

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 22 JULY 2014 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 Mike Goodman
Mrs Mary Angell	Mr Michael Gosling
*Mrs Helyn Clack	*Mrs Linda Kemeny
*Mr Mel Few	*Ms Denise Le Gal

Cabinet Associates:

*Mr Steve Cosser	*Mrs Kay Hammond
*Mrs Clare Curran	*Mr Tony Samuals

* = Present

**PART ONE
IN PUBLIC**

144/14 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Mrs Angell and Mr Gosling.

145/14 MINUTES OF PREVIOUS MEETING: 24 JUNE 2014 [Item 2]

The minutes of the meeting held on 24 June 2014 were confirmed and signed by the Chairman.

146/14 DECLARATIONS OF INTEREST [Item 3]

There were none.

147/14 PROCEDURAL MATTERS [Item 4]

(a) MEMBERS' QUESTIONS [Item 4a]

Mrs Watson had submitted two questions, however, they had been ruled 'out of order' by the Chief Executive because they related to Council rather than Cabinet decisions.

148/14 PUBLIC QUESTIONS [Item 4b]

A question from Jenny Desoutter was received. The question and response is attached as **Appendix 1**.

Ms Desoutter said that she disagreed with the distinction between closing a road as opposed to a network of roads, which caused significant disruption

and asked that the consideration of the route used for the cycle event was given a higher priority so that disruption to residents was minimised.

The Leader of the Council said that, following last year's cycling event, the Council had run an extensive consultation exercise and had also received two conflicting petitions. A balanced decision had been made to go ahead with this year's cycling event and Surrey County Council now had responsibility for Public Health and would be promoting exercise. The County Council ran very few Surrey wide events and had improved communications to residents for this year's event this year.

The Cabinet Member for Community Services assured Ms Desoutter that the event organisers would be doing all they could to mitigate inconvenience to local residents and businesses and those individuals who may need assurance should ensure that the event organisers were aware.

149/14 PETITIONS [Item 4c]

There were none.

150/14 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

No representations were received.

151/14 REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

Environment and Transport Select Committee in relation to its Interim Report of the Flooding Task Group (**Appendix 2**), together with the response from the Cabinet Member for Highways, Transport and Flooding Recovery (**Appendix 3**).

The Chairman of the Environment and Transport Select Committee was invited to speak. He thanked the Cabinet Member for Highways, Transport and Flooding Recovery for his response and informed Cabinet that the Members of the task group had visited 9 divisions and were planning to hold a further 20 witness sessions. They had also spoken to the Environment Agency and were due to have meetings with Thames Water and the Police. He expected that the final report would be available for submission to Cabinet in November.

Turning to the Cabinet Member's response to the interim recommendations of the flooding task group, he made the following points:

- (a) – agreed
- (b) – Lower Thames Scheme – a completion date of 2025 was unacceptable. He said that the task group would come up with some options for Cabinet to consider.
- (c) - consideration of whether to say 'of the county' or 'in the county'. Also, he urged officers to prioritise the clearance of ditches and soakaways.

- (d) – agreed but continue to lobby Government to urge utility companies to work together.
- (e) – this recommendation was supported by the Environment Agency and was thought to be helpful as Surrey may wish to test alternatives to sandbags.

The Cabinet Member for Highways, Transport and Flooding Recovery responded by stating that:

- Despite assurance from the Prime Minister that money was no object, funding did not appear to be an issue.
- Acknowledgement of ownership of land and drainage issues.
- Issues with water authorities and waiting for an OFWAT agreement for their 5 year programme, which would not be available until September.

The Cabinet Member for Community Services referred to the work of the local flood forum in Mole Valley and asked the Chairman of Environment & Transport Select Committee if the task group would like evidence from this forum. Also, the Cabinet Member for Environment and Planning suggested that the task group may also want to consider evidence from Surrey Heath as flood alleviation work had been undertaken there a few years ago.

152/14 LOCAL GOVERNMENT OMBUDSMAN REPORT WITH A FINDING OF MALADMINISTRATION [Item 6]

On behalf of the Cabinet, the Cabinet Member for Schools and Learning said that the County Council took the findings of the Ombudsman seriously and made a public apology on behalf of the Council. She said that action had already been taken and a copy of the response to the recommendations would be produced and sent to the Ombudsman and all Members of the Council within three months of the receipt of this report.

