

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 23 APRIL 2013 AT 2.00 PM
AT ASHCOMBE SUITE, COUNTY HALL, KINGSTON UPON THAMES,
SURREY KT1 2DN.**

These minutes are subject to confirmation by the Cabinet at its next meeting.

Members:

*Mr David Hodge (Chairman)	*Mrs Kay Hammond
*Mrs Mary Angell	*Mrs Linda Kemeny
*Mrs Helyn Clack	*Ms Denise Le Gal
*Mr John Furey	*Mr Peter Martin (Vice-Chairman)
*Mr Michael Gosling	*Mr Tony Samuels

* = Present

**PART ONE
IN PUBLIC**

73/13 APOLOGIES FOR ABSENCE [Item 1]

There were no apologies for absence.

74/13 MINUTES OF PREVIOUS MEETING: 26 MARCH 2013 [Item 2]

The minutes of the meeting held on 23 April 2013 were confirmed and signed by the Chairman.

75/13 DECLARATIONS OF INTEREST [Item 3]

There were no declarations of interest.

76/13 PROCEDURAL MATTERS [Item 4]

(a) MEMBERS' QUESTIONS [Item 4a]

Two questions had been received from Members. The questions and responses were tabled and are attached as **Appendix 1 to these Minutes**.

Mrs Hazel Watson asked a supplementary question as to whether the Council would agree to re-route the Vachery event cycling to avoid road closures taking place on different occasions in the same roads this summer.

The Chairman noted the huge success which Surrey had enjoyed with previous Olympic and Tour of Britain cycling events and how these events had been enjoyed by the community as a whole. Whilst these events were enjoyed by many, it was important that this was balanced against the impact on those most affected by any related road closures. The Council received hundreds and sometimes thousands of requests to close roads, for a variety of reasons, each year. These requests were considered by council officers on a case by case basis, taking into account the nature of the events and the safety issues involved. In view of the concerns which had been raised, the Chairman had asked officers to look at how these decisions might be taken in future to ensure that Surrey could continue to enjoy the benefits whilst

ensuring that any inconvenience did not impinge on the same residents. The safety of all road users would continue to be of the utmost importance. A dialogue would take place over the next few weeks as to how these decisions could best be taken in future, including ensuring appropriate consultation, with any necessary changes being made to the Council's Constitution in the new council year.

(b) PUBLIC QUESTIONS [Item 4b]

Six questions had been received from members of the public. The questions and responses were tabled and are attached as **Appendix 2 to these Minutes**.

Supplementary questions were asked by Mr Paul Placitelli, Ms Lesley Tinker (on behalf of Ms Tara Rutt), Mr Colin Terry and Ms Shirley Gill regarding short break respite care for children with disabilities. The questions asked related to access to local respite care, the coordination of joint strategic working between the Council and the NHS, whether consultation would include the option for families to specify preferred respite accommodation and whether the Cabinet could give an assurance that, following the review, the consultation would extend into special schools for children with severe learning difficulties to gain parents' views and opinions.

The Cabinet Member for Children and Families thanked the questioners for their questions and stated the Council's absolute commitment to support children in need and families of children with disabilities as set out in Section 17 of the Children's Act. This commitment was demonstrated by Surrey County Council's expenditure of more than £7million pounds on this area, more than twice the level set out in Every Child Matters. The Council would be working jointly with NHS Guildford and Waverley Clinical Commissioning Group, as the lead for local NHS commissioning on children's services, to review all the options provided for children with disabilities and complex needs. The review would take place during summer 2013 and would provide clarity and joint strategic working going forward. The consultation and engagement as part of the review process would include the option for parents to state their preferences around respite care, though it was noted that decisions would always need to take into account professional opinions. The Cabinet Member gave her assurance that consultation would extend to special schools and would look at all requirements, including those with complex needs under 10.

The Cabinet Member for Children and Families advised anyone who did not feel that they were getting the support they needed to contact Nick Wilson, Strategic Director of Children, Schools and Families. The Council would look at any individual case and ensure that the family gets the right support. The Chairman joined with the Cabinet Member in noting that Surrey County Council had a high quality team who were committed to children's services and advised that looking after children was his highest priority as Leader.

(c) PETITIONS [Item 4c]

No petitions were received.

(d) REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

No representations were received.

