

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON 26 NOVEMBER 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)	*Mr John Furey
*Mr Peter Martin (Vice-Chairman)	*Mr Michael Gosling
*Mrs Mary Angell	*Mrs Linda Kemeny
*Mrs Helyn Clack	*Ms Denise Le Gal
*Mr Mel Few	*Mr Tony Samuels

Cabinet Associates:

*Mr Steve Cosser	*Mrs Kay Hammond
*Mrs Clare Curran	*Mr Mike Goodman

\* = Present

**PART ONE**  
**IN PUBLIC**

**198/13 APOLOGIES FOR ABSENCE [Item 1]**

There were no apologies.

**199/13 MINUTES OF PREVIOUS MEETING: 22 AND 30 OCTOBER 2013 [Item 2]**

The minutes of the meetings held on 22 and 30 October 2013 were confirmed and signed by the Chairman.

**200/13 DECLARATIONS OF INTEREST [Item 3]**

There were none.

**201/13 PROCEDURAL MATTERS [Item 4]**

**(a) MEMBERS' QUESTIONS [Item 4a]**

**(b)**

Five questions had been received from Members. The questions and responses were tabled and are attached as Appendix 1. (N.B. The Annexes for the response to question 4 have been published under item number 4 on the agenda page)

Mrs Watson asked the following supplementary questions:

She requested a copy of the agreement between Surrey County Council and the Mayor of London's office, which confirmed that the Prudential RideLondon cycle event would take place in Surrey for five years, starting in 2013. The Leader of the Council informed her that this had been a verbal agreement between himself and the Mayor of London.

She also said that a previous response from Cabinet in September 2013 had said that the cycle events had incurred no direct costs for the County Council but the response to question (4) today had set out costs for the Tour of Britain 2012 and 2013. The Leader of the Council responded by stating that the answer provided in September only referred to the Prudential RideLondon event which had not incurred direct costs to the County Council.

#### **202/13 PUBLIC QUESTIONS [Item 4b]**

One question has been received from members of the public. The questions and responses were tabled and are attached as Appendix 2.

Mr Crews asked the following supplementary question:

'Paragraph 48 of the report to the Cabinet on 30/10/13 states: 'Deloitte anticipate formally confirming that there is no material difference between Option 1 and Option 2 based only on financial analysis.

I now understand Option 1 means delivery of the Eco Park within the Waste PFI contract. Option 2 means termination of the Waste PFI contract and delivery of waste disposal by SCC through third party arrangements.

Paragraph 11 of the report to the Cabinet on 23/07/13 states that this Option 2 is £78m more than Option 1 where the £78m is a net present value over 25 years.

How can a difference of £78m in July become no material difference in October? Please could the answer be given in writing and expressed in qualitative terms to overcome the fact that no cost information can be released to the public.'

The Leader of the Council agreed to respond in writing to Mr Crews supplementary question.

#### **203/13 PETITIONS [Item 4c]**

No petitions were received.

#### **204/13 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]**

No representations were received.

#### **205/13 REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]**

There were none.

## **206/13 YOUTH JUSTICE STRATEGIC PLAN [Item 6]**

The Cabinet Member for Children and Families informed Members that the Council had a duty under the Crime & Disorder Act 1998 to formulate a Youth Justice Plan setting out: (i) how youth justice services in their area were to be provided and funded; (ii) how the youth offending team or teams established were to be composed and funded, (iii) how they were to operate and what functions they were to carry out.

She said that she hoped that Cabinet would agree the Youth Justice Strategic Plan today so that it could then be approved at the County Council meeting on 10 December 2013.

She also said that in Surrey, the delivery of youth justice services was now embedded within the integrated Youth Support Service, following the transformation of Services for Young People that commenced 1 January 2012.

She highlighted the key achievements of the service in Surrey (as set out in paragraph 2 of the report) and made particular reference to Surrey's restorative justice programme, which was nationally recognised.