RESOLVED:

1. That the Ombudsman's report be noted.
2. That the Cabinet is satisfied that steps have been taken to address the findings of the Ombudsman's report.
3. That the requirement to produce a response to both the Monitoring Officer's report and the Ombudsman's report, and to ensure that this is sent to all Members and to the Ombudsman, be delegated to the Assistant Directors for Children's and Safeguarding Services and Schools and Learning, in consultation with the Cabinet Member for Children and Families.

Reasons for Decisions:

There is a statutory requirement to respond to an Ombudsman report that identifies maladministration and a need for the Cabinet to consider what action needs to be taken as a result of the report.

153/14 FINANCE AND BUDGET MONITORING REPORT FOR JUNE 2014 [Item 7]

The Leader of the Council presented the first quarter's budget monitoring report for 2014/15, including recommendations for reprofiling the capital programme and the Council's response to the severe winter weather. He said that the Council continued to face demand growth and funding reductions as austerity continued. As stated at previous Cabinet meetings, he referred to the Council's financial strategy which had four key drivers to ensure sound governance in managing finances and providing value for money.

1. Keep any additional call on the council taxpayer to a minimum

- That the end of year forecast was for a balanced revenue position.
- Though it was early in the year, he believed that this would be the fifth consecutive year the council had a small underspend or a balanced budget, demonstrating Cabinet's strong commitment to tight financial management, backed up the actions of managers across the Council.
- This year it was important to remember that the Council's risk contingency had been reduced to £5m and will be removed altogether next year. The reducing risk contingency required all Members and officers to focus on delivering the savings targets.
- The Chief Executive and Director of Finance outlined progress with the support sessions they have held to ensure the robustness of services' efficiency savings plans.

2. Continuously drive the efficiency agenda

- At the end of June, services forecast delivering efficiencies of £71m and of the £71m, over half has either already been achieved or is on track, a third has some issues and less than £10m is considered to be at risk.

3. Develop a funding strategy to reduce the Council's reliance on council tax and government grant income

- That reducing reliance on government grants and council tax was key to balancing the budgets over the longer term and the Revolving Infrastructure and Investment Fund had already invested nearly £5m this year.

4. Continue to maximise our investment in Surrey

- The council's capital programme not only improved and maintained our service delivery, it was also a way of investing in Surrey and generating income for the council. The reprofiled capital programme plans £780m investment for 2014-19, including £195m in 2014/15. The current forecast is to overspend by nearly £7m, including long term investments.

Finally, he drew Cabinet attention to:

- (i) a typo on page 3, Annex 1, paragraph 3, third bullet point:

The Environment and Infrastructure end of June variance was correct at £1.6m but the reason was due to the timing of the waste sinking fund payment and not flooding as shown in the report.

(ii) paragraph 27, Annex 1 which said:

'Following robust negotiations Public Health (PH) has now had agreement to invoice the Clinical Commissioning Groups (CCGs) for the £3.3 million genitourinary medicine (GUM) funding which was misallocated from the government grant. Work was now underway to ensure that the GUM funding is in the base budget for 2015/16.'

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:

- (1) That the revenue budget to the end of June 2014 and the forecast outturn for 2014/15, as set out in the submitted report, be noted.
- (2) That the forecast ongoing efficiencies and service reductions achieved by year end, as set out in the submitted report, be noted.
- (3) That the capital budget position to the end of June 2014 and the forecast expenditure for 2014/15, as set out in the submitted report, be noted.
- (4) That the first quarter balance sheet, reserves, debt and treasury management report, including debt written off under the Director of Finance's delegated authority, be noted.
- (5) That the Chief Executive's and Director of Finance's assessment of the council's efficiency savings programme be noted.
- (6) That the request from Environment and Infrastructure for £0.3m additional funding, to cover planning and development work on the schools expansion programme, be approved.
- (7) That the re-profiling of the council's capital programme for the years 2014 to 2019, as set out in the submitted report, be agreed.
- (8) That use of £1.8m revenue and £1.2m of capital developer contributions to fund the costs of response and recovery from the severe weather and flooding be approved.
- (9) That use of £10m of the current capital budget to fund the capital costs incurred in 2014/15 be approved.
- (10) That Highways realigns the revenue budget to respond to service pressures including flood repairs.

