



Agenda and Reports
for the meeting of
THE COUNTY COUNCIL
to be held on
14 OCTOBER 2014

County Hall
Kingston upon Thames
Surrey

3 October 2014

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, 14 October 2014, 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: *For those Members wishing to participate, Prayers will be said at 10:25am. Mrs Jo Jacques, Chaplain from More House School, Frensham has kindly consented to officiate. If any Members wish to take time for reflection, meditation, alternative worship or other such practice prior to the start of the meeting, alternative space can be arranged on request by contacting Democratic Services.*

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

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 APOLOGIES FOR ABSENCE

The Chairman to report apologies for absence.

2 MINUTES

To confirm the minutes of the meeting of the Council held on 15 July 2014.

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

(Pages 1
- 12)

3 CHAIRMAN'S ANNOUNCEMENTS

The Chairman to report.

4 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).
- 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.

5 LEADER'S STATEMENT

The Leader to make a statement.

There will be an opportunity for Members to ask questions.

6 MEMBERS' QUESTION TIME

The Leader of the Council or the appropriate Member of the Cabinet or the Chairman of a Committee to answer any questions on any matter relating to the powers and duties of the County Council, or which affects the county.

(iii)

(Note: Notice of questions in respect of the above item on the agenda must be given in writing, preferably by e-mail, to Anne Gowing in Democratic Services by 12 noon on Wednesday 8 October 2014).

7 STATEMENTS BY MEMBERS

Any Member may make a statement at the meeting on a local issue of current or future concern.

(Note: Notice of statements must be given in writing, preferably by e-mail, to Anne Gowing in Democratic Services by 12 noon on Monday 13 October 2014).

8 ORIGINAL MOTIONS

ITEM 8(i)

Mr Chris Townsend (Ashtead) to move under Standing Order 11 as follows:

'This Council notes that, underlying the extensive funding and overall provision of school places in Surrey, fundamental problems still exist in the planning and delivery of school places.

2014 has again seen failures in forecasting based on birth rates, the planning of school places, the early phase co-ordination of planning, education and highway, and the promotion of sustainable transport and travel options.

As a result:

- parents seeking school places have experienced unnecessary concerns about their children's opportunities to both attend their local schools, but also to arrive at that school safely and
- residents living close to schools have seen their concerns in relation to planning and highways ignored.

This Council therefore calls upon the Cabinet Members for Schools & Learning, Highways, Transport & Flooding Recovery, Environment & Planning and Business Services to work together to produce an Action Plan which tackles the current problems related to forecasting, the early coordination of teams responsible for the expansion of schools, late planning applications, and travel arrangements to schools, to be in place by the end of 2014.

This Council further agrees that the Action Plan be subjected to scrutiny by a joint meeting of Members of the relevant Select Committees.'

ITEM 8(ii)

Mr Peter Martin (Godalming South, Milford and Witley) to move under Standing Order 11 as follows:

'This Council welcomes the statement made by the Prime Minister following the No vote in the Scottish Referendum and in particular welcomes the formation of a Cabinet sub-committee to examine English constitutional change and the continuing commitment that "power can and must be devolved more locally."

This Council commends the One Place, One Budget initiative taken by the County Councils Network and chaired by the Leader of Surrey County Council, which creates an ambitious vision for public services to be more closely controlled by local people. This envisages a new devolution settlement between Whitehall and the Counties to move decisions about how all local services are delivered closer to the people affected by those decisions. This would deliver better public services, reverse decades of centralisation and revitalise UK democracy.

This Council urges the Government to take the opportunity now for a radical English Devolution settlement devolving power to both the Counties and the Cities of England.'

ITEM 8(iii)

Mrs Hazel Watson (Dorking Hills) to move under Standing Order 11 as follows:

'Council notes:

- The strong and enthusiastic participation shown by the people of Scotland in a remarkable democratic process leading to the Referendum on 18 September;
- The resulting increased discussion on the devolution of powers from central government in Westminster and Whitehall.

Council believes:

- That power should be devolved to the people in all parts of the United Kingdom;
- That England is currently ruled by an over-centralised state that fails to reflect localities and regions;
- That concentrating more power to English MPs in Westminster is not the answer for English devolution and that passing power down to local areas of England is essential.

Council therefore calls for:

Surrey's MPs, the Leader of the Council and the Cabinet to lobby for urgent major devolution of power, including tax raising and spending, from central government to the regions, counties, boroughs & districts and cities of England.

And that such lobbying should emphasise:

(v)

That the devolution of powers and finance to English councils be carried out in ways that enhance and strengthen local democratic bodies. This must include agreement that it shall be for local people and communities to decide their form of democratic leadership without having a specific model imposed (for example directly elected Mayors) in return for more powers;

A recognition that English devolution must include both large cities and county areas, as the many councils not within city regions must also gain greater powers and finance in order to build successful and prosperous futures.'

ITEM 8(iv)

Mr Robert Evans (Stanwell and Stanwell Moor) to move under Standing Order 11 as follows:

'In the light of the recent referendum in Scotland and the widely held view that constitutional changes are essential in order to restore public confidence in the nation's democratic structures, this Council agrees to investigate the extent to which the unitary authority model could now better deliver quality services and efficiency savings.

Furthermore, this Council resolves that any future reorganisation of local government must ensure that Surrey retains a significant influence on the regional and national agenda.'

ITEM 8(v)

Mr Jonathan Essex (Redhill East) to move under Standing Order 11 as follows:

'This Council notes that the Local Government 2000 Act recommended that it is good practice for the Chairs of Scrutiny and Select Committees to be occupied by councillors from outside of the ruling party. Such an arrangement would support and enhance the transparency and accountability of decision making of the Council. It would also assert and protect the public interest on the issue of decision making.

Therefore, the Council agrees:

- That the Chair of the Overview and Scrutiny Committee should not be a member of the ruling group; and
- That the Chairs and Deputy Chairs of all Select Committees, and other committees of Surrey County Council with a scrutiny function will, in future, be allocated and distributed in proportion to the representation of councillors elected by the different groups.'

9 REPORT OF THE CABINET

(Pages
13 - 18)

To receive the report of the meeting of the Cabinet held on 22 July and 23 September 2014.

- 10 REPORT OF THE CONSTITUTION REVIEW GROUP** (Pages 19 - 46)
- To consider the findings of the Constitution Review Group and agree changes to Standing Orders in relation to Council meetings.
- 11 THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS 2014** (Pages 47 - 58)
- The Council is asked to agree amendments to the Constitution to reflect requirements of the Openness of Local Government Bodies Regulations, which came into effect on 6 August 2014.
- 12 REPORT OF THE PEOPLE, PERFORMANCE AND DEVELOPMENT COMMITTEE** (Pages 59 - 68)
- To approve: (i) the Officer Code of Conduct, and (ii) the Use of Social Media Guidance, for inclusion in the Constitution.
- 13 REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE** (Pages 69 - 70)
- To approve amendments to the terms of Reference for the Audit and Governance Committee.
- 14 AMENDMENTS TO THE SCHEME OF DELEGATION** (Pages 71 - 100)
- It is the Council's responsibility to approve changes to the Scheme of Delegation regarding non-executive functions, while amendments to executive functions are delegated to the Leader and are brought to County Council to note.
- This report seeks Council's approval for changes to the Scheme of Delegation relating to section 106 agreements, Pensions functions and Rights of Way orders. The executive functions brought to Council for information in this report refer to revised decision making arrangements regarding youth services, changes to delegations on adopting roads and streets, and new delegations regarding local transport schemes. New Financial Regulations have also been prepared for Council's approval, proposing the amendment of approval thresholds for virements and changes to the review process for fees and charges.
- These changes are brought to Council in accordance with Articles 4.10 and 5.02 of the Council's Constitution.
- 15 MINUTES OF THE MEETING OF THE CABINET** (Pages 101 - 152)
- 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 Anne Gowing in Democratic Services by 12 noon on Monday 13 October 2014.

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. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that 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

COUNTY COUNCILCOUNCIL MEETING - 15 JULY 2014

MINUTES of the meeting of the Council held at the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN on 15 July 2014 commencing at 10.30 am, the Council being constituted as follows:

David Munro (Chairman)
Sally Marks (Vice-Chairman)

*	Mary Angell		David Ivison
	W D Barker OBE		Daniel Jenkins
*	Nikki Barton		George Johnson
	Ian Beardsmore		Linda Kemeny
	John Beckett		Colin Kemp
	Mike Bennison		Eber Kington
	Liz Bowes		Rachael I Lake
	Natalie Bramhall		Stella Lallement
	Mark Brett-Warburton		Yvonna Lay
	Ben Carasco	*	Denise Le Gal
	Bill Chapman		Mary Lewis
	Helyn Clack		Christian Mahne
*	Carol Coleman		Ernest Mallett MBE
	Stephen Cooksey		Peter Martin
	Steve Cosser		Jan Mason
	Clare Curran		Marsha Moseley
	Graham Ellwood	*	Tina Mountain
	Jonathan Essex		Christopher Norman
	Robert Evans		John Orrick
	Tim Evans		Adrian Page
	Mel Few		Chris Pitt
	Will Forster		Dorothy Ross-Tomlin
	Pat Frost		Denise Saliagopoulos
	Denis Fuller		Tony Samuels
	John Furey		Pauline Searle
	Bob Gardner		Stuart Selleck
	Mike Goodman		Nick Skellett CBE
	David Goodwin		Michael Sydney
*	Michael Gosling		Keith Taylor
	Zully Grant-Duff		Barbara Thomsson
*	Ken Gulati		Chris Townsend
	Tim Hall		Richard Walsh
	Kay Hammond		Hazel Watson
	David Harmer		Fiona White
	Nick Harrison		Richard Wilson
	Marisa Heath		Helena Windsor
	Peter Hickman		Keith Witham
*	Margaret Hicks	*	Alan Young
	David Hodge	*	Victoria Young
	Saj Hussain		

*absent

42/14 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Mrs Angell, Mrs Barton, Mrs Coleman, Mr Gosling, Mr Gulati, Mrs Hicks, Ms Le Gal, Mrs Mountain, Mr Young and Mrs Young.

43/14 MINUTES [Item 2]

Subject to amending the typo in item no: 31/14 – Members' Questions, Q1, the minutes of the meeting of the County Council held on 6 May 2014 were submitted, confirmed and signed.

44/14 CHAIRMAN'S ANNOUNCEMENTS [Item 3]

The Chairman made the following announcements:

- (1) He drew Members' attention to the list of Her Majesty the Queen's Birthday Honours List 2014, included in the agenda and said that he had written to each Surrey recipient, who had gained the honour for services to Surrey.
- (2) The passing of Mr Tom Phelps-Penry, former County Councillor for Walton. Members stood in silent tribute.
- (3) He welcomed Liz Mills, who will be joining Democratic Services as Lead Manager in August, to her first County Council meeting.
- (4) Chairman's Receptions – he informed Members that he had hosted two receptions recently, both at Painshill Park. The first one on 2 July to thank all volunteer and community organisations who work closely with the County Council and secondly, on 14 July, a reception hosted with the Lord Lieutenant, to thank all those people who helped during last winter's flooding crisis.
- (5) The lunchtime speaker was Andrew Wates OBE DL – the Vice Lord Lieutenant of Surrey

45/14 DECLARATIONS OF INTEREST [Item 4]

There were none.

[Note: Prior to the next item, the Leader of the Council made a personal statement, in relation to the Council's decision on Members' Allowances, made at the last County Council meeting in May. He informed Members that both he, and the Deputy Leader, had made a personal decision to accept only the level of allowance, for their positions, recommended by the Independent Remuneration Panel.]

46/14 LEADER'S STATEMENT [Item 5]

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

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

- Following on from Surrey's policy to keep every library open, he was asked if he would apply a similar policy to Surrey's fire stations.
- Whether the Project Horizon initiative for Highways would be at some risk, unless the Council received additional Government funding for flooding Recovery work.
- The expansion of schools to accommodate the increase in school places required was welcomed, however, it was considered essential that highways officers were involved at the planning stage to ensure safe access to schools.
- Consideration should be given to updating Surrey libraries to ensure that they became more community hubs.
- The value of Members' Allocations, with a request that they would not be reduced further in future years.

47/14 SURREY COUNTY COUNCIL PROGRESS REPORT: JANUARY - JUNE 2014 [Item 6]

The Leader presented the Surrey County Council Progress Report – January - June 2014, the tenth of the Chief Executive's six monthly reports to Members.

Three Members made the following comments:

- That the regular six monthly report from the Chief Executive was a valuable document that clearly set out the achievements and work of the County Council's Members and officers.
- Case studies were highlighted, in particular, the joint work that the Fire and Rescue Service had undertaken with the Adult Social Care Service to reduce the risk of older residents from fire and also the partnership working between the person who had joined the Council on secondment from the Department for Works and Pensions to work on the Family Support Programme.
- The work undertaken with communities and partners across the county in response to the persistent flooding, demonstrated the 'one team' approach.

RESOLVED:

- (1) That the report of the Chief Executive be noted.
- (2) That the staff of the Council be thanked for the progress made during the last six months.
- (3) That the support for the direction of travel be confirmed.

48/14 MEMBERS' QUESTION TIME [Item 7]

Notice of 16 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) Mr Witham said that he would be submitting his views and also those of his residents to Guildford Borough Council and he urged other Guildford County Councillors to do the same.

Other Guildford Members made points about school place planning and roads. The Cabinet Member for Environment and Planning was also asked whether he could persuade Guildford Local Committee to have an additional meeting to discuss the Borough Council's draft local plan so that there would be a co-ordinated response from this committee. The Cabinet Member said that it was not within his remit to instruct local committees to do this. Also, the dates for the arrangements were yet to be defined and therefore he suggested that Members met with officers to discuss their views and that he would take further questions outside the meeting.

(Q2) Mr Jenkins considered that his question regarding the production of a detailed timeline for flood defence and alleviation work had not been answered and he also asked the Cabinet Member for Highways, Transport and Flooding Recovery why officers and Members from affected authorities were trying to raise £120m when the Prime Minister had previously said 'money was no object'. The Cabinet Member referred to funding which Oxfordshire CC had recently received and said that Surrey had not yet received any funding for the River Thames scheme. He confirmed that the multi-agency plan to raise £120m would be difficult and was still being discussed.

(Q3) Mrs White asked the Leader of the Council what arrangements had been made to discuss funding for the Junior Citizen Scheme with the office of the Police and Crime Commissioner and could she be advised of the outcome. The Leader confirmed that it would be discussed as part of the regular meetings that both he and the Chief Executive had with the Police and Crime Commissioner.

(Q4) Mrs Watson requested assurance that funding cuts would not be made to the Highways budget and this was confirmed by the Cabinet Member for Highways, Transport and Flooding Recovery. **Mr Essex** asked for clarification on Value for Money and was advised to speak to the Cabinet Member outside the meeting.

(Q6) Mr Orrick confirmed that he would like to accept the Leader of the Council's offer for updates on the setting up of networks. He also asked the Leader what authorisation did the County Council have to set up these Boards and was assured that proper processes were in place which could be scrutinised by the Council Overview and Scrutiny Committee.

(Q7) Mr Beardsmore questioned the response and referred to the Council motion from 16 July 2013 meeting when the Council had agreed to oppose any proposals that would reduce Heathrow's role as a hub airport. The Leader of the Council confirmed that, since 2008, the County Council had recognised the crucial role of the airport and had continued to support the economic position for Heathrow and Gatwick in supporting employment for Surrey residents, providing the infrastructure was in place. The Cabinet Member for Environment and Planning agreed. They both considered that Mr Beardsmore had received a full answer and it would be wrong to say more until the outcome of the Davies Commission was known in 2015.

(Q8) Mr Robert Evans considered that since the Leader's personal statement made earlier in the meeting, the response was now inaccurate. **Mr Beardsmore** accepted that County Council's had been given 42 new responsibilities since 2010 but considered that the work was being done by all Members and staff and asked when they would receive financial remuneration. **Mrs Watson** said that, in the light of the recommendations from the Minister, Brandon Lewis in relation to Special Responsibility Allowances, would the Leader of the Council be reconsidering them.

Mr Essex asked if the Leader's decision to accept the level of allowance recommended by the Independent Remuneration Panel was made as a result of public opinion. The Leader of the Council responded by stating that all Members of the Council were entitled to make

personal decisions on what they claimed as allowances or expenses and made no further comment.

(Q9) Mr Mallett considered that the parking at the adjacent sports club was critical for Woodmansterne Primary School and asked that the Council resolve this problem. The Cabinet Member for Schools and Learning informed him that the sports club was privately owned, was not on County Council land and that the club was not interested in resurfacing their car park. Therefore, officers were exploring other options to mitigate the parking issues at this school.

(Q10) Mr Beckett asked the Cabinet Member for Highways, Transport and Flooding Recovery when had a building survey last been undertaken on Rowan House. Also, **Mrs Mason** challenged the statement that services to the public had not been affected, citing an issue of a delay in 180 disabled parking bays awaiting inspection. The Cabinet Member for Highways, Transport and Flooding Recovery said that, whilst recognising that there had been IT issues, the whole operation was working again and he challenged the comments made by Mrs Mason.

(Q11) Mr Harrison asked the Leader of the Council, if he was confident that sufficient progress had been made so that the County Council would not have to use reserves and balances to achieve a balanced budget. Mr Robert Evans asked the Leader why he considered that the County Council got a 'raw deal' from Government when the County had 11 MPs. The Leader referred to the Council Budget meeting in February when it had been agreed to build up reserves to meet current needs. In response to Mr Evans comment, he said that the County Council had also received a low level of Central Government funding under the previous Labour Government.

(Q12) Mr Kington considered that the Council should have a contingency plan in place and that the delay in obtaining planning permission for a demountable classroom at the Vale Primary School was unacceptable. **Mr Hickman** said that there had been a similar instance in his division. **Mr Taylor** acknowledged the enormous effort that officers were making to provide school places. **Mr Beckett** referred to the school's travel plan which was due to be updated in the Autumn and asked that officers made it a priority to obtain the views of local residents.

The Cabinet Member for Schools and Learning responded by stating that the County Council was embarking on the biggest school expansion programme for many years and publically thanked officers from property, planning, education and highways, without whose work, this scale of expansion would not be possible. She acknowledged that parents preferred a local school so their children could walk there. On forecasting, she said that it could never be an absolute science but that the figures were within 2% accuracy of what was required and that work was on-going to improve the accuracy. Finally, she offered to respond to the questions from Mr Beckett and Mr Barker outside the meeting.

(Q14) Mrs Watson asked for the performance data to be available so that it could be scrutinised in public. The Leader of the Council said that scrutiny was the responsibility of select committees and that the Council Overview and Scrutiny Committee examined the Council's performance on a quarterly basis, as stated in his written response.

(Q15) Mr Harrison asked the Cabinet Member for Adult Social Care, who said that he was cautiously optimistic, if he was content with the progress of the re-assessments of the open cases within the 'Older People' category.

(Q16) Mr Jenkins questioned the validity of the answer, because the biggest cost element was excluded. The Cabinet Member for Community Services provided an explanation

concerning the capital investment in the new fire station and said that it represented good value for Surrey and that she would like to see more investment in other fire stations across the county.

49/14 STATEMENTS BY MEMBERS [Item 8]

There were no statements from Members.

50/14 ORIGINAL MOTIONS [Item 9]

Item 9(i)

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

Under Standing Order 12.1, Mrs Clare Curran moved the motion which was:

'Council notes:

- this Administration's commitment to economic stimulation which has helped significantly in reducing the number of NEETS in the county with Surrey now down to the lowest level nationally and;
- the great success in exceeding the target of 500 apprentices in just ten months which has led to the recently-launched drive to create a further 170 new apprenticeships for this County's young people.

Therefore, this Council thanks:

- our Skills Centres and all their staff who perform the vital role of filling a gap in post-16 provision and support young people towards full participation by focussing on preparing them for employment opportunities;
- the County's young people and apprentices who so enthusiastically embrace programmes such as the Ready for Work Re-engagement Programme, and;
- Surrey's business community and other partners who have been so supportive in giving Surrey's youth an opportunity in the workplace.'

Mrs Curran made the following points:

- That all Members joined her in congratulating those staff who had worked hard in achieving both the reduction in the number of NEETS in the county and also exceeding the Council's target of 500 apprentices in ten months.
- Initiatives such as the Ready to Work Re-engagement Programme and meaningful work placements were commended.
- The importance of networks.
- That, through the Local Committees, the Youth Service was embarking on re-commissioning its services for the next five years and she urged Members to ensure that the needs of the young people in their divisions were understood.
- The statutory duty of the Early Years Service to ensure all young children were 'school ready'.
- The Family Support Programme.

- The need to improve careers advice for all young people, starting in Year 9.
- That the service was working closely with LEPS and also the proposal for a University Technical college would broaden opportunities for young people.
- All these initiatives would help ensure that the County Council provided young people with the opportunities to enable them to have a good start in life.

The motion was formally seconded by Dr Grant-Duff.

Seven Members spoke, making the following points:

- Support for the motion – this was a ‘good news’ story.
- Promise of continued support through Members’ allocations for young people’s initiatives.
- The reduction in the number of NEETS was excellent news.
- Concern that the Youth Service future plans were presented with lack of clarity.
- Early intervention and prevention was crucial.
- Business Investment in Surrey – an example of how Surrey businesses were working to supply components for aircraft was given.
- Apprenticeships had been a success and were life changing opportunities for young people and Surrey’s commitment to the scheme deserved credit.
- It was good news that no Looked After Child (LAC) had entered the youth justice services in the last two years.
- The prospect of having a University Technical College (UTC) was a new concept of education.
- An invitation for all Members, who are aware of businesses in their division who may be willing to take on an apprentice, to contact the Head of Commissioning and Development.

After the debate, the motion was put to the vote and agreed, with no Member voting against it.

Therefore, it was:

RESOLVED:

That Council notes:

- this Administration’s commitment to economic stimulation which has helped significantly in reducing the number of NEETS in the county with Surrey now down to the lowest level nationally and;
- the great success in exceeding the target of 500 apprentices in just ten months which has led to the recently-launched drive to create a further 170 new apprenticeships for this County’s young people.

Therefore, this Council thanks:

- our Skills Centres and all their staff who perform the vital role of filling a gap in post-16 provision and support young people towards full participation by focussing on preparing them for employment opportunities;
- the County’s young people and apprentices who so enthusiastically embrace programmes such as the Ready for Work Re-engagement Programme, and;

- Surrey's business community and other partners who have been so supportive in giving Surrey's youth an opportunity in the workplace.'

Item 9(ii)

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

Under Standing Order 12.1, Mr Ian Beardsmore moved the motion which was:

'This Council welcomes the recently announced additional funding allocation from the Pothole Repair Fund and the Weather Repair Fund totalling £9.2m.

This Council notes that the Government allocated a greater share of funding to a number of model councils that were able to demonstrate best practice in highway maintenance. These councils have invested in new technology and initiatives.

This Council agrees that Surrey County Council will:

- (i) learn from best practice of other Councils to improve the speed and quality of pothole repair in Surrey

and

- (ii) review the way in which the County Council bids for funding from Government so that Surrey receives its fair share of funding in future.'

Mr Beardsmore said that this was a straight forward motion about the discrepancy of funding between different County Councils – both Kent and Hampshire had received more funding than Surrey and therefore, this Council needed to ascertain what the other counties were doing and then incorporate their 'best practice' into Surrey's bid for Government funding.

The motion was formally seconded by Mr Cooksey.

Mr Furey moved an amendment at the meeting, which was formally seconded by Mr Harmer.

The motion, as amended, read:

'This Council welcomes the recently announced additional funding allocation from the Pothole Repair Fund and the Weather Repair Fund totalling £9.2m.

This Council notes that the Government allocated a greater share of funding to a number of model councils, Surrey being one of them, that demonstrated best practice in highway maintenance and congratulate the Leadership of the County Council on achieving this recognition. Surrey has invested in new technology, a long term approach to the maintenance and renewal of the highway asset, with a clear understanding of its values to residents, visitors and the economy.

This Council agrees that Surrey County Council will:

- (i) share, learn and work with other best Councils to continue to improve the quality and timeliness of pothole repair in Surrey

And

- (ii) Continue to press Government to review and change the funding methodology to take proper account of:
- a) The economic importance of the Surrey Road Network to the national economy.
 - b) The significant high wear and tear on Surrey Roads which is not recognised within the current funding framework.
 - c) The exemplary Asset Management approach to the Surrey Road network, by the use of term investment, ensuring Value for Money for the residents of Surrey.'

The Chairman confirmed to Mr Beardsmore that the amendment to his motion was ruled 'in order'.

Speaking to his amendment, Mr Furey highlighted the following points:

- The County Council had been awarded nearly £4m from the Government's 'pothole challenge' fund – the remaining funding awarded dealt with last winter's flooding crisis.
- The Department for Transport had confirmed that the County Council's bid was exemplary.
- Surrey was regarded as a 'top authority' and as such had received a 30% uplift in funding – one of only 15 (out of 153) highway authorities that had received this uplift.
- The development of a 15 year Asset Management programme had assisted the County's case.
- As part of the Council's contract with Kier, the liability for pothole repairs had passed to them – this highly efficient contract provide Value for Money for Surrey residents.
- The highway asset was one of the most valuable assets under Surrey's control.
- The County was one of the largest net contributors to the UK economy – a fact not reflected in the funding received from the Department of Transport.
- There were high traffic volumes in Surrey and there was a direct correlation between number of vehicles and highway defects.
- 59% of Surrey's roads were urban and working on these roads was more expensive, due to peak restrictions around peak hours.
- The damage caused by utility companies
- That the Government raised £33bn from fuel duty annually – if 2p per litre was invested in highways, and based on the current funding formula, this would provide an extra £18 – 25m per year for Surrey.

Six Members spoke making the following points:

- This was an important motion / amendment because many residents were concerned about potholes.
- It was also important to learn from the best practice of other local authorities.
- Most damage was caused by lorries rather than cars.
- Repairing the potholes was vitally important.
- The amendment was part of the process to obtain a better deal from Government.
- The Highways Members' Reference Group was doing an excellent job and all Members were encouraged to visit the Highways depot in Merrow to see their work firsthand.
- The introduction of the permit scheme had helped.
- Extra funding was needed from Government – the problems of the M25 and the effect on the A25 were highlighted.

- The amendment was self-congratulatory and did not address the issues raised in the original motion.
- Residents would not agree that Surrey was a model authority.
- Recognition that the County Council had more to learn from other local authorities.
- The Government did not believe that Surrey needed more support.