77/13 BUDGET MONITORING AND PROVISIONAL BUDGET OUTTURN 2012/13 (PERIOD ENDING MARCH 2013) [Item 5]

The Cabinet considered the revenue and capital budget monitoring report for March 2013 and the interim budget outturn for the 2012/13 financial year. The final outturn report would be considered by the Cabinet on 28 May 2013.

The Council had demonstrated that spending was under control and was applying prudent financial management whilst continuing to provide services to the residents of Surrey. Services had been successful in containing expenditure. The revenue budget was forecast to be underspent by £3.8 million. Based on these forecasts, including the agreement that £7.9 million be carried forward to the 2013/14 financial year to continue and complete projects, the Council's available general balances would be £20.6m at the year end. The full in-year capital budget had been spent or committed to be spent and the final overall capital budget position for 2012/13 would be reported in May 2013.

The Chairman and Cabinet Members noted that the quick reporting arrangements which were in place meant that residents could see the Council's financial position and have confidence. The Deputy Leader commended the fact that the provisional outturn indicated that the Council would be under budget for the third year in a row. The importance that each directorate had also reported as being at or under their budgets was highlighted. The improved programming and delivery of capital projects was also noted.

RESOLVED that:

1. the provisional revenue and capital year end budget outturns be noted.
2. the revenue budget carry forward requests by services totalling £7.9m be approved.
3. the carry forward of £17.5m committed capital budget be approved.
4. The changes to government grants be reflected in directorate budgets.

Reason for decision

To monitor the budget and approve carry forwards to enable on-going projects to continue without delay.

78/13 PUBLIC HEALTH EQUALITIES IMPACT ASSESSMENTS [Item 6]

The Cabinet considered the Public Health Equalities Impact Assessments which underpin the related sections of the Medium Term Financial Plan 2013-18. Service related Equalities Impact Assessments were considered by the Cabinet as part of the agreement of the Medium Term Financial Plan at its meeting on 26 March 2013. The Equalities Impact Assessments relating to

Public Health had been updated since the previous meeting and the revised versions were presented to Cabinet for their consideration.

The Cabinet Member for Adult Social Care and Health noted that the Public Health team had recently transferred to the Council from the NHS and noted the excellent job which had been done in covering all aspects of the Equalities Impact Assessments for each of the areas. The Cabinet Member also made the following statement:

“As a Cabinet we would like to welcome the transfer of Public Health and the Public Health Team into the County Council from the beginning of April and this be recorded formally in the Minutes.

The Public Health Team are to be hosted in the Chief Executive's office and the Assistant Chief Executive is working with myself and the Team to ensure a smooth and robust transfer to secure a good working relationship with the newly formed CCGs and the boroughs and districts to bring a new dimension to the role of Public Health within the Local Authorities.

This will clearly, through health and wellbeing, improve the life chances of all residents in Surrey.

I am working with the Assistant Chief Executive to determine how we recruit a Director of Public Health Surrey and I will update you over the coming weeks.”

The Cabinet Member for Community Safety noted that the Equality Impact Assessments now fully addressed the identified Public Health areas. The nature of the Council's new public health duties was extensive and had highlighted the opportunities for better joint working to deliver benefits for the residents of Surrey. The Chairman noted the contributions of the Cabinet Member for Adult Social Care and Health and the Assistant Chief Executive in the transfer of public health responsibilities.

RESOLVED that the contents of the Equalities Impact Assessments for Public Health be noted and agreed.

Reason for decision

To ensure due consideration of the equalities implications of the proposals relating to Public Health as set out in the agreed Medium Term Financial Plan.

79/13 LEADER AND CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 6a]

The Cabinet noted the decisions taken by the Leader and Cabinet Members since the previous meeting.

RESOLVED that the decisions taken by the Leader and Cabinet Members since the last meeting as set out in **Appendix 3 to these Minutes** be noted.

Reason for decision

To note the decisions taken by Cabinet Members under delegated authority.

80/13 AWARD OF A FRAMEWORK AGREEMENT FOR THE PROVISION OF SAP MANAGED SERVICES AND SAP APPLICATION DEVELOPMENT [Item 7]

The Cabinet agreed in December 2012, with the support of full Council in February 2013, the establishment of a partnership agreement between Surrey County Council and East Sussex County Council for the provision of a shared business support service. This included transactional support and IT hosting services. A procurement process to award a joint contract to provide SAP technical support to both councils had taken place to support this partnership.

