

Cabinet

**Date & time**

Tuesday, 24 April
2018 at 2.00 pm

Place

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

Contact

Vicky Hibbert or Angela
Guest
Room 122, County Hall
Tel 020 8541 9229 or 020
8541 9075

Chief Executive

Joanna Killian



We're on Twitter:
@SCCdemocracy

vicky.hibbert@surreycc.gov.uk or
angela.guest@surreycc.gov.uk

Cabinet Members: Mr David Hodge CBE, Mr John Furey, Mrs Helyn Clack, Mr Mel Few, Mr Mike Goodman, Mr Colin Kemp, Mrs Mary Lewis, Mr Tim Oliver, Ms Denise Turner-Stewart and Mrs Clare Curran

Cabinet Associate: Ms Charlotte Morley

If you would like a copy of this agenda or the attached papers in another format, eg large print or braille, or another language please either call 020 8541 9122, write to Democratic Services, Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 9698, fax 020 8541 9009, or email vicky.hibbert@surreycc.gov.uk or angela.guest@surreycc.gov.uk.

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Vicky Hibbert or Angela Guest on 020 8541 9229 or 020 8541 9075.

***Note:** This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

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

1 APOLOGIES FOR ABSENCE

2 MINUTES OF PREVIOUS MEETING: 27 MARCH 2018

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

3 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

4 PROCEDURAL MATTERS

a Members' Questions

- (i) The deadline for Member's questions is 12pm four working days before the meeting (*18 April 2012*).

b Public Questions

The deadline for public questions is seven days before the meeting (*17 April 2018*).

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** (Pages 1 - 2)

A report received from the Communities Select Committee regarding Surrey Performing Arts Library and the Cabinet Member response are attached for consideration.

- 6 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS/ INVESTMENT BOARD TAKEN SINCE THE LAST CABINET MEETING** (Pages 3 - 6)

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

CORPORATE PRIORITIES: 1. WELLBEING

- 7 FUTURE COMMISSIONING OF SCHOOL SUPPORT SERVICES** (Pages 7 - 30)

Surrey County Council (SCC) formed a joint venture in 2004 for the delivery of school support, both for the local authority and to trade directly with schools. The joint venture, now with Babcock, works under the operating title of B4S and provides services under contract to SCC as well as trading directly with Surrey schools and beyond Surrey. At the time, this was an innovative development, anticipating increasing school autonomy and a shift in purchasing power for school support from the Local Authority to schools.

Since 2004 the Local Authority's direct purchasing has declined significantly; the value of the first service delivery agreement was £9.1m, this rose to its highest value of £12.4m in 2008/9 and it is now £2.54m in 2018/19. Trading with schools now accounts for over 80% of the joint venture's Surrey based turnover. The direct trading with schools will continue but the Local Authority's contract cannot be extended beyond 31 March 2019 (the end date specified within the original procurement process.)

This report therefore puts forward recommendations for how the Council will continue to meet its statutory and strategic responsibilities in the future. Traded support services will continue to be available to all schools and academies in Surrey through B4S and other market providers.

N.B. There is a Part 2 annex to this report – item 14

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

CORPORATE PRIORITIES: 2. ECONOMIC PROSPERITY

- 8 ECONOMIC GROWTH THROUGH INVESTMENT IN INFRASTRUCTURE - EM3 AREA** (Pages 31 - 46)

The Local Enterprise Partnerships (LEPs) are responsible for setting the

strategic framework for economic growth, through the development of Strategic Economic Plans. Delivery of plans is supported through the Local Growth Fund (LGF), a competitive fund managed by the LEPs.

In Surrey, the County Council has worked with the 2 LEPs (Coast to Capital (C2C) and Enterprise M3 (EM3)) to develop these plans and to develop and deliver schemes that support delivery of economic growth objectives. A critical element of this is investment in transport infrastructure in order to tackle congestion and unlock economic growth.

For the funding period 2018/19 – 2020/21, EM3 LEP have agreed 10 Expression of Interest projects in Surrey. Approval is now sought to submit Business Cases to the EM3 LEP for capital funding for three of these projects:

- Brooklands Accessibility (Elmbridge)
- Quality Bus Corridor (QBC) improvements (Guildford)
- A31 Resilience (Guildford)

The LEP requires a minimum of 25% match funding for LGF bids. Much of that funding comes from other sources, including Boroughs and Districts and Transport Operators. However, to support delivery of the transport investment programme, Surrey County Council is required to contribute £1.312m of capital funding, to provide match funding for the A31 Resilience scheme.

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

9 CAMBERLEY, THE MEADOWS GYRATORY MAJOR IMPROVEMENT SCHEME

(Pages 47 - 54)

The Meadows is a major gyratory providing connectivity between the M3 with the A30 and a key access route into Camberley town centre. High levels of congestion on this strategic highway network lead to significant and regular queuing on the A30, A331 and A321 approaches. Improvements to the Meadows Gyratory aim to reduce delays and reduce congestion on this busy gyratory.

The proposed scheme addresses these constraints and capacity issues, improving access to Camberley town centre for all modes of transport. The improvements are an important component to ensure the future well-being of Camberley and resilience on the A30.

Following assessment of tenders received from contractors under the GEN3-2 Civil Engineering, Highways and Infrastructure Works Framework, a competitive tender process is complete. The project is at a stage where Cabinet's approval is sought to approve the award of the contract for the works to the recommended Tenderer.