Reasons for Decisions:

This report is presented to comply with the agreed policy of providing a monthly budget monitoring report to Cabinet for approval and action as necessary. Additionally, there is an up-date on the wider Medium Term Financial Plan (MTFP 2014-19), in terms of the implications for savings

delivery and the severe weather on the councils revenue and capital budgets. This up-date was requested when the MTFP was agreed in March 2014.

The Cabinet approved the carry forward of capital budget from 2013/14 at its meeting in May 2014. Since the setting of the capital budget, the schools basic need and property programmes have been reassessed. The recommendation of this report is to re-profile the council's capital programme to ensure that its objectives are delivered and value for money is achieved.

154/14 ST PETER'S CATHOLIC PRIMARY SCHOOL, LEATHERHEAD [Item 8]

The Cabinet Member for Schools and Learning said that this was the first of three reports being considered by Cabinet today, which demonstrated that the County Council was pressing ahead with its school expansion programme. She thanked officers from Education and Property Services who were working hard to deliver this programme and requested that Cabinet approved the business case for the expansion of St Peter's Catholic Primary School from a 1 Form 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 this area.

She stated that St Peter's Catholic School was a popular school which had been judged 'good' by Ofsted. Finally, she confirmed that the expansion had the support of the Diocese of Arundel and Brighton and that the planning application would be considered by the Planning and Regulatory Committee in the Autumn.

RESOLVED:

That, subject to the agreement of the detailed financial information for the expansion as set out in agenda item 17 in Part 2 of this agenda, the business case for the provision of an additional 1 form of entry (210 places) primary places in Leatherhead be approved.

Reasons for Decisions:

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

155/14 HILLCROFT PRIMARY SCHOOL, CATERHAM [Item 9]

The Cabinet Member for Schools and Learning said that this was another popular school which had been judged 'good' by Ofsted and asked Cabinet 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. The planning application would be considered at a future Planning and Regulatory Committee meeting.

RESOLVED:

That, subject to the agreement of the detailed financial information for the expansion as set out in agenda item 18 in Part 2 of this agenda, the business

case for the provision of an additional 0.5 form of entry (105 places) primary places in Caterham be approved.

Reasons for Decisions:

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

156/14 HURST PARK PRIMARY SCHOOL, WEST MOLESEY [Item 10]

This was the final school expansion report to be considered by Cabinet today and was introduced by the Cabinet Member for Schools and Learning, who confirmed that Hurst Park Primary School was another popular school judged 'good' by Ofsted.

She asked for Cabinet approval for 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 (the former John Nightingale Special School), 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.

She acknowledged the concerns of some local residents re. parking and additional traffic and confirmed that Highways officers would be working towards mitigating these issues. Finally, she said that planning permission had been recently agreed by the Planning and Regulatory Committee, but was subject to certain conditions relating to car parking issues.

RESOLVED:

That, subject to the agreement of the detailed financial information for the expansion as set out in agenda item 19 in Part 2 of this agenda, the business case for the provision of a new 420 place school and 26 place nursery on a new site providing an additional 1 Form of Entry (210 places) primary places in West Molesey be approved.

Reasons for Decisions:

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

157/14 SURREY COUNTY COUNCIL HOME BASED CARE SUPPORT SERVICES [Item 11]

The Cabinet Member for Adult Social Care said that providing Home Based Care support services to vulnerable adults in Surrey was a statutory obligation of the Council, which was delivered through external Home Based Care providers and that currently, the Council delivered Home Based Care support services to approximately 4800 service users, equating to about 8000 calls per day.

He said that this report was seeking 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. Also, 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 had undertaken a joint tendering exercise with the Surrey Downs Clinical Commissioning Group (CCG), the lead Commissioner for continuing healthcare, to identify the most appropriate way to deliver Home Based Care (HBC) in Surrey.

He confirmed that checks on all proposed, successful bidders had been undertaken with the Care Quality Commission. He highlighted both the extensive consultation that had taken place, as set out in paragraphs 20-22 of the submitted report, and also the risk management and implications. Finally, he said that a detailed Equalities Impact Assessment had been undertaken, which the Cabinet Member for Community Services also endorsed, and this was attached to the report as Annex 4.