She also confirmed that the Plan identified five (and not six) areas of risk.

Other Cabinet Members commented on the report and were very supportive of the work of the service and fully endorsed the Youth Justice Strategic Plan.

The Leader of the Council suggested that the Cabinet Member for Children and Families wrote to Chris Grayling, the Justice Secretary informing him of the notable achievements of Surrey's youth justice partnerships.

Finally, she thanked Mrs Hammond, who had previously had responsibility for youth justice in her previous portfolio.

### **RESOLVED:**

Following finalisation of the Plan by all our partners, to recommend to Council the approval of the Youth Justice Strategic Plan.

### **Reasons for Decisions:**

The council has a duty under the Crime & Disorder Act 1998 to formulate a Youth Justice Plan setting out:

- how youth justice services in their area are to be provided and funded; and
- how the youth offending team or teams established are to be composed and funded,
- how they are to operate and what functions they are to carry out.

## **207/13 SURREY FIRE AND RESCUE SERVICE (SFRS) PUBLIC SAFETY PLAN UPDATE [Item 7]**

The Cabinet Associate for Fire and Police Services was invited to present this report and began by congratulating the Chief Fire Officer and his staff for their professional approach at this difficult time – this was endorsed by the Cabinet.

She said that all Fire and Rescue Services were facing a changing demand and must adapt to provide more effective and efficient services.

After extensive consultation in 2010, Surrey Fire and Rescue Service had established a long term plan, the Public Safety Plan 2011-2020, which the service proposed to update and develop to ensure it took account of new information including the census data and intelligence regarding the changing environment, national and local demands.

She considered that Surrey County Council was at the forefront of planning for the future and commended the revised recommendations (tabled at the meeting) to Members.

### **RESOLVED:**

1. That a review of the Public Safety Plan 2011- 2020 be endorsed.
2. An updated draft Public Safety Plan be agreed by Cabinet in October 2014, prior to public consultation.

### **Reasons for Decisions:**

SFRS continues to modernise and adapt to changing demands and the community risk profile. With central government considering Sir Ken Knight's Review, the increasing challenges around public spending, transformational collaborative working opportunities and our Medium Term Financial Plan (MTFP) targets, it is the right time to develop the PSP further.

## **208/13 SPECIALIST RESCUE AND CONTINGENCY CREWING EXTENSION [Item 8]**

The Cabinet Associate for Fire and Police Services was also invited to present this report and said that it provided a summary of activity and effectiveness of the private sector professional specialist rescue and contingency crewing (SRCC) pilot contract. The report also highlighted the positive impact of the contract through the current period of on-going industrial action by the Fire Brigades Union and provided clear evidence that the Cabinet had made the right decision in awarding this contract in October 2012.

She said that the report sought permission to extend the contract pilot period to March 2015, with a break clause at 31 May 2014, in order to undertake a full evaluation of the pilot and ensure that new opportunities could be fully assessed.

Finally, she drew attention to both revised recommendations, tabled at the meeting, and the confidential part 2 annex (item 15) which set out the financial information pertaining to this report.

**RESOLVED (as amended):**

1. That the current pilot contract for the provision of specialist rescue and contingency crewing capability be extended to 31 March 2015 with a break clause at 31 May 2014 to ensure suitable long term funding has been identified.
2. That the outcome of the Specialist Rescue and Contingency Crewing Review be presented to a future Cabinet meeting.