As a result of decisions to minimise disruption on the network, namely to deliver the scheme at night and to delay implementation until completion of the M3 Smart Motorway, the final cost of the scheme exceeds the approved budget, by £646,000.

N.B. There is a Part 2 annex to this report – item 15

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

10 LEADERSHIP RISK REGISTER (Pages 55 - 66)

The Cabinet is asked to note the contents of the Leadership Risk Register and endorse the control actions put in place.

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

11 FINANCIAL BUDGET OUTTURN 2017/18 (Pages 67 - 72)

Surrey County Council takes a multiyear approach to its budget planning and monitoring, recognising the two are inextricably linked. This report presents the Council's year-end financial outturn position for 2017/18 and services' requests to carry forward funding amounts into 2018/19.

Please note that the recommendations and 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 Overview and Budget Scrutiny Committee]

CORPORATE PRIORITIES: 3. RESIDENT EXPERIENCE

12 FORMATION OF RUNNYMEDE JOINT COMMITTEE (Pages 73 - 98)

Building on the positive partnership working between Surrey County Council (SCC) and Runnymede Borough Council (RBC), it is proposed to create a Joint Committee in place of the current SCC Runnymede Local Committee.

This new partnership arrangement will speed up decision making, improve outcomes for residents and strengthen local democracy. This change will enable a more integrated approach to service delivery, planning and will also support the County Council's vision for services shaped around places and communities.

The Joint Committee will have an extended remit over and above that of the current Local Committee and will operate under an agreed framework for an initial 12 month pilot, with the scope to delegate additional functions after this time.

SCC Cabinet (and Full Council) approval is now sought to establish the Joint Committee. Approval is being sought in parallel with RBC's Corporate Management Committee and Full Council, on 22 March and 19 April respectively. If approved by both councils, the Joint Committee will be in place from 18 June 2018, when it will hold its first meeting.

13 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.

PART TWO - IN PRIVATE

- 14 FUTURE COMMISSIONING OF SCHOOL SUPPORT SERVICES** (Pages 99 - 104)
- N.B. This is the Part 2 annex to item 7.
- [The decisions on this item can be called in by the Children and Education Select Committee]*
- 15 CAMBERLEY, THE MEADOWS GYRATORY MAJOR IMPROVEMENT SCHEME** (Pages 105 - 110)
- N.B. This is the Part 2 annex to item 9.
- [The decisions on this item can be called in by the Environment and Infrastructure Select Committee]*
- 16 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.

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

This page is intentionally left blank

Cabinet, 24 April 2018 – Item 5**COMMUNITIES SELECT COMMITTEE****Item under consideration: Surrey Performing Arts Library – Update on Development of Options for the Future****Date Considered: 08 February 2018**

1. At its meeting on 08 February 2018 the Communities Select Committee considered a report detailing options for the future of Surrey Performing Arts Library. This was the second time the Select Committee had considered a report on its future having previously reviewed the Service at its meeting on 7 November 2017. At this first meeting, officers were asked to establish a forum with user group representatives to review proposals for achieving the £180,000 saving required from the Surrey Performing Arts Library as outlined in the Medium Term Financial Plan (MTFP). The Committee further recommended that officers consider other opportunities for reducing the cost of the Surrey Performing Arts Library such as exploring the introduction of a more efficient IT system and reducing the financial burden of the Inter Library Loan System.
2. The report considered by the Communities Select Committee on 08 February 2018 provided Members with an update on progress against recommendations considered at its previous meeting including detail on work undertaken to advance the options available for the future of Surrey Performing Arts Library. The report also contained an additional proposal which suggested that control of the performing arts library be transferred to a Charitable Incorporated Organisation called NewSPAL which had been established by user group representatives.
3. Select Committee Members recognised the challenging financial position that Surrey County Council finds itself in and highlighted the importance of achieving the £180,000 saving required by the MTFP. Members also, however, acknowledged concerns from service users that it was important for the separate music and drama collections to remain together to ensure that Surrey Performing Arts Library retained its distinct identity.
4. The Communities Select Committee had concerns with the business plan which had been put forward by NewSPAL, specifically relating to the subsidies that would be required to support NewSPAL over its first two years of operation while also drawing attention to the risks associated with the failure of NewSPAL to become a financially viable CIO. Members were, however, impressed with the amount of work which user group representatives had undertaken to create another option for the future of Surrey Performing Arts Library and were encouraged by the clear enthusiasm for the service among residents which Members believed would be key in the success of NewSPAL.
5. Members supported Option 1 for the future of Surrey Performing Arts Library whereby the collection would be housed within the existing library network. The Select Committee included a caveat to their support for Option 1 which stated that the entirety of the separate music and drama collections be kept together in a single library. The Select Committee also felt that NewSPAL should be given the chance to develop its business model for running the performing arts library over the next year with a view to taking over the future running of the service within a year if the CIO can demonstrate that its business model is financially viable.

Recommendations:

The Communities Select Committee:

- i. recommends that Surrey County Council implements Option 1 while the Charitable Incorporated Organisation (CIO) develops its proposals for funding and business model for taking over the running of Surrey Performing Arts Library on the condition that the entirety of the separate music and drama collections are kept together; and
- ii. supports, in principle, NewSPAL taking over the collection provided that the future of the collection is secure for the residents with the CIO.

