

**MINUTES OF THE MEETING OF THE CABINET  
HELD ON 2 FEBRUARY 2016 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 Helyn Clack	* Mrs Linda Kemeny
*Mrs Clare Curran	Ms Denise Le Gal
*Mr Mel Few	*Mr Richard Walsh

Cabinet Associates:

*Mr Tim Evans	*Mrs Kay Hammond
*Mrs Mary Lewis	*Mr Tony Samuels

\* = Present

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

**1/16 APOLOGIES FOR ABSENCE [Item 1]**

Apologies were received from Ms Le Gal.

**2/16 MINUTES OF PREVIOUS MEETING: 15 DECEMBER 2015 [Item 2]**

The minutes of the meeting held on 15 December 2015 were confirmed and signed by the Chairman.

**3/16 DECLARATIONS OF INTEREST [Item 3]**

There were none.

**4/16 PROCEDURAL MATTERS [Item 4]**

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

There were no questions received from Members.

**5/16 PUBLIC QUESTIONS [Item 4b]**

Questions were received from Julie Brown, Allen Johnson and Susan Darling and responses are attached as Appendix 1.

Mrs Brown asked a supplementary question regarding how the Newlands Corner drop in sessions would be advertised and was informed that this would be done through the website and social media.

Mrs Darling asked a supplementary question regarding whether Newlands Corner was a revenue stream in line with a statement made at 23 June 2015

Cabinet meeting. She was informed that she would receive a detailed reply outside of the meeting.

**6/16 PETITIONS [Item 4c]**

A petition was presented by Sally Blake regarding Newlands Corner containing 7,545 signatures.

Mrs Blake highlighted the following points when presenting the petition to the Cabinet:

- Some visitors to Newlands Corner would not be able to afford the parking charges
- A commercial development was unacceptable and would spoil the view
- The play trail was not needed and the Council were spending £400k on non-essential works
- Signatories did not believe that proper review and consultation had taken place
- Asked the Cabinet to drop all proposals at Newlands Corner.

A response to this petition is attached as Appendix 2.

**7/16 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]**

No representations were received.

**8/16 REPORTS FROM SCRUTINY BOARDS, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]**

Responses to reports from the Economic Prosperity and Environment and Highways Board and the Council Overview Board are attached as Appendices 3, 4 and 5.

The Chairman of the Economic Prosperity and Highways Board addressed the Cabinet and stated that he was pleased that the Cabinet agreed with the recommendations. He informed Members that he was impressed with the work that the member reference group had undertaken.

The Chairman of the Council Overview Board thanked the Cabinet for the response to the budget recommendations and stressed the frustration around the lack of information available. He urged the Cabinet to work closely with the Overview Board and to share information in good time.

**9/16 CONFIDENT IN SURREY'S FUTURE: CORPORATE STRATEGY 2016 - 2021 [Item 6]**

The Leader introduced the refreshed Corporate Strategy and informed Members that this would ensure that Surrey residents remain healthy, safe and confident about their future. He stressed that the Council continued to face challenges around delivering more with less financial resource and that the strategy helped to focus attention on what really mattered.

He explained that the strategy presented the Council's key priorities and set out the strategic goals of wellbeing, economic prosperity and resident experience which were well recognised by staff. He said that there were 5 key actions to be achieved under each goal and that some of the priorities remained similar to last year and asked the Cabinet to endorse the refreshed strategy before it was presented to County Council for approval.

Members confirmed that they were keen to endorse the strategy and that despite the financial situation it was important to be ambitious and keep focussed for Surrey residents.

**RESOLVED:**

That the refreshed version of *Confident in Surrey's future*, Corporate Strategy 2016-2021 be endorsed and that it be recommended for presentation at the County Council meeting on 9 February 2016 for approval alongside the Revenue and Capital Budget 2016-2021.

**Reasons for Decisions:**

By reconfirming a long term vision for the county and setting goals and key actions for the next financial year the refreshed Corporate Strategy provides a clear sense of direction for Council staff, residents, businesses and partner organisations. As part of the Council's Policy Framework (as set out in the Constitution) the Corporate Strategy must be approved by the County Council.

**10/16 REVENUE AND CAPITAL BUDGET 2016/17 TO 2020/21 [Item 7]**

The Leader of the Council introduced the report by stating that the Council was faced with a significant and unexpected shock cut of £50m for 2016/17. This also had an impact on the next 3 years by £37m in 2017/18, £17m in 2018/19 and £27m in 2019/20.

He acknowledged the 2% adult social care precept increase which amounted to £12m and recognised that council tax could be increased by 1.99% however the funding shortage resulted in the Council having to use £17.2m of reserves.

He went on to state that the Council would be undertaking a Public Value Transformation to review all services and a fund of £30m would be made available for this from the receipt of asset sales.

He said that the Council's gross expenditure for 2016/17 would be £1681m (recommendation 14) and the capital expenditure would be £635m for 2016/20 (recommendation 15). He stressed that £20m of funding was needed now and £37m would be needed for 2017/18.

He highlighted issues with the Better Care Fund in 2019/20, the equalisation of school places funding and a £40m concern with Special Educational Needs.

Members were informed that the Cabinet were proposing a 3.99% increase in council tax to be approved at County Council on 9 February 2016.

Members raised the following points during the debate:

- The unexpected nature of the changes had not been done under the normal consultation process.
- That 58p in every £1 of council tax money goes to adult social care and the 2% adult social care precept was welcomed however with growth the council was still looking at a £12m shortage.
- Government were urged to relook at the Better Care Fund grant cut back.
- It was a shock reduction in the amount of expected settlement already received and this had given rise to uncertainty.
- The national funding formula meant that Surrey received the lowest amounts per pupil and the high needs block had been frozen 2 years ago. Further school places were needed and this was a huge cost to the authority.
- The Council has a long term commitment to support residents through its corporate strategy and through this 200 miles of road had been resurfaced which was not easy to achieve.
- The Council would be going back to government and putting a case forward for transitional funding.
- The work undertaken by the Director of Finance and her team was commended.

It was agreed that the following recommendations be made to the Full County Council on 9 February 2016:

**To note the following important features of the revenue and capital budget:**

1. The Director of Finance's statutory report says the budget for 2016/17 is only sustainable and robust if the council uses substantial reserves and capital receipts from the sale of assets, and crucially, receives significant transitional relief while an unprecedented scale of service transformation is developed and delivered going forward. (Annex 1 of the submitted report).
2. The Council will require transitional funding from Government of £20m to balance the 2016/17 budget in respect of the late announcement of a change to the distribution of the Revenue Support Grant, and a further £37m in 2017/18.
3. If the Council receives no transitional relief in the final settlement, the Leader will arrange an emergency Cabinet meeting to determine how to balance the 2016/17 budget. This is not expected to affect the council tax precept for 2016/17.
4. It is expected that the Final Settlement will set out requirements for reporting use of the adult social care precept.
5. At a date yet to be determined by Government, there will be an opportunity for the Council to accept the Government's offer of a four year funding settlement as set out in paragraphs 15 to 19 of this report.

