

CABINET

The following decisions were taken by the Cabinet on Thursday, 14 July 2016 and will take effect on 22/07/2016 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 21/07/16.**

The following represents a summary of the decisions taken by the Cabinet. It is not intended to represent the formal record of the meeting but to facilitate the call-in process. The formal minutes will be published in due course to replace this decision sheet.

County Members wishing to request a call-in on any of these matters, should contact the Senior Manager for Scrutiny or relevant Democratic Services Officer.

The Cabinet at its meeting on Thursday, 14 July 2016 considered the following matters and resolved:

- **REPORTS FROM SCRUTINY BOARDS, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL** (Item 5)

A report was received from the Social Care Services Board relating to the consultation on a revised charging policy for Adult Social Care. The Cabinet Member response is attached as Appendix 1.

A report was also received from the Council Overview Board regarding the Municipal Bonds Agency and the Cabinet Member response to this is attached as Appendix 2.

- **CONSULTATION ON A REVISED CHARGING POLICY FOR ADULT SOCIAL CARE** (Item 6)

RESOLVED:

1. That the Council continue to apply the disregard of £20.00 per week when charging for respite care.
2. That subject to the revisions in recommendation 1 above, the charging policy for Adult Social Care as found at Annex 2 of the submitted report be approved and implemented.
3. That these changes take effect from 3 October 2016.

Reasons for decisions

In light of the very significant financial pressures the Council faces and the increasing demand for services, it is important to review the charging policy to ensure that those who are assessed as being in a position to contribute towards their care costs are making an appropriate contribution that will help maintain high quality care and support for all residents of Surrey with eligible social care needs.

The proposals do not significantly change charging for the majority of people in receipt of non-residential care and support, but will contribute to the sustainability of providing adult social care services.

The proposed policy will continue to provide an open and transparent framework which will enable people to make informed decisions about how their care and support needs may be met and will bring the Council's charging policy in line with

the majority of other local authorities.

- **SURREY COUNTY COUNCIL HOME FROM HOSPITAL SUPPORT SERVICES - CONTRACT AWARD** (Item 7)

RESOLVED:

1. That the contracts be awarded for one year, from 1 October 2016 with an option to extend for two further periods of one year each.
 - Red Cross – Lot 3 East Surrey.
 - Home Group Limited – Lot 1 Northwest Surrey, Lot 2 Surrey Downs, Lot 4 Guildford and Waverley, Lot 5 Surrey Heath, North East Hampshire and Farnham.
2. That the combined annual contract value of the two contracts awarded be £335,000.00 (£1,005,000.00 including extension periods).

Reasons for decisions

The existing grant agreement, which is funded from the Better Care Fund, will expire on 30 September 2016. There is a continuing need for a service to support individuals who are ready to be discharged from hospital and return home with short term support. This service has contributed towards a reduction in hospital readmissions and gives confidence to individuals to continue living at home. This tender exercise was conducted in compliance with procurement legislation and Procurement Standing Orders. The recommendations provide best value for money for the Council and the Clinical Commissioning Groups.

- **REVISED SURREY WASTE LOCAL PLAN - ISSUES AND OPTIONS CONSULTATION** (Item 8)

RESOLVED:

1. That Surrey County Council, as the Waste Planning Authority, consults on the Issues and Options Report (as at **Annex 1** of the submitted report) as the first stage in preparing a new Surrey Waste Local Plan (SWLP) 2018-2033.
2. That authority be delegated to the Strategic Director for Environment and Infrastructure in consultation with the Cabinet Member for Environment and Planning to agree any amendments to the Issues and Options Report prior to consultation taking place.

Reasons for decisions

It is a statutory requirement for Surrey County Council to have a Waste Local Plan. In addition, the National Planning Policy Framework (NPPF) emphasises that Local Plans should be kept up to date.

The SWP was adopted in 2008 and plans for the management of waste over a 10 year period until 2018. When determining planning applications for waste management the County Council has regard to this plan and for it to remain fit for purpose it is therefore important that it is consistent with current policy, legislation and local context. The SWP 2008 now needs to be reviewed, with the revised plan scheduled to be adopted in 2018.

It is important that the Council engage with communities and organisations on how waste is managed in Surrey and the consultation on Issues and Options provides the first formal opportunity to do this which is consistent with the

Councils approach set out in its Local Development Scheme (LDS) and Statement of Community Involvement (SCI).

- **FINANCE AND BUDGET MONITORING REPORT FOR JUNE 2016** (Item 9)

RESOLVED:

1. That the forecast revenue budget for 2016/17 is a -£1.5m underspend (as set out in Annex, paragraph 1 of the submitted report) be noted.
2. That the forecast efficiencies and service reductions for 2016/17 is £83.5m (as set out in Annex, paragraph 19 of the submitted report) be noted.
3. That the quarter end positions for: balance sheet, earmarked reserves, debt and treasury management (as set out in Annex, Appendix paragraphs App 8 to App 22 of the submitted report) be noted.
4. That -£55.4m capital expenditure from 2016/17 be re-profiled into the remainder of the 2016-21 capital programme (Annex, paragraph 24 of 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.

