

Cabinet

**Date & time**

Tuesday, 20
September 2016 at
2.00 pm

Place

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

Contact

Vicky Hibbert or Anne
Gowing
Room 122, County Hall
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Chief Executive

David McNulty

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**We're on Twitter:**

@SCCdemocracy

Cabinet Members: Mr David Hodge, Mr Peter Martin, Mrs Helyn Clack, Mrs Clare Curran, Mr Mel Few, Mr John Furey, Mr Mike Goodman, Mrs Linda Kemeny, Ms Denise Le Gal and Mr Richard Walsh

Cabinet Associates: Mr Tony Samuels, Mr Tim Evans, Mrs Kay Hammond and Mrs Mary Lewis

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Vicky Hibbert or Anne Gowing on 020 8541 9229 or 020 8541 9938.

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If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting

1 APOLOGIES FOR ABSENCE

2 MINUTES OF PREVIOUS MEETING: 14 JULY 2016

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

3 DECLARATIONS OF INTEREST

To receive any declarations of disclosable pecuniary interests from Members in respect of any item to be considered at the meeting.

Notes:

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

4 PROCEDURAL MATTERS

a Members' Questions

The deadline for Member's questions is 12pm four working days before the meeting (*14 September 2016*).

b Public Questions

The deadline for public questions is seven days before the meeting (*13 September 2016*).

c Petitions

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

d Representations received on reports to be considered in private

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

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

None

CORPORATE PRIORITIES: 1. WELLBEING

6 APPROVAL TO AWARD A CONTRACT FOR THE PROVISION OF AN INTEGRATED SEXUAL HEALTH SERVICE

(Pages 1
- 24)

The provision of sexual health services is a statutory duty of Local Authorities. The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 require Local Authorities to arrange for the provision of open access sexual health services including sexually transmitted diseases testing and treatment and free contraception.

The provision of effective sexual health services has an active role in supporting the Council's Corporate Strategy, and in particular the strategic goals of 'Wellbeing' and 'Resident's Experience' as well as delivering against the Council's nine priorities with a particular contribution being made to "keeping families healthy". Effective sexual health services have a positive effect on the health and wellbeing of Surrey residents and can prevent the need for more intensive and costly interventions from health, social care and the wider public service sector.

The budget for this service has been reduced following the reduction in the ring fenced public health grant distributed by the Department of Health. The Council is trying to maintain a good level of service within the financial resource available.

Following a full procurement and evaluation process, this Cabinet report seeks approval to award a contract to Central and North West London NHS Trust for the provision of an Integrated Sexual Health Service to commence on 1 April 2017. The recommended contract delivers best value for money and meets the needs of service users in Surrey. In awarding this contract the Council will secure a cashable saving of £2m per year.

The Council has collaborated with NHS England (South East) Area Team (NHSE) to lead a joint procurement which incorporates HIV Treatment and Care and Sexual Health services in prisons for which NHSE are the responsible commissioner. The Council and NHSE will each award a separate contract for their own elements of service and following their own governance processes. This report relates solely to the Council's contract.

N.B. An annex containing exempt information is contained in Part 2 of the agenda – item 15.

[The decisions on this item can be called in by the Social Care Services Scrutiny Board]

7 ST PETERS CATHOLIC SECONDARY SCHOOL, GUILDFORD

(Pages
25 - 30)

To approve the business case for the expansion of St Peter's Catholic School. The school will expand from 180 Published Admission Number per year, 6 forms of entry (900 places) to 210 Published Admission Number per year, 7 forms of entry (1,050 places) to help meet the demand for 150 additional secondary places in Guildford from September 2017.

N.B. an annex containing exempt information is contained in Part 2 of the agenda – item 16.

[The decision on this item may be called in by either the Education and Skills Scrutiny Board or the Council Overview Board]

8 HAWKEDALE INFANT SCHOOL, SUNBURY ON THAMES

(Pages
31 - 36)

To approve the Business Case for the expansion of Hawkedale Infant School from a 1 Form of Entry infant (90 places) to a 1 Form of Entry primary (210 places) to meet the demand for 120 junior places in the Sunbury on Thames area.

The proposal is part of the Sunbury on Thames primary school re-organisation that will create an additional 210 primary places between Hawkedale Infant and Springfield Primary Schools to help meet the basic need requirement in the Sunbury on Thames area for September 2017. A permanent expansion of Springfield Primary School is proposed and will be subject to a separate report to Cabinet.

N.B. an annex containing exempt information is contained in Part 2 of the agenda – item 17.

[The decision on this item may be called in by either the Education and Skills Scrutiny Board or the Council Overview Board]

CORPORATE PRIORITIES: 2. ECONOMIC PROSPERITY

9 FINANCE AND BUDGET MONITORING REPORT TO 31 AUGUST 2016

(Pages
37 - 40)

The Council takes a multiyear approach to its budget planning and monitoring, recognising the two are inextricably linked. This report presents the Council's financial position as at 31 August 2016 (month five).

The Annex to this report gives details of the Council's financial position.

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

[The decisions on this item can be called in by the Council Overview Board]

10 BUDGET AND BUSINESS PLANNING 2017 TO 2022

(Pages
41 - 54)

Since 2010 local authorities in England have been faced with year on year reduction in funding from central government as a part of the deficit reduction policy. This reduction has included Surrey County Council, which has traditionally been one of the lowest funded local authorities from government grants. At the same time, the demand for Surrey County Council's services has been increasing, especially in looking after an increasingly aged population, a high level of people with learning disabilities and providing school places for a record number of children. The county council has met this challenge through a financial strategy that includes: managing demand, efficiency savings and increases in the level

of council tax.

In February 2016 the council's Section 151 Officer highlighted that the 2016/17 budget was balanced through the use of substantial one-off funding and the Medium Term Financial Plan for 2016/17 to 2020/21 (MTFP 2016-21) required significant actions to become sustainable. The council agreed to a Public Value Transformation programme to investigate whether sustainability could be achieved through further significant transformation. This report presents an update on the council's financial prospects and the key strategies to respond to the challenge presented in the next five year Medium Term Financial Plan (MTFP 2017-22) to ensure it is both balanced and sustainable.

Government decisions have a huge influence on the council's financial sustainability. These include:

- the level of grants and how they are allocated;
- the use of business rates;
- the imposition of new responsibilities;
- caps on the council's ability to raise its own income.

How the government implements these decisions will shape the financial prospects over the next five years.

Please note that the Annexes 2 and 3 to this report will be circulated separately prior to the Cabinet meeting.

[The decisions on this item can be called in by the Council Overview Board]

CORPORATE PRIORITIES: 3. RESIDENT EXPERIENCE

11 MERSTHAM COMMUNITY HUB

(Pages
55 - 62)

The proposed Merstham Community Hub (The Hub) will be a new multi-functional Surrey County Council (SCC) owned building which will house a library, youth centre, community space, and public cafe on the Triangle site in Portland Drive, Merstham. The Hub will adjoin four new Reigate and Banstead Borough Council (RBBC) owned retail units. Together they will form an integral part of the wider Merstham regeneration project which will be procured and delivered by RBBC in partnership with SCC and Raven Housing Trust Ltd (Raven).

In December 2013, Cabinet approved a capital allocation in respect of SCC's financial contribution to building the hub, and in December 2014, Cabinet granted approval to an increase in this capital allocation.

Construction work then commenced, but after a year on site, in April 2016 the appointed construction contractor entered administration, and all work on site stopped.

In order to complete the construction, it is necessary, therefore, to appoint another construction contractor. RBBC have been working to achieve this and, following preliminary negotiations with a potential new contractor, it is

now known that further increased costs will be required to complete the work.

Part of the building is being leased to the Merstham Community Facilities Trust (MCFT), to allow them to work with members of the local community. This will help to fulfil each of SCC's corporate priorities, namely Wellbeing, Economic Prosperity and Resident Experience.

N.B. There is a Part 2 report containing exempt information – item 18

[The decisions on this item may be called in by the Council Overview Board]

12 FORMATION OF SPELTHORNE JOINT COMMITTEE (Pages
63 - 92)

Building on the positive partnership working between Surrey County Council (SCC) and Spelthorne Borough Council (SBC), it is proposed to create a Joint Committee in place of the current SCC Spelthorne Local Committee. This new partnership arrangement will speed up decision making, improve outcomes for residents and strengthen local democracy.

The Joint Committee will have an extended remit over and above that of the current local committee with decision making functions in relation to the Community Infrastructure Levy (CIL) and youth provision and advisory functions such as older people's services and making the best use of public assets in the Borough. These changes will support more integrated approaches to service delivery and planning.

SCC Cabinet (and Full Council) approval is now sought to establish the Joint Committee, following SBC agreement at their Cabinet meeting on 20 July 2016 and Council on 21 July 2016.

13 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING (Pages
93 - 100)

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

14 EXCLUSION OF THE PUBLIC

That under Section 100(A) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information under the relevant paragraphs of Part 1 of Schedule 12A of the Act.

P A R T T W O - I N P R I V A T E

15 APPROVAL TO AWARD A CONTRACT FOR THE PROVISION OF AN INTEGRATED SEXUAL HEALTH SERVICE (Pages
101 -
104)

This is a part 2 annex relating to item 6.

Exempt: Not for publication under Paragraph 3

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

[The decision on this item may be called in by either the Council Overview Board or the Education and Skills Scrutiny Board]

- 16 ST PETER'S CATHOLIC SCHOOL, GUILDFORD** (Pages 105 - 112)

This is a part 2 annex relating to item 7.

Exempt: Not for publication under Paragraph 3

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

[The decision on this item may be called in by either the Council Overview Board or the Education and Skills Scrutiny Board]

- 17 HAWKESDALE INFANT SCHOOL, SUNBURY ON THAMES** (Pages 113 - 120)

This is a part 2 annex relating to item 8.

Exempt: Not for publication under Paragraph 3

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

[The decision on this item may be called in by either the Council Overview Board or the Education and Skills Scrutiny Board]

- 18 MERSTHAM COMMUNITY HUB** (Pages 121 - 124)

This is a part 2 annex relating to item 11.

Exempt: Not for publication under Paragraph 3

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

[The decision on this item may be called in by the Council Overview Board]

- 19 PROPERTY TRANSACTIONS** (Pages 125 - 152)

Property Acquisition

Exempt: Not for publication under Paragraph 3

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

[The decision on this item may be called in by the Council Overview Board]

20 PUBLICITY FOR PART 2 ITEMS

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

**David McNulty
Chief Executive
Monday 12 September 2016**

QUESTIONS, PETITIONS AND PROCEDURAL MATTERS

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

Please note:

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

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

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

Anyone is permitted to film, record or take photographs at council meetings. 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

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SURREY COUNTY COUNCIL

CABINET

DATE: 20 SEPTEMBER 2016

REPORT OF: MRS HELYN CLACK, CABINET MEMBER FOR WELLBEING AND HEALTH

LEAD OFFICER: HELEN ATKINSON, STRATEGIC DIRECTOR ADULT SOCIAL CARE AND PUBLIC HEALTH

SUBJECT: APPROVAL TO AWARD A CONTRACT FOR THE PROVISION OF AN INTEGRATED SEXUAL HEALTH SERVICE



SUMMARY OF ISSUE:

The provision of sexual health services is a statutory duty of Local Authorities. The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 require Local Authorities to arrange for the provision of open access sexual health services including sexually transmitted diseases testing and treatment and free contraception.

The provision of effective sexual health services has an active role in supporting the Council's Corporate Strategy, and in particular the strategic goals of 'Wellbeing' and 'Resident's Experience' as well as delivering against the Council's nine priorities with a particular contribution being made to "keeping families healthy". Effective sexual health services have a positive effect on the health and wellbeing of Surrey residents and can prevent the need for more intensive and costly interventions from health, social care and the wider public service sector.

The budget for this service has been reduced following the reduction in the ring fenced public health grant distributed by the Department of Health. The Council is trying to maintain a good level of service within the financial resource available.

Following a full procurement and evaluation process, this Cabinet report seeks approval to award a contract to Central and North West London NHS Trust for the provision of an Integrated Sexual Health Service to commence on 1 April 2017. The recommended contract delivers best value for money and meets the needs of service users in Surrey. In awarding this contract the Council will secure a cashable saving of £2m per year.

Due to the commercial sensitivity involved in the contract award process, the scoring summary and value for money details have been circulated as a Part 2 report.

The Council has collaborated with NHS England (South East) Area Team (NHSE) to lead a joint procurement which incorporates HIV Treatment and Care and Sexual Health services in prisons for which NHSE are the responsible commissioner. The Council and NHSE will each award a separate contract for their own elements of service and following their own governance processes. This report relates solely to the Council's contract.

RECOMMENDATIONS:

It is recommended that a contract is awarded to Central and North West London NHS Trust at a maximum value of £4,333,383.00 per year.

The contract will be for three years from 1 April 2017 with an option to extend for a further two years, in any event the contract shall be for no more than five years in total.

REASON FOR RECOMMENDATIONS:

The recommended contract award will deliver an evidence based Integrated Sexual Health Service (as described in paragraph 5 of this report) that meets national guidance and fulfils the Council's duties. The service will be open access to all (universal) in line with statutory requirements and the national specification issued by the Department of Health, however there is a clear expectation that the service will be responsive to the needs of key priority groups as defined in the Surrey Sexual Health Needs Assessment. Priority groups in Surrey include sex workers, men who have sex with men (MSM), Black Africans and young people.

The three existing contracts for sexual health services are expiring at the end of March 2017 and cannot be further extended.

A full tender process, in compliance with the requirements of EU procurement Legislation and the Council's Procurement Standing Orders has been completed, and the recommendation provides best value for money for the Council following a thorough evaluation process.

The service will be delivered in Surrey from local bases and will provide apprenticeship opportunities to Surrey Young People whilst delivering efficiencies for Public Health Services.

DETAILS:

Business Case

1. The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013 require Local Authorities to arrange for the provision of certain services including:
 - open access sexual health services available to everyone covering Sexually Transmitted Infections (STI) testing and treatment, notification of sexual partner of infected persons and:
 - free contraception and reasonable access to all methods of contraception.
2. It is important that appropriate contractual arrangements are put in place locally to cover such services, to ensure compliance with national clinical guidance, to minimise risk and to ensure value for money. The nature of sexual health services is such that, should appropriate services not be available in Surrey, a larger number of residents will access services in neighbouring authority areas. The Council will still be required to pay for the provision of these services but will have limited influence on the quality or cost.

3. This procurement is underpinned by a detailed sexual health needs assessment. The Surrey sexual health needs assessment particularly identified that:
 - In 2014 the Office of National Statistics (ONS) reported that there were 287 under 18 conceptions (rate of 14.2 per 1,000) with around a third of those resulting in a live birth. Outcomes, in terms of health and wellbeing are reduced for young mothers and their children.
 - This equates to 64.8% of under 18 conceptions in Surrey resulting in termination which indicates that these conceptions were unplanned and unwanted.
 - Runnymede and Spelthorne boroughs have historically shown higher than the national average rates of teenage conceptions (19.7 per 1,000 and 20.3 per 1,000 respectively in 2014). Preston ward within Reigate and Banstead has the highest rate in Surrey.
 - Woking has a higher than national rate of HIV. This has financial implications for both health and social care.
 - Chlamydia detection rates in 15-24 year olds are low (1296 per 100,000 in 2014) which increases the risk of onward transmission, untreated disease and the associated health issues.
4. In addition to offering the universal service, a key ambition is to address some of the inequalities and issues identified in paragraph 3. For example, targeted outreach that focuses on young people to reduce the countywide variation in unplanned conceptions that impact not only on health outcomes but also social care and education. A focus on HIV prevention to reduce late diagnosis of HIV will also result in reductions in costs to the NHS and the need for social care, and a focus on cross partnership working with substance misuse providers to reduce risk taking behaviours.

Background

5. The Council has chosen to procure an integrated sexual health service with a lead provider using a 'hub and spoke' model, as evidence shows us that this is the most effective model. This model will combine the services currently provided under three separate contracts into one countywide service. The hubs will be centrally located and offer a full range of services whilst the spokes would offer generic services such as basic STI testing and condom distribution. The 'hub and spoke' model is used and endorsed nationally and broadly the objectives of the model are to:
 - ensure a service user is able to access a range of services at one location, in one appointment and usually with one healthcare professional
 - offer extended opening hours at accessible locations
 - offer an effective outreach service to 'at risk' groups to ensure targeted and appropriate prevention strategies are in place
 - ensure equitable service delivery across the county

- ensure care pathways are clearly defined and that service users experience quality interventions and seamless care provision
6. The provider will be required to work in partnership with GPs and pharmacies who also provide sexual health services as part of the wider treatment pathway. The provider will be required to develop links with secondary schools, colleges and other health and social care services in order to reach priority groups. The service will target young people via schools and colleges working alongside the Healthy Schools programme. The service will be required to work proactively with other services who engage with people aged 13 to 15 and in particular will provide support to deliver sex education in collaboration with Public Health, school nursing services and the Council's services for young people. The provider will support best practice within the school nursing service to enable the delivery of sexual health services and good relationships and sex education (RSE) in line with government guidance.

Procurement Strategy and options considered

7. Several options were considered when completing the Strategic Procurement Plan prior to commencing the procurement activity. These were to procure the individual elements of service separately, to procure an integrated sexual health service on behalf of SCC with a lead provider and to procure an integrated sexual health service on behalf of both the Council and NHS England (South East) Area Team (NHSE) with a lead provider.
8. After a full and detailed options analysis it was decided that commissioning a specialist integrated sexual health service on behalf of the Council and NHSE was the preferred option as this demonstrated best value for money from the options appraisal completed. A small number of expert providers exist in the market who could be commissioned to deliver the desired outcomes in relation to quality and activity and tenders were invited.
9. A project team was set up which included representatives from Public Health, NHSE, Legal Services, Finance and Procurement.
10. A Concept Day was held in December 2015 for interested stakeholders and attendees included representatives from provider organisations, Clinical Commissioning Groups (CCGs) and Public Health England. Views were sought on the potential commissioning models and specification and these were incorporated as appropriate into the options analysis and decision making process.
11. A full tender process, compliant with EU Public Contract Regulations and the Council's Procurement Standing Orders, has been carried out and this included advertising the contract opportunity in the Official Journal of the European Union.

Key Implications

12. By awarding a contract to Central and North West London NHS Trust for the provision of the Integrated Sexual Health Service, the Council will be meeting one of its duties in improving and maintaining the health and wellbeing of people in Surrey whilst ensuring that it secures best value for money for the service.

13. The staff employed by the current service providers will be offered the opportunity to transfer to the new provider under TUPE regulations. This will help to retain local knowledge and the local skill base whilst the service is redesigned to improve outcomes and deliver value for money.
14. The majority of service will be commissioned using the Integrated Sexual Health Tariff. The tariff enables services to be commissioned using a menu of agreed prices ensuring that the unit price paid reflects the complexity of the intervention. The tariff prices include all costs (clinical staff costs, on costs, cost of significant equipment and overheads). Adopting tariff based pricing enables the commissioner to pay for service actually delivered rather than the traditional block contract method with its associated void cost.
15. In addition the contract will include a small block contracted element of service for targeted outreach.
16. The contract will have a greater focus on prevention and innovation which will mean a shift from the traditional model of face-to-face consultations to a model where online booking, online triage and self sampling (where service users are sent testing kits in the post and return a sample to the provider for testing) become more prominent. This will allow consultant time to be carefully managed and targeted to focus more on acute care with dual trained nurses (trained to deliver both contraception services and genito-urinary medicine) providing a significant element of the general care. This move to a more modern and efficient model of service delivery is in line with changes being made nationally by other local authorities and will enable the Council to continue to deliver services within a reduced budget envelope.
17. The three main national Public Health Outcomes Framework (PHOF) outcomes associated with sexual health are:
 - Under 18 conceptions – the measure is the rate of conceptions per 1000 of the under 18 population
 - Chlamydia diagnoses – this is measured by the amount of Chlamydia infections detected in the 15-24 year old population. The rate should be 2300 per 100,000
 - People presenting with HIV at a late stage of infection
18. Performance will be monitored through a series of Key Performance Indicators (KPIs) as detailed in the specification and reviewed at quarterly meetings. A number of KPIs are set nationally by the Department of Health (DoH) and these are in line with the PHOF, others are set locally to reflect local priorities as determined by the needs assessment.

