



Agenda and Reports

for the meeting of

**THE COUNTY COUNCIL**

to be held on

**21 MAY 2013**

County Hall  
Kingston upon Thames  
Surrey

13 May 2013

TO THE MEMBERS OF SURREY COUNTY COUNCIL

## **SUMMONS TO MEETING**

You are hereby summoned to attend the meeting of the County Council to be held in the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN, on Tuesday, 21 May 2013, beginning at 10.30 am, for the purpose of transacting the business specified in the Agenda set out overleaf.

DAVID McNULTY  
Chief Executive

**Note 1:** *Prayers will be said at 10.25am. The Revd. Andrew Cunnington, Area Dean of Reigate has kindly consented to officiate.*

*There will be a very short interval between the conclusion of Prayers and the start of the meeting to enable those Members and Officers who do not wish to take part in Prayers to enter the Council Chamber and join the meeting.*

**Note 2:** *This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

*Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.*

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

If you would like a copy of this agenda or the attached papers in another format, e.g. large print or braille, or another language please either call Democratic Services on 020 8541 9122, or write to Democratic Services, Surrey County Council at Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 9698, fax 020 8541 9009, or email [anne.gowing@surreycc.gov.uk](mailto:anne.gowing@surreycc.gov.uk)

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Anne Gowing on 020 8541 9938

**1 CHAIRMAN**

1. To elect a Chairman for the Council Year 2013/14.
2. The Chairman to make the statutory declaration of acceptance of office.

**2 MINUTES**

(Pages  
1 - 14)

To confirm the minutes of the meeting of the Council held on 19 March 2013.

*(Note: the Minutes, including the appendices, will be laid on the table half an hour before the start of the meeting).*

**3 ELECTION OF COUNTY COUNCILLORS**

(Pages  
15 - 24)

The Chief Executive, as County Returning Officer, formally to report the return of County Councillors at the Elections held on 2 May 2013 for each of the 81 County Electoral Divisions in the County.

[Note: A list giving names and addresses of the County Councillors and the County Electoral Divisions for which they are elected is attached to this Agenda].

**4 APOLOGIES FOR ABSENCE**

The Chairman to report apologies for absence.

**5 CHAIRMAN'S ANNOUNCEMENTS**

The Chairman to report.

**6 DECLARATIONS OF INTEREST**

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

**NOTES:**

- Each Member must declare any interest that is disclosable under the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, unless it is already listed for that Member in the Council's Register of Disclosable Pecuniary Interests.
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner).

(iii)

- If the interest has not yet been disclosed in that Register, the Member must, as well as disclosing it at the meeting, notify the Monitoring Officer of it within 28 days.
- If a Member has a disclosable interest, the Member must not vote or speak on the agenda item in which it arises, or do anything to influence other Members in regard to that item.

## **7 VICE-CHAIRMAN**

1. To elect a Vice-Chairman for the Council Year 2013/14.
2. The Vice-Chairman to make the statutory declaration of acceptance of office.

## **8 MOTION OF THANKS TO RETIRING CHAIRMAN**

The newly elected Chairman to move a formal motion of thanks to Mrs Lavinia Sealy, the retiring Chairman of the Council.

## **9 ELECTION OF LEADER OF THE COUNCIL**

To elect a Leader of the Council for a four year term, expiring on the day of the post election annual meeting which follows his / her election as Leader.

## **10 LEADER'S STATEMENT**

The Leader to make a statement, including reporting on the appointment of the Deputy Leader and Members of the Cabinet.

There will be an opportunity for Members to ask questions.

## **11 AMENDMENTS TO CONSTITUTION**

(Pages  
25 - 42)

To agree the terms of reference and remits for select committees (Article 7).

## **12 ANNUAL REVIEW OF POLITICAL PROPORTIONALITY 2013/14**

(Pages  
43 - 46)

To agree the scheme of proportionality for 2013/14.

## **13 APPOINTMENT OF COMMITTEES**

To appoint Members of the various Committees of the Council for the Council year 2013/14 subject to any changes of membership to be reported to the meeting by Group Leaders.

*(Note: Proposals will be laid on the table at the meeting.)*

**Recommendations:**

- (1) To appoint Members to serve on the Committees of the Council for the Council year 2013/14 in accordance with the wishes of political groups.**
- (2) To authorise the Chief Executive to make changes to the membership of any of the Council's Committees as necessary during the Council year in accordance with the wishes of political groups.**
- (3) To appoint the County Councillors for each district/borough area to serve on the appropriate Local Committee for the Council year 2013/14, and to authorise the Chief Executive to appoint an equal number of district/borough councillors to the Local Committees following nominations by the district and borough councils, which they should be requested to make politically proportional to their Membership.**

**14 ELECTION OF COMMITTEE CHAIRMEN AND VICE-CHAIRMEN 2013/14**

To elect Chairmen and Vice-Chairmen of Committees for the Council year 2013/14.

*(Note: Proposals will be laid on the table at the meeting.)*

**Recommendation:**

**To elect Chairmen and Vice-Chairmen of Committees of the Council for the Council year 2013/14.**

**15 APPOINTMENTS TO JOINT COMMITTEES**

**a) Surrey Police & Crime Panel**

To appoint one member as the County Council's representative on the Surrey Police & Crime Panel.

**b) Basingstoke Canal Joint Management Committee**

To appoint four Members (who must be Cabinet Members or county councillors representing divisions which include the Basingstoke Canal in their area) to the Basingstoke Canal Joint Management Committee.

**16 REPORT OF THE CABINET**

(Pages  
47 - 52)

To receive the report of the meeting of the Cabinet held on 26 March and 23 April 2013.

**17 MINUTES OF THE MEETINGS OF THE CABINET**

(Pages  
53 -  
110)

Any matters within the minutes of the Cabinet's meetings, and not otherwise brought to the Council's attention in the Cabinet's report, may be the subject of questions and statements by Members upon notice being given to the Democratic Services Lead Manager by 12 noon on Monday 20 May 2013.

**MOBILE TECHNOLOGY – ACCEPTABLE USE**

Use of mobile technology (mobiles, BlackBerries, etc.) in meetings can:

- Interfere with the PA and Induction Loop systems
- Distract other people
- Interrupt presentations and debates
- Mean that you miss a key part of the discussion

**Please switch off your mobile phone/BlackBerry for the duration of the meeting.** If you wish to keep your mobile or BlackBerry switched on during the meeting for genuine personal reasons, ensure that you receive permission from the Chairman prior to the start of the meeting and set the device to silent mode.

*Thank you for your co-operation*

**COUNTY COUNCIL**  
**COUNCIL MEETING – 19 MARCH 2013**

**MINUTES** of the Meeting of the County Council held at the County Hall, Kingston upon Thames on Tuesday 19 March 2013 commencing at 10:30am, the Council being constituted as follows:

Mrs Sealy – Chairman

Mr Munro – Vice-Chairman

	Mr Agarwal	Mr Ivison
*	Mr Amin	Mrs Kemeny
	Mrs Angell	Mr Kington
	Mr Barker OBE	Mr Lake
	Mr Beardsmore	Mr Lambell
	Mr Bennison	* Mrs Lay
	Mrs Bowes	Ms Le Gal
	Mr Brett-Warburton	* Mr MacLeod
	Mr Butcher	Mr Mallett MBE
	Mr Carasco	Mrs Marks
	Mr Chapman	Mr Marlow
	Mrs Clack	Mr Martin
	Mrs Coleman	Mrs Mason
	Mr Cooksey	Mrs Moseley
*	Mr Cooper	* Mrs Nichols
	Mr Cosser	Mr Norman
	Mrs Curran	Mr Orrick
*	Mr Elias	* Mr Phelps-Penry
	Mr Ellwood	* Mr Pitt
	Mr Few	Dr Povey
	Mr Forster	Mr Renshaw
	Mrs Fraser DL	Mrs Ross-Tomlin
	Mr Frost	Mrs Saliagopoulos
	Mrs Frost	Mr Samuels
	Mr Fuller	Mrs Searle
	Mr Furey	Mr Skellett CBE
	Mr Gimson	Mrs Smith
	Mr Goodwin	Mr Sydney
	Mr Gosling	* Mr Colin Taylor
*	Dr Grant-Duff	Mr Keith Taylor
	Dr Hack	Mr Townsend
	Mr Hall	Mrs Turner-Stewart
	Mrs Hammond	Mr Walsh
	Mr Harmer	Mrs Watson
	Mr Harrison	Mrs White
	Ms Heath	Mr Witham
	Mr Hickman	Mr Wood
	Mrs Hicks	Mr Young
	Mr Hodge	

\*absent

#### **14/13 APOLOGIES FOR ABSENCE [Item 1]**

Apologies for absence were received from Mr Cooper, Mr Elias, Dr Grant-Duff, Mrs Lay, Mr MacLeod, Mrs Nichols, Mr Pitt and Mr Colin Taylor.

#### **15/13 MINUTES [Item 2]**

The Minutes of the meeting of the County Council held on 12 February 2013, were submitted, confirmed and signed.

#### **16/13 CHAIRMAN'S ANNOUNCEMENTS [Item 3]**

The Chairman made the following announcements:

- That the County Council had been named local authority of the year at the recent Improvement and Efficiency Awards and she presented the award to the Chief Executive.
- That the lunchtime speaker was His Honour Judge Christopher Critchlow DL, Senior Judge at Guildford.
- Finally, she invited Members to visit the Surrey Save Credit Union stand, which would be in the Ashcombe corridor during the lunchtime break.

#### **17/13 DECLARATIONS OF INTEREST [Item 4]**

1. Mr Butcher declared a personal interest relating to item 7 (Statement by Members), and his statement on Cedar Road, Cobham because he was a member of Elmbridge Borough Council's Planning Committee and its relevant sub-committee.
2. Mrs Hammond declared a disclosable interest relation to item 11 (Elected Member Development Strategy) because she was an assessor for South East Employers.

#### **18/13 LEADER'S STATEMENT [Item 5]**

The Leader made a statement. A detailed copy of his statement is attached as Appendix A.

Members were invited to make comments, ask questions and made the following points:

- That the contribution to Surrey Save was welcomed.
- That the Leader comment on the Administration's plans for vulnerable communities.



- Whether the County Council would be learning lessons from the demise of the North Yorkshire initiative on Super Fast Broadband
- The commitment and investment from the County Council for Children's Centres.
- The success of the apprenticeship scheme.

#### 19/13 MEMBERS' QUESTION TIME [Item 6]

Notice of six questions had been received. The questions and replies are attached as Appendix B.

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

**(Q1) Dr Povey** said that he was disappointed with the reply and asked the Leader of the Council who would be on the review panel, when the outcomes would be published and when Members of this council would have the opportunity to scrutinise it. The Leader said that he had nothing further to add and referred to his tabled answer.

**(Q2) Mr Hall** considered that his question had not been answered and asked the Cabinet Member for Community Safety for consideration of a countywide scheme and its cost. She responded by stating that the authority would look at any new initiatives, including the London travel discount scheme for apprentices and that any proposals would be costed.

**(Q3) Mr Orrick** asked the Cabinet Member for Transport and Environment whether the failure of a sub-base was common amongst other resurfacing failures and whether Surrey Highways were developing a strategy to prevent future issues with the sub-base. The Cabinet Member confirmed that lessons had been learnt and that going forward the design process had been improved.

**(Q4) Mrs Watson** expressed her surprise at the response because she had received a different answer recently. The Cabinet Member for Transport and the Environment responded by stating that it was his intention that no Surrey roads would deteriorate to 'poor' in the next 5 years. The aim was to achieve best practice through improved highways maintenance and the investment from Project Horizon.

**(Q6) Mrs Watson** asked the Cabinet Member for Community Services and the 2012 Games for the criteria for setting up a micro library, which was given by the Cabinet Member, who also referred to the success of the micro library at Shere, staffed by volunteers. She said that the County Council had not closed any libraries but had opened an additional one.

## 20/13 STATEMENTS BY MEMBERS [Item 7]

There was one local Member statement from Mr John Butcher relating to Cedar Road, Cobham.

## 21/13 ORIGINAL MOTION [Item 8]

Under Standing Order 12.3, the Council agreed to debate this motion.

Under Standing Order 12.1, Mr Ian Beardsmore moved the updated motion, which had been tabled at the meeting, which was:

‘Council notes:

1. Surrey County Council has a proud history as the creator of the Green Belt. The County’s Countryside Estate founded by the Surrey County Council Act of 1931 was the basis of the London County Council’s Green Belt Act of 1938.
2. The Coalition Agreement states:  
  
*We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.*
3. The Chancellor of the Exchequer has signalled that he would support building on Green Belt land.

Council believes:

Surrey’s Green Belt, Countryside Estate, SSSIs and other green spaces are vital, not only for the county’s environment but also for maintaining a “green lung” around London.

Council resolves:

1. To do everything in its power to protect Surrey’s Green Belt.
2. To oppose any moves by government to weaken Green Belt legislation.
3. To make Surrey’s MPs and the County’s Districts and Boroughs aware of this resolution.
4. That any Green Belt development in the County is in line with the needs and wishes of Surrey residents.

Mr Beardsmore made the following points:

- The background to the founding of the Green Belt
- That it was essential to protect Surrey’s Green Belt

- The need to support the County's Boroughs and Districts in this area because the new Planning Guidelines had put these councils under pressure
- A reference to the number of empty houses in Surrey and also MOD property
- That any 'creep' on Green Belt can never be reversed.

The motion was formally seconded by Mrs Hazel Watson, who referred to the Green Belt in the metropolitan areas of London. She also said that without the Green Belt, Surrey's unique character would disappear and she pressed for the development of brownfield sites. Finally, she said that any decision on Green Belt land should be made at local level by democratically elected representatives.

Mr John Furey tabled an amendment at the meeting (formally seconded by Mr Martin) which was:

'Council notes:

1. Surrey County Council has a proud history as the creator of the Green Belt. The County's Countryside Estate founded by the Surrey County Council Act of 1931 was the basis of the London County Council's Green Belt Act of 1938.

2. The Coalition Agreement states:

*'We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.'*

Council believes:

Surrey's Green Belt, Countryside Estate, SSSIs and other green spaces are vital, not only for the county's environment but also for maintaining a "green lung" around London.

Council resolves:

1. To use its power to protect Surrey's Green Belt.
2. To support the National Planning Policy Framework (section 9 – paragraphs 79 to 92) and the Government's policy of protecting the Green Belt.
3. To make Surrey's MPs and the County's Districts and Boroughs aware of this resolution.
4. That any Green Belt development in the County is in line with the needs and wishes of Surrey residents.'

Mr Furey said that he strongly supported the Green Belt policy and would accept the broad principle of the motion. However, he had proposed three

amendments to it and explained the reasons behind them. He said that most planning applications were decided by Boroughs and Districts and that residents were consulted. He reiterated that Surrey would use its power to protect Surrey's Green Belt.

In seconding the amendment, Mr Martin explained the reasons for deleting the reference to the Chancellor of the Exchequer and for amending point 2 so that it referred to the National Planning Policy Framework which he hoped gave a more positive approach to the wording of the motion.

Mr Beardsmore agreed to accept the amendment and therefore the amendment became the substantive motion.

After a short debated in which 3 Members spoke, it was:

**RESOLVED (unanimously):**

Council notes:

1. Surrey County Council has a proud history as the creator of the Green Belt. The County's Countryside Estate founded by the Surrey County Council Act of 1931 was the basis of the London County Council's Green Belt Act of 1938.

2. The Coalition Agreement states:

*'We will maintain the Green Belt, Sites of Special Scientific Interest (SSSIs) and other environmental protections, and create a new designation – similar to SSSIs – to protect green areas of particular importance to local communities.'*

Council believes:

Surrey's Green Belt, Countryside Estate, SSSIs and other green spaces are vital, not only for the county's environment but also for maintaining a "green lung" around London.

Council resolves:

1. To use its power to protect Surrey's Green Belt.
2. To support the National Planning Policy Framework (section 9 – paragraphs 79 to 92) and the Government's policy of protecting the Green Belt.
3. To make Surrey's MPs and the County's Districts and Boroughs aware of this resolution.
4. That any Green Belt development in the County is in line with the needs and wishes of Surrey residents.

## **22/13 REPORT OF THE CABINET [Item 9]**

The Leader presented the reports of the Cabinet meetings held on 5 and 26 February 2013.

### **(1) Statements / Updates from Cabinet Members**

The Cabinet Member for Children and Families introduced her statement in relation to the Celebration and Bursary Fund for Surrey's Looked After Children which had been included in the agenda.

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

#### **A The Consultation on Surrey's Admission Arrangements for September 2014 for Community and Voluntary Controlled Schools and Co-ordinated schemes**

The Cabinet Member for Children and Learning was invited to present the report.