Both Surrey County Council and East Sussex County Council use SAP as their main transactional system, covering activities such as payroll, accounts payable & receivable and general ledger functionality. The joint procurement of SAP technical support had enabled the shared strategic vision for a single SAP system supporting both Councils to be achieved. The proposed contract arrangements delivered value for money, a 38% saving on the current managed service contract and the opportunity for further efficiencies.

The Cabinet noted that the details of the recommended contract awards and the cost savings to be delivered would be considered in the private part of the meeting (minute item 82/13).

RESOLVED that:

1. The award of a 4 year framework agreement, and the immediate use of that framework to award a 3 year call-off contract, to a single supplier for SAP Managed Services with a 2 year optional extension to provide ongoing SAP maintenance and monitoring of the SAP system be approved.
2. The award of 4 year Framework Agreement for SAP Application Development, to provide SAP development services, that will allow a range of suppliers to compete for projects as they arise through the use of mini-competitions be approved.

Reason for decision

To ensure the continuation of maintenance and support of SAP services via new shared contract arrangements with East Sussex. These arrangements provide value for money, deliver 38% savings on the current managed service contract, have a clearer specification and scope and offer further efficiencies through contract and supplier management.

81/13 EXCLUSION OF THE PUBLIC [Item 8]

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.

82/13 FRAMEWORK AGREEMENT FOR THE PROVISION OF SAP MANAGED SERVICES AND SAP DEVELOPMENT SERVICES [Item 9]

The Cabinet considered a Part 2 Annex to the report received under minute item 80/13. The Annex had been circulated in Part 2 of the agenda as it

contained information exempt from Access to Information requirements by virtue of paragraph 3 – information relating to the financial or business affairs of any particular person (including commercially sensitive information to the bidding companies).

RESOLVED that a Framework Agreement be awarded on a 4 year term in two Lots as follows:

- i). Lot 1: Managed Services be awarded on the basis of an overall framework to the recommended single supplier, as set out in the Part 2 Annex to the report submitted, to provide a managed service for the ongoing SAP maintenance and monitoring of the SAP system.
- ii). Lot 2: Application Development be awarded on the basis of a framework agreement with the appointment of the ten recommended suppliers, as set out in the Part 2 Annex to the report submitted, to provide SAP development services.

Reason for decision

To provide value for money and deliver both savings and efficiencies for the Council.

83/13 PROPERTY TRANSACTION: ACQUISITION OF OFFICE PREMISES IN WOKING [Item 10]

The Cabinet considered the acquisition of the freehold interest of office premises in Woking for potential future service delivery improvements and economic regeneration purposes. The report had been circulated in Part 2 of the agenda as it contained information exempt from Access to Information requirements by virtue of paragraph 3 – information relating to the financial or business affairs of any particular person.

RESOLVED that:

1. The acquisition of the freehold interest of the identified office premises in Woking for potential future service needs or regeneration purposes be approved in principle.
2. The final approval for the acquisition of the property be delegated to the Strategic Director for Change & Efficiency, in consultation with the Leader, Cabinet Member for Assets and Regeneration and the Chief Finance Officer, upon provision of a high level feasibility study demonstrating either:
 - a. The acquisition and holding costs over a two year period are met or exceeded by the income potential and any capital receipts on sale, or
 - b. The acquisition and holding costs over any project life span are met or exceeded by the income potential and any capital receipts on sale.
3. The freehold interest of the property be purchased for a maximum acquisition cost not exceeding the sum stated in the recommendation of the Part 2 report submitted.

Reason for decision

To acquire the property for potential future service needs or regeneration purposes.

84/13 PUBLICITY FOR PART 2 ITEMS [Item 11]

RESOLVED that no publicity be agreed for the contract and property terms considered in Part 2 of the meeting due to the likely disclosure of exempt financial information.

Meeting closed at 2.34 pm

Chairman

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ITEM 4 - PROCEDURAL MATTERS

4(a) Members' Questions**Question (1) from Mrs Hazel Watson (Dorking Hills)**

Certain roads in the Leith Hill area are set to be closed for a significant part of the day for The Vachery Triathlon on 21 July and for the Prudential Ride London event on 4 August, and then again on a rolling basis for the Tour of Britain race on 21 September. In addition, a number of sportives with a significant number of competitors are also set to ride along these roads in other organised events.