The amendment was put to the vote with 50 Members voting for and 14 Members voting against it. There were five abstentions.

The amendment became the substantive motion.

Under Standing Order 23.1, Mr Kington then moved:

'That the question be now put'

20 Members stood in support of this request. The Chairman considered that there had been adequate debate and agreed to the request.

Therefore, it was:

RESOLVED:

This Council welcomes the recently announced additional funding allocation from the Pothole Repair Fund and the Weather Repair Fund totalling £9.2m.

This Council notes that the Government allocated a greater share of funding to a number of model councils, Surrey being one of them, that demonstrated best practice in highway maintenance and congratulate the Leadership of the County Council on achieving this recognition. Surrey has invested in new technology, a long term approach to the maintenance and renewal of the highway asset, with a clear understanding of its values to residents, visitors and the economy.

This Council agrees that Surrey County Council will:

- (i) share, learn and work with other best Councils to continue to improve the quality and timeliness of pothole repair in Surrey

And

- (ii) Continue to press Government to review and change the funding methodology to take proper account of:
 - a) The economic importance of the Surrey Road Network to the national economy.
 - b) The significant high wear and tear on Surrey Roads which is not recognised within the current funding framework.
 - c) The exemplary Asset Management approach to the Surrey Road network, by the use of term investment, ensuring Value for Money for the residents of Surrey.

51/14 REPORT OF THE CABINET [Item 10]

The Leader presented the report of the Cabinet meeting held on 27 May and 24 June 2014.

(1) Statements / Updates from Cabinet Members

The Bursary Fund Report 2014 was tabled on behalf of the Cabinet Member for Children and Families (Appendix C).

(2) Reports for Information / Discussion

The following reports were received and noted:

- High Performance Leadership Development Programme
- Establishment of a Property Company
- Surrey's Strategy for Gypsy, Roma and Traveller Children and Young People 2014 - 2017
- Quarterly report on decisions taken under Special Urgency Arrangements: 1 April – 30 June 2014

RESOLVED:

That the report of the meetings of the Cabinet held on 27 May and 24 June 2014 be adopted.

52/14 REPORT BACK ON REFERRED MOTION [Item 11]

The Chairman reported that the motion from the Council meeting on 6 May 2014, standing in the name of Mr Forster, and which was referred to the Children and Education Select Committee and the Adult Social Care Select Committee for consideration was not supported, as detailed in the report set out in the agenda.

Mr Forster was given the opportunity to address the Council and expressed his disappointment with the outcome. He considered that he had presented a viable option to help Young Carers in Surrey. The Chairman of Children and Education Select Committee responded by drawing attention to the report of the young carers joint research group, which had been endorsed by the Children and Education Select Committee and then the Adult Social Care Select Committee.

53/14 REPORT OF THE PLANNING AND REGULATORY COMMITTEE [Item 12]

The Chairman of Planning and Regulatory Committee presented the report and its recommendation to Council.

RESOLVED:

That the Surrey Code of Best Practice in Rights of Way Procedures, attached as Annex A to the submitted report, be approved, for inclusion in the Constitution.

54/14 REPORT OF THE AUDIT AND GOVERNANCE COMMITTEE [Item 13]

The Chairman of the Audit and Governance Committee commended the report and the recommendations of his committee to Council:

RESOLVED:

1. That the Risk Management Policy Statement and Strategy, attached as Annex A to the submitted report, be approved for inclusion in the Constitution.
2. That the Code of Corporate Governance, attached as Annex B to the submitted report, be approved for inclusion in the Constitution.
- 3.

55/14 AMENDMENTS TO THE SCHEME OF DELEGATION [Item 14]

The Leader of the Council introduced the report.

RESOLVED:

1. That the following delegation to the Chief Executive and to the Strategic Director for Business Services be approved:

Arrangements for the discharge of functions

In consultation with the Leader and with any Cabinet Member responsible for the function for which the Council is proposing to take responsibility, to agree arrangements with another local authority to discharge functions on behalf of that other authority.

2. That the amendments to the Scheme of Delegation, agreed by the Leader of the Council, as set out in the submitted report, be noted.
3. That the relevant changes to the Constitution to enable the Shareholder Board and the Coast to Capital Strategic Joint Committee to be established and become operational, as set out in Annex A and B of the submitted report be approved, and that the terms of reference of the Shareholder Board and the Coast to Capital Strategic Joint Committee be included in the County Council's Constitution.

56/14 MINUTES OF THE MEETINGS OF THE CABINET [Item 15]

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.

[Meeting ended 1.05pm]

Chairman

County Council Meeting – 14 October 2014

REPORT OF THE CABINET

The Cabinet met on 22 July and 23 September 2014.

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 22 July and 23 September 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 13 October 2014).

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

1. STATEMENTS/UPDATES FROM CABINET MEMBERS

None.

2. REPORTS FOR INFORMATION / DISCUSSION

22 July 2014

A LOCAL GOVERNMENT OMBUDSMAN REPORT WITH A FINDING OF MALADMINISTRATION

1. The Local Government Ombudsman investigated a complaint made by Mrs D on behalf of herself and her son, C, that the services provided by both Surrey County Council and the NHS Trust between January 2007 and February 2011 were inadequate, uncoordinated and failed to meet their needs.
2. The Ombudsman found that there had been maladministration, on the part of both Surrey County Council and the NHS Trust, causing injustice.
3. In relation to Surrey County Council the Ombudsman found that:

Education failed:

 - to provide an appropriate amount of home tuition to help C prepare for GCSE examinations
 - to consider continued provision of home tuition after July 2008.

Children's Services failed:

- to undertake a risk assessment with appropriate urgency
 - to allocate a social worker for a significant period
 - to complete the core assessment in a reasonable time
 - to arrange the social activities for C recommended in the core assessment
 - to refer C to the Transitions Team in accordance in accordance with statutory guidance
 - to advise Mrs D of the availability of a carer's assessment and;
 - to complete the carer's assessment within a reasonable time
4. The Ombudsman decided that a compensation payment of £5000 would be appropriate to remedy the injustice caused to Mrs D and C, and the officers of Schools and Learning and Children's Services, in consultation with the portfolio holder have agreed to this.
4. The Ombudsman made other findings of maladministration in relation to the actions of the NHS Trust. Surrey's officers regret that these failings occurred and have agreed to send a joint apology with the NHS Trust to the complainant to acknowledge failings. The Council has also agreed to work with C and to develop action plans to address the failings identified.
- 5. The Cabinet agreed:**
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.

23 September 2014

B DEVELOPING THE FIRST UNIVERSITY TECHNICAL COLLEGE IN SURREY

1. Surrey County Council, with key partners, are forming a University Technical College (UTC) Academy Trust to submit a bid for a University Technical College (UTC) in Guildford. The key partners, who will be the Founding Members of the Academy Trust, are Royal Holloway - University of London, Guildford College, Guildford Education Partnership, CGI Group and Surrey County Council. The UTC will focus on key skill

shortage areas of computing and engineering, which have been selected with employers and the Enterprise M3 Local Enterprise Partnership.

2. University Technical Colleges (UTCs) are government funded academies that offer 14-18 year olds an education that is geared to meet the needs of employers, with extensive experience of the work place and projects. They teach students technical and scientific subjects in a new way, educating the inventors, engineers, scientists and technicians of tomorrow.
3. By integrating technical, practical and academic learning, UTCs create an environment where students can thrive and develop the abilities that employers need.
4. UTCs are academies and are smaller than traditional secondary schools. They are not academically selective and charge no fees. UTCs typically have 600 to 800 students, are sub regional and their catchment area may extend across a number of local authorities.
5. The UTC in Guildford will be a high performing specialist academy for 14-18 year olds, producing excellent results with 100% progression to higher education, training or employment. The UTC will offer a different learning environment to schools and colleges, with an emphasis on computing and engineering. These are fields which employers and higher education have identified as growth areas, with shortages of well-qualified and motivated young people. Students will benefit from both academic and technical pathways with clear links between every aspect of their education and the world of work. They will be engaged in their education, working on real world projects and mentored by sponsoring employers. With a business-like environment, students will be learning key employability skills and will have clear progression pathways after Year 12 to higher education, higher apprenticeships and employment. The vision is driven by a shared ambition to motivate and enable all young people to fulfil their potential, become enterprising citizens and make a positive contribution.
6. The development of the UTC will be funded through a bid for capital funding, up to £10 million, from Central Government. It will bring in additional resources to support the development of education opportunities for the future in Surrey, addressing needs arising from the growing population and provide a distinctive new offer for young people. Additional capital funding is also being sought from Enterprise M3 Local Enterprise Partnership. Following a successful bid and launch of the UTC, funding would be provided annually in the same way as other secondary schools in Surrey are funded.
7. **The Cabinet agreed:**
 1. That the forming of the Academy Trust Company be approved.

2. That the submission of a bid by the Academy Trust Company for a University Technical College (UTC) in Guildford by the founding members of the trust be approved.
3. That Surrey County Council be approved as one of the founding members of the UTC with Linda Kemeny, Cabinet Member for Schools and Learning, acting on the Council's behalf.

C NATIONAL AUTISTIC SOCIETY / CULLUM AUTISM CENTRES IN SURREY SCHOOLS

1. The National Autistic Society (NAS) proposes to work in partnership with Surrey County Council and four nominated secondary schools to develop four Centres of Education Excellence for young people with autism. Funding up to £4m will be provided by the NAS specifically for the delivery of the facilities.
2. The centres will be delivered in 2 phases: - phase 1, Salesian School, Chertsey and Rodborough School, Godalming have each agreed to host an autism-specific resourced provision for 20 students aged 11-16 with a proposed opening date of Easter 2015 for the Salesian Centre and September 2015 for the Rodborough Centre. Phase 2 centres are planned to be located at Howard of Effingham School and Hinchley Wood School the timescales for which are to be finalised with NAS.
3. The Learning Difficulties Review (2012) identified an ongoing shortage of Surrey maintained provision for young people with high functioning autism (HFA) and related conditions. There is currently no autism-specific resource centre at secondary level.
4. This proposal will increase the capacity of SEN provision for high-functioning autism in Surrey by 40 places in the first phase and by 80 places on completion of the second phase. It will develop improved integration with mainstream schooling. The four schools where centres are proposed indicated their willingness to work with the project and on the basis of their geographical spread offer equality of provision across the county.
5. Surrey currently places approximately 250 students with autism in non-maintained independent (NMI) schools. Additional high quality maintained provision within Surrey is expected to reduce these costs.
6. The NAS is a nationally respected provider of autism education. A partnership offer will enhance the credibility and quality of Surrey autism provision. Parental confidence will be increased, reducing parental preference for NMI.
7. A resource centre at a mainstream school allows students with high functioning autism to have access not only to autism-specific teaching strategies including an emphasis on social communication, but also to

high quality specialist subject teaching across the full range of the curriculum at a GCSE level of delivery. Students would generally be expected to spend at least 60% of the school day included in mainstream lessons.

8. The NAS has financial support from the Cullum Family Trust to implement four NAS Cullum Autism centres in Surrey. There is no set amount for each individual centre and any programme cost overruns will be borne by the NAS. The NAS offer is for a total capital input up to £4m, subject to a development contribution of £50,000 per centre from Surrey County Council.
9. **The Cabinet agreed:**
 1. That entering into a development and commissioning agreement and a service level agreement with the National Autistic Society to set up four resource centres at secondary schools for young people with autism and to provide £50,000 funding for a development contribution for each centre be approved.
 2. That the statutory notice be determined for the inclusion of an SEN unit at Salesian School, for which the representation period ended on 12 September 2014.
 3. That the capacity of the centre at Salesian School be increased, providing funding of £321,902 to include updated and fit for purpose facilities for its existing SEN pupils.

D QUARTERLY REPORT ON DECISIONS TAKEN UNDER SPECIAL URGENCY ARRANGEMENTS: 1 JULY – 30 SEPTEMBER 2014

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 have been no such decisions during the last quarter.

**Mr David Hodge
Leader of the Council
3 October 2014**

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REPORT OF THE CONSTITUTION REVIEW GROUP

KEY ISSUE/DECISION:

To consider the findings of the Constitution Review Group and agree changes to Standing Orders in relation to Council meetings.

BACKGROUND:

1. The Council last reviewed its council and committee processes in 2009, in response to the Local Government Public Involvement in Health Act. This introduced a number of changes, as required by legislation, to the way Council, Cabinet and committee meetings worked.
2. With the start of a new Council term, it was felt that it would be timely to instigate a further review of Standing Orders, focusing on Council meetings. The Chairman of the Council, therefore, asked the Vice-Chairman to lead a cross-party task group looking at the Council's current practice and making recommendations to the Council on how we might improve our Council meetings.

TASK GROUP APPROACH:

3. The Constitution Review Group was chaired by the Vice-Chairman of the Council and included representatives from the three largest political groups. The full membership of the task group included Sally Marks, Nick Harrison, Mary Lewis, Nick Skellett, and Hazel Watson.
4. The task group initially met in January 2014 and agreed the following objectives for the review:
 - To consider our current processes and identify any areas for improvement (e.g. to reduce bureaucracy or help increase public understanding.)
 - To ensure that Council meetings strike the right balance between enabling Members to have their say and effective meeting practice.
 - To consider the processes for handling Motions, Questions and statements at Council and make recommendations as appropriate.

5. In order to inform the review, the task group agreed to issue a survey to all Members, followed by detailed witness sessions with key Members and officers. A total of 59 Members responded to the survey, covering all four political groups, and the following also attended witness sessions with the task group:
 - Chairman of the Council
 - Group Leaders
 - Leader of the Council
 - Cabinet Members/Associates
 - Chief Executive
 - Strategic Directors
 - Monitoring Officer
6. The task group would like to take this opportunity to thank those Members and officers who contributed to the review. The views and ideas expressed during the review have directly contributed to the final recommendations of the task group, as outlined below.

FINDINGS:

Timing of Council meetings

7. Currently the County Council meets 6-7 times a year, with meetings starting at 10:30am. If it is not possible to complete the business of the meeting in time for lunch, the standard has been to break at 12:45 and resume the meeting at 2:15pm.
8. Views were sought on the current frequency and timing of council meetings. Of those who responded to the survey, 80% agreed that meeting six times a year was about right. In relation to the start time, three Members would prefer evening meetings whilst the remainder would prefer to continue the current practice of morning meetings, although 60% would favour an earlier start time.
9. Members were also asked for their views on the lunch breaks and the majority felt that these were too long. In addition, whilst Members valued the practice of having a speaker at lunch, the overwhelming view was that this should be occasionally rather than at every meeting.
10. Based on the above findings, the task group **recommends** that:
 - a. Council meetings start at 10am (with prayers at 9:50am for those wishing to attend)
 - b. where it is necessary to continue the meeting after lunch, the expectation should be that the lunch break will last no longer than one hour
 - c. the AGM meeting should include a formal lunch with a speaker but for the other meetings, there is no need for special arrangements. Those lunches should be held in the Mess or in the Ashcombe, depending on which venue best suits the Catering service, and should be scheduled to last no longer than one hour.

Council motions

11. Original Motions is one of the standing items on any Council agenda and, depending on the number of motions submitted, can take up a large proportion of the meeting. The task group, therefore, focused a significant proportion of its time reviewing the current process for handling motions and looking at alternative approaches and suggestions put forward.
12. The survey asked Members if they felt there should be a limit on the number of motions at each Council meeting and the overwhelming response was yes (71.43%). Members were also asked for views on what that limit should be as well as how it would be managed. The response to the limit ranged from two to ten, with some suggesting that the number shouldn't be limited, but instead, a time limit be put on the debate (similar to the approach to Member Question Time).
13. Having considered the views submitted in the survey, the majority of the task group felt that on balance, a limit of three motions should be introduced. However, they were equally mindful that if such a limit was introduced, a fair and equitable process must be adopted in order to agree which motions to debate.
14. Members should retain the right to submit up to one motion per meeting and in the event of more than three motions being submitted for any meeting of the Council, a meeting between the Chairman and the Group Leaders would be convened to consider them prior to the agenda being agreed. This group would review the motions received and agree which ones would be considered at the meeting and the order in which they are to be taken. In the event of no agreement being reached with the Group Leaders, the Chairman would have the discretion to take the decision on which motions would be added to the Council agenda and in what order, being mindful of the political balance of the Council and the need to ensure fair representation for all political groups.
15. All motions submitted would be recorded in the register, including details as to whether it was accepted onto the agenda or not. For motions over and above the limit of three and not accepted, the Member who had submitted it would be notified. That Member could then decide the best alternative course of action for them depending on the subject matter and original purpose of raising the motion. Possible options available to them include:
 - a. raising through a Member Statement or Question
 - b. asking a select committee to look into the matter
 - c. re-submitting for a future Council meeting
 - d. pursuing more informally (e.g. direct with the relevant officer and/or Cabinet Member.)

16. The majority of the task group therefore **recommends** that Standing Orders be amended to introduce a limit of three motions for any Council meeting, using the above process.
17. The majority of the task group felt that the presumption that no motions are included on the agendas of the County Council's budget meeting or annual meeting was helpful, and the majority of the task group therefore **recommends** that this should be formalised in Standing Orders.

Members' Question Time

18. Members felt that it was important to retain Members' Question Time as it gave Members a valuable opportunity to raise local issues and influence the Council's policies. That said, the group felt that Members should be encouraged to submit questions to Council only if there is no other more appropriate arena available for them to do so, such as a Local Committee or a Select Committee. It was also felt that the current time limit of 45 minutes and the practice of taking Members' first questions first, followed by second questions, third questions etc. ensured the right balance between Members having their say and effective meeting practice.
19. In the witness sessions, some Cabinet Members indicated that they would welcome more involvement in their portfolios by other Members and felt that the current question time did not provide that wider opportunity as it tended to be focused on specific issues. This meant that there was limited opportunity to interact with Members outside the relevant select committee in relation to more general policy development.
20. To address this, the suggestion was put forward that Cabinet Members be invited to submit one-page briefings on their portfolios at each Council meeting. These would be circulated to all Members in advance of the meeting and could also be included as appendices to the minutes for completeness. Following the current 45 minutes for supplementary questions, there would be an additional 15 minutes set aside to allow Members to question Cabinet Members on their current briefing paper. These would be taken as questions from the floor, rather than written questions, in a similar format to the practice around the current Leader's Statement.
21. The task group supported this suggestion and **recommends** that Standing Orders be amended to introduce the inclusion of Cabinet briefings within the Members' Question Time item.

Election of the Leader of the Council

22. As the Constitution is currently silent on this matter, the task group felt it would be helpful to set out a procedure for speaking on the nominations for Leader of the Council to ensure that a representative from each

political group has the opportunity to express a view. It **recommends** that Standing Orders be amended to ensure each group has an opportunity to speak on the nominations and to introduce specific time limits for the speeches by the proposer, seconder and group representative.

Leader's Statement

23. Overall, Members felt that the Leader's Statement was a valuable item on the Council agenda, with nearly 65% rating it as very useful and only one Member feeling it added no value. In the open ended responses to the survey, and again at the witness sessions, questions were raised about where the Leader's Statement featured in Standing Orders and therefore Members' right to question and/or comment on the statement.
24. Whilst it was recognised that the process worked well at present, it was noted that this was due to the approach of the current Leader and Chairman and that if these roles were to change, then Members may not have an automatic right to comment on the Leader's statement, leading to potential inconsistencies in the approach from one Leader to the next.
25. In order to introduce clarity to the process, the task group **recommends** that the Leader's statement be included explicitly in Standing Orders and Members provided with the right to ask questions and/or comment on the statement.

Supporting effective Council meetings

26. During the course of the review, a number of other issues were raised that the task group felt it important to capture in order to support Members in the effective running of the Council meetings.
27. There were a number of comments made about ensuring that a wide range of Members were able to participate in debates and that the length of some speeches could be reduced to accommodate this, particularly around motions.
28. The majority of the task group was sympathetic to this view as a means of improving the quality of, and engagement in, debates and therefore the majority of the task group **recommends** that the time limits for speakers be reviewed and reduced in most cases. The suggested changes are detailed in the amended Standing Orders attached at appendix 1 (SO18).
29. Both officers and Members commented that the current sound and voting systems in the Council Chamber were not fit for purpose. It was often difficult to hear individuals when they stood to speak, with constant adjustments needing to be made by sound engineers. In addition, there have been several examples of the webcasting system failing during

meetings, making it more difficult for members of the public to consistently watch proceedings.

30. Whilst the introduction of electronic voting was welcomed by members, the system was seen to be limited and not user-friendly. More comprehensive systems exist that have the capability to record named votes, and the general feeling was that such a system would add value to proceedings.
31. Based on feedback received via both the survey and witness sessions, the task group **recommends** that:
 - a. changes to the Council Chamber and Ashcombe be considered to ensure that:
 - i. the audio and webcast systems are more reliable and of higher quality;
 - ii. the electronic voting system in the Chamber enables a record to be kept of each individual's vote;
 - iii. the Chamber is fit for purpose, with space to store papers, ports to recharge equipment and comfortable seating.
 - b. the 'Guide to County Council Meetings' should:
 - i. be revised and reissued on an annual basis;
 - ii. be provided to new Members as part of their training, including those joining mid-term; and
 - iii. remind Members on the requirement to act with courtesy during meetings.

Petitions

32. Finally, the task group considered the Council's petition scheme. At present, a petition requires 20,000 signatures in order to trigger a debate at Council. Only one petition has reached this threshold since the scheme was introduced in 2010.
33. The task group felt that the threshold seemed high and having reviewed the schemes of comparative authorities as well as the petitions received by the council in the last year, the evidence supports this view. Only two petitions submitted had more than 3,000 signatures (3,921 and 3,082 respectively), with the next highest number of signatures standing at 1,830.
34. The majority of the task group therefore **recommends** that the Council's Petition Scheme is amended to set the threshold for a petition to trigger a debate at council at 10,000 signatures.

RECOMMENDATIONS:

The Constitution Review task group made the following recommendations:

- 1) Council meetings start at 10am (with prayers at 9:50am for those wishing to attend)
- 2) Where it is necessary to continue the meeting after lunch, the expectation should be that the lunch break will last no longer than one hour
- 3) The AGM meeting should include a formal lunch with a speaker but for the other meetings, there is no need for special arrangements.
- 4) Standing Orders be amended in relation to:
 - i. the procedure to be followed for the election of the Leader of the Council;
 - ii. the Leader's statement;
 - iii. the inclusion within the Members' Question Time item of Cabinet Member briefings, for which a time limit of 15 minutes will be applied. in line with the processes outlined in the report (detailed changes attached at appendix 1.)
- 5) Changes to the Council Chamber and Ashcombe be considered to ensure that:
 - i. the audio and webcast systems are more reliable and of higher quality;
 - ii. the electronic voting system in the Chamber enables a record to be kept of each individual's vote;
 - iii. the Chamber is fit for purpose, with space to store papers, ports to recharge equipment and comfortable seating.
- 6) The 'Guide to County Council Meetings' should:
 - i. be revised and reissued on an annual basis; and
 - ii. remind Members on the requirement to act with courtesy during meetings.

The majority of the Constitution Review task group made the following recommendations:

- 1) Standing Orders be amended in relation to:
 - i. the presumption that no motions are included on the agendas of the County Council's budget meeting or annual meeting;
 - ii. the introduction of a limit of three motions for any other Council meeting;
 - iii. the revised time limits to apply to speeches. in line with the processes outlined in the report (detailed changes attached at appendix 1).
- 2) The Council's Petition Scheme be amended to set the threshold for a petition to trigger a debate at council at 10,000 signatures.

Lead/Contact Officer:

Katie Booth

Senior Manager, Leadership and Member Support

Tel: 020 8541 7197

Sources/background papers:

Constitution – Standing Orders

STANDING ORDERS

INTRODUCTION

1. This edition of Standing Orders, as revised, was adopted by the County Council at its meeting held on ~~28 April 2009~~ 14 October 2014. ~~and is effective from 7 June 2009.~~
2. Standing Orders do not attempt to duplicate or restate the provisions of the Local Government Act 1972 (as amended) relating to local authority procedures.
3. Application of Standing Orders:

Part 1 of Standing Order applies to meetings of the County Council.
Parts 2, 3 and 4 of Standing Orders apply to the Cabinet.
Parts 2 and 3 of Standing Orders apply to select committees.
Parts 2, 3 and 5 of Standing Orders apply to other Council committees as appropriate.

DEFINITIONS

“Constitution” shall be taken to mean the constitution including standing orders and other rules and protocols approved by the Council as such from time to time.

“Council” shall be taken to mean the Surrey County Council.

“Chairman” shall be taken to mean the Chairman of the Council or the presiding Chairman in his/her absence.

“Leader of the Council” shall be taken to mean the person appointed as such by the Council for a term of office of four years from the first annual meeting of the Council following the County Council election, in accordance with the Local Government Act 2000 and Article 5.

“Deputy Leader of the Council” shall be taken to mean the person appointed as such by the Leader for such term of office as he/she shall decide.

“Cabinet” shall be taken to mean the Cabinet appointed by the Leader in accordance with the Local Government Act 2000.

“Committee” shall be taken to mean a committee of the Council.

“Cabinet Member” shall be taken to mean an elected Member appointed to the Cabinet by the Leader.

“Group Leader” shall be taken to mean the person nominated by each political group to act as its leader in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

“Portfolio” shall be taken to mean a function or collection of functions of the Council allocated by the Leader to each member of the Cabinet.

“Select Committee” shall be taken to mean any of the select committees appointed by the Council under Section 21 of the Local Government Act 2000.

“Local Committee” shall be taken to mean any of the 11 local committees appointed by the Council for each district/borough area of the County.

“Member” shall be taken to mean a Member of the Council.

“Member Champion” shall be taken to mean a Member with cross service responsibility for championing an agreed interest or issue within the Council and the community.

All references to “Member” in Parts 2 and 3 of these Standing Orders shall also apply, where appropriate, to appointed Borough/District Council Members of local committees.

PART 1 OF STANDING ORDERS MEETINGS AND PROCEDURE

MEETINGS

- 1.1 Meetings of the County Council will be held at County Hall, Kingston upon Thames in February, (the Budget Meeting), May (the Annual Meeting), unless otherwise required, and at other times as and when required, but no less than quarterly.
- 1.2 Meetings of the Council will normally begin at 10.~~30~~am but the Chairman may fix some other starting time.