#### **RESOLVED:**

- (1) A feeder link is introduced for Banstead Community Junior School for children from Banstead Infant School for September 2014, as follows:
  - a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Children attending Banstead Infant School
  - d) Siblings not admitted under c) above
  - e) Any other children
- (2) The introduction of a feeder link for Reigate Priory for children from Holmesdale and Reigate Parish is deferred until alternative options are considered.
- (3) The admission criteria for Southfield Park are changed so that, for September 2014, children who have Southfield Park Primary School as their nearest school would receive a higher priority when allocating places **outside** the catchment area, as follows:
  - a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Siblings
  - d) Children living in the defined catchment of the school with priority being given to children living furthest away from the school
  - e) Other children for whom the school is their nearest school
  - f) Any other children

- (4) That a feeder link is introduced for St Ann's Heath Junior School for children from Trumps Green Infant School for September 2014, as follows:
- a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Siblings
  - d) Children attending Trumps Green Infant School
  - e) Children for whom St Ann's Heath Junior School is the nearest school with a Junior PAN
  - f) Any other children
- (5) A reciprocal sibling link between St Ann's Heath Junior School and Trumps Green Infant School is introduced for September 2014 so that the schools would be described as being on a shared or adjoining site for applying sibling criteria.
- (6) A catchment area based on the Parish of Tatsfield and a phased tiered sibling priority based on the catchment is introduced for Tatsfield Primary School for September 2014, as follows:
- a) Looked after and previously looked after children
  - b) Exceptional social/medical need
  - c) Children who will have a sibling on roll at the school at the end of the 2013/14 academic year and that sibling will still be expected to be on roll at the school on the date of the child's admission
  - d) Siblings who live within the catchment area
  - e) Other children who live within the catchment area
  - f) Siblings who live outside the catchment area
  - g) Other children who live outside the catchment area
- (7) Tiered arrangements are introduced for Thames Ditton Junior School for September 2014 so that siblings, children at the feeder school and other children who have the school as their nearest receive priority ahead of those who do not, as follows:
- a) Looked After and previously looked after children
  - b) Exceptional social/medical need
  - c) Children with a sibling attending Thames Ditton Junior School at the time of the child's admission for whom the school is the nearest school to their home address
  - d) Children attending Thames Ditton Infant School for whom the school is the nearest school to their home address
  - e) Other children for whom the school is the nearest school to their home address
  - f) Other children with a sibling attending Thames Ditton Junior School at the time of the child's admission for whom the school is not the nearest school to their home address

- g) Other children attending Thames Ditton Infant School for whom the school is not the nearest school to their home address
  - h) Any other children
- (8) The PAN for Thames Ditton Junior School is decreased from 120 to 90 for September 2014.
- (9) That the Published Admission Numbers (PAN) for all other Community and Voluntary Controlled schools are determined as they are set out in Annex 1 of Appendix 1, of the Cabinet report, which include the following changes:
- a) Banstead Infant to increase its Reception PAN from 80 to 90
  - b) Bell Farm Primary to increase its Reception PAN from 60 to 90
  - c) Bell Farm Primary to decrease its Junior PAN from 120 to 30
  - d) Earlswood Infant to increase its Reception PAN from 90 to 120
  - e) Earlswood Junior to increase its Junior PAN from 90 to 120
  - f) Grovelands Primary to decrease its Reception PAN from 90 to 60
  - g) Salfords Primary to increase its Reception PAN from 45 to 60
  - h) Spelthorne Primary to increase its Reception PAN from 60 to 90
  - i) Trumps Green Infant to increase its Reception from 30 to 60
  - j) West Ewell Infant to increase its Reception PAN from 90 to 120
- (10) The number of preferences permitted under Surrey's Primary Coordinated Scheme is increased from three to four.
- (11) That the Coordinated Admission Schemes for 2014/15 are agreed as set out in Annex 4 to Appendix 1 of the Cabinet report.
- (12) Surrey's Relevant Area is agreed as set out in Appendix 2 of the Cabinet report.
- (13) That the remaining aspects of Surrey's admission arrangements for Community and Voluntary Controlled schools for September 2014, for which no consultation was required, are agreed.

## **B Implementation of the Public Value Review of Community Partnership – Constitutional Changes**

Members welcomed this report, which had been to all local committees for comment and discussion, and looked forward to more decisions being devolved to a local level.

The Cabinet Member for Community Services and the 2012 Games thanked Members for expressing support for the proposals and recommendations. She invited Mr Kington to discuss options for making the process more transparent outside the meeting. She also acknowledged the lengthy process of this Public Value Review and thanked the Local Committee Chairmen and the steering group for their

input in moving the proposals forward. She also agreed with Mrs White in relation to recommendation (5) and hoped that some funding from Boroughs / Districts would be forthcoming during the next Administration.

**RESOLVED:**

- (1) That the guidance for the allocation of Members Allocations and Local Committee Capital Allocations be strengthened and the language simplified with the introduction of an updated Financial Framework for these allocations as attached in Annex A of the submitted report.
- (2) That Local Chairmen should be given greater discretion in relation to public participation at formal Local Committee meetings to make these meetings more engaging for residents. (The relevant amendments to Standing Orders are included in Annex B of the submitted report.)
- (3) That Local Committee Vice-Chairmen be given a greater role in Committee business and that consideration be given to Vice-Chairmen taking on a specific role as Highways Spokesperson for their Local Committee.
- (4) That one consistent set of protocols governing public participation in Local Committees is introduced to make processes clearer for residents and more efficient to administer. (The relevant amendments to Standing Orders are included in Annex B of the submitted report.)
- (5) That Local Committees allow equal voting rights for District and Borough Members unless restricted by law. (The relevant amendments are included in Annex B of the submitted report.)
- (6) That each Local Committees decides on whether it wishes to employ the rule of District or Borough Member substitutes or not. (The relevant amendments are included in Annex B of the submitted report.)

**RESOLVED:**

That the report of the meetings of the Cabinet held on 5 and 26 February 2013 be adopted.

**23/13 SURREY PAY POLICY STATEMENT 2013 - 2014 [Item 10]**

The Leader of the Council introduced the report by stating that, in line with the Localism Act, the County Council was required to approve a Pay Policy Statement for publication on the Council's website.



**RESOLVED:**

That the Pay Policy Statement, Annex A to the submitted report, to be published on Surrey County Council's external website with effect from 1 April 2013.

**24/13 ELECTED MEMBER DEVELOPMENT STRATEGY [Item 11]**

Mrs Hammond declared a disclosable interest because she was an assessor for South East Employers and left the room for this item.

The Cabinet Member for Change and Efficiency said that an Elected Member Development Strategy had been approved by the County Council in March 2011 and it had been agreed that it would be reviewed every other year.

The Member Development Steering Group had revised the Strategy and had also drafted additional role profiles for inclusion in the strategy.

Members made the following points:

- That the proposed protocol for elected Members attendance at external courses and conferences (Appendix D to the submitted report) could discourage Members from attending them.
- Access to the Members Portal could be easier.
- It was a good report.
- Recognition of the progress made by the County Council in this area.
- Acknowledgement of the excellent officer support.
- That the County Council was engaged in the whole training process. However, there was a need to examine the relevance of training and its Value for Money.

**RESOLVED:**

- (1) That the Elected Member Development Strategy, attached at Appendix 1 to the submitted report, be approved.
- (2) That the role profiles for the Surrey County Councillor, the Vice-Chairman of the Planning and Regulatory Committee and the Vice-Chairman of the Audit and Governance Committee, as set out in Appendix B of the Strategy, be agreed for publication in the County Council's Constitution.

**25/13 AMENDMENTS TO THE CONSTITUTION (HEALTH AND WELLBEING BOARD AND HEALTH SCRUTINY) [Item 12]**

The Cabinet Member for Adult Social Care and Health introduced the report and said that the Health and Social Care Act 2012 required the County Council to establish a Health and Wellbeing Board from 1 April 2013. He

confirmed that the Board would be subject to scrutiny, as detailed in the report.

The Chairman of the Health Scrutiny Committee referred to paragraph 12 of the main report and requested that Appendix 2, paragraph 1.1(b) be amended from 'the provision of such services to those inhabitants' to 'the provision of both private and NHS Services to inhabitants'. This was agreed.

After a short debate, in which Members received clarity on the new processes and procedures, it was:

**RESOLVED:**

- (1) That the new Article 8A Health and Wellbeing Board be adopted as part of the Council's Constitution as attached at Appendix 1, to the submitted report.
- (2) That Article 7 Select Committees be amended to reflect the changes to Health Scrutiny as set out in Appendix 2 (as amended), to the submitted report.
- (3) That the Council delegates responsibility for health scrutiny in Surrey to the Health Scrutiny Committee.
- (4) That the Council delegates power of referral to the Secretary of State to the Health Scrutiny Committee.

**26/13 FORMATION OF A NEW SURREY COUNTY COUNCIL PENSION FUND BOARD [Item 13]**

The Cabinet Member for Change and Efficiency said that previously the Investment side of Surrey County Council's Pension Fund had been managed separately, without any reference to liabilities, which was not good practice. Following publication of the draft Pension Fund Bill, this report set out the new requirements for each administering authority of a Local Government Pension Scheme to establish and maintain a Pension Fund Board.

In order to comply with statutory regulations, the Surrey Pension Fund required an authoritative decision making platform on which to resolve and implement decisions on (i) asset liability management, (ii) investment best practice, (iii) clear pathway to full funding status.

She commended the report and its recommendations to Members.

**RESOLVED:**

1. That the Surrey Pension Fund Board be established as a Committee of the County Council in accordance with section 101 of the Local

Government Act 1972 with all matters delegated to it, as set out in Appendix A to the submitted report, as its terms of reference with effect from 21 May 2013.

2. That the Surrey Pension Fund Board shall also carry out any functions of a Scheme Pension Board that are required by legislation.
3. That the changes to the Audit and Governance Committee's terms of reference, as set out in Appendix B to the submitted report, be approved and included within the Council's Constitution.
4. That the changes to the Chief Finance Officer's, Strategic Finance Manager's (Pension Fund and Treasury) and Pensions Manager's delegated powers, as set out in Appendix C to the submitted report, be approved and included within the Council's Constitution.
5. That the Surrey Pension Fund Board receive committee support from the Council's democratic services team.
6. That the Investment Advisory Group be disbanded with effect from 21 May 2013.
7. That any consequential amendments be made to the Council's Constitution as required.

#### **27/13 CODE OF BEST PRACTICE IN PLANNING PROCEDURES [Item 14]**

The Chairman of the Planning & Regulatory Committee presented the report and drew Members attention to paragraph 2.2, relating to the role of Planning & Regulatory Committee Members, in the Surrey Code of Best Practice in Planning Procedures.

#### **RESOLVED:**

That the Code of Best Practice in Planning Procedures be approved and included in the Council's Constitution.

#### **28/13 AMENDMENT TO THE SCHEME OF DELEGATION - THE EXERCISE OF EXECUTIVE FUNCTIONS [Item 15]**

The Leader of the Council introduced the report.

Mrs White requested that the words 'where appropriate' be deleted from paragraph 6, bullet point 3 and this was agreed by the Leader. Mrs Watson requested that 'local Members' be included in paragraph 6, bullet point 2. The Leader of the Council said that he would consider this request outside the meeting.

**RESOLVED (as amended):**

That the amendments agreed by the Leader to the Highways and Youth functions for Local Committees and the related Officer delegations within the Scheme of Delegation be noted.

**29/13 MINUTES OF THE MEETINGS OF THE CABINET [Item 16]**

No notification had been received from Members wishing to raise a question or make a statement on any of the matters in the minutes, by the deadline

**30/13 CHAIRMAN'S CLOSING REMARKS RE. THE COUNCIL TERM [Item ]**

The Chairman closed the meeting by stating that at least 17 Members would be standing down and that therefore this was their last meeting. She hoped that they had enjoyed their time at the County Council and made new friends. She expressed appreciation to the remaining Members and to officers who had helped Members with their work.

[Meeting ended at: 12.50pm]

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**Chairman**

County Council Meeting – 21 May 2013

**SURREY COUNTY COUNCIL****ELECTIONS – 2 MAY 2013**

<b>Electoral Division</b>	<b>Elected – May 2013</b>	<b>Party</b>
<i>Elmbridge Borough</i>		
Cobham	Mary Lewis Quimperley, Stoke Close, Stoke D'Abernon, Cobham, Surrey, KT11 3AE	CONS
East Molesey and Esher	Stuart Selleck 2 St. Johns Road, East Molesey, Surrey, KT8 9JH	RA
Hersham	Margaret Hicks 73 Westcar Lane Hersham Walton on Thames Surrey, KT12 5ES	CONS
Hinchley Wood, Claygate and Oxshott	Mike Bennison Ashley Lodge, 55A Leigh Hill Road, Cobham, KT11 2HY	CONS
The Dittons	Peter Hickman Little Lodge Watts Road Thames Ditton Surrey, KT7 0BX	RA
Walton	Rachael Lake 2 Parkside Court, Weybridge, Surrey, KT13 8AG	CONS
Walton South and Oatlands	Tony Samuels Woodlands, 16 Danes Way, Oxshott, Surrey, KT22 0LX	CONS

West Molesey	Ernest Mallett 20 Walton Road East Molesey Surrey KT8 0DF	RA
Weybridge	Christian Mahne 32 Ember Farm Way, East Molesey, Surrey, KT8 0BL	CONS
<i>Epsom and Ewell Borough</i>		
Epsom Town and Downs	Tina Mountain Ridge End, The Ridge, Epsom, Surrey, KT18 7ET	CONS
Epsom West	Stella Lallement 26 Treemount Court, Grove Avenue Epsom, Surrey, KT17 4DU	LIBDEM
Ewell	John Beckett 7 Walsingham Gardens, Stoneleigh, Surrey, KT19 0LS	RA
Ewell Court, Auriol and Cuddington	Eber Kington 8 Woodland Close, Ewell, Surrey, KT19 0BQ	RA
West Ewell	Jan Mason 62 Amis Avenue, West Ewell Surrey, KT19 9HU	RA
<i>Guildford Borough</i>		
Ash	Marsha Moseley 40 Wentworth Crescent, Ash Vale Surrey, GU12 5LE	CONS
Guildford East	Graham Ellwood 6 Kingswood Close, Merrow, Guildford, Surrey, GU1 2SD	CONS

Guildford North	Pauline Searle 2 Rydes Hill Crescent, Guildford, Surrey, GU2 9UH	LIBDEM
Guildford South East	Mark Brett-Warburton Flat 3, No. 5 Warwick's Bench, Guildford, Surrey, GU1 3SZ	CONS
Guildford South West	David Goodwin 27 Guildford Park Rd, Guildford, Surrey, GU2 7NA	LIBDEM
Guildford West	Fiona White 28 Ash Close, Ash, Surrey, GU12 6AR	LIBDEM
Horsleys	Bill Barker Waterside Cottage, Milestone Close, Ripley, Surrey, GU23 6EP	CONS
Shalford	George Johnson 57A Joseph's Rd, Guildford, GU1 1DN	UKIP
Shere	Keith Taylor Tara, Send Marsh Road, Ripley, Surrey, GU23 6JR	CONS
Worplesdon	Keith Witham 3 The Oaks, Guildford Road, Normandy, Guildford, Surrey, GU3 2BQ	CONS
<i>Mole Valley</i>		
Ashtead	Chris Townsend 29 Woodfield Lane, Ashtead, Surrey, KT21 2BQ	IND

Bookham and Fetcham West	Clare Curran Willow Lodge, 11 The Park, Great Bookham, KT23 3JL	CONS
Dorking Hills	Hazel Watson 27 Highacre, Dorking, Surrey, RH4 3BF	LIBDEM
Dorking Rural	Helyn Clack Beenleigh, Russ Hill, Charlwood, Horley, Surrey, RH6 0EL	CONS
Dorking South and the Holmwoods	Stephen Cooksey Parklands, 43 Deepdene Avenue, Dorking, Surrey, RH5 4AA	LIBDEM
Leatherhead and Fetcham East	Tim Hall 7 Courtlands, 7 Epsom Road, Leatherhead, KT22 8SS	CONS
<i>Reigate and Banstead</i>		
Banstead, Woodmansterne & Chipstead	Ken Gulati 25 Colcokes Road, Banstead, Surrey, SM7 2EJ	CONS
Earlswood and Reigate South	Barbara Thomson 16 Grantwood Close, Redhill, Surrey, RH1 5SN	CONS
Horley East	Dorothy Ross-Tomlin 43 Silverlea Gardens, Horley, Surrey, RH6 9BA	CONS
Horley West, Salfords and Sidlow	Kay Hammond 57 Hayes Walk, Smallfield, Surrey, RH6 9QW	CONS



Merstham and Banstead South	Bob Gardner 38 Josephine Avenue, Lower Kingswood, Surrey, KT20 7AQ	CONS
Nork and Tattenhams	Nick Harrison 105 Tattenham Crescent, Epsom Downs, Surrey, KT18 5NY	RA
Redhill East	Jonathan Essex 39 Common Road, Redhill, RH1 6HG	GREEN
Redhill West and Meadvale	Natalie Bramhall 3 Cotland Acres, Redhill, Surrey, RH1 6JZ	CONS
Reigate	Zully Grant-Duff Windle Hey, 16 Alders Road, Surrey, RH2 0ED	CONS
Tadworth, Walton and Kingswood	Michael Gosling Goose Haven, Warren Drive, Kingswood, KT20 6PZ	CONS
<i>Runnymede</i>		
Addlestone	John Furey 81 New Haw Rd, Addlestone, Surrey, KT15 2BZ	CONS
Chertsey	Chris Norman 10 Bridge Road, Chertsey, Surrey, KT16 8JL	CONS
Egham	Yvonna Lay 24 Goring Road, Staines upon Thames, Surrey, TW18 3EH	CONS