Three of the KPIs are illustrated in the table below out of a total of 46.

| KPI | Target | Notes |
|--|---------------|--|
| Percentage of individuals accessing services who have sexual history and STI/HIV risk assessment | 100% | British Association for Sexual Health and HIV (BASHH Standard 1) |

| | | |
|--|--|--|
| undertaken. | | |
| The ratio of all contacts of Chlamydia index case whose attendance at a Level 1, 2, or 3 sexual health service was documented as verified by a Health Care Worker, within four weeks of first Partner Notification discussion | At least 0.4 contacts per index case for all clinics (in and outside London) and documented within four weeks of date of first PN discussion | BASHH Statement on Partner Notification for Sexually Transmissible Infections National Chlamydia Screening Programme Standard 4 |
| Documented evidence within clinical records that Partner Notification has been discussed with people living with HIV within 4 weeks of receiving a positive HIV diagnosis and within 1 week of identifying subsequent partners at risk | 90% | British HIV Association (BHIVA) Standard 7 ¹ |

The management responsibility for the contract lies with Public Health and the contract will be managed in line with the contract management plan as laid out in the contract documentation and the Council's Supplier Relationship Management principles. Performance will also be robustly monitored locally at quarterly contract meetings. In addition, sexual health services are monitored by two national datasets. GUMCAD (Genitourinary medicine activity dataset) is the dataset for STI testing and treatment and SHRAD (Sexual health and reproductive activity dataset) is the dataset for contraception. All services are required to report into these systems.

Competitive Tendering Process

19. The contract has been let as a competitive tendering exercise. It was decided that the open procedure was appropriate and bidders were given 45 days to complete and submit their tender. One tender was received from a large, established provider of healthcare services (including sexual health) and they were evaluated against both cost and quality criteria and weightings, the results being that Central and North West London NHS Trust achieved a total score of 61.33%. A full score summary is provided in the Part 2 report.
20. This is the first time that a clinical service, which is commissioned to NHS guidelines has been procured by the Council. The tender evaluation panel included representatives from Public Health, NHSE, Children Schools and Families, a consultant representative and a GP and pharmacy representative. In addition a panel of two young people took part in the evaluation process.

¹ British HIV Association (2013). *Standards of Care for People Living with HIV*
<http://www.bhiva.org/documents/Standards-of-care/BHIVAStandardsA4.pdf>

| |
|----------------------|
| CONSULTATION: |
|----------------------|

21. Commissioners from Public Health, Children, Schools and Families, colleagues from Finance, Legal Services and Procurement have been involved and consulted throughout the process.
22. Relevant external stakeholders were consulted at various stages in the process at both the Concept Day (see paragraph 10 above) and at the market engagement event for providers held on 27 April 2016 prior to the issue of the tender.
23. The Local Pharmaceutical Committee and the Local Medical Committee have been informed and have had the opportunity to comment. Representatives from each committee attended the Concept day, Market Engagement Event and/or received all relevant documentation.

| |
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| RISK MANAGEMENT AND IMPLICATIONS: |
|--|

24. The contract includes relevant termination clauses including a termination for convenience clause which will allow the Council to terminate the contract with 6 months notice should priorities change. In addition, immediate termination is possible if the service provider commits a breach of the terms of contract or the provider at the time of the contract award, has committed an offence under the Public Contract Regulations 2015.
25. The short listed bidder successfully completed the standard financial checks.
26. The following key risks associated with the contract and contract award have been identified, along with mitigating activities:

| Category | Risk Description | Mitigation Activity |
|-----------|--|---|
| Financial | The budget allocated may be insufficient should volumes of activity increase significantly or should the service redesign take longer than envisaged | The Council and the provider will work in partnership to manage demand and any seasonal variation. The provider will be flexible and have the ability to alter clinic times to ensure any 'dead' time is removed from the system. The provider will ensure staff time is used appropriately e.g. consultant time is used only where necessary. The provider and Council will work closely with GPs and Pharmacies and will cross refer service users as appropriate to primary care provision to ensure efficiency across the whole system. |
| | Further cuts to the Public Health budget | The Council and the provider will work together to manage any future cuts and minimise the impact on both volumes and the quality of service delivery. |

| | | |
|------------------|--|---|
| Reputational | The move to a fully integrated service requires significant service redesign which will impact staff and service users | The Council and provider will work together throughout the mobilisation period and into the life of the contract to ensure such changes are managed sensitively and effectively. Appropriate consultations will take place and a communication plan (both internal and external) will be set out. |
| Service Delivery | Quality of service delivered does not meet objectives and needs. | Strong contract management and quarterly contract review meetings. Detailed mobilisation period with sufficient time (6 months allocated). |

Financial and Value for Money Implications

27. Further details of the value for money and financial implications are set out in the Part 2 report.
28. The procurement activity will deliver a service within budget and will generate a saving of £2m per year which will contribute to savings required within the Medium Term Financial Plan (MTFP) for Public Health.
29. In addition the following Value for Money implications should be noted:
 - The outreach element of service will focus on prevention work and behaviour change to increase healthy sexual behaviour and reduce the need for clinical services. The ambition is to reduce the countywide variation in unplanned conceptions for young parents that can impact not only health outcomes but also social care. Within the Family Nurse Partnership trial it was identified that almost 60% of children involved in serious case reviews were born to mothers under 21.
 - The contract will include HIV prevention and aim to reduce late diagnosis of HIV which will reduce costs to the NHS as well as reduce the need for social care and the associated costs for the Local Authority.
30. It is recognised nationally that spending money on sexual health services can save significant amounts of money further down the line to both health and non health (including local authority) services. The report 'Unprotected Nation 2015' commissioned by the Family Planning Association shows the potential impacts of a reduction in access to services. It illustrates that:
 - nationally a 10% reduction in access could result in the total cost of unintended pregnancies and STIs increasing from £69.092 billion to as much as £77.750 billion over the period 2015 – 2020. A significant portion of this increase (circa £7.2 billion) would relate to non health costs such as social welfare, housing and education.
 - nationally reductions to the public health ring fenced grant already announced become the norm over the next five years, nationally every £1 of expenditure cut could cost as much as £86 further down the line.

- nationally a 10% reduction scenario could cause an extra 72,299 STIs by 2020, this equates to a cost of £363 million and includes 20,000 additional gonorrhoea cases, at a time when we are seeing the emergence of antibiotic-resistant strains of the infection
31. The model selected for this procurement aims to minimise these impacts through the move to more innovative service delivery. Indeed, the bidder has confirmed within their tender submission that they would be able to service the current volumes albeit through the greater use of self sampling, more targeted appointments and clinic times and appropriate use of staff skill mix.

Section 151 Officer Commentary

32. The S151 Officer is supportive of the bid as it moves the service financially into a more cost efficient position, which is a priority to meet cost savings within this budget area. This integrated service uses some new ways of working to achieve a more efficient model of delivery and achieve savings, whilst delivering all the services required. This work will be monitored to ensure delivery continues successfully.

Legal Implications – Monitoring Officer

33. The Local Authorities (Public Health Functions and Entry to Premises by Local Healthwatch Representatives) Regulations 2013, National Health Service Act 2006, and Local Government and Public Involvement in Health Act 2007 require local authorities to arrange for the provision of sexual health services.
34. The procurement process was undertaken in accordance with procurement legislation and the Council's own internal procedures as outlined in the constitution.

Equalities and Diversity

35. Under section 149 of the Equality Act 2010, Cabinet must comply with the public sector equality duty, which requires it to have due regard to:
- a. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act,
 - b. advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it,
 - c. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
36. An Equalities Impact Assessment has been written and is attached as Annex 1. It sets out the impacts of the recommendation on each of the protected group for each service. A range of positive impacts have been identified for some groups.

Safeguarding responsibilities for vulnerable children and adults implications

37. The terms and conditions of contract stipulate that the provider will comply with the Council's Safeguarding Adults and Children's Multi-Agency procedures, any legislative requirements, guidelines and good practice as recommended by the

Council. This will be monitored and measured through the contractual arrangements.

38. The service will operate a client centred approach, working collaboratively with other Health and Social Care Services.

Public Health implications

39. The specification stipulates that the provider will develop links and referral mechanisms into other health improvement programmes such as services for young people – particularly Youth Support Service, early help, substance misuse services (including alcohol) and smoking cessation.

WHAT HAPPENS NEXT:

40. The timetable for implementation is as follows:

| Action | Date |
|--|----------------------------------|
| Cabinet decision to award (including 'call in' period) | 27 September 2016 |
| Contract Signature | 28 September 2016 – 1 March 2017 |
| Contract Commencement Date | 1 April 2017 |

41. Ordinarily the Council has an obligation to allow unsuccessful bidders the opportunity to challenge the proposed contract award by observing an 'Alcatel' standstill period. Legal advice in this case is that the Alcatel period does not need to be observed as only one bid was received.
42. The Council will work closely with the new provider and the current providers to ensure a smooth transfer of services. The new provider will be required to put in place a full mobilisation plan and co-ordinate the process.

Contact Officer:

Helen Hunt, Senior Category Specialist (Procurement) Tel:020 8541 8676
Lisa Andrews, Senior Public Health Lead Tel: 01483 519634

Consulted:

Anna Tobiasz, Category Manager (Procurement)
Laura Langstaff, Head of Procurement
Christine Danquah, Paralegal
Carmel McLoughlin, Principal Solicitor
Ruth Hutchinson, Deputy Director of Public Health
Lucinda Derry, Principal Accountant
Sian Ferrison, Transformation and Development Manager (Finance)
Cllr Peter Martin, Deputy Leader of the Council

Annexes:

Equality Impact Assessment

Sources/background papers: None

Equality Impact Assessment Template

1. Topic of assessment

| | |
|-------------------|--|
| EIA title: | Re-commissioning of sexual health services |
|-------------------|--|

| | |
|--------------------|--------------|
| EIA author: | Lisa Andrews |
|--------------------|--------------|

2. Approval

| | Name | Date approved |
|--------------------------------|----------------|----------------------|
| Approved by¹ | Helen Atkinson | 26/08/2016 |

3. Quality control

| | | | |
|-----------------------|------------|----------------------|------------|
| Version number | 3 | EIA completed | 30/08/2016 |
| Date saved | 25/08/2016 | EIA published | |

4. EIA team

| Name | Job title (if applicable) | Organisation | Role |
|---------------|---|---------------------|-------------|
| Lisa Andrews | Senior Public Health Lead | SCC | |
| Hannah Bishop | Public Health Lead | SCC | |
| Luke Burton | Policy & Strategic Partnerships Manager | SCC | |

5. Explaining the matter being assessed

| | |
|--|---|
| What policy, function or service is being introduced or reviewed? | <p>This Equality Impact Assessment relates to the provision of sexual health services in Surrey.</p> <p>Sexual health prevention services are funded wholly by the public health grant.</p> <p>Sexual health is an important and wide-ranging area of public health. Most of the adult population of England are sexually active, and having the correct sexual health interventions and services can have a positive effect on long-term health and wellbeing, as well as on individuals at risk. The provision of sexual health services is a statutory duty of Local Authorities.</p> <p>The provision of effective sexual health services has an active role in supporting the Council's Corporate Strategy and in particular the Strategic Goals of 'Wellbeing' and 'Resident's experience' as well as delivering against the council's nine priorities with a particular contribution being made to "keeping families healthy".</p> |
|--|---|

¹ Refer to earlier guidance for details on getting approval for your EIA.

Surrey's vision for sexual health services

- An integrated service aiming to offer a one-stop-shop for service users
- A service which has links with other services addressing risky behaviours, particularly in younger people examples include youth support service and Catch 22
- A service which is focussed on improving sexual health, reducing STIs and unintended conceptions; building self-reliance and resilience
- A cost effective and modern service meeting the needs and expectations of users, making full use of developing technologies
- Targeted universalism that will ensure services for all with additional support for those at risk of poorer sexual health

In 2015 public health completed a sexual health needs assessment for Surrey.

Key messages from Surrey's Sexual Health Needs Assessment:

- Runnymede and Spelthorne boroughs have historically shown higher than the national average rates of teenage conceptions. Preston ward within Reigate and Banstead has the highest rate in Surrey. Guildford borough has the highest number of young people
- Over 60% of teenage conceptions result in termination.
- Woking has a higher than the national rate of HIV
- Chlamydia detection rates in 15-24 year olds are low (1296/100,000 in 2014)
- Consideration needed for the geography of Surrey
- Through engagement work it was identified that both adults and young people wanted better access to services, this included more flexible opening times such as evenings and weekends
- Both adults and young people felt that sexual health services could be promoted more effectively
- Services could be better promoted online i.e. through the Healthy Surrey website
- Surrey County Council Public Health must look for opportunities and work with our commissioning colleagues in CCGs and NHS England to ensure pathways are joined up in order to improve patient experience and health outcomes
- Variations in service provision across the county needs to be addressed during the re-commissioning of services. This will ensure resources are more effectively targeted to meet needs
- Integration of services would allow needs to be met

Equality Impact Assessment Template

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| | <p>holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience</p> <p>As sexual health services are open access there are around 15,000 attendances by Surrey residents to out of area (OOA) services. Around 50% of out of area attendances are made to bordering counties or London Boroughs. Lack of appropriate provision within Surrey could see a rise in out of area attendances .</p> <p>The full Sexual Health Needs Assessment is available here: https://www.surreyi.gov.uk/Resource.aspx?ResourceID=1678&cookieCheck=true.</p> |
| <p>What proposals are you assessing?</p> | <p>This EIA is assessing the introduction of a new provider of sexual health services in Surrey from April 2017. Current service contracts end on 31 March 2017.</p> <p>Following engagement with current and potential service providers and staff at a Concept Day in December 2015 and Market Engagement Event in April 2016, in May we went out to tender for an integrated sexual health service using a lead provider model. This service includes Contraception and Sexual Health (CASH) and Genito-urinary Medicine (GUM) clinical services as well as an outreach offer for those groups identified as most at risk in the sexual health needs assessment, young people, men who have sex with men (MSM), black Africans and sex workers.</p> <p>This re-procurement consolidates the three main existing providers of sexual health services in Surrey;</p> <ul style="list-style-type: none"> • Virgin Care, • Ashford and St Peter’s Hospital (ASPH) and • Frimley Park Hospital (FPH). <p>After the restricted tender process we received one bid from Central and North West London.</p> <p>This integrated service will use some new ways of working to achieve a more efficient mode of delivery and achieve savings, whilst delivering all services required.</p> <p>We will work with the provider to ensure that staff have had the necessary training in order to support service users with protected characteristics, such as Trans Awareness and cultural sensitivity training.</p> |
| <p>Who is affected by the proposals outlined above?</p> | <p>Sexual health services are open access for the whole population. The new service will be a universal service with targeted activity to increase access for at risk groups such as Men who have sex with Men, young people, Sex Workers and Black Africans.</p> |

Equality Impact Assessment Template

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6. Sources of information

| Engagement carried out |
|---|
| <ul style="list-style-type: none">• Discussion around contract negotiations with Virgin, ASPH and FPH• Engagement activities carried out as part of the re-procurement process for the Integrated Sexual Health Service• Sexual Health Needs assessment included focus groups with young people and surveys with health professionals and service users |
| Data used |
| <ul style="list-style-type: none">• Sexual Health Services Concept Day• Sexual Health Services Market Engagement Event• User feedback through contract monitoring• Sexual health needs assessment |

Equality Impact Assessment Template

7. Impact of the new/amended policy, service or function

7a. Impact of the proposals on residents and service users with protected characteristics

| Protected characteristic ² | Potential positive impacts | Potential negative impacts | Evidence |
|--|--|----------------------------|---|
| <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 15</p> <p>Age</p> | <p>All age groups are welcome to access the service should they need it for their contraception or STI screening needs.</p> <p>Under 25s typically don't access clinical services compared with those aged over 25, as such they will be targeted by the outreach service. The outreach element of the service will ensure that safer sex messages are being communicated to younger age groups (16 – 24 year olds) particularly those who engage in risky sexual behaviour.</p> <p>The service specification details that this service must work with and align to services for young people to minimise harm and increase access. Integration of services allows needs to be met holistically.</p> | | <p>The most at risk and vulnerable young people in Surrey do not engage well with existing services</p> |

² More information on the definitions of these groups can be found [here](#).

Equality Impact Assessment Template

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| | <p>Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience.</p> <p>There will be increased access to online testing.</p> | | |
| <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 16</p> <p style="text-align: center;">Disability</p> | <p>This information is currently not being collected. The tender specifications includes a requirement that this information is captured and reported. This will help the commissioners to monitor use of the service by disabled people.</p> <p>Accessible Information Standard: By 1 April 2016 all organisations that provide NHS or publicly funded adult social care must identify and record information and communication needs with service users:</p> <ul style="list-style-type: none"> • At the first interaction or registration with their service • As part of on-going routine interaction with the service by existing | <p>Potential barriers to access are physical accessibility and communication with people with sensory impairments and learning disabilities. The tender will require all potential providers to provide evidence that they can address accessibility issues.</p> | |

Equality Impact Assessment Template

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| | <p>service users.</p> <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience.</p> <p>There will be increased access to online testing.</p> | | |
| <p>Page 17</p> <p>Gender reassignment</p> | <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience.</p> <p>There will be increased access to online testing.</p> | | |
| <p>Pregnancy and maternity</p> | <p>Public Health commissioned sexual health services are key providers of contraception to girls and women in Surrey.</p> <p>Integration of services allows needs to be met holistically. Dual trained clinicians would</p> | | <p>It is widely understood that teenage pregnancy and early motherhood can be associated with poor educational achievement, poor physical and mental health, social isolation, poverty and related factors. There is also a growing recognition that socio-economic disadvantage can be both a cause and a consequence of teenage motherhood. Teenage pregnancy rates are a well established and evidence based indicator of deprivation and inequality with 50% of all teenage conceptions occurring in the top 20%</p> |

Equality Impact Assessment Template

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| | <p>mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience.</p> <p>There will be increased access to online testing.</p> <p>Sexual health services provided during pregnancy such as Chlamydia screening will continue to be provided by maternity. Existing links to maternity and GPs will be maintained</p> | | <p>most deprived wards in England. Poor self-esteem, lack of aspiration and alcohol misuse increase the likelihood of a teenage girl falling pregnant.</p> <p>The babies of teenage mothers can face more health problems such as premature birth or low birth weight and higher rates of infant mortality; than those of older mothers. Teenage mothers themselves may also have experience health problems. For example, post natal depression is three times more common in teenage mothers; smoking in pregnancy is also three times more common in teenage mothers than older mothers and teenage mothers are one third less likely to breast feed.</p> |
| <p>Race</p> | <p>The service specification requires the provider to work with groups most at risk of sexual ill health.</p> <p>In Surrey the Black African population at risk of HIV will be targeted by the service. The service specification includes outcome measures for at-risk groups.</p> <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians,</p> | | <p>Based on data from England and Wales, HIV prevalence in the UK was 26 per 1,000 among black African men and 51 per 1,000 among black-African women. Over the past five years, an estimated 1,000 black-African men and women probably acquired HIV in the UK annually. Approximately half (52%, 1,560/2,990 in 2011) of all infections among heterosexuals were probably acquired in the UK. This proportion has increased over recent years, up from 27%.</p> |

Equality Impact Assessment Template

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| | <p>improving patient access and experience. There will be increased access to online testing.</p> | | |
| <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 19</p> <p>Religion and belief</p> | <p>The outreach service will ensure that communities at risk who are part of faith groups are engaged. Links with HIV providers and developing relationships will allow fact based inclusive information to be delivered in a sensitive way to encourage community figures to deliver safer sex messages.</p> <p>Services are open access and will be offered on days and times to suit service users)</p> <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience. There will be increased access to online testing.</p> | <p>Targeting of faith groups in relation to sexual health may not be well received by some communities.</p> | |

Equality Impact Assessment Template

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|---|--|--|---|
| <p>Sex</p> | <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience. There will be increased access to online testing.</p> | <p>Young men are less likely to access contraception services in the community or GPs</p> | <p>http://www.sexeducationforum.org.uk/evidence/data-statistics.aspx#Use of sexual health services</p> |
| <p>Page 20</p> <p>Sexual orientation</p> | <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience. There will be increased access to online testing.</p> <p>MSM will be targeted by the service as an at-risk group.</p> | <p>Lesbian, Gay and Bisexual people may experience Sexual health fatigue as they are a group heavily targeted.</p> | <p>MSM (men who have sex with men) remain the group most affected by HIV with 47 per 1,000 living with the infection. This is equivalent to an estimated 41,000 (37,300-46,000) MSM living with HIV in 2012, of whom 7,300 (18%; 3,700-12,300) were unaware of their infection (18%).</p> |
| <p>Marriage and civil partnerships</p> | <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience.</p> | | |

Equality Impact Assessment Template

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| | <p>Partner notification of positive STI test results will continue to be offered by the service allowing service users to remain anonymous if they choose to.</p> <p>There will be increased access to online testing.</p> | | |
| <p>Page 21</p> <p>Carers³</p> | <p>Integration of services allows needs to be met holistically. Dual trained clinicians would mean GUM and CASH services could be delivered by the same clinicians, improving patient access and experience.</p> <p>There will be increased access to online testing.</p> | | |

³ Carers are not a protected characteristic under the Public Sector Equality Duty, however we need to consider the potential impact on this group to ensure that there is no associative discrimination (i.e. discrimination against them because they are associated with people with protected characteristics). The definition of carers developed by Carers UK is that 'carers look after family; partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid. This includes adults looking after other adults, parent carers looking after disabled children and young carers under 18 years of age.'