Summons and agenda

- 2.1 The Summons and agenda papers for Council meetings will be sent to all Members 7 days before the meeting.
- 2.2 Only the business on the agenda will be discussed at a Council meeting except for urgent matters which the Chairman rules may be considered.

Adjournment

- 3.1 The Council may adjourn at any time if it votes to do so under Standing Order 24. Any business which is adjourned will be dealt with at the next meeting unless at the time of the adjournment the Council decides to call an extra meeting to consider the adjourned business.
- 3.2 The Chairman will adjourn a meeting if there is not a quorum of Members present.

Quorum

4. The Quorum will be one quarter of the total number of Members.

Interruptions and disorderly conduct

- 5.1
 - (a) If a member of the public interrupts the proceedings at a meeting the Chairman may ask him/her not to interrupt.
 - (b) If the interruption continues the Chairman may order his/her removal from the Council Chamber.

- (c) If there is a general disturbance in all or part of the gallery the Chairman may order that part to be cleared.
- 5.2
- (a) If a Member behaves in a disorderly or disruptive manner, any Member may move, with the consent of the Chairman, "That the named Member be not further heard". If this motion is seconded it will be put to the vote and determined without discussion.
 - (b) If the motion is carried and the misconduct continues the Chairman may adjourn or suspend the sitting of the Council for as long as he/she considers appropriate.

ORDER OF BUSINESS

- 6.1.1 Unless changed by the application of Standing Order 6.2, the Chairman, following consultation with Group Leaders and the Monitoring Officer, will determine the order of business at Council meetings, although there will be an expectation that items requiring a decision by Council will usually be taken earlier in the agenda.

Extraordinary meetings

- 6.1.2 Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:
- (a) the Council by resolution;
 - (b) the Chairman of the Council;
 - (c) the Chief Executive; and
 - (d) any five Members of the Council if they have signed a requisition presented to the Chairman of the Council and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

Election of Chairman and Vice-Chairman

- 6.2 The first business at the Annual Meeting will be the election of the Chairman and Vice-Chairman of the Council. Where more than one Member is proposed for either office election will be by show of hands, or if requested by a recorded vote.
- 6.3 A Member proposing to nominate another Member as Chairman or Vice-Chairman of the Council must notify the Chief Executive of his/her nomination before the meeting at which the election is to be held. The Chief Executive will report any nominations received at the meeting.

Election of the Leader of the Council

- 6.4 The Leader of the Council will be elected by the County Council at its Annual Meeting following the County Council election.
- 6.5 Where more than one Member is proposed election will be by show of hands, or if requested by a recorded vote.
- 6.6 A Member proposing to nominate another Member as Leader must notify the Chief Executive of his/her nomination before the meeting at which the election is to be held. The Chief Executive will report any nominations received at the meeting.
- 6.7 A Member nominating another Member will be permitted to speak for 6 minutes in support of the nomination, and their seconder for 3 minutes. A representative from each political group, other than those of the proposer, will also be allowed 3 minutes to speak on each nomination.

Appointment of the Deputy Leader and members of the Cabinet

- 6.78 The Deputy Leader and other members of the Cabinet will be appointed by the Leader of the Council and reported to the Council at the next appropriate meeting.

Election of committee chairmen and vice-chairmen

- 6.89 The chairmen and, where appropriate, vice-chairmen of all of the standing committees of the Council listed in Part 2 of Standing Orders will be elected by the County Council, generally at its Annual Meeting.
- 6.910 Where more than one Member is proposed election will be by show of hands, or if requested by a recorded vote.
- 6.101 A Member proposing to nominate another Member as chairman must notify the Chief Executive of his/her nomination before the meeting at which the election is to be held. The Chief Executive will report any nominations received at the meeting.

MINUTES

- 7.1 The Chairman will move the formal motion "That the minutes of the last meeting be confirmed and signed by the Chairman" and there may only be discussion if there is disagreement about their accuracy which will be resolved by a vote in the normal way.
- 7.2 The minutes of the last meeting will be approved at the next ordinary meeting of the Council.
- 7.3 Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of schedule

12 to the Local Government Act 1972 (an Extraordinary Meeting), then the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purpose of signing of minutes.

REPORTS OF THE CABINET AND COMMITTEES

- 8.1 The reports and recommendations of the Cabinet and those committees reporting to a meeting will, except in cases of urgency, be printed in the County Council agenda and circulated with the summons and agenda for the meeting.
- 8.2 The Cabinet's report to Council will be agreed by or on behalf of the Leader of the Council. It will include the following:
- (a) Recommendations for decision by the Council under Article 4 of the Constitution;
 - (b) Decisions by the Cabinet on reports and recommendations made to it by select committees under Article 7 of the Constitution, as appropriate;
 - (c) Matters on which the Cabinet would welcome a County Council view before taking a decision;
 - (d) Decisions taken by the Cabinet which it wishes to draw to the Council's attention because of their particular importance or significance;
 - (e) Decisions taken by the Cabinet/Cabinet Members as a matter of urgency, together with the reasons for urgency (to be reported quarterly); and
 - (f) Updates on important developments regionally and nationally.
- 8.3 The Council's agenda will include the formal minutes of meetings of the Cabinet held during the previous cycle. 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 under SO8.8 upon notice being given to the Democratic Services Lead Manager by 12.00 noon on the day before the meeting of the Council.
- 8.4 The Leader of the Council and committee chairmen will move the reception of their reports and may make a statement in introducing either the report as a whole or any particular part of it.
- 8.5 Motions for the reception and adoption of a report need not be seconded. The recommendations of a report will be put from the Chair without needing to be formally moved and seconded and the Leader of

the Council or the chairman of the committee, as appropriate, will be treated as the proposer of the motion contained in the recommendation.

- 8.6 Amendments to the motion for the reception of the report will not be allowed except as provided in Standing Order 8.13 (b) (ii).
- 8.7 After a report has been received the Chairman will call each lettered paragraph and its associated recommendation(s) for debate.
- 8.8 When a paragraph is called a Member may do any or all of the following:
- (a) without notice ask questions to obtain explanation of or information about the subject matter of the report;
 - (b) move the reference back of the paragraph for further consideration;
 - (c) move an amendment to a recommendation;
 - (d) make a relevant statement for not more than 3 minutes to which the Leader, Deputy Leader or another member of the Cabinet or committee chairman may reply if he/she wishes.

If action has already been taken after being authorised by the Cabinet or a committee the reference back of the report will not invalidate the action taken.

- 8.9 The Leader of the Council, Deputy Leader or appropriate Member of the Cabinet or Committee Chairman may make a statement on any matter within the responsibilities of the Cabinet or any Committee.
- 8.10 Once the Leader, Deputy Leader or another member of the Cabinet or committee chairman has replied to the statements or questions under Standing Order 8.8 there will be no further comment on the paragraph under discussion unless the Chairman decides it would be appropriate.
- 8.11 During the debate the Leader, Deputy Leader or the appropriate member of the Cabinet or committee chairman will be entitled to speak before the mover of the amendment replies to the debate.
- 8.12 When discussion of the report of the Cabinet or committee is concluded the Chairman will move "That the report be adopted" or "The report as amended be adopted" and, except for the next Standing Order, no amendment to the motion will be allowed.
- 8.13 Upon the motion in Standing Order 8.12 being put:

- (a) the Leader, Deputy Leader or appropriate Member of the Cabinet or committee chairman may make a statement on any matter within the responsibilities of the Cabinet or committee as appropriate.
- (b) (i) any Member may ask a question about any matter which had been considered at the previous meeting of the Cabinet or committee but not included in the report to Council; and
 - (ii) if the Chairman decides the matter is both urgent and important the Member may move a motion to amend the motion for the adoption of the report to express disapproval of the failure to include the matter in the report.

MEMBER STATEMENTS

9.1 Any Member may make a statement at a meeting of the Council on a local issue of current or future concern, subject to:

- (a) all such statements being relevant to some matter on which the Council has powers or duties, or which affects the county;
- (b) notice of every statement being given in writing to the Democratic Services Lead Manager by 12.00 noon on the day before the meeting of the Council;
- (c) all statements being time-limited to 2 minutes in each case; and
- (d) every statement being put without discussion or reply.

9.2 The Leader's Statement will be included as a standard item on the agenda for each Council meeting (excluding the budget meeting). Members will be given the opportunity to ask questions and/or make comments on the Leader's statement.

9.3 Cabinet Members are encouraged prior to the commencement of any ordinary meeting of Council to submit to the Council a short written briefing of current events and issues relating to their portfolio.

9.4 Member Champions may make a statement on their area of responsibility at a meeting of the Council, and will provide a written report at the Annual Meeting of the Council. Member Champions will also meet formally with the Cabinet and Corporate Leadership Team once a year.

QUESTIONS

10.1 At a meeting of the Council, Members may ask the Leader of the Council, the Deputy Leader or the appropriate member of the Cabinet,

or the chairman of a committee any question on any matter in respect of which the Council has powers and duties or which affects the county.

- 10.2 In addition, Members may ask any Cabinet Member questions about a current briefing paper submitted in accordance with Standing Order 9.3 above.
- 10.3 Notice of questions on matters which are not included in a report to the Council must be given in writing to the Democratic Services Lead Manager by 12 noon four working days before the Council meeting, i.e. Wednesday. If the period in question includes a Bank Holiday then notice of questions should be received by 12 noon on the previous day, i.e. Tuesday.
- 10.4 Questions may be asked without notice if the Chairman decides that the matter is urgent.
- 10.5 Questions under Standing Order 8.8 do not require prior notice.
- 10.6 Where a Member has given notice of a question and is absent from the meeting another Member may ask it on his/her behalf.
- 10.7 Every question will be put and answered without discussion.
- 10.8 Copies of all questions and answers will be circulated to Members by e-mail during the day before the Council meeting. If the day before the Council meeting is a Bank Holiday, answers will be circulated on the previous Friday.
- 10.9 The Leader may arrange for a question to be answered by the Deputy Leader or appropriate member of the Cabinet.
- 10.10 Questions may be answered orally or in writing.
- 10.11 If the Leader, Deputy Leader or member of the Cabinet or committee chairman is unable to answer any question at the meeting he/she may send a written answer to the Member asking the question and to any other Members upon request.
- 10.12 Questions submitted under SO10 will be managed as follows:
 - All first questions submitted by Members will be taken first. Second questions will follow, then third questions and so on.
 - Question time will be limited to 45 minutes.
 - In addition, questions on Cabinet Member briefings will be limited to 15 minutes.
 - Following the initial reply by the Leader, Deputy Leader, Member of the Cabinet or committee chairman, the Chairman will allow at his/her discretion a period of up to 5 minutes per question in which Members of the Council may ask supplementary questions.

10.13 A record of all questions and answers will be included in the minutes of the meeting.

ORIGINAL MOTIONS

Notice of motion

11.1 Prior to any meeting of the Council, with the exception of the budget meeting and annual meeting, Any any Member may give notice of one motion for consideration ~~at any meeting of the Council.~~ No motions can be submitted for the budget meeting or annual meeting of the Council.

11.2 All motions must be relevant to some matter on which the Council has powers or duties, or which affects the county.

11.3 Notice of every motion (other than a motion under Standing Orders ~~11.5-7~~ and 27) must be given in writing to the Democratic Services Lead Manager at least 14 days before a meeting of the Council.

11.4 If notice is given of any motion which, in the opinion of the Chief Executive, is:

out of order;

illegal;

irregular; or

improper

it will not be accepted and placed on the agenda. If a motion is not accepted, the Democratic Services Lead Manager will inform the Member giving notice in writing.

11.5 In the event of the submission of more than three motions for a meeting of the Council, a meeting between the Chairman and the Group Leaders will determine which motions will be considered at the meeting and the order in which they are to be taken, with an assumption of a cap of three to be taken at any one meeting. In the event of no agreement being reached on the matter, the Chairman will have the discretion to take the decision on which motions will be taken and in what order, ensuring fair representation for all political groups.

11.6 The Democratic Services Lead Manager will record the details of every notice on a register, stating whether it was accepted for the agenda or not. The register will be open to the inspection of Members.

~~11.57~~ A motion may be considered without notice if the Chairman decides that the matter is urgent.

~~11.6 If notice is given of any motion which, in the opinion of the Chief Executive, is:~~

~~out of order;~~
~~illegal;~~
~~irregular; or~~
~~improper~~

~~it will not be accepted and placed on the agenda. If a motion is not accepted, the Democratic Services Lead Manager will inform the Member giving notice in writing.~~

Moving the motion

- 12.1 A motion may only be moved by the Member who gave the notice, or by a Member authorised by him/her.
- 12.2 Where notice of a motion has been given for any meeting, and that motion is not moved, the notice will lapse. The motion may not be moved without further notice.
- 12.3 In each case where the Council is not required by statute to receive a Cabinet or committee report, before any Member speaks to the motion, the Council will be invited to decide whether to debate an original motion immediately, or to refer it to the Cabinet or the appropriate committee either for debate and report to the Council or determination by the Cabinet or Committee. Before the Council takes the vote, the proposer of the original motion shall have the right to make a statement of up to two minutes in length as to why it should not be so referred and either the Leader or the Cabinet Member for the function(s) concerned or the chairman of the appropriate committee shall have the right to respond for up to two minutes. The question of referral shall then be put to the vote.
- 12.4 Any questions as to which committee(s) a motion is to be referred will be decided by the Council.
- 12.5 When a motion is referred to the Cabinet or appropriate committee under Standing Order 12.3, the Member of the Council who has moved the motion and his/her seconder shall be notified of the meeting at which the Cabinet or committee will consider the motion. They shall have the right to attend the meeting and speak to the motion.
- 12.6 Where a motion is referred to the Cabinet or a committee, it will report upon the motion to the following ordinary meeting of the Council and Standing Order 8.8(b) and 8.8(c) shall not apply to such report.
- 12.7 The Cabinet or committee may recommend exceptionally that consideration of a motion should be deferred, in which case the appropriate member of the Cabinet or the committee chairman may explain the reasons for the recommendation. The mover and seconder

of the original motion may also speak. The recommendation will then be put to the Council without further debate.

- 12.8 If a notice of motion relates to a matter which, under legislation or the County Council's Constitution, is the responsibility of the Cabinet, the Motion may only call on the Council to request the Cabinet to consider a particular course of action, and may not bind the Cabinet.

Debating the motion

- 13.1 When a motion comes before the Council with any report of the Cabinet or the appropriate committee(s), the following order of speeches will apply:
- (a) The mover of the motion.
 - (b) The seconder of the motion.
 - (c) The Leader, Deputy Leader or the appropriate member of the Cabinet or chairman of the committee(s).
 - (d) At the conclusion of the debate on the motion, the mover of the motion may reply.

MOTIONS TO RESCIND OR AMEND RESOLUTIONS

- 14.1 A Member cannot move a motion to rescind or amend any resolution which has been passed in the previous six months. Nor may a Member move a motion or amendment to the same effect as one rejected within the previous six months.
- 14.2 An exception will be allowed in either case where notice has been given and placed on the agenda. The notice must have the support of ten Members (including the proposer).
- 14.3 This Standing Order will not apply to any recommendation of the Cabinet or a committee to rescind a decision taken within the previous six months.

RULES OF DEBATE

- 15.1 When speaking, Members will stand and address the Chair. Members will be called to speak by the Chairman. A Member who is speaking will immediately sit down if the Chairman rises, or if another Member raises a point of order.
- 15.2 Every motion or amendment must be moved and seconded and, if the Chairman requires, must be submitted in writing to the Chief Executive and read aloud before it is put to the meeting.

RIGHT TO SPEAK

- 16.1 A Member may only speak once on a motion or amendment except:
- (a) the mover may reply to the debate, but in doing so, may only answer statements or arguments made in the course of the debate. He/she may not introduce any new matter;
 - (b) the mover of a motion may speak during the debate on any amendment to the motion;
 - (c) a Member who has already spoken may speak on a point of order or may, at the Chairman's discretion, explain any statement made by him/her which he/she believes has been misunderstood;
 - (d) the Leader, Deputy Leader or member of the Cabinet or committee chairman may speak before the mover of the motion or amendment replies to the debate.
- 16.2 A Member seconding any motion or amendment will be deemed to have spoken on it unless he/she speaks immediately or reserves his/her right to speak later in the debate.

Relevance

- 16.3 Every Member who speaks must direct his/her speech strictly to the motion or matter under discussion, or to a motion or amendment which he/she moves, or to a point of order.

POINTS OF ORDER

17. Any Member wishing to raise a point of order must say at the outset the Standing Order or rule of debate which he/she believes has been infringed. Every point of order will be decided immediately by the Chairman whose decision will be final.

LENGTH OF SPEECHES

18. Except with the consent of the Chairman, the following time limits will apply to speeches:

ORIGINAL MOTIONS

- (a) The mover of a motion or an amendment (10-6 minutes)

(A Member may not speak for more than ~~five~~three minutes unless he/she has a seconder).

- (b) The Leader or the Deputy Leader and the appropriate member of the Cabinet or chairman of a committee speaking to the debate on a motion or amendment.

(~~10~~6 minutes)

- (c) the Leader, Deputy Leader or member of the Cabinet or committee chairman speaking before the mover of the motion or amendment replies to the debate.

(3 minutes)

- ~~(ed)~~ The mover of a motion either speaking to an amendment or replying to the debate.

(~~5~~3 minutes)

- ~~(de)~~ The mover of an amendment replying to the debate on the amendment.

(~~5~~3 minutes)

- ~~(ef)~~ The seconder of a motion or an amendment.

(~~5~~3 minutes)

- (g) A Member speaking in the debate on a motion or an amendment.

(3 minutes)

OTHER BUSINESS

- ~~(fh)~~ A Member speaking on a paragraph of a Cabinet report or of a Committee report or on the Leader's Statement or in a debate.

(3 minutes)

- ~~(gi)~~ The Leader or the Deputy Leader and appropriate member of the Cabinet or a committee chairman either making a statement on the introduction of a report or any particular paragraph, or replying to the debate on a paragraph of a report.

(~~10~~5 minutes)

- (j) The Leader of the Council making the Leader's Statement.

(No time limit)

- ~~(hk)~~ The Leader of the Council in moving the reception of the Budget, or in replying to that debate.

(No time limit)

- ~~(il) The Leader of the Council making a statement on any matter within the responsibilities of the Cabinet or any of the Council's committees. Group Leaders speaking in the debate on the Budget.~~

(~~10~~5 minutes)

AFTER REPLY DEBATE IS CLOSED

19. After the reply is made, the motion or amendment under discussion will be put from the Chair.

PROCEDURE FOR MOTIONS AND AMENDMENTS

- 20.1 A Member may not move or second more than one amendment on any motion.
- 20.2 Once moved and seconded, a motion or amendment may not be withdrawn without the consent of the Council.
- 20.3 With the consent of the Council, a Member may:
- (a) alter a motion of which he/she has given notice; or
 - (b) with the consent of his/her seconder, alter a motion which he/she has moved.
- (In either case, the alteration must be one which could be made as an amendment under Standing Order 21.1)
- 20.4 Motions or amendments relating to the annual consideration of the Budget should be submitted in a standard format to be set down by the Head of Finance.

AMENDMENTS

- 21.1 Every amendment must be relevant to the motion under discussion and either:
- (a) move the reference back
 - (b) leave out words
 - (c) add words, or
 - (d) leave out words and add others.
- 21.2 An amendment which forms the negative of the motion will not be allowed.
- 21.3 Whenever an amendment has been moved and seconded, no subsequent amendment may be moved until the first has been dealt with, unless the Chairman decides otherwise.
- 21.4 If an amendment is lost, other amendments may be moved on the motion.

- 21.5 If an amendment is carried, the motion as amended will become the substantive motion, on which further amendments may be moved.

MOTIONS RELATING TO PERSONAL NOMINATIONS

- 22.1 When considering a recommendation for the appointment or nomination of representatives to serve in any personal or representative capacity, additional names may be proposed and seconded by way of amendment. All the nominations will be placed in alphabetical order and votes in favour of each name will be taken separately.
- 22.2 Each Member may vote for as many persons as are to be nominated, and the number receiving the highest number of votes will be declared to be appointed or nominated.

PROCEDURAL MOTIONS

“That the question be now put”

- 23.1 Any Member may, at the close of the speech of another Member, move “That the question be now put”.
- 23.2 If he/she considers that there has been adequate debate, the Chairman may put the motion “That the question be now put” without debate. If the motion is carried with 20 or more Members voting in favour:
- (i) the Leader, Deputy Leader or appropriate member of the Cabinet or committee chairman may speak to the motion or amendment under debate, if he/she has not already spoken; and
 - (ii) the mover of the motion or amendment may reply.

The motion or amendment will then be put.

“That the Council do now adjourn”

- 24.1 Any Member may, at the close of speech of another Member, move “That the Council do now adjourn”.
- 24.2 The motion for the adjournment must have the support of ten Members (including the mover and seconder), who will show their support by standing. If fewer than ten Members stand, the motion will be considered as withdrawn.
- 24.3 If the motion is supported, the Chairman will invite the mover to speak for not more than five minutes. The motion will then be put to the vote.
- 24.4 If the motion is carried, the motion or amendment under debate will stand adjourned to the next meeting.

24.5 The Chairman will then call over the remaining business, and any business which is opposed (by any Member so indicating) will stand adjourned. During the “calling-over” procedure each report will be formally moved by the Leader, Deputy Leader or appropriate member of the Cabinet or committee chairman and each paragraph and recommendation will be called by the Chairman in the usual way. No statements, comments, motions or questions will be permitted.

“That the debate be now adjourned”

25.1 Any Member may, at the close of the speech of another Member, move “That the debate be now adjourned”.

25.2 The motion for the adjournment must have the support of ten Members, (including the mover and seconder), who will show their support by standing. If fewer than ten Members stand, the motion will be considered as withdrawn.

25.3 If the motion is supported, the Chairman will invite the mover to speak for not more than five minutes. The motion will then be put to the vote.

25.4 If the motion is lost it may not be moved again for half an hour, except by the Chairman.

25.5 If the motion is carried, the debate will continue at the next meeting of the Council. The Member who moved the adjournment will then be entitled to speak first.

25.6 The Council will then proceed to the next item of business.

“That the Council do now proceed to the next business”

26.1 Any Member may, at the close of the speech of another Member move “That the Council do now proceed to the next business”.

26.2 The motion must have the support of ten Members, (including the mover and seconder), who will show their support by standing. If fewer than ten Members stand, the motion will be considered as withdrawn.

26.3 If the motion is supported, the Chairman will allow the mover to speak for not more than five minutes. The Leader, Deputy Leader or appropriate member of the Cabinet or the committee chairman may then speak if he/she has not already done so. Finally if there has been an “original” motion or amendment under discussion the mover of that may reply.

26.4 The motion “to proceed to the next business” will then be put. If lost, it may not be moved again for half an hour, except by the Chairman. The debate on the “original” motion or amendment will then be resumed.

- 26.5 If the motion “to proceed to the next business” is carried, then the matter under debate will be considered terminated or lost.
- 26.6 If, by operation of this Standing Order, an amendment to a motion is lost, the debate on the motion itself will be resumed.

SUSPENSION OF STANDING ORDERS

- 27.1 It is open to the County Council to suspend Standing Orders applying to meetings of the Council in whole or in part wherever that will assist it in carrying out its business in new and different forms. Suspension will only be for the duration of the meeting.
- 27.2 Any Standing Order may be suspended at any meeting upon:
- (a) a recommendation by the Cabinet or a committee, or the Chief Executive; or
 - (b) a motion, notice of which has been given in writing by a Member to the Chief Executive by 12 noon on the day before the meeting of the Council; or
 - (c) a direction by the Chairman in any case of urgency.

VOTING

- 28.1 Voting will be by show of hands unless, by standing, ten Members demand a recorded vote. Where a recorded vote is called, the names of those voting for or against the motion or amendment will be recorded and entered in the minutes.
- 28.2 Where a demand for a recorded vote is not supported, any Member may require his/her vote for or against a motion to be recorded in the minutes.
- 28.3 On a formal motion put from the Chair (e.g. “That the report be received”), the question may be decided by the voice of the Members, unless any Member demands a show of hands.
- 28.4 If immediately after a vote is taken any Member so requires, the way in which he/she voted (or abstained) will be recorded in the minutes of that meeting.
- 28.5 The person presiding at the meeting will have a second or casting vote.

INTERESTS OF MEMBERS

- 29.1 Where a Member attends a meeting which is considering a matter relating to a disclosable pecuniary interest they have, or any relevant

gifts and/or hospitality they have received, and which is not listed on their register, they must disclose the interest to the meeting and, within the next 28 days, notify the Monitoring Officer of the interest for inclusion in the register.

- 29.2 SO 62 in Part 3 of Standing Orders shall apply to participation by a Member in relation to disclosable pecuniary interests.

ATTENDANCE OF MEMBERS

30. Members will sign a register of attendance.

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OFFICER REPORT TO COUNCIL

**THE OPENNESS OF LOCAL GOVERNMENT BODIES REGULATIONS
2014**

KEY ISSUE/DECISION:

The Council is asked to agree amendments to the Constitution to reflect requirements of the Openness of Local Government Bodies Regulations, which came into effect on 6 August 2014.

BACKGROUND:

- 1 The Openness of Local Government Bodies Regulations 2014 came into force on 6 August 2014, and aim to make councils and other local government bodies such as fire & rescue authorities more transparent and accountable to their local communities. The main provisions of the Regulations relate to the public's right to use various communication tools to report on the proceedings of meetings held in public, and their rights of access to the information relating to those meetings and delegated officer decisions.
- 2 The Regulations allow any person attending a Council meeting which is open to the public to take photographs, film and audio-record the proceedings, and report on the meeting using social media of any kind (eg tweeting, blogging or via Facebook). Prior permission is not required from the Council, but those wishing to record meetings are encouraged to let staff know in advance so that reasonable facilities can be provided to enable them to carry out their reporting. The Regulations allow the Council to prevent activity which disrupts the conduct of the meeting, including excluding the individual from the room if necessary. The requirement to provide 'reasonable facilities' for those wishing to record or report on the meeting includes space to view and hear the meeting, seats and, 'ideally', a desk.
- 3 The Regulations have introduced significant new requirements in relation to access to information by members of the public. There is now a requirement to record and publish the details of non-executive decisions taken by officers under powers delegated to them by the Council, its committees or sub-committees, or by a joint committee. This includes

details of the decision taken and the date the decision was taken; the reasons for the decision; and any alternative options considered. Also, if a Member or officer has in their custody a document relating to a delegated officer decision which is required by statute to be made available to the public, they must not refuse to supply all or part of that document, or to intentionally obstruct any other person from disclosing such a document, without reasonable excuse.

