

CABINET

The following decisions were taken by the Cabinet on Tuesday, 31 October 2017 and will take effect on 09/11/2017 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 08/11/17.**

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

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

The Cabinet at its meeting on Tuesday, 31 October 2017 considered the following matters and resolved:

Members' Questions (Item 4a)

Six questions in total were received from Mrs Hazel Watson, Mr Will Forster and Mr Jonathan Essex. Responses to these can be found at Appendix 1.

- **SUSTAINABILITY AND TRANSFORMATION PARTNERSHIPS (Item 6)**

RESOLVED:

1. The progress that has been made in implementing the Surrey Heartlands health and care devolution agreement, and progress in both Frimley Health and Care, and Sussex and East Surrey Partnership areas was noted, and
2. the approach being taken with Surrey Heartlands partners towards establishing a devolved health and care system was approved.

Reason for Decisions

Sustainability and Transformation Partnerships will play a pivotal role in shaping the future health and care priorities and landscape. In the seven months since the last Surrey Heartlands update to the Cabinet, significant progress has been made in the development of the devolution arrangements for Surrey Heartlands. Devolution is a key mechanism for enabling the Surrey Heartlands Partnership to achieve its aims and ambitions, and the integration of health and social care.

[The decisions on this item can be called in by the Adults and Health Select Committee]

- **INDEPENDENT TRAVEL TRAINING FOR CHILDREN AND YOUNG PEOPLE WITH SEND (Item 7)**

RESOLVED:

Following consideration of the results of the procurement process, in Part 2 of the meeting, a five year contract supported by a Social Impact Bond be awarded to

CT Plus Community to deliver independent travel training.

Reason for decision

A full tender process, in compliance with the requirement of Public Contract Regulations and Procurement Standing Orders has been completed, and the recommendation provides best value for money for the Council, and aims to deliver better outcomes for children and young people with SEND.

[The decisions on this item can be called in by the Children and Education Select Committee]

- **CHILDREN SCHOOLS AND FAMILIES COMMISSIONING PLAN 2017-22** (Item 8)

RESOLVED:

1. The Commissioning Intentions set out in Child First 2017-2022 was agreed.
2. To delegate authority to Cabinet Member for Children, Cabinet Member for Education, and Director for Children's Services, to make changes to the commissioning intentions, including those necessary to meet requirements of the Medium Term Financial Plan (MTFP) 2018-22.

Reason for decision

The commissioning intentions are the response to the Surrey Children & Young People's Partnership Strategy 2017-22 and provide a clear framework of strategic action for children, schools and families in Surrey, which addresses MTFP challenges for 2017-21 and provides a basis for the approach for 2018-22.

[The decisions on this item can be called in by the Children and Education Select Committee]

- **FUNDING OPTIONS FOR FUTURE FLOOD ALLEVIATION WORK IN SURREY** (Item 9)

RESOLVED:

That the Leader of the council writes to the Chancellor of the Exchequer, Secretary of State for Department of Communities & Local Government and Secretary of State for Department of Environment, Food & Rural Affairs, stating that:

- a) Because of the scale of the River Thames Scheme and the potential economic impacts at risk if it does not proceed, this is a nationally significant scheme and it is not appropriate to apply Defra's FDGiA Partnership Funding model to it.
- b) Surrey County Council has no capital reserves to meet Surrey's local contribution for the River Thames Scheme as requested by the Environment Agency, and requests that Central Government provide the capital required for the scheme.
- c) Should Central Government not provide the capital required for the scheme up-front, then Surrey County Council would be willing to take out a loan to pay Surrey's local contribution for the River Thames Scheme (at a cost

of approximately £4.5m per year for 40 years) subject to Central Government funding the annual costs of borrowing.

Reason for decision:

Surrey County Council's current budget for flood alleviation work is very limited. There is not enough funding to develop schemes for all of the areas at significant risk of flooding in the county. The 2013/14 floods highlighted a number of risks across Surrey and if a flood event of a similar magnitude were to take place again in the coming years, the council's inability to carry out work in the relevant areas owing to resource and budget constraints means that many locations would continue to suffer the same or worse economic and social damage to their communities.

It is also essential that greater protection from River Thames flooding in particular is provided for the many Surrey residents and businesses currently affected. The funding arrangements of the proposed RTS scheme present a high risk that it is unaffordable and will not be delivered.

[The decisions on this item can be called in by the Environment and Infrastructure Select Committee]

• **FARNHAM ROAD RAIL BRIDGE - FUNDING FOR BRIDGE STRENGTHENING**
(Item 10)

RESOLVED:

1. That support for the delivery of the Farnham Road Bridge Project was confirmed.
2. That an agreement with Network Rail for payment towards improvements to Farnham Road Bridge would be entered into.
3. That officers will work with Network Rail to confirm the Surrey CC contribution to the scheme.
4. That the Cabinet Member for Highways and Deputy Director will engage with stakeholders to identify alternate funding sources in order to limit or remove the need to reduce the existing capital programme or borrow to fund this scheme.