Englefield Green	Marisa Heath Flat 4, The Quadrant, Brighton Road, Addlestone, Surrey, KT15 1PX	CONS
Foxhills, Thorpe and Virginia Water	Mel Few 28 Abbots Drive, Virginia Water, Surrey, GU25 4SE	CONS
Woodham and New Haw	Mary Angell 12 College Avenue, Egham, Surrey, TW20 8NR	CONS
<i>Spelthorne</i>		
Ashford	Carol Coleman 3A Nelson Road, Ashford, Middlesex, TW15 3QT	CONS
Laleham and Shepperton	Richard Walsh 23 Old Forge Crescent, Shepperton, Middlesex, TW17 9BT	CONS
Lower Sunbury and Halliford	Tim Evans 37 School Walk, Sunbury-on-Thames, Middlesex, TW16 6RB	CONS
Staines	Denise Saliagopoulos 45 Penton Avenue, Staines-upon-Thames, TW18 2NA	CONS
Staines South and Ashford West	Daniel Jenkins 40 The Grove, Walton-on-Thames, Surrey, KT12 2HS	UKIP
Stanwell and Stanwell Moor	Robert Evans 19 Marrowells, Oatlands, Weybridge, Surrey, KT13 9RN	LABOUR

Sunbury Common and Ashford Common	Ian Beardsmore 190 Staines Road East, Sunbury-on-Thames, TW16 5AY	LIBDEM
<i>Surrey Heath</i>		
Bagshot, Windlesham and Chobham	Mike Goodman Ashford House, Church Road Windlesham, Surrey, GU20 6BT	CONS
Camberley East	Bill Chapman 41 Hillcrest Road, Camberley, GU15 1LF	CONS
Camberley West	Denis Fuller Inglenook, 11B Kings Ride, Camberley, Surrey, GU15 4HU	CONS
Frimley Green and Mychett	Chris Pitt Moor Farm, 20 Henley Drive, Frimley Green, Camberley Surrey, GU16 6NE	CONS
Heatherside and Parkside	David Ivison 1 Dundaff Close, Camberley, Surrey GU15 1AF	CONS
Lightwater, West End and Bisley	Adrian Page 17 Sefton Close, West End, Surrey GU24 9HT	CONS
<i>Tandridge</i>		
Caterham Hill	John Orrick 47 Chaldon Road, Caterham CR3 5PG	LIBDEM
Caterham Valley	Sally Marks Orchard Cottage, Lunghurst Road, Woldingham, Caterham CR3 7EJ	CONS

Godstone	Helena Windsor Pinehurst, Stychens Lane, Bletchingley, Redhill, RH1 4LL	UKIP
Lingfield	Michael Sydney Sunhill Lodge, Danemore Lane, South Godstone, RH9 8JF	CONS
Oxted	Nick Skellett Hookwood House, Hookwood Park, Limpsfield, Oxted, RH8 0SG	CONS
Warlingham	David Hodge 30 Harestone Valley Road, Caterham, CR3 6HD	CONS
<i>Waverley</i>		
Cranleigh and Ewhurst	Alan Young	CONS
Farnham Central	Pat Frost Whispering Pines, 28 Burnt Hill Road, Farnham, Surrey, GU10 3LZ	CONS
Farnham North	Denise Le Gal Beech Corner, Crandall Lane, Farnham, Surrey, GU9 7BQ	CONS
Farnham South	David Munro Grange Cottage, Frensham, Farnham, Surrey, GU10 3DS	CONS
Godalming North	Steve Cosser 3 Hillside Way, Godalming, Surrey, GU7 2HN	CONS
Godalming South, Milford and Witley	Peter Martin 18 Windy Wood, Godalming,	CONS

	Surrey, GU7 1XX	
Haslemere	Nikki Barton Oversted, Scotland Lane, Haslemere, GU27 3AW	IND
Waverley Eastern Villages	Victoria Young	CONS
Waverley Western Villages	David Harmer Wyanston, Tower Road, Hindhead, Surrey, GU26 6ST	CONS
<i>Woking</i>		
Goldsworth East and Horsell Village	Colin Kemp 1 Harelands Lane, Horsell, Woking, GU21 4NU	CONS
Knaphill and Goldsworth West	Saj Hussain 112 Maybury Road, Woking, GU21 5JL	CONS
The Byfleets	Richard Wilson 8 Highfield Close, West Byfleet, Surrey, KT14 6QR	CONS
Woking North	Ben Carasco 26 Norfolk Farm Road, Woking, GU22 8LH	CONS
Woking South	Will Forster 44 Old School Place, Westfield, Woking, Surrey, GU22 9LY	LIBDEM
Woking South East	Liz Bowes 15 Heathside Gardens Woking, Surrey, GU22 7HR	CONS
Woking South West	Linda Kemeny 10 Hale End,	CONS

	Hook Heath Woking, Surrey, GU22 0LH	
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**AMENDMENTS TO THE CONSTITUTION:  
ARTICLE 7 - SELECT COMMITTEES**

1. Article 7 of Part 2 of the Constitution sets out the terms of reference and specific remits for each of the Council's Select Committees, and states that the number of committees will vary from time to time as agreed by the Council. Following a review of the effectiveness of the existing Select Committee structure, it is proposed that the number of Select Committees should be reduced from seven to six and that the role of the Council Overview & Scrutiny Committee in relation to the other committees should be clarified. This report sets out the proposed changes for the Council's approval.

**Reduction in the number of Select Committees**

- 2 Under the existing structure, overview and scrutiny of the children's and education services is carried out by two Select Committees, Children & Families and Education. There has inevitably a degree of overlap between the work of these two committees and, although they had successfully carried out joint reviews when appropriate, it is felt that there would be greater clarity and a stronger focus if there was a single committee responsible for both Children's Services and Education Services. The Council is therefore asked to agree to reduce the number of Select Committees from seven to six by merging the existing two committees to form a new Children & Education Select Committee.

**Council Overview & Scrutiny Committee**

- 3 The Council Overview and Scrutiny Committee was created in June 2011 with the remit of reviewing performance, finance and risk information for all Council services and performing an advisory role in relation to the work programmes of the Select Committees. It is felt that the effectiveness of the Committee would be enhanced if its role is clarified and strengthened, and it is proposed that the remit of the Committee should be revised so that it has a clear lead responsibility for the Council's overview and scrutiny function, including approval of the work programmes of Select Committees, and a stronger corporate focus.
- 4 A revised version of Article 7, setting out the revised terms of reference for the Council Overview & Scrutiny Committee and the remits of the Select Committees, is set out in the attached Annexe.

## **RECOMMENDATION**

- (a) That the Council approve the merger of the existing Children & Families and Education Select Committees to form a new Children & Education Select Committee.
- (b) That the revised Article 7 of the Constitution, as set out in Annexe 1, be approved.

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### **CONTACT**

Rachel Crossley  
Democratic Services Lead Manager

### **TEL NO:**

020 8541 9993

### **BACKGROUND PAPERS:**

None

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## **ARTICLE 7 – SELECT COMMITTEES**

The Council will appoint a number of select committees to discharge the functions conferred by sections 21 and 21A and 22 and 22A of the Local Government Act 2000 or regulations under section 32 of the Local Government Act 2000 in relation to the matters set out in the Select Committees Procedure Rules with the terms of reference set out below.

### **7.01 Select Committees - Terms of Reference**

The number of select committees will vary from time to time as agreed by the Council. The committees will between them cover all of the executive functions. The portfolio of responsibility of each committee is summarised in the Schedule on pages 44 to 47.

The terms of reference of the select committees appointed by the Council are set out as follows:

#### **(a) General role**

Within their agreed portfolio, select committees will:-

- (i) Review and/or scrutinise decisions made or actions taken in connection with the discharge of any executive functions wherever they may be exercised;
- (ii) Make reports and/or recommendations to the Council and/or the Leader/Cabinet/Cabinet Member and/or any joint or local committee in connection with the discharge of any functions; make reports and/or recommendations to partners.
- (iii) Exercise the right to call in, for reconsideration, decisions made but not yet implemented by the Leader/ Cabinet/ Cabinet Member and/or any joint or local committees;
- (iv) Consider any matter affecting the County, part of the County or its inhabitants.

#### **(b) Specific role**

Select committees have three specific roles – scrutiny; overview, policy review and development; and performance management:

Within their agreed portfolios, select committees will fulfil these roles by:-

(i) **Scrutiny**

- Reviewing and scrutinising the decisions made by the Leader/Cabinet/Cabinet Members, any joint or local committee and/or officers both in relation to individual decisions and over time;
- Questioning the Leader, Deputy Leader and members of the Cabinet and officers about their decisions and performance whether generally in relation to corporate plan policies and targets over a period of time, or in relation to particular decisions, initiatives or projects;
- Reviewing the performance of statutory partners with regard to the achievement of improvement targets to which they are signed up. The committee can require partner organisations to provide information in relation to the particular target.
- Scrutinising the Surrey Strategic Partnership through scrutiny of the work of the thematic partnership boards.
- Making reports and/or recommendations to the Leader/Cabinet/Cabinet Member and/or Council arising from the outcome of the scrutiny process.
- Making reports and/or recommendations to partner authorities.

(ii) **Overview, policy development and review**

- Reviewing current policies and strategies and making recommendations to the Leader/Cabinet and/or the Council;
- Undertaking in-depth analysis of policy issues and options to assist the Council and the Leader/Cabinet in developing and setting of budget and the policy framework;
- Considering matters referred to them by the Leader/Cabinet and reporting to the Leader/Cabinet with proposals;
- Monitoring the Leader's Cabinet forward plan and advising the Leader/Cabinet on matters within the remit of the select committee;
- Reviewing and investigating matters which are not the direct responsibility of the County Council but

which affect the economic, environmental and social well-being of the county.

(iii) **Performance management**

- Reviewing and commenting on draft service delivery plans and budgets including priorities, targets and performance indicators.
- Undertaking in-depth performance reviews with the relevant Cabinet Member, Strategic Director and Heads of Service.
- Monitoring service risk management measures and identifying to the Leader, Deputy Leader or Cabinet Members significant risks and concerns;
- Anticipating and advising the Leader/Cabinet/ Cabinet Member or Council on areas of performance which give rise to concern.

**7.02 Council Overview & Scrutiny Committee**

The Committee will take lead responsibility for the Council's overview and scrutiny function, ensuring that scrutiny focuses on key strategic issues, adds value, holds decision-makers to account, and contributes effectively to policy development.

**Specific Role**

- Approve Select Committee work programmes and task group scoping documents prior to the commencement of work, ensuring that proposed reviews take account of any impact on other Council services outside their remit, do not duplicate work being carried out elsewhere, and can be properly resourced;
- Review performance, finance and risk information for all County Council services, referring issues to the appropriate Select committee for detailed scrutiny as necessary;
- Review the performance of and hold to account any trading companies established by the County Council;
- Scrutiny of Corporate Business Services and the Chief Executive's Office, focusing the delivery and impact Council's corporate services across the County Council and commissioning reviews by the appropriate Select committee as necessary.

- Act as a resource to the Cabinet in the development of strategic policies;
- Hold the Leader and Deputy Leader to account, scrutinising the delivery and impact of corporate policies and decisions.

### 7.03 **Health Scrutiny Committee** **Terms of Reference**

The Committee may review and scrutinise health services commissioned or delivered in the authority's area within the framework set out below:

- arrangements made by NHS bodies to secure hospital and community health services to the inhabitants of the authority's area;
- the provision of both private and NHS services to those inhabitants;
- the provision of family health services, personal medical services, personal dental services, pharmacy and NHS ophthalmic services;
- the public health arrangements in the area;
- the planning of health services by NHS bodies, including plans made in co-operation with local authorities, setting out a strategy for improving both the health of the local population, and the provision of health care to that population;
- the plans, strategies and decisions of the Health and Wellbeing Board;
- the arrangements made by NHS bodies for consulting and involving patients and the public under the duty placed on them by Sections 242 and 244 of the NHS Act 2006;
- any matter referred to the Committee by Healthwatch under the Health and Social Act 2012;
- social care services and other related services delivered by the authority.

The Committee may require partner authorities to provide information in respect of matters relating to the health service in the authority's area.

In addition, the Committee will be required to act as consultee to NHS bodies within their areas for:

- (a) substantial development of the health service in the authority's area; and
- (b) any proposals to make any substantial variations to the provision of such services.

These terms of reference include health services provided from a body outside the local authority's area to inhabitants within it.

The Health Scrutiny Committee shall appoint a joint committee where an NHS body intends to consult on a substantial development or variation to health services that extends beyond the area covered by the Committee and agree:

- (i) the size of any joint committee appointed for this purpose in consultation with other appropriate authorities which have an interest as consultees;
- (ii) the share of the Council's seats on each such joint committee; and
- (iii) the County Council's membership of any such joint committee in accordance with the wishes of political groups.

#### 7.04 **Select Committee Procedure Rules**

##### (a) **Arrangements for select committees**

The number of select committees will vary from time to time as agreed by the Council. The committees will between them cover all of the executive functions, combining responsibilities for policy development and service improvement, and questioning decisions in respect of executive functions.

##### (b) **Membership of committees**

Any Member of the Council (except the Leader, Deputy Leader and members of the Cabinet) may serve on a select committee. However, no Member may be involved in scrutinising a decision in which he/she has been directly involved.

##### (c) **Co-optees**

Committees may co-opt non-councillors, as and when required, to provide a degree of independent advice and expertise. Co-opted members cannot have voting rights unless allowed by law.

(d) **Education representatives**

The select committee dealing with education matters shall include in its membership the following voting representatives:

- (i) 1 Church of England diocesan representative;
- (ii) 1 Roman Catholic diocesan representative; and
- (iii) A minimum of 2 parent governor representatives.

This shall apply where the committee's functions relate wholly or in part to any education functions which are the responsibility of the Leader/Cabinet/Cabinet Member. If the select committee deals with other matters, these representatives shall not vote on those other matters, though they may stay in the meeting and speak.

(e) **Meetings of committees**

Select committees shall meet regularly following an agreed calendar of meetings. In addition, extraordinary meetings may be called from time to time as and when appropriate. A committee meeting may be called by the committee chairman, by any 3 members of the committee, or by the proper officer if he/she considers it necessary or appropriate.

(f) **Quorum**

The quorum for select committees shall be one quarter of the total number of voting Members. A quorum may not be fewer than three voting Members.

(g) **Election of committee chairmen**

The chairmen and vice-chairmen of select committees will be elected by the Council. The appointments of the Chairmen and Vice-Chairmen of Adult Social Care and Children & Education Select Committees will be subject to a valid enhanced criminal records check.

(h) **Work programmes**

Committees will be responsible for setting their own work programmes and may include within them any business which they wish to review on the Leader's/Cabinet's/Cabinet Member's or Council's behalf. Any member of a select committee shall be entitled to give notice to the proper officer that he/she wishes to include an item relevant to the functions of the committee on the agenda for the next available meeting. On receipt of such a

request the proper officer will ensure that it is included on the next available agenda.

**(i) Referral of matters to committees ('councillor call for action')**

- (i) Any Member of the Council may refer to a select committee any local government matter which is relevant to the functions of the committee.
- (ii) The Member referring the matter may make representations as to why it would be appropriate to scrutinise the matter.
- (iii) If the committee decides not to scrutinise the matter, it must notify the Member of its decision and the reasons for it.
- (iv) The committee must provide the Member with a copy of any report or recommendations which it makes to the Leader/Cabinet/Cabinet Member or Council in relation to the matter.

**(j) Reports from committees**

- (i) Select committees will report their views and recommendations to the Leader/Cabinet/Cabinet Member, Council or partner organisations as appropriate. Select committees may report direct to the Council where they wish to draw its attention to issues of interest or concern, or where they wish to enlist the Council's support or invite it to express a view.
- (ii) If a committee cannot agree on one single final report to the Leader/Cabinet/Cabinet Member or Council as appropriate, then a minority report may be prepared and submitted for consideration by the Leader/Cabinet/Cabinet Member or Council with the majority report.
- (iii) Select committees will have access to the Leader's Cabinet forward plan and timetable for decisions and intentions for consultation and may respond in the course of the Leader's/Cabinet's/Cabinet Member's consultation process in relation to any key decision.

**(k) Rights to copies**

Subject to paragraph (l) below, a member of a select committee will be entitled to copies of any document which is in the possession or control of the Cabinet, its committees, or

individual Cabinet Members and which contains material relating to any business transacted at a public or private meeting of the Cabinet, its committees, or individual Cabinet Members or any decision which has been made by an officer of the authority in accordance with executive arrangements.

A copy of the document must be provided as soon as reasonably practicable and in any case no later than 10 clear days after the request has been received. Where it is determined that, , a member of a select committee is not entitled to a copy of a document or part of any such document for a reason set out under paragraphs (k) and (l) a written statement must be provided to the relevant select committee setting out the reasons for the decision.

**(l) Limit on rights**

A member of a select committee will not be entitled to:

- (i) any document that is in draft form;
- (ii) any part of a document that contains exempt or confidential information, unless that information is relevant to an action or decision it is reviewing or scrutinising or intends to scrutinise; or
- (iii) the advice of a political adviser.