- 4 The Council has already adapted many of its procedures in anticipation of the new Regulations, but amendments are required to the Constitution to ensure that we are fully compliant. The proposed amendments to the Constitution are set out in the **Annex**, and relate to Articles 3 and 11 of Part 2.
- 5 In addition to the amendments to the Constitution, Democratic Services will consider any implications for the Council's own web-casting arrangements arising from the Regulations, and will issue guidance for the public, officers and Members to ensure that the requirements of the Regulations are fully understood and met.

RECOMMENDATION:

That Council agrees to the relevant changes to its Constitution, as set out in the Annex, to ensure that the requirements of the Openness of Local Government Bodies Regulations 2014 are met.

Lead/Contact Officer:

Liz Mills

Democratic Services Lead Manager

Tel: 020 8541 7608

Sources/background papers:

The Openness of Local Government Bodies Regulations 2014

'Open and Accountable Local Government – a guide for the press and public on attending and reporting meetings of local government' – Department for Communities and Local Government

ARTICLE 3 – THE PUBLIC AND THE COUNCIL

3.01 The Public's rights

The public have the following rights:

(a) Voting, petitions and questions

Residents on the electoral roll for the county area have the right to vote and sign a petition as a means of bringing issues to the Council's attention, or to request a referendum for an elected mayor form of executive. The public may also ask questions at meetings of the Cabinet and at most of the Council's committees.

(b) Information

In summary, the public have the right to:

- (i) attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
- (ii) attend meetings of the Cabinet when key decisions are being considered except where confidential or exempt information is likely to be discussed, and the meeting is therefore held in private;
- (iii) take photographs, film, audio-record and report (including via social media) on all meetings of the Council and its committees held in public;
- (iii) be notified in advance that all or part of a Cabinet meeting may be held in private, to make representations as to why it should be held in public and to receive a response to those representations;
- (iv) find out from the Notice of Decisions what key decisions will be taken, and when, so that they can make their views known;
- (v) see reports and background papers, and any records of decisions made by the Council, Leader and/or the Cabinet, ~~and their committees,~~ and by officers on their behalf under delegated powers; and
- (vi) inspect the Council's accounts and make their views known to the external auditor during the statutory 20 working days period prior to the external auditor giving his/her opinion.

(c) **Complaints**

The public have the right to complain to:

- (i) the Council itself under its complaints procedure;
- (ii) the Local Government Ombudsman after using the Council's own complaints procedure;
- (iii) the Council's Monitoring Officer about a breach of the Members' Code of Conduct.

3.02 Access To Information Rules:

Part A - General

(a) **Scope**

These rules allow the public rights of access to meetings and information and reflect the Council's policy of open, transparent and accountable decision-making. They apply to all meetings of the Council, select committees, Health Scrutiny Committee, local committees, Planning and Regulatory Committee, Audit and Governance Committee, People, Performance and Development Committee, and the Cabinet (together called meetings).

(b) **Additional rights to information**

These rules do not affect any more specific rights to information contained elsewhere in this Constitution or the law.

(c) **Rights to attend meetings**

Members of the public may attend all meetings subject only to the exceptions in these rules.

(d) **Notices of meeting**

The Council will give at least five clear days notice of any meeting by posting details of the meeting at County Hall and at the venue of the meeting if outside County Hall, except where Rule (6.05 1(f)) (special urgency) applies (see page 26).

(e) **Access to agenda and reports before the meeting**

The Council will make copies of the agenda and reports open to the public available for inspection on the Council's website and at the designated office at least five clear days before the meeting. If an item is added to the agenda later, each such report will be made available to the public as soon as the report is completed and sent to councillors, and the revised agenda will be open to inspection from the time the item was added to the agenda.

(f) **Supply of copies**

The Council will supply copies of:

- (i) any agenda and reports which are open to public inspection;
- (ii) any further statements or particulars necessary to indicate the nature of the items in the agenda; and
- (iii) if the proper officer thinks fit, any other documents supplied to councillors in connection with an item to any person on payment of a charge for postage and any other costs.

(g) **Access to minutes after the meeting**

The Council will make available copies of the following for six years after a meeting:

- (i) the minutes of the meeting or records of decisions taken, together with reasons, excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;
- (ii) a summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;
- (iii) the agenda for the meeting; and
- (iv) reports relating to items when the meeting was open to the public.

(h) **Non-Executive Decisions Delegated to officers**

As soon as reasonably practicable after an officer has made a non-executive decision delegated to them by the Council, its committees or sub-committees or a joint committee, the officer will produce a written statement which includes:

- (i) a record of the decision including the date it was made;
- (ii) a record of the reasons for the decision;
- (iii) details of any alternative options considered and rejected by the officer when making the decision;
- (iv) a record of any conflict of interest declared by any Member who is consulted by the officer which relates to the decision; and
- (v) in respect of any declared conflict of interest, a note of dispensation granted by the Chief Executive.

The requirements listed in (f) (i) - (v) above apply only to decisions to grant a permission or licence; that affect the rights of an individual; or to

award a contract or incur expenditure which, in either case, materially affects the Council's financial position.

(i) Inspection of documents following non-executive decisions

After an officer has made a non-executive decision, the proper officer will ensure that a copy of:

- (i) any records prepared in accordance with the decisions made and
- (ii) any report considered by the officer and relevant to the decision or, where only part of the report is relevant to such a decision, that part,

will be available for inspection by members of the public, as soon as is reasonably practicable, at the main Council offices and on the Council's website.

(hj) Background papers

List of background papers

The proper officer will set out in every report a list of those documents (called background papers) relating to the subject matter of the report which in his/her opinion:

- (i) disclose any facts or matters on which the report or an important part of the report is based; and
- (ii) which have been relied on to a material extent in preparing the report but does not include published works or those which disclose exempt or confidential information (as defined in Rule (k)) and in respect of Cabinet reports, the advice of a political adviser.

(ik) Public inspection of background papers

The list of background papers will be included when a copy of the whole or part of a report for a meeting is made available for inspection by members of the public.

At least one copy of each of the documents included in that list, will be available for inspection by the public at the main Council offices and on the Council's website. The Council will make these documents available for public inspection for four years after the date of the meeting.

(lj) Summary of public's rights

A written summary of the public's rights to attend meetings and to inspect and copy documents will be published on the Council's website.

(km) **Exclusion of access by the public to meetings**

Where any meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

Orderly conduct and misbehaviour – lawful powers to exclude

Lawful powers may be used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at a meeting.

[Members of the public exercising their right to take photographs, film, audio-record and report at a meeting may be excluded if their activity or behaviour is disruptive to the conduct of the meeting.](#)

Confidential information – requirement to exclude public

The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed.

Confidential information means information given to the Council by a Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by Court Order.

Exempt information – discretion to exclude public

The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed.

Exempt information means information falling within the following 7 categories (subject to the qualifications set out in paragraphs 8, 9 and 10 below):

Category	Description of Exempt Information
1.	Information relating to any individual.
2.	Information which is likely to reveal the identity of an individual.
3.	Information relating to the financial or business affairs of any particular person (including the authority holding that information).

4.	Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5.	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6.	Information which reveals that the authority proposes - <ul style="list-style-type: none"> (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
7.	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Qualifications:

8. Information falling within paragraph 3 above is not exempt information by virtue of that paragraph if it is required to be registered under –
- (a) the Companies Acts (as defined in Section 2 of the Companies Act 2006);
 - (b) the Friendly Societies Act 1974;
 - (c) the Friendly Societies Act 1992;
 - (d) the Industrial and Provident Societies Acts 1965 to 1978;
 - (e) the Building Societies Act 1986; or
 - (f) the Charities Act 1993.
9. Information is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
10. Information which -
- (a) falls within any of paragraphs 1-7 above; and
 - (b) is not prevented from being exempt by virtue of paragraph 8 and 9 above,

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

| [\(h\)](#) **Exclusion of access by the public to reports**

If the proper officer thinks fit, the Council may exclude access by the public to reports which in his or her opinion relate to items during which, in accordance with Rule (k), the meeting is likely not to be open to the public. Such reports will be marked "Not for publication" together with the category of information likely to be disclosed.

| (m) **Decisions to be taken at a meeting held in private**

The Council will produce public notices and follow the procedures set out in Access to Information Rule (6.05 (j)) - Procedures prior to a private meeting (see page 29) of its intention to hold all or part of a Cabinet meeting (including its committees) in private.

| (n) **Reporting of public meetings**

Any person attending a meeting in public for the purpose of reporting the proceedings will, so far as practicable, be afforded reasonable facilities for taking their report.

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EXTRACT FROM ARTICLE 11 - Officers

11.03 Functions of the Monitoring Officer

- (a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.
- (b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the Council or to the Leader/Cabinet in relation to an executive function, if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- (c) **Maintaining high standards of conduct.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct.
- (d) **Receiving reports.** The Monitoring Officer will receive and act on reports made by ethical standards officers and decisions of the case tribunals.
- (e) **Receiving and dealing with allegations of misconduct.** The Monitoring Officer will receive and deal with allegations of misconduct in accordance with the Monitoring Officer Protocol set out in Part 6 of the Constitution.
- (f) **Access to information.** The Monitoring Officer will ensure that executive decisions [and delegated non-executive \(Cabinet\) -decisions](#), together with the reasons for those decisions and relevant officer reports and background papers, are made publicly available as soon as possible.
- (g) **Advising whether executive decisions are within the budget and policy framework.** The Monitoring Officer will advise whether decisions on executive functions are in accordance with the budget and policy framework.
- (h) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all councillors.
- (i) **Restrictions on posts.** The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

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County Council Meeting – 14 October 2014

REPORT OF THE PEOPLE, PERFORMANCE & DEVELOPMENT COMMITTEE

- * Mr David Hodge (Chairman)
- A Mr Peter Martin (Vice Chairman)
- * Ms Denise Le Gal
- * Mr Stuart Selleck
- * Mr Richard Walsh
- * Mrs Hazel Watson

* = Present

A = Apologies

A. OFFICER CODE OF CONDUCT

1. A recent audit of the current staff Code of Conduct recommended a number of improvements to the document. It also specifically suggested that the Code be updated to take account of social media. On 21 July, the Committee considered proposed amendments to the Code as well as Guidance on the Use of Social Media.
2. The People, Performance and Development Committee approved the proposed revisions to the Officer Code of Conduct, subject to a number of further amendments. It also approved the Use of Social Media guidance subject to some further amendments.
3. The People, Performance and Development Committee **COMMEND** the Officer Code of Conduct (Annex A) and Use of Social Media guidance (Annex B) to Council for inclusion in the Constitution.

David Hodge
Chairman of the People, Performance & Development Committee
July 2014

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1 Welcome to the Code of Conduct Policy

The purpose of this Code is to help employees support the County Council's aim to provide high quality services fairly and efficiently in line with its values of listening, responsibility, trust and respect,. Members have their own Code of Conduct and there is also protocol which outlines how members and officers work together.

The Code of Conduct applies to all employees of the County Council, agency workers, contractors and their staff whilst working for, or on behalf of, the Authority.

Any breach of the Code of Conduct will be regarded as a disciplinary offence and may be taken into account in performance appraisal.

2 Personal Conduct

The Council expects all employees to promote and maintain high standards of personal conduct to sustain the good reputation of the Council and its services.

- i) Employees **must** perform their duties to the highest possible standards, with **honesty, integrity and impartiality**, and be **accountable** for their own actions.
- ii) Employees have a **duty of trust** to the County Council as their employer, and to the local community and service users.
- iii) Employees are expected to treat others with respect, fairness and dignity at all times and to work to resolve differences where these exist.
- iv) Employees have a collective **responsibility** to communicate to the appropriate manager any concerns about the quality of service provided, as this will assist the County Council to ensure that service standards are achieved, and areas for improvement identified.
- v) Employees are expected to apply the Code of Conduct and other Council policies to their use of work related social media. Where an employee identifies themselves as a SCC employee the same rules that apply to actions in general, apply to conduct online, including on personal social media sites.

Further information about the way that we work and our shared organisational values is set out on s-net.

3 Compliance with County Council Instructions

The Council expects all employees to comply with lawful written and oral instructions.

This will ensure that we take a consistent approach across the County Council in relation to how we procure services and goods, carry out people management activities and how we approach financial management.

The relevant procedures and instructions are published on snet – see [related information](#) .

4 Health and Safety

The Council has a legal duty of care for the health, safety and welfare of its employees. In addition, all employees must take reasonable steps to protect their own health and safety and that of other people who may be affected by their work. Some employees, particularly managers, have specific responsibilities and these are detailed in the Council's safety policies and procedures. The Council's Health and Safety Policy and Manual are published on the website.

5 Treatment of Information

The treatment of information falls into two different areas:

- a) **Information relating to the County Council**, its business and its employees, that is made available to employees in the course of their duties and which they may need to disclose
- b) **Information that all employees must declare to the County Council**, as their employer, regarding any **Personal Interests** and/or **Outside Commitments** that may conflict or impact on matters in which the authority has an interest.

Handling and Treatment of Information relating to the County Council

It is generally accepted that open government is best. All employees **should** be aware as to what information should be made available to Members, auditors, government departments, service users and the public, and **which information should remain confidential**. Any information made available **should** be provided in a clear and concise way.

Employees **should not use any information** gained in the course of their employment for **personal gain**, or pass it on to others who might use it in such a way. Information concerning a service user, resident, employee's or Member's personal affairs **should not** be divulged without prior approval, except where that disclosure is required or sanctioned by law. It is important that employees take all relevant steps to comply with data protection requirements and ensure that confidential information is kept secure. For further information you **should** read the [Information governance](#) guidance.

Declaring Personal Interests and Outside Commitments

All employees **must declare**:

- i. Any non-financial or financial interest which might conflict with the authority
- ii. Membership of any organisation that is **not open to the public** without formal membership and commitment of allegiance and which has secrecy about rules, membership, or conduct
- iii. Membership of **other groups, clubs and societies**, that an employee believes could be relevant to declare in particular circumstances.

Declarations should be made to Heads of Service who should ensure that a written record is made on the employee's personnel file. Declarations **must** extend to acknowledging the involvement of a relative or partner of an employee in an organisation in which the County does or seeks to do business, particularly if they are directors, partners or hold senior managerial positions in those organisations.

Employees **should** be aware of any **contractual restrictions** on taking outside employment. In any case, outside employment **should** not be taken which conflicts with the council's interests.

For guidance see [Conflict of interest](#).

Where employees are in any doubt about whether any personal relationships, interests, or outside commitments **should** be declared in particular circumstances, they **should** either declare the information in any case, or else seek further advice from their manager or HR by contacting Shared Services by phone on 0208 541 9000 or e-mail myhelpdesk@hr@surreycc.gov.uk.

Declaring Related Party Transactions

The County Council is obliged to fulfil a disclosure requirement in respect of related party transactions. This reporting requirement aims to provide assurance to readers of financial statements that any material transactions entered into between the organisation and those in a position of power to influence its decisions are disclosed and above board.

Senior Managers Levels 1 – 4, **must declare**:

- I. Positions of influence they hold within partnerships, companies, trusts or any entities providing services to the County Council
- II. Positions of influence they hold (in a personal capacity) within organisations receiving grant funding from the County Council.

Declarations **must** extend to a relative or partner of the employee if they have an interest in any such organisation. Senior Managers Level 1 – 4 will be required to declare this and complete an annual return.

Whistleblowing

Where an employee becomes aware of activities which that employee believes to be illegal, improper, unethical or otherwise inconsistent with the code of conduct for employees, the employee should report the matter in line with the council's confidential reporting procedure – see [Whistleblowing](#).

Employees who blow the whistle have specific protections afforded them under the Public Interest Disclosure Act 1998

6 Working Relationships

Internal and external relationships with colleagues, service users and contractors **should** be conducted in a professional, friendly and respectful manner.

Members

Mutual respect between employees and members is **essential** to good local government. **Close personal familiarity** between employees and individual members can damage the relationship and **should** therefore be **avoided**.

For further information about working relationships between officers and members please see the [Members/Officers protocol](#)

Political Neutrality

- i. Members are elected to direct the policies and activities of Surrey County Council. **Employees should** ensure they **serve all members**, not just those of the controlling group, and respect their individual rights.
- ii. Employees **should** ensure that their own **personal or political opinions should not interfere** with any policy of the authority. Where employees advise political groups, **political neutrality must be retained**.

(Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from political neutrality).

Certain posts are designated as politically restricted by the Local Government and Housing Act 1989. Your contract of employment will tell you whether you hold one of these posts and, if you do, you will be required by law to observe certain restrictions regarding your out of work activities. For further information see the [Politically restricted posts](#) protocol.

Employment Matters

Employees **should** not be involved in an appointment, or be involved in any decision relating to discipline, promotion or any pay adjustments or conditions of another employee, or prospective employee to whom they are related or have a close personal relationship. Employees **must** ensure compliance with all the County Council's employment policies.

The Local Community & Service Users

Employees **should** ensure courteous, efficient and impartial service delivery to all.

Equality Issues

- i. Employees **must** ensure compliance with the County Council's **Equalities Statement** and other employment policies in relation to equality issues.
- ii. Employees **should** not be involved in **harassment or bullying** against colleagues, other employees or job applicants. All members of the local community have a right to be treated with **fairness and equality**.

7 Contractors and Competitive Tendering

Contractors may include individuals who are temporarily working alongside County Council employees, or employees of an external firm that has been awarded a contract to provide services on behalf of the County Council. All Contractors **should** be treated with courtesy and respect.

Contractors

Any orders and contracts **must** be awarded by **fair and open competition** against other tenders. No special favour **should** be shown to businesses with particular connections to employees.

Employees **should declare any relationship** with a particular contractor, or any potential contractors, to the Head of Service and should not participate in any buying activity where these Conflicts of Interest could arise. See the [Procurement standing orders](#) for further information.

Separation of Roles During Competitive Tendering

- i. Employees **should** be clear on the separation of **client and contractor roles**. Senior employees who have both a client/contractor responsibility **must** be aware of the need for accountability and openness.
- ii. Employees privy to **confidential information** on tenders of costs relating to contractors **should** not disclose the information to any unauthorised party or organisation.
- iii. Employees **should** ensure no special favour is shown to **current or recent former employees**, or associates, in awarding contracts.

8 Gifts, Hospitality, Sponsorship or Endorsements

County Council employees **should** exercise caution concerning the **acceptance of gifts or hospitality** from external suppliers and contractors; and any **involvement in sponsorship events**, or **endorsement of a product or service**, where there may be a **conflict of interest**.

Offers of Gifts, Hospitality or Sponsorship

- i. Employees **must** be aware that it is a **criminal offence** for them corruptly to receive any gift, loan, fee, reward or advantage for doing, or not doing anything, or showing favour, or dis favour, to any person in their official capacity. The **acceptance of gifts** and hospitality (including sponsorship of a local government activity) **must** be treated with **extreme caution**.
- ii. The receipt of minor articles, for example, **diaries and calendars** will not be regarded as the acceptance of a gift, although employees **should** not accept significant personal gifts from contractors and outside suppliers. Offers of **hospitality and invitations** **should** be accepted only if there is a genuine need to impart information or represent the local authority.
- iii. All gifts and hospitality should be properly recorded. In particular any offer over the value of £25 should be recorded and can only be accepted if agreed by the Head of Service. Where an officer receives a series of gifts or hospitality from the same person or organisation in one year with a cumulative value of £100 or over, must be registered. No officer of the Council

should continue to accept gifts or hospitality after the cumulative value of items reached in a single financial year reaches £200 or more.

Heads of Service should ensure that all of their staff are aware of the arrangements.

For further information about the information that needs to be recorded see the Gifts and hospitality policy

- iv. Where the **authority** wishes to sponsor an event, no employee **must** benefit in a direct way without there being **full disclosure** to an appropriate manager of any such interest. Where the authority gives support in the community through whatever means, employees **must** ensure that there is no **conflict of interest**.

Endorsements of a product or service

- i. Employees **must** exercise caution before providing any statement endorsing the quality or operation of any product or service that may be used for publicity purposes. Such endorsement may put the County Council at risk of misrepresentation or legal challenge. Employees are therefore advised to seek further advice from their manager where such circumstances arise.
- ii. In no circumstances **should** a statement ever be made in return for personal gift, or money.

For further information about the information that needs to be recorded [see Gifts and hospitality](#)

9 Use of the County Council's Materials, Equipment or Resources

Employees **should** not make personal use of any County Council property, facilities, materials, or resources unless properly authorised to do so.

Property and Resources

County Council property and resources **should** be used solely in respect of its work. No improper use **should** be made of any facility such as vehicles, equipment, stationery or secretarial services which the County Council provides for its own business.

The Authority recognises that there are times when calls must be made during working hours, for emergencies or to utility companies, for example. Reasonable usage of the telephone in these cases is permissible, but employees are expected to keep the length of call to the minimum possible.

Intellectual Property

Employees should follow County rules on the ownership of intellectual property or copyright created during their employment. Any invention, improvement or design made or conceived by you while you are engaged to work for the County Council which is in the existing, or contemplated, scope of the business of Surrey County Council shall become and remain the exclusive property of Surrey County Council.

Related information

Values	Behaviours	Members/Officers protocol
Equalities information	Conflict of interest	Gifts and hospitality
Politically restricted posts	Disclosing information	Health & Safety
IMT policies	Whistleblowing	Financial governance
Information governance	Procurement guidelines	

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Use of social media

As a Surrey County Council employee you should be aware that posting information or views about local government or politics in general may not be isolated from your working life, if you have identified yourself as an officer of the council.

If you have a personal account you are advised to abide by its terms and conditions and read the advice it offers on using their social site.

The personal image you project in social media may adversely reflect on the image of the authority. We recommend when you use social media that you remember our values: listen, responsible, trust and respect.

If you identify yourself as an officer of the Council, or if you can be identified as an officer of the Council, any communication that employees make in a personal capacity through social media must not:

- bring the organisation into disrepute or seriously affect public confidence in its ability to deliver effective services, for example by:
 - criticising the council's decisions and/or activities connected with your own work
 - criticising or arguing with customers, residents or colleagues;
 - breaching political restrictions and lobbying or canvassing members on your own behalf
 - using inappropriate language or abusive behaviour
 - making defamatory comments about individuals including Members or other organisations or groups; or
 - posting images that are inappropriate or links to inappropriate content;
- breach confidentiality, for example by:
 - revealing confidential information owned by the organisation;
 - giving away confidential information about an individual (such as a colleague or customer contact) or organisation obtained as an officer ; or
 - discussing the organisation's internal workings or its future business plans that have not been communicated to the public;
- do anything that could be considered discriminatory against, or bullying or harassment of, any individual, for example by:
 - making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age;
 - using social media to bully another individual (such as an employee of the organisation); or posting images that are discriminatory or offensive or links to such content.
- breach the council's Code of Conduct and the council's policies and procedures.

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County Council Meeting – 14 October 2014

REPORT OF THE AUDIT & GOVERNANCE COMMITTEE

- * Mr Nick Harrison (Chairman)
- A Mr W D Barker OBE (Vice Chairman)
- * Mr Tim Evans
- * Mr Will Forster
- * Denis Fuller
- * Tim Hall

* = Present
 A = Apologies
 S = Substitute

A. AUDIT & GOVERNANCE COMMITTEE EFFECTIVENESS REVIEW: FINAL REPORT

1. On 29 May 2014, the committee agreed that a task group should undertake a self-assessment of the committee's effectiveness in line with CIPFA's revised and updated 2013 edition of *Audit Committees: Practical Guidance for Local Authorities and Police*. On 25 September 2014, the committee considered the findings of the review. It heard that the committee had been found to have a knowledgeable and balanced membership, a high degree of performance against CIPFA's good practice principles and is generally effective in supporting improvements within the Council. A number of recommendations were proposed to assist the committee to keep improving and adapt to the changing local government environment.
2. The task group undertook a comparison of the committee's current terms of reference against CIPFA's suggested terms of reference. Overall the task group was satisfied with the committee's current terms of reference, which it felt was a concise reflection of CIPFA's Position Statement on Audit Committees in Local Authorities. However, it recommends a small number of additions which explicitly reflect work that the committee already undertakes and emphasises the role of the committee as a key component of governance within the Council.
3. The task group also learned that CIPFA suggests that to ensure the organisational independence of internal audit, the audit committee could consider the appointment and removal of the head of internal audit. The task group and several witnesses agreed that the Audit & Governance Committee is an important check on the independence of the Chief Internal Auditor. The Chairman of the committee already contributes to the annual appraisal of the Chief Internal Auditor and it was suggested that the Chairman should be consulted in the event of appointing to or removing from the position.
4. The Audit & Governance Committee **RECOMMENDS** to Council that its terms of reference be amended as follows:
 - i. A brief Statement of Purpose to be included: "The Council recognises the importance of undertaking scrutiny of the management of the internal control systems and the Audit & Governance Committee provides an independent and high-level focus on audit, governance and financial accounts matters".

- ii. To amend section (b) under Regulatory Framework to read: To monitor the effectiveness of the councils' anti-fraud and anti-corruption strategy, *including by reviewing the assessment of fraud risks*.
- iii. To add "To approve the Internal Audit Charter" under Audit Activity, following section (b).
- iv. To amend section (b) under Audit Activity to read: "To approve the annual Internal Audit Plan & Inspection Plan *and monitor its implementation*".
- v. To add "To provide oversight to the Annual Report of the Council" under Regulatory Framework, following section (e).
- vi. To add "That the Chairman (or in his/her absence, the Vice-Chairman) be consulted upon the appointment or removal of the Chief Internal Auditor" under Audit Activity, following section (d).

Nick Harrison
Chairman of the Audit and Governance Committee
September 2014



OFFICER REPORT TO COUNCIL

AMENDMENTS TO THE CONSTITUTION

KEY ISSUE/DECISION:

It is the Council's responsibility to approve changes to the Scheme of Delegation regarding non-executive functions, while amendments to executive functions are delegated to the Leader and are brought to County Council to note.

This report seeks Council's approval for changes to the Scheme of Delegation relating to section 106 agreements, Pensions functions and Rights of Way orders. The executive functions brought to Council for information in this report refer to revised decision making arrangements regarding youth services, changes to delegations on adopting roads and streets, and new delegations regarding local transport schemes. New Financial Regulations have also been prepared for Council's approval, proposing the amendment of approval thresholds for virements and changes to the review process for fees and charges.