**Cabinet recommendations to Full County Council on the revenue and capital budget:**

6. Increase the level of the general council tax by 1.99%.
7. Increase council tax by a further 2% for the adult social care precept.
8. Set the County Council precept for band D council tax at £1,268.28 which represents a 3.99% up-lift.
9. Agree to maintain the council tax rate set above after the Final Settlement.
10. Support the 2016/17 budget by using £17.2m from reserves as set out in paragraph 72.
11. Delegate powers to the Leader of the Council and the Director of Finance to finalise budget proposals and recommendations to full County Council updated to take into account new information in the Final Settlement.
12. Require the Chief Executive and the Director of Finance to continue their work to track and monitor existing MTFP efficiencies and to lead and oversee a Public Value Transformation programme of all service delivery to ensure the county council's revenue budget becomes sustainable and to develop robust plans for further savings for the remaining years of this MTFP.
13. Approves the set up of a Public Value Transformation (PVT) Fund of £30m to meet the revenue costs of a transformation programme, to be funded by capital receipts from asset sales.
14. Approves the County Council's £1681m gross revenue expenditure budget for 2016/17.
15. Agrees the capital programme specifically to:
  - fund essential schemes over the five year period (schools and non-schools) to the value of £635m including ring-fenced grants;
  - make adequate provision in the revenue budget to fund the revenue costs of the capital programme, including a borrowing requirement of £187m over the five years.
16. Require a robust business case to be prepared (and taken to the Investment Panel for review) before committing expenditure for the use of:
  - the Public Value Transformation Fund,
  - all revenue 'invest to save' proposals, and
  - capital schemes.

**Cabinet recommendations to Full County Council on treasury management and borrowing:**

17. Approves, with immediate effect, the Treasury Management Strategy for 2016-21, which includes:

- the investment strategy for short term cash balances;
- introducing three new investment categories: corporate bonds, covered bonds and pool investment property funds which will generate additional returns within controlled credit risk (paragraph 108);
- increasing the maximum term for high quality longer dated investments to two years for supranational institutions, local authorities, UK Government, corporate bonds and five years for covered bonds, earning additional interest income without compromising liquidity risk (paragraph 108);
- setting the maximum amount in respect of any one counterparty to £20m with the exception of money market funds which should remain at £25m (paragraph 108 of the submitted report);
- the treasury management policy (Appendix 8 to the submitted report);
- the prudential indicators (Appendix 9 to the submitted report);
- the schedule of delegation (Appendix 11 to the submitted report);
- the minimum revenue provision policy (Appendix 14 to the submitted report).

**The following decisions have been approved:**

18. That services will develop budgets and savings proposed ahead of approval by Cabinet on 22 March 2016 when the final MTFP (2016-21) will be presented.
19. The draft MTFP for the financial years 2016-21 be agreed, which includes:
  - to approve the Total Schools Budget of £551.5m (paragraphs 37 to 43 of the submitted report);
  - to support the 2016/17 budget by using £17.2m from reserves as set out in paragraph 72 of the submitted report;
  - to approve overall cash limits for individual services.

**Reasons for Decisions:**

Full County Council will meet on 9 February 2016 to agree the summary budget and set the council tax precept for 2016/17. Cabinet will advise the full County Council how to balance the budget for 2016/17, subject to the receipt of transitional relief from Government and use of reserves and capital receipts as well as the set up of an unprecedented Public Value Transformation programme required to protect the Council's long term financial position.

**11/16 FINANCE AND BUDGET MONITORING REPORT - DECEMBER 2015  
[Item 8]**

The Leader of the Council presented the budget monitoring report for the ninth month of the 2015/16 financial year, covering the period up to 31 December 2015. He stated that this saw the Council continuing to face ever more intense pressures and hard choices as service demand grew and funding declined.

He explained that in December, the Government's Provisional Settlement set out severe, shock reductions in grant funding. In these circumstances, the budget would be sustainable provided that the Council received transitional funding from Government; that existing savings plans were delivered in full; and that considerable base budget cost reductions were quickly identified through the Public Value Transformation programme. These cuts, imposed centrally, almost inevitably meant some service reductions locally.

He confirmed, as stated at each Cabinet meeting that, the Council's financial strategy had four key drivers to ensure sound governance in managing finances and providing value for money for Surrey residents.

**These were:**

**Keep any additional call on the council taxpayer to a minimum**

That the current forecast end of year revenue position was for an underspend of -£5.0m and managing the budgets and overall resources to achieve an underspend this year was vital for giving some headroom and flexibility for managing future spending plans. He confirmed that he was confident Cabinet's support for managers' actions would make this the sixth consecutive year there was a small underspend or balanced outturn across the Council.

Overall, -£5.0m underspend was forecast at year end and most services forecast a balanced outturn or small underspend which was important for delivering services this year and sustaining capacity to do so in future. He highlighted the underlying demand and savings pressures within this, in particular Adult Social Care's forecast balanced out turn includes £7.7m one off support.

**Continuously drive the efficiency agenda**

That at the end of December, services forecasted delivering £64.4m efficiencies and of this, £36m had either already been implemented or was on track, £7m had some issues, £21m was additional in year or one off savings and only £0.5m is considered to be at risk.

**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 budgets over the longer term. The Revolving Infrastructure & Investment Fund was part of this strategy and forecasted investing £63m this year.

**Continue to maximise our investment in Surrey**

That the Council had a £696m capital programme for 2015-20 to improve and maintain services, invest in Surrey and generate income for the Council and that the Council forecast capital investment of £225m this year.

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:**

That the report be noted, including the following:

1. That the council forecasts a £5.0m overall revenue budget underspend at year end, which includes use of £6.9m central government grant plus temporary use of £0.8m unplanned underspend against Deprivation of Liberty Safeguards budget to offset pressures in Adult Social Care, as set out in the Annex, paragraph 1 of the submitted report.
2. That services forecast to achieve £64.4m efficiencies and service reductions by year end, as set out in Annex, paragraph 31 of the submitted report.
3. That total forecast capital expenditure for 2015/16, including long term investments, is £225.5m, as set out in the Annex, paragraph 39 of the submitted report.
4. That the quarter end positions for: balance sheet, earmarked reserves, debt and treasury management be noted, as set out in Annex 1, paragraphs App 7 to 20 of the submitted report.
5. That Services' management actions to mitigate overspends, were set out throughout the submitted report.