**(m) Attendance by witnesses**

(i) Select committees may examine and review decisions made or actions taken in connection with the discharge of any Council or executive functions as appropriate. As well as reviewing documentation, in fulfilling the scrutiny role a committee may require the Leader, Deputy Leader or any Member of the Council, and/or any senior officer to attend before it to explain in relation to matters within the committee's remit:

- (i) any particular decision or series of decisions;
- (ii) the extent to which the actions taken implement Council policy; and/or
- (iii) their performance

and it is the duty of those persons to attend if so required.

(ii) Where any Member or officer is required to attend a committee under this provision, the committee chairman will inform the proper officer. The proper officer shall inform the Member or officer in writing giving at least 10



working days notice of the meeting at which he/she is required to attend. The notice will state the nature of the item on which he/she is required to attend to give account and whether any papers are required to be produced for the committee. Where the account to be given to the committee will require the production of a report, then the Member or officer concerned will be given sufficient notice to allow for preparation of that documentation.

- (iii) Where, in exceptional circumstances, the Member or officer is unable to attend on the required date, then the committee shall, in consultation with the Member or officer, arrange an alternative date for attendance.
- (iv) When officers appear to answer questions, their evidence will be confined, as far as possible, to questions of fact and explanation relating to policies and decisions. Officers may explain what the policies are and how administrative factors may have affected the choice of policy measures and the manner of their implementation. Officers may be asked to explain and justify advice that they have given in relation to the exercise of executive functions prior to decisions being taken, and to justify decisions they themselves have taken under the Scheme of Delegation where they fall within the terms of the matter under scrutiny. As far as possible, officers should avoid being drawn into discussion of the merits of alternative policies where this is politically contentious, and should certainly not venture an opinion as to whether one policy option is preferable to another.

(n) **Attendance by others**

A committee may invite people other than those people referred to in paragraph (m) above to address it, discuss issues of local concern and/or answer questions. It may for example wish to hear from residents, partner authorities, stakeholders and members and officers in other parts of the public sector and shall invite such people to attend.

(o) **Call in**

The intention is that call in powers will be used exceptionally by select committees.

- (i) When a decision is made by the Leader, Cabinet, individual Cabinet Members, a committee of the Cabinet or local Members in relation to their local area, or a key decision is made under joint arrangements or by officers, the formal record of the decision shall be published not

later than three working days after the decision is taken. An information bulletin will be published on the S-Net on the day after the meeting summarising the decision taken pending publication of the record.

- (ii) That notice will bear the date on which it is published and will specify that the decision will come into force, and may then be implemented, on the expiry of 5 working days after the publication of the decision, unless the appropriate select committee objects to it and calls it in.
- (iii) During that period, a decision may be called in for scrutiny by the committee chairman or vice-chairman or any three or more other committee members from more than one political group. The chairman shall call a meeting of the committee within 10 working days of the expiry of the period referred to in paragraph (ii) above, and where possible after consultation with the decision maker(s).
- (iv) If, having considered the decision, the select committee is still concerned about it, then it may refer it back to the decision making person or body for reconsideration, setting out in writing the nature of its concerns or refer the matter to Council. If referred to the decision maker it shall then reconsider within a further 7 working days, amending the decision or not, before adopting a final decision.
- (v) If following an objection to the decision, the select committee does not meet in the period set out in paragraph (iii) above, or does meet but does not refer the matter back to the decision making person or body, the decision shall take effect on the date of the select committee meeting, or the expiry of that further 10 working day period in paragraph (iii), whichever is the earlier.
- (vi) If the matter was referred to Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, it has no locus to make decisions in respect of an executive decision unless it is contrary to the policy framework, or contrary to or not wholly consistent with the budget.

Unless that is the case, the Council will refer any decision to which it objects back to the decision making person or body, together with the Council's views on the decision. That decision making body or person shall choose

whether to amend the decision or not before reaching a final decision and implementing it. Where the decision was taken by the Cabinet as a whole, or a committee of it, a meeting will be convened to reconsider within 10 working days of the Council's request. Where the decision was made by an individual, the individual will reconsider within 5 working days of the Council's request.

- (vii) If the Council does not meet, or if it does but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of the period in which the Council meeting should have been held, whichever is the earlier.
- (viii) The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to Council with proposals for review if necessary.

#### **EXCEPTION**

- (ix) The call-in procedure set out above shall not apply where the decision being taken is urgent in accordance with Rule 6.05(f) (special urgency). A decision will be urgent if any delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public shall state whether in the opinion of the decision making person or body, the decision is an urgent one, and therefore not subject to call-in. The chairman of the select committee must agree both that the decision proposed is reasonable in all the circumstances and to it being treated as a matter of urgency. In the absence of the chairman of the select committee, the Chairman of the Council's consent shall be required. In the absence of both, the Chief Executive's consent shall be required. Decisions taken as a matter of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.

#### **(p) The party whip**

When considering any matter in respect of which a member of the select committee is subject to an official party whip, the Member must declare the existence of the whip, and the nature of it before the commencement of the committee's deliberations on the matter. The declaration, and the detail of the whipping arrangements, shall be recorded in the minutes of the meeting.

## SELECT COMMITTEES

Name	Relevant Services
Council Overview & Scrutiny	<ul style="list-style-type: none"> <li>➤ Performance, finance and risk monitoring for all Council services</li> <li><i>All corporate areas, including:</i></li> <li>➤ Budget Strategy/Financial Management</li> <li>➤ Improvement Programme, Productivity and Efficiency</li> <li>➤ Equalities and Diversity</li> <li>➤ Corporate Performance Management</li> <li>➤ Corporate and Community Planning</li> <li>➤ Property</li> <li>➤ Emergency and Contingency Planning</li> <li>➤ HR and Organisational Development</li> <li>➤ IMT</li> <li>➤ Procurement</li> <li>➤ Other Support Functions</li> <li>➤ Risk Management</li> <li>➤ Europe</li> <li>➤ Communications</li> </ul>

Name	Relevant Services
Adult Social Care	<ul style="list-style-type: none"> <li>➤ Services for people with:               <ul style="list-style-type: none"> <li>○ Mental health needs, including those with problems with memory, language or other mental functions</li> <li>○ Learning disabilities</li> <li>○ Physical impairments</li> <li>○ Long-term health conditions, such as HIV or AIDS</li> <li>○ Sensory impairments</li> <li>○ Multiple impairments and complex needs</li> </ul> </li> <li>➤ Services for Carers</li> <li>➤ Safeguarding</li> </ul>
Children and Education	<ul style="list-style-type: none"> <li>➤ Children's Services, including               <ul style="list-style-type: none"> <li>Looked after children</li> <li>Fostering</li> <li>Adoption</li> <li>Child Protection</li> <li>Children with disabilities</li> <li>Transition</li> </ul> </li> <li>➤ Schools and Learning</li> <li>➤ Services for Young People (including Surrey Youth Support Service)</li> </ul>

Name	Relevant Services
Communities	<ul style="list-style-type: none"> <li>➤ Community Safety, including:               <ul style="list-style-type: none"> <li>○ Crime and Disorder Reduction</li> <li>○ Relations with the Police</li> </ul> </li> <li>➤ Fire and Rescue Service</li> <li>➤ Cultural Services, including:               <ul style="list-style-type: none"> <li>○ Library Services</li> <li>○ Adult and Community Learning</li> <li>○ Major cultural and community events</li> <li>○ Heritage</li> <li>○ Arts</li> <li>○ Citizenship</li> </ul> </li> <li>➤ Sport</li> <li>➤ Voluntary Sector Relations</li> <li>➤ Customer Services</li> <li>➤ Localism</li> <li>➤ Trading Standards and Environmental Health</li> <li>➤ Legacy and Tourism</li> </ul>

Name	Relevant Services
Environment and Transport	<ul style="list-style-type: none"> <li>➤ Strategic Planning</li> <li>➤ Countryside</li> <li>➤ Waste</li> <li>➤ Transport Service Infrastructure</li> <li>➤ Aviation</li> <li>➤ Highway Maintenance</li> <li>➤ Community Transport</li> <li>➤ Economic Development and the Rural Economy</li> <li>➤ Housing</li> <li>➤ Local Transport Plan</li> <li>➤ Road Safety</li> <li>➤ Concessionary Travel</li> <li>➤ Minerals</li> <li>➤ Flood prevention</li> </ul>
Health	<ul style="list-style-type: none"> <li>➤ Review and scrutiny of all health services commissioned or delivered within Surrey</li> <li>➤ Public health</li> <li>➤ Health and Wellbeing Board</li> </ul>

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**ANNUAL REVIEW OF POLITICAL PROPORTIONALITY – 2013/14****Report of the Chief Executive**

1. The Council is asked to formally review the proportional political allocation of places on committees and to adopt a scheme of proportionality for the Council year 2013/14.
2. The Local Government and Housing Act 1989 requires local authorities to review committee membership and political representation annually.
3. By law, seats on committees must be allocated in proportion to the political composition of the Council. An authority can only decide that it wishes to adopt an arrangement other than a proportional one if no Member votes against it.
4. The number of seats of each group on the Council and the resulting percentages are as follows:

Conservative	Liberal Democrat	Residents' Association & Independent	UKIP	Other*
58	9	9	3	2
71.6%	11.11%	11.11%	3.7%	2.47%

\* The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members.

5. In determining the allocation of seats on ordinary committees, the proportion that each political group forms of the total membership of the Council is applied to the total number of elected Member seats on each committee. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up. So that this process of rounding does not result in advantage to one political group, the aggregate membership of all the ordinary committees must also be in line with the proportions on the County Council.
6. With that in mind a scheme of proportionality for 2013/14 is attached at Annex 1.

**RECOMMENDATION**

That the committee sizes and scheme of proportionality as set out in Annex 1 be adopted for 2013/14.

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**CONTACT**

Rachel Crossley  
Democratic Services Lead Manager

**TEL NO:**

020 8541 9993

**BACKGROUND PAPERS:**

Local Government and Housing Act 1989  
Proportional Representation Table  
Constitution of the Council

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## SCHEME OF PROPORTIONALITY 2013/14

	CON	LIB DEM	RA& IND	UKIP	Other	Total
SELECT COMMITTEES						
Overview and Scrutiny	11	2	2	0	0	15
Adult Social Care	9	1	1	1	0	12
Children & Education	9	1	1	0	1	12
Communities	9	1	1	0	1	12
Environment & Transport	10	2	2	1	0	15
Health Scrutiny	9	1	1	1	0	12
PLANNING & REGULATORY COMMITTEE	8	1	1	1	1	12
AUDIT & GOVERNANCE COMMITTEE	4	1	1	0	0	6
PEOPLE, PERFORMANCE & DEVELOPMENT COMMITTEE	4	1	1	0	0	6
SURREY PENSION FUND BOARD	4	1	1	0	0	6
	77	12	12	4	3	108
<u>NON-PROPORTIONAL BODIES</u>						
MEMBER CONDUCT PANEL	7	1	2	0	0	10
<b>TOTAL</b>	<b>84</b>	<b>13</b>	<b>14</b>	<b>4</b>	<b>3</b>	<b>118</b>

**Note:** Local Committees comprise the County Councillors for the electoral divisions within each Borough/District area and are not therefore required to be politically proportional.

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County Council Meeting –21 May 2013

## REPORT OF THE CABINET

The Cabinet met on 26 March and 23 April 2013.

In accordance with the Constitution, Members can ask questions of the appropriate Cabinet Member, seek clarification or make a statement on any of these issues without giving notice.

The minutes containing the individual decisions for both 26 March and 23 April 2013 meetings are included within the agenda at item 15. Cabinet responses to Committee reports are included in or appended to the minutes. If any Member wishes to raise a question or make a statement on any of the matters in the minutes, notice must be given to Democratic Services by 12 noon on the last working day before the County Council meeting (Monday 20 May 2013).

For members of the public all non-confidential reports are available on the web site ([www.surreycc.gov.uk](http://www.surreycc.gov.uk)) or on request from Democratic Services.

### 1. STATEMENTS/UPDATES FROM CABINET MEMBERS

There were none.

### 2. REPORTS FOR INFORMATION / DISCUSSION

26 March 2013

#### A STRENGTHENING THE COUNCIL'S APPROACH TO INNOVATION: UPDATE ON OUR INNOVATION JOURNEY

1. On 27 November 2012 the Cabinet approved the development of a strategic framework to achieve a strong "One Team" approach to innovation ("ideas into action to improve lives in Surrey"). This recognised that over the coming years the Council would need to continue to strengthen its capacity and capability to innovate in order to continue improving outcomes and value for money for Surrey's residents.
2. Significant progress has been made to establish the strategic innovation framework and begin developing new ideas and approaches. This progress was recognised by a small team of expert peers who visited the Council in February to assess progress and plans on innovation. The peer team shared some helpful recommendations and these will be incorporated into the continued work to strengthen the Council's innovation capacity and capability.
3. The framework reflected the fact that this would require a sustained effort over the long term, building on the foundations that are in place, learning from experiences and adapting approaches over time.
4. Over the last four months significant progress has been made to establish the strategic innovation framework and begin developing new ideas and approaches. Successful test workshops have been completed, the tools and methodology to support innovation have been developed and a brand for the work has been

designed (known as “Shift”). A peer challenge exercise has also been completed to test progress so far and help shape the next phase of work.

**5. The Cabinet agreed:**

1. That the good progress made so far to strengthen innovation capacity and capability be acknowledged and the findings from the peer challenge be welcomed.
2. The Chief Executive and Strategic Director for Change and Efficiency continue to work with colleagues to develop and implement the strategic framework for innovation, incorporating the recommendations from the peer challenge.
3. The learning and evaluation from innovation work be reported back to Cabinet and Council via the Chief Executive’s six monthly progress reports, the next of which will be published in summer 2013.

**B STRENGTHENING THE COUNCIL’S APPROACH TO INNOVATION: MODELS OF DELIVERY**

1. Surrey County Council has a successful track record of finding innovative ways of delivering services recognising that there is no ‘one size fits all’ model for the vast range of services it provides. Taking a proactive and longer term view has helped the council to prepare for the challenges it faces and has supported the delivery of £200m of efficiency savings over the last three years. The budget assumptions for the Council’s Medium Term Financial Plan (2013-18) include further savings requirements of £240m resulting from increased demands on council services and reductions in the grant received from central government.
2. The way that council services are delivered in Surrey continually evolves. Changes to legislation; developments in government policy; new funding arrangements; and, most importantly, the changing needs and aspirations of Surrey residents and businesses have helped to shape various models of delivery.
3. The importance of a pragmatic approach needs to be recognised and the role different delivery models can play in delivering good quality public services and value for money to residents and businesses while helping the council to meet its financial targets need.
4. Surrey County Council services are currently delivered via three delivery models:
  - Services delivered directly by the council
  - Services delivered by the council with a partner(s)
  - Services delivered by other organisations, commissioned / funded by the council (including organisations from the voluntary, community and faith sector)
5. Proposals for enhancing the council’s ability to deliver services through a fourth model, through a trading company, are being developed.
6. The power to trade allows a local authority to offer its services on a commercial basis (i.e. make a surplus) - in order to pursue a strategy of risk based

commercial trading the council could make use of powers granted by section 95 of the Local Government Act 2003 and the Local Government (Best Value Authorities)(Power to Trade) (England) Order 2009.). The powers provided by the Localism Act 2011 through the general power of competence also broaden the scope of activities upon which the council could trade. The council is already using powers to charge for its services (limited to recovery of the cost of providing those services) and is sharing services with other public sector partners.

7. In order to use those powers the council must set up a company, for the purposes of trading without subsidy. This, by its nature, will be a new legal entity created under the council's ownership, but with the ability to trade commercially with the private sector.
8. Trading can also be undertaken by the council with a private sector partner. Through the joint venture Babcock 4S, Surrey County Council already has experience of successfully operating in a trading environment. The joint venture is a public private partnership between Surrey County Council and Babcock International Group PLC, and is one of the largest providers of school support services in the country. The arrangement has delivered dividend payments to the County Council of £1.6m over the last three years.
9. The council's primary objective in relation to developing its approach to trading is to deliver public value for Surrey residents and businesses.
10. In addition, trading would give the council a range of new opportunities including:
  - Delivering services differently by creating a dynamic and entrepreneurial environment that will increase the range, choice and delivery of public services, and will help to drive service improvements as the need to compete in the market place necessitates competitive, high quality services;
  - Profits generated for the council through its trading operations will be available to support the delivery of the council's medium term financial plan. In some authorities this surplus has been used to support other services within the authority, invest in new commercial ventures via the company, or to help to keep increases in Council Tax to a minimum; and
  - A trading company will create new opportunities for staff to expand their learning base (e.g. customer services, commercial awareness and risk management skills).

## **11. The Cabinet agreed**

1. That the progress and achievements delivered to date through a range of existing delivery models be acknowledged.
2. That the primary objective the council seeks to achieve by developing its approach to trading is to deliver public value for Surrey residents and businesses be confirmed.