Equality Impact Assessment Template

6

8. Amendments to the proposals

| Change | Reason for change |
|--------|-------------------|
| | |
| | |
| | |

9. Action plan

| Potential impact (positive or negative) | Action needed to maximise positive impact or mitigate negative impact | By when | Owner |
|---|---|--|------------------------------|
| <p>All age groups are welcome to access the service should they need it for their contraception or STI screening needs. The outreach element of the service will ensure that safer sex messages are being communicated to younger age groups (16 – 24 year olds) particularly those who engage in risky sexual behaviour.</p> | <p>The service specification details that this service must work with and align to services for young people to minimise harm and increase access</p> | <p>Through mobilisation and by Q3 of new service</p> | <p>Lisa Andrews and CNWL</p> |
| <p>Data on disability is not currently being collected. The tender specifications will include a requirement that this information is captured and reported. This will help the commissioners to monitor use of the service by disabled people.</p> | <p>Implementation of AIS</p> <p>Accessible Information Standard: By 1 April 2016 all organisations that provide NHS or publicly funded adult social care must identify and record information and communication needs with service users:</p> <ul style="list-style-type: none"> • At the first interaction or registration with their service • As part of on-going routine interaction with the service by existing service users. | <p>Through mobilisation and by Q3 of new service</p> | <p>Lisa Andrews and CNWL</p> |

Equality Impact Assessment Template

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| Potential barriers to access are physical accessibility and communication with people with sensory impairments and learning disabilities. | The tender will require all potential providers to provide evidence that they can address accessibility issues and provide accessible communications The contract stipulates that services must be compliant with the Equality Act 2010. | Through mobilisation and by Q3 of new service | Lisa Andrews and CNWL |
| Targeting of faith groups in relation to sexual health may not be well received by some communities. | Develop a fully inclusive engagement plan to get sexual health messages to different population groups taking into consideration different faiths and cultures. | Through mobilisation and by Q3 of new service | Lisa Andrews and CNWL |
| Young men are less likely to access contraception services in the community or GPs | Engagement with young men through services for young people and outreach arm of service | Through mobilisation and by Q3 of new service | Lisa Andrews and CNWL |
| MSM may experience Sexual health fatigue as they are a group heavily targeted. | Engagement with MSM through service mobilisation and outreach arm of service | Through mobilisation and by Q3 of new service | Lisa Andrews and CNWL |

10. Potential negative impacts that cannot be mitigated

| Potential negative impact | Protected characteristic(s) that could be affected |
|---------------------------|--|
| | |
| | |

11. Summary of key impacts and actions

| | |
|--|--|
| Information and engagement underpinning equalities analysis | <ul style="list-style-type: none"> • Focus groups and surveys with service users and health professionals • Stakeholder engagement events prior to going out to tender (Concept day and Market Engagement Event) • Sexual Health Needs Assessment for Survey (published February 2016) • Discussions with current contract holders • Multi-agency project group leading on recommissioning process within Surrey County Council |
|--|--|

Equality Impact Assessment Template

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| <p>Key impacts (positive and/or negative) on people with protected characteristics</p> | <ul style="list-style-type: none"> • Services are universal access i.e. for all ages; • Improving data collection on disability • DDA Compliance and accessibility of new service; • Young men less likely to access contraception services in the community and GPs; • Fatigue of groups regularly targeted with sexual health messages i.e. MSM. |
| <p>Changes you have made to the proposal as a result of the EIA</p> | <p>Identified key actions to take place during the mobilisation period</p> |
| <p>Key mitigating actions planned to address any outstanding negative impacts</p> | <p>Maintain oversight of the implementation of the service specification and of service development to ensure identified actions are carried out including;</p> <ul style="list-style-type: none"> • Align to and engage with services for young people; • Reviewing DDA compliance; • Approach of outreach service targeting at-risk groups including young people, young men and MSM. |
| <p>Potential negative impacts that cannot be mitigated</p> | <p>None</p> |

SURREY COUNTY COUNCIL**CABINET****DATE: 20 SEPTEMBER 2016****REPORT OF: MRS LINDA KEMENY, CABINET MEMBER FOR SCHOOLS,
SKILLS AND EDUCATIONAL ACHIEVEMENT****MS DENISE LE GAL, CABINET MEMBER FOR BUSINESS
SERVICES AND RESIDENT EXPERIENCE****LEAD OFFICERS: JOHN STEBBINGS, CHIEF PROPERTY OFFICER
LIZ MILLS, ASSISTANT DIRECTOR, SCHOOLS AND LEARNING****SUBJECT: ST PETER'S CATHOLIC SCHOOL, GUILDFORD****SUMMARY OF ISSUE:**

To approve the business case for the expansion of St Peter's Catholic School. The school will expand from 180 Published Admission Number per year, 6 forms of entry (900 places) to 210 Published Admission Number per year, 7 forms of entry (1,050 places) to help meet the demand for 150 additional secondary places in Guildford from September 2017.

RECOMMENDATIONS:

It is recommended that, subject to the agreement of the detailed financial information for the expansion set out in Part 2 of this agenda, the business case is approved for the expansion of St Peter's Catholic School, providing an additional 150 places.

REASON FOR RECOMMENDATIONS:

The proposal supports the Authority's statutory obligation to provide sufficient school places relative to demand.

DETAILS:**Background**

1. There is significant demand for new school places within Surrey resulting from increases in the birth rate and inward migration into the County. Demand for secondary places has increased in Guildford Town, with additional school places required from 2017. A number of primary expansions in Guildford Town have taken place in recent years. Plans now need to be put in place to ensure secondary places are provided for the increased pupil cohorts transitioning into the secondary phase.
2. Recent primary expansions in Guildford include St Joseph's Catholic Primary School, which expanded by one form of entry in 2010. This provided 210 additional places, 30 places per year over 7 years. St Joseph's is a direct feeder school to St Peter's Catholic School. This extra form of entry per year will feed into St Peter's from 2017 onwards. Without expansion, St Peter's would be unable to meet future demand for catholic secondary places in the

area. The table below shows the number of places in feeder schools and how the expansion at St Joseph's directly increases the demand for places at St Peter's:

| Feeder School | Previous PAN | Current PAN |
|---|---------------------|--------------------|
| St Cuthbert Mayne Catholic Primary, Cranleigh | 30 | 30 |
| St Edmund's Catholic Primary, Godalming | 30 | 30 |
| St Joseph's Catholic Primary, Guildford | 60 | 90 |
| St Thomas of Canterbury Catholic Primary, Guildford | 60 | 60 |
| Total | 180 | 210 |

3. St Peter's Catholic School is a Voluntary Aided Catholic secondary school, established by the Roman Catholic Diocese of Arundel and Brighton. The school currently provides 180 places per year from year 7, through to Year 11, aged 11 to 16. In addition, up to 175 places are available for each year in the sixth form (years 12 and 13).
4. The Local Authority has a duty to respond to parental preferences and where possible, the County Council seeks to expand popular and successful schools to meet additional demand, as well as provide sufficient school places for families that would choose particular faith provision. St Peter's is consistently oversubscribed on first preferences and with the recent expansion at St Joseph's pressure for places at the school will be increased further in the future.
5. At the school's last Ofsted inspection in 2013, St Peter's Catholic School received an Outstanding (Grade 1) judgement. Officers are confident in the school's ability to manage the increase in pupil numbers.
6. This proposal would provide an additional 30 secondary places per year, a total of 150 additional places within Guildford that will help to meet the increasing need for school places.
7. The project will create a new two storey block providing eight general teaching rooms and a new art room, with associated spaces, storage and toilets. Some refurbishment of existing teaching spaces will take place to reconfigure subject areas including two existing art rooms and maximise use of space. Some additional onsite parking spaces are proposed to mitigate the impact of additional vehicles on local roads. A new hard surface play area will be provided to replace the playground space lost from the new build. This area will also be used by school buses to drop off and collect pupils, which will provide a safer route for the buses that currently come into the middle of the school grounds.
8. It is anticipated that a planning application will be submitted in August 2016, with a planning decision expected by November 2016 to enable commencement of building works on site in January 2017.

CONSULTATION:

9. The Headteacher and Governing Body of the school have worked closely with officers to undertake consultation on the expansion proposals.
10. A public consultation was run over a five-week period from 12 October to 13 November 2015. The consultation document was circulated to parents, carers, local residents, local borough and county councillors, other stakeholders and interested parties, who were invited to respond in writing, by email and through the Surrey Says website. A public meeting was held at the school on 2 November 2015. Statutory Notices were issued in line with the consultation.
11. There were 69 responses to the consultation. 45 agreed with the proposal to expand the school, 21 disagreed and 3 neither agreed nor disagreed.
12. Of the 21 negative responses, comments given included the school becoming too large, loss of green space and playground, disruption during the building programme, additional traffic and parking problems and more pressure on facilities and staff. These concerns are being addressed through replacement hard play area and additional car parking spaces on the site.
13. Having reviewed the responses to the consultation, the Governing Body of St Peter's Catholic School voted on 2 December 2015 to proceed with the proposal. As the expansion is a prescribed alteration to the school, the final decision rested with the Local Authority. Therefore, the Cabinet Member considered the proposal on 14 December 2015 and determined to proceed with implementing the proposal.

RISK MANAGEMENT AND IMPLICATIONS:

14. There are risks associated with the project and a project risk register has been compiled and is regularly updated. A contingency allowance appropriate to the scheme has been included within the project budget to mitigate for potential identified risks.

Financial and Value for Money Implications

15. The project will be subject to robust cost challenge and scrutiny to drive optimum value as it progresses. Further financial details are set out in the report circulated in Part 2 of the agenda. These details have been circulated separately to ensure commercial sensitivity, in the interest of securing best value.

Section 151 Officer Commentary

16. This scheme at St Peter's Catholic School is included in the 2016-21 Medium Term Financial Plan.

Legal Implications – Monitoring Officer

17. Section 13 of the Education Act 1996 places a duty on a Local Authority (with responsibility for education) to ensure sufficient primary and secondary education provision is available to meet the needs of the population in its area.

Equalities and Diversity

18. The expansion of the school will not create any issues that would require the production of an Equality Impact Assessment (EIA), as no group with protected characteristics will be adversely affected as a consequence of its approval, or otherwise. Children of non-Catholic faith will not be adversely affected as a consequence of extra places being available as there is no reduction in school places.
19. The new school building will comply with Disability Discrimination Act (DDA) regulations.
20. There is no proposal to amend the admissions criteria, which are fully compliant with the School Admissions Code.

Corporate Parenting/Looked After Children implications

21. This proposal would provide increased provision for secondary places in the area, which would be of benefit to the community served by the school. This means it would therefore also be of benefit to any Looked After Children who have the opportunity of attending the school.

Climate change/carbon emissions implications

22. The design philosophy is to create buildings that will support low energy consumption, reduce solar gain and promote natural ventilation. The school will be built to the local planning authority's adopted core planning strategy.

WHAT HAPPENS NEXT:

If approved, to proceed to complete tenders and subsequent contract award through delegated decision.

Contact Officer:

Keith Brown, Schools and Capital Programmes Manager – tel: 020 8541 8651
Melanie Harding, School Commissioning Officer – tel: 020 8541 7376

Consulted:

Tony Samuels, Cabinet Associate for the Built Environment
Graham Ellwood, Local Member: Guildford East
Julie Fisher, Deputy Chief Executive and Strategic Director for Children, Schools and Families
Paula Chowdhury, Strategic Finance Manager – Business Services

Annexes:

None - Part 2 report with financial details

Sources/background papers:

- The Education Act 1996; the Education Act 2002; the Education Act 2005; the Education and Inspections Act 2006.
 - Consultation document regarding the proposal to expand St Peter's Catholic School by 30 places per year.
 - Report to Cabinet: Schools Capital Budget Allocations Service update based on latest or most appropriate report year and version
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SURREY COUNTY COUNCIL

CABINET

DATE: 20 SEPTEMBER 2016



**REPORT OF: MRS LINDA KEMENY, CABINET MEMBER FOR SCHOOLS,
SKILLS AND EDUCATIONAL ACHIEVEMENT**

**MS DENISE LE GAL, CABINET MEMBER FOR BUSINESS
SERVICES AND RESIDENT EXPERIENCE**

**LEAD OFFICERS: JOHN STEBBINGS, CHIEF PROPERTY OFFICER
LIZ MILLS, ASSISTANT DIRECTOR, SCHOOLS AND LEARNING**

SUBJECT: HAWKEDALE INFANT SCHOOL, SUNBURY ON THAMES

SUMMARY OF ISSUE:

To approve the business case for the expansion of Hawkedale Infant School from a 1 Form of Entry infant (90 places) to a 1 Form of Entry primary (210 places) to meet the demand for 120 junior places in the Sunbury on Thames area.

The proposal is part of the Sunbury on Thames primary school re-organisation that will create an additional 210 primary places between Hawkedale Infant and Springfield Primary Schools to help meet the basic need requirement in the Sunbury on Thames area for September 2017. A permanent expansion of Springfield Primary School is proposed and will be subject to a separate report to Cabinet.

RECOMMENDATIONS:

It is recommended that, subject to the agreement of the detailed financial information for the expansion set out in Part 2 of this agenda, the business case is approved for the expansion of Hawkedale Infant School, providing an additional 120 junior places.

REASON FOR RECOMMENDATIONS:

The proposal supports the Authority's statutory obligation to provide sufficient school places relative to demand.

DETAILS:

Background

1. Primary school rolls have risen gradually over the last decade across Spelthorne Borough as a result of higher birth rates and new housing. The highest number of births (1,327) was in 2013; between 2005 and 2013 births rose by 23%. Although the birth rate fell slightly in 2014 to 1,260, it would be premature to view these as a falling trend in the borough.
2. The increase in the Spelthorne housing trajectory includes several housing developments around Sunbury on Thames.

3. The Sunbury planning area is served by five schools which together provide 6.3 Forms of Entry. These schools have been frequently oversubscribed, and Springfield Primary School currently has two temporary bulge classes to meet local need. It is necessary to address the shortage of places on a permanent basis.
4. At the school's last Ofsted inspection in 2012, Hawkedale Infant School received a Good judgement with Outstanding features. Officers are confident in the school's ability to manage the increase in pupil numbers.
5. The project will create extensions to the existing building to provide four new classrooms and associated spaces together with a new main entrance and staff offices. Additional hard play area will be provided to meet the recommended space sizes for a primary school. The car park will also be reconfigured to provide four additional car parking spaces and accessible access to the new entrance. A new pedestrian access will be created across adjoining land.
6. A planning application was submitted in June 2016 with a planning decision expected by October 2016.

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|----------------------|
| CONSULTATION: |
|----------------------|

7. The education consultation period was from 1 June 2015 to 3 July 2015. A public meeting was held at the school on 17 June 2015.
8. A consultation document and survey were published on the Surrey County Council website Surrey Says from 1 June to 3 July 2015.
9. Consultation packs detailing the proposal were distributed to all staff and parents at Hawkedale Infant School and school staff explained the proposal to families needing additional support to help them understand the proposal.
10. Consultation packs were also emailed to local Members for both Spelthorne Borough Council and Surrey County Council, local head teachers and local early years settings.
11. The public meeting held on 17 June 2015 was attended by approximately 40 people, representing parents, resident, staff and governors from Hawkedale and Springfield schools. This was a high attendance given the small size of the school (86 pupils). 19 questions were raised and these and the responses were published on the website Surrey Says.
12. Questions were based on the following themes: how the first cohort of children moving into Key Stage 2 at Hawkedale would be supported; plans for school infrastructure (e.g. new build, what infrastructure would remain); facilities for sports and PE; flexibility for pupils to move schools if requested; whether quality of education would be sustained in Key Stage 2. Residents were concerned about traffic and parking.
13. A total of 55 formal written responses was received during the consultation period. The responses included 34 from local residents, five of which are also parents and 19 from other parents.

14. Of the 55 responses, 30 agreed with the proposal, 19 disagreed and 6 did not know or offer apposition. Therefore, over half of all responses (55%) agreed with the proposal.
15. Responses were also received from parents of children that may attend Hawkedale School in the future, parents of children attending other schools, school staff and governors, parents of former pupils and one former pupil. 17 parents of children currently attending the school agreed with the proposal; one disagreed (raising concern about the small size of the school site and sports facilities) and one did not know (based on increased traffic and road user safety).
16. Although 17 residents disagreed, 12 agreed with the proposal and 5 did not know. All governors and staff of the school agreed with the proposal (9 responses).
17. There was consensus through the consultation responses and the public meetings that additional school places are required within the local area, and that Hawkedale is a good school. Many families would benefit from it expanding to an all through primary school. However, concern was raised about the increase in traffic and parking.
18. In response to the issues raised in the consultation, additional car park spaces will be provided on site and a new pedestrian access is to be provided across adjacent land. It is anticipated that these measures will help to address the traffic and car parking issues. The school has the benefit of using an adjacent sports pitch as part of the playing field provision.

RISK MANAGEMENT AND IMPLICATIONS:

19. Hawkedale School is on a compact site on a busy residential road with difficult access on a narrow approach. However, an extensive consultation took place between the Design Team, the Transport Consultant and Highway officers to reach a better solution for both the temporary construction and permanent access arrangements. A temporary construction access together with a permanent pedestrian access gate has been agreed with the neighbouring landowner and a formal licence is being prepared. This approach will ensure full separation between the school in operation and the contractor access route and compound. The new school access is from a Public Right of Way that ensures an ongoing benefit to the school. The delivery team will work closely with the school and contractor teams to manage construction risks and ensure the site is safe for pupils, staff and visitors.
20. There are risks associated with the project and a project risk register has been compiled and is regularly updated. A contingency allowance appropriate to the scheme has been included within the project budget to mitigate for potential identified risks.