Rachael I. Lake
Chairman of the Communities Select Committee

RESPONSE:

I would like to thank the Chairman and Members of the Communities Select Committee for their recommendations on the future of the Surrey Performing Arts Library and for the work they have carried out in the last few months to develop these.

The Cabinet report has been deferred until the May Cabinet meeting and we will consider them alongside that report.

Denise Turner-Stewart
Cabinet Member for Communities

SURREY COUNTY COUNCIL**CABINET****DATE:** 24 APRIL 2018**REPORT OF:** N/A**LEAD OFFICER:** RACHEL CROSSLEY, ASSISTANT DIRECTOR (CHIEF OF STAFF)**SUBJECT:** LEADER/DEPUTY LEADER/CABINET MEMBER DECISIONS/
INVESTMENT BOARD DECISIONS TAKEN SINCE THE LAST
CABINET MEETING**SUMMARY OF ISSUE:**

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

RECOMMENDATIONS:

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

REASON FOR RECOMMENDATIONS:

To inform the Cabinet of decisions taken by Cabinet Members / Investment Board 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. The Leader has also delegated authority to the Investment Board to approve property investment acquisitions, property investment management expenditure, property investment disposals and the provision of finance to its wholly owned property company, Halsey Garton Property Ltd.
3. Delegated decisions are scheduled to be taken on a monthly basis and will be reported to the next available Cabinet meeting for information.
4. **Annex 1** lists the details of decisions taken by Cabinet Members since the last Cabinet meeting.

Contact Officer:

Angela Guest, Democratic Services Officer, Tel: 020 8541 9075

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)

**INVESTMENT BOARD
MARCH 2018**

Details of Decision:

The Board approved two proposed acquisitions, and specifically:-

1. Approved the provision of equity investment of a set amount as set out in the submitted report by Surrey County Council to its wholly owned property company, Halsey Garton Property Ltd (HGP).
2. Approved that Legal Services agree the contractual arrangements for the provision of financing on behalf of the council with funds to be released upon the completion of appropriate due-diligence in relation to the property acquisitions.
3. Authorise HGP to acquire the freehold interest in the acquisitions as set out in the submitted reports.

Reasons for Decisions:

The provision of financing to the Council's property company to facilitate the proposed investment acquisitions is in accordance with the Council's Investment Strategy and provides assets that will contribute to the creation of a diversified portfolio over time to spread risk.

The investments will deliver an ongoing income to the Council, enhancing financial resilience in the longer term.

(Decision taken by the Investment Board – 6 March 2018)

**CABINET MEMBER DECISIONS
APRIL 2018**

LEADER OF THE COUNCIL

(i) PROGRAMME MANAGEMENT AND CHANGE CAPACITY

Details of decision:

It was agreed that;

1. That following consideration of the results of the procurement process in the part 2 submitted report, the award of a contract for the provision of a project to develop the organisation's programme management and change capacity be awarded to Bloom, with the supplier named in the confidential annex as a recommended sub-contractor.
2. That a business case be presented to County Council in May 2018 to request that the Council approves use of capital receipts to fund the Programme Management and Change Capacity project rather than through Invest to Save reserves.

Reason for decisions:

A 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.

(Decision taken by the Leader of the Council – 5 April 2018)

SURREY COUNTY COUNCIL**CABINET****DATE: TUESDAY 24 APRIL 2018****REPORT OF: MRS MARY LEWIS, CABINET MEMBER FOR EDUCATION**

**LEAD OFFICERS: GARATH SYMONDS, ASSISTANT DIRECTOR,
COMMISSIONING AND PREVENTION**

**LIZ MILLS, ASSISTANT DIRECTOR,
SCHOOLS & LEARNING**

**SUBJECT: FUTURE COMMISSIONING OF SERVICES TO SURREY
COUNTY COUNCIL FOR SCHOOL SUPPORT SERVICES
WHICH ARE CURRENTLY PROVIDED BY B4S**

| |
|--------------------------|
| SUMMARY OF ISSUE: |
|--------------------------|

Schools providing high quality inclusive education support our Corporate Strategy 2018-21, particularly in relation to Wellbeing and Economic Prosperity. Schools are a critical part of the whole education system which drives improved outcomes for children, particularly children from vulnerable and disadvantaged groups, and help future growth of the Surrey economy.

Surrey County Council (SCC) formed a joint venture in 2004 for the delivery of school support, both for the local authority and to trade directly with schools. The joint venture, now with Babcock, works under the operating title of B4S and provides services under contract to SCC as well as trading directly with Surrey schools and beyond Surrey. At the time, this was an innovative development, anticipating increasing school autonomy and a shift in purchasing power for school support from the Local Authority to schools.

Since 2004 the Local Authority's direct purchasing has declined significantly; the value of the first service delivery agreement was £9.1m, this rose to its highest value of £12.4m in 2008/9 and it is now £2.54m in 2018/19. Trading with schools now accounts for over 80% of the joint venture's Surrey based turnover. The direct trading with schools will continue but the Local Authority's contract cannot be extended beyond 31 March 2019 (the end date specified within the original procurement process.)

This report therefore puts forward recommendations for how the Council will continue to meet its statutory and strategic responsibilities in the future. Traded support services will continue to be available to all schools and academies in Surrey through B4S and other market providers.

| |
|-------------------------|
| RECOMMENDATIONS: |
|-------------------------|

It is recommended that Cabinet agrees to the future commissioning approach for the LA/school support services funded by the Council and set out in paragraphs 14 a - c (financial details in part 2).