3. That the creation of a Surrey County Council Shareholder Board ('the Board') with responsibility for exercising 'shareholder control' over any limited ('trading') companies established by the council be approved and the Strategic Director for Change and Efficiency, in consultation with the Leader of the Council, Cabinet Member for Change and Efficiency and Chief Executive, be asked to establish the Board.
4. That authority be delegated to the Strategic Director for Change and Efficiency, in consultation with the Leader of the Council and Cabinet Member for Change and Efficiency, to establish a trading company that will deliver in the first instance 'business services' and in order to do so:
  - a. to consider and approve a business case, which must satisfy the statutory requirements and the criteria set out in paragraph 28 and 29; and
  - b. to approve the Articles of Association including the naming of Directors of the company.
5. That the opportunities that a range of delivery models provides be acknowledged and future proposals (expressed as options appraisals and business cases) from services across the council over the three-year period 2013 – 2016 be welcomed and the Strategic Director for Change and Efficiency be asked to lead a programme of work that will review service delivery models including currently traded activity.

## **C CHILDREN'S HEALTH, WELLBEING AND SAFEGUARDING PLAN 2013 / 2014**

1. The Health and Social Care Act 2012 requires all upper tier local authorities to have a joint health and wellbeing strategy in place by April 2013. This strategy brings together health and wellbeing priorities for both children and adults.
2. In order to meet our statutory responsibilities the Children's Health and Wellbeing Plan has been developed to positively support children and young people's health and wellbeing and to support the delivery of Surrey's joint health and wellbeing strategy, which is currently in development.
3. The Children's Health, Wellbeing and Safeguarding Plan sets out eight priority areas where we believe we can start to make the most difference in 2013/14 to ensure that children and young people achieve the best health and wellbeing outcomes possible.
4. The plan's priorities are to:
  - Support good health and wellbeing in pregnancy and the new born
  - Protect children through strong multi-agency safeguarding and child protection arrangements
  - Support parents and carers so they can raise physically, emotionally and mentally healthy children
  - Improve health and wellbeing outcomes for looked after children and care leavers
  - Support children to develop positive personal wellbeing, values and aspirations
  - Improve outcomes for children and young people with complex needs



- Improve outcomes for young people who need additional support during the transition to adulthood
- Ensure local services meet the needs of all vulnerable children and their families.

5. Surrey County Council's is committed to working with our partners to provide coherent and effective services for children, young people and their families.

6. The Children's Health, Wellbeing and Safeguarding Plan is a one year plan. After this time it will be replaced by a visionary strategy for children linked to Surrey's Joint Health and Wellbeing Strategy. This will be supported by a partnership 3 - 5 year health, wellbeing and safeguarding plan.

**7. The Cabinet agreed:**

1. That the approach to supporting children, young people and families' health and wellbeing, as set out in the plan submitted with the report, be approved..
2. That the publication of the children's health, wellbeing and safeguarding plan be agreed. (Annex 1 to the submitted Cabinet report)
3. That the Strategic Director for Children, Schools and Families, in consultation with the Cabinet Member for Children and Families, can sign off any subsequent amendments to the Plan provided there are no substantive changes.

**D QUARTERLY REPORT ON DECISIONS TAKEN UNDER SPECIAL URGENCY ARRANGEMENTS – 1 JANUARY 2013 TO 31 MARCH 2013**

1. The Cabinet is required under the Constitution to report to Council on a quarterly basis the details of decisions taken by the Cabinet and Cabinet Members under the special urgency arrangements set out in Article 6.05(f) of the Constitution. This occurs where a decision is required on a matter that is not contained within the Leader's Forward Plan (Notice of Decisions), nor available 5 clear days before the meeting. Where a decision on such matters could not reasonably be delayed, the agreement of the Chairman of the appropriate Select Committee, or in his/her absence the Chairman of the Council, must be sought to enable the decision to be made.

There has been one such decision during the last quarter as follows:

*Member and Officer Director Indemnities*

**Reason for urgency:** The need for clarity in current discussions regarding the joint venture with Woking Borough Council, and to assist consideration of other potential innovative arrangements.

**Mr David Hodge  
Leader of the Council  
10 May 2013**

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## MINUTES OF THE MEETINGS OF CABINET

Any matters within the minutes of the Cabinet's meetings, and not otherwise brought to the Council's attention in the Cabinet's report, may be the subject of questions and statements by Members upon notice being given to the Democratic Services Lead Manager by 12 noon on Monday 20 May 2013.

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON 26 MARCH 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**

**1/13 APOLOGIES FOR ABSENCE [Item 1]**

Apologies were received from Mrs Kemeny.

**2/13 MINUTES OF PREVIOUS MEETING: [Item 2]**

The minutes of the meeting held on 26 February 2013 were confirmed and signed by the Chairman.

**3/13 DECLARATIONS OF INTEREST [Item 3]**

There were none.

**4/13 PROCEDURAL MATTERS [Item 4]**

**5/13 MEMBERS' QUESTIONS [Item 4a]**

No Member questions had been received.

**6/13 PUBLIC QUESTIONS [Item 4b]**

One question had been received from a member of the public. The question and the response was tabled and is attached as Appendix 1 to these minutes.

**7/13 PETITIONS [Item 4c]**

No petitions had been received.

**8/13 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]**

No representations had been received.

**9/13 REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]**

A A report from the Environment and Transport Select Committee's task group, concerning Countryside Management was included in the agenda. The Cabinet response was tabled at the meeting (Appendix 2).

The Cabinet Member for Transport and Environment thanked the task group for their comprehensive report and welcomed their comments and proposals.

The Chairman of the Environment and Transport Select Committee fully endorsed the comments of the Cabinet Member.

As the Chairman of the Environment and Transport Select Committee would be standing down at the forthcoming election, the Leader of the Council formally thanked for his hard work on this committee over the last few years.

B Comments from the Environment and Transport Select Committee concerning the New Approach to Highways Maintenance was included in the agenda under item 10. The Cabinet response was tabled at the meeting (Appendix 3).

C A report from the Children and Families Select Committee's task group concerning Supporting Families was included in the agenda under item 12. The Cabinet response was tabled at the meeting (Appendix 4).

**10/13 MEDIUM TERM FINANCIAL PLAN 2013 - 2018 [Item 6]**

The Leader presented the detailed service revenue and capital budgets for 2013/14 and indicative budgets for the following four year period to 2017/18. The report also provided an update on the fees and charges for the use of council services during 2013/14. He confirmed that the County Council would continue to invest in services and commended the Medium Term Financial Plan 2013 – 2018 to Members.

Other Cabinet Members were invited to comment on their individual portfolios:

- Savings in the Personal Care and Support Budget (within Adult Social Care) could only be achieved if the County Council worked with users and carers.
- The Public Health Budget was new for 2013/14 and would fund the Council's new Public Health responsibilities.

- Successful joint working with East Sussex County Council in relation to Business Services is a flagship partnership.
- Emphasis on particular commitments such as the provision of additional school places.
- Reference to Annex 3, the Equalities Impact Assessments (EIAs) for all significant budget decisions and their impact on Surrey's communities. It was agreed that the EIAs for Public Health, which were tabled at the meeting should be more robust and therefore should be resubmitted to the next Cabinet meeting for approval.

Finally, the Leader confirmed that, since the County Council Budget meeting held on 12 February 2013, detailed directorate and service budgets had been considered at the relevant select committees and no major comments had been received from them.

#### **RESOLVED:**

That the detailed service revenue and capital budgets for the years 2013-18, including amendments resulting from government funding changes announced after the 2013/14 budget be approved (Annex 1 of the submitted report).

That the publication of the detailed service revenue and capital budgets as set out in the 2013-18 Medium Term Financial Plan be approved.

That the lower capital government grant to support the schools basic need programme be noted and the additional use of £2m borrowing in 2013/14 and 2014/15 be approved.

That the fees and charges approved under delegated powers be endorsed and other fee and charge proposals, as set out in Annex 2 of the submitted report, be approved.

5. That the Public Health Equalities Impact Assessment be brought back to the next Cabinet meeting on 23 April 2013.

#### **Reasons for Decisions**

The 2013 – 18 MTFP is a five year budget that is aligned to the corporate and directorate strategies. It reflects assumptions about the current local and national financial, economic and political environment. Regular reporting through the year will enable progress to be effectively tracked and managed.

#### **11/13 BUDGET MONITORING FORECAST 2012/13 (PERIOD ENDING FEBRUARY 2013) [Item 7]**

The Cabinet received an update on the year-end revenue and capital budget monitoring projections as at the end of February 2013.

The Leader of the Council highlighted the following points:

**Revenue** – That the council set this year’s budget on the basis of rising demand for its services and the need to make significant reductions in its’ spending. He was pleased that the County Council had successfully risen to these challenges and was expected to finish the year with a small net underspending of £3.5m, or 0.2% of the budget.

It also said that this achievement was due to the Council’s relentless focus on getting the most out of every pound it spent. As well as the excellent procurement this also included staffing spend where expenditure had been reduced through improved management of sickness and by reviewing the need to fill vacancies as they arise.

Managers were no longer spending budgets just because of an artificial deadline of the end of March. Sometimes there were schemes and projects that would straddle the end of the financial year and managers had identified £5.5m of projects and schemes that would not complete before this year end cut off so the Cabinet would then review these as a part of the final accounts and agree if funding continued in the next year.

**Capital** – The council’s capital programme not only improved and maintained our service delivery, but provided a welcome boost to the local economy in these times. It was therefore important that the aims of the capital budget were achieved, and where some schemes were delayed, others were brought forward. This had been done and the Council was on track to fully spend its’ capital budget.

He also said that, as a part of the investment in the local economy, this council had joined with Woking Borough Council in an innovative project to develop the town centre and that the council would also be looking to bring forward other projects that would provide a presence in other town centres from which services may be provided.

Finally, he considered that this year, the focus on the capital budget had demonstrated the council’s commitment to the local economy and working with partners to achieve the best outcomes for Surrey residents and businesses.

Members noted that the last sentence in paragraph 96, Annex1, Section A should read:

‘Additional commitments are planned but it is unlikely that all will be completed by 31 March 2013 due to the lead time for procurement.’

Other Cabinet Members made the following points:

- Delight that this was the third year running that the County Council had come in just below its estimated budget.
- Good management of the capital budget this year.
- Thanks to staff, and in particular finance staff for controlling a tough budget.
- Praise for close working relationships between services, such as Property and School Places Commissioning and also the partnership working with Districts and Boroughs.

- Congratulating the local committees for their partnership working with district and boroughs in relation to spending their budgets on local highways issues.
- That the enormous increase in demand over the winter months had resulted in a projected overspend for the Adult Social Care's budget of £2m.
- Recognition of the overall efficiencies made during the last months and that the Olympic cycle races had been delivered under budget, thereby enabling its £1m contingency fund to be reallocated to the Highways budget.
- That carry-forward requests would be considered at the April / May Cabinet meetings.

#### **RESOLVED:**

1. That the projected revenue budget underspend (Annex 1 – Section A of the submitted report) and the capital programme direction (Section B of the submitted report) be noted.
2. That government grant changes be reflected in directorate budgets; (Section C of the submitted report).
3. That the use of the unused contingency for the Olympics Games be approved, to respond to the winter damage to roads.

#### **Reasons for Decisions**

To comply with the agreed strategy of providing a monthly budget monitoring report to cabinet for approval and action as necessary.

#### **12/13 STRENGTHENING THE COUNCIL'S APPROACH TO INNOVATION: UPDATE ON OUR INNOVATION JOURNEY [Item 8]**

The Leader of the Council introduced the report to Cabinet, stating that there were two aspects to the Council's approach to innovation – the update on its Innovation Journey, since the previous Cabinet report on 27 November 2012, and the Models of Delivery. He said that he wanted to receive ideas from all staff on ways that the Council could be more innovative.

The Cabinet Member for Change and Efficiency referred to the Peer team and their initial feedback as set out in paragraph 27 of the report.

The Deputy Leader also referred to Surrey County Council being named as local authority of the year at the recent Improvement and Efficiency Awards and also being shortlisted for an award at the recent Local Government Chronicle Awards.

Cabinet Members acknowledged the importance of both reports concerning the Council's Approach to Innovation, however, it was agreed that the authority must not become complacent and must continue to 'raise its game'.



**RESOLVED:**

1. That the good progress made so far to strengthen innovation capacity and capability be acknowledged and the findings from the peer challenge be welcomed.
2. The Chief Executive and Strategic Director for Change and Efficiency continue to work with colleagues to develop and implement the strategic framework for innovation, incorporating the recommendations from the peer challenge.
3. The learning and evaluation from innovation work be reported back to Cabinet and Council via the Chief Executive's six monthly progress reports, the next of which will be published in summer 2013.

**Reasons for Decisions**

To further refine and strengthen the Council's approach to innovation so it can exploit new opportunities, navigate significant challenges and achieve improved outcomes and value for money for Surrey's residents.

**13/13 STRENGTHENING THE COUNCIL'S APPROACH TO INNOVATION:  
MODELS OF DELIVERY [Item 9]**

Surrey County Council places a relentless focus on delivering public value. The council has had a successful track record of finding new and innovative ways of delivering services, in the interests of the residents of Surrey.

The Leader of the Council commended this report to Cabinet Members and said that the County Council was looking to strengthen its capacity for delivery of services more effectively and that the creation of a trading company would enable the authority to do this. He also referred to a part 2 annex for this report (item 24).

The Cabinet acknowledged the progress and achievement delivered to date through a range of other options and referred specifically to Babcock4S and the £1.7m profit currently being reinvested in Education projects.

**RESOLVED:**

1. That the progress and achievements delivered to date through a range of existing delivery models be acknowledged.
2. That the primary objective the council seeks to achieve by developing its approach to trading is to deliver public value for Surrey residents and businesses be confirmed.
3. That the creation of a Surrey County Council Shareholder Board ('the Board') with responsibility for exercising 'shareholder control' over any limited ('trading') companies established by the council be approved and the Strategic Director for Change and Efficiency, in consultation with the Leader of the Council, Cabinet Member for Change and Efficiency and Chief Executive, be asked to establish the Board.

4. That authority be delegated to the Strategic Director for Change and Efficiency, in consultation with the Leader of the Council and Cabinet Member for Change and Efficiency, to establish a trading company that will deliver in the first instance 'business services' and in order to do so:
  - a. to consider and approve a business case, which must satisfy the statutory requirements and the criteria set out in paragraph 28 and 29; and
  - b. to approve the Articles of Association including the naming of Directors of the company.
5. That the opportunities that a range of delivery models provides be acknowledged and future proposals (expressed as options appraisals and business cases) from services across the council over the three-year period 2013 – 2016 be welcomed and the Strategic Director for Change and Efficiency be asked to lead a programme of work that will review service delivery models including currently traded activity.

### **Reasons for Decisions**

In the current financial and funding climate for local government it is essential that the council continues to focus on delivering public value to the residents of Surrey.

The council recognises that a range of delivery models are already and should continue to be used to provide services that best meet the needs of Surrey residents and businesses. Building on existing successes, the recommendations set out in this report will enable the council to continue to anticipate and respond to the challenges it faces and represent the next phase of its approach to ensure Surrey residents receive good quality public services.

### **14/13 FROM REACTIVE TO PLANNED: A NEW APPROACH FOR HIGHWAY MAINTENANCE [Item 10]**

The Chairman of the Environment and Transport Select Committee was invited to speak on this item. He said that this Cabinet report had been a culmination of a lot of effort and that his select committee had focussed on Highways issues during the last two years and had been a 'critical friend' to both the service and the contractors. He also said that May Gurney had been openly responsive to providing a better service to residents. He also made reference to Surrey's winter policy, the permit scheme and Project Horizon.

The Cabinet Member for Transport and Environment referred to his response (attached as Appendix 3 to these minutes) to the Environment and Transport Select Committee's comments concerning the new approach to Highway Maintenance. He thanked the Chairman of this select committee for his positive comments and referred to the efforts made by the contractors, May Gurney and confirmed that, over the last twelve months, they had met their performance indicators almost every month.

Finally, he drew Members attention to the recommendations and to Project Horizon and commended the report to Cabinet colleagues.

The Leader of the Council said that he was pleased with the revised Highways Safety Inspection Policy because highways issues were the 'number one' concern of Surrey residents and he thanked Highways officers for their efforts.

**RESOLVED:**

1. That the adoption of SPN (2013) as Surrey's road classification for maintenance be approved and the authority be delegated to the Cabinet Member for Transport and Environment to approve future local adjustments to the SPN, as set out in Annex 1 to the submitted report.
2. That the revised Highway Safety Inspection Policy as set out in Annex 1 to the submitted report, be approved, subject to the development of robust processes and systems to ensure that risks are assessed and authority to agree those processes and systems be delegated to the Strategic Director of Environment and Infrastructure and the Strategic Director of Change and Efficiency, in consultation with the Leader and Cabinet Member for Transport and Environment.
3. That the Town Centre Management agreement with Woking Borough Council be approved, and the authority be delegated to the Assistant Director Highways to finalise the agreement with Woking Borough Council according to the terms set out in Annex 1 to the submitted report.

**Reasons for Decisions**

These proposed changes will provide the following benefits:

- Increase the frequency of highway inspections, ensuring defects are identified sooner.
- Improve the planning of defect repairs, leading to an improved standard of repair and less repeat visits.
- Improve the overall condition of the network by carrying out larger scale repairs.
- As a consequence, improve the management of risk across the highway network.
- Enable Woking Borough Council to invest in their town centre by complementing County Council services and providing a higher level of service than the County Council would be able to provide.