Financial and Value for Money Implications

21. The project will be subject to robust cost challenge and scrutiny to drive optimum value as it progresses. Further financial details are set out in the report circulated in Part 2 of the agenda. These details have been circulated separately to ensure commercial sensitivity, in the interest of securing best value.

Section 151 Officer Commentary

22. This scheme at Hawkedale Infant School is included in the 2016-21 Medium Term Financial Plan.

Legal Implications – Monitoring Officer

23. Section 13 of the Education Act 1996 places a duty on a Local Authority (with responsibility for education) to ensure sufficient primary and secondary education provision is available to meet the needs of the population in its area.

Equalities and Diversity

24. The expansion of the school will not create any issues that would require the production of an Equality Impact Assessment (EIA), as no group with protected characteristics will be adversely affected as a consequence of its approval, or otherwise. Children of non-Catholic faith will not be adversely affected as a consequence of extra places being available as there is no reduction in school places.
25. The new school building will comply with Disability Discrimination Act (DDA) regulations.
26. There is no proposal to amend the admissions criteria, which are fully compliant with the School Admissions Code.

Corporate Parenting/Looked After Children implications

27. This proposal would provide increased provision for primary places in the area, which would be of benefit to the community served by the school. This means it would therefore also be of benefit to any Looked After Children who have the opportunity of attending the school.

Climate change/carbon emissions implications

28. The design philosophy is to create buildings that will support low energy consumption, reduce solar gain and promote natural ventilation. The school will be built to the local planning authority's adopted core planning strategy.

WHAT HAPPENS NEXT:

If approved, to proceed to complete tenders and subsequent contract award through delegated decision.

Contact Officer:

Keith Brown, Schools and Capital Programmes Manager – tel: 020 8541 8651
Melanie Harris, School Commissioning Officer – tel: 020 8541 9556

Consulted:

Tony Samuels, Cabinet Associate for the Built Environment
Tim Evans, Local Member: Lower Sunbury and Halliford, Spelthorne

Julie Fisher, Deputy Chief Executive and Strategic Director for Children, Schools and Families
Paula Chowdhury, Strategic Finance Manager – Business Services

Annexes:

None - Part 2 report with financial details

Sources/background papers:

- The Education Act 1996; the Education Act 2002; the Education Act 2005; the Education and Inspections Act 2006.
 - Consultation document regarding the proposal to expand St Peter's Catholic School by 30 places per year.
 - Report to Cabinet: Schools Capital Budget Allocations Service update based on latest or most appropriate report year and version
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SURREY COUNTY COUNCIL**CABINET****DATE: 20 SEPTEMBER 2016****REPORT OF: MR DAVID HODGE, LEADER OF THE COUNCIL****LEAD OFFICER: SHEILA LITTLE, DIRECTOR OF FINANCE****SUBJECT: FINANCE AND BUDGET MONITORING REPORT TO
31 AUGUST 2016****SUMMARY OF ISSUE:**

The Council takes a multiyear approach to its budget planning and monitoring, recognising the two are inextricably linked. This report presents the Council's financial position as at 31 August 2016 (month five).

The Annex to this report (to follow) gives details of the Council's financial position.

RECOMMENDATIONS:

Recommendations to follow.

REASON FOR RECOMMENDATIONS:

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.

DETAILS:**Revenue budget overview**

1. Surrey County Council sets its gross expenditure budget for the 2016/17 financial year at £1,686m. A key objective of the Medium Term Financial Plan (MTFP) 2016-21 is to increase the Council's overall financial resilience. As part of this, the Council plans to make efficiencies totalling £83.5m.
2. The Council aims to smooth resource fluctuations over its five year medium term planning period. To support the 2016/17 budget, Cabinet approved use of £24.8m from the Budget Equalisation Reserve and carry forward of £3.8m to fund continuing planned service commitments. The Council currently has £21.3m in general balances.
3. In February 2016, Cabinet approved the Council's Financial Strategy 2016-21. The Financial Strategy aims to:
 - secure the stewardship of public money;
 - ensure financial sustainability; and
 - enable the transformation of the council's services.

Capital budget overview

4. Creating public value by improving outcomes for Surrey's residents is a key element of the Council's corporate vision and is at the heart of MTFP 2016-21's £651m capital programme, which includes £207m spending planned for 2016/17.

Budget monitoring overview

5. The Council's 2016/17 financial year began on 1 April 2016. This budget monitoring report covering the financial position at the end of the fifth month of 2016/17 (31 August 2016). The report focuses on material and significant issues, especially monitoring MTFP efficiencies. The report emphasises proposed actions to resolve any issues.
6. The Council has implemented a risk based approach to budget monitoring across all services. The approach ensures we focus effort on monitoring those higher risk budgets due to their value, volatility or reputational impact.
7. A set of criteria categorise all budgets into high, medium and low risk. The criteria cover:
 - the size of a particular budget within the overall Council's budget hierarchy (the range is under £2m to over £10m);
 - budget complexity, which relates to the type of activities and data monitored (this includes the proportion of the budget spent on staffing or fixed contracts - the greater the proportion, the lower the complexity);
 - volatility, which is the relative rate that either actual spend or projected spend moves up and down (volatility risk is considered high if either the current year's projected variance exceeds the previous year's outturn variance, or the projected variance has been greater than 10% on four or more occasions during the current year); and
 - political sensitivity, which is about understanding how politically important the budget is and whether it has an impact on the Council's reputation locally or nationally (the greater the sensitivity the higher the risk).
8. Managers with high risk budgets monitor their budgets monthly, whereas managers with low risk budgets monitor their budgets quarterly, or more frequently on an exception basis (if the year to date budget and actual spend vary by more than 10%, or £50,000, whichever is lower).
9. Annex 1 to this report sets out the Council's revenue budget forecast year end outturn as at 31 August 2016. The forecast is based upon current year to date income and expenditure as well as projections using information available to the end of the month.
10. The report provides explanations for significant variations from the revenue budget, with a focus on efficiency targets. As a guide, a forecast year end variance of greater than £1m is material and requires a commentary. For some services £1m may be too large or not reflect the service's political significance, so variances over 2.5% may also be material.
11. Annex 1 to this report also updates Cabinet on the Council's capital budget. Appendix 1 provides details of the MTFP efficiencies, revenue and capital budget movements.

CONSULTATION:

12. All Cabinet Members will have consulted their relevant Director or Head of Service on the financial positions of their portfolios.

RISK MANAGEMENT AND IMPLICATIONS:

13. Risk implications are stated throughout the report and each relevant Director or Head of Service has updated their strategic and or service risk registers accordingly. In addition, the Leadership Risk Register continues to reflect the increasing uncertainty of future funding likely to be allocated to the council.

Financial and Value for Money Implications

14. The report considers financial and value for money implications throughout and future budget monitoring reports will continue this focus. The Council continues to maintain a strong focus on its key objective of providing excellent value for money.

Section 151 Officer Commentary

15. The Section 151 officer confirms that the financial information presented in this report is consistent with the Council's general accounting ledger and that forecasts have been based on reasonable assumptions, taking into account all material, financial and business issues and risks.

Legal Implications – Monitoring Officer

16. There are no legal issues and risks.

Equalities and Diversity

17. Any impacts of the budget monitoring actions will be evaluated by the individual services as they implement the management actions necessary.

WHAT HAPPENS NEXT:

18. The relevant adjustments from the recommendations will be made to the Council's accounts.

Contact Officer:

Sheila Little, Director of Finance Tel: 020 8541 7012

Consulted:

Cabinet Team, Strategic Directors, Heads of Service.

Annexes:

- Annex 1 – Revenue budget, staffing costs, efficiencies, capital programme.
- Appendix 1 – Service financial information (revenue and efficiencies), revenue and capital budget movements.

Sources/background papers: None

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SURREY COUNTY COUNCIL**CABINET****DATE: 20 SEPTEMBER 2016****REPORT OF: MR DAVID HODGE, LEADER OF THE COUNCIL****LEAD OFFICER: SHEILA LITTLE, DIRECTOR OF FINANCE****SUBJECT: FINANCIAL SUSTAINABILITY AND BUDGET PLANNING
2017 TO 2022****SUMMARY OF ISSUE:**

Since 2010 local authorities in England have been faced with year on year reduction in funding from central government as a part of the deficit reduction policy. This reduction has included Surrey County Council, which has traditionally been one of the lowest funded local authorities from government grants. At the same time, the demand for Surrey County Council's services has been increasing, especially in looking after an increasingly aged population, a high level of people with learning disabilities and providing school places for a record number of children. The county council has met this challenge through a financial strategy that includes: managing demand, efficiency savings and increases in the level of council tax.

In February 2016 the council's Section 151 Officer highlighted that the 2016/17 budget was balanced through the use of substantial one-off funding and the Medium Term Financial Plan for 2016/17 to 2020/21 (MTFP 2016-21) required significant actions to become sustainable. The council agreed to a Public Value Transformation programme to investigate whether sustainability could be achieved through further significant transformation. This report presents an update on the council's financial prospects and the key strategies to respond to the challenge presented in the next five year Medium Term Financial Plan (MTFP 2017-22) to ensure it is both balanced and sustainable.

Government decisions have a huge influence on the council's financial sustainability. These include:

- the level of grants and how they are allocated;
- the use of business rates;
- the imposition of new responsibilities;
- caps on the council's ability to raise its own income.

How the government implements these decisions will shape the financial prospects over the next five years.

RECOMMENDATIONS:

Cabinet to note:

1. the context and background to the county council's financial prospects over the medium term (paragraphs 15 to 22);
2. the achievement of £329m efficiency savings over the last five years and the further planned savings of £361m over the next five years;
3. the impact of additional funding on the council's financial sustainability (paragraph 35).

Cabinet to approve:

4. revised cash limit budgets for each service in the absence of additional funding from government grants, council tax, or business rates; or further savings (paragraph 33 and annex 1);
5. Cabinet members and officers to develop proposals on delivering services within the revised cash limits for a future Cabinet meeting (paragraph 33);
6. development of proposals to the Government for additional funding through the adult social care precept, business rates retention and for school places (paragraph 35).
7. delegation to the Leader of the decision to accept or decline the Government's four year settlement offer (paragraph 41);
8. the council's own response to the 100% Business Rates Retention consultation, and to endorse the joint response from the 3SC local authorities (paragraph 48).

Cabinet requests;

9. scrutiny boards examine the key budget proposals and report back to Cabinet (paragraph 34)

REASON FOR RECOMMENDATIONS:

10. The council is required to produce a balanced budget each year. Surrey County Council also prepares a Medium Term Financial Plan (MTFP) that sets out its financial plans over a rolling five year period. The efficiency savings the council has had to achieve over the last five years and the efficiency plans it has had to make for the coming five years illustrate the unprecedented and continuing length of the Government's austerity programme, the simultaneous rise in service demand and the impact of additional spending pressures on the council's financial sustainability. Given the confluence of these challenges, Cabinet's decisions need to ensure the council plans and implements coherent and robust measures to achieve a

balanced financial plan in MTFP 2017-22.

11. A key step in achieving a balanced and sustainable MTFP 2017-22 is for Cabinet to approve a suitable framework for developing proposals to deliver the council's Corporate Strategy within the available budget envelope. A critical element of this is a set of revised cash limits for each service that officers will use to develop proposals for Cabinet to approve at a future meeting.
12. The Government has not announced detailed changes to its spending plans, austerity is set to continue and the council needs to maintain a prudent approach. However, the recent changes in the Government's policy developments and economic forecasts mean there is increased continuing uncertainty over the level of future fundraising.
13. In March 2016, the Secretary of State for Communities and Local Government wrote to all councils offering a four year settlement. The offer guarantees (subject to unforeseen significant economic events) each council its Revenue Support Grant (RSG), Rural Services Delivery Grant and Transitional Grant over the period 2016/17 to 2019/20 as set out in the Final Local Government Settlement. To accept the offer, a council must prepare and submit an efficiency plan to the Department for Communities and Local Government (DCLG) by 14 October 2016. A significant feature of the council's proposed four year settlement is that it is set to receive -£17.3m negative RSG in 2019/20 (the Government will deduct £17.3m from the council's other grants). To maximise the time available to consider this issue Cabinet is asked to delegate this decision to the Leader, which will be reported to Full County Council.
14. The Government is consulting on 100% Business Rates retention by local government and a fairer funding review. These will have a fundamental and strategic impact on the council's financial sustainability. The council's consultation responses, in conjunction with partner organisations', seeks to safeguard and advance Surrey residents' wellbeing and experience and Surrey businesses' prosperity.

DETAILS:

Context and background

15. The context and background for the council's financial planning has changed significantly due to the increased uncertainty in the UK's economic forecast, principally due to:
 - EU referendum;
 - new Prime Minister and Cabinet;
 - possible changes to Government economic policy; and
 - Bank of England reductions in interest rates and new quantitative easing.

-
16. The council's current MTFP 2016-21 includes the shock reduction in RSG funding over the period 2016/17 to 2019/20 following a change in grant allocation method to take account of a council's ability to raise council tax. The Government partially mitigated the effects of this change in funding allocation through Transition Grant in 2016/17 and 2017/18 only. However, the reductions in RSG last to 2019/20, when the council suffers a negative RSG grant of -£17.3m.
 17. In addition to the reduced Government funding the council has experienced over recent years, it has also had to maintain one of the country's most heavily used road networks and faced intensifying demographic growth pressures from a record number of children requiring more school places and an ageing adult population requiring more social care. To balance and sustain its budget over this period, the council has achieved £329m efficiencies since 2011/12, coupled with regular modest uplifts in council tax.
 18. In her statutory report in February 2016 on the robustness of the council's estimates and the adequacy of its reserves, the council's Section 151 Officer commented that though the 'level of risk remains significant and the position is very serious' the 2016/17 budget was balanced and the longer term budget was sustainable, provided:
 - the council delivered all of its existing savings plans in full; and
 - the Public Value Transformation (PVT) programme identified considerable base budget costs reductions as soon as practicable.
 19. To help maintain and boost the UK economy following the EU Referendum, the Bank of England has cut interest rates to 0.25% and introduced a new package of quantitative easing.
 20. On 25 November 2015, the then Chancellor of the Exchequer, George Osborne, presented his Autumn Statement and Spending Review. This planned a further four years of spending reductions so Government revenues would exceed its spending and would have balanced the budget by 2019/20. However, before leaving office on 13 July, George Osborne announced the Government's ambition to achieve fiscal balance would now have to extend beyond 2019/20.
 21. The Prime Minister, Theresa May, has a new Cabinet (including Sajid Javid as the new Secretary of State for Communities and Local Government). Within this, the new Chancellor of the Exchequer, Philip Hammond, has a series of judgments to make on a much changed economic and political backdrop and has yet to announce his plans. These are expected in his Autumn Statement, for which no date is known yet.
 22. All of these factors mean the outlook for financial planning is uncertain. While the uncertainty also holds several potential opportunities, the council has an obligation to balance its budget and achieve a sustainable financial position.

Public Value Transformation Programme

23. Public Value Transformation (PVT) was agreed in February 2016 as part of the Council's response to tackling an unsustainable budget beyond 2017. The approach is overseen by the PVT Board (comprising the Leader of the Council, Chief Executive and Director of Finance). The Board had two key objectives:
- transformation work across the council is aligned within a programme approach to deliver optimum Public Value; and
 - Public Value is a key element of identifying additional savings or funding of £25m by 2017/18 and £50m by 2018/19.
24. The PVT Programme follows the Council's 5D approach to transformation and focuses on the key principles of Public Value:
- there is evidence of a clear (measurable) benefit to those who are meant to benefit from our work;
 - we have stakeholder support for what we propose; and
 - we are able to deliver it.
25. The initial phase of the work (Discovery) aimed to: offer challenge and scrutiny to the transformation areas in their discovery process; sign off analysis and agree work areas for design/develop phase; develop a process for tracking current savings; identify MTFP savings.
26. The Public Value Transformation Board identified seven transformation priority areas amongst the transformation work taking place across the Council and has provided additional strategic support for transformation priority areas.
27. The Discovery phase has proven an effective way of getting focus on all of the priority area transformation programmes: Special Educational Needs and Disabilities; Early Help; Multi-Agency Safeguarding Hub (MASH); Health and Social Care Integration; Accommodation with Care and Support; Waste; Highways for the Future. As a consequence of this work, there has been a significant increase in confidence that we have credible approaches in place to deliver change on a large scale. This phase also identified a number of challenges and potential gaps in our approach to transformation, resulting in a renewed focus on the identification and analysis of need and demand to identify the pressures with clarity as to the cause, and accuracy. Using this more rigorous approach, assumptions being made within transformation programmes can be tested and challenged.
28. The PVT approach has created greater confidence in our current MTFP savings and helped to accelerate key transformation programmes where required as well as identifying and stopping those which are not critical to the

development of a sustainable budget so that resources can be redirected to actions that will create Public Value and contribute significant savings. The Discovery phase has clarified that the savings already identified are the upper limit of what can be achieved through the transformation programme. Further, we do not have transformational proposals that would meet the additional £50m required.

Revenue and capital budgets

29. The detailed MTFP 2016-21 Cabinet approved in March 2016 included £25m PVT savings to find in 2017/18, rising to £50m in 2018/19 and remaining at £50m to 2020/21. Work during the spring and early summer identified two scenarios as the basis for financial planning.
30. Scenario A incorporates the following known changes, which increase the budget challenge by £6m in 2017/18, rising to £23m in 2020/21.
- Savings increased by £7m in 2017/18, rising to £8m in 2020/21 due to: higher collection fund income, lower treasury management costs and staffing savings.
 - Costs increased by £13m in 2017/18, rising to £31m in 2020/21 due to, in particular, high needs block funding and the National Living Wage.
31. Scenario B models the additional impact of a further £20m shock funding reduction. This is to reflect the level of uncertainty and the possibility of currently unknown factors leading to a further reduction in funding. This is considered prudent following the council's experience with the Local Government Settlement for 2016/17.
32. Table 1 shows how these factors provide the quantities of new savings for the council to identify in order to meet the two budget challenge scenarios.

Table 1 Summary of revised budget challenge scenarios (new savings to identify)

| | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|--|-----------|-----------|-----------|-----------|
| | £m | £m | £m | £m |
| PVT savings to be identified in MTFP 2016-21 | 25 | 50 | 50 | 50 |
| Increased new savings | -7 | -8 | -8 | -8 |
| Increased new costs | 13 | 17 | 26 | 31 |
| Scenario A budget challenge | 31 | 59 | 68 | 73 |
| Additional shock | 20 | 20 | 20 | 20 |
| Scenario B budget challenge | 51 | 79 | 88 | 93 |

33. Based on these scenarios, revised cash limits have been set for each service (annex 1). Cabinet members and officers will work together to determine where services' spending is to reduce in order to balance the budget.
34. To explore the robustness of the proposals Cabinet Members and officers develop, Cabinet is recommended to request scrutiny boards to test the

assumptions within proposals during the period from October to Christmas 2016.

35. Assuming the council identifies and delivers the service reductions to meet the revised cash limits, the uncertain economic position means there is a strong likelihood of the budget challenge remaining. Therefore Cabinet is recommended to continue to work to influence Government policy, especially around the key areas of: adult social care precept, business rates retention and school funding. Any additional funding gained through the council's influencing work will have a positive impact on the council's financial sustainability.

Four year settlement

36. On 10 March 2016, the Secretary of State for Communities and Local Government wrote to all councils offering a four year funding settlement for councils that prepared and submitted an efficiency plan to DCLG by 14 October 2016.
37. The Secretary of State's letter outlines that efficiency plans should:
- be locally owned and locally driven;
 - show how the greater certainty of the four year settlement can bring about opportunities for further savings;
 - cover the full four year period (2016/17 to 2019/20);
 - be open and transparent about the benefits to the council and the community; and
 - show how the council will collaborate with local neighbours, partners and devolution deals where appropriate.
38. In return for completing an efficiency plan, the Government would guarantee (subject to unforeseen significant economic events) the council minimum funding over the period 2016/17 to 2019/20, as set out in the Final Settlement in February 2016 for:
- Revenue Support Grant,
 - Rural Services Delivery Grant and
 - Transitional Grant
39. Table 2 summarises the offer. As such, the Government's guarantee would mean the council will have negative Revenue Support Grant (RSG) to the value of -£17.3m in 2019/20. This is the equivalent of Surrey residents paying for a 3% increase in council tax to fund services elsewhere in the country.