The Cabinet team recognised the importance of this large contract and were pleased to note that residents would receive a better service from this new contract.

RESOLVED:

That a Strategic Partnership Contract (SPC) for the provision of Home Based Care (HBC) support services for vulnerable adults in Surrey, to the bidders set out in Annex 1 of the submitted report, be approved.

Reasons for Decisions:

A comprehensive review of Home Based Care support services and the market was carried out during 2013, identifying a need to replace the existing arrangements to enable a new approach to commissioning and delivering services. This led to the development of the Strategic Partnership Contract (SPC) and an Any Qualified Provider (AQP) contract model, established through a competitive tendering exercise. This was conducted in compliance with EU Procurement Legislation, and Procurement Standing Orders. The recommendations provide best value for money for the council and CCGs (jointly referred to as the commissioners).

158/14 LEGAL SERVICES FRAMEWORK [Item 12]

The Cabinet Member for Business Services commended this report that sought approval to award contracts which will provide additional legal support to local authorities in the county, through a Framework agreement, to Cabinet. These contracts were intended to give all local authorities in Surrey, together

with some neighbouring councils, access to specialised advice, which cannot be provided cost-effectively in-house.

It provided details of the procurement process, including the results of the evaluation process, and in conjunction with the Part 2 report, to be considered later in the meeting, demonstrated why the recommended contracts offer best value for money.

RESOLVED:

That contracts be awarded to the preferred supplier(s) as agreed on the basis set out in the Part 2 report (item 22).

Reasons for Decisions:

To ensure that local authorities have access to best value for money external legal advice and support from solicitors and barristers selected by a full tender process, in compliance with the requirement of EU Procurement Legislation and Procurement Standing Orders.

159/14 BADGERS WOOD SURREY COUNTY COUNCIL RESIDENTIAL CARE HOME [Item 13]

Badgers Wood was a Surrey County Council in-house residential care home for people with learning disabilities (PLD) and the Cabinet Member for Adult Social Care said that the report recommended that a consultation on the future of the home was undertaken. The preferred option was to close the home and different services to be sourced for the individuals currently supported by the home because the strategy now was to move away from providing care for people with learning disabilities in a residential home to a broader range of personalised accommodation options such as shared living.

RESOLVED:

That the Council will consult on the proposal to close Badgers Wood Home and that following the consultation a further report will be presented to Cabinet for a decision on the future of the home.

Reasons for Decisions:

- The existing service does not fully provide the opportunity for residents to maximise their independence and live in a supported living environment. It is recognised the building is too large to provide a sufficiently individualised service.
- The current service does not accord with the strategic direction of Surrey Adult Social Care, in terms of a shift from residential care to a broader range of personalised accommodation options such as supported living.
- The vulnerability of people living in the home due to age and infirmity has increased and their needs will be difficult to meet appropriately within the present service.

- The service in its current form has experienced a lack of demand in at least the last 5 years.
- Reviews of the 10 residents care and support needs have found that at least 2 residents will move-on from the service as part of Adult Social Care annual review and reassessment processes.
- A high and increasing vacancy level compromises the financial viability of the existing service. Given the concerns about the building and the lack of fit with current commissioning priorities, there is no expectation that new referrals will be made and so demand is projected to continue to decline over time.
- Significant financial investment in the building is required and it presents a number of challenges to adaptation and refurbishment. New Learning Disability schemes are generally developed on the basis of accommodation for 4 to 8 people.
- Young adult (18+) and their parents / carers would not choose a service that comprises 17 bedrooms and does not provide an environment for personalised services.

160/14 SERVICES TO SCHOOLS AND SCHOOLS IMPROVEMENT CONTRACT EXTENSION - BABCOCK 4S LTD [Item 14]

The Cabinet Member for Schools and Learning was pleased to present the recommendation 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. She said that the contract was initiated in 2004 and had been a 'ground breaking' decision to engage with a commercial partner to deliver the County Council's school support and improvement services and that the Council's relationship with B4S was very good. She was very pleased that B4S had delivered year on year improvement on outcomes for children and raised educational standards in Surrey schools. Finally, she said that the financial information would be discussed later in the part 2 section of the meeting.