**15/13 CHILDREN'S HEALTH, WELLBEING AND SAFEGUARDING PLAN 2013 / 2014 [Item 11]**

The Cabinet Member for Children and Families was pleased to present the Children's Health, Wellbeing and Safeguarding Plan and said it was a one year plan. After this time it would be replaced by a visionary strategy for children linked to Surrey's Joint Health and Wellbeing Strategy and this would

be supported by a partnership 3 -5 year health, wellbeing and safeguarding plan.

The Plan set out eight priorities which would make the most difference in 2013/14 to ensure that children and young people achieved the best health and wellbeing outcomes possible.

Cabinet Members welcomed the report and said that they were committed to working with partners to provide coherent and effective services for children, young people and their families. In particular, to improve the likelihood of positive health and wellbeing outcomes through informed commissioning with key partners including public health, police and education.

The Leader of the Council drew attention to the comprehensive and detailed Equalities Impact Assessment (EIA) attached to the report.

**RESOLVED:**

1. That the approach to supporting children, young people and families' health and wellbeing, as set out in the plan submitted with the report, be approved..
2. That the publication of the children's health, wellbeing and safeguarding plan be agreed. (Annex 1 to the submitted report)
3. That the Strategic Director for Children, Schools and Families, in consultation with the Cabinet Member for Children and Families, can sign off any subsequent amendments to the Plan provided there are no substantive changes.

**Reasons for Decisions**

To note the plan for positively supporting the health and wellbeing of children, young people and families in Surrey and to agree to delivery.

**16/13 SURREY FAMILY SUPPORT PROGRAMME [Item 12]**

The Chairman of the Children and Families Select Committee was invited to present the report of her committee's task group. She highlighted the key points from their report and the five recommendations made and in particular, drew attention to the task group's recommendation (4): namely, that the Cabinet received an analysis of the costs of families included within the Surrey Family Support Programme and projected savings to the public purse. She requested that this recommendation was pursued rigorously.

The Cabinet Member for Children and Families thanked the Supporting Families task group for its exceptional report and said that her response to it had been tabled (attached as Appendix 4 to the minutes). She acknowledged the Task Group's through understanding of the issues.

She also provided Members with the background to the Government's Troubled Families Programme and the objectives of the Surrey Family Support Programme and said that the Government has been supportive of the

work underway in Surrey and was using Surrey as an exemplar. She referred to the diagrams attached to the report which clearly indicated the complexity of the support programme and the number of people working with the families.

Finally, she thanked the Head of Family Services and his staff for their outstanding work to date.

Other Cabinet Members made the following points:

- That the implementation was in two phases, with phase 1 including the six largest boroughs, starting in April 2013 and phase 2 coming on stream from October 2013.
- Acknowledgement of the work undertaken to support these families.
- That the Children and Families Select Committee continued to monitor this programme.
- That any savings would be hard to quantify.

The Leader of the Council expressed his thanks to the task group for their report and also to officers involved in this area of work. He stressed the importance of this work which he hoped would break the cycle and give these children a real chance in life.

#### **RESOLVED:**

1. That the strategy and implementation of the Surrey Family Support Programme, by local teams in Elmbridge, Guildford, Spelthorne, Reigate and Banstead, Waverley, and Woking Borough Councils be approved.
2. That a local discretionary criteria of families of concern be added to the Government's criteria for families to join the programme.

#### **Reasons for Decisions**

In order to achieve the best outcomes for local families with multiple needs, the national programme has been adapted to better suit Surrey communities.

#### **17/13 EMERGENCY RESPONSE COVER LOCATIONS: EPSOM AND EWELL AND REIGATE AND BANSTEAD [Item 13]**

This report detailed how Surrey Fire and Rescue Authority (SFRA) intend to respond to the removal of the West Sussex Fire and Rescue Service fire engine based at Horley Fire Station and improve the deployment of fire engines in order to maintain an effective emergency response in accordance with the Public Safety Plan. SFRA will operate a chain of single fire engine fire stations running through the boroughs of Epsom & Ewell and Reigate & Banstead. There would be two new fire stations in Salfords and Burgh Heath and a more efficient use of resources across the county.

Comments from the Communities Select Committee together with the Cabinet response were tabled at the meeting (attached to the minutes as Appendix 5 and 6 respectively). Members also noted that the first sentence of paragraph 18 should read 350 and not 330 individual respondents.

Mrs Mason, local Member for Epsom and Ewell West, was invited to speak. She expressed concern about the reduction in provision in the Epsom and Ewell area from two to one pump and said that residents in this area did not consider that the proposals would deliver a better service. She requested that if the proposals were agreed by Cabinet, that the arrangements should be carefully monitored by both Cabinet and the relevant select committee.

The Cabinet Member for Community Safety introduced the report and highlighted the issues relating to the decision of the West Sussex Fire and Rescue Service to relocate their fire engine, based at Horley to Horsham. She did not consider that these proposals, considered today by Cabinet would diminish the fire service provision across the county. She acknowledged local concerns about the provision but said that the County Council needed to take a balanced view.

She also confirmed that there were agreements with London Boroughs to provide cover close to Surrey boundaries and she considered that the cover was resilient. She reiterated that Surrey County Council's Fire and Rescue Service was a professional and high performing service and contributed to making Surrey a safer place.

She also said that the proposals included building two new fire stations and the location of the Burgh Heath site had not yet been identified.

Finally, she referred to the comprehensive EIA included with the papers and also to the consultation report, which detailed the processes and consultees including all local committees and commended the recommendations to Cabinet.

#### **RESOLVED:**

That the proposals for the improved deployment of single fire engine fire stations running through the boroughs of Epsom & Ewell and Reigate & Banstead, including the delivery of two new fire stations in Salfords and the Burgh Heath area be approved.

#### **Reasons for Decisions**

1. To mitigate the impact of changes at Horley as a result of the West Sussex Fire and Rescue Authority's decision to withdraw their fire engine.
2. To improve the fire engine response coverage in Surrey. This is measured through modelling analysis and performance data.
3. To improve the fire service provision across Surrey.

#### **18/13 INVESTMENT IN SAFE CYCLING INFRASTRUCTURE [Item 14]**

In November 2012, the County Council submitted a bid to the Department for Transport (DfT)'s newly established Cycle Safety Fund. The fund was established in response to concern about the rising numbers of cycling casualties in the UK, with the funding focused on junctions or stretches of the highway with a record of cyclists being killed or seriously injured.

The County Council bid for five schemes, prioritising two which offered best fit with the fund criteria: Walton Bridge Links and Leatherhead Town Centre. The DfT was due to make an announcement in February but this has been delayed. In order to ensure deliverability of the schemes within the DfT timescales for completion by the end of 2013, the County Council would need to progress quickly to implementation as soon as the bid outcome is received, which is hoped to be in April 2013. The Cabinet Member for Transport and Environment commended the recommendations to Members.

**RESOLVED:**

That the decision to accept the grant be delegated to the Strategic Director for Environment and Infrastructure, in consultation with the Leader and the Cabinet Member for Environment and Transport.

**Reasons for Decisions**

Tackling cyclist KSI rates is a corporate priority. The rate of cyclist KSIs in Surrey has more than doubled in the last four years. The schemes will directly benefit areas of high cyclist KSI rates, by making cycling a safer option for residents that live, work and shop in the town centres. It will deliver economic benefit by making it more possible for people to cycle, reducing travel costs and congestion. It will support the County Council's ambition to secure a cycling legacy from the 2012 Olympics and will support development of Surrey's visitor economy.

Consultation with residents in Walton-upon-Thames and Leatherhead, identified that 89% of people would welcome the introduction of safe, segregated cycle routes. Of the people surveyed, 44% of cycle owners and 82% of non-owners identified road safety issues as a deterrent to cycling.

The relevant Local Committees have formally approved the proposed schemes.

**19/13 SUPPORTING ECONOMIC GROWTH: COSTS ASSOCIATED WITH THE SECTION 278 DELIVERY OF THE SHEERWATER LINK ROAD, WOKING [Item 15]**

Cabinet strongly supported the request to waive Surrey County Council's normal fees including commuted sums for the Sheerwater scheme (including Bishop David Brown access) and to waive the need for a bond, and authorised the funding of the County Council's internal costs from the New Homes Bonus.

**RESOLVED:**

1. That the agreement fee be waived and commuted payments or a bond for the Sheerwater Link Road/ Bishop David Brown scheme be not required.
2. That the internal costs arising from the above recommendation be funded from New Homes Bonus receipts.

### **Reasons for Decisions**

Surrey County Council wants to assist Woking Borough Council in the delivery of this economically important project that will contribute a significant beneficial effect on the Borough, County, and wider South East Regional economies. This will not only have a substantially positive effect on the residents of Surrey (especially current and future residents of East Woking), but also it will benefit those who work in East Woking and travel through it.

#### **20/13 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 16]**

##### **RESOLVED:**

- 21/13** That the decisions taken by the Leader, Deputy Leader and Cabinet Members since the last meeting as set out in Appendix 7 be noted.

### **Reasons for Decisions**

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

#### **22/13 WESTFIELD PRIMARY SCHOOL, WOKING: EXPANSION BY ONE FORM OF ENTRY FROM SEPTEMBER 2013 [Item 17]**

The Cabinet Member for Assets and Regeneration Programmes informed Members that the provision of a permanent one form of entry increase at Westfield Primary School to two forms of entry would help to meet the basic need requirements for primary places in the Woking area. He considered that the expansion of this school was a good example of Property Services and School Commissioning working together.

##### **RESOLVED:**

That the expansion and adaptation of Westfield Primary School, as detailed in the submitted report, be approved in principle, subject to the consideration and approval of the detailed financial information set out in agenda item 22.

### **Reasons for Decisions**

The proposal delivers and supports the Authority's statutory obligation to provide sufficient school places to meet the needs of the population in the Woking area.

#### **23/13 AWARD OF TWO YEAR CONTRACT FOR THE PROVISION OF TEMPORARY AGENCY STAFF [Item 18]**

The Cabinet Member for Change and Efficiency requested the agreement of the proposed short term two year contract as set out in the report, which would then enable the council to consider all options for a long term strategic solution for the supply of temporary staff.



## **RESOLVED:**

That the award of a two year new contract under a national framework which commenced April 2011 (contract notice 2010/s 209 3197760) be approved, so as to continue the provision, for the supply of temporary staff.

### **Reasons for Decisions**

The current contract works well in delivering temporary agency staff to the Council. However after consultation with stakeholders there are aspects within the service provision that users would like to see improved.

A project team has been formed consisting of representatives from Human Resources, Procurement, Children's and Adult Services to consider and create a strategy for the long term use of temporary staff.

This review will take into account market conditions and industry performance as well as recent changes in legislation regarding temporary agency workers. It will focus on the best options for delivering the Councils requirements and will potentially create innovative solutions to meet those needs.

The contract will provide the time required to complete and implement the outcomes of the review.

## **24/13 FRAMEWORK FOR THE PROVISION OF MANAGED PRINT SERVICES [Item 19]**

This item was introduced by the Cabinet Member for Change and Efficiency who explained that the recommendation was in two parts: (i) a four year framework agreement for use by Surrey County Council, all local authorities and all public sector bodies in the South East, and (ii) a specific print solution for Surrey County Council. She drew attention to the financial information set out in the part 2 report (item 23) and commended it to Cabinet.

## **RESOLVED:**

- (1) That the award of a four year framework agreement, which will be made available for use by Surrey County Council, all local authorities and all public sector bodies in the South East be approved. (Financial details were set out in the Part 2 Annex, item 23 on the agenda)
- (2) That the award for Surrey County Council's specific print solution (as a mini competition from the framework) to the bidder identified in the Part 2 Annex (item 23) for a 5 year contract, be approved.

### **Reasons for Decisions**

Surrey County Council (SCC) needs to modernise its approach to printing by offering a holistic and flexible print solution that fits organisational and operational needs.

The Council has a wide range of devices that print, photocopy, fax and scan which are of different makes and models. Currently there are 1800 networked printers and numerous photocopiers, plus standalone printers/photocopiers in various teams. These devices are spread across 143 buildings. This wide range is difficult to support/maintain and therefore expensive. The Council also needs to buy and stock a wide range of consumables for the devices makes and models. The current cost of printing and photocopying is approximately £1,275,000 per annum.

A move to Multi Functional Devices (MFDs) offers the ability to scan, fax, photocopy and print from a single machine, with resultant cost savings and rationalisation of equipment. Such devices also offer increased security, along with a reduction in print wastage and carbon.

SCC has entered a framework agreement (which will be open to all local authorities and all public sector bodies in the south east). This will give the Council a route to market for all its print needs. The framework will also facilitate a longer term collective approach to the delivery of printing across Surrey or a larger region such as the South East 7.

## **25/13 WASTE MANAGEMENT: PROPOSAL TO DELIVER ECOPARK [Item 20]**

The Cabinet Member for Transport and Environment reported on current status for the delivery of the Eco-park, described the next steps, and requested Cabinet approval to carry out the necessary activity to make the final decision regarding a contract amendment to deliver the Eco Park. Both the Leader and Deputy Leader referred to the letter from the Department for Environment, Food and Rural Affairs (Annex 1).

### **RESOLVED:**

1. That the actions proposed in this report be approved, and a further report be required by the end of July 2013, which provides the necessary information to enable the Cabinet to approve the actions to deliver the Eco Park.
2. That the positive discussions with DEFRA be noted and a realignment of grant with planned spend profile be supported.

### **Reasons for Decisions**

The recommendations are necessary to provide proper authority to:

1. Deliver the Eco Park which represents a corporate priority for the Council.
2. Avoid significant cost implications to the Council.
3. Provide assurance to contractual and funding partners to the Council.
4. Demonstrate ongoing commitment to value for money for the UK taxpayer

## **26/13 EXCLUSION OF THE PUBLIC [Item 21]**

### **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.

## **27/13 WESTFIELD PRIMARY SCHOOL, WOKING: EXPANSION BY ONE FORM OF ENTRY FROM SEPTEMBER 2013 [Item 22]**

### **RESOLVED:**

1. That the business case for the project to expand Westfield Primary School up to a maximum cost, as set out in the submitted report, be approved.
2. That the arrangements by which a variation of up to 10% of the total value be agreed by the Strategic Director for Change and Efficiency and the Cabinet Member for Assets and Regeneration Programmes, in consultation with the Leader.
3. That the award of the contract to carry out the works to provide the additional pupil places be approved.

### **Reasons for Decisions**

The proposal delivers and supports the Authority's statutory obligation to provide sufficient school places to meet the needs of the population in the Woking area.

## **28/13 FRAMEWORK FOR THE PROVISION OF MANAGED PRINT SERVICES [Item 23]**

The Cabinet Member for Change and Efficiency drew Members attention to the details of the tenders' evaluation set out in the report.

### **RESOLVED:**

1. That a framework agreement be awarded across three lots (capital goods, managed services and consumables) and available to authorities across the South East region, to commence on 5 April 2013.

2. On award of this framework a 5 year contract be subsequently awarded to the supplier named in the submitted report, for the provision of a managed service to meet Surrey County Council's printing requirements, at an estimated value as set out in the submitted report, to commence on 15th April 2013.

#### **Reasons for Decisions**

Surrey County Council (SCC) needs to modernise its approach to printing by offering a holistic and flexible print solution that fits organisational and operational needs.

#### **29/13 STRENGTHENING THE COUNCIL'S APPROACH TO INNOVATION: MODELS OF DELIVERY [Item 24]**

This was the confidential Annex for item 9.

#### **30/13 AWARD OF CONTRACTS FOR THE DELIVERY OF PAEDIATRICS SERVICES TO SURREY SCHOOLS [Item 25]**

The Cabinet Member for Change and Efficiency introduced the report and said that the proposals were for new short-term contracts with both of the current providers for an additional 12 months.

#### **RESOLVED:**

That the award of new contracts to the existing providers be approved for one year on financial terms to be negotiated but not to exceed the annual value of the current contracts.

#### **Reasons for Decisions**

The County Council needs to deliver these services to meet children's stated needs. Officers in Children's Services and Procurement have been working with colleagues in Health over the last 12 months to seek to develop a joint commissioning approach and strategy for new contracts to be awarded from April 2013. It has not been possible to agree this joint approach due to the organisational changes that the PCT and newly formed Clinical Commissioning Groups have been going through during this period.

The Council therefore proposes to award contracts with the current providers in order to ensure continuation of these services from April 2013 to March 2014.

#### **31/13 PUBLICITY FOR PART 2 ITEMS [Item 26]**

#### **RESOLVED:**

That non-exempt information relating to items considered in part 2 of the meeting may be made available to the press and the public, if appropriate.

[Meeting closed at 4pm]

**ITEM 4(b) - PROCEDURAL MATTERS**

**Public Questions**

**Question (1) from Mr David Beaman**

On Wednesday 13th March Surrey County Council announced a "hit list" of 16 projects to be delivered during the life of the next County Council between 2015 and 2019 to reduce traffic congestion. Whilst this "hit list" included 2 schemes in Farnham it did not include a Wrecclesham Relief Road. It is now over 10 years since Surrey County Council commissioned a review to look at the options for relieving traffic through Wrecclesham which recommended traffic management measures and improvements to public transport in the short term with construction of a relief road in the longer term. Since construction of the relief road now appears to be highly unlikely in the near future what traffic management measures and improvements to public transport are proposed for implementation in the short term to relieve traffic through Wrecclesham especially given the additional traffic that will inevitably be generated by the development of the new Whitehill and Bordon new eco town.