**Reasons for Decisions:**

1. SFRS has utilised the contingency crewing element of the contract during all periods of industrial action - this identified that the contractors are able to meet the minimum criteria established in the contract and have capacity to provide additional resources on request.
2. The additional capacity and flexibility provided by the SRCC contract offers potential to provide better value for money in a number of aspects of service delivery pertaining to SFRS, blue-light partners and other agencies. However, it is suggested that the current industrial action makes this an inappropriate time to take a long term decision on the SRCC arrangements, the benefits of which can be more fully assessed once the series of strike actions have concluded.
3. The Service intends to review and refresh the Public Safety Plan taking account of new information and government guidance. The recommendation will enable this activity to be completed prior to a decision on the future of the Specialist Rescue and Contingency Crewing contract, ensuring that the specification can take full account of SFRS requirements.
4. SFRS is therefore requesting approval from Cabinet to further explore these options by extending the current contract to 31 March 2015. The Service proposes to present the full year evaluation and proposals for consideration by Cabinet prior to the expiration of this extension.
5. The confidential annex (item 15) details the effects required and delivered through the contract.

**209/13 REGULATION OF INVESTIGATORY POWERS ACT 2000 - UPDATED CORPORATE POLICY AND PROTOCOL [Item 9]**

The Cabinet Member for Community Services requested that Cabinet endorsed an updated Corporate Policy and Protocol on the use of the Regulation of Investigatory Powers Act 2000 (RIPA) by council services.

She said that the proposed policy provided an updated framework to ensure that the Authority continued to comply fully with the requirements of RIPA following the coming into force of the Protection of Freedoms Act 2012 and took account of the changes in the structure of the Trading Standards Service.

She referred to examples set out in the report, detailing how/why the powers may be used and also said that both the previous and proposed policy and protocol on the Regulation of Investigatory Powers Act had been attached as Annexes to the report.

Finally, she drew attention to the comprehensive Equalities Impact Assessment attached to the report.

The Cabinet Member for Assets and Regeneration Programmes said that he was pleased that it was now a statutory requirement for all application to be considered by a Justice of the Peace.

#### **RESOLVED:**

Following statutory introduction of approval from a Justice of the Peace, that the proposed new Corporate Policy and Protocol on the application of the Regulation of Investigatory Powers Act 2000, (as set out in Annex 2 to the submitted report), be endorsed.

#### **Reasons for Decisions:**

The introduction of a new Corporate Policy and Protocol will provide an updated framework to ensure that the authority continues to comply fully with the requirements of RIPA. It will maintain existing controls and the external audit regime and implement the additional statutory requirements of the Protection of Freedoms Act 2012.

### **210/13 BUDGET MONITORING REPORT FOR OCTOBER 2013 [Item 10]**

The Leader of the Council presented the council's financial position at the end of period 7 (October) of the 2013/14 financial year and focused his introductory comments for this budget monitoring report around the four core elements of the Council's financial strategy:

- Balance the 2013/14 revenue budget
- Reduce reliance on council tax and government grants
- Continuously drive the efficiency agenda
- Continue to maximise our investment in Surrey.

On the Revenue Budget, he highlighted the following points:

- The financial position at the end of October seemed to be progressing well through continuing achievement of efficiencies and service reductions in the face of growing demand for our services.
- The forecast end of year position for all services was balanced.
- The Council budget prudently provided a £13m risk contingency (to mitigate the risk of non delivery of service efficiencies) and there were no plans to use this contingency. This meant that the overall year end forecast is also a £13m underspend.

He also said that reducing reliance on government grants and council tax was key to the Council's ability to balance the budgets in the longer term. One of the projects to help achieve this was the Revolving Infrastructure and

Investment Fund. By year end it is forecast that over £28m would have been invested, which would generate net income of £800,000 and over the medium term, the net income would be re-invested into the fund to support its further growth.

In relation to the efficiency agenda, he made the following comments:

- That the revenue budget required total efficiencies of over £68m - services were making good progress in delivering these and the current forecast for the full year was £63m.
- That one third of Adult Social Care's demanding (£46m) savings requirement relied on the success of the policy to maximise use of social capital through friends, family and community. Given the scale of innovation and challenge in the first year of these ambitious plans, it was unsurprising that there had been slippage. To cover this, Cabinet had approved draw down of £7.5m available from the Whole Systems funding.