The Cabinet Member for Community Services stressed the importance of this contract and in particular, the improvement programme and mentioned a school in her division, North Downs Primary which she was pleased to report had now been assessed by Ofsted as a 'good' school.

The Deputy Leader reiterated the County Council's aim, which was to provide every child in Surrey with a good education and highlighted the improvements made by B4S. He also referred to the key objectives which the joint venture should achieve over the next five years.

RESOLVED:

That, in principle, the contract on the existing contractual terms and conditions for the permitted 4 year extension term be extended, subject to, any final variations in the shareholders agreement and approval through delegated authority by the Strategic Director of Children, Schools and Families, the

Cabinet Member for Business Services, Cabinet Member for Schools and Learning, the Leader of the Council, and the Section 151 Officer.

Reasons for Decisions:

Extending the existing contract will enable the joint venture to continue to deliver the “every school a “Good” school” project by 2017. The stability of this work is crucial and is one of the key reasons for the extension.

161/14 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 15]

To note the delegated decisions taken by Cabinet Members since the last meeting of the Cabinet.

RESOLVED:

That the decisions taken by Cabinet Members since the last meeting, as set out in Annex 1 of the submitted report, be noted.

Reasons for Decisions:

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

162/14 EXCLUSION OF THE PUBLIC [Item 16]

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.

163/14 ST PETER'S CATHOLIC PRIMARY SCHOOL, LEATHERHEAD [Item 17]

The Cabinet Member for Schools and Learning said that this report contained the financial information pertaining to the business case for the project to expand St Peter’s Catholic Primary School. Leatherhead and requested Cabinet’s approval.

RESOLVED:

1. That the business case for the project to expand St Peter’s Catholic Primary School by 210 places, at a total estimated 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 may be agreed by the Strategic Director for Business Services, in consultation with the Cabinet Member for Schools and Learning, the Cabinet Member for Business Services and the Leader of the Council 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 Leatherhead area.

164/14 HILLCROFT PRIMARY SCHOOL, CATERHAM [Item 18]

The Cabinet Member for Schools and Learning said that this was similar to the previous report because it also contained the financial information pertaining to the business case for the project to expand a school, namely Hillcroft Primary School, Caterham. She commended the recommendations to Cabinet.

RESOLVED:

1. That 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 at a total estimated 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 may be agreed by the Strategic Director for Business Services, in consultation with the Cabinet Member for Schools and Learning, the Cabinet Member for Business Services and the Leader of the Council be approved.

Reasons for Decisions:

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

165/14 HURST PARK PRIMARY SCHOOL, WEST MOLESEY [Item 19]

The Cabinet Member for School and Learning said that this report set out the business case and financial details for a project to build a brand new school on the site of the former John Nightingale special school, approximately 400 metres from the existing school site. She advised Cabinet that the planning application had been considered recently by Planning and Regulatory Committee and it had been permitted subject to conditions relating to car parking issues.

RESOLVED:

1. That the business case for the project to build a brand new 2 form of entry primary school, at a total estimated 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 may be agreed by the Strategic Director for Business Services, in consultation with the Cabinet Member for Schools and Learning, the Cabinet Member for Business Services and the Leader of the Council 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 West Molesey area.

166/14 WOKING TOWN CENTRE REGENERATION [Item 20]

The Cabinet Member for Business Services reminded Cabinet that in September 2012, it agreed 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.

SCC's and WBC's participation was in the form of development loan funding to the Joint Venture to deliver the first phase of the project. However, the Joint Venture company has now approached SCC and WBC for additional funding, to be provided equally and on the same terms as the original loan facility, to complete Phase 1. Additional funds were required primarily as a result of increased land acquisition costs to provide the replacement Fire Station in the town.

RESOLVED:

1. That the increase in the Phase 1 loan funding provided to Bandstand Square Developments Ltd, as set out in the submitted report, be approved.
2. That the Strategic Director for Business Services, in consultation with the S151 officer, be authorised to approve appropriate contractual amendments to extend the loan facility.

Reasons for Decisions:

The increase in the loan facility provided by SCC is required in order to fully complete Phase 1 of the Woking regeneration project. The first phase of the project will deliver the land acquisition required for the development, all necessary planning consents and the construction of a new Fire Station to enable relocation from the existing site.