### **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.

### **12/16 ADMISSION ARRANGEMENTS FOR SURREY'S COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS AND COORDINATED SCHEMES THAT WILL APPLY TO ALL SCHOOLS FOR SEPTEMBER 2017 [Item 9]**

The Cabinet Member for Schools, Skills and Educational Achievement began by explaining the importance of the report that covered the admission arrangements Surrey's community and voluntary controlled schools and the co-ordinated admission schemes that would apply to all of Surrey's state maintained schools for September 2017.

She informed Members that last September 25,000 parents had applied for school places for their children and that around 95% who had applied for primary school places and 96% who had applied for secondary school places were allocated one of their preferred schools.

She explained that this was a statutory report that had to be considered every year before the admissions arrangements were published in September for the following year, September 2017. She highlighted the 8 proposed changes within the recommendations which included:

- Beacon Hill Primary School (Hindhead) – Recommendation 1
- Chennestone Primary School (Sunbury-on-Thames) - Recommendation 2
- Cranleigh CofE Primary School (Cranleigh) – Recommendation 3
- West Ewell Infant School (Ewell) – Recommendation 4
- Start date to primary admissions round – Recommendation 5
- Published Admission Numbers for other community and voluntary controlled schools – Recommendation 6
- Admission arrangements for which no change is proposed – Recommendation 7
- Primary and secondary coordinated admission schemes that will apply to all schools for 2017 – Recommendation 8



She referred to the enclosures and appendices along with the equalities impact assessment which showed no negative impacts from the introduction of any of the new arrangements that were proposed.

She summarised by thanking the Education Service, in particular the Head of Schools Commissioning and Admissions and their team for all their efforts along with the Head of School Admissions and Transport.

Members agreed that it was a very well put together report and highlighted that it impacted on 80% of children in Surrey. They stated that they were very impressed with the way the service was being run and that changing the start date for applications was a sensible idea that would help parents in the long term.

## **RESOLVED TO RECOMMEND TO COUNCIL:**

### **Recommendation 1**

That admission criteria are introduced for Year 3 entry to Beacon Hill Primary School for September 2017 as follows:

- a. Looked after and previously looked after children
- b. Exceptional social/medical need
- c. Siblings
- d. Children for whom the school is the nearest to their home address
- e. Any other children

#### **Reasons for Recommendation**

- As it is proposed to introduce a Published Admission Number for Year 3, the local authority has a duty to determine criteria which confirm how children would be admitted
- The criteria are in line with those that exist for admission to Reception and this would ensure there is consistency in the way children are admitted to each intake
- **They are also consistent with the admission arrangements that exist for the majority of Surrey's other community and voluntary controlled schools**
- It is supported by the school which has asked for a Year 3 intake to ensure vacancies can be filled when children drop out to the independent sector at the end of Year 2

### **Recommendation 2**

That a new criterion for Chennestone Primary School is introduced for Year 3 in September 2017, to provide priority for children attending Beauclerc Infant School as follows:

- a. Looked after and previously looked after children
- b. Exceptional social/medical need
- c. Siblings
- d. Children attending Beauclerc Infant School
- e. Children for whom the school is the nearest to their home address
- f. Any other children

### **Reasons for Recommendation**

- It would introduce a feeder link for Beauclerc Infant School where currently none exists
- It would provide continuity and a clearer transition for parents, children and schools and would reduce anxiety for parents
- It would maximise the opportunity for families to keep children together or at schools with agreed links
- The schools are federated and share the same headteacher and this criterion would support their joint working
- It is supported by the Headteacher and Governing Body of the federated Governing Body of Beauclerc Infant and Chennestone Primary schools
- It is consistent with Surrey's planning principles set out in the School Organisation Plan
- Eligibility to transport is not linked to the admission criteria of a school and as such attendance at Beauclerc Infant School would not confer an automatic right to transport to Chennestone Primary School

### **Recommendation 3**

That admission criteria are introduced for Year 3 entry to Cranleigh CofE Primary School for September 2017 as follows:

- a. Looked after and previously looked after children
- b. Exceptional social/medical need
- c. Siblings
- d. Children for whom the school is the nearest to their home address
- e. Any other children

### **Reasons for Recommendation**

- As it is proposed to re-introduce a Published Admission Number for Year 3, the local authority has a duty to determine criteria which confirm how children would be admitted
- The criteria are in line with those that exist for admission to Reception and this would ensure there is consistency in the way children are admitted to each intake
- They are also consistent with the admission arrangements that exist for the majority of Surrey's other community and voluntary controlled schools
- It is supported by the Governing Body of the school which has asked for its Year 3 PAN to be reintroduced following its temporary removal in 2016 so that the school could accommodate a bulge class moving through the school

### **Recommendation 4**

That the Published Admission Number for West Ewell Infant School is reduced from 90 to 60 for September 2017.

### **Reasons for Recommendation**

- It would enable the school to accommodate the number of children in their Foundation and Key Stage 1 classes, alongside accommodating Key Stage 2 provision as they expand to become a primary school
- It is supported by the Headteacher and Governing Body of the school
- There would still be sufficient infant places for local children if the PAN is reduced
- It would help support other schools in attracting sufficient numbers to Reception

### **Recommendation 5**

That the start date to the primary admissions round is changed from 1 September to the first day after the Autumn half term (31 October 2016 for 2017 admission).

#### **Reasons for Recommendation**

- It would reduce the number of applications where parents make changes after they have submitted their application
- It would enable support to be targeted to primary applicants after the secondary closing date (31 October)
- More would be known of school expansions and bulge classes so parents would be in a better position to make informed decisions
- It would relieve some of the pressure from primary schools at the start of the autumn term and enable them to focus support in the second half of the term
- It would be likely to reduce the pressure on parents in feeling they have to apply early, even though the closing date isn't until 15 January
- It would give parents more time to familiarise themselves with the process
- It would give parents more time to visit schools and consider admission criteria before they have to submit their applications. This might especially benefit parents with summer born children who may not have considered school places as much as others
- It would not have any detrimental effect on applicants who would still have nearly eleven weeks to complete their application by 15 January

### **Recommendation 6**

That the Published Admission Numbers (PAN) for September 2017 for all other community and voluntary controlled schools are determined as they are set out in Appendix 1 of Enclosure 1 which include the following changes:

- i) Beacon Hill School - introduction of Year 3 PAN of 2
- ii) Cranleigh CofE Primary School – re-introduction of Year 3 PAN of 30
- iii) Dovers Green School - increase in Reception PAN from 56 to 90
- iv) Downs Way School – increase in Reception PAN from 45 to 60
- v) Godalming Junior - increase in Junior PAN from 58 to 60
- vi) West Byfleet Junior - increase in Junior PAN from 60 to 90

#### **Reasons for Recommendation**

- Schools are increasing their intake to either rationalise their class organisation/sizes or to respond to the need to create more school places
- Any increase to PAN will help meet parental preference
- The School Commissioning team and the schools support these changes
- All other PANs remain as determined for 2016 which enables parents to have some historical benchmark by which to make informed decisions about their school preferences

### **Recommendation 7**

That the aspects of Surrey's admission arrangements for community and voluntary controlled schools for September 2017, for which no change is proposed, are agreed as set out in Enclosure 1 and its Appendices.