REASON FOR RECOMMENDATIONS:

The recommended approach best fits the County Council's strategic direction, financial position and enables the Council to meet its legal responsibilities. The recommendations for statutory and strategic school support services for SCC, alongside the development of schools led support and challenge for school effectiveness, will help drive improvement to achieve a high quality education for all children in Surrey. An analysis of each statutory or key strategic activity has been undertaken and an assessment of all possible future delivery mechanisms has been made.

BACKGROUND DETAILS:

1. Surrey's Corporate Strategy 2018-21 and the Child First Commissioning Intentions 2017-22 set clear priorities for good outcomes through high quality education for all children and in particular children from vulnerable or disadvantaged groups. The specific priorities are:
 - Champion the educational achievement, progress and engagement of vulnerable children and young people
 - Deliver inclusive provision in Surrey that meets the education, health and care needs of children with special educational needs and disabilities
 - Develop a positive experience of special educational needs and disabilities services and support for children, young people and families
2. Surrey County Council (SCC) formed a joint venture for schools' support in April 2004, (initially with Vosper Thornycroft, then with Babcock International, trading as B4S), which has proven to be successful. Over the past 14 years SCC has worked in partnership with B4S to deliver a range of support services to Surrey schools and to the Council. In this period we have seen the performance of schools, as judged by OFSTED, rise to 95% Good or Outstanding. Surrey is now top of the South East counties in terms of its primary and secondary schools' OFSTED judgements and is top of all shire counties in England by the same measure.
3. B4S has delivered a range of new staffing policies in schools on behalf of the Council, there has been robust monitoring of schools' budgets, ensuring that the financial risk to the Council is minimised, and schools have been well supported across the breadth of their operations. Health and Safety issues and other key strategic risks have been addressed and B4S staff have delivered key strategic projects supporting the health, wellbeing and attainment of Surrey children and young people, particularly vulnerable and disadvantaged groups. Their staff know our schools well and are generally trusted as reliable providers of services.
4. The Council's contract with B4S (not the traded service with schools) is scheduled to end on 31 March 2019 and cannot be significantly extended without a retendering process. The Council spend on the service delivery agreement with B4S in 2017/18 financial year was £3.16m and this declined to £2.54m in 2018/19. The budget has decreased every year as government policy has directed money to schools, rather than the Local Authority, and as Surrey maintained schools convert to academy status. This spend figure may be compared to Babcock's reported income from trading with Surrey schools being in excess of £10m per annum; i.e. the Council's spend represents only about 20% of the overall turnover of the B4S business.

5. There are now only a small number of statutory and key strategic duties commissioned from B4S but in delivering these, B4S is providing a key assurance function that minimises risk to the Council. As well as making suitable arrangements for this work to continue in some form, arrangements are also being explored for future provision that schools may purchase directly, as this forms the majority of B4S's business in Surrey. The future arrangements for the traded services which schools purchase directly are not considered in this paper as a number of long-term options are being explored however these do not impact upon the ability of schools to continue to purchase their services from B4S.
6. Surrey's education system is large and now much more diverse with academies and Free Schools constituting 34% of the county's 392 publicly funded education settings. The proportion of academies varies across the phases: approximately 30% of Surrey's primary schools are now academies, whereas 75% of the 53 secondary schools are academies. As schools convert to academy status the funding for them returns to central government and resources to the Council decrease.
7. There is a need for a new approach to the role of the local authority in education as a result of increasing school autonomy, a shifting emphasis to a schools' led system with funding increasingly being directed to schools, and changes to local patterns of school governance and operating models with the introduction of Free Schools and academies (directly funded by the Education and Skills Funding Agency and accountable to the Regional schools Commissioner). Therefore re-tendering for a large education support services contract with an external provider is not a viable response to the current situation and the future needs of the County.
8. While local authorities continue to hold a range of statutory duties with respect to education, funding changes and national policy mean that the way they discharge those responsibilities will have to change further. For example, previous central grant funding for local authorities for school improvement has ceased and been replaced by a Monitoring and Brokering grant for 2018-19. This too has an uncertain future. The government has made it clear that direct support for school improvement activities will come from schools themselves with local authorities retaining a more limited role.
9. A cross-sector partnership is developing a new school improvement system for Surrey, drawing on capacity from within the schools system – e.g. teaching schools, National Leaders in Education, school improvement leads in Multi-Academy Trusts and Dioceses. The Council is supporting this transition as part of the Education in Partnership work (EiP) which will include a schools led universal offer. Within this new 'mixed economy' schools and academies are working together in a range of partnerships which offer sustainability and capacity to improve standards through mutual support.
10. Although the Council's funding to provide, or commission, targeted school improvement services to individual schools has ceased, it still has an important role to play in the future school improvement system as set out in the recent DfE Guidance on Schools Causing Concern: this involves monitoring and analysing performance, brokering support for targeted interventions and supporting work bidding for funding. In line with this role the Council is considering developing a small team within Schools and Learning for these functions.
11. The following service areas currently provided through the B4S contract are in scope and will require new delivery arrangements:
 - a. statutory assessment

- b. support for newly qualified teachers
- c. strategic Financial Processes and Monitoring of schools' and LA budgets'
- d. schools' data collection
- e. support for the implementation of the Council's staffing policies and employer's responsibilities in maintained schools
- f. maintenance of the school governor database and Local Authority governor appointment support
- g. health and safety advice to schools
- h. professional support for the Standing Advisory Council for RE (SACRE)
- i. Special Educational Needs and Disabilities quality assurance monitoring in a cross section of Independent special schools with Surrey pupils on roll
- j. other Special Educational Needs and Disabilities support for the Local Authority in maintained schools and specialist centres
- k. regular tree inspections on maintained school sites
- l. the implementation and support for Public Health funded priorities in schools.