- **LEADERSHIP RISK REGISTER** (Item 10)

RESOLVED:

That the Cabinet note the content of the Surrey County Council Leadership risk register (as at Annex 1 of the submitted report) and that the control actions put in place by the Statutory Responsibilities Network be endorsed.

Reasons for decisions

To enable the Cabinet to keep Surrey County Council's strategic risks under review and to ensure that appropriate action is being taken to mitigate risks to a tolerable level in the most effective way.

- **MUNICIPAL BOND AGENCY** (Item 11)

RESOLVED:

1. That the Council enter into the Municipal Bond Agency Framework Agreement and Guarantee; and that authority be delegated to the Director of Finance and the Director of Legal, Democratic and Cultural Services to execute the Framework Agreement and Guarantee together with associated legal documentation;
2. That borrowing decisions be delegated to the Director of Finance in consultation with the Leader of the Council or the Cabinet Member for Business Services and Resident Experience.

Reasons for decisions:

It is anticipated that the Municipal Bond Agency will provide the council with an alternative source of borrowing capital funds at more favourable interest rates

than those available from the PWLB.

The recently revised Treasury Management Strategy 2016/17 means that there is no immediate need to borrow from the Municipal Bond Agency. Until the Council borrows, there is no financial risk to the Council in joining the Municipal Bond Agency Framework and Guarantee. If the current interest rate situation alters, the Municipal Bond Agency option could be an attractive borrowing option.

- **BUSINESS REMOVAL SERVICES CONTRACT AWARD (Item 12)**

RESOLVED:

1. That the framework agreement be awarded to Edward Baden Limited for two years from 1 October 2016 with an option to extend for two periods of one year each.
2. That an immediate call-off contract under the framework agreement be placed with Edward Baden Limited for the benefit of the Council with an estimated annual value of £463,958 for a two year contract term with an option to extend the contract for two periods of one year each.

Reasons for decisions

The existing contract will expire on 30 September 2016. A full tender process, in compliance with the requirements of the Public Contract 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.

The framework agreement as awarded sets out the terms and conditions under which a specific purchase known as a call-off contract can be made on behalf of the Council during the term of the agreement.

- **LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING (Item 13)**

RESOLVED:

That the delegated decisions taken by Cabinet Members since the last meeting of the Cabinet be noted.

- **EXCLUSION OF THE PUBLIC (Item 14)**

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.

- **SURREY COUNTY COUNCIL HOME FROM HOSPITAL - CONTRACT AWARD (Item 15)**

RESOLVED:

1. That in response to the changing requirements and demographics of Surrey this tendering exercise has secured suitable providers for the delivery of a Home from Hospital support service.

2. That contracts be awarded for one year from 1 October 2016 with an option to extend for two further periods of one year each as set out in part 1 report.

Reasons for decisions

The existing provision will expire on 30th September 2016. A full tender process, compliant with the requirements of the Public Contracts Regulations 2015 and the Council's Procurement Standing Order has been completed, and the recommendations provide best value for money for the Council following an evaluation process.

- **BUSINESS REMOVAL SERVICES CONTRACT AWARD (Item 16)**

RESOLVED:

That the information within the Part 2 report be noted in conjunction with the Recommendations made in the Part 1 Cabinet report.

Reasons for decisions

The existing contract will expire on 1 October 2016. A full tender process, in compliance with the requirements of the Public Contracts Regulations 2015 and the Council's Procurement Standing Order has been completed, and the recommendations provide best value for money for the Council following a thorough evaluation process.

- **PROPERTY TRANSACTIONS (Item 17)**

RESOLVED:

It is recommended that Surrey County Council grant a new full repairing and insuring lease for a term of 10 years commencing on the 25 December 2016 at the commencing rent per annum, as set out in the submitted report.

Reasons for decisions

The property was acquired in September 2013 for potential longer term service need and to provide a revenue income to the council.

To ensure the income stream can continue until the end of 2021 as a minimum, negotiations have been held with the existing tenant on securing a new lease, without the need for any refurbishment of the property, on market terms.

CABINET RESPONSE TO SOCIAL CARE SERVICES BOARD

CONSULTATION ON A REVISED CHARGING POLICY FOR ADULT SOCIAL CARE SERVICES

(considered by Social Care Services Board on 23 June 2016)

COMMITTEE RECOMMENDATIONS:

1. That the Cabinet demonstrate they have taken the impact of carers and families into account and have sought to mitigate this impact through a more robust Equalities Impact Assessment
2. That Cabinet provide greater evidence for the cost-benefit of implementing the proposed changes to Adult Social Care charging policy
3. That the Cabinet provide evidence as to how the administration fee is calculated and when it will be subject to review
4. That, taking individual concerns into consideration, the Cabinet establish there are no indirect impacts on an individual's package arising from:
 - the implementation of the national living wage;
 - the review into the grants programme.

