

Cabinet

**Date & time**

Tuesday, 22 July
2014 at 2.00 pm

Place

Ashcombe Suite,
County Hall, Kingston
upon Thames, Surrey
KT1 2DN

Contact

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Chief Executive

David McNulty

Cabinet Members: Mr David Hodge, Mr Peter Martin, Mrs Mary Angell, Mrs Helyn Clack, Mr Mel Few, Mr John Furey, Mr Mike Goodman, Mr Michael Gosling, Mrs Linda Kemeny and Ms Denise Le Gal

Cabinet Associates: Mr Steve Cosser, Mrs Clare Curran, Mrs Kay Hammond and Mr Tony Samuels

If you would like a copy of this agenda or the attached papers in another format, eg large print or braille, or another language please either call 020 8541 9122, write to Democratic Services, 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.

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.

***Note:** 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

1 APOLOGIES FOR ABSENCE

2 MINUTES OF PREVIOUS MEETING: 24 JUNE 2014

The minutes will be available in the meeting room half an hour before the start of the meeting.

3 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:

- In line with the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, declarations may relate to the interest of the member, or the member's spouse or civil partner, or a person with whom the member is living as husband or wife, or a person with whom the member is living as if they were civil partners and the member is aware they have the interest.
- Members need only disclose interests not currently listed on the Register of Disclosable Pecuniary Interests.
- Members must notify the Monitoring Officer of any interests disclosed at the meeting so they may be added to the Register.
- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest.

4 PROCEDURAL MATTERS

4a Members' Questions

- (i) The deadline for Member's questions is 12pm four working days before the meeting (*16 July 2014*).

4b Public Questions

The deadline for public questions is seven days before the meeting (*15 July 2014*).

4c Petitions

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

4d Representations received on reports to be considered in private

To consider any representations received in relation why part of the meeting relating to a report circulated in Part 2 of the agenda should be open to the public.

5 REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL

6 LOCAL GOVERNMENT OMBUDSMAN REPORT WITH A FINDING OF MALADMINISTRATION (Pages 1 - 46)

This report concerns the Local Government Ombudsman's findings in response to a complaint concerning the service provided to the complainant and her child. The complaint was brought against both Surrey County Council and the NHS Trust and the Ombudsman has unusually provided a joint report. The Cabinet is asked:

- to consider the Ombudsman's report
- to satisfy itself that steps have been taken to address the findings and consider whether any other action should be taken
- to make arrangements for a response to this report and the Ombudsman report to be prepared and sent to the Ombudsman and all Members of the Council

7 FINANCE AND BUDGET MONITORING REPORT FOR JUNE 2014 (Pages 47 - 94)

The council takes a multiyear approach to its budget planning and monitoring, recognising that the two are inextricably linked. This report presents the council's financial position at the end of the first quarter of the 2014/15 financial year, including the council's balance sheet as this is the end of quarter 1. It also includes an up-date on the implications of the first quarter position for the future Medium Term Financial Plan, and the financial impact of the winter's severe weather on the council's revenue and capital budgets.

Please note that Annex 1 to this report will be circulated separately prior to the Cabinet meeting.

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

8 ST PETER'S CATHOLIC PRIMARY SCHOOL, LEATHERHEAD (Pages 95 - 100)

To approve the Business Case for the expansion of St Peter's Catholic Primary School from a 1form of entry primary (210 places) to a 2 form of entry primary (420 places) creating 210 additional places in Leatherhead to help meet the basic need requirements in the Leatherhead area.

N.B. An annex containing exempt information is contained in Part 2 of the agenda (item 17)

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

9 HILLCROFT PRIMARY SCHOOL, CATERHAM (Pages 101 - 104)

To approve the Business Case for the expansion of Hillcroft Primary School from a 1.5 form of entry primary (315 places) to a 2 form of entry primary (420 places) creating 105 additional places in Caterham to help meet the basic need requirements in that area.

N.B. An annex containing exempt information is contained in Part 2 of the agenda (item 18).

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

10 HURST PARK PRIMARY SCHOOL, WEST MOLESEY (Pages 105 - 110)

To approve the Business Case to build a brand new 2 Form of Entry (420 places) primary school with a 26 place nursery on a new site, to replace the existing Hurst Park school and to enable the expansion of the school from its current 1 Form of Entry primary (210 places) and nursery to a 2 Form of Entry primary (420 places) creating 210 additional places in West Molesey, to help meet the basic need requirements in the Elmbridge area.

The provision of a new school requires additional direct funding and investment by the Council, in order to meet the higher costs associated with the provision of a completely new school.

N.B. An annex containing exempt information is contained in Part 2 of the agenda (item 19).

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

11 SURREY COUNTY COUNCIL HOME BASED CARE SUPPORT SERVICES (Pages 111 - 136)

Officers are seeking Cabinet approval to award a contract for the provision of Home Based Care support services to the providers listed in the Part 2 report (item 23) effective 1 October 2014.

In response to the changing requirements and demographics of Surrey as well as considering the impact of the implementation of the Care Act (2014), officers undertook a joint tendering exercise with the Surrey Downs Clinical Commissioning Group (CCG), who is the lead Commissioner for continuing healthcare, to identify the most appropriate way to deliver Home Based Care (HBC) in Surrey. This tendering exercise has secured suitable providers for the provision of home based services.