#### **Reasons for Recommendation**

- This will ensure stability and consistency for the majority of Surrey's parents, pupils and schools

- The arrangements enable parents to have some historical benchmark by which to make informed decisions about their school preferences
- The existing arrangements are working reasonably well
- The arrangements enable the majority of pupils to attend their nearest schools and in doing so reduces travel and supports Surrey's sustainability policies
- Changes highlighted in bold in sections 7, 8, 10, 11, 12, 13, 14, 18 and 20 of Enclosure 1 which have not otherwise been referenced in this report, have been made to add clarity to the admission arrangements but do not constitute a policy change
- Changes to PAN that are highlighted in bold in Appendix 1 of Enclosure 1 are referenced in Recommendation 6

### **Recommendation 8**

That the primary and secondary coordinated admission schemes that will apply to all schools for 2017 are agreed as set out in Enclosure 2.

#### **Reasons for Recommendation**

- Other than the change proposed under recommendation 5, the coordinated schemes for 2017 are the same as 2016
- The coordinated schemes will enable the County Council to meet its statutory duties regarding school admissions

The coordinated schemes are working well

### **13/16 KIER CONTRACT EXTENSION AND VARIATION [Item 10]**

The Cabinet Member for Highways, Transport and Flooding introduced the report by reminding Members that the Council's Highways and Transport core maintenance contract was with Kier. He stated that the original contract was set up in 2011 for a term of 6 years with options to extend. He explained that the proposal was to vary the contract instead of retendering and that a value for money analysis had been carried out and this showed that the costs of retendering would exceed the costs of the contract.

He went on to say that he believed the Kier contract aligned to the Council's values and the Corporate Strategy. He referred to the 5 contractual extension commitments and their social values and highlighted plans for a construction academy and a social educational enterprise organisation.

He summarised by congratulating officers for their negotiations and stated that he felt it was a fair outcome for both the Council and Kier.

Members were supportive of the proposals and felt that the extension commitments provided a fantastic opportunity for young people and that Kier had delivered well against the existing contract.

#### **RESOLVED:**

1. That the contract extension commitments and associated contract modifications, agreed with Kier together with the extension of the highway maintenance contract to its full term (31 March 2021) be approved.
2. That Highways and Transport develop proposals to accommodate the increased revenue cost within the budget from 2017/18, in line with paragraph 24 of the submitted report.

**Reasons for Decisions:**

Extending the Kier contract to its full term is the optimum commercial option at the current time. A value for money and market analysis exercise demonstrates that the current contract price is competitive and remains below Retail Price Index (RPIX) and tender price inflation. Although there is a revenue cost increase, extending the contract is the best value for the council. It is performing well, extending it will bring social and other benefits and the alternative carries significant financial and performance risks.

The option of retendering the contract has been considered as part of the decision making process but there is strong evidence to suggest that this is likely to result in a significant cost increase to Surrey in the current market. Increasing demand in a consolidated highway and construction sector fuelled by major infrastructure projects like HS2 and Crossrail (TFL), alongside a £50bn investment through Highways England in the strategic road network, has created a supplier led market which is enabling large contractors to command higher profit levels. The value for money analysis has also taken into account the additional cost to Surrey of re-procuring and mobilising a new highways contract, which would be around £1.2m - £1.8m.

Surrey has worked with Kier to develop an extension agreement for the remainder of the contract which delivers greater strategic alignment, value for money and improved services for residents. This includes an increase in the safety defect lump sums, to reflect the actual cost of this service, and the introduction of an annual cap on defects. The increased costs and transfer of risk will be balanced by an equivalent reduction in the costs of Capital schemes so that the economic balance of the contract is not altered. In addition, Kier will be providing additional social value through a number of initiatives, which are detailed in this report.

All these commitments will be enshrined in the Kier contract extension agreement. Although there is no significant change to the scope of the contract, there are a number of formal modifications required to the contract to deliver the commitments agreed.

**14/16 PRUDENTIAL RIDE LONDON-SURREY 100 AND CLASSIC (PRLS) [Item 11]**

The Cabinet Member for Localities and Community Wellbeing informed Members of the Cabinet that the purpose of this report was to agree to allow the Prudential Ride London Surrey events to continue and to approve the introduction of a new 46 mile route.

He explained that the Prudential Ride London-Surrey 100 and Classic events were part of the wider Prudential Ride London festival and largely followed the Olympic road cycling race route making them a key part of the Olympic legacy. Members were reminded that the Prudential Ride London-Surrey 100 was an annual mass participation event for amateur cyclists and the Prudential Ride London-Surrey Classic was an elite race of 150 professional riders.

He highlighted the charitable element of the races and the income generation from sponsorship and informed Members that the race had won 7 national and international awards.

He went on to talk about the concerns raised by some communities along the route and explained that the Council had worked hard with the race organiser to address these which included the use of rolling road closures and a large amount of engagement with residents was planned.

He referred Members to further information on the new 46 mile race that had been proposed and to the equalities impact assessment that demonstrated that the event organiser has responded to points raised.

Members were pleased to see the introduction of the new route and commended the use of rolling road closures to ensure that roads open as quickly as possible after the race has passed. They felt that the event was a key aspect of the County's Olympic Legacy and that the route that most cyclists wanted to follow, were the event routes for the Olympic Road race and time trial. Residents concerns were recognised and Members were pleased to see plans to ensure that roads were reopened in good time after the event. Members also agreed that the equality impact assessment identified a clear action plan to address issues.