Reason for decision:

To enable the Farnham Road Bridge scheme to take place to ensure the ongoing safety of the travelling public and economic prosperity of Guildford Town Centre.

[The decisions on this item can be called in by the Environment and Infrastructure Select Committee]

• **MONTHLY BUDGET MONITORING REPORT** (Item 11)

RESOLVED:

That the following be noted.

1. Forecast revenue budget outturn for 2017/18, is £17m overspend (paragraphs 1 and 8 to 39 of the submitted report). This includes:

£9m savings to be identified,
£16m savings considered unachievable in 2017/18,
£11m service demand pressures
less
£19m underspends and additional income.

2. Significant risks to the revenue budget (paragraphs 40 to 44 of the submitted report) could add £13m to the forecast overspend, including: £8m in Children, Schools & Families and £3m in Adult Social Care.
3. Forecast planned savings for 2017/18 total £79m against £95m agreed savings and £104m target (paragraph 46).
4. All services continue to take all reasonable action to keep costs down and maximise income (e.g. minimising spending, managing vacancies wherever possible etc).
5. The Section 151 Officer's commentary and the Monitoring Officer's Legal Implications commentary in paragraphs 15 to 18 of the main budget monitoring report to Cabinet state that the council has a duty to ensure its expenditure does not exceed resources available and move towards a sustainable budget for future years.
6. The council and all eleven district and borough councils in Surrey have submitted an application to form a business rates retention pilot in 2018/19 (paragraph 45 of the submitted report).

That the following be approved.

7. Transfer £8m from the Budget Equalisation Reserve to Central Income & Expenditure to negate the deferral of the increase in Waste PFI credits (paragraph 36 of the submitted report).

Reason for decision:

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.

[The decisions on this item can be called in by the Overview and Budget Scrutiny Committee]

• **LEADERSHIP RISK REGISTER (Item 12)**

RESOLVED:

The content of the Surrey County Council Leadership risk register (Annex 1) was noted and the control actions put in place by the Statutory Responsibilities Network endorsed.

Reason for decision:

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

[The decisions on this item can be called in by the Overview and Budget Scrutiny Committee]

- **APPROVAL TO AWARD A FRAMEWORK AGREEMENT FOR PROFESSIONAL HIGHWAY SERVICES** (Item 13)

RESOLVED:

1. That the background information set out in this report was noted; and
2. following consideration of the results of the procurement process in Part 2 of the meeting, the award of the Framework Agreement be approved.

Reason for decision:

Surrey County Council's Highway Service is responsible for the delivery of a Highway Works Programme which is anticipated to be £120,000,000 over the next 3 years and for the delivery of works which are funded from revenue budget estimated to be at £44,000,000 per annum.

In order to deliver these works the Highways Service requires additional capacity to support the in-house teams. This capacity was previously provided by Professional Highways Services Framework which has now expired.

The award of this Framework will enable Surrey County Council to ensure that highways for which it is responsible remain safe for public use.

[The decisions on this item can be called in by the Environment and Infrastructure Select Committee]

- **PILOT FOR CAMERA ENFORCEMENT OF BUS LANE, HIGH STREET WOKING** (Item 14)

RESOLVED:

1. That Surrey County Council exercise existing moving traffic enforcement powers for the first time, in relation to a bus lane in the High Street, Woking;
2. That Surrey County Council delegates that enforcement function to Woking Borough Council through an agency agreement;
3. That officers prepare a comprehensive county-wide policy for moving traffic offences.

Reason for decision:

The main reason for this is to provide enforcement for High Street, Woking town centre, which has been subject to vehicle restrictions which have been difficult to enforce. The aspiration is to remove much of the traffic passing along High Street to provide a safer, more pleasant environment for pedestrians between the busy railway station and the town centre, assisting in delivery of the Woking town centre extensive public realm works. The High Street will then become a bus priority route allowing bus journey times through the town centre to be as reliable as possible.

To date there has been no camera enforcement of bus lanes within Surrey. By developing a comprehensive policy, enforcement can be introduced where there is a recognised need.

[The decisions on this item can be called in by the Environment and Infrastructure Select Committee]

- **REVISION OF PROCUREMENT STANDING ORDERS (Item 15)**

RESOLVED:

1. That the proposed changes to Procurement Standing Orders (PSOs) were noted and RECOMMENDED to full Council for final approval on 5 December 2017.