Table 2 Summary of the Government's four year funding offer

| Grant funding | 2016/17 £m | 2017/18 £m | 2018/19 £m | 2019/20 £m |
|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Revenue Support Grant | 67.1 | 28.0 | 4.5 | -17.3 |
| Transitional Grant | 11.9 | 12.2 | 0.0 | 0.0 |

| | | | | |
|-------------------------------|-------------|-------------|------------|--------------|
| Rural Services Delivery Grant | 0.0 | 0.0 | 0.0 | 0.0 |
| Total four year offer | 79.0 | 40.2 | 4.5 | -17.3 |

40. Other factors to consider in determining whether to decline or accept the four-year offer are set out below.

The main risks to the council of declining include:

- increased vulnerability to further funding changes as DCLG has indicated it will look first to reduce the funding of authorities that have not accepted the offer of a four year settlement;
- Surrey County Council would appear to be unsupportive of DCLG's policy response to requests from local government for greater certainty over future years' funding; and
- uncertainty about the profile of RSG and Transitional Grant allocations, albeit that the grants protected form a very small proportion of the council's overall funding.

The main risks to the council of accepting include:

- the risks of reductions in other unprotected grants remain, in particular funding for SEN (special educational needs) is not assured (the council's assessment of potential reductions in SEN funding could be significant);
- the offer provides no assurances around the future level of funding through business rates retention;
- acceptance could imply acceptance of the financial position the Government has put the council in for future funding discussions and could weaken further funding arguments (through the key influencing areas around business rates retention and devolution);
- acceptance could imply the council agrees the offer enables it to make and deliver efficiency plans with appreciably more certainty than would otherwise be the case; and
- the obligation to produce an efficiency plan by 14 October 2016 (although the council has already published much of the material and this involves minimal additional effort).

41. In conclusion, to maximise the time available to consider this issue, it is recommended Cabinet delegates the decision to accept or decline the Government's four year settlement to the Leader, and report the decision to Full County Council.

Efficiency Plan

42. In outline, the council could prepare its efficiency plan to meet the requirements described in paragraph 37 as follows:
- Summarise the Corporate Strategy, setting out the council's intentions and challenges and how it plans to achieve the strategy's outcomes for Surrey residents and businesses.

-
- Summarise the Financial Strategy, including how this underpins the council's Corporate Strategy.
 - Reference the council's service strategies, highlighting some particular challenges in them.
 - Summarise MTFP 2016-21, highlighting:
 - the council's overall financial challenge and its profile;
 - how the council intends to make efficiencies to achieve financial sustainability; and
 - the impact of transformational efficiencies on the council's finances.
 - Summarise evidence of the council's partnership and collaborative activities, including with: 3SC, ORBIS, SE7 and health & social care integration.

Business Rates Retention

43. In July 2016 the Government confirmed its intention to move to 100% business rate retention by local government with the publication of two consultation papers on 100% business rates retention and fair funding review of needs and redistribution. Responses to the consultation papers are due on 26 September 2016.
44. The Government states the purpose of this fiscal devolution is 'to provide communities with the financial independence, stability and incentives to push for local growth and pioneer new models of public service delivery.' This will mean local authorities as a whole retaining all of the business rates they collect, but taking on new responsibilities to match the increased resources this gives them. The Government's intention is that this change in local government funding is fiscally neutral, and as such is not a solution to the council's financial challenge.
45. The council is fully engaged in the consultations and discussions to develop the proposals, both as Surrey County Council and with a range of partners. As part of this, the council is contributing to responses by:
 - Three Southern Counties (3SC) proposed combined authority group;
 - South East Seven (SE7) group of authorities;
 - South East Strategic Leaders (SESL) group of authorities; and
 - Society of County Treasurers (SCT).
46. In summary, the key principles and areas of commonality agreed in the responses for Surrey County Council, boroughs and districts in Surrey and 3SC group of authorities include:
 - business rates retained by local authorities should fully fund current responsibilities first;
 - new responsibilities devolved to local authorities by the Government should link to economic growth and enable effective public service delivery;

and

- combined authority areas should be able to agree their own arrangements to suit local circumstances and ambitions.

47. Cabinet is recommended to approve the council's responses to the consultation papers, which are set out in full in annex 2 and to endorse the joint response from the 3SC group of authorities set out in annex 3.

CONSULTATION:

48. All Cabinet Members will have consulted their relevant director or head of service on the financial positions of their portfolios.

RISK MANAGEMENT AND IMPLICATIONS:

49. Risk implications are stated throughout the report and each relevant director or head of service has updated their strategic and/or service risk registers accordingly. In addition, the leadership risk register continues to reflect the increasing uncertainty of future funding likely to be allocated to the council.

Financial and Value for Money Implications

50. The financial and value for money implications are considered throughout this report.

Section 151 Officer Commentary

51. In February 2016 the council's Section 151 Officer highlighted that the financial position was serious, noting that:
- the 2016/17 budget was balanced through the use of substantial one-off funding, and;
 - the Medium Term Financial Plan for 2016/17 to 2020/21 would only be sustainable through an effective programme of Public Transformation.
52. It is now clear that the PVT Programme has increased the level of confidence in delivery of the existing MTFP, although it will not produce the additional savings to close the budget gap. Therefore the requirement to set a balanced budget can only be met either through identifying further reductions in services' spending, or by securing a fairer funding settlement from Central Government.
53. Changes across Government, the on-going uncertain economic outlook and service demand changes since February 2016 mean the financial position remains serious. It is essential Members remain focused on shaping service delivery to fit within available resources as a matter of priority over the autumn, to enable a balanced budget to be set in February 2017 and a clear plan for moving towards sustainability to be identified.

Legal Implications – Monitoring Officer

54. The Council is under a duty to set a balanced and sustainable budget. This report describes the context to the Council's financial prospects in the medium term and highlights the challenges faced in planning future budgets. It also provides an update on the strategies recommended to respond to these challenges and delegates to the Leader the decision to accept or decline the Government's four year settlement.

Equalities and Diversity

55. Any impacts of the budget monitoring actions will be evaluated by the individual services as they implement the management actions necessary.

WHAT HAPPENS NEXT:

56. Cabinet members and officers will work together in informal workshops to determine where services' spending is to reduce in order to balance the budget. Scrutiny boards will test the assumptions within proposals during the period from October to Christmas 2016.

Contact Officer:

Sheila Little, Director of Finance
020 8541 7012

Consulted:

Cabinet, strategic directors, heads of service.

Annexes:

- Annex 1 Services' revised cash limits 2017/18 to 2020/21
- Annex 2 Surrey County Council's responses to DCLG's consultation papers on:
Self-sufficient local government: 100% Business Rates Retention and
Business Rates Reform Fair Funding Review: Call for evidence on Needs
and Redistribution – *to follow*
- Annex 3 Three Southern Counties' response to DCLG's consultation papers on:
Self-sufficient local government: 100% Business Rates Retention and
Business Rates Reform Fair Funding Review: Call for evidence on Needs
and Redistribution – *to follow*

Sources/background papers:

- Medium Term Financial Plan 2016-21

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Services' revised cash limits 2017/18 to 2020/21

| Scenario A - revised cash limits | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
|---|----------------|----------------|----------------|----------------|
| | £m | £m | £m | £m |
| Delegated Schools | 457.5 | 457.5 | 457.5 | 457.5 |
| Schools and Special Educational Needs & Disabilities (SEND) | 166.7 | 165.2 | 165.9 | 166.2 |
| Children's services | 103.9 | 101.1 | 96.8 | 94.4 |
| Commissioning and Prevention | 82.9 | 79.7 | 79.3 | 79.1 |
| Adult Social Care | 409.0 | 401.8 | 398.6 | 398.9 |
| Environment and Planning | 84.7 | 85.1 | 88.8 | 90.4 |
| Central Income and Expenditure | 68.9 | 75.9 | 81.4 | 84.0 |
| Highways and Transport | 51.9 | 51.2 | 51.6 | 52.2 |
| Fire and Rescue Service | 44.3 | 45.4 | 43.4 | 43.3 |
| ORBIS Joint & managed budgets | 96.4 | 92.2 | 92.3 | 94.0 |
| Public Health | 36.5 | 34.2 | 32.8 | 32.5 |
| Cultural Services | 22.4 | 21.9 | 21.9 | 22.0 |
| Legal and Democratic Services | 10.0 | 8.5 | 8.4 | 8.4 |
| Trading Standards | 3.6 | 3.5 | 3.5 | 3.5 |
| Customer Services | 3.5 | 3.4 | 3.4 | 3.4 |
| Strategy and Performance | 3.5 | 3.4 | 3.4 | 3.3 |
| Community Partnership and Safety | 2.9 | 2.8 | 2.8 | 2.8 |
| Communications | 1.9 | 1.8 | 1.8 | 1.8 |
| Coroner | 1.7 | 1.7 | 1.7 | 1.8 |
| Directorate support | 1.0 | 1.0 | 1.0 | 1.0 |
| Strategic Leadership | 1.0 | 1.0 | 1.0 | 1.0 |
| Emergency Management | 0.5 | 0.5 | 0.5 | 0.5 |
| Total expenditure | 1,654.8 | 1,638.8 | 1,637.8 | 1,641.9 |
| Scenario B - revised cash limits | 2017/18 | 2018/19 | 2019/20 | 2020/21 |
| | £m | £m | £m | £m |
| Delegated Schools | 457.5 | 457.5 | 457.5 | 457.5 |
| Schools and Special Educational Needs & Disabilities (SEND) | 165.3 | 163.7 | 164.5 | 164.7 |
| Children's services | 101.7 | 98.8 | 94.6 | 92.1 |
| Commissioning and Prevention | 82.0 | 78.8 | 78.4 | 78.3 |
| Adult Social Care | 400.6 | 393.4 | 390.2 | 390.5 |
| Environment and Planning | 82.9 | 83.3 | 87.0 | 88.6 |
| Central Income and Expenditure | 68.9 | 75.9 | 81.4 | 84.0 |
| Highways and Transport | 50.9 | 50.2 | 50.5 | 51.2 |
| Fire and Rescue Service | 43.5 | 44.6 | 42.7 | 42.5 |
| ORBIS Joint & managed budgets | 94.6 | 90.4 | 90.5 | 92.2 |
| Public Health | 35.6 | 33.3 | 31.9 | 31.7 |
| Cultural Services | 22.2 | 21.7 | 21.7 | 21.8 |
| Legal and Democratic Services | 9.8 | 8.3 | 8.2 | 8.2 |
| Trading Standards | 3.5 | 3.5 | 3.5 | 3.5 |
| Customer Services | 3.4 | 3.3 | 3.3 | 3.3 |
| Strategy and Performance | 3.5 | 3.4 | 3.3 | 3.3 |
| Community Partnership and Safety | 2.8 | 2.8 | 2.7 | 2.7 |
| Communications | 1.9 | 1.7 | 1.7 | 1.7 |
| Coroner | 1.7 | 1.7 | 1.7 | 1.7 |
| Directorate support | 1.0 | 1.0 | 1.0 | 1.0 |
| Strategic Leadership | 1.0 | 1.0 | 1.0 | 1.0 |
| Emergency Management | 0.5 | 0.5 | 0.5 | 0.5 |
| Total expenditure | 1,634.8 | 1,618.8 | 1,617.8 | 1,621.9 |

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SURREY COUNTY COUNCIL**CABINET****DATE: 20 SEPTEMBER 2016****REPORT OF: MS DENISE LE GAL, CABINET MEMBER FOR BUSINESS SERVICES AND RESIDENT EXPERIENCE****LEAD OFFICER: JOHN STEBBINGS, CHIEF PROPERTY OFFICER****SUBJECT: MERSTHAM COMMUNITY HUB****SUMMARY OF ISSUE:**

The proposed Merstham Community Hub (The Hub) will be a new multi-functional Surrey County Council (SCC) owned building which will house a library, youth centre, community space, and public cafe on the Triangle site in Portland Drive, Merstham. The Hub will adjoin four new Reigate and Banstead Borough Council (RBBC) owned retail units. Together they will form an integral part of the wider Merstham regeneration project which will be procured and delivered by RBBC in partnership with SCC and Raven Housing Trust Ltd (Raven).

In December 2013, Cabinet approved a capital allocation in respect of SCC's financial contribution to building the hub, and in December 2014, Cabinet granted approval to an increase in this capital allocation.

Construction work then commenced, but after a year on site, in April 2016 the appointed construction contractor entered administration, and all work on site stopped.

In order to complete the construction, it is necessary, therefore, to appoint another construction contractor. RBBC have been working to achieve this and, following preliminary negotiations with a potential new contractor, it is now known that further increased costs will be required to complete the work.

Part of the building is being leased to the Merstham Community Facilities Trust (MCFT), to allow them to work with members of the local community. This will help to fulfil each of SCC's corporate priorities, namely Wellbeing, Economic Prosperity and Resident Experience.

RECOMMENDATIONS:

It is recommended that the Cabinet grants approval to a further increase in the Capital expenditure allocation for this scheme as set out in the part 2 item of the agenda.

REASON FOR RECOMMENDATIONS:

The proposal will provide a new community hub that provides local residents with excellent facilities which will enhance their lives and help to regenerate this area of the Merstham estate. When completed, this scheme will provide a well-designed, sustainable, low energy community building for a wide range of users within easy

reach of their homes. The proposals would distinctly enhance the quality of the facilities in the local area.

As a result of the contractor going into administration, the Hub and associated retail units have been left partially completed. The construction is not water tight or windproof, and so is vulnerable to the weather. A resumption of building work at the earliest opportunity will help to limit deterioration of the building.

DETAILS:

Background

1. The Merstham estate is one of the most deprived areas in Surrey with comparatively high levels of poverty, poor housing and significant health needs.
2. SCC, Raven Housing Trust Limited, and RBBC have been improving the area for a number of years. These include environmental, soft and hard landscaping works and an investment in front line services and the voluntary sector. However, it has long been recognised that the area would benefit from:
 - A modern integrated community hub from which a range of services, both new and existing, can be delivered;
 - The removal of the Portland Drive block of shops and flats which have provided a focus for antisocial behaviour in the area; and,
 - The provision of new retail shops, managed by RBBC, which will increase the availability of fresh food.
3. The Merstham regeneration project will deliver a new integrated community hub, an improved retail offer, the removal of existing shops and, the demolition of 42 existing social housing homes of poor quality and secure their replacement with 50 new homes.
4. On 17 December 2013 Cabinet allocated capital expenditure to enable the delivery of The Hub element of the Merstham regeneration project, subject to approval of a business case by the Strategic Director for Business Services and Resident Experience, in consultation with the Leader of the Council.
5. RBBC are contributing towards the overall costs and they will increase their contribution accordingly. The RBBC element reflects the appropriate proportion of funding for that part of the building relating to the community provision.
6. Full planning consent for this scheme was granted by RBBC on 4 July 2014.
7. The building will be owned freehold by SCC and will include a new library to replace the existing SCC library in Weldon Way; a new youth centre to replace the old Oakley Youth centre in Radstock Way, a café which will be leased to an external operator; and, a space for community activities which will be leased to MCFT for the delivery of a range of services to local residents including training, job clubs, and benefits advice.

8. Subsequent to the submission and approval of tenders, costs for the wider regeneration scheme increased, and on 16 December 2014, Cabinet granted approval to an increase in the capital expenditure allocation.
9. Construction work on the hub commenced in April 2015, but subsequently, after a year on site, the appointed main construction contractor entered administration, and as a result of this, no work has been carried out at the site since 1 April 2016.
10. As a consequence, RBBC who, as noted above, are managing the construction work, have been negotiating with the contractor who submitted the second lowest bid in the original tender, in order that the construction works can be completed. SCC officers are closely monitoring these negotiations to ensure that increased costs are minimised. SCC Procurement Service have confirmed that these negotiations are compliant with standard procurement protocols.
11. This contractor has been working with RBBC contracted Employer's Agent to reach agreement on an order of costs for the completion of the construction works.
12. It is clear at this stage that the final cost of this work will be higher than previously anticipated, therefore approval is sought to a further increase in the capital allocation. The amount requested is currently an estimate, following initial negotiations between RBBC's Employers Agent and the proposed replacement contractor. This figure is subject to final contractual agreement.
13. Although a final cost will not be known until after negotiations have been completed, the Employer's Agent has advised that SCC's additional contribution is likely to amount to the sum as stated in this report. Cabinet approval is therefore being sought ahead of completion of negotiations in order to allow officers to move quickly in finalising a new contract for completion of the construction work at the earliest possible date, immediately upon completion of negotiations.

CONSULTATION:

14. Work on regeneration initiatives for the Merstham Estate has been ongoing for a number of years. This has included a range of options testing and consultation exercises:
 - A Planning for Real consultation exercise was carried out in 2000, which identified a lack of facilities for families in the area and highlighted issues of concern regarding isolated families and literacy levels.
 - An 'Options' study was undertaken by housing consultants First Call in 2002, which identified similar concerns.
15. This and other options studies led to the publication of a Local Planning Framework in 2011 which identified the Triangle site as suitable for replacement community and library facilities, and identified the existing Merstham Library site as suitable for residential redevelopment in the context of the wider regeneration scheme.
16. Consultees to original submissions:

Mr Tony Samuels, (Cabinet Associate for Assets and Regeneration Programmes)
 Mrs Mary Angell (Cabinet Member for Children and Families)
 Mrs Helyn Clack (Cabinet Member for Community Services)
 Mr Jonathan Essex (Redhill East)
 Mrs Natalie Bramhall (Redhill West and Meadvale)
 Dr Zully Grant-Duff (Reigate)
 Mrs Dorothy Ross-Tomlin (Chairman of Reigate and Banstead Local Committee).

RISK MANAGEMENT AND IMPLICATIONS:

17. Any development project carries an element of 'client construction risk' due to unforeseen items arising as construction begins. These risks are being actively managed to the greatest extent possible in respect of the Merstham Community Hub via pre-construction surveys to identify and quantify any risks. This includes ground conditions, contamination and archaeology surveys. In addition risk is further mitigated by:
- Collateral warranties from the contractor and the consultants (including the project manager) under which SCC are beneficiaries and the freeholder of the site.
 - The existence of a formal contract between SCC and RBBC governing the delivery of the Hub, which includes obligations on RBBC's part to keep SCC informed of any potential cost increases as the land owner and to obtain SCC consent to any variations to the contract and to manage the contract in a proper and professional manner. It also permits SCC to request reasonable variations to the Hub.
18. Because the start on site at the beginning of the contract was delayed, a request was made by the original contractor for an increase to their tendered figure. This was agreed and accordingly, the contingency sum has been reduced by this amount.
19. The project has been the subject of discussion for a number of years and represents a flagship partnership project which demonstrates the ability of local authority and charitable sector partners to work together to deliver facilities which significantly improve the lives of local residents. There is a risk that this project will not proceed if a decision to delay or refuse additional funding is made, and expose SCC to a financial compensation claim on costs incurred to date by Raven & RBBC.
20. There is a triangular shaped open grassed area immediately adjoining the proposed new Hub; once the building is open this will continue to be accessible to local residents for seating and general recreational use.

Financial and Value for Money Implications

21. The full financial and value for money implications are set out in the Part 2 paper.

Section 151 Officer Commentary

22. The Section 151 Officer confirms that the current approved funding is provided for in the Medium Term Financial Plan. If approved, the additional funding requested will increase the current capital programme.
23. Following scrutiny at Investment Panel on 16 August 2016, the Section 151 Officer is satisfied that the cost increases will be minimised and Property Services will continue to challenge all increases in order to contain the costs within the additional requested funding.