#### **RESOLVED:**

1. Cabinet agrees to host the Prudential Ride London-Surrey 100 and Classic across same route as in 2015 for the 2018 and 2019 events. (Note: the agreement is in place for 2016 and 2017)
2. Subject to the event continuing to be fully supported by the Mayor of London, the request from London/Surrey Cycle Partnership (the event organiser) for them to establish new route for a 46 mile event for 2016, be approved in principle.
3. That authority be delegated to the Strategic Director for Environment and Infrastructure, in consultation with the Cabinet Member for Localities and Community Wellbeing and the Cabinet Member for Highways, Transport and Flooding to agree any changes that may be required prior to the 2018 and 2019 events taking place.

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

**Recommendation 1** – The recommendation has been made to allow for the detailed plan for the 2018 and 2019 events to be started, the map of the route for the London-Surrey 100 and Classic is attached to the submitted report as Annex 1.

The event has received good feedback from those who were surveyed on the event day and has received national and international awards. Concerns remain as to the impact of the event on communities on the route particularly in the Leith Hill area that the event organiser will continue to address.

**Recommendation 2** – As a response to the Cabinet Member's direction to ensure that where possible roads are reopened as early as possible, the event organiser has put forward the proposal of the 46 mile route.

The benefits of the proposal are seen as:

- Allowing the earlier road reopening on the western section of the route
- The shorter route is likely to support the strategic objective of encouraging new cyclists to take part in the event

- The shorter route is aimed at opening the event to new demographic groups who would be more likely to take part in the shorter event
- The detailed proposal document is attached to the submitted report as Annex

**Recommendation 3** - The delegation will ensure that there is continued strategic and elected Member oversight of the event arrangements during the detailed planning phases of the event plan and that changes can be made to the event arrangements in a proactive manner to ensure the needs of residents, participants and spectators continue to be met.

## **15/16 ORBIS PUBLIC LAW: ESTABLISHMENT OF SHARED LEGAL SERVICE [Item 12]**

The Leader of the Council introduced the report on Orbis Public Law and explained that this was the creation of a shared legal service between Brighton & Hove City Council, East Sussex County Council, Surrey County Council and West Sussex County Council with effect from 1 April 2016.

He informed Members that the new arrangements would be overseen by a joint committee and that Members would still have control over the arrangements and staff would remain employed by their existing council. He also confirmed that each council would retain its own monitoring officer arrangements.

He said that working in partnership would enable all 4 councils to achieve savings and that this was set out in the business case. He went on to state the officers had also developed a business case for a limited company in order to be able to generate income.

Members confirmed that they were pleased to build on the good work done by the Orbis partnership and that it was a benchmark for the future.

### **RESOLVED:**

1. That the creation of a Legal Services partnership arrangement with Brighton & Hove City Council and East and West Sussex County Councils to be known as Orbis Public Law, with effect from 1 April 2016, be approved.
2. That the establishment of a Joint Committee as the governing body for Orbis Public Law to oversee the discharge of the Council's Legal Services function be agreed.
3. That the attached terms of reference for the Joint Committee and the appointment of the Cabinet Member for Business Services and Resident Experience to that Committee be approved.
4. That officers develop a Business Case for a Limited Company (which would be jointly owned by the four authorities) as the vehicle for an Alternative Business Structure (ABS), in a form approved by the Solicitors' Regulation Authority and if appropriate, present this to Cabinet for approval in due course.

5. That authority be delegated to the Director of Legal, Democratic and Cultural Services, in consultation with the Leader of the Council and the Cabinet Member for Business Services and Resident Experience to take any action necessary or incidental to the implementation of the above including an Inter Authority Agreement between the partner authorities.

**Reasons for Decisions:**

Developing a single shared service will benefit residents and contribute to corporate priorities by enabling a reduction in the overall cost of legal services through economies of scale and reducing duplication. At the same time it will increase resilience and flexibility, allowing the partners to reduce reliance on external suppliers and to develop areas of excellence and expertise.

The creation of an ABS would widen opportunities to generate more external income to further reduce the costs of services to partner councils.

**16/16 COUNTRYSIDE WORKS FRAMEWORK [Item 13]**

The Cabinet Member for Highways, Transport and Flooding introduced the report and informed Members that this contract covered a number of areas including verges, roadside safety, grass cutting, tree surgery and others. He explained that it was a framework agreement that had been created following a successful open day. He said that due to the spread and nature of the works to be undertaken there was no one provider that could provide everything therefore this option increased certainty for residents and met the Council's duty to provide these services.

It was queried whether this could be used by parish councils and confirmed that close work is undertaken with parishes in this area and this could be considered.

**RESOLVED:**

1. That the Countryside Works framework be awarded to the 34 listed contractors, as set out in the submitted part 2 report.
2. The authority to approve works via the framework, as detailed in the part 2 report, be delegated to Local Highway Services Group Manager and Countryside Group Manager.
3. Approval be given for the County Council to continue delegating related services, through formal agency agreements to District and Parish Councils to the Assistant Director for Highways, in consultation with the Cabinet Member for Highways, Transport and Flooding.

**Reasons for Decisions:**

A full tender process, both in compliance with the Public Contracts Regulations 2015 and Procurement Standing Orders, has been completed and the recommendations to provide best value for money. The tender process was constructed based directly on findings from a comprehensive Category strategy, a supplier engagement day and working group meetings.



Past Agency Agreements with District and Parish Councils have successfully enabled grass cutting, trees and weeds to be locally managed. New agency agreements will permit joined up working with local influence.

**17/16 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 14]**

**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.

**18/16 EXCLUSION OF THE PUBLIC [Item 15]**

**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.

**19/16 COUNTRYSIDE WORKS FRAMEWORK [Item 16]**

Members were informed that this item contained the detailed contract information for item 13 and that due diligence had been undertaken.

**RESOLVED:**

1. That the Countryside Works Framework be awarded to the 34 listed contractors, as detailed in the submitted report.
2. The authority to approve works via the framework, as detailed in the part 2 report be delegated to Local Highway Services Group Manager and Countryside Group Manager.
3. The Assistant Director for Highways, in consultation with the Cabinet Member for Highways, Transport and Flooding, be authorised to enter into new agency agreements up to the duration of the framework contract for the delivery of grass cutting, weed control and arboriculture services with District and Parish Councils.

**Reasons for Decisions:**

A full tender process, in compliance with the requirement of Public Contracts Regulations 2015 and Procurement Standing Orders has been completed,

and the recommendations provide best value for money for the Council following a thorough evaluation process.

## **20/16 PROPERTY TRANSACTIONS [Item 17]**

Councillors Michael Gosling and Nicholas Harrison addressed Cabinet as the local members for the area and stated that despite a lot of work being undertaken around regeneration they felt some financial matters still required attention.

The Cabinet agreed that supporting the regeneration of Preston had been a significant commitment by Surrey County Council and that the Council would look carefully at requests for small amounts of funding to complete the work.