These changes are brought to Council in accordance with Articles 4.10 and 5.02 of the Council's Constitution.

BACKGROUND:

1. Changes to any non-executive functions require approval by Council. Proposed changes are detailed in paragraphs 2-9 below. In addition, the Leader is responsible for maintaining a list in Part 3 of the Constitution setting out who will exercise executive functions. Any changes to this list are required to be reported to the next appropriate meeting of the County Council. Such changes, which have already been agreed by Cabinet, are set out in paragraphs 11-15 of this report.

FUNCTIONS FOR DECISION BY COUNCIL:

Section 106 Agreements – Proposed amendment to the Scheme of Delegation

2. Under the Town and Country Planning Act 1990, Section 106 agreements are entered into between councils and developers alongside a planning permission. This enables councils to secure contributions to services, infrastructure and amenities in order to mitigate the impacts of a proposed development upon the local infrastructure. Whilst the Community Infrastructure Levy will increasingly be used to secure contributions from future developments, section 106 agreements are still intended to be used for site-specific infrastructure.

Surrey County Council's role in section 106 agreements

3. Local planning authorities take the lead in negotiating planning obligations with developers. For most developments this will be the borough or district council. For some agreements the county council will be included as a party, in others representations are passed on by the county council to the borough/district for that council to include in its section 106 agreement. Within the county council the most relevant functions for these agreements are highways and transportation, education and libraries. Decisions on the nature of s106 obligations affecting the county council's infrastructure, and the level of any relevant contributions, are dealt with by officers in the relevant services. These are non-executive decisions that are delegated by the full Council.
4. There is specific provision in the scheme of delegation (P38) to the Planning and Development Group Manager and Transport Development Team Managers having responsibility to agree s106 agreements as regards highways works and transportation contributions. There are no similar provisions in the scheme relating to education and libraries service contributions. Although a general delegation to the relevant Strategic Director or Head of Service can be relied upon, these matters involve complex and urgent negotiations that need handling, often within tight timescales, by the relevant Senior Managers in the services and for this reason it is recommended that Council approves the following amendment to the Scheme of Delegation to ensure that Senior Managers can make such decisions without delaying the progress of the planning application:

SL28	Strategic Lead for School Commissioning	In connection with section 106 Town and Country Planning Act 1990, to approve the nature and value of contributions to be made by developers in relation to educational provision after consultation with the Head of Property where these include possible property transactions
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CS21	Libraries Operations Manager	In connection with section 106 Town and Country Planning Act 1990, to approve the nature and value of contributions to be made by developers in relation to libraries provision after consultation with the Head of Property where these include possible property transactions
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Pensions Functions – proposed changes to the Scheme of Delegation

5. The current Scheme of Delegation includes provision for the Pensions Manager to make decisions on behalf of the Council, both as employer and administering authority when required under the Local Government Pension Regulations, unless the matters are otherwise dealt with in policies agreed by the Pension Board. This is set out as follows:

H4	Pensions Manager	To exercise discretion (excluding decisions on admitted body status) in relation to the Local Government Pension Scheme where no policy on the matter has been agreed by the Council and included in the Discretionary Pension Policy Statement published by the Council, subject to any limitations imposed and confirmed in writing from time to time by the Chief Finance Officer.
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6. As a result of changes that have recently been implemented, the Pensions Manager post has been deleted and two new roles have been created:
- A Pensions Services Manager to manage the operational pensions services within the shared service.
 - A Senior Specialist Advisor in relation to the pension fund, advising on pension policy and on issues such as pensions admission agreements and other new employers joining the pension fund such as academies and bodies created as a result of new models of service delivery. This post will report into the Strategic Manager, Pensions & Treasury who has responsibility, together with the Director of Finance and the Surrey Pensions Fund Board for decisions taken which may impact the financial viability of the pension fund and as an administering authority for other employers.
7. Accordingly there is a need for the current delegation to be revised to reflect this new division of responsibilities, differentiating between individual case decisions from those that impact on the pension fund

itself. Admitted body status decisions will continue to be delegated to the Director of Finance who will also continue to have a power to limit the scope of this delegation at any time.

8. The proposed replacement delegations recommended for approval are therefore as follows:

F15	Strategic Manager, Pensions & Treasury	<p>To exercise discretion in relation to the Local Government Pension Scheme except</p> <p>(1) where a policy on the matter has been agreed by the Pension Board and included in the Discretionary Pension Policy Statement published by the Council,</p> <p>(2) decisions relating to “admitted body status” and</p> <p>(3) decisions relating to individual cases as provided for in the separate delegation to the Pensions Services Manager.</p> <p>This delegation is subject to any limitations imposed and confirmed in writing from time to time by the Director of Finance.</p>
SS1	Pensions Services Manager	<p>To exercise discretion in relation to the Local Government Pension Scheme on the following matters in individual cases:</p> <ul style="list-style-type: none"> - allocation of death grants - determining co-habitation - determining whether a child meets criteria for a child’s pension - allocation of pension for persons incapable of managing their own affairs - commutation, transfer in and forfeiture decisions - extension of time limits for decisions to be made by scheme members - minimum contribution levels for additional payments - determining reviews and effective dates of ill-health benefits -write offs up to £250 <p>This delegation is subject to any limitations imposed and confirmed in writing from time to time by the Director of Finance.</p>

9. An Internal Disputes Resolution process was approved in 2004 by the Audit and Governance Committee for dealing with appeals in relation to individual decisions on pensions. This provided for additional officers (now referred to in the legislation as adjudicators) to handle the stage 1 and stage 2 appeals. The posts identified at the time (the Executive Director of Performance and Resources, the Head of Legal Services, the Head of Foundation Planning and the Pensions Manager) have since been succeeded by other posts and it is important to clarify which current posts should be dealing with these matters. Accordingly the following delegation is recommended for approval:

F16	Director of Finance, Director of Legal and Democratic Services, Director of People and Development and the Strategic Manager Pensions and Treasury	Hear stage one or stage two appeals relating to disputes involving the Local Government Pension Scheme, Compensation Benefits and Injury Allowances provided that an officer hearing an appeal will not have been involved at an earlier stage in the process.
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Rights of Way orders – proposed changes to Scheme of Delegation

10. In June 2012 the Scheme of Delegation relating to rights of way orders was amended to enable officers to proceed to make orders where no significant objections were made, after consultation with various individuals. Inadvertently, in amending the scheme at that time, a provision that enabled officers to make orders where no objections were received at all was deleted. Council approval is sought for the proposed delegation set out below, which reinstates this original provision as well as updates the wording for the other delegation:

P49	Assistant Director Operations, Highways and Countryside Countryside Group Manager Countryside Access Team Manager	To process all Public Rights of Way Orders under the Highways Act 1980, Wildlife & Countryside Act 1981 and Countryside and Rights of Way Act 2000 and make and confirm such orders where no objection has been maintained or compensation is payable. To proceed to written representations, hearing or Inquiry where objections are maintained after an Order is made. Where no significant objection has been received or compensation is payable and after consultation with the Chairman of the relevant local committee, local member and Director of Legal and Democratic Services, to make all Public Rights of Way
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		Orders under the Highways Act 1980, Wildlife & Countryside Act 1981 and Countryside and Rights of Way Act 2000, which comply with national legislation and County policy. To proceed to written representations, hearing or Inquiry where objections are maintained after an Order is made.
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FUNCTIONS FOR REPORT TO COUNCIL

Delegation of decision making to Local Committees and Woking Joint Committee – Changes to the Scheme of Delegation approved by the Cabinet

11. The Cabinet has agreed a new model for delivering improved outcomes for Young People. Part of the model includes increased delegation to Local Committees in relation to Community Youth Work and the Surrey Outdoor Learning and Development (SOLD) offer to ensure resources meet local priorities for young people in the local area. The Cabinet has also agreed that Local Committees' existing scrutiny role will be extended to encompass Community Youth Work and the SOLD Local Offer. The Council is asked to note that the Scheme of Delegation in the Constitution will be amended to reflect these changes.

Policy for Adopting Roads and Streets as Highways Maintainable at Public Expense – Changes to the Scheme of Delegation approved by the Cabinet

12. To assist the County Council in fulfilling its future statutory function as Sustainable Drainage Approval Body under its role as the Lead Local Flood Authority, the Cabinet has approved changes in order to allow and encourage a greater number of roads and streets to be adopted under Section 38 of the Highways Act 1980.
13. Accordingly, the Cabinet has agreed that decisions on Section 38 Adoption and Instructions to enter into Section 38 Agreements, formerly delegated to the relevant Cabinet portfolio holder, should be delegated to specific postholders, namely the Group Planning and Development and Transport Development Planning East and West Managers. In addition, the Cabinet advised that officers should establish a process for advising Local Committees of those decisions. The Council is requested to note that the Scheme of Delegation will be amended accordingly.

Supporting Economic Growth through Investment in Highways Infrastructure – Changes to the Scheme of Delegation approved by the Cabinet

14. In their Strategic Economic Plans (SEPs), the two Local Enterprise Partnerships (LEPs) covering Surrey, Enterprise M3 (EM3) and Coast to Capital (C2C), set out their proposals for supporting economic development in their areas. The county council has worked with them to develop these plans, which include improvements to transport infrastructure to provide economic benefits. Funding for the schemes included in the SEP comes from the Local Growth Fund, and the arrangements require a local contribution to be made to the cost for the transport schemes.
15. The county council is now required to confirm the local contribution towards the cost of the first tranche of transport schemes, which are due to start in 2015/16. The Cabinet has agreed that authority be delegated within the limits set out in the Constitution, to the Strategic Director for Environment and Infrastructure, in consultation with the Deputy Leader, Cabinet Members for Highways, Transport and Flooding and the Director of Finance, to agree the precise amount of the county council's contribution. The Council is asked to note that this delegation will be added to the Scheme of Delegation to Officers.

Financial Regulations – proposed adoption of revised regulations – for approval by Council

16. The current Financial Regulations were approved by Council in March 2014. Since then, anomalies have been identified, which the proposed amendments seek to rectify. These include changes to the approval thresholds for commitments, for both revenue and capital, in order to bring the lower approval level in line with the key decision threshold of £500,000 and to bring the approval required for deferred commitments in line with Cabinet portfolios. In addition, changes are requested to ensure that all fees and charges are reviewed annually by services and that more fundamental reviews of fees and charges take place on a cyclical basis.
17. A number of changes have also been introduced at the county council that affect the content of the Regulations, such as the new networks, new reporting lines and changes to job titles. These changes are reflected in the amended version of the Regulations, attached at Annex A, which Council is invited to approve.
18. Printed copies of the updated Scheme of Delegation pages and Financial Regulations will be circulated to replace the existing copies in Members' Constitutions.

RECOMMENDATION:

It is recommended:

- a) that the County Council agrees to the relevant changes to its Constitution regarding:
 - i) the extension of delegations in relation to Section 106 agreements to Senior Managers in the School Commissioning and Libraries services;
 - ii) the new division of responsibilities regarding pensions functions and the Internal Disputes Resolution process;
 - iii) the reinstatement of the provision to enable officers to make rights of way orders where no significant objections are made and related updates to wording;
 - iv) revised Financial Regulations.

- b) that the amendments agreed by the Cabinet to the Scheme of Delegation be noted.

Lead/Contact Officer:

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Sources/background papers:

The Council's Constitution

Financial Regulations

October~~February~~ 2014

Financial Regulations

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Introduction

- 1 Financial Regulations govern the manner in which the council's financial activity is conducted and its financial interests are safeguarded. All councillors, officers and contractors must comply with the Financial Regulations ('the regulations'). Locally managed schools have their own financial governance and regulations, as set out in the Surrey Scheme of Financing Schools and the Schools' Finance Manual.
- 2 An officer of the council with the appropriate qualifications must ensure proper management of the council's financial affairs under Section 151 of the Local Government Act 1972. The ~~Chief Finance Officer~~Director of Finance and Deputy Director of Business Services is the Section 151 Officer for Surrey County Council.
- 3 ~~All strategic directors and the Assistant Chief Executive are accountable to the Section 151 Officer for compliance with these regulations. The Section 151 Officer is, in turn, accountable to Council.~~ All officers with delegated responsibility for undertaking financial duties are responsible accountable to their Strategic Director for their compliance with these regulations. The Section 151 Officer is, in turn, accountable to Council.
- 4 The regulations outline the financial responsibilities of the ~~Chief Finance Officer~~Director of Finance, ~~senior managers and strategic directors, heads of service and budget holders~~ within the council, defining what the council does financially, and why it does it. The Section 151 Officer is also required to define more detailed requirements in respect of financial activity (Financial Management toolkit) that facilitate compliance with the regulations and ensure there are clear operational practices.

Governance

- 5 The regulations are part of the council's Constitution. The relevant parts of the Constitution are Article 6 (Budget and Policy Framework) and Article 13 (Contracts and Legal matters and Scheme of Delegation).
- 6 The Leader of the Council determines the Scheme of Delegation that sets out the level of authority for officers and members. The regulations are aligned to the Scheme of Delegation and amended accordingly.
- 7 The ~~Chief Finance Officer~~Director of Finance reviews the regulations annually and proposes any amendments to the Leader.

Regulation 1: Officer roles and responsibilities

~~Chief Finance Officer~~Director of Finance

- 1.1. The ~~Chief Finance Officer~~Director of Finance's responsibilities to administer and steward the financial affairs of the council are decreed by statute:
- Section 151 of the Local Government Act 1972
 - Section 114 of the Local Government Finance Act 1988
 - Local Government and Housing Act 1989
 - Local Government Act 2003
 - Accounts and Audit Regulations 2011.
- 1.2. The ~~Chief Finance Officer~~Director of Finance's key responsibilities are to:
- a) provide strategic financial planning and advice to ~~the Chief~~the Chief Executive, senior managers Council Leadership Team relevant council network, the Cabinet, other committees and member task groups
 - b) ensure proper administration arrangements are in place for the council's financial affairs
 - c) report to members on the overall budget performance and recommend corrective action
 - d) ensure that the council or any officer of the council does not make any unlawful financial transaction or action
 - e) comply with the relevant accounting and financial procedures and standards in accordance with best accounting practices, and that all transactions are conducted in the spirit of the council's values (listen, responsible, trust and respect)
 - f) agree and ensure those locally managed schools and other local financial management arrangements are aligned to these regulations
 - g) nominate an appropriate council officer to perform these responsibilities in the absence of the ~~Chief Finance Officer~~Director of Finance.
- 1.3. The ~~Chief Finance Officer~~Director of Finance must be given access to any necessary information to comply with these statutory duties.

~~Strategic Directors~~Senior Managers

- 1.4. ~~Senior Managers of the organisation, including Strategic Directors, Assistant Directors and Heads of Service,~~ shall (jointly with the ~~Chief Finance Officer~~Director of Finance) propose a revenue and capital budget to Cabinet for each service, within their budget guidelines set by the Cabinet.
- 1.5. ~~Each Strategic Director~~Senior Managers must produce a monitoring report every month on the progress and projected spend of their approved revenue and capital budgets within agreed timescales.
- 1.6. ~~Each Strategic Director is~~Senior Managers are responsible for ensuring that there is a nominated budget holder responsible for controlling each part of their total budget. ~~Strategic directors~~Senior Managers will align budgetary accountability with managerial responsibility when nominating budget holders for the use of resources as closely as possible.

- 1.7. Each ~~Strategic Director~~Senior Manager is responsible for the effective operation of the relevant financial systems to the extent that they are operated or controlled within their directorate, taking into account the advice of the ~~Chief Finance Officer~~Director of Finance.

~~Heads of service / B~~udget holders

- 1.8. ~~Heads of service may delegate local/ detailed budgetary responsibility to nominated budget holders. Heads of service will align budgetary accountability with managerial responsibility when nominating budget holders for the use of resources as closely as possible.~~
- 1.9. Budget holders should make all relevant staff aware of these regulations (and associated documents) and highlight the relevance and compliance of the regulations to their team members. Finance officers can assist budget holders in this.
- 1.10. Budget holders shall make arrangements to ensure that the actual revenue expenditure does not exceed the approved budget in accordance with paragraph 2.21 below.
- 1.11. Risk criteria (size, complexity, volatility and political sensitivity) are applied to each budget as part of the budget setting process, which then determines how a budget will be monitored during the financial year (the risk based approach).
- a) High risk – the budget is monitored monthly and a budget narrative reported to Cabinet every month.
 - b) Medium risk – the budget is monitored monthly and a budget narrative reported to Cabinet every quarter.
 - c) Low risk – the budget is reviewed every quarter and reported by exception.
- Any variances more than £50,000 and over 10% of the actual spend to date and budget spend to date position; and the full year forecasted spend and the full year budget, must be monitored monthly until the variance is stable.
- 1.12. Budget holders are responsible for providing the budget narrative as part of monthly budget monitoring reports to Cabinet. Combining more than one budget holder report into a service report is the responsibility of ~~the Head of Service~~Senior Managers. ~~Combining more than one service report into a directorate report is the responsibility of the Strategic Director.~~ The Finance Service can support ~~heads of service and strategic directors~~Senior Managers in producing budget narratives.
- 1.13. The ~~Chief Finance Officer~~Director of Finance and relevant ~~Strategic Director~~Senior Manager should approve all arrangements, guidelines and procedures for the proper administration of the service's financial affairs.

Regulation 2: Revenue financial planning and management

Revenue budget and medium term financial plan preparation

- 2.1. In late January or early February, the Leader and Cabinet propose the level of council tax precept for the coming financial year for Council to set. In proposing the council tax precept, the Leader and Cabinet propose the following year's overall revenue budget, capital programme (see Regulation 3) and five year medium term financial plan (MTFP) for Council's approval. In setting council tax and approving the budget and MTFP, Council is responsible for ensuring it aligns with the corporate strategy.
- 2.2. The ~~Director of Finance~~~~Section 151 Officer~~ submits a report to the Cabinet and Council on the robustness of the budget proposals submitted for Council approval in compliance with the requirements of Section 25 of the Local Government Act 2003.
- 2.3. In developing the council's overall high level revenue budget, Cabinet, ~~Continuous Improvement & Productivity Network~~~~Corporate Leadership Team~~ and the ~~Chief Finance Officer~~~~Director of Finance~~ agree budget guidelines for each year of the MTFP. ~~Senior Managers and~~ Budget holders must propose revenue budgets for the MTFP period that are sustainable for ~~their directorate and the council~~ and are within the agreed guidelines. ~~Senior Managers must present their budgets to the Director of Finance, and others as required, and incorporate an explanation of key assumptions and risks. The Finance service collates the proposed budgets and present them to Directorate Leadership Teams. Strategic directors and the Chief Finance Officer~~~~Director of Finance~~ are responsible for producing a budget and MTFP that are within the agreed guidelines.
- 2.4. ~~Directorates must present their budgets for the MTFP period to Co~~~~Continuous Improvement & Productivity Network~~~~uncil Leadership Team. These must include the key budgetary assumptions and risks.~~ The Leader presents the budgets for the five year MTFP to Cabinet in January or February and to Council in February.
- 2.5. Any revenue budget changes must follow virement regulations (see paragraph 2.16).

Fees and charges

- 2.6. ~~Every year~~ Services must update and/ or review their fees and charges with a view to ensuring all are reviewed fundamentally on a cyclical basis. The review cycle must not exceed four years. In developing fees and charges proposals, services must consult, either formally or informally, with appropriate Select Committee representatives. The Director of Finance will provide appropriate guidance in the Financial Management Toolkit., Cabinet must review and agree a schedule of fees and charges when it approves the MTFP in March. The Chief Finance Officer may provide guidance to Cabinet on the schedule.
- 2.6-2.7. Annually, when it approves the MTFP in March, Cabinet must review and agree the schedule of fees and charges to be applied in the next financial year. Cabinet will ratify note fees and charges agreed under delegated authority and/or approve others not otherwise approved/delegated.

~~2.7.2.8.~~ All income properly due to the council must be collected promptly and recorded to the council’s benefit, unless specific authority to waive, discount or write-off such income is approved through Cabinet, Cabinet Members or under delegated powers to officers. ~~Heads of service~~ Senior Managers have authority to waive fees and charges for reasons outlined in Financial Management toolkit, up to a cumulative value of ~~£100,000~~ £25,000 per year in any one case. Any ~~value greater than this~~ waiver of higher value requires Cabinet approval. Waivers granted in year must be reported in year end financial outturn reports to Cabinet.

2.9. Cabinet must agree proposals to start charging for or trading in goods or services not previously subject to charging or trading with third parties.

Grant conditions

~~2.8.2.10.~~ ~~Heads of service~~ Senior Managers -must comply with any grant conditions where they budget to meet expenditure from grant income to ensure the service receives the maximum relevant grant income.

Mid-year changes

~~2.9.2.11.~~ Cabinet has discretion to use and allocate resources within the budget approved by Council. Any decision of Cabinet, a committee, individual Cabinet Members, officers, local committees or a joint body discharging executive functions which would incur expenditure beyond the approved budget requires Council’s agreement.

~~2.10.2.12.~~ Occasionally, new projects will arise in year that were not included in the MTFP and require specific funding. Cabinet may approve such new projects, provided their funding is within the overall limits of the budget.

~~2.11.2.13.~~ Revenue Invest to Save scheme proposals must follow the Investment Panel process set out in paragraph 3.54. Budget holders must not commit or incur expenditure on projects arising in year until Cabinet has granted approval. This includes projects services develop to access external funding.

~~2.12.2.14.~~ ~~Budget holders~~ Senior Managers -may request to carry forward a budget to the next financial year. Cabinet can approve carry forwards in the context of the total outturn position, or forecast outturn position, taking the ~~Chief Finance Officer~~ Director of Finance’s advice into account.

~~2.13.2.15.~~ At the beginning of the financial year, it can be difficult for services to estimate revenue government grants accurately and grant adjustments will be required. These grant changes will amend the revenue expenditure levels for the relevant directorates. Budget holders must seek approval through the virement process outlined in paragraph 2.46-17 for such amendments. Cabinet notes all grant virements reported within the Leader’s budget monitoring reports.

~~2.14.2.16.~~ Approval of all previous year carry forwards, grant changes and other budget virements amend the MTFP budget, which becomes the updated budget.

~~2.15.2.17.~~ The approval requirements depend on the virement.

Virement type	Approval required
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Virement type	Approval required
Technical e.g. incorrect coding, capital transfers, redistributing funding	Relevant finance manager
Administrative i.e. already approved by Cabinet	Within a service - <u>Assistant Director or Head of Service</u> Within a directorate – strategic director Across directorates – <u>Chief Finance Officer/Director of Finance</u>
Without existing Cabinet approval <u>In line with key decision threshold (3.27)</u>	Under £500,000 <u>250,000</u> (full year effect) - <u>Chief Finance Officer/Director of Finance</u> Over £500,000 <u>250,000</u> (full year effect) and within a <u>portfolio directorate</u> – relevant Cabinet Member Over £500,000 <u>250,000</u> (full year effect) and across <u>directorates portfolios</u> - <u>the Leader in conjunction with the relevant Cabinet Member formal approval by Cabinet after informal communication with the relevant Cabinet Member and the Leader</u>

Monitoring

~~2.16.~~2.18. Budget holders are required to monitor and report on their revenue and projects budgets in accordance with risk ratings determined using the criteria in paragraph 1.11.

~~2.17.~~2.19. Budget holders must forecast the income and expenditure position for their budget throughout the year. Using the council’s forecasting tool, budget holders submit year-end forecasts and commentary to their line manager, Strategic Director and Finance according to the budget monitoring timetable.

The budget commentary should include:

- a) the extent of any under or overspend
- b) the reasons for any under or overspend, such as information on activity or volume levels, contract or price variations; ~~and~~
- c) what the service is doing to address any under or overspend; and
- e)d) the implications for future budgets and forecasts over the MTFP period

~~2.18.~~2.20. ~~Line managers, strategic directors~~Senior Managers and Finance reviews and validates completed budget monitoring forecasts and commentaries.

~~2.19.~~2.21. Budget holders can only commit to spend against budgets within their delegated responsibility. Changes to delegated responsibility require a virement to effect the change to the budget (paragraph 2.16).

~~2.20.~~2.22. If a budget holder forecasts to over-spend or under-recovery (for income) then in consultation with the relevant Cabinet Member they can:

- a) reduce expenditure or take action to increase income with Cabinet approval

- b) re-direct resources by making a virement between budgets (paragraph 2.16)
- c) in very exceptional circumstances, request Cabinet to approve a supplementary budget allocation.

2.21-2.23. The budget holder must include comments about such actions taken in their budget monitoring commentary.

Reporting

2.22-2.24. The ~~Chief Finance Officer~~Director of Finance uses ~~strategic directors'~~Senior Managers' budget monitoring commentaries to prepare the overall budget monitoring report ~~to Continual Improvement Board and~~ Cabinet each month.

2.23-2.25. At the financial year end, the ~~Chief Finance Officer~~Director of Finance reports to Cabinet on the outturn of expenditure and income and the performance of each directorate compared with the updated budget.

Revenue budget – schools budget

2.24-2.26. If an individual school overspends, it carries that overspend forward and it becomes the first call on the school's budget in the following year. In highly exceptional circumstances, the Council may approve additional funding for a school in financial difficulties. If schools as a whole overspend collectively, the overspends would still be carried forward and they would each be required to recover the funds from their following year's budgets. Again, in highly exceptional circumstances, the Council may approve additional funding for a school in financial difficulties.

2.25-2.27. The Department for Education restricts use of Dedicated Schools Grant (DSG) ~~to budgets delegated to schools spending on schools and specified central expenditure on schools and pupils centrally held schools expenditure only. Statute requires that most categories of central expenditure from DSG (other than on high cost SEN) must be approved by Schools Forum (or Secretary of State) and various other constraints are imposed by the current school finance regulations. limits the proportion of centrally held schools expenditure, so only the Schools Forum or Secretary of State can increase the proportion of centrally held expenditure. If the centrally held budgets overspend and the council chooses to carry forward the overspend, the carry forward will count as part of the statutory limit. If this means that the statutory limit is exceeded, the Schools Forum or Secretary of State may need to approve the carry forward. If there is an overspend on the Schools Budget, that can only be funded from DSG in the following year with the approval of Schools Forum or of the Secretary of State.~~

Debt write offs

2.26-2.28. The ~~Chief Finance Officer~~Director of Finance, in consultation with the ~~Head~~Director of Legal and Democratic Services, has authority to write off individual debts of up to £100,000 they consider to be irrecoverable, where:

- a) the debtor has gone into liquidation;
- b) the debtor is deceased and there are no funds and the debt has been registered as a liability to the executor;
- c) the evidence against a debtor is inconclusive, and the Head of Legal and Democratic Services recommends write-off;

- d) the debtor has absconded and all enquiries have failed; or
- e) the debtor is in prison and has no means to pay.