Legal Implications – Monitoring Officer

24. The Council owes a fiduciary duty to its Council tax payers, analogous to that owed by trustees responsible for looking after property belonging to other people. Accordingly in deciding to spend money Cabinet must take account of the interests of Council taxpayers who have contributed to the Council's income and balance those interests against those who benefit from the expenditure. It will also need to act in a prudent way having regard to the short and long term consequences of the decision.

Equalities and Diversity

25. The new community hub will be open to the local community to access and no adverse impact in respect of protected characteristics of staff or residents is anticipated.
26. The provision of a purpose built youth centre will enable Services for Young People to deliver vocational training and education directly to the relatively high numbers of young people in the immediate vicinity who are currently Not in Employment, Education or Training (NEET). Merstham contains the second highest number of NEETs within Surrey. It is a corporate SCC priority to reduce NEET numbers, and the new Hub will contribute directly towards assisting SCC to achieve this. The wider social benefits of reducing NEET numbers include savings in public spending in the longer term and improved social cohesion.

Safeguarding responsibilities for vulnerable children and adults implications

27. The provision of the community facility will provide opportunities for preventative services to support vulnerable children and adults in the local community and reduce social isolation.

Public Health implications

28. The inclusion of a café within the building is intended help increase the range and availability of fresh food for local residents. The building will contain rooms which will be available for use by the NHS, which will improve local resident's access to health facilities.

Climate change/carbon emissions implications

29. The provision of a new community facility and retail units should help to reduce the need for residents to travel outside the local area. The demolition of the existing library and youth centre and re-provision in a new shared use building

will improve energy efficiency and reduce the overall carbon footprint of Surrey County Council services. The new Hub will be constructed to the BREEAM 'Very Good' standard, and will include sustainable features including photovoltaic panels in the slate roof which will generate approximately 8% of the building's total energy requirement.

30. Energy consumption is expected to be 30% lower than the current average consumption for community centres in the UK due to the improved wall and roof insulation which exceeds current building regulation standards.
31. The orientation and size of windows has been detailed to optimise natural daylight and natural ventilation within the buildings. Overheating is avoided by careful window design and deep window reveals.
32. A key feature of the design is the roof feature incorporating roof glazing and ventilation. This drops high level light into the centre of the building, creating a feature of key rooms. This roof feature also serves to enhance the natural (passive) ventilation strategy for the building.

WHAT HAPPENS NEXT

33. If Cabinet approve the increase in capital funding, this will enable officers to provide the commitment to further funding which RBBC will require prior to concluding negotiations with the identified construction contractor and entering into a new contract with them for completion of the building.
34. RBBC has issued a 'letter of intent' to the proposed new contractor, enabling preliminary works to be undertaken to render the building wind and watertight prior to finalisation of a formal contract for completion of the building.
35. RBBC will obtain a revised programme of works from the new contractor. It is anticipated that completion will take place during Spring/Summer 2017.

Contact Officer:

Keith Barker, Asset Strategy Manager
Tel: 020 8541 9744

Consultees to original submissions:

Mr Tony Samuels, (Cabinet Associate for Assets and Regeneration Programmes)
Mrs Mary Angell (Cabinet Member for Children and Families)
Mrs Helyn Clack (Cabinet Member for Community Services)
Mr Jonathan Essex (Redhill East)
Mrs Natalie Bramhall (Redhill West and Meadvale)
Dr Zully Grant-Duff (Reigate)
Mrs Dorothy Ross-Tomlin (Chairman of Reigate and Banstead Local Committee)

Reigate and Banstead Borough Council
Raven Housing Association
Community consultation on local development by Reigate & Banstead
Deputy Chief Executive – Julie Fisher
Assistant Director Commissioning and Prevention – Garath Symonds
Head of Cultural Services – Peter Milton

Annexes:

Sources/background papers:

Cabinet decision 5.1.2010

Cabinet decision 25.9.2012

Cabinet decision 17.12.2013

Cabinet decision 16.12.2014

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SURREY COUNTY COUNCIL**CABINET****DATE: 20 SEPTEMBER 2016****REPORT OF: MR RICHARD WALSH, CABINET MEMBER FOR LOCALITIES AND COMMUNITY WELLBEING****LEAD OFFICER: YVONNE REES, STRATEGIC DIRECTOR FOR CUSTOMERS AND COMMUNITIES****SUBJECT: FORMATION OF SPELTHORNE JOINT COMMITTEE****SUMMARY OF ISSUE:**

Building on the positive partnership working between Surrey County Council (SCC) and Spelthorne Borough Council (SBC), it is proposed to create a Joint Committee in place of the current SCC Spelthorne Local Committee. This new partnership arrangement will speed up decision making, improve outcomes for residents and strengthen local democracy.

The Joint Committee will have an extended remit over and above that of the current local committee with decision making functions in relation to the Community Infrastructure Levy (CIL) and Youth provision and advisory functions such as Older People's services and making the best use of public assets in the Borough. These changes will support more integrated approaches to service delivery and planning.

SCC Cabinet (and Full Council) approval is now sought to establish the Joint Committee, following SBC agreement at their Cabinet meeting on 20 July 2016 and Council on 21 July 2016.

RECOMMENDATIONS:

It is recommended:

1. To agree and recommend that Full Council agrees to establish the Spelthorne Joint Committee to deal with both executive and non-executive functions from 1 December 2016 in place of the current Local Committee in Spelthorne which will cease to function from that date.
2. To agree changes to the scheme of delegation:
 - to delegate the executive functions to the Spelthorne Joint Committee as set out in Annex A
 - to recommend to Council to delegate the non-executive functions to the Spelthorne Joint Committee as set out in Annex A
 - the advisory functions that will come under the remit of the Spelthorne Joint Committee as set out in Annex A.
3. To note the functions that SBC has agreed to delegate to the Spelthorne Joint Committee as set out in Annex A.
4. To agree the Spelthorne Joint Committee Terms of Reference, including the Standing Orders under which it will operate, as set out in Annex A, and delegate authority to the Director of Legal and Democratic and Cultural Services to agree to any minor amendments to the Terms of Reference which may be required.

-
5. To recommend to Council to appoint a Chairman of the newly formed Spelthorne Joint Committee from 1 December 2016.

REASON FOR RECOMMENDATIONS:

Cabinet and Full Council agreement is required to establish a Spelthorne Joint Committee in place of the current Local Committee arrangements; to delegate recommended executive functions to the newly formed Spelthorne Joint Committee; and to agree the Terms of Reference and Standing Orders under which the newly formed committee will operate.

This approach has already proved successful in Woking where a Joint Committee, has been operating since June 2014 and was recently reviewed and showed to have improved partnership working between both authorities.

The new Joint Committee will simplify and speed-up local decision making processes, enabling for the first time, all functions and budgets delegated to it by both authorities to be jointly decided upon.

Joint Committees are an innovative two tier response to central government policy initiatives including devolution. Positive conversations are being held with other Surrey borough and district councils on the formation of further Joint Committees with SCC.

DETAILS:

Business Case

1. Discussions between SBC and SCC have revealed a shared aspiration for the councils to create a Joint Committee which would take the place of the current Surrey County Council Local Committee in Spelthorne.
2. A Joint Committee would be a true partnership between SCC and SBC with joint decision making delegated from both organisations, and will be formed on a similar basis to Woking Joint Committee, which has been operating successfully since June 2014. The Spelthorne Joint Committee will help deliver the following aims:
 - Increase the involvement of residents, local communities, businesses and partners
 - Improve decision making, speed-up processes and reduce duplication in governance
 - Support Councillors in their role as community leaders and champions
 - Promote greater accountability and local scrutiny
 - Provide an innovative two tier response to central government policy initiatives and a platform on which future joint arrangements can be coordinated.
3. By working together, the Joint Committee will provide the opportunity to identify local solutions and seek to jointly deliver local government service improvements for the residents, businesses and visitors to Spelthorne. Both councils will be proactive in bringing issues to the Joint Committee and seeking to deliver local priorities together.

4. The Joint Committee will determine priorities for collaborative work undertaken within the committee's remit by both councils, including working with other partners.
5. If agreed by both SCC and SBC, the Spelthorne Joint Committee will become operational from 1 December 2016.

Remit of the Spelthorne Joint Committee

6. It is proposed that changes are made to the scheme of delegation to enable the establishment of the Spelthorne Joint Committee with functions delegated to it by both SCC and SBC. The full functions of the Joint Committee are set out in the Terms of Reference in Annex A.
7. It is recommended that the advisory and decision making functions currently delegated to the Local Committee in Spelthorne by SCC are delegated to the Spelthorne Joint Committee.

Extended Decision Making

8. The Joint Committee will carry out the following function delegated to it by SBC for joint decision making:
 - Determine priorities and agree how Community Infrastructure Levy (CIL) receipts will be expended
9. The formation of a Joint Committee will also enable joint decision making on budgets delegated to it by both authorities. It is proposed that the remit of the Joint Committee is extended to consider both SCC and SBC youth provision, to work towards the aim of achieving a more integrated approach to preventative work young people in the Borough.

An Enhanced Advisory Role

10. In support of joint working it is proposed that a number of new advisory functions are delegated to the Joint Committee by both authorities:
 - To champion the better use of public sector assets in the Borough to promote the One Public estate approach amongst SCC, SBC, and other public sector partners (SCC/SBC)
 - To oversee and agree joint priorities to inform the improvement of educational attainment in Spelthorne with the aim of working closely between SCC, SBC and Spelthorne Schools Federation (SCC/SBC)
 - Oversee and influence priorities for the Family Support Programme in Spelthorne (noting the shared nature of this service with other boroughs) and monitor its performance (SCC/SBC)
 - To oversee and agree joint priorities to inform commissioning and delivery of Independent Living, Older People's Services and Day Centres in Spelthorne, with the aim of achieving an integrated approach from SCC and SBC (SCC/SBC)
 - To receive reports from and provide political oversight and advice to the Spelthorne Safer Stronger Community Partnership on the Community Safety functions of the Borough (SCC/SBC)

- To receive reports from and provide political oversight and advice to the Spelthorne Together Health and Wellbeing Group within the framework of Surrey's Joint Health and Wellbeing Strategy (SCC/SBC)
11. The respective councils and the committee will keep under review those functions delegated to it, or that could be delegated to it, and it is proposed that the work and function of the Joint Committee will be reviewed after 18 months.

Spelthorne Joint Committee Terms of Reference

12. The Spelthorne Joint Committee will operate under its own Terms of Reference (Annex A) which set out the context and purpose, the functions and powers, and the Standing Orders under which the Joint Committee will operate. These were agreed by Spelthorne Borough Council in July 2016 and now need Cabinet and Council approval.
13. Under the Terms of Reference decision making in relation to delegated matters will be dealt with by the Joint Committee, the day-to-day operational arrangements relating to those functions will continue to be managed within the respective authority responsible for the function. All funds will be spent in accordance with their respective financial regulations and policies.
14. Meetings of the Spelthorne Joint Committee will be held in public, enabling local people to have their say and contribute directly to the decision making process.
15. At any time either Council may give 6 months' notice in writing to the other Council of its intention to withdraw from the Joint Committee. Once the Joint Committee ceases to exist the functions delegated to it would each revert back to the relevant delegating authority.

CONSULTATION:

16. The Leader and Cabinet Member for Localities and Community Wellbeing have been consulted and are supportive of further Joint Committees being established. In addition the Resident Experience Board and the Strategic Director for Customers and Communities have been consulted.
17. The Spelthorne Local Committee have been involved in the development of the proposals for the Joint Committee.
18. Detailed discussions during the development of the Terms of Reference have been held with officers from Legal and Democratic Services from both Surrey County Council and Spelthorne Borough Council. Officers from relevant SCC service functions have also been fully involved in the development.
19. Spelthorne Cabinet and Council agreed the formation of the Spelthorne Joint Committee at their meetings held on 20 July 2016 and 21 July 2016 respectively.
20. These proposals are based on the experience and operation of Woking Joint Committee.

RISK MANAGEMENT AND IMPLICATIONS:

21. There are no significant risk management implications arising from this report.

22. A more unified approach through the establishment of the Joint Committee should reduce the risks of fragmented service delivery and duplication or omission. The Joint Committee will operate under its own Standing Orders, which will provide effective governance and oversight of the issues being considered.
23. The Joint Committee will enable SCC and SBC to make joint decisions. SCC and SBC services are not being merged and separate budgets for the functions will be maintained by each authority. The normal call in protocols apply.

Financial and Value for Money Implications

24. There are no direct financial implications of establishing a Joint Committee in place of the current local committee arrangements; however, due to the increased remit of the committee, there may be an increase in administrative time required by the Community Partnerships Team in servicing the needs of the committee. This will be managed within existing staff resources. It is anticipated that this may be offset in part by improved partnership working between the two authorities and reduced duplication in governance arrangements, with this in turn leading to increased value for money.
25. Any members' costs and expenses resulting from the Joint Committee (including those in relation to Chairman and Vice Chairman roles) will be funded and administered by their respective authorities.
26. SCC and SBC will agree each year the amount of funding available to the Joint Committee to carry out its delegated functions. All funds will be held and administered by the originating authorities and spent in accordance with their respective financial regulations and policies.

Section 151 Officer Commentary

27. The Section 151 Officer confirms that all material, financial and business issues and risks have been considered/addressed. The formation of a joint committee changes the process of decision making, but all expenditure will remain within and be administered by the originating authorities.

Legal Implications – Monitoring Officer

28. Sections 101(5) and 102 of the Local Government Act 1972 empowers local authorities to agree to discharge functions jointly, and to establish joint committees to enable these arrangements. Under the Local Authorities (Arrangements for Discharge of Functions) England Regulations 2012 the Cabinet is responsible for agreeing to the establishment of any joint arrangements in relation to any executive functions. Most of the County Council's functions that will be dealt with by the new Committee will be executive functions as outlined in the report. However, as there will also be some non-executive functions, the arrangements for the joint committee also need to be agreed by the full Council. The regulations require representation on the Committee of at least one cabinet member given that it will be dealing with executive functions.

Equalities and Diversity

29. An Equality Impact Assessment (EIA) was completed covering the options for change regarding Local Committees as part of the November 2012 Cabinet Report on the Public Value Review of the Community Partnership Team. A summary of the key impacts and actions was provided at this time and has been reviewed.
30. By delivering against the recommendations of the original Cabinet Report, the formation of the Spelthorne Joint Committee will effectively deliver some of the positive impacts identified through the EIA, such as enabling better partnership working with improved shared outcomes for local residents and communities. There are no negative equalities implications identified.
31. Equalities issues, particularly in relation to any disabilities, will be given consideration in the arrangements for public participation the Spelthorne Joint Committee to ensure that anyone with a protected characteristic is not disadvantaged.
32. There are no further impacts arising from this report.

Other Implications:

33. The potential implications for the following SCC priorities and policy areas have been considered. Whilst the advisory remit has been expanded, it is no felt that this will have any significant impact on the following areas. Where the impact is potentially significant a summary of the issues is set out in detail below.

| Area assessed: | Direct Implications: |
|--|--|
| Corporate Parenting/Looked After Children | No significant implications arising from this report |
| Safeguarding responsibilities for vulnerable children and adults | Closer scrutiny of provision within Spelthorne area |
| Public Health | Closer scrutiny of provision within Spelthorne area |
| Climate change | No significant implications arising from this report |
| Carbon emissions | No significant implications arising from this report |

WHAT HAPPENS NEXT:

34. Following Cabinet agreement (and endorsement where the decision is within the remit of the Council) of the recommendations, full Council approval will be sought for the establishment of Spelthorne Joint Committee, agreement of the Spelthorne Joint Committee Constitution and Scheme of Delegation.
35. Spelthorne Joint Committee will be formally constituted from the 1 December 2016 with the first meeting due to be held on 5 December 2016.
36. The Terms of Reference of the Spelthorne Joint Committee will be reviewed after 18 months, and any recommended changes reported back through appropriate processes at SCC and SBC.

Contact Officers:

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Consulted:

Internal consultation: Cabinet Member for Localities and Community Wellbeing; Spelthorne Local Committee; Resident Experience Board; and Strategic Director, Customers and Communities.

External consultation: Spelthorne Borough Council Leader, Cabinet and Overview and Scrutiny Committee; and Spelthorne Borough Council Chief Executive and Senior Management Team

Annexes:

Annex A: Spelthorne Joint Committee Terms of Reference

Sources/background papers:

- None
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Spelthorne Joint Committee

Terms of Reference

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Section 1 – Context and Purpose

Spelthorne Joint Committee is a Joint Committee of Surrey County Council and Spelthorne Borough Council and is set up under the provisions of Section 102 of the Local Government Act 1972. The Joint Committee aims to improve outcomes and value for money for residents in Spelthorne by strengthening local democracy and improving partnership working within the borough of Spelthorne.

The Joint Committee will carry out Surrey County Council functions previously performed by the Local Committee (Spelthorne) (which ceased to exist on 01/06/2016) plus some additional County Council functions, and functions delegated to it by Spelthorne Borough Council. There is also a range of advisory functions relating to both Councils. These functions are set out within Section 2 of this document.

By working together, the Joint Committee will provide the opportunity to identify local solutions and seek to jointly deliver local government service improvements for the residents, businesses and visitors to Spelthorne. Both councils will be proactive in bringing issues to the Joint Committee and seeking to deliver local priorities together.

Meetings of the Spelthorne Joint Committee are held in public, and local people are able to participate during parts of the meeting as set out in Section 3 of this document.

This Terms of Reference document includes the standing orders that will apply to the Joint Committee. These need also to be read in the light of the individual Constitutions of each of the two Councils which will continue to apply as appropriate to decisions delegated by each relevant authority.

Whilst the Joint Committee will be responsible for making decisions relating to the delegated functions as set out below, the day-to-day operational arrangements relating to any particular function will continue to be managed by the local authority having responsibility for that function.

Section 2 – Functions and Funding

The scope and overall purpose of the Spelthorne Joint Committee is as set out in Section 1. The general remit of the Joint Committee is set out below and the more specific delegated functions are outlined in later sections.

(A) General Remit

The general remit of the Spelthorne Joint Committee is:-

1. To identify and agree opportunities for the closer alignment of County and Borough services in Spelthorne.
2. To make decisions on local services and budgets delegated to it by either Surrey County Council or Spelthorne Borough Council.
3. To make comments on policy, strategy, services, priority community work, or other matters specifically referred to it by the County Council or the Borough Council.
4. To provide political oversight of key County and Borough partnership initiatives and strategies.
5. To seek solutions to local concerns relating to Council services under the remit of the Joint Committee.
6. To identify and set local priorities through an annual priority setting meeting.
7. To build community leadership and local engagement, and encourage local community resilience plans.
8. To ensure that local authority services within Spelthorne Borough are carried out in accordance with both Surrey County Council's and Spelthorne Borough Council's core values, policies, strategies and within approved budgets.

(B) Delegated Powers

The services identified below are delegated by Surrey County Council or Spelthorne Borough Council as indicated, for decision making or consideration by the Spelthorne Joint Committee, in accordance with the relevant legislation.

In discharging the delegated powers, the Spelthorne Joint Committee must have due regard at all times to the approved policies, budgets and financial regulations of the Council delegating the functions, and act in accordance with Standing Orders at Section 3 of this Terms of Reference.

Set out below is a list of the functions that are currently delegated to the Spelthorne Joint Committee. Additional functions and matters for determination may be delegated to the Committee in the future by Surrey County Council (SCC) or Spelthorne Borough Council (SBC), which will form part of this Terms of Reference. The Community Partnership and Committee Officer will maintain a record of all additional delegated functions and will ensure that any such additions are reported to the Joint Committee at the next meeting after the delegation takes place.