Will the Leader of the Council agree with me that it is essential that we balance the rights of local residents to enjoy living in this area with the rights of cyclists racing and enjoying our countryside and that two events two weekends apart which involve almost all day road closures and which will prevent residents leaving and entering their homes is not a fair balance between the rights of residents and the rights of cyclists? Will the Leader of the Council also agree with me that it is now very short notice to notify residents of the Vachery event and its road closures given that it is likely that weddings and summer garden parties will have been organised in the affected area for some time and that such events cannot be replanned at such short notice and will be significantly disrupted by the road closures?

Furthermore, will the Leader of the Council agree that it is appropriate that only one all day or significant part of a day road closure should be applied for in relation to any one road each year and will he commit the County Council to only apply for one all-day road closure per year for any one road for cycle road racing this year and to formulate an official policy on this basis for future years?

Reply:

During our Olympic summer, Surrey County Council demonstrated that it could safely and successfully organise and deliver a series of world-class sporting events. You will recall that some parts of Surrey enjoyed 3 days of exciting events, in the space of a week. The resulting legacy for Surrey from these events seen on global television has been that our beautiful county attracts many more visitors, and many amateur sports people now test themselves on the same roads as their Olympic heroes. Our successful handling of the Olympics has also encouraged an increasing number of event organisers to approach us to put on high profile sporting events.

When deciding whether to allow a closed road event, our first consideration is to ensure that the interests of our local residents are balanced against the wider benefits for the county. Our priority is to ensure that residents are safe and that disruption is kept to an absolute minimum. No events go ahead unless the event organiser provides clear evidence that there will be significant economic benefit for the county, as well as associated health benefits and wider promotion of the county. These events also provide opportunities to recreate the community spirit that we experienced locally, when communities came together in celebration and gave a warm welcome to visitors and participants.

All the events that are being proposed in Surrey have strict oversight by county council officers to ensure that they run safely and that residents are engaged as early as possible. There is an unprecedented demand for Surrey's roads to be used for high profile events, which is why I have asked officers to review the existing process for accepting these events on closed roads, and for a robust new process to be prepared for consideration by The Cabinet this summer.

Mr David Hodge
Leader of the Council
23 April 2013

Question (2) from Dr Andrew Povey (Waverley Eastern Villages)
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In your last Leader's statement at the full County Council meeting you stated your concern for the elderly and vulnerable in Surrey. Indeed under the strong leader model you have the ultimate responsibility for vulnerable people who are under the care of Surrey County Council. When are you going to accept this responsibility in respect of the tragic death of Gloria Foster?

Reply:

There are appropriate and independent investigations ongoing and I will not be making any further comment on the matter until those are concluded. I shall not answer any further questions from Dr Povey on this until the final reports are concluded.

Mr David Hodge
Leader of the Council
23 April 2013

CABINET – 23 APRIL 2013

ITEM 4 - PROCEDURAL MATTERS

4(b) Public Questions**Question (1) from Mr Paul Placitelli, Horley**

With regards to SCC principle that: 'No child under 10 years of age should be accessing residential overnight short break provision except in exceptional circumstances' Department of Education's guidance states that local authorities must consider the legal implications of the eligibility criteria they apply to short breaks services and not apply any eligibility criteria mechanistically without consideration of a particular family's needs. Under equality legislation law and the potential impact the decision could have on human rights, authorities have a legal duty to pay due regard to the need to eliminate discrimination and promote equality with regard to disability, whilst requiring that this duty to pay due regard be demonstrated in the decision making process, assessing the potential equality impact of proposed changes, procedures and practices is one of the key ways in which public authorities can show due regard.

Do you accept that in the absence of a full Equality Impact Assessment, you have met your legal obligations and Department Of Education guidelines in ensuring you have considered the need and rights of a very vulnerable group of society?

Reply:

Our procedures for accessing the short breaks service comply fully with DFE guidance. **SCC neither has, nor would wish to adopt** any specific eligibility criterion or entitlement framework that is applied in some mechanistic fashion for the short breaks service it provides.

It is more appropriate and effective that a complex and holistic assessment is undertaken by experienced staff in our Children with Disability Teams, with a professional approach to identifying and meeting needs.