**Reply:**

Surrey Highways officers have been in discussion with their counterparts in Hampshire and the transportation consultant for the development on measures to ameliorate any increase in traffic using the A325 through Wrecclesham which results from the Whitehall Borden ecotown. The development is expected to be implemented over a number of years and mitigation measures will concentrate on reducing the severance caused by the A325 and A31 Farnham Bypass, which would include signalisation of the mini roundabout at School Hill incorporating pedestrian red man/green man crossings and controlled pedestrians in both Wrecclesham Hill and on the the A31 at Red Lion Lane.

In the short term, the Local Committee for Waverley meeting on 15 March agreed to fund a speed management scheme for the A325 Wrecclesham Hill as part of its programme of minor improvement schemes for 2013/14.

**John Furey  
Cabinet Member for Transport and Environment  
26 March 2013**

**CABINET RESPONSE TO ENVIRONMENT AND TRANSPORT SELECT COMMITTEE AND COUNTRYSIDE TASK GROUP**

**COUNTRYSIDE MANAGEMENT TASK GROUP REPORT**

**RECOMMENDATIONS**

**Recommendation 1** – The Strategic Director for Environment & Infrastructure should review the contract between Surrey Wildlife Trust and Surrey County Council. This review should include:

- All aspects of the contract;
- The development and measurement of more clearly defined outputs that ensure value for money;
- A review of the governance arrangements;
- The development of a communication strategy to promote the benefit of the partnership arrangements to Members of the County Council and Surrey residents and;
- That the Environment & Transport Select Committee reviews the Countryside Estate's asset management plan at a future meeting.

**Timescale: report to Environment & Transport Select Committee – October 2013.**

**Recommendation 2** - The Strategic Director for Change & Efficiency reviews the management arrangements for the Council's Small Holdings and Farm Estate to ensure that they retain value and maximise economic returns.

**Timescale: report to Environment & Transport Select Committee – October 2013.**

**Recommendation 3** – The Strategic Director for Environment & Infrastructure reviews and refreshes the approach to rural and countryside partnership working. This review should include:

- A revised register of all partnerships within the County, setting out the purpose of each organisation and financial contributions and representation from the County;
- That this register is reviewed on an annual basis to ensure it continues to be relevant;
- That a culture of partnership (rather than direction) is encouraged and

fostered within the County, to encourage dialogue and facilitation between the Council and stakeholders and;

- That Surrey County Council actively engages with the (new) Surrey Nature Partnership, with the County representative on this body being the Cabinet Member for Transport & Environment.

**Timescale: report to Environment & Transport Select Committee – July 2013.**

**Recommendation 4** – The Strategic Director for Environment & Infrastructure reviews and refreshes the approach to the rural economy. This review should consider that:

- The County Council maintains policies, which enable residents to live and work in the rural community. This will require working with partners to facilitate both affordable housing and job opportunities (including apprentices);
- The County Council supports the development of the wood fuel industry in Surrey and encourages co-operation between the owners of smaller woods; and
- The County Council considers, where suitable, the prioritisation of the use of wood fuel in its own buildings, subject to approval of a business case.

**Timescale: report to Environment & Transport Select Committee – July 2013.**

**Recommendation 5** – The Strategic Director for Environment & Infrastructure reviews and refreshes the approach to tourism. This review should consider that:

- Specific management plans are created for iconic locations in Surrey;
- Where appropriate, the Olympic Legacy is used as a catalyst for key decisions; and
- Objectives are agreed with the AONB to reflect the strength and potential of the brand for Surrey.

**Timescale: report to Environment & Transport Select Committee – July 2013.**

## **RESPONSE**

I welcome the report of the Environment and Transport Select Committee and its task group and note their recommendations. The Cabinet Member will consider the task group recommendations early in the new Administration and make a detailed response at that time.

**Mr John Furey**

**Cabinet Member for Transport and Environment**

**26 March 2013**



**CABINET RESPONSE TO ENVIRONMENT AND TRANSPORT SELECT COMMITTEE**

**FROM REACTIVE TO PLANNED – A NEW APPROACH FOR HIGHWAY MAINTENANCE**

**SELECT COMMITTEE RECOMMENDATION**

That the recommendations set out in the New Strategy for Highways Maintenance report, be endorsed.

**RESPONSE**

It is acknowledged that the New Strategy for Highways Maintenance has been discussed in detail by the Select Committee and I welcome their endorsement of the recommendations.

Officers will continue to develop and implement processes to ensure adequate monitoring of the new strategy following introduction. This will also include putting in place an effective communications strategy. The recommendations will be introduced in phases during the forthcoming year, 2013/14.

**Mr John Furey**  
**Cabinet Member for Transport and Environment**  
**26 March 2013**

**CABINET RESPONSE TO CHILDREN AND FAMILIES SELECT COMMITTEE**

**REPORT OF THE SUPPORTING FAMILIES TASK GROUP**

**SELECT COMMITTEE RECOMMENDATIONS**

1. That the Cabinet approves the stated objectives of the Surrey Family Support Programme.
2. That the Cabinet asks that the Strategic Director of Children, Schools and Families provide clarity over how the objectives of the Surrey Family Support Programme relate to the wider objectives of the Directorate Public Value Programme.
3. That Cabinet reviews the outcomes for a sample of the families a year after completing the Programme.
4. That the Cabinet receives an analysis of the costs of families included within the Surrey Family Support Programme and projected savings to the public purse.
5. That the Cabinet encourages the Borough and District Councils to develop a mechanism for involving and raising the awareness of elected Members through local governance structures, including Local Committees.

**RESPONSE**

I would like to thank the Task Group for undertaking a very detailed and thorough investigation into the Family Support Programme as it was being developed with our public partner agencies. Officers have worked closely with the Task Group and as a result many of the ideas and proposals made by the Task Group were agreed and or anticipated as the new programme was developed.

The Surrey Family Support Programme is a new and innovative way for the Council to work with families with multiple and complex needs using a new model of joint working with partners. The programme will no doubt evolve as we learn what works best for the families in the programme and as we develop our working practice.

In response to the Task Group's five recommendations I have the following response:

1. I am pleased that the Task Group supports the objectives of the programme. These objectives will be agreed as part of my report to the Cabinet on the Family Support Strategy.
2. There was always an overlap between the work of the Family Support Programme (Troubled Families) and the Family Support work stream of the Children, Schools & Families Directorate Public Value Programme.

The reason for this is because both pieces of work are concerned with working with families and specifically families who present with a range of

needs across all family members. The task of the Family Support Programme was to put in place a programme of work to turn around the lives of over 1,000 families by 2015. That work programme is now established and will go live shortly.

The Public Value Programme is looking to develop innovative ways of working that will raise service quality, improve family outcomes and at the same time reduce the Children, Schools & Families budget by £40M by 2017.

In all likelihood the work of the Family Support Programme will have a great influence on the final recommendations of the Public Value Review which will in turn make some changes to the Family Support Programme. The Strategic Director for Children, Schools & Families will report later this year on the Public Value programme and address the issues raised regarding the relationship between the Family Support programme and the PVP work streams.

3. A key success measure of the Family Support Programme will be whether we can demonstrate that the programme has a lasting and sustainable impact on the families who take part. I am happy to agree that the Cabinet reviews the progress of the Family Support Programme and its impact on family outcomes including an examination of family outcomes one year after a sample of families leaves the programme.
4. The Government has made a strong case to suggest that this way of working with families with multiple and complex needs will save money for tax payers. Work is in hand to track the before and after Council costs of a sample of the families who join the programme and this will inform the future development of the programme.
5. Our partnership approach to the Family Support Programme will mean that in each borough and district there will be some local governance and scrutiny arrangements for the local programme and its outcomes. We will of course encourage borough and district councils to raise awareness of the programme with their elected members through these local arrangements. Local Committee chairman may decide to call in reports on the Troubled Families programme for their particular borough or district. This has already happened in Waverley and Spelthorne.

**Mrs Mary Angell**  
**Cabinet Member for Children and Families**  
**26 March 2013**

**COMMUNITIES SELECT COMMITTEE**

**Item under consideration: Scrutiny of Consultation for Epsom and Ewell and Reigate and Banstead Emergency Response Cover Locations**

**Date Considered: 21 March 2013**

At its meeting of 21 March 2013 the Communities Select Committee considered a report from the Fire and Rescue Service on the proposed changes to the emergency response cover in the boroughs of Epsom & Ewell and Reigate & Banstead. This issue had also to some extent been discussed at the Committee's meeting of 16 January 2013 as part of the item considering the progress of the Public Safety Plan.

The Communities Select Committee raised a number of issues to include:

- 1) clarity, information and justifications around the selection of new locations being considered;
- 2) public and member engagement during the consultation process;
- 3) impact of the changes on areas of deprivation and vulnerable residents;
- 4) impact of the changes on first and second fire engine response times.

The Committee acknowledged that the proposed changes were a response to West Sussex Fire and Rescue Authority's decision to relocate their fire engine based at Horley and terminate their agreement to provide cover in that area.

The Committee felt that the Service had invested considerable time considering alternative proposals to respond to this change.

The Committee recognised that the proposed changes did diminish the second fire engine response times in Epsom & Ewell, and some concerns were expressed about the impact this would have in the area. However, the Committee generally accepted that on average this borough would continue to have one of the best response times in the County. The Committee noted that the proposed changes would improve the cover and average response times in Reigate and Banstead. Therefore, the majority of the Committee felt that these proposals were an appropriate response to the changes in Horley as it provided equitable cover taking the County as a whole.

The recommendation to endorse the Service's proposals was voted on by the Committee. The majority of the Committee voted to endorse the proposals. There was one vote against the proposals. The Committee agreed to the recommendation to review the implementation plan for the proposed changes.

**Recommendation**

Communities Select Committee recommends that Cabinet approves the proposed changes to the emergency response cover in the boroughs of Epsom & Ewell and Reigate & Banstead.

**STEVE COSSER, Chairman of the Communities Select Committee**

**CABINET RESPONSE TO COMMUNITIES SELECT COMMITTEE**

**SCRUTINY OF CONSULTATION FOR EPSOM & EWELL AND REIGATE & BANSTEAD – EMERGENCY RESPONSE COVER LOCATIONS**

**SELECT COMMITTEE RECOMMENDATIONS**

The Communities Select Committee recommends that Cabinet approves the proposed changes to the emergency response cover in the boroughs of Epsom & Ewell and Reigate & Banstead.

**RESPONSE**

I am pleased to note that the Communities Select Committee recommends that Cabinet approves the proposed changes to the emergency response cover in the boroughs of Epsom & Ewell and Reigate & Banstead.

I was at the Select Committee with officers and responded to the issues raised during the meeting. In respect of the four specific points that have been raised, I will provide a further summary response.

**| Clarity, information and justifications around the selection of new locations being considered**

SCC Property Services are responsible for identifying and securing appropriate sites for the location of the new fire stations. Fire Officers are working with officers from Property Services on this matter and support has been offered by Reigate and Banstead Borough Council. When suitable sites have been identified and we are able, the necessary clarity and information will be provided. Any change of use will of course be subject to the usual planning permission process.

**| Public and member engagement during the consultation process**

As a result of the initial feedback received I agreed to extend the consultation to 12 weeks to ensure that there was sufficient opportunity for interested parties to have their say. The full consultation plan is available as an appendix to the consultation report but I can assure you it was thorough and every reasonable effort was taken to encourage participation.

**| Impact of the changes on areas of deprivation and vulnerable residents**

A significant amount of modelling and research has been undertaken in developing these proposals and the impact on vulnerable residents has been assessed through the EIA. This shows that, in Surrey, vulnerability from fire is not linked to deprivation but there appears to be a link with age, mobility and mental health issues. The Service are working closely with Adult Social Care colleagues to target those most at risk and provide them with the prevention and protection measures that can make a real difference to them. Indeed fire and rescue critical incidents can and do occur anywhere in the county and that is why we are making these changes to improve the balance of service provision across Surrey, which is an agreed outcome of the Public Safety Plan.

## **| Impact of the changes on first and second fire engine response times**

The Cabinet report and appendices provides more detail on the modelled impact of the changes on fire engine response times. Across Surrey, and specifically within Reigate & Banstead, the modelled average response time for the first fire engine improves and two-thirds of all incidents are resolved with only one fire engine in attendance. However, the biggest impact on life safety can be made through effective prevention and protection work, which supports our emergency response arrangements. The work with Adult Social Care to target vulnerable people to support them in their homes and the award winning *safe drive, stay alive* programme for young drivers are good examples of where we can make a positive difference.

**Mrs Kay Hammond**  
**Cabinet Member for Community Safety**  
**26 March 2013**

**CABINET MEMBER DECISIONS**

**MARCH 2013**

**(i) PETITION – HELICOPTER NOISE**

That the response attached at Appendix 1 be approved.

**Reasons for decision**

To respond to the petition.

(Decision of Cabinet Member for Transport and Environment –  
13 March 2013)

**(ii) LICENSING OF THE SURREY HILLS TRADEMARK TO SURREY HILLS ENTERPRISES COMMUNITY INTEREST COMPANY**

1. That the Trademark be licensed to Surrey Hills Enterprises to use commercially for an initial period of three years at no cost, and to be reviewed at the end of that term.
2. That the final wording of the Trademark licence be agreed by officers and signed off by the Cabinet Member for Transport and Environment
3. That the Trademark be licensed to the Community Interest Company (CIC) once the Head of Legal Services has advised that the CIC is properly established and the Area of Outstanding Natural Beauty (AONB) Board have approved the licence.

**Reasons for decision**

The Surrey Hills AONB Board and the County Council are keen to see the Surrey Hills Trademark developed into a significant brand for Surrey, to support businesses in the County and to encourage visitors. The CIC has the ability to trade freely and can therefore sub licence the Trademark and generate an income and as the company has a community interest that income has to be used for the purposes set out in the CIC Memorandum and Articles of Association. In addition, the CIC has an asset lock whereby anything transferred into the company has to be retained by the company for the community interest.

This will help develop the Surrey Hills brand, help promote local businesses and allow the income to be used to fund activities in the Surrey Hills that deliver the AONB management plan. The licence will only be for three years initially to see how it works and ensure that all parties are getting the expected benefit from the Trademark.

(Decision of Cabinet Member for Transport and Environment –  
13 March 2013)

**(iii) A PROPOSAL TO RELOCATE PORTESBURY SPECIAL SCHOOL, CAMBERLEY FROM ITS CURRENT LOCATION TO A NEW SITE AND TO INCREASE THE CAPACITY OF THE SCHOOL FROM 70 TO 105 PLACES**

1. That the proposal be implemented and Portesbury Special School be relocated to the old Blackdown Primary School site and expanded from 70 to 105 places.
2. That officers prepare a full planning application to be considered by the Planning Authority and that the proposal be implemented subject to the agreed budget set by Cabinet.

**Reasons for decision**

The current site and buildings are deficient and a solution has been required for some time. The consultation showed that there is strong support from the school, Governors and the local community on this proposal. Now that a suitable site has been identified that is acceptable to both the school and parents, the Local Authority should seek to proceed with the proposal to and to seek planning approval on the scheme.

(Decision of Cabinet Member for Children and Learning – 13 March 2013)

**(iv) TO DETERMINE A PROPOSAL TO EXPAND ESHER COFE (VC) HIGH SCHOOL**

1. That the school be enlarged by 2 forms of entry (from 6 FE to 8 FE).
2. That the school undertakes a building remodelling programme on its present site managed by Surrey County Council. This will add teaching accommodation and improve the use of space on campus and enable the school to accommodate 1200 students (PAN 240).
3. That this expansion be effective from 1 September 2015.

**Reasons for decision**

Esher High is a popular school and successful which delivers a high quality education. It was rated by OFSTED at its last inspection (Nov 2009) as an outstanding school. It also holds a number of awards and is recognised as a National Teaching School, a National Support School and a Lead school for educating Gifted and Talented students. The provision of additional places at Esher High meets the government's policy position to expand successful schools in order to meet parental preferences.

(Decision of Cabinet Member for Children and Learning – 13 March 2013)



**(v) PROPOSED EXPANSION OF ST MARTIN'S COFE VA INFANT AND JUNIOR SCHOOLS, EPSOM**

1. That the admission for St Martin's Infant School be approved as 3 FE from September 2014
2. That the admission for St Martin's Junior School be approved as 3 FE from September 2017
3. That additional accommodation be built at both schools and a suitable travel plan be agreed.

**Reasons for decision**

There is an immediate requirement for more primary school places in Epsom which is evidenced by data. This proposal to expand two popular and successful schools is in response to this need and the additional places will benefit local parents and children.

(Decision of Cabinet Member for Children and Learning – 13 March 2013)

**(vi) CHARLWOOD INFANT SCHOOL: CHANGE TO A PRIMARY SCHOOL - DECISION**

- (1) That Charlwood Primary School would decrease its Published Admission Number from 30 to 15 on 1 September 2013.
- (2) That no Year 2 children would remain on roll at Charlwood Primary School, but would continue to progress to other schools for their junior education.
- (3) That the school would become a restricted age primary school.
- (4) That Charlwood Primary School would extend its age range by 1 year on 1 September 2016.
- (5) That Charlwood Primary School would then extend its age range by 1 year each year until 1 September 2019, when it would become an all-through primary school.