Executive Functions (delegated by Surrey County Council and Spelthorne Borough Council)

The Joint Committee will be responsible for the following decisions on local services and budgets:

In relation to the Borough of Spelthorne the Joint Committee will take decisions delegated to it by the SCC Leader and/or Cabinet and/or the SBC Leader and/or Cabinet on the following local services and budgets, to be taken in accordance with the financial framework and policies of the respective Councils within a framework of agreed performance and resources:

- (i) Changes which amount to more than 15% in the hours of opening for local libraries (whether managed directly by Surrey County Council or under a community partnership agreement.) (SCC)
- (ii) Community safety funding that is delegated to the Joint Committee (SCC/SBC).
- (iii) Decisions in relation to highways and infrastructure:
 - a. The allocation of the Surrey County Council highway capital budget and highway revenue budget which are devolved to the Joint Committee for minor highway improvements and highway maintenance within the Committee's area including the scope to use a proportion of either budget to facilitate local highways initiatives (SCC).
 - b. To allocate funds to review on-street parking management, including local parking charges where appropriate and to approve the statutory advertisement of Traffic Regulation Orders (TROs) relating to on-street parking controls (SCC).
 - c. To agree local speed limits on County Council roads within its area, and to approve the statutory advertisement of speed limit orders, taking into

account the advice of the Surrey Police Road Safety and Traffic Management Team and with regard to the County Council Speed Limit Policy (SCC).

- d. To approve the statutory advertisement of all legal orders or appropriate notifications relating to highway schemes within the delegated powers of the Joint Committee (SCC).
 - e. Where, under delegated powers, the Parking Strategy and Implementation Team Manager or Highways Area Team Manager has chosen to refer the decision on whether a TRO should be made to the Joint Committee, the Committee will make that decision (SCC).
 - f. To consider applications for stopping up a highway under section 116 of the Highways Act 1980 when, following the consent of SBC and any relevant Parish Council, unresolved objections have been received during the period of statutory public advertisement, and to decide whether the application should proceed to the Magistrates' Court
- (iv) Determine priorities and agree how Community Infrastructure Levy (CIL) receipts will be expended (SBC).
- (v) In relation to services for young people, with the aim of achieving an integrated approach from Surrey County Council and Spelthorne Borough Council (SCC/SBC):
- a) To agree joint priorities for commissioning by the County Council and the Borough Council in Spelthorne for provision of preventative work with young people who are at risk of becoming not in education, training or employment (NEET).
 - b) To apportion delegated funding for young people, specifically the distribution between Local Prevention and Individual Prevention categories of funding, in accordance with the allocated budget and any youth grants as allocated by the Borough Council.
 - c) Approve the awards for the provision of Local Prevention services for Spelthorne Borough in accordance with the allocated budget and to qualified providers. This power to be exercised by the County Council Portfolio Holder in the event that the Joint Committee is unable to award grant(s) (due to the presence of conflicts of interest which result in the body being inquorate).
 - d) To approve youth task group advice on the allocation of Community Youth Work and Surrey Outdoor Learning & Development (S.O.L.D) Local Offer resources to meet local priorities for young people in the local area.
- (vii) Decisions on any funding when a budget is allocated to the Joint Committee by either of the Councils (SCC/SBC).

Non-Executive Functions (delegated by Surrey County Council)

The Joint Committee will deal with all those non-executive functions relating to public rights of way set out in the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, except for those separately referred to in the County Council's Scheme of Delegation (or within the terms of reference of other Committees).

Non-Executive Functions (delegated by Spelthorne Borough Council)

- (i) Oversee and determine priorities for the Borough based community strategy and related plans within Spelthorne.

In addition, the Joint Committee will deal with those relevant non-executive functions, relating to joint working that may be delegated to it by the Borough Council from time to time.

Service Monitoring and Community Leadership- advisory functions

The Joint Committee may:

- (i) In relation to the exercise of County Council Executive functions relating to members' allocations, receive a report on all projects approved under the delegated authority of the Community Partnership Manager or Team Leader. (SCC)
- (ii) In relation to Community Highway Enhancement allocations, receive a report on all projects approved by Individual Members of the County Council under delegated authority, or by the Area Team Manager where Members have requested that their allocations be combined to be spent in one or more divisions. (SCC)
- (iii) Determine priorities for collaborative work undertaken within the committee's area by the Councils and other partners (SCC/SBC)
- (iv) To champion the better use of public sector assets in the Borough to promote the One Public estate approach amongst Surrey County Council , Spelthorne Borough Council and other public sector partners (SCC/SBC)
- (v) Monitor formal decisions taken by officers under delegated powers and provide feedback to improve service standards. (SCC/SBC)
- (vi) Engage in issues of concern to local people and seek to influence the respective Councils in the light of local needs. (SCC/SBC)
- (vii) Monitor the quality of services provided locally, and recommend action as appropriate. (SCC/SBC)
- (viii) To oversee and agree joint priorities to inform the improvement of educational attainment in Spelthorne with the aim of working closely between Surrey County Council, Spelthorne Borough Council and Spelthorne Schools Federation (SCC/SBC)
- (ix) Oversee and influence priorities for the Family Support Programme in Spelthorne (noting the shared nature of this service with other boroughs) and monitor its performance. (SCC/SBC)
- (x) To oversee and agree joint priorities to inform commissioning and delivery of Independent Living, Older People's Services and Day Centres in Spelthorne, with the aim of achieving an integrated approach from Surrey Council and Spelthorne Borough Council (SCC/SBC)

- (xi) Be informed in relation to the prioritisation of proposed and planned infrastructure schemes or developer funded highway improvements within Spelthorne. (SCC)
- (xii) Be informed of and receive appropriate reports on highway initiatives and/or improvements either wholly or partly in Spelthorne. (SCC)
- (xiii) Oversee local initiatives agreed and funded by the Joint Committee. (SCC/SBC)
- (xiv) Oversee parking provision and enforcement in its area including budget monitoring subject to any particular terms of reference, agreed by the committee, (SCC/SBC)
- (xv) Oversee and monitor the impact of the Local Prevention Commissions and the Community Youth Work Service in accordance with prevention priorities for young people not in education, employment or training (NEET) in the local area.
- (xvi) To receive reports from and provide political oversight and advice to the Spelthorne Safer Stronger Community Partnership on the Community Safety functions of the Borough. (SCC/SBC)
- (xvii) To receive reports from and provide political oversight and advice to the Spelthorne Together Health and Wellbeing Group within the framework of Surrey's Joint Health and Wellbeing Strategy. (SCC/SBC)
- (xviii) Be consulted on any issues referred to it by either Council and produce responses as appropriate. (SCC/SBC)

(Note: A joint committee may not make any decision which will have an adverse effect on a part of the county for which it does not have functions).

(C) Funding

- (i) With regards to budget setting and planning, the County Council and Spelthorne Borough Council will agree each year the amount of funding available to the Joint Committee to carry out its delegated decisions. All funds will be held and administered by the originating authorities and spent in accordance with their respective financial regulations and policies.
- (ii) Provision of venue:
The meeting's venue and associated costs will normally be provided by Spelthorne Borough Council, unless alternative arrangements are agreed by Surrey County Council.
- (iii) Committee management:
Committee management and associated costs for the Joint Committee will be provided by Surrey County Council.
- (iv) Any members' costs and expenses resulting from the Joint Committee (including those in relation to Chairman and Vice Chairman roles) will be funded and administered by their respective authorities.

(D) Withdrawal from the Joint Committee

At any time either Council may give 6 months' notice in writing to the other Council of its intention to withdraw from the Joint Committee. Once the Joint Committee ceases to exist the functions delegated to it would each revert back to the relevant delegating authority.

Section 3 - Standing Orders

1. MEMBERSHIP AND ATTENDANCE OF MEMBERS AT MEETINGS

- 1.1. Membership of the Spelthorne Joint Committee shall be all county councillors with electoral divisions in Spelthorne, one Surrey County Council Cabinet Member (who may also be a county councillor with an electoral division in Spelthorne), and an equivalent number of borough councillors who should be politically proportionate to the Borough Council. At least one borough councillor shall be a member of that Council's Cabinet. If there is no Surrey County Council Cabinet Member with an electoral division in Spelthorne for the Leader of the County Council to appoint a specific Cabinet member to the Spelthorne Joint Committee at the Council AGM. No substitutes will be permitted for the members on the Joint Committee. Members will be appointed to the committee at the first business meeting of the respective Council, at the start of each municipal year. All borough and county councillors on the Joint Committee will have equal voting rights on all issues being considered.
- 1.2. A person shall cease to be a member if he/she ceases to be a member of the County Council, a member representing an electoral division in Spelthorne or the relevant Cabinet Member, or in the case of a member of the Borough Council, ceases to be a member of that Council, or the relevant Cabinet Member or resigns from the Spelthorne Joint Committee.
- 1.3. Surrey County Council or Spelthorne Borough Council may, through their respective Councils, co-opt representatives from the voluntary sector, public authorities or businesses in Spelthorne onto the Joint Committee. These representatives will be able to take part in discussions on agenda items, but will not be able to vote on any item for decision.
- 1.4. The Leader of either Surrey County Council or Spelthorne Borough Council, or appropriate Surrey County Council Cabinet Member or Spelthorne Borough Council Cabinet Member with portfolio responsibilities for a matter on the agenda of the Joint Committee meeting may attend the meeting of the committee and, with the Chairman's consent, speak on the matter or provide written representation.

2. APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

- 2.1. For the 2016/17 Municipal Year only, the Chairman (who will be a County Councillor) and Vice-Chairman (who shall be a member of the Borough Council's Executive) shall be appointed by the County Council or the Borough Council (as appropriate) with the appointments made by the relevant Council Leader.
- 2.2. From 2017/18 Municipal Year, the offices of Chairman and Vice-Chairman shall then alternate between the two Councils every year, with the Borough Council providing the Chairman in 2017/18. If the appointed Chairman is representing Surrey County Council, the Vice-Chairman must be a Spelthorne Borough Council representative and vice-versa with the appointments made by the relevant Council Leader.

2.3. The Chairman and Vice-Chairman shall, unless he or she resigns the office or ceases to be a member of the Spelthorne Joint Committee, continue in office until a successor is appointed. If a Chairman or Vice-Chairman does not complete a full term of office, a further member from the same Council shall be appointed by the relevant Leader for the remainder of that term.

2.4. In the absence of the Chairman and the Vice-Chairman at a meeting, the members of the Committee shall elect a chairman for that meeting.

3. MANAGEMENT OF THE COMMITTEE

3.1. The County Council's Community Partnership's Team shall act as the Committee Manager for the Spelthorne Joint Committee and shall be responsible for preparing and circulating agendas for meetings, advising on constitutional matters and for producing the decisions and minutes.

4. FORMAL MEETINGS

4.1. There shall be between 4 and 8 formal meetings of the Spelthorne Joint Committee each year as determined by the Chairman and Vice-Chairman and as set out in the calendar of meetings published on the council's website.

4.2. The Chairman or in his/her absence the Vice-Chairman, may call a special meeting of the Spelthorne Joint Committee to consider a matter that falls within its remit but cannot await the next scheduled meeting, provided at least five clear working days notice in writing is given to the Committee Manager.

4.3. Formal meetings of the Joint Committee and its sub-committees shall be held in public except when exempt or confidential information is being considered and the press and public can be excluded in accordance with the Local Government Act 1972.

4.4. Meetings of any working groups or task groups established by the Joint Committee shall, unless otherwise agreed, be held in private.

5. DELEGATED POWERS

5.1. The delegated powers mean those powers to be discharged by the Spelthorne Joint Committee as set out in Section 2(B) of this Terms of Reference.

5.2. The Spelthorne Joint Committee shall discharge the delegated powers, within the budgetary and policy framework set by Surrey County Council in the case of county functions or by Spelthorne Borough Council in the case of borough functions.

5.3. When discharging the delegated powers the Spelthorne Joint Committee shall take decisions only after taking into account advice given in writing or orally from relevant Officers of Surrey County Council or of Spelthorne Borough Council as appropriate, including legal, financial and policy advice.

5.4. If the Joint Committee is to make a Key Executive decision delegated to it by either Surrey County Council or Spelthorne Borough Council, then the Joint Committee must follow the constitution of the authority delegating the decision, including publishing it in the monthly forward plan of that authority.

6. OVERVIEW AND SCRUTINY

6.1. Executive decisions made by the Spelthorne Joint Committee are subject to scrutiny by Surrey County Council's or Spelthorne Borough Council's relevant Overview and Scrutiny Committee (depending on which authority delegated the particular function), including an Overview and Scrutiny Committee's right under the Local Government Act 2000 to request that an Executive Decision made but not implemented be reconsidered by the decision-taker (often referred to as 'call-in').

6.2. The processes and procedures for the exercise by the relevant Overview and Scrutiny Committee of their 'call-in' function shall be in accordance with the Constitutions of Surrey County Council or Spelthorne Borough Council depending on which authority delegated the executive decision in question.

6.3. Referral of Joint Committee Executive decisions by either Surrey County Council Cabinet or Spelthorne Borough Council Executive (dependant on who delegated the function)

6.3.1. The SCC /SBC Cabinet may require referral, for review and final determination, any executive decision taken by the Joint Committee which has significant policy or budgetary implications or is outside of the authority delegated to the Joint Committee, subject to notice of requirement for referral being given within 5 working days of publication of the decision.

6.3.2. Notice of referral may be given by the Leader or Deputy Leader of the relevant authority, or any three or more members of the SCC /SBC Cabinet as appropriate.

6.3.3. All members of the Joint Committee will be notified that an executive decision taken by the Committee has been required for referral by SCC /SBC Cabinet.

6.3.4. The decision will be considered by the SCC /SBC Cabinet at its next appropriate meeting in discussion with the Joint Committee Chairman and Vice-Chairman and no action will be taken to implement it in the meantime.

6.3.5. The Joint Committee Chairman or Vice-Chairman may attend the SCC /SBC Cabinet meeting, as appropriate, for the consideration of the matter and speak on the item.

6.3.6. The SCC /SBC Cabinet may accept, reject or amend the decision taken by the Joint Committee. A report on the decision taken by the Cabinet will be made to the next appropriate meeting of the Joint Committee, and to all the Members of either Surrey or Spelthorne Council, as appropriate, for information.

The following general provisions apply to the consideration of all matters within Spelthorne Joint Committee's remit.

7. NOTICE OF MEETING

- 7.1. The date, time and place of the fixed meetings of the Spelthorne Joint Committee will be accessed through both the Surrey County Council and Spelthorne Borough Council websites. The notice, agenda, reports and other documents prepared for the Spelthorne Joint Committee will be posted on the Surrey County Council website (with links from the Spelthorne Borough Council website) and sent to Members of the Committee not less than five clear working days before the date of the meeting.
- 7.2. Only the business on the agenda will be discussed at a meeting of the Spelthorne Joint Committee except for urgent matters raised in accordance with the provisions in Section 100B(4)(b) of the Local Government Act 1972.

8. SPECIAL MEETINGS

- 8.1. A special meeting of the Spelthorne Joint Committee will be convened to consider specific matters within its terms of reference at the discretion of the Chairman, or the Vice-Chairman in his/her absence. At least five clear working days' notice of a special meeting must be given.

9. AGENDAS

- 9.1. Spelthorne Joint Committee will comply with the Access to Information rules in Part VA of the Local Government Act 1972.
- 9.2. Agendas for meetings of the Spelthorne Joint Committee shall be dispatched by the Committee Manager five clear working days in advance of a meeting, and copies will be made available for public inspection at the designated County and Borough Council offices, libraries and via the County Council and Spelthorne Borough Council websites.
- 9.3. Members of the Spelthorne Joint Committee may suggest items for inclusion in the agenda within its remit. These will be added to the forward programme in consultation with the Chairman and Vice-Chairman of the Spelthorne Joint Committee.

10. DECISIONS AND MINUTES

- 10.1. The decisions from the meeting shall be published on the County Council's website, with links from the Spelthorne Borough website, within three clear working days of the Committee.
- 10.2. The minutes of a meeting shall be published on the County Council's website, with relevant links, as soon as is reasonably practicable.
- 10.3. At the meeting, 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.

10.4. 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 purposes of signing of minutes.

11. CONFIDENTIALITY OF PAPERS

11.1. All Members must respect the confidentiality of any papers made available to them for the purpose of meetings of the Spelthorne Joint Committee or otherwise for so long as those papers remain confidential.

Failure to observe

11.2. Any or all of the rights conferred on a Member of one of the councils under its Constitution may be withdrawn by that Council if it is satisfied that he/she has not observed the requirements of Standing Order 11.1 in relation to any of its papers.

12. QUORUM

12.1. The Chairman will adjourn the meeting if there is not a quorum present.

12.2. The quorum will be one quarter of the total number of voting members of the Committee. A quorum may not be fewer than three voting members.

13. MEMBER QUESTIONS TO THE SPELTHORNE JOINT COMMITTEE

13.1. Any Member of either Council may, with the Chairman's consent, ask one or more questions on matters within the terms of reference of the committee.

13.2. Notice of questions must be given in writing to the Community Partnerships Team by 12 noon four working days before the meeting. If the day in question is a Bank Holiday then notice of questions should be received by 12 noon on the previous working day.

13.3. Questions may be asked without notice if the Chairman decides that the matter is urgent.

13.4. Where a Member has given notice of a question and is absent from the meeting another Member may ask it on his/her behalf.

13.5. Every question will be put and answered.

13.6. Copies of all questions will be circulated to Members before the start of the meeting.

13.7. Questions may be answered orally or in writing.

13.8. If the Chairman is unable to answer any question at the meeting he/she may send a written answer to the Member asking the question.

13.9. At the discretion of the Chairman, a Member who has given notice of a question may ask one supplementary question relevant to the subject of the original.

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

14. PUBLIC PARTICIPATION IN SPELTHORNE JOINT COMMITTEE

14.1. PETITIONS

14.1.1. Any member of the public who lives, works or studies in the Spelthorne Borough area may present a petition, containing 30 or more signatures or at the Chairman's discretion, relating to a matter within the terms of reference of the Committee. The presentation of a petition on the following business will not be allowed:

14.1.1.1. matters which are "confidential" or "exempt" under Part VA of the Local Government Act 1972;

14.1.1.2. planning applications; and

14.1.1.3. matters in relation to a public rights of way under consideration by the Joint Committee.

14.1.2. A spokesperson for the petitioners may address the committee on the petition for up to 3 minutes or longer if agreed by the Chairman. Discussion on a petition at the meeting is at the Chairman's discretion. The petition may be referred to the next appropriate meeting of the committee or to the SCC Cabinet, Cabinet Member, SBC Cabinet or relevant committee of either SCC or SBC at the discretion of the Chairman.

14.1.3. Notice must be given in writing to the Community Partnerships Team at least 14 days before the meeting. Alternatively, the petition can be submitted on-line through Surrey County Council's or Spelthorne Borough Council's e-petitions website as long as the minimum number of signatures has been reached 14 days before the meeting.

14.1.4. No more than three petitions may be presented at any one meeting of the committee unless agreed otherwise by the Chairman.

14.1.5. The Community Partnerships Team may amalgamate within the first received petition other petitions of like effect on the same subject.

14.1.6. The presentation of a petition on the same or similar topic as one presented in the last six months may only be permitted at the Chairman's discretion.