The assessment framework is based on legislation, and requires a thorough understanding of the child's developmental needs, and the capacity of the parents to respond to those needs. Specifically we consider the impact of the wider family and the home environment on that parenting capacity.

We take into account family relationships, the emotional and behavioural development of the child, basic care, safety, stimulation of the child, emotional warmth, sense of identity, education, self care skills of the child, housing, health, employment, family stability and social integration, and many more factors. If the assessment shows a clear need for support then the CWD team work with the family and other agencies to provide the requisite support.

Thus all decisions regarding care provided to Surrey children are based on a full assessment of their needs and best practice principles. Most children's needs are such that they make better developmental progress in family settings rather than in residential care, and this is particularly true of children under the age of 10. I believe that for most young children their needs are best met in a child-focused community

with family-based provision, rather than a residential setting where there may be a mix of ages and / or needs that is more difficult for younger children to settle in.

However, where a child's needs are particularly complex, specialist residential care may be the most appropriate option. In these situations children may be placed in residential settings and since the beginning of January this year four such care packages have been agreed for children under the age of 10. Therefore eligibility criteria are not being applied mechanistically, and we consider that Surrey County Council is fully compliant with our legal obligations and Department for Education guidance.

A joint strategic review is underway of short breaks by the council and NHS Guildford & Waverley Clinical Commissioning Group, on behalf of the 6 CCGs with responsibility for children's services in Surrey.

Mrs Mary Angell
Cabinet Member for Children and Families
23 April 2013

Question (2) from Ms Tara Rutt, Caterham

Despite NHS renewed commitment to the Beeches we are aware of a large number of parents who continue to be refused access to the Beeches, being told by social services that:

- They are not eligible due to the child's age.
- Their child does not qualify as they would not pass a health care assessment despite having profound and multiple disabilities.
- They prefer to deal with Applewood as they know how it operates despite it not being local or the parent's choice.

Surrey's own SEND pathfinder vision statement quotes:

- We want young people, children and their families to be confident in the system, knowing that they will be listened to and that it will provide what is needed in a timely fashion.
 - Children, young people and families will play a key role in decision making.
- Why despite the NHS reaffirming financial support for the Beeches and (Severe Learning Disability children) does SCC continue to refer to anywhere but the Beeches centre despite the Beeches being the most appropriate provider according to parents' wishes, therefore SCC are allowing the Beeches to be under – used and public funds wasted?

Reply:

While Mrs Tutt claims to be aware of a large number of parents who continue to be refused access to the Beeches I wish to put on record that no comments regarding this matter have been received by the Director of Children's Services, the Deputy Director of Children's Services, or the Lead Member, via letter, e-mail, text or telephone. It would have been more appropriate for any family who feels that they need their case reconsidered to contact Surrey County Council or the NHS directly.

The Beeches is a NHS commissioned service, and Surrey County Council is not the lead commissioner. SCC is therefore not responsible for referring children to the Beeches. Current guidance from the NHS is that children accessing this service should have a health need, and that a Health Needs Assessment (HNA) should be

undertaken prior to referral. Children who meet these criteria are being referred to the Community Nursing Team for a HNA by Surrey County Council; however the decision as to whether to offer a service from Beeches is made solely by NHS staff.

Following assessment, social workers should discuss all short break options with families, including direct payments. Where Applewood is likely to be the most appropriate service parents will be directed towards this resource. However if parents express a particular preference for their child to attend Beeches, SCC is happy to request a HNA from the Community Nursing Team.

The Council and Clinical Commissioning Groups will decide on the future commissioning arrangements for short breaks residential care after completing the consultation on the options contained in the joint strategic review.

Mrs Mary Angell
Cabinet Member for Children and Families
23 April 2013

Question (3) from Mr Colin Terry, Horley

In reference to SCC's Short break statement under specialist need it quotes that: Specialist services are for disabled children and young people and their parents and carer's who require more support than is available through universal and targeted services for example overnight breaks. Families have a choice in what services they access and although access is not necessarily dependent on a formal assessment of need, each provider may outline their own acceptance criteria.

If this statement is to be adhered to can the councillor agree and commit that should parents of a disabled child under 10 approach social services requesting overnight respite in a centre of their own choice this will at the very least be explored and given following a formal assessment if required and the option not closed off by being told it is against the council policy/principle?