~~2.27-2.29.~~ The ~~Chief Finance Officer~~Director of Finance can approve the write off of irrecoverable debts under £10,000 not covered by the criteria above. For debts between £10,000 to £100,000 not covered by the criteria above, the relevant Cabinet Member in consultation with the Leader can approve the write off of irrecoverable debts in their portfolio, having taken into consideration the advice of the ~~Chief Finance Officer~~Director of Finance and the ~~Head Director~~ of Legal and Democratic Services. All other write offs require Cabinet approval.

~~2.28-2.30.~~ The year end financial outturn reports to Cabinet set out debt write offs granted in the year.

Stock write offs

~~2.29-2.31.~~ The relevant ~~strategic director and head of service~~Senior Manager and the ~~Chief Finance Officer~~Director of Finance's nominee can agree to write off individual categories of stock items to a maximum value £10,000. All other write offs require Cabinet approval. The year end financial outturn reports to Cabinet set out stock write offs granted in the year.

Consultancy services

~~2.30-2.32.~~ Procurement Standing Orders (PSOs) set out the thresholds for appointing consultants and contractors.

~~2.31-2.33.~~ The Leader and the Chief Executive must approve consultant or contractor appointments where the fee exceeds £50,000 a year (or in proportion where the engagement is for less than one year) before the contract starts.

~~2.32-2.34.~~ Procurement must subject all consultant or contractor engagements with an aggregate value of £100,000 or over to competitive tender and review by the Procurement Review Group before approval by the Leader and Chief Executive. Under no circumstances will the Leader and Chief Executive approve such engagements retrospectively.

Regulation 3: Capital planning and management

Budget setting

- 3.1. In late January or early February, the Leader and Cabinet propose the overall five year capital programme for Council's approval. The ~~Chief Finance Officer~~ Director of Finance supports this with: aggregate and detailed capital budgets, capital programme financing and assurances about the council's compliance with the Prudential Code's requirements.
- 3.2. ~~Strategic directors and heads of service~~ Senior Managers must ensure any planned capital spend included within the MTFP does not exceed the capital resources allocated to that programme or scheme. In particular, they must ensure:
- a) capital programme proposals are consistent with the council's corporate strategy, capital strategy, asset management plan and directorate strategies;
 - b) each capital scheme or project is assessed for both financial and service risk;
 - c) the proposed timetable for the programme is realistic;
 - d) the available revenue resources (or planned revenue resources likely to be made available) can contain all consequential revenue costs in current and future years; and
 - e) Investment Panel has reviewed the business case for each scheme or project for robustness.
- 3.3. The approved capital programme gives 'in principle' approval for capital projects and schemes. Expenditure on new capital projects or schemes can commence only following the approval of the Capital Working Group or Investment Panel as described below. For developer contributions and specific grant schemes follow the key decisions approval regulation (3.26 – 3.27). ~~capital projects, including, but not limited to, expenditure on land acquisitions, building works, transportation schemes, economic regeneration schemes, professional fees, furniture and equipment (including IT equipment) on any project it includes for:~~
- ~~a) new starts, in the year for which the project first appears in the capital programme and in any subsequent years;~~
 - ~~b) minor works allocations or other block sums, in the year for which the allocation is approved and specific carry forwards approved by Cabinet;~~
 - ~~c) any government allocation that depends on expenditure being incurred within a specified year, only for that year.~~

Capital Working Group & Investment Panel

- 3.4. Each year Council gives "in-principle" approval for a list of capital schemes, plus allocations for recurring programmes such as minor works and maintenance. For all new schemes not previously included in the approved capital programme, budget holders must present a business rationale to Capital Working Group (CWG). CWG conducts the initial review of proposals to determine whether they should be presented to Cabinet for decision to identify schemes in the MTFP capital programme.

- 3.5. Investment Panel considers the robustness of business cases identified as part of the council's main capital programme approved by Cabinet. Sufficiently robust business cases proceed for approval to procure and start work to:
- a) Cabinet for schemes valued at greater than £1m;
 - b) Cabinet Member in conjunction with the Leader for schemes valued between £100,000 and £1m; and
 - c) ~~Chief Finance Officer~~ Director of Finance for schemes valued at less than £100,000.
- 3.6. Investment Panel applies the following policy to exempt schemes from business case review:
- a) capital schemes where the council carries out work funded by, and on behalf of a third party e.g. extending a Diocese run school;
 - b) capital schemes determined by local committees;
 - c) grant funded schemes awarded on a bid basis where CWG had considered the business rationale and Finance had agreed the council's business case included in its funding bid; and
 - d) highways and property maintenance programmes where prioritisation criteria exist within the services to manage the budgets for this work.
- 3.7. To allow exemption from business case review based on prioritisation criteria, CWG considers and approves the prioritisation criteria for the service before the start of each financial year and agrees a schedule for the service to report to Investment Panel on how it has applied the criteria for that year. This gives Investment Panel oversight of the programmes and enables it to monitor progress.
- 3.8. The rules on virements (paragraph 3.18) apply for approval of additional allocations, advances or deferrals of approved scheme. The same approval process applies to projects receiving additional government capital grant funding in year.

Procurement Review Group

- 3.9. Procurement Standing Orders require approval by Procurement Review Group (PRG) for award of contracts valued at £100,000 or more over the life of the contract (e.g. £25,000 a year for four years). PRG essentially covers route to market for procuring goods and services and awarding the contracts. Prior to seeking tenders, heads of service must present a strategic procurement plan proposing the preferred route to market for the project to PRG. PRG reviews the proposal for: overall effectiveness of the proposed route to market, legality, affordability and value for money. Following PRG approval, for proposals valued over £500,000 and under £1m, heads of service present proposals to the appropriate Cabinet Member, in conjunction with the Leader for approval; and for proposals valued over £1m, heads of service present proposals to Cabinet for approval.
- 3.10. Following return of tenders, ~~heads of service~~ Senior Managers must submit proposals for contract award to PRG. PRG reviews the proposal for: overall effectiveness, legality, affordability and value for money. Following PRG approval, for proposals valued over £500,000 and under £1m, the appropriate Cabinet Member, in conjunction with the Leader must approve; and for proposals valued over £1m, Cabinet must approve.

3.11. If the final tendered cost exceeds the last estimate reported formally to either Cabinet or Cabinet Member by 5% or £200,000, whichever is the lower, the head of service, after consultation with the strategic director and appropriate Cabinet Member, determines whether to meet the additional cost from savings already identified on other projects within the existing capital programme or whether to make further savings on other approved capital projects to offset the increased costs. If the head of service cannot absorb the increased costs they must submit a report to the Cabinet Member in conjunction with the Leader or Cabinet proposing other action to take.

Mid-year changes

3.12. Deletion of a scheme that has been individually approved as part of the capital programme must be approved by the Cabinet Member, in consultation with the Leader if its value is below £1m and Cabinet if its value is over £1m.

3.13. Where it is likely the total cost of a project already in progress will exceed its latest approved budget allocation, the relevant ~~head of service~~ Senior Manager must report this with advice on how the head of service proposes to fund the overspend:

- a) to the appropriate strategic director and Cabinet Member; and
- b) in the budget monitoring report to Cabinet.

3.14. The ~~head of service~~ Senior Manager must explain the reasons for any overspend in each scheme’s post implementation review.

3.15. ~~Heads of service~~ Senior Managers must refer all proposals to enter into leasing arrangements, including those by schools, to the ~~Chief Finance Officer~~ Director of Finance for agreement prior to finalisation.

3.16. ~~Heads of service~~ Senior Managers must conduct a post-completion review for capital projects, in line with requirements specified in the Financial Management toolkit. The ~~head of service~~ Senior Manager must advise Council Overview and Scrutiny Committee, Investment Panel, appropriate select committee and the relevant strategic director and Cabinet Member on a timely basis of all such reviews conducted.

3.17. In respect of additional capital grant funding awarded in-year, spending proposals should follow the Investment Panel process.

3.18. Virements are permissible subject to the following limitations:

<u>Virement type</u>	<u>Approval required</u>
<u>Technical</u> <u>e.g. incorrect coding, capital transfers, redistributing funding</u>	<u>Relevant finance manager</u>
<u>Administrative</u> <u>i.e. already approved by Cabinet</u>	<u>Within a service - Assistant Director or head of service</u> <u>Within a directorate – strategic director</u> <u>Across directorates – Director of Finance</u>

<u>Virement type</u>	<u>Approval required</u>
<u>Without existing Cabinet approval</u>	<u>Under £500,000 (full year effect) - Director of Finance</u>
<u>In line with key decision threshold (3.27)</u>	<u>Over £500,000 , (full year effect) and within a portfolio - relevant Cabinet Member</u> <u>Over £500,000 (full year effect) and across portfolios - formal approval by Cabinet after informal communication with the relevant Cabinet Member and the Leader</u>

- ~~a) service heads can approve virements between budgets within the same team (thresholds do not apply);~~
- ~~b) strategic directors can approve virements between team budgets within the same service (thresholds do not apply);~~
- ~~c) the Chief Finance Officer can approve virements below £250,000 between portfolios or services;~~
- ~~d) the Cabinet Member can approve virements above £250,000, between services within the same portfolio area;~~
- ~~e) the Leader (with agreement from both relevant Cabinet Members) can approve virements above £250,000, between portfolios or services;~~
- ~~f) strategic directors and service heads can approve virements to resolve scheme overspendings of up to 10% (to a maximum of £200,000) of the approved budget for the scheme, any overspend above this level will be permissible only with the approval of the Cabinet Member and Leader; and~~
- ~~g) in urgent cases a virement decision as set out in (d) to (f) above may be taken by the Cabinet Member or Leader in accordance with Article 6.05(f) of the Constitution.~~

~~3.18-3.19.~~ The only type of capital virement exempt from the above rules is one between the Members' Allocation budget to another capital budget, as local committees have already approved them -, this will be defined as an administrative virement.

~~3.19-3.20.~~ Cabinet approval is required to reprofile a capital scheme's budget across years, or to carry forward capital budgets at the end of the financial year.

~~3.20-3.21.~~ The ~~relevant head of service~~ Director of Finance can approve virements from revenue to capital below ~~£100,000~~ £500,000 and the Cabinet ~~Member~~ can approve if the amount is above ~~£100,000~~ £500,000. Virements are not permissible from capital to revenue budgets.

Reporting and monitoring

~~3.21.~~ The ~~Chief Finance Officer~~ Director of Finance collates the overall capital budget monitoring report and presents it to ~~Cabinet and the Continual Improvement Board and Cabinet each month.~~

~~3.22.~~ At the end of the financial year, the ~~Chief Finance Officer~~ Director of Finance reports to Cabinet on the income and expenditure outturn and the performance of each directorate, as set out in the MTFP, compared with the updated budget.

Acquisition and disposal of assets

- 3.23. The acquisition of land or buildings for an approved scheme or for a specifically authorised acquisition, with value of more than £500,000 in any one case requires Cabinet Member approval, or with value of more than £1m in any one case requires Cabinet approval. This value relates to freehold and leasehold interests. Acquisitions authorised under the Scheme of Delegation must use a relevant professional valuation in line with the purchase price. These should be agreed in consultation with the ~~Chief Finance Officer~~Director of Finance.
- 3.24. The sale of land or buildings declared surplus to the council's requirements and valued at £1m or more in any one case requires Cabinet approval. This value relates to freehold and leasehold interests and includes setting a reserve figure for auction sales.
- 3.25. Acquisitions or disposals below £1m require approval of Cabinet Member in conjunction with the Leader.

Key decisions – other than above

- 3.26. The Constitution determines that the financial threshold for key decisions is £500,000. This is for any items that are not already highlighted in the above paragraphs. Depending on the issue, a note to Capital Working Group or Investment Panel is required on the decision. Decisions should be approved by;
- Under £500,000 (full year effect), Director of Finance
 - Over £500,000 (full year effect) and within a portfolio, the relevant Cabinet Member.
 - Over £500,000 (full year effect) and across portfolios, formal approval by Cabinet after informal communication with relevant Cabinet Member and the Leader
- ~~3.26-3.27.~~ Delegated authority to take decisions in respect of matters outlined in this document must not contradict the general provisions on key decisions in the Constitution.

Regulation 4: Risk management

- 4.1. The council's approach to risk management is a continuous and evolving process that runs through the council's strategies and service delivery. It ensures key risks are managed and resilience is strengthened in order to support the delivery of the council's priorities and goals.
- 4.2. The Risk Management Policy Statement and Strategy outline the arrangements in place to ensure the council identifies and deals with the key risks it faces. The Risk Management Framework complements the statement and strategy and ensures a consistent approach to risk management across the organisation by detailing the council's approach to risk identification, assessment, control and reporting.

Internal Audit

- 4.3. As a key part of internal control, on behalf of the council, an adequate and effective system of internal audit of the accounting records and systems of internal control must be maintained, to the satisfaction of the ~~Chief Finance Officer~~Director of Finance and the Audit and Governance Committee. To facilitate independence and objectivity in reporting, the reporting lines of this function should be unfettered by line management structures so that direct access to any officer, Member or external regulating authority (eg External Audit) will be available.
- 4.4. Internal audit staff will have access to all such documents, books, computer records, property, assets and explanations as considered necessary for the purposes of the audit from any Member, officer, agents or contractors of the council. Any material unresolved issues emerging from audit work undertaken will be referred to the Audit & Governance Committee and/or the Cabinet, as appropriate.
- 4.5. Members, ~~heads of service~~Senior Managers, other senior officers and any other employees must notify the Chief Internal Auditor of any matter that involves or is thought to involve any instance of suspicion of corruption or financial irregularity in the exercise of the functions of the council. An internal audit investigation of such allegations will be undertaken in line with the council's Strategy Against Fraud and Corruption.

Fraud and corruption

- 4.6. The ~~Chief Finance Officer~~Director of Finance will ensure that measures to counter fraud and corruption and to facilitate such disclosures are defined, documented, widely distributed and reviewed at appropriate intervals, in consultation with the Chief Internal Auditor, as appropriate. Any investigations of this type undertaken by internal audit will be under the direction of the Chief Internal Auditor, in consultation with the ~~Chief Finance Officer~~Director of Finance, with a report to the Audit and Governance Committee, the Leader and Chief Executive as appropriate. The Head of Human Resources and Organisational Development will ensure that 'whistle-blowing' procedures are defined, documented, widely communicated and reviewed at appropriate intervals, in consultation with the ~~Head~~Director of Legal and Democratic Services and the Chief Internal Auditor.

Business Continuity

- 4.7. The ~~Chief Finance Officer~~Director of Finance will ensure that procedures are documented and made available to users for those systems identified as business-critical. Systems so identified will be specified in the Financial Management toolkit, together with the location of the relevant documentation.

Money Laundering

- 4.8. The Chief Internal Auditor acts as the council's Money Laundering Reporting Officer (MLRO). The MLRO will ensure that there is an Anti Money Laundering Policy published on the council's external website which sets out the procedures which must be followed to enable the council to comply with its legal obligations. This policy states that no payment to the council will be accepted in cash if it exceeds £5,000.

Security and insurance of assets

- 4.9. All Members and staff have a general responsibility for taking reasonable action to provide for the security of the assets under their control and for ensuring that the use of these resources is legal, is properly authorised, benefits the council and represents value for money.
- 4.10. The ~~Chief Finance Officer~~Director of Finance will ensure that there are sufficient arrangements in place to protect the County Council against insurable risks.

System controls

- 4.11. The corporate financial systems documented procedures will be updated and amended as necessary to ensure their continued accuracy and applicability.
- 4.12. The ~~Chief Finance Officer~~Director of Finance will ensure that appropriate systems of internal financial control are maintained across the council and will ensure that any finance-related issues raised by Internal Audit, the External Auditor or by the Annual Governance Statement are appropriately addressed.
- 4.13. The ~~Chief Finance Officer~~Director of Finance will ensure that key financial systems are regularly tested to ensure that they are secure and reliable.

Regulation 5: Reserves, balances and closure of accounts

Reserves and balances - reporting

- 5.1. The ~~Chief Finance Officer~~Director of Finance must annually advise the Cabinet and Council on the prudent level of reserves and general balances for the authority, taking into account prevailing and anticipated levels of risk and uncertainty. In year, the ~~Chief Finance Officer~~Director of Finance should report on any financial forecast or anticipated event that could threaten the council's ability to maintain reserves of at least the stated level, drawing attention to any material financial implications.
- 5.2. Planned spending from reserves, provisions and funds must be approved as a part of the budget or budget monitoring processes. The use of reserves, provisions and funds for purposes other than those planned must be reported to and agreed by the Cabinet.
- 5.3. The ~~Chief Finance Officer~~Director of Finance will report to the Cabinet for its approval to use reserves, provisions and funds held by the council.

Accountancy arrangements

- 5.4. The ~~Chief Finance Officer~~Director of Finance must ensure that all the financial transactions of the council are accurately reflected in the council's accounting records.
- 5.5. The accounting policies, practices and procedures adopted by the council will be determined by the ~~Chief Finance Officer~~Director of Finance and will reflect professional standards and recommended good practice. All services are required to adhere to these policies, practices and procedures in recording the financial transactions of the council.
- 5.6. Any proposed changes to accounting policies, practices or procedures or material departures from professional standards or recommended good practice must be declared and must be acceptable to the ~~Chief Finance Officer~~Director of Finance and to the council's external auditors before implementation.
- 5.7. Services must use corporate financial systems, unless the prior agreement of the ~~Chief Finance Officer~~Director of Finance has been obtained and he / she is satisfied that the local system proposed contains adequate financial controls and is capable of feeding required data into corporate systems.
- 5.8. The ~~Chief Finance Officer~~Director of Finance will make appropriate arrangements for and advise officers and Members of the council on, all taxation issues that affect the authority.
- 5.9. The ~~Chief Finance Officer~~Director of Finance will sign off the annual statement of accounts once satisfied that the statement represents a true and fair view of the financial position of the council. The accounts of the Council and associated opinions and reports of the external auditor will be presented to the Audit and Governance Committee.
- 5.10. ~~Senior Managers Strategic directors, assistant directors and heads of service~~ must sign a manager's assurance statement each year as prescribed by the ~~Chief Finance Officer~~Director of Finance.

Regulation 6: Contracting arrangements

- 6.1. All procurement and purchasing undertaken must adhere to corporately specified processes as agreed by the [Continuous Improvement & Productivity Network Council Leadership Team](#) and follow the requirements of PSO's and the PRG (see paragraph 3.9). The Financial Management toolkit sets out the requirements for the use of purchasing cards in emergencies.
- 6.2. All material assumptions and risks inherent in evaluations of proposed contracts must be fully disclosed, (before the contract award) to those officers and Members making decisions on the award of contracts.
- 6.3. Long-term strategic contracts must include provisions to secure continuous improvement, improved efficiency and value for money.
- 6.4. All work undertaken for third parties should follow the contract procedures in the PSO's.
- 6.5. Goods and services commissioned from the voluntary or community sectors must assure value for money for the council. Financial relationships must be in the form of grants or contracts made under the relevant corporate guidance within the Financial Management toolkit.
- 6.6. In this context, partnerships are deemed to be joint arrangements involving the council pooling financial and/or other resources with other bodies in the pursuit of agreed joint objectives.
- 6.7. All partnership arrangements and pooled budgets must be under written terms appropriate to the extent of the financial risk to the council and may be entered into only following appropriate advice from the Chief Financial Officer and the Head of Legal and Democratic Services. Where the council's contribution to or financial risk from such an arrangement exceeds £100,000, the Cabinet's agreement to the pooled arrangement is required.
- 6.8. Prior to the council entering into any proposed partnerships requiring an annual contribution (financial or otherwise) to the value of £100,000 or more, the approval of the Cabinet will be required.
- 6.9. The thresholds for the appointment of consultants and contractors are set out in the PSO's.

Regulation 7: The pension fund and treasury management

The pension fund

- 7.1 The ~~Chief Finance Officer~~Director of Finance has delegated authority to take any urgent action as required between Pension Fund Board meetings but such action only to be taken in consultation with and by agreement with the Chairman and/or Vice Chairman of the Pension Fund Board and any relevant Consultant and/or Independent Advisor.
- 7.2 The ~~Chief Finance Officer~~Director of Finance will ensure that monitoring reports on the Pension Fund's investment performance and activities, and any other business are considered by the Pension Fund Board at least quarterly.
- 7.3 The ~~Chief Finance Officer~~Director of Finance will ensure that a report on the triennial actuarial valuation of the pension fund is taken to the Pension Fund Board.
- 7.4 The ~~Chief Finance Officer~~Director of Finance will ensure that a report on the annual accounts and associated external audit of the pension fund is taken to the Audit and Governance Committee and the Pension Fund Board.

Treasury management

- 7.5 The ~~Chief Finance Officer~~Director of Finance will propose for adoption by the Council the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management, which governs treasury management activity, and will ensure that its provisions are implemented.
- 7.6 The ~~Chief Finance Officer~~Director of Finance will define and propose for agreement by Council, a treasury management policy statement, stating the policies, objectives and approach to risk management in keeping with the code's recommendations and will monitor these throughout the year.
- 7.7 The ~~Chief Finance Officer~~Director of Finance will ensure that Council receives an annual investment strategy as part of the Prudential Code report.
- 7.8 The Audit and Governance Committee is responsible for ensuring effective scrutiny of the treasury management strategy and activity. The ~~Chief Finance Officer~~Director of Finance will submit a mid-year review and an annual outturn report on treasury management activity to the Audit and Governance Committee.
- 7.9 The ~~Chief Finance Officer~~Director of Finance will ensure that treasury management activities are administered within the parameters defined and agreed by Council and those defined by statutory requirements and professional best practice.

Glossary

Asset management plan	A strategic overview of the property portfolio that sets a broad direction for asset management over the medium term.
Balances	See <i>Revenue Reserves</i> .
Budget	A document stating the council's policy for using resources for the first year of the MTFP period. May also include information on non-financial resources such as manpower.
Business case	Prepared and submitted to Investment Panel for approval to spend capital and Invest to Save revenue schemes.
Cabinet	Comprises a Leader (an elected councillor) and up to nine other elected councillors, one of which must be the statutory portfolio holder for Children's Services. It is responsible for key decisions and policy.
Capital budget	Statement of approved capital expenditure for present and future years.
Capital grants	Money received towards capital spending for a particular service or scheme.
Capital strategy	Outlines the council's approach to capital investment, summarising the principles, policies, priorities and practices that will underpin investment planning over the medium to long term (ten years), ensuring that value for money is secured.
Capital Working Group (CWG)	Conducts initial reviews of proposed capital schemes.
Carry-forwards	Unspent revenue or capital budgets that services can use in future years.
CIPFA	The Chartered Institute of Public Finance and Accountancy. The leading accountancy body for local government.
Continouosal Improvement and Productivity Network Board	Provides leadership, challenge and oversight to issues relating to the delivery of the Corporate Strategy, including finance and risk.
Corporate Leadership Team	The council's strategic leadership team led by the Chief Executive and includes the Assistant Chief Executive and Strategic Directors.
Council Investment Panel	Provides assurance that robust business cases support capital and invest to save project proposals, ensuring value for money.
Dedicated Schools Grant (DSG)	The Dedicated Schools Grant provides 100% ring-fenced funding for schools from the Department for Education. Local authorities are responsibility for distributing this funding to schools according to local needs and priorities.
Estimate	Expected expenditure in a given year by committee, service and expenditure description.
Fees and charges	Income arising from the provision of services such as school meals, further education and meals on wheels.
Financial control	Good financial practice, including budgetary control, audit and financial regulations.
Financial Management toolkit	Guidance, instructions and support relating to the council's financial activity.
Financial year	1 April to 31 March - the year of accounts for Surrey County Council.
Government grants	Central Government contributions towards the cost of local services.
Income	The amount received, or expected to receive, from any source. Service revenue income includes grants, sales, rents, fees and charges.
Invest to Save	Schemes that are funded from the council's invest to save fund as the initial

	investment is paid back through savings over the life of the scheme.
Medium term financial plan	Sets out the council's spending and funding plans for the following five years including detailed plans by Directorate for both capital and revenue budgets.
Outturn	The actual income and expenditure for a particular year of account.
Pension Fund Board	A member committee responsible for the governance and administration of the council's pension fund.
Precept	A charge levied by one local authority on another.
Procurement	The process of gaining the use of supplies, services and construction work.
Procurement Review Group (PRG)	Considers the robustness of business cases identified as part of the council's main capital programme approved by Cabinet.
Procurement Standing Orders (PSO)	Set out how the council authorises spending, including all types of goods, works and services, as well as non-permanent workforce such as temporary and agency staff and consultants.
Projection	An estimate of expenditure in future years.
Provisions	Money set aside to pay for known, future costs.
Prudential Code	Sets out the principles that local authorities must follow when borrowing.
Revenue budget	An estimate of annual income and expenditure that sets out the financial implications of the council's policy for the budgeted year.
Revenue expenditure	The day-to-day spending on employment costs, other operating costs and capital charges less any income from fees, and charges.
Risk Based Approach (RBA)	Risk criteria applied to each budget as part of the budget setting process. Determines how a budget is monitored during the financial year.
<u>Senior Managers</u>	<u>The Senior Managers of the council include the Chief Executive, Assistant Chief Executive, Strategic Directors, Directors, Chief Fire Officer, Assistant Directors, and Heads of Service</u>
Statement of Accounts	The council's accounts for the financial year.
<u>Statutory Officers Meeting</u>	<u>The council's statutory officers led by the Chief Executive and includes the Strategic Directors for Adult Social Care, Children, Schools & Families, Director of Finance, Director of Legal & Democratic Services and Chief Internal Auditor.</u>
Surplus	When income is higher than expenditure.
Virement	The authorised transfer of a budget from one expenditure head to another.
Whistle blowing	Raising concerns about wrongdoing.
Write off	Reduces the value of an asset to zero in a set of accounts.

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 13 October 2014.

**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]

The Cabinet Member for Environment and Planning said that Surrey County Council, together with a consortium of five other county councils, owned a transport trip rate database known as TRICS which is widely used by the transport and planning profession. The operational management of the database is currently provided by a third party on a contract basis.