On continuing to maximise investment in Surrey, he said that:

- The council's capital programme not only improved and maintained the Council's service delivery, it was also a way of investing in Surrey and of generating income for the Council.
- The 2013/14 capital programme had been reviewed at the start of the year and a small number of schemes reprofiled. The current forecast was that service capital budgets would underspend by under £11m. This was largely due to delays with planning issues and archaeological finds. However, the underspend had been offset by bringing other projects forward where possible.

Other Cabinet Members were invited to highlight the key points and issues from their portfolios, as set out in the annex to the report.

#### **RESOLVED:**

Cabinet noted the following:

1. The forecast revenue budget for 2013/14 is balanced on services, adding the unused £13m risk contingency brings this to £13m overall underspend, as set out in the Annex (paragraph 1) of the submitted report.
2. The forecast ongoing efficiencies and service reductions achieved by year end, as set out in the Annex (paragraph 63) of the submitted report.
3. The forecast capital budget position for 2013/14, as set out in the Annex (paragraphs 67 to 71) of the submitted report.
4. The management actions to mitigate overspends, which appear throughout the submitted report.

The following resolutions be approved:

5. Contributions to reserves:

- £2.8m creditor write-off transfer to the Budget Equalisation Reserve, as set out in the Annex (paragraph 46) of the submitted report.
- £3.5m waste PFI grant transfer to the Eco Park Sinking Fund Reserve, as set out in the Annex (paragraph 48) of the submitted report.
- £1m interest rate rise contingency transfer to the Interest Rate Risk Reserve, as set out in the Annex (paragraph 49) of the submitted report.

6. A virement of £2.0m of Dedicated School Grant (DSG) be distributed into the follow areas: Services for Young People (£0.8m) and Schools and Learning (£1.2m) (Appendix - paragraph App.3 to App.6 of the submitted report).

7. A virement of £2.0m of Dedicated School Grant (DSG) be held as a risk budget and delegated to the Assistant Director of Schools and Learning to allocate appropriately (Appendix - paragraph App.3 to App.6 of the submitted report).

**Reasons for Decisions:**

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

**211/13 SURREY INTEGRATED COMMUNITY EQUIPMENT SERVICES (ICES)  
[Item 11]**

Surrey County Council with Surrey NHS Clinical Commissioning Groups (CCGs) provided approximately 28,000 people in Surrey last year with items of equipment to assist them to live as independently as they would wish, either because they are living with a long term condition or are recovering from illness or accident. The provision of equipment was a statutory service and was called ICES (Integrated Community Equipment Service).

Following a robust tender process, the current contract for ICES was awarded to Millbrook Healthcare to begin 1 April 2009 on the basis of a five year term until 31 March 2014, with options for two additional years.

The service provided by Millbrook Healthcare for the initial five years has been to a very high standard: the number of people receiving a service annually has increased; the proportion of equipment deliveries completed to timescale is 99%; the number of complaints was low, 0.3-0.4% of 2,800 activities each month.

The service was joint funded with the Surrey CCGs who had agreed to an initial one year extension.

The Cabinet Member for Adult Social Care asked Members to agree the optional extension period of up to 2 years: one year until 31 March 2015 with joint funding confirmed by the Surrey CCGs; with the option to extend for a final year until 31

March 2016 subject to continued best value, acceptable performance by the contractor, and confirmed funding from the Surrey CCGs.

Cabinet considered that Millbrook Healthcare had provided an excellent service and were fully in support of this contract.

**RESOLVED:**

That the current five-year contract for the Integrated Community Equipment Service, which commenced April 2009 and expires 31 March 2014 with Millbrook Healthcare, be extended for a further one year period until 31 March 2015, with the option to extend for a final one year period until 31 March 2016, as set out in the original Official Journal of the European Union (OJEU) notice and in the current contract with Millbrook Healthcare.

