service**

- r) A Cabinet Member is given responsibility for the delivery of the transformation projects outlined in the Revenue and Capital Budget for 2018/19 to 2020/21 complemented by a similar role for a specific Officer.
- s) The Council's travel policy to be reviewed and updated as necessary to ensure that it supports the aim of minimising costs by:
- Influencing staff behaviour (for example, encouraging the use of video conferencing, discouraging unnecessary travel and identifying whether lower cost alternatives are available), and
  - Encouraging services to review operational arrangements (for example the frequency and level of attendance by fire crews in response to automatic alarms).

### **Scrutiny Next Steps:**

- 8 The Budget-Sub Group continues to regularly monitor the Council's budget identifying priority areas for scrutiny and undertaking in depth investigative work as necessary.
- 9 Additional to the above, the Budget Sub-Group further investigate the costs and benefits of the council developing a range of in-house residential services for children and adults that require social care to reduce the amount of spend on external providers and report back to this Committee with their findings as agreed in November 2017.
- 10 Select Committees to undertake reviews of the fees & charges schedules and savings plans in their remits in order to comment on these plans and the overall direction set by the Cabinet prior to the adoption of a refreshed Medium Term Financial Plan. These findings will be communicated to Cabinet on 27 March 2017 by the Overview & Budget Scrutiny Committee.

**Kay Hammond**  
**Chairman of the Overview & Budget Scrutiny Committee**

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**CABINET RESPONSE TO OVERVIEW AND BUDGET SCRUTINY COMMITTEE****FINAL BUDGET RECOMMENDATIONS**

(Considered by the Overview and Budget Scrutiny Committee on 26 January 2018)

**COMMITTEE RECOMMENDATIONS:****Corporate Services Select Committee**

- a) There should be a clear five-year strategy in place to deliver savings through improved energy efficiency across the whole of the Council's estate, including an awareness campaign to influence staff behaviour in relation to lighting and heating, replacement of existing lighting with LED bulbs, installation of passive infrared detectors, and effective management of energy contracts.
- b) The Select Committee was informed that relatively little of the existing £4.2M invest-to-save reserve had been used to date to deliver the savings so far in Orbis. Consideration should be given to whether the objectives of Orbis could be achieved without spending all of the allocated reserve, allowing this money to be used to reduce the budget shortfall in 2018/2019.
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**Adults and Health Select Committee**

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  - Encouraging services to review operational arrangements (for example the frequency and level of attendance by fire crews in response to automatic alarms).

#### **RESPONSE:**

The cabinet would like to thank the Overview and Budget Scrutiny Committee for their recommendations on the budget, and for their work and all the scrutiny boards in reviewing the savings for the financial year.

The cabinet recognise that in order to balance the budget for 2018/19 the council needs to use reserves, as further savings beyond the £66m identified are not considered achievable in 2018/19. As a part of future years' budget planning the cabinet will look to replenish these reserves as a part of a strategy to ensure a sustainable budget.

The strategy to develop and ensure sustainable services and finances will include a major programme of transformation on how we deliver services to our residents. The cabinet recognise that to achieve such a change, the council cannot act alone. It will work even more closely with residents and our partners, whether they be district and borough councils, health, police and importantly, the voluntary, community and faith organisations across Surrey to achieve this transformation. It will be challenging but discussions on taking a more place-based approach are progressing well. I hope that the scrutiny committees will also play an active part in looking at how and where we need to transform to meet residents' needs

Since 2010 the council, under this administration, has saved a total of £540m. Most of this has been through improving efficiencies and the way we deliver services. Although efficiencies are increasingly hard to find, we will still search for them, wherever they are in our organisation, to make sure that the council gets the best value for our residents.

**Mr David Hodge CBE**  
**Leader of the Council**  
**30 January 2018**

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