N.B. An annex containing exempt information is contained in Part 2 of the agenda (item 23)

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

12 LEGAL SERVICES FRAMEWORK (Pages 137 - 142)

This report seeks Cabinet approval to award contracts which will provide additional legal support to local authorities in the county, through a Framework agreement. It provides details of the procurement process, including the results of the evaluation process, and in conjunction with the Part 2 report (item 22), demonstrates why the recommended contracts offer best value for money.

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

- 13 BADGERS WOOD SURREY COUNTY COUNCIL RESIDENTIAL CARE HOME** (Pages 143 - 150)

Badgers Wood is a Surrey County Council in-house residential care home for people with learning disabilities (PLD).

Factors outlined in this report signal that the future of the home needs to be explored in partnership with key stakeholders. Issues around the physical structure of the property, high vacancy rate and changes in service users' expectations of what services look like and deliver need to be addressed.

The report recommends that a consultation on the future of the home is undertaken, with the preferred option clearly indicated. The preferred option is that the home be closed and new services are sourced for the individuals supported by the home.

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

- 14 SERVICES TO SCHOOLS AND SCHOOLS IMPROVEMENT CONTRACT EXTENSION - BABCOCK 4S LTD** (Pages 151 - 154)

To approve the extension of the Schools Support Services contract between Surrey County Council (SCC) and Babcock 4S Limited (B4S) for school improvement and back office support services to schools for a further 4 years from 1 April 2015 to 31 March 2019. As B4S is a joint venture partnership, and is governed by a shareholder agreement, this will be amended to reflect the outcome of agreeing the contract extension.

N.B. Exempt information is contained in Part 2 of the agenda (item 24).

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

- 15 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING** (Pages 155 - 168)

To note any delegated decisions taken by the Leader, Deputy Leader and Cabinet Members since the last meeting of the Cabinet.

[Please note that Annex 1 will be tabled at the meeting]

- 16 EXCLUSION OF THE PUBLIC**

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 the relevant paragraphs of Part 1 of Schedule 12A of the Act.

PART TWO - IN PRIVATE

- 17 ST PETER'S CATHOLIC PRIMARY SCHOOL, LEATHERHEAD** (Pages 169 - 174)
- This is a part 2 annex relating to item 8.
- Exempt: Not for publication under Paragraph 3**
- Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- [The decisions on this item can be called in by either the Council Overview and Scrutiny Committee or the Children and Education Select Committee]*
- 18 HILLCROFT PRIMARY SCHOOL, CATERHAM** (Pages 175 - 180)
- This is a part 2 annex relating to item 9.
- Exempt: Not for publication under Paragraph 3**
- Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- [The decisions on this item can be called in by either the Council Overview and Scrutiny Committee or the Children and Education Select Committee]*
- 19 HURST PARK PRIMARY SCHOOL, WEST MOLESEY** (Pages 181 - 186)
- This is a part 2 annex relating to item 10.
- Exempt: Not for publication under Paragraph 3**
- Information relating to the financial or business affairs of any particular person (including the authority holding that information)
- [The decisions on this item can be called in by either the Council Overview and Scrutiny Committee or the Children and Education Select Committee]*
- 20 WOKING TOWN CENTRE REGENERATION** (Pages 187 - 192)
- Cabinet agreed in September 2012 that Surrey County Council (SCC) would participate in a Joint Venture Company, Bandstand Square Developments Ltd, with Woking Borough Council (WBC) and Moyallen Ltd to regenerate Woking Town Centre.
- Additional funds are required primarily as a result of increased land acquisition costs to provide the replacement Fire Station in the town.
- Exempt: Not for publication under Paragraph 3**
- Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

- 21 ESTABLISHMENT OF A TRANSPORT RELATED LOCAL AUTHORITY TRADING COMPANY** (Pages 193 - 218)

Exempt: Not for publication under Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

- 22 LEGAL SERVICES FRAMEWORK** (Pages 219 - 224)

This is a part 2 annex relating to item 12.

Exempt: Not for publication under Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

- 23 SURREY COUNTY COUNCIL HOME BASED CARE SUPPORT SERVICES** (Pages 225 - 236)

This is a part 2 annex relating to item 11.

Exempt: Not for publication under Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

- 24 SERVICES TO SCHOOLS AND SCHOOLS IMPROVEMENT CONTRACT EXTENSION - BABCOCK 4S LTD** (Pages 237 - 240)

This is a Part 2 report relating to item 14.

Exempt: Not for publication under Paragraph 3

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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

25 PUBLICITY FOR PART 2 ITEMS

To consider whether the item considered under Part 2 of the agenda should be made available to the Press and public.

David McNulty
Chief Executive
Monday, 14 July 2014

QUESTIONS, PETITIONS AND PROCEDURAL MATTERS

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

Please note:

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

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, County Hall has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings with the Chairman's consent. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that the Chairman can grant permission and those attending the meeting can be made aware of any filming taking place.

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

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

Thank you for your co-operation