Reply:

The provision of specialist short break services to meet a child's assessed needs will be agreed with parents as part of their child's plan and consideration of the most appropriate options available. Good practice principles, based on research, should be applied and either access criteria may be set by commissioners, or individual providers may outline their own. Where parents request a specific service these factors will be taken into account together with whether the service can safely provide the care requested and whether the service can offer appropriate activities and a friendship group for the child. For example, it would not be a good plan for a young child to be placed with a much older age group who wish to follow teenage/youth club type activities.

Preferences will therefore be explored, but parents may need to understand that a particular option may not be the best service to meet their child's needs, and that this will be informed by access criteria, service availability, and the care and expertise different services offer.

Mrs Mary Angell
Cabinet Member for Children and Families
23 April 2013

Question (4) from Ms Shirley Gill, Caterham

With regards to SCC principle that:

'No child under 10 years of age should be accessing residential overnight short break provision except in exceptional circumstances'

The council has been asked on many occasions to provide details and recent up to date evidence of when and how the parents were consulted and to include the split of MLD to SLD of children referred to in each of these consultations?

Replies given have been:

'Consultations referred to include the Aiming High consultation undertaken in 2009 and Surrey County Council's 'Fit for the Future' co-production events held in 2010.'

'Parents who responded to these consultations were not specifically asked whether their children had MLD or SLD therefore this question cannot be answered.'

Whilst there was consultation on the Short Breaks Statement covering other aspects on communication with parents, there was 'not consultation on this particular principle.'

Surrey's short break statement states 'consultation with groups such as Barnardos and The National Autistic Society were held,' (even though it is not relevant to the group of children with severe learning difficulties, behavioural problems and needs such as epilepsy who were referred to in the question.)

As SCC's change to their principle has such far reaching consequences, they have a public duty to consult with all relevant groups, so that they have a full understanding of the impact and effect it will have on those peoples/groups lives. There is no evidence that they have consulted with the families who have children "in exceptional circumstances" Those families of children who are unable to sleep and because of the nature of the children's disabilities are unable to access other forms of overnight respite, the families for whom the only other option is vastly expensive residential care.

With regards to the under 10 principle, does the council believe that a full consultation should have included parents and carers of SLD children to take into account this group of particularly vulnerable children?

If so what steps are they taking to remedy the situation?

Reply:

A joint strategic review is underway of short breaks by the council and NHS Guildford & Waverley Clinical Commissioning Group, on behalf of the 6 CCGs with responsibility for children's services in Surrey. The options proposed by the review will be consulted on in the summer 2013.

The joint strategic review will include options for consultation with all parents and carers of children with disabilities, including parents of disabled children under the age of 10, and parents of children with severe learning disabilities and complex health needs. Further details will be provided as part of the review.

I wish to place on record our commitment to support families through the provision of short breaks. Our planned expenditure for 2012/13 was £8.3 million – final outturn to be confirmed through the end of year accounts. These figures include all contracted spend with providers plus short breaks included within individual care packages purchased by the social care teams for both looked after and non-looked after children.

This represents more than twice the minimum expectation of £2.7m for 2011/12 and £3m in 2012/13 as stated by the Every Disabled Child Matters campaign and for 2012/13 represents 73% of all social care funding for disabled children (total spend £11.4m excluding LAC placement costs).

I am pleased to say that many parents contact us expressing their real appreciation of the short breaks service and the positive impact it makes on their children's lives.

Mrs Mary Angell
Cabinet Member for Children and Families
23 April 2013

Question (5) from Keya Ashraf, Claygate
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Pupils attending Claygate Primary School (particularly those residing in Claygate) are at a significant disadvantage in securing a place at their preferred secondary school.

Based on first offers made in March, just half had been offered their 1st preference secondary school (down on previous years) and compared to a county average of 85% and a national average of 87%. 80% had been offered one of their first 3 preferences (again down on previous years), compared to a county average of 95% and national average of 97%.

While 14 pupils were given first offers at Hinchley Wood Secondary School in 2013, most offers were due to the sibling ruling. Just 4 pupils were offered places based on distance, all of whom live in Hinchley Wood or the Dittons.