More detail on each area is provided in Annex A.

12. Respondents to the stakeholder surveys, (referred to below under paragraphs 15-17 headed 'Consultation'), made a number of helpful and insightful comments that emphasised their views and concerns about the future provision of these services. These comments have helped shape the recommendations for each service area. The survey also generated many general remarks about the future direction of travel. Overall there was a stronger preference for in-house solutions; this was especially expressed by Community schools.

| |
|---|
| <p>Future Options for the Council and recommendations:</p> |
|---|

13. The key options for these services are firstly whether to provide in-house or commission externally. In-house includes both provision by Schools & Learning and also provision by Orbis, which includes partnership arrangements with East Sussex and Brighton & Hove. External options include: another local authority; schools, through Multi-academy Trusts (MATs) or other partnerships; independent consultants; or private sector organisations.
14. External delivery options would require a tendering process to enable either another local authority to provide the service on behalf of Surrey County Council; Surrey schools, through MATs or similar partnerships, delivering the service on behalf of the Council; individual contracts with consultants for specific services; or private sector organisations, like Babcock, re-tendering for the work. Officers have considered which tasks best lend themselves to which method of delivery i.e. in house or a re-tendering process. The future delivery mechanism may include a mix of the above. The broad options and recommendation for each task are set out in the following section.

a. Services recommended to come back 'in house' to SCC/Orbis

| Service description | Market/provider assessment | Recommended option | Reasons for recommendation |
|---|---|--|--|
| Statutory Assessment of Reception, 7 and 11 year old pupils | Number of outsourcing opportunities; in-house also possible | In-house with Schools and Learning staff coordinating/managing service using qualified teachers to deliver training and moderation tasks | Schools say they want confidence in single provider and consistency of approach. Schools and local authority can provide experienced teachers as moderators |
| Strategic SEND and Additional Needs – monitoring quality of provision in NMI and maintained SEN schools and centres | Bring in-house or outsource to another LA partner or commercial provider; market analysis suggest risks associated with external provider | In-house in Children, Schools & Families | Opportunity to integrate and improve current service. Links to Closer to Home policy. SCC retains strategic risk and statutory responsibility for safeguarding and entitlement curriculum |
| Strategic Financial Processes and Monitoring of schools' and LA budgets | Existing in-house expertise. Other external providers also available | In-house/Orbis | SCC needs to retain control of delegated finance; clarity over financial regs and accountancy systems. Synergy with in-house finance functions. Communications with schools already established |
| Statutory duties of the employer of staff in maintained schools | In-house – existing HR team has expertise or could re-tender to agent delivering service on behalf of SCC – strong market | In-house/Orbis HR Team | LA responsible for its staff, policy development and implementation and good employment practices. Synergy with in-house HR functions. Fits with strategy to develop Orbis services across partner authorities |
| Strategic Health and Safety Support to schools | Existing in-house expertise. No wider market analysis undertaken given strategic importance of the task | In-house (Strategic Risk Management Team in S and L) | Schools value in house team; SCC retains risk even if service outsourced. Experienced In house teams already established and delivering this function in other service areas. |

| | | | |
|---|---|--|--|
| Surveying of trees on SCC Maintained school sites | Existing in-house expertise. No wider market analysis undertaken given strategic importance of the task | In-house/Orbis (Property Team) | SCC retains risk even if it outsources service. Experienced In-house teams already established and delivering this function in other service areas. |
| Statutory technical support for ICT systems between schools, LA and DfE | In-house via Orbis or re-tender contract Re-tendering not considered given strategic importance of integrated data systems | In-house/Orbis IMT Digital | Strategically important to unify ICT systems in-house to improve access to a single children's data hub in Surrey. Also affords opportunity to make savings in future through more integrated approach |
| Statutory data collection and analysis | Existing in-house expertise. No wider market analysis undertaken given strategic importance of the task | In-house – Insight and Innovation team (Commissioning and Prevention) | Single point for accessing all data relating to children and young people; opportunity to control data accuracy which will guide future SCC policy development. Synergy with wider data analysis for children in Surrey. |
| Strategic school meals entitlement checks | In-house. NB Schools cannot obtain service anywhere else | In-house (Surrey Commercial Services) | Opportunity for SCC to network with Districts and Boroughs and improve income for schools |
| Strategic Children's Centre Support for ICT, Finance and HR, | Other providers available but strategically important as argued above for schools. Also important to provide stability through potential changes to be subject of public consultation this summer | Statutory support delivered in house/Orbis through relevant teams. Other support purchased as traded service | Aligns approach with schools for ICT, financial HR. Also provides stability through period of potential change following consultation in the summer. |