He drew Cabinet's attention to the Memorandum of Terms (Annex 1 to the report) and also the TRICS Business Plan 2014 (Annex 2 to the report).

After hearing from the Planning and Development Group Manager from Environment and Infrastructure, Cabinet were very supportive of the preferred option which was to create a Local Authority Trading Company, to be owned equally by the consortium members.

RESOLVED:

1. 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.
2. 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.
3. 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

Public Questions

Question (1) from Jenny Desoutter to ask:

My question relates to permission granted by SCC for Road Closures on 10 August.

Background

The right to use public highways, together with freedom of movement, is a universal right. It is also essential in order that people may discharge commitments and meet responsibilities and live safely and independently.

SCC have adopted a policy of such disproportionate discrimination in favour of those who enjoy cycling as a sport, that all others, including Surrey residents, are prevented for a whole day from access to an extensive network of roads in order that a spree for cycling enthusiasts can take place. This not only causes inconvenience and disruption, but also aggravates anxiety, isolation and risk.

SCC claim that they are entitled to take this action under section 16A of the Highways Act 1984. In spite of much opposition last year, and many untoward incidents, SCC have decided to continue with this divisive and discriminatory policy.

SCC have, however, repeatedly stated that they will do all they can to minimise disruption to residents: as might be expected from a body whose powers are necessarily linked to an inalienable statutory duty of care.

It is with some surprise therefore that I note that this year's route will leave most residents in Dorking with no means of egress or ingress for the entire day between 5.00am and the evening. This particularly affects those who are vulnerable, or unable to walk long distances, and those who live where there are no pavements. This has occurred largely because of the addition of Ranmore Road and Denbies Vineyard to the route, perhaps at the request of the event organiser whose main concern is the fun of the event, rather than the interests of people who live here. It is also with surprise that I note that the Prudential Ride London booklet claims to offer "**Important information to help you plan your travel around Surrey on 10th August**" when the reality is that in many areas no travel will be possible.

Question

Section 16A contains references to circumstances relevant to closure of "a road". (Until recently events did generally involve just that - closure of a road.) Section 16A also requires (Clause 8) that, "When considering the making of an order under this section, an authority shall have regard to the safety and convenience of alternative routes suitable for the traffic which will be affected by the order."

This would suggest that the Act did not envisage paralysing entire essential networks for a recreational event.

- (i) Can SCC state whether they consider that in permitting communities such as western parts of Dorking to be cut off completely, with no safe

or convenient alternative route, they have met the requirements of this clause, and if so, how?

- (ii) Since SCC has stated repeatedly, including during the consultation, that they would seek to minimise disruption to residents, why did SCC agree to an event route that increases disruption and stress to residents who live in the areas affected, instead of insisting on a route which would, as they had assured us, minimise disruption, for example by provision of rolling closures or by ensuring the availability of alternative routes for essential travel?

Reply:

The legislation does envisage the closure of a road for events. The legislation has allowed for the United Kingdom to deliver a number of world ranking sporting events including the London Marathon and visits of the Tour de France to the country. The Prudential London-Surrey 100 and Classic are part of a wider weekend festival which is becoming recognised as a world class event that shows the very best of Surrey on a global stage.

While recognising the benefits that the Prudential Ride London-Surrey 100 and Classic have brought to the County, in particular to our local and national charities, it is acknowledged that events of this scale will cause some level of disruption. The needs of residents, both those who are taking part in either the Prudential London-Surrey 100 or the celebrations connected to the event and those residents who live on or near to the route, have been a key consideration in the planning for the event.

While we would encourage local residents to support this legacy for the Olympic events of 2012 by taking part in the event itself, or in the community events planned for the 10 August, arrangements have been made to allow residents access across and away from the event route. Both Surrey County Council officers and the event organiser have reviewed arrangements following the 2013 event to look at improvements that can be made. The event organiser has been making arrangements with residents and communities in the west of Dorking and all areas to allow for access across the route where possible, or to make alternative arrangements to ensure that as far as possible residents can go about their normal business.

If any resident has an access requirement we would encourage them to contact the event organiser who will provide all possible support regarding access, while ensuring the safety of the event is not compromised.

Where possible rolling road closures have been put in place for the 2014 event. This will particularly benefit residents to the west of Dorking where only the mass participation event in the morning will be undertaken under road closures and the professional race will be facilitated by rolling road closures. The event organiser is continuing to work with residents and communities to provide access to alternative routes in numerous ways and we should acknowledge the flexibility our communities and residents have shown to support the delivery of the event. We will ensure that we continue to learn from the event in the coming years to further support access for residents on the event day.

As previously stated, any resident that has access requirements should contact the event organiser who will work with them to provide all possible support.

Mrs Helyn Clack
Cabinet Member for Community Services
22 July 2014

ENVIRONMENT & TRANSPORT SELECT COMMITTEE

Item under consideration: INTERIM REPORT OF THE FLOODING TASK GROUP

Date Considered: 17 July 2014

Key points raised during the discussion:

1. The Committee strongly supported the view of the report in that firmer decisions needed to be made by the relevant planning authorities in relation to planning permission on flood plains. It was noted that Local Planning Committee decisions to refuse applications were often overturned on appeal as a result of Environment Agency advice as to the predicted likelihood of flooding taking place in certain areas.
2. Members were also concerned at the fact that a number of utility companies' sewage systems struggled to cope with the volume of water flowing through them during the flooding, and were particularly supportive of the Task Group's recommendation that utility companies be encouraged to keep up to date plans of their networks, but also of other protocols.
3. It was felt that issues around road closures during the recent flooding were a significant problem, with residents frequently ignoring road closure notices and confusion around which roads were closed and by whom. It was suggested that in future communication of this matter be improved, and clarification sought as to who had the authority to close roads during flood events.
4. The Repair and Renew Grant was discussed and concern raised around the fact that businesses were not eligible to apply, as this increased the risk of consequential loss of business.

Recommendations:

- a) That a review of the communications arrangements between the County Council, Districts and Boroughs and relevant partner organisations be carried out, with a view to avoiding duplication of effort and to improve communication as perceived by residents. This should include keeping County and District & Borough Councillors informed.
- b) That the County Council determines how the River Thames Scheme can be implemented as soon as possible.
- c) That, in order to reduce the quantity of water entering the fluvial system, priority be given to the clearance of all ditches and soakaways in the County, and, where appropriate, the reinstatement or creation of ponds.
- d) That utility companies be encouraged to keep up to date plans of their networks and other protocols.

- e) That the County Council explores alternatives to the use of sandbags in flood defences.

David Harmer
Chairman of the Environment & Transport Select Committee

CABINET RESPONSE TO ENVIRONMENT AND TRANSPORT SELECT COMMITTEE

**INTERIM REPORT OF THE FLOODING TASK GROUP
(considered by E&TSC on 17 July 2014)**

SELECT COMMITTEE RECOMMENDATION:

- a) That a review of the communications arrangements between the County Council, Districts and Boroughs and relevant partner organisations be carried out, with a view to avoiding duplication of effort and to improve communication as perceived by residents. This should include keeping County and District & Borough Councillors informed.
- b) That the County Council determines how the River Thames Scheme can be implemented as soon as possible.
- c) That, in order to reduce the quantity of water entering the fluvial system, priority be given to the clearance of all ditches and soakaways in the County, and, where appropriate, the reinstatement or creation of ponds.
- d) That utility companies be encouraged to keep up to date plans of their networks and other protocols.
- e) That the County Council explores alternatives to the use of sandbags in flood defences.

RESPONSE

Generally Environment and Infrastructure are supportive of the recommendations of the Task Group, and we look forward to working with them to support the development of their final report. A few comments on each recommendation are provided below:

- a) Communication between the various organisations involved in flood risk management has been reviewed as part of the lessons learned exercise undertaken by the Local Resilience Forum (LRF). However, I understand from the discussion at the select committee that this recommendation covers wider communication issues. Whilst the LRF will consider communications improvements relevant to them, we will ensure that the communications issues raised by the Task Group relevant to Environment and Infrastructure are also reviewed.
- b) We are working very closely with the Environment Agency, and the other Local Authorities affected, to support this scheme. We can provide further information to the Task Group on the details of this support, if required.
- c) As part of the County's £23m flood recovery programme, we are undertaking work to highway drainage systems, including ditches and soakaways, to restore them, following the flooding. As part of our longer term 'Highways for the Future' programme, we are reviewing service levels for our highways, and will consider the investment into drainage assets as part of this review. We are working with a Member Reference Group

(comprising members of the Environment and Transport Select Committee) on this programme.

- d) We agree that this is important, however our powers in this area are quite limited. We do have some powers, as Highway Authority and Lead Local Flood Authority, and we will review how effectively we are using these powers to get information from statutory undertakers. We believe that lobbying Government on this issue may be beneficial, and would ask that the Task Group consider this.
- e) We are looking at options for temporary flood defences, and will make recommendations to the Task Group and Select Committee.

John Furey

Cabinet Member for Highways, Transport and Flooding Recovery

22 July 2014

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 23 SEPTEMBER 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

172/14 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Mr Cosser and Mrs Hammond.

173/14 MINUTES OF PREVIOUS MEETING: 22 JULY 2014 [Item 2]

The minutes held on 22 July 2014 were confirmed and signed by the Chairman.

174/14 DECLARATIONS OF INTEREST [Item 3]

There were none.

175/14 PROCEDURAL MATTERS [Item 4]

(a) MEMBERS' QUESTIONS [Item 4a]

One question was received. The question and response is attached as Appendix 1.

Mrs Watson asked a supplementary question, requesting clarity on what was meant by 'higher speeds' and 'vast majority'. The Deputy Leader said there were many factors that affected the Superfast Broadband speed, including the number of users and the time of day and therefore, it was not possible to provide precise data.

176/14 PUBLIC QUESTIONS [Item 4b]

One question was received from a member of the public – Chris Botten, Chairman of East Surrey MENCAP. The question and response is attached as Appendix 2.

177/14 PETITIONS [Item 4c]

No petitions were received.

178/14 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

No representations were received.

179/14 REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

- (i) Children and Education Select Committee in relation to:
 - (a) Developing the first University Technical College in Surrey
 - (b) Creating Opportunities for Young People – re-commissioning for 2015 - 2020

The responses from the Cabinet Member for Schools and Learning are attached as Appendix 3 and 4 respectively.

- (ii) Adult Social Care Select Committee in relation to Recruitment, Retention and Introduction to Workforce Strategy

The response from the Cabinet Member for Adult Social Care is attached as Appendix 5.

The Chairman of Adult Social Care Select Committee thanked the Cabinet Member for Adult Social Care for his response. He also made the following points:

- (i) Referring to the centralised recruitment process, he asked if the option to recruit locally, if appropriate, could be considered, and:
- (ii) Requested assurance that, in order to alleviate concerns of clients and members of the public, that any overseas workers recruited would have a high standard of spoken English.

The Cabinet Member for Adult Social Care said that he was already aware of the concerns of this select committee, that his key concern was the safeguarding of vulnerable adults and all staff recruited would undergo standard recruitment tests.

180/14 FINANCE AND BUDGET MONITORING REPORT FOR AUGUST 2014

[Item 6]

The Leader of the Council presented the budget monitoring report for period five 2014/15. This was the council's financial position at the end of August 2014.

He highlighted three specific points from the report: (i) Efficiencies, stating that the Council's forecast, at the end of August was to deliver efficiencies of £68.7m by year end, (ii) the re-profiled Capital Programme planned investment of £780m for 2014-19, and (iii) that the end of year revenue forecast was for services to overspend by £2.4m. However, he believed that the Cabinet's strong commitment to tight financial management, backed up by management action would result in a balanced budget or a small underspend by year end.

Finally, he said that the report included recommendations for transferring Government grants into the Children, Schools and Families service to cover additional or extended responsibilities.

Other Members of the Cabinet Team 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 council forecasts a £2.4m overspent revenue position for 2014/15, as set out in Annex 1, paragraph 2 of the submitted report.
2. That Services forecast achieving £68.7m efficiencies and service reductions by year end, as set out in Annex 1, paragraph 53 of the submitted report.
3. That the council forecasts investing £205m through its capital programme in 2014/15, as set out in Annex 1, paragraph 58 of the submitted report.
4. That Services' management actions to mitigate overspends, as set out throughout the submitted report, be noted.
5. That the following virements of further Government grants totalling £2.6m made for the following purposes, as set out in Annex 1, paragraph 19 of the submitted report, be approved:
 - SEND (special educational needs and disabilities) Implementation Grant (£0.805m to Schools & Learning)
 - KS2 (key stage 2) Moderation and Phonics Funding (£0.034m to Schools & Learning)
 - Adoption Reform grant (£0.493m to Children's Services)
 - Staying Put grant (£0.138m to Children's Services)
 - Troubled Families Payment by Results grant (£0.462m to Strategic Services)
 - Troubled Families Co-ordinator grant (£0.102m to Strategic Services)
 - Troubled Families Co-ordinator attachment fees (£0.549m to Strategic Services)

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.

181/14 SURREY COUNTY COUNCIL LOCAL TRANSPORT REVIEW [Item 7]

The Cabinet Member for Environment and Planning acknowledged the excellent work that the transport team had undertaken so far on the Local Transport Review and he thanked officers in advance for their future work in the forthcoming consultation.

He said that the Local Transport Review had embraced several aspects of public transport in Surrey: provision of financial support to local buses, concessionary fares available to passengers, and provision of community transport for people who cannot use conventional local bus services. He also referred Cabinet to Annexe G of the submitted report which set out the outline proposals for consultation and engagement – these included input from the Environment and Transport Select Committee, Local Committees and Member Reference Groups.

He said that he was looking for savings of approximately £2m and that the Review was an opportunity to make changes, in particular, to the Community Transport Schemes. However, he confirmed that he was not pre-determining the outcome and recommendations following the consultation period for the Local Transport Review.

The Leader of the Council commented on the previous bus review in 2010 and said that he considered that had been one of the best reviews undertaken by the County Council. He hoped that those standards would feed through to this review. He also said that Surrey County Council's had a generous scheme, with Surrey taxpayers subsidising approximately 50% of the 29 million bus journey each year and he hoped that residents would continue to use Surrey buses.

RESOLVED:

1. That officers be authorised to carry out wide-ranging consultation on proposed changes to Local Transport with partners, stakeholders, and the wider public during the period October 2014 to January 2015.
2. At a further meeting in spring 2015, Cabinet consider a report incorporating an equality impact assessment and costed proposals for change which take into account views expressed in the consultation.

Reasons for Decisions:

The recommendations will provide a clear mandate for officers to undertake a wide-ranging consultation on the proposed changes. This will not only explore the response of the public and stakeholders, but may also generate new

ideas for improving existing provision or creating new forms of community-based transport.

The report back on the consultation will enable the Cabinet to take a fully informed decision on changes to Local Transport in Spring 2015.

182/14 POLICY FOR ADOPTING ROADS AND STREETS AS HIGHWAYS MAINTAINABLE AT PUBLIC EXPENSE [Item 8]

The Cabinet Member for Highways, Transport and Flooding Recovery provided Cabinet with the background and reasons for changing the policy introduced in December 2010 for the adoption of roads and streets as highways maintainable at public expense. He said that a revised policy should be introduced from 1 October 2014 so that it allowed and encouraged a greater number of roads and streets to be adopted under Section 38 of the Highways Act 1980 because this would assist the County in fulfilling its future statutory function as Sustainable Drainage Approval Body under its role as the Lead Local Flood Authority. The report also recommended delegating decisions on Section 38 adoptions to officers and this would be self-financing.

Cabinet had a short discussion about the Sustainable Drainage Approval Body and Surrey County Council's relationship with its District and Borough Planning Authorities concerning building regulations. They were reassured that the necessary checks and balances were in place.

RESOLVED:

- (1) That the policy for the adoption of roads and streets as highways maintainable at public expense for all new requests for Section 38 Agreements from 1 October 2014, as set out in Annex 1 of the submitted report, be approved.
- (2) That the decisions on Section 38 Adoption and Instructions to enter into Section 38 Agreements be delegated, to the Group Manager Planning and Development and Transport Development Planning East and West Managers as set out in paragraph 11 of the submitted report, and that officers establish an advising process on these decisions to local committees and ask the Lead Manager Democratic Services to amend the Scheme of Delegation accordingly.

Reasons for Decisions:

The recommendations are being made for the following reasons:

- There is the need to adopt a greater range of developments to facilitate our role as Lead Local Flood Authority, which requires the County to maintain surface water drainages systems that have been built in accordance with SUDS specification.
- So that the County can better influence the form of newly created environments that will increasingly become a greater proportion of urban and suburban Surrey.

183/14 HIGHWAYS COLD WEATHER PLAN 2014/15 [Item 9]

The Cabinet Member for Highways, Transport and Flooding Recovery introduced the Highways Cold Weather Plan for 2014/15 and said that this plan set out the delivery of the Highways Winter Service which would be delivered in two distinct operations:

- Pre-treatment of routes and advance planning
- Management of a severe snow event

He referred to the priority salting network and confirmed that stocks of salt should continue to be maintained at the maximum capacity of 16,000 tonnes. He also advised Cabinet that there would be greater emphasis on partnership working with Boroughs and Districts and acknowledged the valuable contribution of the 51 farmers that the County Council could call on to provide additional assistance in times of severe weather.

Finally, he thanked the Environment and Transport Select Committee's winter performance task group for their excellent report and recommendations which he believed had been addressed in the report.

The Leader of the Council requested that a copy of the Highways Cold Weather Plan 2014/2015 (Annex 1) be sent to all Members, Borough, District and Parish Councils, and at the request of the Cabinet Member for Adult Social Care, that a paper copy of the Plan is placed in all Community Libraries.

RESOLVED:

1. That the Highways Cold Weather Plan 2014/15, attached as Annex 1 to the submitted report, be approved for the forthcoming winter season.
2. That Cabinet respond to the Environment and Transport Select Committee Winter Performance Task Group recommendations, as detailed in the submitted report.

Reasons for Decisions:

To agree the Highways Cold Weather Plan for the coming winter season.

184/14 SUPPORTING ECONOMIC GROWTH THROUGH INVESTMENT IN HIGHWAYS INFRASTRUCTURE [Item 10]

Initial allocations from the Government's national Local Growth Fund to the LEPs were announced in July 2014, along with a prioritised list of transport schemes. This first Local Growth Deal targeting 2015/16 and releasing £2bn is the first part of £20bn over the period 2015-20. EM3 was awarded £118m and C2C £202m with £79m of this to be used in 2015/16.

The Deputy Leader said that the County Council was now required to confirm the local contribution towards the cost of the first tranche of transport schemes, which are due to start in 2015/16.

Business cases for the first tranche of schemes were required to be submitted by 30 September 2014 to EM3 and by 31 October to C2C. These have been set out in paragraph 6 of the submitted report and are:

- Runnymede Roundabout
- Egham Sustainable Transport Package
- Epsom TC Plan E

He confirmed that the County Council contribution would come from the Economic Regeneration Capital Budget. Finally, he proposed an amendment to recommendation (2), to add: 'within the limits set out in the Constitution' and commended the recommendations, as amended to Cabinet.

RESOLVED:

1. That the county council's share of the local contribution to the cost of the first tranche of the 2015/16 Local Growth Deal programme of schemes be met from the Economic Regeneration capital budget.
2. That authority be delegated, within the limits set out in the Constitution, to the Strategic Director for Environment and Infrastructure, in consultation with the Deputy Leader, Cabinet Member for Highways, Transport and Flooding Recovery and the Director of Finance, to agree the precise amount of the SCC contribution.
3. That the principles, set out in paragraph 7 of the submitted report, should form the basis for discussions with the Boroughs and Districts on how the local contribution to schemes might be shared in the future.

Reasons for Decisions:

The prioritised transport infrastructure schemes are a key element of the Strategic Economic Plan (SEPs), submitted by the Local Enterprise Partnerships (LEPs) to Government in March 2014, which set out how they will support the economic development and regeneration of their areas. The proposed schemes will deliver a range of benefits to Surrey's residents, including reduced congestion, improved journey time reliability, enhanced safety, improved access for cyclists, pedestrians and buses, as well as enabling economic development and regeneration.

Under the funding arrangements, local authorities are required to provide a local contribution to the schemes to reflect the local benefits that will be provided. Therefore if we wish these schemes to proceed to business case submission, we will need to confirm that this local contribution is available.

This is the first tranche of schemes that has been funded from the Local Growth Deal. The precise amount of the contribution that the county council will need to make will be finalised once discussions with relevant Borough Leaders/Chief Executives have been completed in accordance with the approach set out in this report.

185/14 DEVELOPING THE FIRST UNIVERSITY TECHNICAL COLLEGE IN SURREY [Item 11]

The Cabinet Member for Schools and Learning said that the development of the first University Technical College in Surrey was an important new initiative for Surrey and a brand new learning opportunity for young people.

She said that the County Council, with key partners, were forming a University Technical College (UTC) Academy Trust to submit a bid for a University Technical College (UTC) in Guildford. The key partners, who would be the Founding Members of the Academy Trust, were Royal Holloway - University of London, Guildford College, Guildford Education Partnership, CGI Group and Surrey County Council.

She thanked officers within the Children, Schools and Families Directorate who had been working on developing this initiative for a year. She said that the UTC would focus on key skill shortage areas of computing and engineering, and these areas have been selected with employers and the Enterprise M3 Local Enterprise Partnership. She also informed Cabinet that the development of the UTC would be funded through a bid for capital funding, upto £10m, from Central Government and the bid was being prepared for submission to the Department for Education (DfE) in October 2014.

She also raised the issue of the impact of the UTC on local schools, stating that some schools had seen the proposed UTC as a threat and may discourage young people from joining. However, Guildford had been chosen as the place for the first UTC because it had good transport links and could recruit students across Surrey and Hampshire. It would also help to meet the need for school places in this area and had support from George Abbot School.

Other Cabinet Members stated their full support for the development of this UTC. They asked about the admission arrangements and the publicity for the UTC. They also considered that it would widen the opportunities for young people and liked the focus on computing and engineering.

Finally, the Cabinet Member for Schools and Learning acknowledged and thanked the Children and Education Select Committee for their comments and support for the UTC (set out in item 5), following their consideration of the UTC at their committee meeting in July. She said that she had tabled a written response to them.

RESOLVED:

1. That the forming of the Academy Trust Company be approved.
2. That the submission of a bid by the Academy Trust Company for a University Technical College (UTC) in Guildford by the founding members of the trust be approved.
3. That Surrey County Council be approved as one of the founding members of the UTC with Linda Kemeny, Cabinet Member for Schools and Learning, acting on the Council's behalf.

Reasons for decisions:

The UTC will be designed to provide high quality education for 14-18 year olds in Surrey, developing the skills employers need. Through the support of Royal Holloway, Guildford College, Guildford Education Partnership, CGI Group and other leading employers, the UTC will provide real world learning experiences that blend academic and technical education. As well as helping to address need for an increase in secondary school places the curriculum design of the UTC has been informed by employers and evidence from the Enterprise M3 Local Enterprise Partnership to address local skills gaps and support future economic growth.

186/14 CREATING OPPORTUNITIES FOR YOUNG PEOPLE: RE-COMMISSIONING FOR 2015 - 2020 [Item 12]

The Cabinet Member for Schools and Learning asked the Cabinet Associate for Children, Schools and Families to present this report to Cabinet. She reminded Cabinet that they had agreed the strategic goal and a revised Surrey Young People's Outcomes Framework on 22 April 2014. Since then, the service had been working to develop a new model to deliver improved outcomes; had adapted and developed new commissions to deliver the model including seeking Cabinet agreement to take commissions to the market; and sought agreement to increased delegation to Local Committees. The model included commissions which were delivered as services by Surrey County Council and commissions where providers would be sought through procurement.

She drew attention to the Commissioning Model – 'the Smartie Diagram' set out in the report and expanded on the options considered for each commission, the rationale for its inclusion and the reason for the recommended procurement approach. She was also pleased to report that, as part of the engagement in July 2014, with partners, staff and the market on the proposals, over 100 responses were received from a wide range of staff and organisations. She highlighted the key changes proposed as set out in paragraph 19 – 30 of the submitted report.

She also informed Cabinet that the Children and Education Select Committee had received a report on this topic at their July meeting and that their comments were set out in item 5. She said that she was grateful for the issues raised by them and considered that they have been addressed in this report to Cabinet.

Finally, she drew attention to the EIA appended to the report and thanked members of the Project Board, including the young people, and the officers for their input in formulating the new model for commissioning.

Other Members made the following points:

- Services for Young People had been a success – in the last 4 years, costs had been reduced whilst services had been maintained and more decisions were taken locally
- Outcomes were important
- Timebanking was an excellent idea

- Commissioning would be improved this time
- Pleased with the reduction in NEETS and that there had been 90% reduction in first time offending
- Liked the inclusion of Health Young Surrey and 16-25 yr olds SEND within the 'Smartie Diagram'.

RESOLVED:

1. That the new model for commissions, as described in paragraphs 12 to 15 of the submitted report, be approved to deliver the goal of employability and the Surrey Young People's Outcomes Framework.
2. That procurement of £8.115 million of services for 2015-20 for commissioning Local Prevention and Year 11-12, as specified in paragraph 27 of the submitted report, be approved, subject to future medium term financial plan budget changes.
3. That changes to the delegation of decision making to Local Committees and Woking Joint Committee in relation specific youth services as shown in Annexe 1.a and 1.b. of the submitted report, be approved.

Reasons for Decisions:

This report sets out the commissioning model and procurement approach to deliver the Surrey Young People's Outcomes Framework for 2015-2020 to meet statutory duties outlined in paragraph 8 of the submitted report and to build on the success of the achievements since the transformation in 2012.

187/14 JOINT STRATEGIC REVIEW OF SHORT BREAKS FOR CHILDREN WITH DISABILITIES [Item 13]

The Cabinet Member for Children and Families confirmed that Surrey County Council had a statutory duty to provide short breaks for children and young people with disabilities and that the Joint Strategic Review of Short Breaks was a joint project between Surrey County Council (SCC) and NHS Guildford and Waverley Clinical Commissioning Group (CCG) on behalf of the six Surrey CCGs.

The key area of the review considered options for the future use and funding of short break services in East Surrey. The review focused on Applewood which is located in Tadworth and run by SCC; and Beeches which is located in Reigate, commissioned by the NHS Surrey CCGs and provided by Surrey and Borders Partnership NHS Foundation Trust (SABP). Both facilities were underused.