The full project will deliver a large scale regeneration of the town centre, improving the long-term viability of the existing retail offer in the town.

SCC's financing costs associated with providing the Phase 1 loan facility will be offset by interest payments received from the Joint Venture.

167/14 ESTABLISHMENT OF A TRANSPORT RELATED LOCAL AUTHORITY TRADING COMPANY [Item 21]

RESOLVED:

3. That the business case for the creation of a Local Authority Trading Company to be owned by Surrey County Council and five other local authorities be approved.
4. That the governance arrangements for the Company, as set out in paragraphs 13 to 17 of the submitted report, and as described in memorandum of terms form in a Shareholders Agreement between the local authorities and the Articles of Association for the company be approved.
5. That the provision of equity finance to the Company, as described in paragraphs 29 to 31 of the submitted report, be approved.
4. That the Cabinet Member for Business Services and New Models of Delivery and the Strategic Director for Business Services be authorised to agree appropriate contractual arrangements on behalf of the County Council following completion of appropriate due diligence.

Reasons for Decisions:

The creation of a Local Authority Trading Company, to be owned by six local authorities, will ensure that the commercial activities of the consortium are delivered in an appropriate manner and will enable the growth potential of the database to be fully exploited. Subject to the company being able to declare a dividend, the recommended delivery model will produce an ongoing income for the council to support future service provision.

168/14 LEGAL SERVICES FRAMEWORK [Item 22]

RESOLVED:

That a Legal Services Framework for Lot 1 General and Commercial Panel (General Advice), Lot 2 General and Commercial Panel (Specialist and Advocacy), Lot 3 Environment and Infrastructure Panel (General Advice), Lot 4 Environment and Infrastructure Panel (Specialist and Advocacy), Lot 5 Care Panel (General Advice), and Lot 6 Care Panel (Specialist and Advocacy) be approved.

Reasons for Decisions:

A full tender process, in compliance with the requirement of EU Procurement Legislation and Procurement Standing Orders has been completed, and the recommendations provide best value for money for the Council following a thorough evaluation process.

**169/14 SURREY COUNTY COUNCIL HOME BASED CARE SUPPORT SERVICES
[Item 23]**

The Cabinet Member for Adult Social Care said that this report contained details of the procurement and evaluation processes undertaken to identify suitable providers for Surrey County Council's Home Based Care Support Services and the annex detailed the quality and pricing scores for each bidder in each zone that they tendered for.

RESOLVED:

That a flexible block contract be awarded to the providers, for the provision of Home Based Care support services, for a total value, as set out in the submitted report, to commence on 1 October 2014.

Reasons for Decisions:

A full tender process, in compliance with the requirement of EU Procurement Legislation and Procurement Standing Orders has been completed, and the recommendations provide best value for money for the Council, Clinical Commissioning Groups (referred to as the Commissioners), Surrey residents and individuals who receive HBC support services (service users).

**170/14 SERVICES TO SCHOOLS AND SCHOOLS IMPROVEMENT CONTRACT
EXTENSION - BABCOCK 4S LTD [Item 24]**

Introducing the part 2 report, in relation to the Babcock 4S Ltd (B4S) contract extension, the Cabinet Member for Schools and Learning said that this report contained the financial details which had been fully discussed and reviewed by officers. She also drew attention to the risk, financial and value for money implications, as set out in the report. Cabinet discussed the contract and the reasons for extending it and the Assistant Director for Schools and Learning was invited to address the meeting and clarified some points concerning B4S and its provision of educational support services to Surrey County Council for its schools.

RESOLVED:

As per Part 1 report - item 14.

Reasons for Decisions:

Education provision has changed considerably since the start of the joint venture agreement, with the greatest changes being in recent years with the roll out of academy schools nationally. As the contract extension will be largely based on the current terms and conditions, this will provide the greatest level of flexibility to respond to the growing academisation of Surrey's schools. As the Education Services Grant (ESG) funding reduces with more

money being paid direct to academies, there is the continuing need to be able to vary the services covered by the Service Delivery Agreement (SDA) under the B4S contract throughout the extension period.

The associated risk of these reducing services remains with B4S whilst the current contract and the proposed extension remains in place.

171/14 PUBLICITY FOR PART 2 ITEMS [Item 25]

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

[Meeting closed at 3.45pm]

Chairman