Reason for decision:

To provide support for the adoption of the revised Procurement Standing Orders (PSOs) by full Council.

The updated PSOs will help drive the following developments within procurement:

- Delivery of broader value through procurement, particularly regarding social value and local suppliers
- An increased focus on supporting contract management activities
- Improving the effectiveness and efficiency of the procurement process.

- **LOCAL GOVERNMENT OMBUDSMAN REPORT OF AN INVESTIGATION INTO A COMPLAINT (Item 16)**

RESOLVED:

That following consideration of the Ombudsman's report and the response from Children's Services, Cabinet:

1. Was satisfied that that steps have been taken to address the findings and consider whether any other action should be taken, and
2. noted that the Monitoring Officer will be bringing her report to the attention of all councillors.

Reason for decision:

There is a statutory requirement for the Monitoring Office to bring to Members' attention any Ombudsman report on the Council that identifies it is at fault and has caused injustice as a result.

- **LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS/ INVESTMENT BOARD TAKEN SINCE THE LAST CABINET MEETING (Item 17)**

RESOLVED:

That the decisions taken by Cabinet Members / Investment Board since the last meeting as set out in Annex 1, was noted.

Reason for decision:

To inform the Cabinet of decisions taken by Cabinet Members / Investment Board

under delegated authority.

- **EXCLUSION OF THE PUBLIC (Item 18)**

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

- **INDEPENDENT TRAVEL TRAINING FOR CHILDREN AND YOUNG PEOPLE WITH SEND (Item 19)**

RESOLVED:

1. That following consideration of the results of the procurement process, a contract be awarded to CT Plus Community to deliver independent travel training for children and young people with SEND, supported through a Social Impact Bond.
2. That the contract would start on 1 December 2017 for a duration of five years with an estimated contract value as set out in the report, based on the successful training of 70 children was noted.

Reason for decision:

A full tender process, in compliance with the requirement of Public Contract Regulations and Procurement Standing Orders has been completed, and the recommendations provide best value for money for the Council following a thorough evaluation process, and support the successful delivery of outcomes for children and young people with SEND.

[The decisions on this item can be called in by the Children and Education Select Committee]

- **APPROVAL TO AWARD A FRAMEWORK AGREEMENT FOR PROFESSIONAL HIGHWAY SERVICES (Item 20)**

RESOLVED:

That following consideration of the results of the procurement process the award of the framework agreement, as set out in the submitted report, be approved.

Reason for decisions:

The recommendations provide the best value for money for the Council.

[The decisions on this item can be called in by the Environment and Infrastructure Select Committee]

- **TOWN CENTRE REGENERATION – OCTOBER 2017 UPDATE (Item 21)**

RESOLVED:

1. Cabinet's approval for Surrey County Council's acquisition of a long leasehold interest as highlighted in the submitted report in accordance with the details outlined in that report be reaffirmed;

2. Cabinet’s approval for the funding and reimbursement arrangements for Surrey County Council in relation to the acquisition of the leasehold be reaffirmed; and
3. approval is delegated to agree appropriate contractual and financial arrangements to the Chief Property Officer, in consultation with the Leader, Director of Finance and the Director of Legal & Democratic Services, following the completion of all necessary due diligence and upon exchange of agreements to lease, subject to a minimum rental value threshold being exceeded.

Reasons for Decisions

The proposed acquisition of the leasehold supports economic prosperity, one of Surrey County Council’s corporate priorities.

[The decisions on this item may be called in by the Overview and Budget Scrutiny Committee]

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CABINET – 31 October 2017

PROCEDURAL MATTERS

Members Questions

Question (1) Hazel Watson (Dorking Hills):

It is well known that there is a need for genuinely affordable housing in Surrey as a result of high property costs. Given that there is a shortage of affordable housing and that the proposed Joint Venture with a private partner involves the use of county council owned public land and buildings, why does OJEU concession notice 2017/S 032-058452 not mention:

- affordable housing
- housing associations
- shared ownership
- social housing
- key worker housing?

Please could the Cabinet Member set out whether these types of housing will be included as part of the JV?

Reply:

The council is looking to optimise the opportunity for the best outcome for Surrey Residents whilst recognising the need for additional housing across the County. Any proposed residential development will need to comply with both national and local planning policies and as part of the consideration of any application by the planning authority, they will undoubtedly take into account the local housing needs of the area.

Mr Tim Oliver
Cabinet Member for Property and Business Services
31 October 2017

Question (2) Hazel Watson (Dorking Hills):

What were the County Council's energy costs last year and what is the current energy efficiency rating for each of the following buildings:

- County Hall
- Quadrant Court
- Consort House
- Fairmount House?