14.2. PUBLIC QUESTIONS AND STATEMENTS

- 14.2.1. At the start of any ordinary meeting of the Committee, any member of the public who lives, works or studies in the Spelthorne borough area may ask one question or make a statement relating to a matter within the Committee's terms of reference. The Chairman may alternatively permit the question to be asked or the statement to be made at the start of an item on the agenda if it relates to that item.
- 14.2.2. Questions or statements will not be allowed on matters which are "confidential" or "exempt" under the Local Government Access to Information Act 1985 or on planning applications or on rights of way matters under consideration.
- 14.2.3. Notice of questions or statements must be given in writing or by e-mail to the Community Partnerships Team with details of the question or statement, by 12 noon four working days before the meeting. If the day in question is a Bank Holiday then notice of questions should be received by 12 noon on the previous working day.
- 14.2.4. The Community Partnerships Team may, having consulted a questioner, reword any question or statement received to bring it into proper form and to secure reasonable brevity. Copies will be tabled and made available in the meeting room for members of the Joint Committee and any member of the public in attendance.
- 14.2.5. Questions and statements will be taken in the order in which they are received by the Community Partnerships Team. The provision of answers to questions being asked, any response to statements, and any discussion of the question or statement will be at the discretion of the Chairman.
- 14.2.6. following any initial reply to a question, one or more supplementary question/s in relation to the response provided may be asked by the questioner at the discretion of the Chairman. The provision of answers to supplementary questions being asked and any discussion of these questions will be at the discretion of the Chairman.
- 14.2.7. The total number of questions which may be asked or statements made at any one meeting will be at the discretion of the Chairman. The Chairman may decide that questions or statements can be held over to the following meeting, or dealt with in writing and may disallow questions or statements which are repetitious.
- 14.2.8. When dealing with any item in which public participation has occurred, the Chairman shall clarify the point at which such public participation has concluded and the Committee's formal discussion and decision making of the item is taking place.

14.3. PUBLIC SPEAKING IN RELATION TO RIGHTS OF WAY

Rights of Way application decisions are quasi-judicial decisions. They are therefore subject to specific rules. The reason for the rules about public speaking reflect the right of all individuals to a fair hearing.

- 14.3.1. Members of the public and their representatives may address the Spelthorne Joint Committee on any applications relating to public Rights of Way being considered by the committee.
- 14.3.2. Speakers must first register their wish to speak by telephone or in writing to the Community Partnerships Team by 12 noon one working day before a meeting stating on which item(s) they wish to speak.
- 14.3.3. Only those people who have previously made written representations in response to a Rights of Way application will be entitled to speak.
- 14.3.4. Speakers must declare any financial or personal interest they may have in the application.
- 14.3.5. Registration of speakers will be on a first come first served basis and speakers will be taken in the order in which they are registered, with the first five registered being entitled to speak. Where more than one person has registered an interest to speak, the subsequent speakers will be entitled to speak first if the first named speaker is not in attendance five minutes before the start of the meeting. Representations can be combined if necessary. A reserve list will also be maintained if necessary.
- 14.3.6. The time allowed for public speaking will be limited to 15 minutes for objectors and 15 minutes for supporters per item, and to 3 minutes per speaker.
- 14.3.7. Only if a member of the public or their representative speaks objecting will the applicant/agent be allowed to speak and then only to respond to the points raised by the objectors, and will be limited to 3 minutes for each objector who has spoken.
- 14.3.8. No additional information may be circulated by speakers at the meeting and they will have no right to speak or question Members or officers once they have made their submission.
- 14.3.9. Speeches will precede the Committee's formal discussion on each application requiring the committee's attention.
- 14.3.10. The right to speak will only be exercised at the first meeting at which the application is considered and will not normally be the subject of further presentations at any subsequent meeting unless significant changes have taken place after a deferral by the Committee.

15. RIGHT TO SPEAK AT COMMITTEE

- 15.1. A Member may only speak once on a motion and amendment except:

- 15.1.1. the mover may reply to the debate but, in doing so, may only answer statements and arguments made in the course of the debate. He/she may not introduce any new matter;
- 15.1.2. the mover of a motion may speak during the debate on any amendment to the motion;
- 15.1.3. 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;
- 15.1.4. the Chairman may speak before the mover of the motion or amendment replies to the debate.
- 15.1.5. A Member seconding any motion or amendment will be deemed to have spoken on it unless he/she speaks immediately and reserves his/her right to speak later.

16. RELEVANCE

- 16.1. 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.

17. POINTS OF ORDER

- 17.1. 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.

18. LENGTH OF SPEECHES

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

(a) The mover of a motion or an amendment. (5 minutes)

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

(b) The mover of a motion either speaking to an amendment or replying to the debate. (3 minutes)

(c) The mover of an amendment replying to the debate on the amendment. (3 minutes)

(d) The seconder of a motion or an amendment. (3 minutes)

(e) A Member speaking on a report or in a debate. (3 minutes)

19. AFTER REPLY DEBATE IS CLOSED

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

20. PROCEDURE FOR MOTIONS AND AMENDMENTS

20.1. Every motion or amendment must be moved and seconded and, if the Chairman requires, must be submitted in writing to the Community Partnerships Team and read aloud before it is put to the meeting.

20.2. A Member may not move or second more than one amendment on any motion.

20.3. Once moved and seconded, a motion or amendment may not be withdrawn without the consent of the Committee.

20.4. With the consent of the Committee a Member may:

20.4.1.1. alter a motion of which he/she has given notice; or

20.4.2. 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 the following Standing Order).

21. AMENDMENTS

21.1. Every amendment must be relevant to the motion under discussion and will either:

21.1.1. move the reference back

21.1.2. leave out words

21.1.3. add words, or

21.1.4. 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.

22. PROCEDURAL MOTION

“That the question be now put”

22.1. Any Member may, at the close of the speech of another Member, move “That the question be now put”.

22.2. 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:

(a) the Chairman may speak to the motion or amendment under debate, if he/she has not already spoken; and

(b) the mover of the motion or amendment may reply.

22.3. The motion or amendment will then be put.

23. INTERRUPTIONS AND DISORDERLY CONDUCT

23.1. If a member of the public interrupts the proceedings at a meeting the Chairman may ask him/her not to interrupt.

23.2. If the interruption continues the Chairman may order his/her removal from the room.

23.3. If there is general disturbance in all or part of the public gallery the Chairman may order that part to be cleared.

23.4. 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.

23.5. If the motion is carried and the misconduct continues the Chairman may adjourn or suspend the sitting of the Committee for as long as he/she considers appropriate.

24. VOTING

24.1. Voting will be by show of hands unless a Member demands 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.

24.2. Where a demand for a recorded vote is not supported, any Member may require his/her vote for or against the motion to be recorded in the minutes.

24.3. On a formal motion put from the Chairman (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.

24.4. 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.

24.5. The person presiding at the meeting, having already voted, may in the event of a tie exercise a second or casting vote.

25. MEMBERS' CODE OF CONDUCT

25.1. Members are bound by the Code of Conduct of the authority which appointed them to the Spelthorne Joint Committee and should particularly observe the provisions of their respective Codes concerning the declaration of interests when attending meetings of the Spelthorne Joint Committee.

26. INTERESTS OF MEMBERS

26.1. At any meeting where a Member becomes aware that a matter under consideration relates to:

- 26.1.1. one of their interests that they must disclose in accordance with their respective Council's Codes not already entered on the relevant Council's register and/or
- 26.1.2. the donor of any gift and/or hospitality they have accepted and not yet entered on the relevant Council's register the Member must disclose the interest to the meeting and, within 28 days, notify this to either the County Council's Monitoring Officer in the case of County Councillors or the Borough Council's Monitoring Officer in the case of Borough Councillors for inclusion in the register.

27. PARTICIPATION IN RELATION TO DISCLOSABLE PECUNIARY INTERESTS

27.1. A Member with a disclosable pecuniary interest in any matter must:

- 27.1.1. not participate in any discussion or vote relating to the matter;
- 27.1.2. withdraw from the room or chamber when it becomes apparent that the matter is being considered at that meeting;
- 27.1.3. not exercise functions in relation to that matter; and
- 27.1.4. not take any steps in relation to the matter (except for the purposes of enabling the matter to be dealt with otherwise than by them) unless he/she has obtained a dispensation from the County Council's Audit and Governance Committee for County Councillors or the Borough Council's Members' Code of Conduct Committee.

28. ATTENDANCE OF MEMBERS

28.1. Members will sign a register of attendance.

29. EXCLUSION OF THE PRESS AND PUBLIC

29.1. The Spelthorne Joint Committee may, by resolution, exclude the press and public from a meeting during an item of business wherever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure of Exempt or Confidential information as defined by the Local Government Act 1972

and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

30. SUB-COMMITTEES AND TASK GROUPS

30.1. The Spelthorne Joint Committee may appoint:

30.1.1. Sub-Committees with power to act to discharge any of its functions as agreed by the Joint Committee.

30.1.2. Task Groups which cannot make decisions but may consider specific matters and report back to a future meeting of the Spelthorne Joint Committee.

31. CONDUCT AT MEETINGS

31.1. The conduct of meetings and the interpretation of these Standing Orders are at all times a matter for the Chairman of the meeting whose ruling is final.

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SURREY COUNTY COUNCIL**CABINET****DATE: 20 SEPTEMBER 2016****REPORT OF: N/A****LEAD OFFICER: ANN CHARLTON, DIRECTOR OF LEGAL, DEMOCRATIC AND CULTURAL SERVICES****SUBJECT: LEADER/DEPUTY LEADER/CABINET MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING****SUMMARY OF ISSUE:**

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

RECOMMENDATIONS:

It is recommended that the Cabinet note the decisions taken by Cabinet Members since the last meeting as set out in Annex 1.

REASON FOR RECOMMENDATIONS:

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

DETAILS:

1. The Leader has delegated responsibility for certain executive functions to the Deputy Leader and individual Cabinet Members, and reserved some functions to himself. These are set out in Table 2 in the Council's Scheme of Delegation.
2. Delegated decisions are scheduled to be taken on a monthly basis and will be reported to the next available Cabinet meeting for information.
3. **Annex 1** lists the details of decisions taken by Cabinet Members since the last Cabinet meeting.

Contact Officer:

Andrew Baird, Regulatory Committee Manager, Tel: 020 8541 7609

Annexes:

Annex 1 – List of Cabinet Member Decisions

Sources/background papers:

- Agenda and decision sheets from the Cabinet Member meetings (available on the Council's website)

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CABINET MEMBER DECISIONS

19 July / August / September 2016

CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT

(I) PRIMARY AND SECONDARY FAIR ACCESS PROTOCOLS 2016/17

Details of decision:

That the proposed Primary and Secondary Fair Access Protocols for 2016/17 be approved.

Reasons for decision:

- Must participate in.
- The proposed Protocols meet the requirements of the 2014 Department for Education School Admissions Code.
- Schools have been involved in the review.
- The Protocol will ensure that children who are out of school can be placed in school quickly.
- The Protocol will ensure that no school is expected to admit more than their fair share of children with challenging behaviour or children previously excluded from other schools.

Decision taken by the Cabinet Member for Schools, Skills and Educational Achievement – 19 July 2016)

CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT

(II) OPENING OF ADDITIONAL TEMPORARY SCHOOL PLACES FOR PUPILS WITH AN EDUCATION HEALTH AND CARE PLAN

Details of decision:

That the temporary provision of additional reception age capacity and the associated capital expenditure at the four identified locations be approved to enable the placement of 22 pupils with an Education Health and Care Plan. This recommendation is subject to the business case being supported by Investment Panel.

Reasons for decision:

The Council has a statutory duty to make appropriate education provision available for all of its residents, this work will make sure that duty is met. In addition, this action will ensure that the most appropriate education offers are made to some of our most vulnerable pupils. Furthermore, the capital cost associated with this work is significantly mitigated by ongoing revenue savings against alternative provision.

Decision taken by the Cabinet Member for Schools, Skills and Educational Achievement – 19 July 2016)

CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT

(III) INVESTMENT IN OLD FIRE STATION ELM GROVE, WALTON ON THAMES AND MOLESEY YOUTH CENTRE SO THAT TWO, THREE AND FOUR YEAR OLD CHILDREN CAN ACCESS THE FREE EARLY EDUCATIONAL ENTITLEMENT

Details of decision:

That capital funding for the Old Fire Station Elm Grove of £153,800 and for Molesey Youth Centre of £157,700 be approved, to facilitate capital investment on these sites so that children can access the free early education entitlement.

Reasons for decision:

The Department of Education requires all local authorities in England to secure free early education places for two year old children who meet the eligibility criteria based on household income whilst places for three and four year olds are offered as part of the free early education entitlement. This report will ensure that plans are in place to make provision for such places in the Walton and Molesey areas of Surrey where there is a current shortfall in provision. The business case was supported at Investment Panel in June 2016.

Decision taken by the Cabinet Member for Schools, Skills and Educational Achievement – 19 July 2016)

LEADER OF THE COUNCIL

(IV) AMALGAMATION OF SEND C OF E (FOUNDATION) FIRST SCHOOL WITH ST BEDE'S C OF E (AIDED) JUNIOR SCHOOL

Details of decision:

1. That the closure of Send CofE First School be approved.
2. That the prescribed alteration to lower the age limit of St Bede's CofE Junior School to 3 -11 years be approved.

Reasons for decision:

The amalgamation would provide continued, secure progression of primary phase education in the Send locality.

Decision taken by the Deputy Leader and Cabinet Lead for Economic Prosperity on behalf of the Leader of the Council – 22 August 2016)

CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT

(V) REVOCATION PROPOSAL – EXPANSION OF FURZEFIELD PRIMARY SCHOOL

Details of decision:

That the Statutory Notice, attached as Annex 1 to the submitted report be determined, thereby revoking the formal expansion of Furzefield Primary School by 1 Form of Entry (1 FE) for September 2016.

Reasons for decision:

Subsequent to the determination of the Statutory Notice to expand the school, it has become apparent that the Council cannot, meet the aspirations of the school in relation to the proposed build solution within the defined parameters of what it considers to be 'Basic Need'. As the school does not, therefore, wish to proceed with the expansion, it is proposed that the original decision be revoked. In line with this, Surrey County Council has undertaken

the requisite statutory consultation to inform the decision making process and no objections have been received as part of this.

Decision taken by the Cabinet Member for Schools, Skills and Educational Achievement – 8 September 2016)

CABINET MEMBER FOR SCHOOLS, SKILLS AND EDUCATIONAL ACHIEVEMENT

(VI) PROPOSAL FOR A NURSERY ON THE RIDGEWAY SCHOOL

Details of decision:

1. That the business case for the project to extend the Ridgeway School to include a Nursery providing for 8 full time equivalent (FTE) places, at a total cost, as set out in the submitted Part 2 report, be approved.
2. That the arrangements by which a variation of up to 10% of the total value may be agreed by the Deputy Chief Executive and Strategic Director for Children, Schools and Families, in consultation with the Cabinet Member for Schools, Skills and Educational Achievement, the Cabinet Member for Business Services and Resident Experience and the Leader of the Council be approved.

Reasons for decision:

This proposal will replicate arrangements across the county in all the other severe learning and development difficulties (SLDD) schools. The Ridgeway School will again be able to offer early support and education for up to 8 full time equivalent places to the most vulnerable pupils in the South West area of Surrey.

Decision taken by the Cabinet Member for Schools, Skills and Educational Achievement – 8 September 2016)

CABINET MEMBER FOR BUSINESS SERVICES AND RESIDENT EXPERIENCE

(VII) COMMERCIAL CATERING EQUIPMENT REPAIR AND INSTALLATION SERVICES – CONTRACT AWARD

Details of decision:

That framework agreements are awarded to the following suppliers by lot and in ranking order from 1 January 2017 for a total of four years and immediate call off contracts be awarded for three years with an option to extend for a further period of one year each for Surrey County Council (SCC) for a total value of £845,600:

Lot 1 – Repairs to Refrigeration/freezers/chill cabinets/cold rooms/refrigerated dole wells (lot annual value £12,000) – Corrigenda Ltd t/a Churches, Little Duffy (Enterprises) Ltd, TWO Services Ltd, Celsius Commercial Refrigeration, JC Watson Refrigeration Ltd

Lot 2 – Repairs to Dishwashers and Water Softeners (lot annual value £74,000) - Corrigenda Ltd t/a Churches, Little Duffy (Enterprises) Ltd, TWO Services Ltd, National Facilities Management, JDS Catering Equipment Ltd

Lot 3 – Repairs to Combi Ovens (lot annual value £6,000) - Corrigenda Ltd t/a Churches, Little Duffy (Enterprises) Ltd, TWO Services Ltd, National Facilities Management, JDS Catering Equipment Ltd

Lot 4 – Repairs to Ranges/Ovens/Atmospheric Steamers/Bratt Pans (lot annual value £43,000) - Corrigenda Ltd t/a Churches, Little Duffy (Enterprises) Ltd, TWO Services Ltd, National Facilities Management, JDS Catering Equipment Ltd

Lot 5 – Repairs to Hot Cupboards/Counters/Mixers/Slicers/Vegetable Preparation Units (lot annual value £31,000) - Corrigenda Ltd t/a Churches, Little Duffy (Enterprises) Ltd, TWO Services Ltd, National Facilities Management, JDS Catering Equipment Ltd

Lot 6 – Installation of Dishwashers and Water Softeners (lot annual value £20,200) – Little Duffy (Enterprises) Ltd, TWO Services Ltd, Corrigenda Ltd t/a Churches, JLA Ltd, JDS Catering Equipment Ltd

Lot 7 – Installation of Combi Ovens (lot annual value £12,200) – TWO Services Ltd, Little Duffy (Enterprises) Ltd, Corrigenda Ltd t/a Churches, National Facilities Management, JLA Ltd

Lot 8 – Installation of Ranges and Ovens (lot annual value £8,000) – Little Duffy (Enterprises) Ltd, TWO Services Ltd, Corrigenda Ltd t/a Churches, JLA Ltd, National Facilities Management

Lot 9 – Installation of Atmospheric Steamers and Bratt Pans (lot annual value £5,000) – Little Duffy (Enterprises) Ltd, TWO Services Ltd, Corrigenda Ltd t/a Churches, JLA Ltd, National Facilities Management.

Reasons for decision:

The tender for this framework agreement in individual lots was undertaken in compliance with the requirements of Public Contracts Regulations 2015 and the Council's Procurement Standing Orders. The recommendations provide best value for money for these contracts following a competitive tender exercise and thorough evaluation process.

The contracts ensure that the Council has efficient and cost effective flexible services for both heavy and light catering equipment for which it is responsible in schools and civic buildings within the county of Surrey.

The framework agreement sets out the terms and conditions under which specific purchases known as call-off contracts can be made on behalf of the Council during the agreement.

Decision taken by the Cabinet Member for Business Services and Resident Experience – 12 September 2016)

CABINET MEMBER FOR BUSINESS SERVICES AND RESIDENT EXPERIENCE

(VIII) SECURITY SERVICES – CONTRACT AWARD

Details of decision:

1. Framework agreements be awarded to Knight Security Ltd for two years from 1 November 2016 with an option to extend for two periods of one year each in the following lots:

Lot 1 – Surrey County Council, Surrey Borough and District Councils, Surrey Schools

Lot 2 – East Sussex County Council, East Sussex Borough and District Councils, Brighton and Hove City Council

Lot 3 – West Sussex County Council

2. An immediate call off contract under the framework agreement for Lot 1 be placed with Knight Security Limited for the benefit of the Council with an estimated annual value of £205,000 for a two year contract term with an option to extend the contract for two periods of one year each.

Reasons for decision:

The existing contract will expire on 31 October 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 sets out the terms and conditions under which specific purchases known as call-off contracts can be made on behalf of the Council and other users by individual lot during the agreement.

Decision taken by the Cabinet Member for Business Services and Resident Experience – 12 September 2016)

CABINET MEMBER FOR WELLBEING AND HEALTH

(IX) ADOPTING THE MOTOR NEURONE DISEASE CHARTER

Details of decision:

That the Motor Neurone Disease Charter be adopted and the Charter is signed by the Cabinet Member for Wellbeing and Health on the Council's behalf.

Reasons for decision:

The five areas within the Charter are in line with the way that the council seeks to support people, and their families and carers with complex conditions.

By adopting the Charter Surrey County Council will be making a clear and public commitment to the standards within the Charter either directly or by working with its partners to do so.

Decision taken by the Cabinet Member for Wellbeing and Health – 12 September 2016)

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