b. Services recommended for re-tendering

| Service description | Market/provider assessment | Recommended option | Reasons for recommendation |
|--|--|---|---|
| Statutory Governance support:(governor database, access to training ;LA Governor appointments and provision of ASGs) | External provider market and could bring in house or outsource to partner LA or to external company specialising in this provision | Re-tender as single package of specialist support | Existing expertise in external market is strong and varied. Outsourcing likely to offer better value if all tasks combined into a single tender |
| Statutory SACRE support – includes RE consultancy plus administrative support | Various options to outsource with reasonably strong market. No suitably qualified RE advisor in-house | Re-tender as single package of specialist support | Opportunity for some savings as this is aligned with similar functions in other LAs as provided by a consultant. |

c. Services to be de-commissioned or significantly re-designed

| Service description | Market/provider assessment | Recommended option | Reasons for recommendation |
|---|--|---|---|
| School Improvement and Effectiveness Support | Number of independent providers available as well as high performing schools with capacity to support | De-commission this service at the end of the contract and work with schools to co-design future system | Change in role of LA - schools to broker and deliver peer support and bidding system in place to obtain grants. Uncertainty of future grant funding which is likely to be increasingly directed to schools. |
| Support for Newly Qualified Teachers | Alternative strong providers. LA need not retain 'Accountable Authority' role | LA relinquishes the role – all schools to rely on existing Accountable Bodies - School Centred Initial Teacher Training centres and Surrey Teaching Schools | Many schools already using other providers with good track record and experience of being the 'Accountable Authority' |
| Strategic Promotion of Health and Wellbeing projects in schools | No obvious provider in market, although MATs, groups of schools or private sector/consultant (s) could possibly deliver. | Outsource/redesign service delivery method | Public Health fund the majority of this task and some funding streams not available post 2018/19. Opportunity to reconsider how to progress priorities and what part schools might play in this |

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

15. The SCC/B4S partnership ran a series of school manager and governor briefings, followed by an online survey, to seek service user views on the future delivery of the statutory and strategic tasks commissioned and funded by Surrey County Council. Schools were not, however, surveyed on the traded services or on School Improvement support as the latter service is no longer going to be a statutory requirement of the Local Authority and, as explained above, it will not be a service funded by SCC in the future. It should be noted that Babcock regularly surveys schools on the quality of the traded services it provides.
16. An analysis of the stakeholder survey draws on 46 responses from Multi Academy trusts, Federations, individual schools and academies. This is representative of around 15 -20% of all Surrey publicly maintained schools and academies, although a much greater number attended the briefings. The views of schools were taken into account when framing the recommendations to Cabinet. A summary report on the responses from the schools' survey is available in the Members' Reading Room.
17. Officers also consulted with SCC staff teams that work in partnership with B4S staff and a similar survey was carried out seeking their views. (Summary of responses also available in the Reading Room). B4S staff have been briefed by managers in B4S. The various Dioceses operating within Surrey have been invited to comment and the unions and the relevant professional associations are aware of the impending changes. Finally the schools' Phase Councils have also been consulted and all these views have been taken into account in considering whether services would be best suited to in house or external or partnership delivery in future.
18. A report outlining the background and recommendations was taken to the Education and Children's Select Committee on 20 February. The report was well received and members of the committee supported the recommendations. However the Committee also requested that the service provided a business case for the statutory and strategic services currently commissioned from B4S, and paid for by the Local Authority, and any options for delivery upon contract conclusion for analysis by the Performance Member Reference Group. This information is covered in the Part Two report to Cabinet and has been subsequently sent to Members of the Select Committee and Policy Review Group at the Select Committee's request.

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

| Risk Description | Mitigation Activity |
|--|---|
| Changes in school support arrangements could risk delaying work with schools to develop the future model for schools led sector support and challenge. Delay in key decisions e.g. future of the Joint Venture creates uncertainty among staff and stakeholders | Close work with schools on Education in Partnership to support developments of schools led system. Close management of change with Babcock for smooth transition. Close review of progress by Steering Group and frequent communications with all parties |
| B4S staff have a lot of knowledge of schools that we will lose | Making provision for effective and detailed exchange of intellectual property. Some TUPE of staff will mitigate impact |

| | |
|---|---|
| <p>Small or isolated schools struggle with increasing autonomy and misunderstand impact of SCC contract end</p> | <p>Communications with all schools to enable them to prepare for SCC meeting its statutory duties in a different way. Procurement offering advice to enable schools to become more confident in purchasing services themselves. B4S marketing their continued trading of school support services for schools wishing to retain them</p> |
| <p>Time remaining will be insufficient to make smooth transition and re-procure services where necessary</p> | <p>Majority of tasks are recommended to return in house so procurement risk is limited. Work already begun to prepare for transfer of services ; TUPE of some B4S staff will help to facilitate smooth transfer</p> |