Reply:

For the financial year 2016/2017 the council's buildings energy costs were £3,066,093 for electricity, water and gas utilities. In addition, a further £4,123,815 was paid in electricity for un-metered supplies, this includes streetlamps, illuminated signs, bollards and traffic signals.

The Display Energy Certificate (DEC) rating of the four buildings mentioned are County Hall C (58), Quadrant Court G (163), Consort House D (95) and Fairmount House D (94).

DEC Operating Ratings range from A to G. The DEC for a typical building is 100 – the high end of D bordering on E.

Mr Mike Goodman
Cabinet Member for Environment & Transport, and
Tim Oliver
Cabinet Member for Property and Business Services
31 October 2017

Question (3) Will Forster (Woking South):

The Cabinet Member will have seen recent news reports on the number of pumps available at fire stations including the one in Woking. Can she confirm how frequently these staffing and pump shortages occur, the effect it has on operational capacity and what steps she has taken to ensure that pump shortages do not occur in the future?

Reply:

The reallocation of staff and appliances is an established practice within Surrey Fire and Rescue. It is an important part of business as usual activity to ensure that the availability of resources are aligned to achieve the appropriate level of fire cover across Surrey. This is even more important in times of increased demand, for example, the flooding in 2013/2014. In the event of a station being understaffed, or a fire engine not being available, a tactical decision is made to reallocate staff and appliances to ensure that fire cover continues to be met across the county.

The ability to align resources in this way enables the Service to respond appropriately to demands on the Service, this is not a new way of working and Surrey Fire and Rescue Service has a number of measures in place to ensure that the right resources are in the right place at the right time. The Service uses sophisticated technology which shows the location of fire engines and other vehicles and allows the Service to monitor response cover across Surrey. Understanding risks and the location of assets across the county allows the Service to allocate available resources in a way that addresses risk whilst maximising value for money.

Ms Denise Turner-Stewart
Cabinet Member for Communities
31 October 2017

Question (4) Will Forster (Woking South):

Can the Cabinet Member confirm whether, given the construction of many tall buildings in Woking, developers will be required to fund specialist firefighting equipment (e.g. new ladder equipment) to tackle any potential fires in this new buildings?

Reply:

The Fire and Rescue Services Act 2004 places a duty on the Fire and Rescue Authority to extinguish fires in its area, and to protect life and property. The obligation for firefighting and rescue lies with the Fire and Rescue Authority and developers will not be required to fund any specialist equipment.

Buildings within Surrey are designed and built to comply with the Building Act 1984. Before any construction process can begin, developers must submit an application for approval. During the

application process the fire service are invited to comment on the design and construction of the building, including access, for firefighting purposes.

During the construction phase, developers and other responsible parties have a duty to comply with the Construction, Design and Management Regulations 2015. These regulations make provision for fire safety, including prevention of risk from fire, emergency procedures, emergency routes and exits, and fire detection and fire-fighting.

The finished building will have a number of features to ensure that occupants are able to escape safely in the event of fire, and that the fire service is able to effectively deal with a fire within the building. These include:

- suitable means of escape for the occupants
- fire warning and detection systems (where required)
- adequate fire separation to prevent fire spread
- adequate access for the fire service; and
- the provision of fire mains for firefighting (where required).

Ms Denise Turner-Stewart
Cabinet Member for Communities
31 October 2017

Question (5) Jonathan Essex (Redhill East):

Please can you confirm when the business plan for the Joint Venture (OJEU notice 2017/S 032-058452) will be released? Please provide a copy of the technical specification setting out the minimum social and environmental criteria which will direct the development of these publically owned sites.

Reply:

At present Cabinet have not taken any decision around the appointment of a Joint Venture partner. Until they have, there is no additional information that I can provide.

Mr Tim Oliver
Cabinet Member for Property and Business Services
31 October 2017

Question (6) Jonathan Essex (Redhill East):

This website (<https://www.investinsurrey.co.uk/assets/documents/surrey-county-council-property>) refers to 36 "seed sites" for the Joint Venture and a "Tranche 1" and "Tranche 2" programme which could deliver "circa 2000 homes".

1.

- i) Please set out the breakdown of the 2000 homes over the 36 sites and how this figure was calculated and what other (e.g. community uses, commercial use for these sites is also being considered).

2.

- ii) The website also states: "*For each site we will consider the specific needs of areas and communities and in line with those decide on the right solution(s) for each site*" - how and at what stage will the public be involved in this process?

Reply:

The council commissioned external advisors to provide an indicative high level view of the number of housing units that might be achievable on a number of sites. However, the detailed configuration of each site (including the mix of use) will be assessed against national and local planning policies by the local planning authority. As these will be public applications residents will be able to fully contribute through the planning consultation process.

Mr Tim Oliver
Cabinet Member for Property and Business Services
31 October 2017