### **RESOLVED:**

1. That the sale of the property as outlined on the attached plan to the submitted report extending to 6 ha (15 acres) be approved to the company detailed in the report, on an unconditional basis for a proposed residential development of 180 units.
2. That a variation in the agreed sale price, as outlined in paragraph 15 of the submitted report, to reflect possible changes and circumstances as a result of the ongoing sale process, be delegated to the Chief Property Officer, in consultation with the Cabinet Member for Business Services and Resident Experience and the Leader of the Council,

### **Reasons for Decisions:**

In 2012, the Council signed a Statement of Intent with Reigate & Banstead Borough Council (R&BBC) in relation to the regeneration of the Preston Estate, part funded by the receipts from land sales by both authorities. The sale of the land is as a result of this initiative and was approved in principal at Cabinet in April 2012 where a forward capital contribution by Surrey County Council was provided towards the regeneration of the Preston Estate, in particular the re-provision of the Preston Youth and Leisure Centre. That decision was predicated on the sale receipts to the council of the De Burgh site, which was no longer required for service delivery nor capable of generating significant income, exceeding the capital contribution, and with the S106 monies from any sale further contributing to the regeneration programme.

## **21/16 PUBLICITY FOR PART 2 ITEMS [Item 18]**

It was agreed that non-exempt information may be made available to the press and public, where appropriate.

Meeting closed at 3.55pm

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**Chairman**

**CABINET – 2 FEBRUARY 2016**

**PROCEDURAL MATTERS**

**Public Questions**

**Question (1) from Julie Brown:**

**The following points have been raised by Julie Brown:**

- Certain animals are 'protected under the wildlife and countryside act 1981'. Have there been any surveys done that show that there will be no adverse effect on protected species and have SCC obtained a licence from Natural England to disturb protected animals that live at Newlands?
- Newlands is an 'Area of Outstanding Natural Beauty'. Has Natural England been informed of the proposals and if so, what are their views?
- Regarding the Cabinet Meeting on 27th October, paragraph 17; What are the details of the 'revised access agreement' between The Albury Estate and SCC and have the details of the 'share of car parking charges and any future income generated from phase 2 of the proposals' been finalised, and if so what are they?
- What is the estimated capital investment of phase II?
- Has The Albury Estate or SCC put in a planning application to the Planning Inspectorate for consent to carry out works on common land. If so when was this done?
- Can a public meeting be held?

**Reply:**

There has been an ecological survey, which is being released under Freedom of Information. Officers working on the project have been engaging with their colleagues from Countryside Management & Biodiversity as well as the Ecology Team at the Wildlife Trust to ensure all relevant legislation is adhered to. Further surveys of the site will be taking place, as per recommendations from these discussions.

Natural England are aware of the proposal and we have engaged the AONB Board, where Natural England have a representative, as well as other key stakeholders like the CPRE. Natural England will be formally consulted when applying for commons consent.

These details have not been finalised as they are still under negotiation.

The work for Phase 2 is at an early stage and further work is required before any estimate of capital investment can be made.

The application for Commons Consent has not been submitted as yet. We are waiting for the public engagement exercise to feed into the application.

A drop in session for the public is being held on 9 February 2016 from 15.00 to 19.00 at Albury Parish Hall. There will be an opportunity to speak to members of the Project Team and the Play Tail Designers.

**Mr Mike Goodman**  
**Cabinet Member for Environment and Planning**  
**2 February 2016**

<b>Question (2) from Allen Johnson:</b>
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**The following points have been raised by Allan Johnson:**

- Where can one get sight of the business plan that describes and cost justifies the proposed changes?
- Upon the results of what research are the proposed changes based? Who did the research and where are the results lodged for public access?
- Why can the existing infrastructure not be modified and thereby saving on the destruction and subsequent construction of that which will be destroyed?
- What are the revenue projections from the business case and who are the parties that will have direct and indirect interests?
- How will the revenues be apportioned?
- How regularly will proposed costs and charges be reviewed and increased?
- What are the impacts on flora and fauna?
- What are the impacts and conditions of Drove Road being lost as a road and what are the contributions from SCC Highways and Transport Services in this respect?
- Why not improve the toilet facilities and leave everything else as it is?

**Reply:**

The business plan was classed as confidential and taken to Cabinet as a Part 2 item to the 27 October 2015. The business plan went through all necessary challenge and approval processes, including the councils Investment Panel, before being presented to Cabinet.

There were surveys undertaken by the Surrey Wildlife Trust that covered Newlands Corner and Ockham. The information was not published but was shared with the Ockham Liaison Group, who requested a report.

This information is being provided under Freedom of Information.

We are looking at all the options to improve the visitor facilities and there is potential to explore this as an option for Phase 2.

As stated in a response to a previous question, the business case is confidential. The parties with interest are the County Council, the Surrey Wildlife Trust and the Albury Estate, as the land owner.

As stated previously, this is still under negotiation.

It has been proposed that costs and charges will be reviewed annually.

A number of surveys have already been carried out and the advice of Surrey Wildlife Trust experts and the County Council's in house ecologist has been sought to ensure that we are aware of any potential impacts.

There is no potential for Drove Road to be lost as part of this project. The Drove Road is classified as a Public Bridleway and therefore by protected by law. The Countryside Access Team, who look after the Rights of Way network have been consulted and involved in the project.

One of the most important goals of this project is to encourage more people into the countryside, especially those who may have never visited the countryside before or not done so for some time. The toilets are part of the whole project when people visit the countryside and the play trails they expect quality facilities.

**Mr Mike Goodman**  
**Cabinet Member for Environment and Planning**  
**2 February 2016**

**Question (3) from Susan Darling:**

There has been confusion about how income from any parking charges at Newlands Corner would be used. If parking charges are imposed, what approximate amounts or proportion of the income are planned to go: a) to investment in a Play Trail, in improvements to the toilets/cafe offer and in parking charge infrastructure b) to servicing the parking regime - wardens, ticket machines, etc, c) to pursuing penalties and legal action on overstayers, d) to maintenance of the Newlands site e) to maintenance of other parts of the SCC countryside estate f) to upfront investment on Phase 2 of the Newlands development plan, and g) to net benefit to SCC.

**Reply:**

The details of the Business Plan are confidential as outlined above. However I can answer some of your questions. The net revenue from the parking charges will fund the maintenance of Newlands Corner, including repairing signs and picnic tables, keeping paths clear, removing litter, paying for utilities, repairing paths and the car park surface, a warden for the site and running the toilets and visitors centre. If there is additional revenue generated then it will go to fund other countryside sites. An assessment at that time will be on whether this is done on a proportionate basis or because of a requirement for specific investment. There will be no revenue contribution from parking to Phase 2, as that would be a separate capital investment.