RESPONSE:

1. Representatives of key partner organisations, including Surrey Coalition for Disabled People, Sight for Surrey, Age UK and Action for Carers were consulted on the Equalities Impact Assessment and contributed to the final version. An updated version is available for circulation to the Social Care Services Board. The EIA identifies the actions that will be taken to mitigate the negative impacts wherever possible.
2. In a full year, the proposals to revise the charging policy will achieve £1.6m. We do not anticipate any significant administrative costs arising from implementation of the policy changes. The annual review scheduled to take place in March 2016 was deferred so that we could incorporate any policy changes into that review. There are therefore no direct costs solely as a result of these policy proposals. We will begin the process of reviewing people ahead of 2 October 2016, so that people have ample time to prepare for any change.
3. We already charge an administration fee for full cost payers in residential care and for setting up a deferred payment agreement. This proposal will therefore bring care at home in line with our existing arrangements. The fees will be added to the usual statements and are not an extra administrative cost.

The set up fee represents the cost in practitioner time of arranging support i.e. negotiating/corresponding with providers; ensuring appropriate contracts are in place etc. Depending on the provider there may be a

need to involve procurement and data management colleagues. ASC finance colleagues have to arrange to pay the provider on receipt of an invoice. A more senior role is required to sign off the support plan, costs etc The FAB Team must undertake a financial assessment, and then raise charges on a monthly basis. Business services are involved in issuing the statement and collecting the payment.

This annual charge was calculated as follows :

Admin charge - 15 hrs work minimum based on the above activities at £19.58 mid range S8 grade including 25% on costs. Additionally there are printing and postage costs and costs associated with invoicing.

The weekly fee represents the cost of processing ongoing invoices and dealing with disputes; full cost payers are one of the busiest areas for credit control and the service, with some people refusing to pay. It has been set at a weekly amount to ensure that people are only charged when they receive a service in a particular week. The fee will be reviewed annually. The charges will only apply to new people.

Below is a comparison of other neighbouring local authorities on this matter.

	Set up fee	Ongoing
Surrey	295	5 pw
Buckinghamshire	250	1.35 pw
Oxfordshire	500	0
Hampshire	296	6 pw
Kent	Not commissioning services	0
West Sussex	157.25 +157.25 per change	5.05 pw

4. The National Living Wage should generally be seen as a positive development, helping to remove dependency on the benefits system and ensure a fair rate of pay at the lower end of the job market. There will be no direct impact on people who receive care and support as all earnings are disregarded. It is possible that the NLW will have a direct impact on carers; if their earnings increase above the earnings threshold, they may lose entitlement to carers allowance. We will look at individual cases as they arise to determine whether the package of support to the carer and cared for person needs to be reviewed accordingly.

We are working closely with providers and partners, through a robust process, to maximise the efficiency of our grants and contracts. This includes identifying and drawing upon alternative services, including family, friends and community networks where appropriate, to minimise the impact of any changes on residents. On an individual basis if a person has increased disability related expenditure as a result of the grant and contracts review, we would take this into account in the financial assessment depending on the circumstances of the case.

Tim Evans, Cabinet Associate for Adult Social Care, Wellbeing and Independence on behalf of Mel Few, Cabinet Member for Adult Social Care, Wellbeing and Independence
14 July 2016

CABINET RESPONSE TO COUNCIL OVERVIEW BOARD

MUNICIPAL BONDS AGENCY

(considered by Council Overview Board on 6 July 2016)

COMMITTEE RECOMMENDATIONS:

- (a) That a process be put in place to allow appropriate scrutiny of any proposal to seek a loan from the Municipal Bonds Agency, taking into account the need to review the risks involved, the terms available from any alternative sources of capital borrowing, and the need for timely decision-making.
- (b) That the second recommendation of the Cabinet report be amended to read 'delegate borrowing decisions to the Director of Finance in consultation with the Leader of the Council or the Cabinet Member for Business Services and Resident Experience.'

RESPONSE:

- a. The Cabinet agrees that on the first instance that the Council proposes to seek a loan from the Municipal Bonds Agency, the proposal may be scrutinised by the Council Overview Board prior to implementation provided time is available. All subsequent borrowings with the Municipal Bond Agency will be subject to the delegated powers granted to the Director of Finance from the approved Treasury Management Strategy and consultation with the Leader of the Council or the Cabinet Member for Business Services and Resident Experience.
- b. Agreed.

Denise Le Gal

Cabinet Member for Business Services and Resident Experience

14 July 2016