**Reasons for Decisions:**

Millbrook Healthcare has consistently provided very high levels of service for the duration of this contract and has worked proactively to look for innovative solutions to improving service delivery and financial savings.

The service provided by Millbrook Healthcare for the duration of the current contract has been to a very high standard, with an open book approach to the development of innovative solutions, improved service delivery and financial savings. Over 99% of all deliveries of equipment are completed within the specified time period; stock control for the peripheral stores in the major acute hospitals is excellent; joint initiatives are regularly undertaken, for example in identifying equipment for collection and recycling, and in running training programmes for the 1200 prescribers across health and social care.

In order to respond to increasing demand and reducing resources, a whole systems review of all types of equipment and building adaptations is being undertaken. ICES forms a central core of this agenda, and potentially has links to many other equipment related services. An extension of 1 + 1 year of ICES will enable the review to be completed, and service specifications developed for a more integrated and personalised service.

An extension will allow a review of the potential for future collaboration with neighbouring authorities, who are planning to tender during 2014/15.

Rejection of a contract extension for 2014/15 would require an immediate re-tender for a steady-state service. Due to the wider Whole Systems review, an ICES re-tender would only be for a short-term contract, which would be seen as unattractive to the marketplace, with large set-up costs for the supplier.

A contract extension would bear no additional cost to Surrey County Council in year 1 above that already budgeted. The Medium Term Financial makes allowances for the cost of ICES for each of the years of the proposed extension. ICES is funded jointly with the Surrey NHS CCGs, on a 50:50 basis within a section 75 pooled fund agreement. Surrey CCGs have agreed to a potential one year extension, but are not yet in a position to consider the possibility of a second year.

**212/13 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 12]**

**RESOLVED:**

That the decisions taken by the Leader, Deputy Leader and Cabinet Members since the last meeting, as set out in Annex 1 to the submitted report, be approved.

**Reasons for Decisions:**

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

**213/13 EXCLUSION OF THE PUBLIC [Item 13]**

**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.

**214/13 SURREY INTEGRATED COMMUNITY EQUIPMENT SERVICES (ICES) [Item 14]**

This item was the confidential annex for Surrey Integrated Community Equipment Services (item 11). The Cabinet Member for Adult Social Care advised Cabinet that the County Council's commitment for the second year of the contract would be dependent on the position taken by the Clinical Commissioning Groups.

**215/13 SPECIALIST RESCUE AND CONTINGENCY CREWING EXTENSION [Item 15]**

This item was the confidential annex, which detailed the Financial and Value for Money implications for the Specialist Rescue and Contingency Crewing contract extension (item 8). Members were asked to note the S151 officer's comments.

**216/13 FUTURE GOV INVESTMENT PROPOSAL [Item 16]**

This report was withdrawn from this meeting.

## **217/13 PROPERTY TRANSACTIONS - ACQUISITION OF AN OFFICE PROPERTY IN ASHTEAD [Item 17]**

The Cabinet Member for Assets and Regeneration Programmes drew Members attention to an additional recommendation, tabled at the meeting, and said that this acquisition was a good investment for the county.

### **RESOLVED (as amended):**

- (1) That freehold interest in this office property in Ashtead be acquired for a purchase price, together with ancillary costs of purchase (stamp duty, legal and surveyors fees), as set out in the submitted report, for the potential long-term school expansion in this area.
- (2) Officers in Property review the options for the future use of the property in 2017 and beyond in conjunction with the Schools Service and Finance and report the outcomes to the Strategic Director for Business Services in consultation with the Leader of the Council and the Cabinet Member for Asset and Regeneration Programmes prior to the lease expiry in November 2016.

### **Reasons for Decisions:**

The acquisition will provide the opportunity for the Council to consider and secure the longer term needs of schooling provision in the Ashtead / Leatherhead area. The property will in the meantime provide an income for the County Council in the short term.