What I do want to make clear is that this project is about getting benefits to a whole variety of people from being in, learning about and enjoying the countryside. It is hoped that there will be the direct benefit to SCC by helping to make the countryside self sustaining and thereby making a saving, but there are more broad benefits around health and wellbeing that also need to be considered and not just focusing on pure financials.

**Mr Mike Goodman**

**Cabinet Member for Environment and Planning**

**2 February 2016**

## **CABINET**

Tuesday 2 February 2016

## **RESPONSE TO PETITION**

### **The Petition**

It states: “**Keep Newlands Corner family-friendly and free to access!**”

Surrey County Council has agreed Phase 1 of a development at Newlands Corner - to impose parking charges of £1 an hour (maximum £4) - and to spend £400,000 on constructing a family play trail and improving the existing toilets. Phase 2 envisages a coach park and large new café (built across the current viewing area, including the grass, on the brow of the hill) together with a new visitor centre and shopping space.

Please sign this petition if you want to keep Newlands Corner (the greatest viewpoint anywhere in the south of England, boasts this proud Surreyite!) free to access for all, unpretentious and busy! There's a whole community up there, consisting of the burger bar staff, SWT rangers and a crowd of regulars - bikers, police, fire and ambulance services, classic car owners, walkers, horse-riders and those who just go for the food, drink and friendly chat. SCC's move to monetise the site risks destroying this highly successful local amenity and destroying the livelihood of the people who run the busy burger bar. This is utterly unacceptable!”

**Submitted by Richard Harrold**

**Signatures: 7,545**

The Council's response aims to address the two key issues raised in the petition:

1. New facilities that will obstruct the view over the sight.
2. Proposed vehicle charges

### **Response**

Thank you for this petition and giving me an opportunity to respond to you and correct some of the misunderstandings. I note with thanks that the background to the petition has been amended since it was first set up last year. I have spoken to the original petitioner on the phone, at this time I was able to inform him of the process and confirm what was actually happening I have offered to meet him and for him to be part of the consultation. Unfortunately despite trying to arrange a meeting on a number of occasions this offer has not been taken up.

The Newlands Corner Project started with the creation of a Board and two stakeholder engagement sessions, held last August and September, to look at very early ideas for the layout of the site. The stakeholder sessions included; SWT, County, Borough and Parish Councillors, representatives from the Surrey Hills AONB Board, and user groups such as the walkers, and riders. This helped the Board to shape the project.

I am now pleased to announce that we are holding a drop in session for all those interested in the Project on 9th February from 3pm to 7pm at Albury Parish Hall. Representatives from the Surrey Wildlife Trust, Surrey County Council and the Albury Estate will be present to discuss the phase one of the project and collect residents views and comments. The Play Trail Designers will also be available to discuss their draft designs. This is the start of a public engagement process that will last until 8 March 2016.

**1) New facilities that will obstruct the view over the site.**

Newlands Corner is a popular site for walking, cycling, riding, enjoying the view and just stopping for a refreshment break. This was recognised many years ago when the County Council negotiated an Access Agreement with the Albury Estate who own the land. Under that Agreement and a series of leases the County Council then constructed the car park, toilets and visitor room to provide facilities for the public. We therefore concur with the petitioners' statement about the value and beauty of the site.

Surrey Wildlife Trust took over management of the Access Agreement on our behalf in 2002. Over the years the number of visitors has grown to over 500,000 per year with around 122,000 cars using the car park. In that time the costs of running the site have also increased and the need to provide better facilities has grown. In conjunction with this there is an opportunity to encourage a wider range of people of all ages and abilities to use the site, by providing carefully designed and sited facilities. The Play Trail is being specifically designed to provide a range of stimuli including sensory as well as visual and the opportunity to climb and swing. Children, groups with disability, adults and groups representing people with dementia are being consulted to ensure we get the play trail right. Phase 1 is about the residents experience and their health and well being by encouraging a wider group to enjoy our wonderful countryside.

To this end a two phase project has been commenced to provide better on-site facilities and to help generate an income to manage the site and potentially the wider countryside estate.

The business plan for Phase 1 of the project was approved by Surrey County Council's Cabinet last November. They agreed to invest £400,000 into the project which will be repaid by the income generated and then allow the net income to be used to improve the management of the site. The elements of Phase 1 are to improve the existing toilets, and cafe and install the family play trail. The trail is designed to appeal to a range of ages and abilities and includes large wooden pieces that can be climbed and swung from as well as areas that can be accessed by wheelchairs and buggies. It is designed to stimulate the senses and attract the curious. The trail will be educational and we believe this will attract schools that will be able to use the pieces to help educate our children. The designers have established a website to allow the public to look at the proposals and to feedback any comments on them. <http://www.davieswhite.co.uk/newlandscorner/>

This trail will be sited in the woodland so it is not intrusive in the landscape and will encourage a wider range of people to venture from their cars and into the woods.

Phase 2 is a proposal to construct a new centre to include the cafe, with a sit down area as well as facilities to allow refreshments to be purchased from outside, a small space to promote and sell local produce, new toilets and a flexible space for exhibitions and



educational groups, and other visitor use. A firm of architects are currently looking at producing some sketch designs for a range of locations on the site to be exhibited for public feedback at the end of May. Any new building will fit into the landscape and not be at the front of the site and block the wonderful views. There has been no final decision on the design or location. We are very aware of the location of the site in the Surrey Hills, the importance of the ancient yew trees and other biodiversity as well as the inherent value of the site for open air recreation.

Phase 2 will be dependent on gaining the required permissions and on getting funding. The business case is still to be finalised.

## **2) Proposed vehicle charges**

Following the installation of the Play Trail and improvements to the toilets and Cafe, vehicle charging will recommence. The charges have been set at a level that compares favourably with charges at comparable sites. We believe this will offer good value. The charges planned are £1 per hour up to a max of £4 for the day. A 20 minute free period is proposed to allow people who just want to use the toilets or cafe to do so without having to pay, this should also benefit the cafe owner. In addition there will be an option to purchase a season ticket. The income from charging will fund the ongoing maintenance and other management costs for the site. It will also be able to fund some of the additional work the Albury Estate wishes to see including improvement to paths, where the surface has become eroded.

The Newlands Corner Project is providing an opportunity to work together with the landowner and other partners to improve visitor facilities as part of a business plan that will help to provide an income to manage the countryside and ultimately to give the countryside the security of funding that it requires to continue to give the public opportunities to enjoy it. This project will benefit our residents of all ages and abilities, providing an opportunity to encourage exploration and learning in the countryside.