Could the Council therefore confirm what expansion is planned at Hinchley Wood and Esher High Secondary Schools and how Claygate pupils will be able to secure places at those schools as demand increases in future years?

Reply:

With regard to the 60 children due to transfer to secondary school from Claygate Primary School, the Local Authority received mainstream applications in respect of 51 of them. Of these, parents were offered their preferences as follows:

1st preference	26 (51%)
One of their 6 preferences	42 (82%)
Centrally allocated a non-preference school	9 (17.6%)

However, 7 of the parents who were centrally allocated a non-preference school only named two preferences on their application form, which were Hinchley Wood and Esher High. Both Hinchley Wood and Esher High schools use individual catchment areas to prioritise applicants, with children living within catchment receiving priority ahead of children who don't. The area of Claygate is split between both catchments

and so some children living in Claygate will receive priority for Esher High and others will receive priority for Hinchley Wood. These catchment areas have operated since 2011 and since that time neither school has allocated places to children beyond their catchment area at the initial allocation of places. In this way, as each child can only be within the catchment of one school, and as historical data confirms that neither school has allocated places to children living outside the catchment area since 2011, these parents only had a realistic chance of being considered for one school, which was the school in whose catchment area they lived.

Whilst I acknowledge that the majority of these parents did apply to their catchment area school as their first preference, parents are advised to consider other local schools when they make their applications for a school place. In the area of Claygate there are other schools which are situated within a reasonable distance and, whilst parents are under no obligation to apply for these schools, they restrict their options by not doing so and this in turn reduces the percentage satisfaction rates.

The Local Authority has a statutory duty to ensure that there are sufficient places for Surrey children and that each Surrey child receives an offer of a school place within a reasonable distance, either within Surrey or across the County boundary. Whilst the law gives parents the right to name a preference for their preferred schools, the Local Authority has no duty to offer a place at a school of preference. The law is phrased in terms of 'preference' rather than 'choice' because there will be times when a child will not be able to be offered a place at a school of preference, such as when a school is oversubscribed. In these cases it is therefore the admission arrangements which must determine which children are offered a place.

From the allocation for 2013, all children who live in Claygate and who live within the catchment of Esher High have now been offered a place at Esher High where it was listed as a preferred school. As such, based on the existing catchment it does appear that Esher High is able to provide places for Claygate children living within their catchment area. However, this does not appear to be the case for Hinchley Wood, for which there are still children who live in Claygate and within the catchment for Hinchley Wood who have not yet been offered a place.

I regret that whilst there are no plans to expand Hinchley Wood, it is anticipated that Esher High will expand to a Published Admission Number (PAN) of 240 from September 2015, which will be an increase of 30 places compared to 2013. In the light of this we will review the catchment area for Esher High for 2015 to ensure that additional places are allocated fairly. Whilst Esher High School is a Voluntary Controlled school, for which the Local Authority is responsible for setting the admission arrangements, Hinchley Wood is an Academy and it is therefore the school's Governing Body which is responsible for its admission arrangements. We would however expect to be able to liaise with Hinchley Wood to ensure that any catchments for the area are appropriate and fair to all parents. I regret however that I cannot offer any guarantees that any revision of the admission arrangements will enable Claygate parents to attend either Hinchley Wood or Esher High Schools.

Mrs Linda Kemeny
Cabinet Member for Children and Learning
23 April 2013

Question (6) from Mrs Susan Crafer

Surrey County Council failed to identify all the then current and potential risks to my late mother, Mrs Jesshope. In addition she was not properly assessed in time as to whether she had appropriate mental capacity to deal with her financial affairs.

In the view of the Leader's statement at the last County Council meeting in which he expressed his concerns for Vulnerable Adults in Surrey, would the Leader now instigate a further independent review of the care received by my mother."

Reply:

I will be writing to Mrs Crafer about this matter. As the question relates to details about her late mother and the financial affairs of the family, it would not be appropriate to discuss it at a public meeting.