## **218/13 PUBLICITY FOR PART 2 ITEMS [Item 18]**

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

[Meeting closed at 3pm]

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**Chairman**

**Members' Questions**

**Question (1) from Mrs Hazel Watson (Dorking Hills) to ask:**

At the County Council meeting on 15 October, I asked Cllr Helyn Clack the Cabinet Member for Community Services and the County Councillor for Dorking Rural Division on which date and who at Surrey County Council made the decision that the Prudential RideLondon Surrey classic event would take place in Surrey for 5 years starting in 2013. The response to my question received from Democratic Services following the meeting referred to a decision of the Cabinet made in private in December 2011, but this decision or the confidential paper do not refer to a 5 year commitment. As there are no Cabinet decisions or individual Cabinet Member decisions about the Prudential cycle event or the Marathon on Wheels as it was originally named, apart from December 2011, and therefore the assumption has to be that the Leader of the Council decided to approve the Prudential event for 5 years on his own accord, outside the formal decision making system of the Council.

- a) Is my assumption correct that the Leader of the Council informally decided that the Prudential cycle event would come to Surrey for 5 years from 2013 without a formal decision and if not who at Surrey County Council made the decision and when was the decision made?
- b) Given that the only formal decision of the County Council in relation to the Prudential Ride London cycle event (formerly named the Marathon on Wheels) was taken in private, does the Leader of the Council agree with me that Surrey residents and businesses have had no opportunity to scrutinise or to raise concerns about the County Council's plans to allow the Prudential Ride London cycle event to take place in Surrey before the decision was taken despite the significant impact on many residents and businesses as a result of road closures as well as a commitment to allow the event to take place in Surrey for 5 years?

**Reply:**

- a) In December 2011, the Council's Cabinet agreed in principle to the staging of a cycling event based on the Olympic road cycling race route. Under the answer to your question (5) you will see that we are now able to release this decision paper.

Surrey County Council's Leader David Hodge subsequently agreed the RideLondon proposal from the event delivery partner with the Mayor of London, Boris Johnson. The event delivery partner has been contracted by Transport for London, on behalf of the Mayor of London, to deliver the event for five years.

- b) To ensure this long term commitment is right for the County, questions about holding major cycle events were included in the recent Surrey Cycling Strategy consultation. The analysis of the consultation responses is currently underway, but headline results suggest that a majority of respondents think that major cycling events are a good

thing for the County. However, we do recognise that there are other concerns which the Cycling Strategy will also address.

I can confirm that Surrey County Council's Cabinet will make a formal decision on 17th December 2013 on the future hosting of the Prudential RideLondon-Surrey 100 and Classic in Surrey.

**Helyn Clack**  
**Cabinet Member for Community Services**  
**26 November 2013**

**Question (2) from Mr Will Forster (Woking South) to ask:**

At the meeting of Cabinet on 24 September 2013, I raised a concern regarding the Cabinet Member for Community Services being quoted in the local press on the purchase of Woking Magistrates Court, an item that had at that time not been discussed and was a disclosure of part 2 information under Schedule 12A of the Local Government Act 1972.

In an email to me on 13 October you stated that the issue "...will be dealt with by me in private . You may be unaware that I hold accountability meetings with all my Cabinet Members. That is the right forum to discuss these issues."

Standing Order 46 of the Council's Constitution states:

**CONFIDENTIALITY**

Committee Papers, etc

- 46.1. All Members must respect the confidentiality of any papers made available to them whether for the purpose of meetings of the Cabinet, of Cabinet Members or of committees or otherwise, for so long as those papers remain confidential.

Failure to observe

- 46.2. Any or all of the rights conferred on a Member of the Council under the Constitution may be withdrawn by the Council if it is satisfied that he/she has not observed the requirements of Standing Order 46.1 in relation to any of its papers.

Does the Leader agree with me that the appropriate place to deal with breaches of the Constitution of the Council and relevant legislation by members is not through private discussions, but through Standards procedures?