**Mr Mike Goodman**  
**Cabinet Member for Environment and Planning**  
**2 February 2016**  
Newlandscornerproject@surreycc.gov.uk

Original wording on the petition as repeated in the Guildford Dragon.

“Surrey County Council has voted to impose parking charges at Newlands Corner, with even those there just for a quick cup of tea being forced to cough up. Meanwhile, the visitor centre and burger bar is to be replaced with a new visitor centre and café, at a cost of £400,000 – and it seems likely (though this is not publicly confirmed, yet!) that the family who run the burger bar, will be slung out to make way for a commercial concern.

“Please sign this petition if you want to keep Newlands Corner (the greatest viewpoint anywhere in the south of England, boasts this proud Surreyite!) free to access for all, unpretentious and busy! There’s a whole community up there, consisting of the burger bar staff, SWT rangers and a crowd of regulars – bikers, police, fire and ambulance services, classic car owners, walkers, horse-riders and those who just go for the food, drink and friendly chat. SCC’s move to monetise the site risks destroying this highly successful local amenity and destroying the livelihood of the people who run the busy burger bar. This is utterly unacceptable!”

“Keep Newlands Corner family-friendly and free to access!”

**CABINET RESPONSE TO ECONOMIC PROSPERITY, ENVIRONMENT AND HIGHWAYS BOARD**

**HIGHWAYS AND TRANSPORT MEMBER REFERENCE GROUP'S REPORT ON THE KIER CONTRACT EXTENSION**

**(considered by Economic Prosperity, Environment and Highways Board on 10 December 2015)**

**COMMITTEE RECOMMENDATIONS:**

That Cabinet approve the extension to the Kier contract until 2021, subject to the conditions outlined in paragraph 20 of the Member Reference Group report.

These conditions were:

In order to ensure that Kier continue to progress the improvements/issues identified, it would like the following conditions included in the contract extension agreement:

- Delivery of a new joint procurement strategy which addresses the sub contractor performance management issues and actively supports local businesses.
- Implementation of a new performance framework for Kier and its supply chain which incentivises good performance and consequences for poor performance.
- An efficiency action plan which looks at integration opportunities to reduce duplication of effort and waste in teams.
- A firm commitment from Kier to support our Customer Service Excellence ongoing accreditation requirements, which includes a review of customer defect reporting and programme management processes and an improved website.
- A new Communications and Engagement Strategy which should be embedded into all future schemes and is linked to the contract performance framework to ensure compliance.

**RESPONSE:**

I would like to thank the Board for their comments and scrutiny of the report, including the officer presentation in Part 2 of the meeting, and for commending the recommendation to Cabinet. I would also like to take this opportunity to thank the Member Reference Group once again for their thorough review of the Kier contract. Their findings have been instrumental in shaping the terms of the contract extension, which will ultimately deliver greater strategic alignment, value for money and improved services for residents. Surrey and Kier officers are working together to develop plans to ensure the contract conditions required by the Member Reference Group are successfully implemented. These conditions and associated contract modifications will be enshrined in a contract extension agreement and will be signed by the end of June 2016, subject to Cabinet approval on the 2 February. In line with the recommendations made in their report I will now be asking the Member Reference Group to review their terms of reference to consider their ongoing role in the contract and the service's wider long term strategic plans.

**John Furey**  
**Cabinet Member for Highways, Transport and Flooding**  
**2 February 2016**

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**CABINET RESPONSE TO COUNCIL OVERVIEW BOARD**

**ORBIS PUBLIC LAW  
(considered by Council Overview Board on 28 January 2016)**

**COMMITTEE RECOMMENDATIONS:**

The Council Overview Board was broadly supportive of the plans set out in the Cabinet report, and made the following comments and recommendations to Cabinet:

- The Board welcomes the proposal to set up a shared legal service, to be known as Orbis Public Law
- The Board wishes to emphasize the careful monitoring of the anticipated 10% savings, as set out in the business case.

**RESPONSE:**

I would like to thank all members of the Council Overview Board for their support for this proposal and am happy to endorse the recommendation for careful monitoring of the anticipated savings, which will be one of the priorities for the shared service as it moves forward with its joint plans.

**David Hodge  
Leader of the Council  
2 February 2016**

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**CABINET RESPONSE TO COUNCIL OVERVIEW BOARD**

**REVENUE AND CAPITAL BUDGET 2016/17 TO 2020/21  
(considered by Council Overview Board on 28 January 2016)**

**COMMITTEE RECOMMENDATIONS:**

The Council Overview Board agreed on the following comments and recommendations to Cabinet:

That the Board:

1. confirms its support for the proposal to accept the option of raising council tax by 2%, to ensure additional ring-fenced funding for Adult Social Care;
2. welcomes the lobbying of government undertaken by the Leader of the Council to extend the option of raising council tax to our partners in Districts & Borough Councils, given that these authorities provide some non-statutory adult social care services;
3. asks that government be lobbied to review or lift the current restriction on council tax increases for local authorities;
4. asks the Cabinet to consider whether a referendum should be held regarding increasing council tax in order to maintain services;
5. wishes to emphasise the importance of prioritising income generation and efficiency savings, before cutting services and increasing council tax.

**RESPONSE:**

The preparation of the new Medium Term Financial Plan has been in the context of a late Provisional Settlement leading to an unprecedented reduction in government funding at very short notice. In response to this officers and cabinet members are working on the details of service savings that can realistically be delivered during 2016/17.

The Council is awaiting the Final Settlement which is expected to include the reporting requirements on the use of the 2% council tax increase for adult social care. This will lead to increased funding for the Council of £12m per year and is a welcome contribution to the £20m year on year demographic increase in demand for adult social care services. The Council also has to confront the loss of nearly £50m in government grant in 2016/17 and as a significant service, Adult Social Care will have to take its share of this reduction.

The Council Tax threshold is a central imposition on local decision making in the delivery of services by Government. Local communities through their elected representatives, who are democratically elected, should be able to set a council tax equivalent to the level of service demand led pressures a specific area needs in order to deliver front line services and to reduce financial impacts on other public services, i.e. NHS. Local Government is by far the most efficient part of the public sector and I will continue to make the point to Government to trust Local Government in taking responsibility and accountability for delivery local services.

However, the threshold exists and to raise council tax above this level is not the right decision at present for three reasons. First, the final settlement has not been announced, so to do so would be premature; second, the cost of holding a referendum when the Council is focusing its spend on essential areas; and third, it will be a distraction when the focus is on the Public Value Transformation programme.

**David Hodge  
Leader of the Council  
2 February 2016**