Financial and Value for Money Implications

- 19. Services commissioned by the Council from Babcock 4S in 2018/19 total £2.54m, some of which are recommended for future delivery in house once the contract comes to an end in March 2019. This figure will undoubtedly change year on year as it is largely subject to a grant from the government, which may or may not continue, and also relates to the number of maintained schools in Surrey. A more detailed financial breakdown is set out in the Part 2 report.
- 20. B4S has benefitted from the synergy of operating both traded and commissioned services together. Once the contract for commissioned services ends there could be cost pressures on the Council to deliver the statutory and strategic services without the benefit of trading. The Council will not be able to trade in these and other specified areas as while the Joint Venture is in place, the Council is subject to non-compete clauses around trading which are set out in the Shareholder Agreement. This could yet present unexpected cost pressures but the aim is to deliver all statutory and strategic services within the current budget for 2019/20.
- 21. More robust costings will be developed after the option to consider in house provision has been approved. This will require more detailed liaison with Babcock 4S to ensure full consideration of TUPE implications and all other potential costs and risks.
- 22. Funding for Babcock commissioned services for 2018-19 derives from the following sources: (subject to some final confirmations)

| |
|--|
| <p>SCC maintained schools: Annual levy on maintained schools for statutory LA services plus agreed de-delegation from schools' budgets De-delegated DSG</p> |
| <p>Grants: Dedicated Schools Grant DfE Monitoring & Brokerage Grant</p> |
| <p>Surrey County Council</p> |

23. Following the Government's withdrawal of the Education Services Grant which previously funded the local authority's statutory services for maintained schools, the Council has been obliged to place a levy on maintained schools, as permitted by the DfE. Dedicated Schools Grant (DSG) funds responsibilities relating to data collection. The Council funds approximately 40% of service costs, predominantly those supporting SEN monitoring, Early Years assessment and some ICT functions.

Section 151 Officer Commentary

24. By bringing some services in-house the Council can benefit from closer alignment of tasks to corporate objectives and in many instances benefit from the expertise of Orbis colleagues operating in the area of schools support. However as almost half the funding for commissioned activities is provided by maintained schools, available funds will reduce as schools convert to academy status and the Local Authority's responsibilities reduce. Additionally, ongoing pressures in schools' budgets creates challenging financial discussions with schools. SCC Services would be needed to manage reductions in funding on an ongoing basis as schools convert to academy status. Any future service reductions could have redundancy cost implications for the Council.

LEGAL IMPLICATIONS – MONITORING OFFICER

25. The Council is subject to a general statutory duty under s13(a) of the Education Act 1996 to "...contribute towards the spiritual, moral, mental and physical development of the community by securing that efficient primary education and secondary education are available to meet the needs of the population of [its] area." In addition to the Council's general obligations as the local education authority, the Council acts as the employer and landowner for the majority of maintained schools. The legal structures of schools are particularly complex and the rise of academies and free schools has further complicated the overall arrangements.
26. Since 2004, Babcock 4S Ltd (B4S) – a joint venture company owned by Babcock Education Holdings Ltd and the Council - has been discharging the duties set out in paragraph 11 of the report on behalf of the Council under a commissioned arrangement. Cabinet should note that the end of the commissioning contract does not result in the winding-up of joint venture; B4S will continue in existence.
27. The Council is subject to an obligation in s3(1) of the Local Government Act 1999 to achieve best value and "...secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". In reviewing the recommended options in paragraph 14 of the report Cabinet must take this duty into account, together with the results of the consultation exercises and the Equality Impact Assessment that have been undertaken.

EQUALITIES AND DIVERISTY

28. A programme Equality Impact Assessment (Annex B) has been drafted which includes all the key areas of the programme and their potential impacts on children, schools and staff. Evidence will be gathered to develop this draft during the change process.

| |
|----------------------------|
| OTHER IMPLICATIONS: |
|----------------------------|

Corporate Parenting/Looked After Children

29. Quality assurance of residential settings in both the maintained and independent sector that have Surrey pupils on roll, including those designated as LAC, should improve under new in house SEND system design

Safeguarding responsibilities for vulnerable children and adults

30. With minimal outsourcing of services Safeguarding arrangements and advice will be more consistent and robust across services. Where services are outsourced SCC's safeguarding procedures and policy will be clearly communicated to the service provider and will be subject to frequent monitoring as part of the contract

Public Health

31. Reduction in grant funding has led to the need for a change in service delivery model. Likely to include a mixture of self-service and targeted support to schools and wider services.

| |
|---------------------------|
| WHAT HAPPENS NEXT: |
|---------------------------|

Once the Cabinet has made its decision on the future commissioning approach for each service area the Programme Management Team will move into the implementation phase of the programme which will seek to facilitate a smooth transition of each service to the new provider. Officers will also begin TUPE discussions with Babcock and put in place arrangements for the transfer of intellectual property back to the Council.

Contact Officer:

Frank Offer, Head of Market Strategy - Tel. 020 8541 9507

Melanie Harris, Programme Manager for the B4S Contract Exit - Tel. 020 8541 9556

Lynn McGrady, Finance Manager, Funding & Planning – Tel. 020 8541 9212

Annexes - Attached with document:

1. Description of the services currently commissioned from B4S
2. Equalities Impact Assessment

Part 2 report

Sources/background papers:

1. Report to the Education and Children's Select Committee 20 February 2018
2. Summary of schools' responses to survey
3. Summary of SCC staff's responses to survey