**Reply:**

Mr Forster raised this matter with me as Leader and I have responded in that capacity. As an experienced Member of this Council I am sure that Mr Forster is aware that we have a Member Conduct Panel, advised by the Independent Person and I presume this is what he means when he refers to "Standards procedures". I believe that the Constitution of the Council guides our approach as councillors.

**David Hodge  
Leader of the Council  
26 November 2013**

**Question (3) from Mrs Fiona White (Guildford West) to ask:**

At the Cabinet meeting on 22 October 2013, the Cabinet Member for Community Services stated that Surrey has a "Gin and Jag reputation". Does the Cabinet Member agree with me that such comments, however flippant, portray the wrong impression given the concerns over alcohol abuse?

**Reply:**

I was referring to an undeserved view that some people have of Surrey. This Council recognises that alcohol abuse is a serious issue in the County and our Public Health team are working hard to address this serious problem, particularly as all our 11 Boroughs / Districts have increased risk drinking rates above the England average.

**Helyn Clack**  
**Cabinet Member for Community Services**  
**26 November 2013**

**Question (4) from Mrs Hazel Watson (Dorking Hills) to ask:**

Please supply details of contractual agreements, Memoranda of Understanding and any other written agreements entered into by Surrey County Council with the Mayor of London, the Surrey Cycle Partnership, SweetSpot Group, London Marathon Ltd and related companies and organisations regarding the Tour of Britain and Prudential RideLondon including details of the dates contracts were signed, their period of operation with start and end dates and their purpose.

Please list all sums of money paid by Surrey County Council to the organisations above and any sums of money that have been agreed by Surrey County Council to be paid to those companies or organisations in the future regarding the Tour of Britain and Prudential RideLondon and the purposes of those payments.

**Reply:**

A contract to deliver the Tour of Britain was signed in February 2012, following a Cabinet decision taken in December 2011 to host the events. A copy of the contract covering Surrey County Council's agreement with the event organiser to sponsor the event in 2012 and 2013 is attached. (Annex 1)

The Prudential RideLondon-Surrey was an inaugural event in 2013, so a Memorandum of Understanding was negotiated between the event delivery arm of Transport for London, and signed in 2013 by Surrey's local authorities that hosted the event. The relevant documents are attached. (Annex 2 and Annex 3)

There are currently no future plans to host the Tour of Britain in Surrey. The costs incurred by Surrey County Council in relation to the Tour of Britain and Prudential RideLondon-Surrey 100 and Classic are tabled below:

Events	2011/12	2012/13	2013/14	Total	Notes
	£	£	£	£	
<b>Tour of Britain 2012</b>	0	206,250	0	206,250	<i>Payment to Tour of Britain Ltd (contribution to cost of event)</i>
<b>Tour of Britain 2013</b>	0	0	175,000	175,000	<i>Payment to Tour of Britain Ltd (contribution to cost of event)</i>
<b>Prudential Ride London 2013</b>	0	0	0	0	<i>No direct expenditure</i>
	<b>0</b>	<b>206,250</b>	<b>175,000</b>	<b>381,250</b>	

**Helyn Clack**  
**Cabinet Member for Community Services**  
**26 November 2013**

**Question (5) from Mrs Hazel Watson (Dorking Hills) to ask:**

At two meetings held in public in November 2012 the Policy and Resources Committee and Streets and Walkways Subcommittee of the City of London Corporation both considered a detailed report on the Prudential RideLondon event with the option for members not to support the event being held in the City of London.

By contrast, in December 2011 Surrey County Council's Cabinet made decisions at a meeting held in private regarding the Tour of Britain and the Marathon on Wheels, now called the Prudential RideLondon Surrey.