**Reasons for decision**

Additional junior places in the area are necessary. The expansion of Charlwood Infant School would increase parental certainty of progression for their children and provide effective long-term provision to meet the needs of local children, promoting high standards, ensuring fair access to educational opportunity, and promoting the fulfilment by every child of their educational potential.

(Decision of Cabinet Member for Children and Learning – 13 March 2013)

**(vii) SERVICES FOR YOUNG PEOPLE: LOCAL PREVENTION COMMISSIONING 2013 - 2015**

1. That the allocation of £8,500 to Personalised Prevention be approved
2. That the local needs specification as set out in Annex A of the submitted report, be considered by providers focusing on the identified needs of Epsom & Ewell and the geographical neighbourhoods prioritised by the Youth Task Group be approved.

**Reasons for decision**

1. The Youth Task Group was set up by the Local Committee for the purpose of advising the Local Committee in relation to youth issues, with particular reference to prioritising needs in respect of SCC Services for Young People resources devolved to the Local Committee. The Task Group has identified key priorities for Epsom & Ewell to prevent young people becoming Not in Education, Employment or Training (NEET). This report brings forward recommendations from the Task Group on how the local commissioning resource should be targeted.
2. The recommendations focus on key geographical neighbourhoods and community priorities. However the Task Group agreed that there should be borough-wide access to any commissioned services. Following a workshop the Task Group discussed and agreed key risk factors for Epsom & Ewell and these were used to produce a local specification for the Local Prevention Framework for 2013-15 as set out in Annex A of the submitted report.
3. Following agreement of the Cabinet Member for Community Safety, proposals to address the identified priority areas and risk factors will be sought from providers. The Commissioning and Development team will create a short-list of bids for consideration of the Task Group. The Task Group will then consider the shortlist before final proposals for award of grant(s) are brought to the Cabinet Member for Community Safety. The commissioned services would then commence on 1 September 2013.

(Decision of Cabinet Member for Community Safety – 15 March 2013)

**(viii) ABBEY BARN TRUST**

That the cash currently held by the council, plus the proceeds from the sale of investments in full be transferred to the Community Foundation for Surrey, so they are able to utilise the funds through the Runnymede Community Fund Panel and the young people of Runnymede are able to utilise the funds.

**Reasons for decision**

The County Council is confident that the Community Foundation for Surrey is a very suitable vehicle to distribute long term funds in the form of grants to the young people in Runnymede. This will be with full involvement of local people, is in line with the intentions of the original trust and value for money as additional funds will be generated to support the bequest.

(Decision of Cabinet Member for Community Safety – 15 March 2013)

**RESPONSE TO PETITION CONCERNING HELICOPTER NOISE**

**The Petition**

“We the undersigned petition Surrey County Council to help stop excessive helicopter noise over the county from non essential flights.”

Submitted by Mr Andy Lush  
Signatures: 241

Further details from petition creator:

Surrey is regularly overflowed by noisy commercial and private helicopters, causing serious environmental health issues. The Civil Aviation Authority will not act. The vast majority of these flights are non-essential leisure and commuting trips. Affected residents in Surrey have had enough. We call on Surrey County Council to raise this issue at the highest level, and insist on protection for its residents from this extremely unpleasant and intrusive noise pollution.

**Response**

Firstly I would like to thank Mr Lush and the residents who signed the petition for raising this issue. The Council fully supports residents' rights to the peaceful enjoyment of their homes free from excessive noise pollution and recognises the concerns felt by those affected by aircraft noise.

The Council recognises the deficiency of the current regulatory framework and shares the petitioner's concern that this is an area which requires action at a national level. In this response I will set out the action which the Council is pursuing both to see strengthened controls over aircraft noise pollution, including helicopters, at a national level and measures which could be taken at a local level to help address local issues in Surrey.

**The national picture – current regulations**

Whilst there are regulations surrounding safety issues associated with helicopter flights, there are currently few controls over their noise. The main safety regulations regarding helicopters are incorporated within the Rules of the Air Regulations (2007), which form part of the Air Navigation Orders (2009). Safety regulations include:

- The 500 feet rule - Except with the written permission of the CAA, an aircraft shall not be flown closer than 500 feet to any person, vessel, vehicle or structure.
- The 1,000 feet rule - Except with the written permission of the CAA, an aircraft flying over a congested area of a city town or settlement shall not fly below a height of 1,000 feet above the highest fixed obstacle within a horizontal radius of 600 metres of the aircraft.  
(Police helicopters are exempted from both the 500 feet and 1,000 feet rules).

The Civil Aviation Authority (CAA) is the organisation that deals with helicopter noise complaints. Helicopters flown according to the 'Rules of the Air' are given immunity from controls in relation to noise under the Civil Aviation Act 1982, the Air Navigation Regulations and the Environmental Protection Act 1990.

*Section 76 of the Civil Aviation Act 1982: "No action shall lie in respect of trespass or in respect of nuisance, by reason only of the flight of an aircraft over any property at a height above the ground which, having regard to wind, weather and all the circumstances of the case is reasonable, or the ordinary incidents of such flight, so long as the provisions of any Air Navigation Order... [broadly, the regulations governing licensing, air-worthiness, rules of the air and air traffic control] have been duly complied with."*

There are specific restrictions for helicopters flying in the London and London City Control Zones. Single-engine helicopters are required to fly along designated routes; multi-engine helicopters can travel on more direct routes. Outside of these areas and Air Traffic Controlled airspace, helicopters are free to fly routes in accordance with the height restrictions set out above.

Further details can be found in the attached SASIG paper "The Impact of Helicopters". Also attached is a copy of Civil Aviation Authority report on planning controls - Helicopter Activity and Private Landing Sites.

#### The national picture – lobbying for change

Surrey County Council is a member of SASIG, the Strategic Aviation Special Interest Group of the Local Government Association. SASIG is a national group of local authorities with an interest in strategic aviation issues. These local authorities comprise a population of around 12 million people, over a fifth of the total population of England.

Surrey County Council works through SASIG to coordinate with other Local Authorities in a strategic manner on national aviation policy so as to reconcile economic, social and environmental issues.

In March 2011, the Government launched a scoping exercise towards developing a new sustainable policy framework for UK aviation. The Council and its partners in SASIG used this opportunity to call on the Government to include helicopter noise in the aviation framework as follows:

*"Helicopter activity should be included in a new noise management regime, to address the associated impacts. Impacts from helicopter flights are related to the fact that the craft are flown using visual reference to the layout of buildings, transport routes, open spaces, etc. on the ground ('visual flight rules'), i.e. not along any predefined routes; the craft tend to be flown at lower altitudes than aircraft; and helicopters have specific noise characteristics."*  
(Par. 6.10, pg.25)

Following the initial scoping exercise, the Government launched a consultation on its draft aviation policy framework in June 2012. The consultation included the following information in relation to helicopter noise:

- 4.90 *We received a number of responses on the subject of helicopter noise, particularly in London. Unlike commercial aircraft, helicopters do not fly very high and therefore their noise has the potential to impact on people living along the entire length of their flight path. This means that in an area which experiences a concentration of helicopter movements, there is scope for considerable disturbance. Many people have commented on the relatively greater annoyance from helicopter noise.*
- 4.91 *Helicopters must meet internationally agreed noise standards prior to the issue of a Certificate of Airworthiness. While it is possible to regulate airports and aerodromes, in many cases helicopters may not use these facilities. Helicopters are subject to Rules of the Air Regulations, which require minimum heights to be maintained, but there are no restrictions on helicopter movements within uncontrolled airspace. Within the London area, single engine helicopters are required to follow certain routes, though these are designed for safety rather than noise purposes. We would encourage NATS and the CAA to look at these issues overall, as well as in the context of work to review London airspace and we will consider how to address noise from helicopters in our review of the 2002 guidance.*

The consultation ran until 31 October 2012. SASIG again took this opportunity to lobby for the inclusion of measures to address helicopter noise impact in the proposed legislation. SASIG's response to the consultation and the report informing its comments, setting out the regulations for helicopters and the community impacts and focusing on noise and controls, are attached to this response.

The Government's approach to the management of noise from general aviation and helicopters has been that it is not appropriate for the Government to intervene. The Government maintains the stance that local environmental issues are best resolved at a local level where possible.

SASIG does not agree that there are sufficient local powers for adequate local resolution of noise from general aviation and helicopters. SASIG has therefore called for the application of the Secretary of State's 'section 5 power' (Civil Aviation Act 1982), placing a duty on an aerodrome operator to have regard to the need to minimise adverse effects on the environment.

The Government should also take a proactive approach to reducing the impact of helicopters by using incentives to phase out noisier helicopters. In order to encourage newer and less noisy types of helicopters SASIG believes it is necessary to reduce the noise standard from the current level of 81 dB(A). In general, in seeking to reduce the number of older and noisier helicopters, the Government could use incentive/disincentive schemes to encourage phasing out of these helicopters.

SASIG has also lobbied for the development of a system of monitoring helicopter movements across additional areas of the UK and not just London. Currently, the CAA only monitors helicopter movements in London. In order to understand and quantify the impacts of helicopters in the UK, it is necessary to undertake more effective monitoring of helicopter movements across the UK and not just in the London Control Zone.

SASIG has called on the Government to recognise the role of heliport consultative groups in establishing local regulations to reduce impacts on communities and involve them and other groups in the development of legislation to address helicopter noise.

In addition to lobbying through SASIG, Surrey County Council also submitted its own separate response to the Government consultation on its draft aviation policy framework which directly addressed the issue of helicopter noise and shows the seriousness with which the Council takes this matter. The Council's response, which is set out in the attached letter (see questions 12, 20 and 21), included the following views:

*Unlike commercial aircraft, helicopters do not fly very high and therefore their noise has the potential to impact on people living along the entire length of their flight path. This means that in areas which experience a concentration of helicopter movements, there is scope for considerable disturbance. There is much feedback from the public in Surrey on helicopter noise and the relatively greater annoyance this causes. Policies included in the Framework to address this issue would be most welcome.*

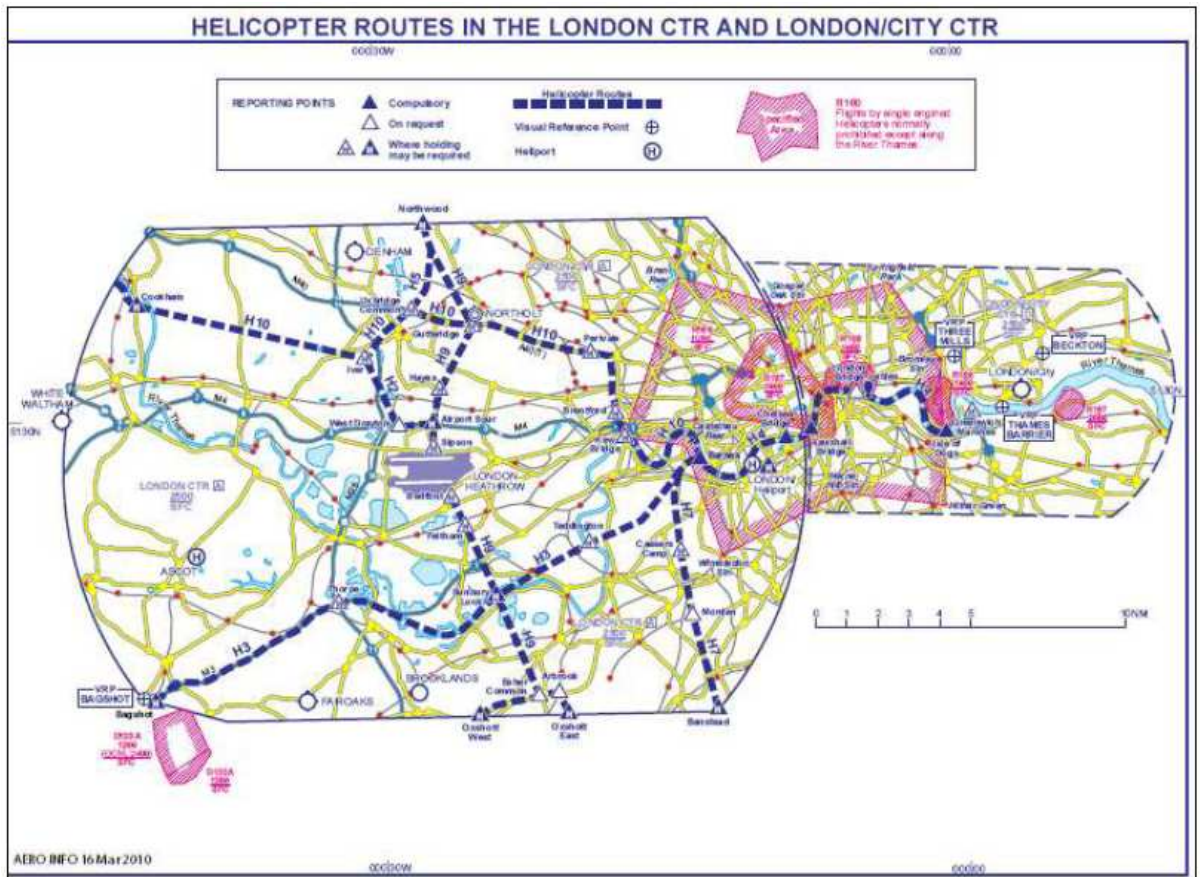
*Legislation should be introduced to address helicopter noise and to extend the movement restrictions applicable to London. Permitted development rights for landing areas could be removed. The current exemption with regard to helicopter noise in the Environmental Protection Act 1990 could be revised.*

The Government's response to the consultation and details of any proposed legislation is currently awaited. The petitioner will be advised of the response once received. Surrey County Council will continue to lobby both through SASIG and directly to promote the need for long-term, sustainable aviation policies that lead to a reduction in the environmental impact of aviation whilst securing appropriate social and economic benefits.

#### Local context – issues raised by the petition

In addition to continuing to lobby for effective controls on the adverse impacts of helicopter noise, the Council has also worked with partners at a local level to examine some of issues affecting Surrey residents.

An analysis of the location of signatories to the ePetition has shown that the majority reside in the north of the county and, in particular, grouped parallel to the boundary with London. This coincides with the alignment point of one of the main routes for helicopter flights into London (route H7 on the map below).



Further investigation, including work carried out into this issue by the London Heliport Consultative Committee, has pointed to one of the significant contributing factors to the complaints being leisure and social helicopter flights from Surrey airfields, particularly Redhill Aerodrome, lining up with the entry point to the set entry route to London over specific areas in the north of the county. This traffic ‘funneling’ leads to a number of flights taking place over the same areas and, therefore, often affecting the same residents disproportionately. This situation is added to by the presence of key racing events (Epsom Derby etc) in the area which can lead to significant additional number of helicopter flights at certain times of year.

I commend the steps already taken by the operator of Redhill Aerodrome to advise pilots using its airfield of the issues experienced by residents (attached). The aerodrome operator has asked its pilots to adhere to voluntary measures, including travelling at additional height and re-routing away from areas where complaints have been reported, to improve the situation for those residents affected. I will be contacting the aerodrome operator’s consultative committee to see if there are other ways to improve the sharing and effectiveness of this advice with the aerodrome’s users. Also, as a matter of local concern, I will be copying in the Local Committee Chairmen for the affected areas. They will be able to consider how best to take any local issues forward with their Borough and District colleagues at a future date.



### Monitoring and reporting

Having considered the ways in which the Council is working at both the national and local levels on this issue, it is worth noting the positive direct role which local residents can play. In addition to the complaint reporting which can be made via the CAA, the operator of Redhill Aerodrome has put in place local arrangements for the public reporting of aircraft noise issues (<http://www.redhillaerodrome.com/index.php/flying-complaint>). The aerodrome operator has shown a willingness to engage with the local community to address issues which have been raised and I urge residents who feel they have been affected to make use of those reporting arrangements. Such reports can be most effective when they include any details the resident might have about the aircraft/helicopter involved, the time and location of any instances and contact details for any follow up questions.

The aerodrome consultative committee receives regular reports on the noise complaints which have been submitted. If residents engage with the aerodrome operator it should be possible to identify if part of the problem does originate with these flights and whether or not voluntary measures are proving successful in encouraging pilots to fly with additional consideration of the potential impact on residents. Should it be discovered that there is another identifiable source of helicopter traffic affecting the area, then the same arrangements could also be used.

I hope residents will support the measures being taken at both the national and local level to address their concerns.

**Mr John Furey**  
**Cabinet Member for Transport and Environment**  
**13 March 2013**

**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**

**32/13 APOLOGIES FOR ABSENCE [Item 1]**

There were no apologies for absence.

**33/13 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.

**34/13 DECLARATIONS OF INTEREST [Item 3]**

There were no declarations of interest.

**35/13 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.

**36/13 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.

**37/13 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.

**38/13 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.

**39/13 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.

**40/13 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.

#### **41/13 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.

#### **42/13 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.

**43/13 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

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**Chairman**



## CABINET – 23 APRIL 2013

## 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**

<b>Question (2) from Dr Andrew Povey (Waverley Eastern Villages)</b>
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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**

<b>Question (2) from Ms Tara Rutt, Caterham</b>
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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**

<b>Question (3) from Mr Colin Terry, Horley</b>
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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**

<b>Question (5) from Keya Ashraf, Claygate</b>
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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)*