Beeches is funded by Surrey CCGs from a block contract, which is high cost and if the recommendation were agreed, the County Council and NHS Guildford and Waverley CCG would work with Surrey and Borders Partnership to transfer commissioning arrangements to individual spot purchases.

The Cabinet Member referred to the detailed consultation process undertaken, including issues raised and action taken. She also mentioned the EIA and considered that the proposals should not have a negative impact for

the children and their families. She confirmed that the service would work closely with the individual families.

Finally, she said that she hoped that she had addressed the points raised in Mr Botten's question (submitted under item 4).

RESOLVED:

1. The responsibility for funding short break services for children and young people currently accessing Beeches be transferred from Surrey Clinical Commissioning Groups (NHS) to Surrey County Council.
2. Surrey County Council continues to run Applewood as a short break service.
3. Beeches remains as an option for families through their personal budgets by direct payments or arranged by Surrey County Council rather than the current block contract arrangements, subject to agreement with Surrey and Borders Partnership NHS Foundation Trust (who run Beeches).
4. Surrey County Council and NHS Guildford and Waverley CCG work with Surrey and Borders Partnership to transfer commissioning arrangements to individual spot purchases at a fair price.
5. Surrey County Council continues to develop options for the use of personal budgets with families either through direct payments or arranged by SCC.

Reasons for Decisions:

Overnight short breaks are a positive experience for children and young people with disabilities to spend time away from their parents, relax and have fun with their peers. They are also a lifeline for many families giving parents a break from the day and night care for their child. They give siblings an opportunity to spend some quality family time with their parents. SCC and NHS Guildford and Waverley CCG are committed to ensure that this type of support continues to be available.

The recommendations acknowledge that:

- Both Applewood and Beeches have capacity to deliver services to a wider group of children at this point in time; both are highly valued by the families and young people who use them.
- Local Authorities are responsible for funding short breaks for children with social care needs and disabilities. The recommendations allow an opportunity to correct a historic financial legacy where the CCGs in Surrey inherited responsibility to fund Beeches although children were referred by SCC but required an assessed Health need.
- All 15 children who access Beeches have assessed social care and disabilities needs.

The recommendations take into account the views expressed by the parents, carers and professionals and the desire to find a solution that enables ongoing access to both Applewood and Beeches facilities.

Given the current underuse of Beeches, it would not be good value for money for SCC to purchase the service through a block contract in addition to funding Applewood. The recommendation made is therefore to start negotiations with NHS Surrey and Borders Partnership Foundation Trust to establish whether they would continue to deliver Beeches once the NHS block contract ceases by agreeing to individual purchasing of placements at a market rate that acknowledges any complexity of need.

The CCGs could consider redirection of funding currently used for block contract of Beeches to support a wider range of children and young people through investment in Community Nursing, Therapies or other healthcare services for children if this funding is released.

SABP would continue to own and run Beeches.

188/14 BADGERS WOOD SURREY COUNTY COUNCIL RESIDENTIAL HOME [Item 14]

At its July 2014 meeting, Cabinet agreed that a consultation on the future of the Badgers Wood residential home be undertaken, with the preferred option that the home be closed and new services sourced for the individuals supported by the home.

The Cabinet Member for Adult Social Care said that this report provided Cabinet with details of the consultation process, as set out in Annex A to the submitted report and that an EIA had been developed for the proposal to close the home. This was attached as Annex B. He confirmed that local Members and Philip Hammond, the local MP had been informed. He also thanked officers, and in particular Philippa Alisiroglu, for their work.

In summary, he said that no one had raised an objection to the proposal that the home should close and he commended the recommendation to Cabinet.

RESOLVED:

That Badgers Wood residential care home closes and the residents are supported to move to appropriate alternatives.

Reasons for decisions:

As previously reported to Cabinet, Badgers Wood residential care home has a number of issues related to the physical structure of the property, a high and increasing vacancy rate, no new referrals to the home for at least 5 years combined with changes in service users' expectations.

During the consultation no objections to the preferred option of closing Badgers Wood residential home were raised.

189/14 APPROVAL TO AWARD CONTRACTS FOR THE PROVISION OF AN INTEGRATED OFFENDER INTERVENTION SERVICE AND A MEDICAL AND PSYCHOLOGICAL TREATMENT SERVICE FOR DRUGS AND ALCOHOL [Item 15]

The Council's Public Health Service delivers drug and alcohol recovery services to Surrey residents and following a competitive tender process seeks to award two separate contracts:

- (1) Integrated Offender Intervention Service
- (2) Psychological Treatment Service for Drugs and Alcohol

The current contracts are due to expire on 31 March 2015 and it is therefore necessary to award new contracts to begin on 1 April 2015.

The Cabinet Member for Public Health and Health and Wellbeing Board drew attention to the EIAs attached to the submitted report – one for each service. He also said that due to the commercial sensitivity involved in the contract award process, the financial details were included as confidential information in Part 2 of the agenda.

RESOLVED:

1. That the contract for the provision of the Integrated Offender Intervention Service be awarded to Crime Reduction Initiatives as described in the Part 2 report for a period of three years commencing on 1 April 2015, with the option to extend for a maximum of a further two years.
2. That the contract for the provision of the Medical and Psychological Treatment Service for Drugs and Alcohol be awarded to Surrey and Borders NHS Foundation Trust as described in the Part 2 report for a period of three years commencing on 1 April 2015, with the option to extend for a maximum of a further two years.

Reasons for Decisions:

The recommended contract awards will deliver improved outcomes and will increase the numbers of service users accessing the services with a particular focus on severely dependant alcohol users.

The services will be delivered in Surrey by providers with a local presence and will provide apprenticeship opportunities to Surrey Young People whilst delivering efficiencies for Public Health Services.

190/14 BUSINESS REMOVAL SERVICES [Item 16]

The Council had a requirement for Business Removal Services and the Cabinet Member for Business Services said that this requirement was covered by the current contract which expired on 30 September 2014. It was therefore necessary to award a new contract. She also said that the framework agreement required the supplier to comply with all relevant equality and diversity legislation whilst performing their services.

RESOLVED:

That, following consideration of the results of the procurement process, the award of a contract to Harrow Green be agreed, on the basis set out in the Part 2 report.

Reasons for Decisions:

The existing contract will expire on 30 September 2014. 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.

191/14 NATIONAL AUTISTIC SOCIETY / CULLUM AUTISM CENTRES IN SURREY SCHOOLS [Item 17]

The Cabinet Member for Schools and Learning was pleased to present this report which detailed the culmination of the work of the Assistant Director of Schools and Learning and his team working in partnership with the National Autistic Society (NAS) and four nominated secondary schools to develop four Centres of Education Excellence for young people with autism, with funding up to £4m being provided by the NAS specifically for the delivery of the facilities.

She said that the centres would be delivered in 2 phases: - phase 1, Salesian School, Chertsey and Rodborough School, Godalming had each agreed to host an autism-specific resourced provision for 20 students aged 11-16 with a proposed opening date of Easter 2015 for the Salesian Centre and September 2015 for the Rodborough Centre. Phase 2 centres were planned to be located at Howard of Effingham School and Hinchley Wood School the timescales for which were to be finalised with NAS.

She said that the Authority was extremely grateful to the Cullum Family Trust who were providing upto £1m for each centre and approval was being sought from the County Council to provide a development contribution of £50K for each centre as requested by the NAS and also to fund updating existing SEN facilities at Salesian School.

Finally, she drew attention to a typo in paragraph 22 of the report – the average annual cost of a non-maintained or independent day place for a pupil with autism was £74K not £43K, as stated in the report. Also, referring to paragraph 29, she confirmed that no representations, relating to the new SEN centre at Salesian School, had been received by 12 September deadline.

Other Cabinet Members strongly supported this initiative and expressed their sincere thanks to the Cullum Family Trust.

RESOLVED:

1. That entering into a development and commissioning agreement and a service level agreement with the National Autistic Society to set up four resource centres at secondary schools for young people with autism

and to provide £50,000 funding for a development contribution for each centre be approved.

2. That the statutory notice be determined for the inclusion of an SEN unit at Salesian School, for which the representation period ended on 12 September 2014.
3. That the capacity of the centre at Salesian School be increased, providing funding of £321,902 to include updated and fit for purpose facilities for its existing SEN pupils.

Reasons for Decisions:

The Learning Difficulties Review (2012) identified an ongoing shortage of Surrey maintained provision for young people with high functioning autism (HFA) and related conditions. There is currently no autism-specific resource centre at secondary level.

This proposal will increase the capacity of SEN provision for high-functioning autism in Surrey by 40 places in the first phase and by 80 places on completion of the second phase. It will develop improved integration with mainstream schooling. The four schools where centres are proposed indicated their willingness to work with the project and on the basis of their geographical spread offer equality of provision across the county.

Surrey currently places approximately 250 students with autism in non-maintained independent (NMI) schools. Additional high quality maintained provision within Surrey is expected to reduce these costs.

The NAS is a nationally respected provider of autism education. A partnership offer will enhance the credibility and quality of Surrey autism provision. Parental confidence will be increased, reducing parental preference for NMI.

192/14 MODELS OF DELIVERY - OPTIONS APPRAISAL [Item 18]

In presenting this report to Cabinet, the Cabinet Member for Business Services said that the Council had identified the potential to generate income and secure efficiencies by delivering fire training and other associated services to a range of organisations.

The Cabinet Member for Community Services said that option 3 was the preferred option, as set out in the report. She also said that currently, it was not necessary to provide an EIA because there were no proposals for Cabinet to consider, however, this decision would be kept under constant review.

RESOLVED:

1. That a commercial partner be sought for the delivery of training (including fire training) services to third parties and other relevant activities as stated in Option 3, paragraph 10 of the submitted report.
2. That authority be delegated to the Strategic Director for Business Services, following an appropriate procurement exercise and, in

consultation with the Cabinet Members for Business Services and Cabinet Member for Community Services, to enter into a collaborative agreement with the successful commercial partner.

Reasons for Decisions:

The Council has identified the potential to generate income by delivering training, including fire training, services and potentially other relevant activities to a range of organisations and wishes to pursue this opportunity. The Cabinet is asked to support this approach and agree that, through a procurement process, the Council seeks a commercial partner for the delivery of these activities and enters into a collaborative agreement with the successful partner to jointly pursue work in this area.

193/14 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 19]

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.

194/14 EXCLUSION OF THE PUBLIC [Item 20]

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.

195/14 APPROVAL TO AWARD CONTRACTS FOR THE PROVISION OF AN INTEGRATED OFFENDER INTERVENTION SERVICE AND A MEDICAL AND PSYCHOLOGICAL TREATMENT FOR DRUGS AND ALCOHOL [Item 21]

The Cabinet Member for Public Health and Health and Wellbeing Board confirmed that this report contained the commercial details relating to awarding the contracts for the provision of an integrated offender intervention service and a medical and psychological treatment centre for drugs and alcohol.

RESOLVED:

1. That the contract for the provision of the Integrated Offender Intervention Service be awarded to Crime Reduction Initiative at the value, set out in the submitted report.
2. That the contract for the provision of the Medical and Psychological Treatment Service for Drugs and Alcohol be awarded to Surrey and Borders NHS Foundation Trust at the value, set out in the submitted report.
3. The prices for both contracts are fixed for the 3 year duration of the contracts.

Reasons for Decisions:

1. A full tender process, in compliance with the requirement of EU Procurement Legislation (Part B) and Procurement Standing Orders has been completed. The recommendation demonstrates that best value for money for the Council will be delivered following a detailed evaluation process.
2. The new service will deliver enhanced benefits through a strengthened outcome focused service specification at a reduced cost. The savings have been achieved by undertaking a competitive tender exercise benefitting from efficiencies.
3. The competitive procurement process demonstrates that this is the market rate to deliver the specified service as the three financial bids were close in value.
4. The financial model for the Medical and Psychological Treatment Service for Drugs and Alcohol incorporates an incentive payment mechanism to encourage a) quality and innovation and b) to achieve the desired recovery outcomes. The model will award an additional 5% of the fixed contract price split as follows: 3% against quality and innovation and 2% against improvement targeted Key Performance Indicator Measures.
5. The key performance indicators will be jointly agreed at the start of the contract based on existing numbers of individuals accessing the service and national indicators published by Public Health England.
6. The tender process was undertaken using an open process. A pre-qualification process was included within the process to ensure suppliers were able to demonstrate sound business standing prior to proceeding to evaluation of the bids.
7. There are currently two service providers providing the Integrated Offender Intervention Services in Surrey, one being the successful bidder. As a result, staff from Surrey and Sussex Probation Service will transfer by operation of TUPE to Crime Reduction Initiatives. Transition planning between new provider and the outgoing provider has been built into the tendering process to enable a smooth transfer.

8. Staff from the existing Medical and Psychological Treatment Service for Drugs and Alcohol will continue to be delivered by Surrey and Borders NHS Foundation Trust.

196/14 BUSINESS REMOVALS SERVICE [Item 22]

The Cabinet Member for Business Services said that this report contained the commercial details for the contract award for the framework contract for Business Removal Services.

RESOLVED:

That a framework contract be awarded to Harrow Green, at an estimated value, as set out in the submitted report, for the provision of Business Removals to commence on 1 October 2014.

Reasons for Decisions:

The existing contract will expire on 30 September 2014. 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.

197/14 GATWICK DIAMOND SITE - PROGRESSION TO PLANNING AND CONTRACT TENDER [Item 23]

The Cabinet Member for Business Services informed Cabinet that by authorising the funding of this planning application and submission of tender documentation in respect of this site in Crawley would enable the development of a South East Coast Ambulance (SECAmb) Headquarters and associated infrastructure. She also drew attention to the financial appraisal and risks as set out in Annex 2 of the submitted report and confirmed that both the Cabinet Associates for Fire and Polices Services and Assets and Regeneration had been consulted on the report.

RESOLVED:

1. Property Services be instructed to progress and submit a detailed planning application, in line with the masterplan attached as Annex 1 to the submitted report, to Crawley Borough Council to enable the construction and development of part of the 10 acre site, which will include a SECAmb dispatch and control centre with Headquarter offices as phase 1 with an estimated cost for design fees and planning application fees, as set out in the submitted report.
2. Property Services commence the contractor selection programme, with construction contracts to be awarded at SCC's risk pending receipt of planning approval.
3. Property Services progress the negotiation of commercial terms with SECAmb to agree tenancy arrangements, subject to planning approval.

4. Approval be delegated (i) to proceed to the construction for Phase 1 of the project and (ii) to enter into an agreement for and a lease with SECAMB, to the Strategic Director for Business Services, in consultation with the Cabinet Member for Business Services, the Leader of the Council and S151 officer, subject to the following pre-conditions; receipt of full planning consent, confirmation that agreed contracts do not exceed a total project cost estimate as set out in the submitted report and confirmation from the Chief Property Officer that terms agreed with SECAMB comply with S123 of the Local Government Act 1972.

Reasons for Decisions:

To allow Surrey County Council to:

- Secure the release of the accommodation currently occupied by SECAMB at The Horseshoe, Banstead to enable a fire station to be constructed to serve the Burgh Heath area with wider regeneration and reconfiguration opportunities.
- Secure planning consent of a master planned site appropriate in scale for the long term needs of SECAMB and with potential for other public services to be accommodated in any future joint strategic partnership for a combined dispatch and control / call centre or shared office accommodation as part of the Public Service Transformation Network (PSTN).

198/14 PUBLICITY FOR PART 2 ITEMS [Item 24]

That non-exempt information relating to items considered in Part 2 of the meeting may not be made available to the press and public.

[Meeting closed at 3.50pm]

Chairman

Members' Questions

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

In May 2013 the Cabinet launched the high profile roll-out of the Surrey Superfast broadband programme, claiming that 99% of Surrey premises would receive fibre-based broadband by the end of 2014 and that 94% of these premises would achieve Superfast Broadband speeds of 15Mb or more.

The fibre-based technology is now being rolled out through the commercial roll-out programme and the Surrey Superfast Broadband programme and many users in village centres and rural hamlets, as well as isolated rural properties, in both the commercial and Surrey Superfast Broadband rollout areas are finding that they cannot achieve Superfast Broadband speeds of 15 Mb or more if they live half a mile or more from their local fibre-enabled cabinet. It is becoming apparent that this is arising as a result of the length of copper wire through which the superfast broadband service has to pass from the fibre-enabled broadband cabinet to reach these premises.

Given the high profile that the administration has attributed to the roll-out of Superfast Broadband in Surrey and this emerging issue that is likely to mean that the targets set will not be met, what actions will the Cabinet be taking and what solutions will the Cabinet be seeking to provide to ensure that the target of 94% of Surrey premises will receive superfast broadband by the end of 2014?

Reply:

Surrey County Council is aiming to ensure that more than 99% of Surrey residents and businesses are covered by the fibre broadband network by the end of 2014 - making it one of the best connected counties in the UK.

To achieve this ambition, the Superfast Surrey Broadband Programme contract is deploying fibre broadband infrastructure to 84,000 premises (about 20% of the premises in the county) that were excluded from the commercial fibre broadband rollouts by BT or Virgin Media. The programme is on target to achieve this. When this is complete there will still remain a small number premises that are very hard to reach and where costs exceeds cost thresholds that are already significantly higher than the commercial deployment area.

The Superfast Surrey deployment area (known as the Intervention Area or IA) has a target to ensure that the fibre network will cover 98.6% of IA premises. The 94% figure that is referenced in the question relates to the 93.9% (78,800 premises) that will be able to achieve a minimum download speed of 15Mbps in the IA.

The programme is on target to deliver the 93.9% of premises within the IA able to obtain a minimum download speed of 15Mbps, with the vast majority able to achieve much higher speeds. The Superfast Surrey Programme team constantly monitors the status of the deployment using a contractually agreed reporting mechanism.

The contract targets do allow for as much as 6.1% (5,100) of premises to have speeds below 15Mbps. The principal factor determining the distribution of the slower speeds is the length of the telephone line between the cabinet and the end user premises. This has resulted in a slightly higher proportion of slower speeds in the more rural Boroughs and Districts.

For all the sub 15 Mbps premises within the IA, Openreach is currently undertaking a review to identify what, if any, improvements can be made within the constraints of cost and technical feasibility. Superfast Surrey will be reviewing the costed options and determining where additional deployment can be undertaken. Once both the results of the analysis are known and the programme team have determined where improvements can be undertaken within the available budget, the relevant parish councils will be updated and will be requested to convey this information to their communities.

These issues also affect residents within the larger Commercial roll out area. The Council is aware of this and that some cabinets in the commercial area are not yet fibre enabled. The Superfast Surrey Programme is subject to state aid funding regulations that prevents the programme targeting any improvements or deployment within the commercial rollout areas. The Programme therefore has no oversight of the commercial programme and does not have any data source to inform them of actual speeds being achieved there. However Surrey County Council is pressing BT senior management both directly and through Government to improve performance and to complete its commercial programme as soon as possible.

The rollout of fibre to enable as many homes and businesses as possible to access broadband is a large and complex engineering project. Nearly 400,000 metres of fibre cable is being deployed to reach 84,000 premises - nearly equivalent to the distance from Dorking to Durham. Some 30 exchanges, not covered by the commercial programme have been upgraded and some 620 green street-side cabinets will be installed. This is a technology that will continue to evolve over the coming years, and by extending the fibre network as far as possible we are ensuring that our residents will have access to new technologies and services as they become available.

Mr Peter Martin
Deputy Leader
23 September 2014

Public Questions

Question (1) from Chris Botten, Chairman of East Surrey MENCAP to ask:

Is the Cabinet aware, in making its determinations today, that Recommendation (III) is unrealistic as:

- (a) SABP have not been consulted on the possibility of spot purchase,
- (b) that the withdrawal of £565,000 from their block contract is likely to precipitate the closure of the Beeches and, therefore that:
- (c) the choice of short breaks and in particular overnight stays will be limited only to Applewood.

In the light of this disingenuous wording, is it possible for Cabinet to make a fair or realistic recommendation on the basis of this report?

Reply:

The Local Authority has a duty to provide short breaks. These may be commissioned internally or externally. A range of providers are used across the County.

The Beeches, a highly valued provision by families, is owned by the NHS and commissioned through CCGs. Commissioning decisions and arrangements are the responsibility of commissioners, in this case currently the NHS. The Cabinet paper seeks to address the anomaly of these commissioning arrangements for short breaks.

**Mrs Mary Angell
Cabinet Member for Children and Families
23 September 2014**

CABINET RESPONSE TO CHILDREN AND EDUCATION SELECT COMMITTEE

DEVELOPING THE FIRST UNIVERSITY TECHNICAL COLLEGE IN SURREY

(considered by C&ESC on 10 July 2014)

SELECT COMMITTEE RECOMMENDATION:

That the Cabinet support the proposal for the establishment of Surrey's first University Technical College and give consideration to:

- how the Council can support the UTC to ensure capacity is met in future years;
- how positive, collaborative dialogue can be developed between the UTC and local schools and colleges, to ensure they work in partnership; and
- how the benefits of vocational education are communicated to young people and their families.

RESPONSE

I welcome the Children and Education Select Committee's support for the proposed first University Technical College in Surrey.

I note the Select Committee's question in relation to how the Council can support the UTC to ensure the UTC is full to planned capacity. The profile of both the university and employers is key to future recruitment of students. Employers in particular will be able to highlight future employment opportunities in sectors which are growing fast and offer rewarding careers. Officers are already working with key employers and I have asked officers to engage employers closely in future marketing of the UTC to prospective students and parents and carers. This will include additional employers not yet involved and Members may well be able to highlight further contacts to increase the range of employers included.

Additionally, enrolment will be supported through close engagement of schools and colleges in the area. The development of the UTC has been taken forward working with local schools, keeping them informed and reviewing the new provision to ensure there is a complementary curriculum and that the planned timing of the opening links to demographic growth. The UTC includes Guildford College of Further and Higher Education, Guildford Education Partnership and the Council among its Founding Members. This extent of involvement is unique for a UTC and will support future marketing of provision and enrolment to ensure planned capacity is met. As a Founding Member I will be working to ensure the positive collaboration and dialogue to date is maintained for the next phase.

Through the close involvement of employers in promoting the UTC, the

benefits of vocational education will also be promoted. This will include employers promoting the UTC to secondary schools and primary schools. Young people will benefit from both the work relevant curriculum and the development of vocational skills and experience in areas of high demand, which will ensure they are well placed for future employment in leading high technology businesses.

Linda Kemeny
Cabinet Member for Schools and Learning
23 September 2014

CABINET RESPONSE TO CHILDREN AND EDUCATION SELECT COMMITTEE

**CREATING OPPORTUNITIES FOR YOUNG PEOPLE: RE-COMMISSIONING FOR 2015 - 2020
(considered by C&ESC on 10 July 2014)**

SELECT COMMITTEE RECOMMENDATION:

- That the Cabinet support the proposal concerning bringing in-house the provision of Centre Based Youth Work, but also note the need to ensure continuity and employment security for the high quality staff that deliver these services.
- That the Cabinet support proposals concerning social enterprises and time banks, and that consideration is given as to how community business expertise and experience can be utilised to support these activities.
- That, in order to build an evidence base for how public savings are shared across services within the Council:
- Officers bring a future report to the Committee demonstrating the benefits in improved outcomes through engaging with Health & Wellbeing partners, such as Public Health, in sharing youth centre provision and resource.
- Officers explore with Adult Social Care how the benefits of time banks can be evidenced as impacting on the savings required as part of the Family, Friends & Community Support project.

RESPONSE

I welcome the Children and Education Select Committee's support for the proposals and thank the Committee for its additional suggestions and the contribution through membership of the Project Board.

I note the points raised in relation to staff and recognise the importance of the skills and expertise of the staff in delivering high quality youth work. I assure the Select Committee that staff have been closely engaged in the development of the proposals and will continue to be closely involved in helping to shape the future service.

I welcome the support for the development of social enterprises and time banks and assure Select Committee that local community and business expertise will be at the core of these developments.

I welcome the proposed further report to Select Committee on the wider public savings to be achieved through programmes such as time banking, work based social enterprises and joint commissions with Public Health. Officers are already exploring the benefits of time banks with Adult Social Care as part of the Family, Friends and Community Project.

I look forward to the continuing contribution from Select Committee, including through representation on the Project Board, to the implementation of these changes and realisation of the benefits for Surrey young people.

Linda Kemeny
Cabinet Member for Schools and Learning
23 September 2014

CABINET RESPONSE TO ADULT SOCIAL CARE SELECT COMMITTEE

RECRUITMENT, RETENTION AND INTRODUCTION TO WORKFORCE STRATEGY

(considered by ASC Select Committee on 5 September 2014)

SELECT COMMITTEE RECOMMENDATION:

The Committee recommends that the Leader of the Council and the Cabinet concentrate on urgently finding ways to recruit to the (currently) 95 key frontline vacancies that exist across the Adult Social Care Directorate.

RESPONSE

I welcome the Adult Social Care Select Committee raising this issue. Your question is appropriate and the Service is well aware of the issues that not having the full complement of staff has on both the service users and the staff. In response to your question, current action being followed by the Service is outlined below:

Adult Social Care continues to try and recruit to all vacancies in a variety of ways. To support this we currently:

- Continue to run a centralised recruitment process to ensure a streamlined approach and to release the managers time from the day to day recruitment processes.
- Continue to actively recruit to all posts via permanent adverts on our website and various other media.
- We actively engage with 20+ permanent recruitment agencies to source the best possible candidates for a variety of roles.
- We are working closely with Manpower to improve our success in recruiting suitable locum candidates. This includes better communication between Surrey County Council, Manpower and the panel vendors. It also includes bench marking our locum pay rates with our competitors.
- We are looking at alternative options of recruiting locums i.e. what options are available to us if Manpower are unable to fill a vacancy.
- We have piloted and are now implementing a full four week induction for all new starters into Adult Social Care. We hope this will help improve the quality, confidence and competence of our new recruits as well as investing in them to try and improve our retention of staff.
- We are exploring options with regards to recruiting overseas workers.
- We actively encourage our managers to use our current bank staff to fill temporary vacancies.
- We are working closely with Ken Akers' team, in the Human Resources and Organisational Development Service, to devise and implement a

recruitment and retention strategy.

- We have streamlined our appointment process to support local managers and also to improve the "candidate experience".

Mel Few
Cabinet Member for Adult Social Care
23 September 2014