1. Why was the whole of the item in December 2011 taken in part 2, the private part of the meeting, and why has the detail not been discussed in the public part of a meeting of Surrey County Council?
2. As the decision was a "key decision" as defined in the Councils constitution " ...significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county.", will the Leader set out whether section 6.06 of the County Council constitution was observed:

**6.06 Access to Information Rules:**

**Part B - Cabinet**

**Notice of Key Decisions to be taken**

(a) **Notice of decisions**

A notice will be published at least 28 clear days before the Cabinet (or its committees), Cabinet Member or other executive decision maker intends to make a key decision.

(b) **Contents of notice of decisions**

The notice of decisions will contain matters which the Cabinet has reason to believe will be the subject of a key decision to be taken by the Cabinet, a committee of the Cabinet, an individual

Cabinet Member, or under joint arrangements in the course of the discharge of an executive function. It will describe the following particulars in so far as the information is available or might reasonably be obtained:

- (i) that a key decision is to be made on behalf of the local authority;
- (ii) the matter in respect of which a decision is to be made;
- (iii) where the decision taker is an individual, his/her name and title, if any and where the decision taker is a body, its name and details of membership;
- (iv) the date on which, or the period within which, the decision will be taken;
- (v) a list of the documents submitted to the decision taker for consideration in relation to the matter;
- (vi) the address from which, subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed is available;
- (vii) that other documents relevant to those matters may be submitted to the decision maker; and
- (viii) the procedure for requesting details of those documents (if any) as they become available.

The notice of decisions will contain particulars of the key decision but may not contain any confidential, exempt information or particulars of the advice of a political adviser or assistant.

3. Will the Leader release the Cabinet paper from December 2011 into the public domain in full, as there are no items in the paper which are not in the public domain.

**Reply:**

1. The item was taken in part 2 as both the events under discussion within the item were externally led with information not yet released by the lead partner into the public domain. Therefore, at that time, it was not possible for us to discuss in public. There was no requirement for any further Cabinet decisions on this and therefore the item didn't need to return to Cabinet.
2. The paragraph referred to in your question was amended following the publication of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, which came into force in September 2012. These requirements were therefore not in place at the time of the meeting you are referring to and the item was handled under the previous regulations. In accordance with the requirements in place at the time, the item was included on the December 2011 – March 2012 Cabinet Forward Plan,

which was published on 17 November 2011, and the item was listed as part 2.

3. I can confirm that the report has now been given to Mrs Watson and the report will be put in the public domain as the matters it dealt with no longer comprise confidential or exempt information.

**David Hodge**  
**Leader of the Council**  
**26 November 2013**

**Public Questions**

**Question (1) from Mr Peter Crews**

Paragraph 48 of the report to the Cabinet meeting on 30/10/13 states 'Deloitte anticipate formally confirming, in the near future, that there is no material difference between option 1 (delivery of the Eco Park) and option 2 (delivery through third party arrangements) based on only financial analysis.'

For the purpose of this question, and to avoid confusion with the previous value for money assessment, I will refer to the above option 2 as **Option 5**.

Paragraph 6 of the report to the Cabinet meeting on 23/7/13 defines Options 1 to 4 which were considered in the value for money assessment. Please could you describe **Option 5** fully so that its relationship with Options 1 to 4 can be seen clearly without any ambiguity?

**Reply:**

The report to Cabinet on 23 July 2013 concerning the "amendment of the waste contract to deliver the waste strategy" considered 4 options for future waste disposal. Option 2, to "terminate the waste contract, re-procure to build and operate waste processing infrastructure", had a significantly higher cost compared to the other options. Therefore, when Cabinet considered the matter again on 30 October 2013, this option was removed. As a result, the total number of options reduced from 4 to 3, and the remaining options were re-numbered. Therefore, the option to "terminate the waste contract and achieve recycling and landfill diversion improvements without building new infrastructure", which was described as option 3 on 23 July, became option 2 on 30 October 2013.

**John Furey**  
**Cabinet Member for Transport, Highways and Environment**  
**26 November 2013**