Mr David Hodge
Leader of the Council
23 April 2013

CABINET MEMBER DECISIONS

APRIL 2013

(i) RELOCATION OF PHAB AND DISABILITY CHALLENGERS FROM LINTONS YOUTH CENTRE TO THE NORTH EAST SURREY COLLEGE OF TECHNOLOGY, (NESCOT), EPSOM

1. The capital expenditure relating to adaptation works at NESCOT (subject to receipt of competitive quotations) as detailed in the schedule of works and budget costings (circulated as Annexe 1 – Appendix A under item 5 in Part 2 of the agenda) be approved.
2. That the works are not commenced until NESCOT has entered into an Agreement For Works with Surrey County Council; and NESCOT, Disability Challengers and Phab have entered into a formal Licence, the terms of which meet with the council's approval, and which guarantees Phab and Disability Challengers' use and enjoyment of the new facilities for a minimum period of 20 years.
3. The final costs (when quotations have been procured) and award of contract, be delegated to the Chief Property Officer in consultation with the Cabinet Member for Assets and Regeneration Programmes, SCC Procurement and the Assistant Chief Executive.
4. The council meet the cost of reasonable legal fees (not expected to exceed £6,000) incurred by NESCOT and Disability Challengers in agreeing a formal long term licence to safeguard Disability Challengers' future use of the completed facilities.

Reasons for decision

To ensure the valuable services to the community offered by Disability Challengers and Phab continue to be available to young local people following the closure of Lintons Youth Centre, with a minimum of disruption to those organisations. The proposal represents an opportunity for Disability Challengers and Phab to move from an outdated, unsustainable property to one which has been specifically adapted for their long term use.

(Decision of Cabinet Member for Assets and Regeneration Programmes – 9 April 2013)

(ii) SUPPORTING ECONOMIC GROWTH: FUNDING FOR SURREY CONNECTS FOR ECONOMIC DEVELOPMENT ACTIVITY

Details of decision

The change of use for funding held by Surrey Connects for economic development activity be approved, and the legal agreement between Surrey County Council and Surrey Economic Partnership be novated

to Surrey Connects with amended Schedules 1 and 2 to reflect the changes in use of the funding set out in Annex 1 of the report.

Reasons for decision

The funding was initially allocated to Surrey Economic Partnership as part of a reward scheme operated by the previous Government, and the balance is now held by Surrey Connects. The board of Surrey Connects have requested approval to use these funds for general economic development activity, in addition to their original use for the promotion of electric vehicles.

(Decision of the Leader of the Council – 9 April 2013)

(iii) IMPROVEMENT PLANS FOR SURREY ARTS, HERITAGE SERVICE AND SURREY ADULT AND COMMUNITY LEARNING

1. The improvement plans for Surrey Arts, Heritage Service and Surrey Adults and Community Learning be approved. These create a framework to deliver the actions and key milestones to ensure service improvement and efficiencies are delivered for the benefit of Surrey residents, staff and Surrey County Council.
2. The Cabinet Member to be regularly updated on progress against the improvement plans through the course of the year.

Reasons for decision

Carrying out the actions within the service-specific improvement plans will ensure that Surrey Arts, Heritage Service and Surrey Adult and Community Learning improve the delivery of services to residents. It will ensure value for money is achieved whilst contributing towards a more integrated Cultural Services offer.

(Decision of Cabinet Member for Communities Services and the 2012 Games – 9 April 2013)

(iv) LOCAL BUS NETWORK CONTRACTS

1. Contract L525 be awarded to Supplier A (as set out in Annex 1 of the submitted report) for a period of 4.25 years.
2. Contract L561 be awarded to Supplier B (as set out in Annex 1 of the submitted report) for a period of 4.25 years.

Reasons for decisions

1. For contract L525, 4 potential suppliers' submitted offers, but it was the offer from Supplier A (see Annex 1 of the report) that proved to be the Most Economically Advantageous Tender, in terms of a balance between quality and price. Against current costs, their offer is cheaper than the existing arrangement, and gives the ability to establish longer term security of service.

2. For contract L561, Supplier B (see Annex 1 of the report) was the only supplier to submit an offer. However against current costs, their offer is cheaper than the existing arrangement, and gives the ability to establish longer term security of service.

(Decision of Cabinet Member for Transport and Environment – 10 April 2013)

(v) REQUEST TO ADOPT NEW ROAD: WESTLEES CLOSE, DORKING

The adoption of the road, Westlees Close, Dorking as set out in Annex 1 of the submitted report be approved.

Reasons for decision

The request to adopt the road at Westlees Close, Dorking fully meets Surrey County Council's previous policy on road adoption.

(Decision of Cabinet Member for Transport and Environment – 10 April 2013)