Surrey school support services

Table 1 - Services commissioned and paid for by SCC from Babcock 4S to deliver to (mainly) maintained schools. NB All functions available as traded service to academies

| | Description |
|---------------------------------------|--|
| Statutory Assessment | Early Years Foundation Stage Assessment is the statutory assessment responsibilities of the LA at Foundation Stage. For KS 1 schools are required to administer Teacher assessments and for KS2 SATs (Standardised Assessment Tests) and other assessments. B4S provides accredited moderators and performs audit functions. Ensures all schools have data submission system in place and advises of changes to data submission rules. |
| SEN & Additional Statutory Needs | Includes: support for SENCOs (Special Educational Needs Coordinators); over view of standards in special schools and specialist centres, some monitoring of quality in Non Maintained Independent special schools and promotion and support for TAMHs (targeted mental health) projects. |
| Finance Services | B4S provides financial support, challenge and intervention for school budgets – supports S151 officer duties. |
| Employers' HR Support | B4S undertake all the LA employer's responsibilities in respect of school staff, i.e. provision of legally compliant policies and fair representation processes. |
| Health & Safety Support | Includes the Employer's statutory H&S obligations to maintained schools. Includes 3 year cyclical tree inspections on school sites |
| Cyclical Tree Inspection | 3 yearly cycle to check trees on maintained school sites and log on database; B4S recommends any remedial works which are then paid for by the school |
| ICT Support and data collection | B4S supports schools data collection for national returns eg termly census and provides technical support for IT infrastructure. |
| Pupil Premium checks | Provides free school meal entitlement checking service for families so that schools may access pupil premium |
| Support for Surrey Children's Centres | Provides advice helpline and support with finance, HR, ICT and governor services for staff managing children's centres |
| Statutory and Strategic Governance | Statutory activities include; appointment of LA Governors; and maintenance of the Governor database. Access to range of traded governor training courses covering key aspects of the role including induction for new governors. Strategic activities are: chairs of governors and clerks briefings; model agenda for governors' meetings; recruitment and deployment of ASGs; and newsletter and governor training programme. |
| SACRE (Standing Advisory | Advisor to the SACRE; maintenance of SCC hosted SACRE website; clerking of 3 meetings per year; |

| | |
|---|--|
| Council for RE) | periodic revision of RE syllabus; annual report on RE teaching in Surrey schools. |
| School Effectiveness | A range of activities to support strategies for progressing school effectiveness and improvement. Mainly in the form of tailor-made consultancy packages. Includes activities such as: the Inclusive Values project; improving the performance of identified groups of pupils; curriculum advice; exam performance reporting; establishing school-to-school support. |
| Statutory NQT (Newly Qualified Teacher) support | Activities include: NQT registration management, QA and reporting of NQTs to NCTL (National College for Teaching and Learning). B4S mediates between schools and NQTs where necessary and validates schools' assessments of NQT competence. |
| Health and Wellbeing priorities | Supports Public Health by promoting healthy lifestyles in curriculum activities eg Healthy Schools award. Communication of relevant health and emotional wellbeing developments to schools. |

Equality Impact Assessment

1. Topic of assessment

| | |
|-------------------|---|
| EIA title: | Arrangements for the transition of key statutory and strategic services at the end of contract with Babcock 4 S – recommendations to Cabinet |
|-------------------|---|

| | |
|--------------------|----------------|
| EIA author: | Melanie Harris |
|--------------------|----------------|

2. Approval

| | Name | Date approved |
|--------------------------------|-------------|----------------------|
| Approved by¹ | Liz Mills | 03/04/18 |

3. Quality control

| | | | |
|-----------------------|------------|----------------------|------------|
| Version number | 2 | EIA completed | 26/03/2018 |
| Date saved | 26/03/2018 | EIA published | |

4. EIA team

| Name | Job title (if applicable) | Organisation | Role |
|------------------|---|--|-------------|
| Melanie Harris | School Commissioning Officer and SCC Accountable Officer for the B4S contract | Surrey County Council School Commissioning Team – Schools and Learning | Author |
| Frank Offer | Head of Market Strategy | Surrey County Council – Commissioning and Prevention | Adviser |
| Mary Burguieres | Strategic Lead for Continuous Improvement and Change | Surrey County Council – Schools and Learning | Adviser |
| David Cogdell | Acting Principal Solicitor Contracts, Procurement and Projects | Surrey County Council – Legal Services | Adviser |
| Julie Barrington | SE Regional Manager | Babcock 4 S | Advisor |

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

EQUALITY IMPACT ASSESSMENT

7

5. Explaining the matter being assessed

| | |
|---|--|
| <p>What policy, function or service is being introduced or reviewed?</p> | <p>Babcock 4S is currently in contract with SCC to deliver some key strategic and statutory tasks on behalf of the Council. This contract is due to end in March 2019 and cannot be automatically renewed. The Council therefore needs to ensure that these services and functions are either brought back in house, some delivered through the Orbis partnership, or re-tendered to an external, third party provider. These arrangements need to be in place by 31 March 2019 in order to manage a smooth transition from Babcock to the new providers. The SCC Cabinet is asked to make the final decision on a number of recommendations by officers in the attached report.</p> |
| <p>What proposals are you assessing?</p> | <p>There are proposals for each of the services listed below:</p> <ol style="list-style-type: none"> 1. Early Years Foundation Stage statutory pupil assessment 2. Key Stage 1 and 2 statutory pupil assessment 3. Investigations of assessment arrangements in schools in response to DfE/public concern 4. LA schools' monitoring role including monitoring the quality of provision for pupils with Special Educational and Additional Needs 5. Recruitment, training and deployment of Additional Skills Governors 6. Maintenance of a county School Governor database and administrative support for LA governor appointments 7. Support and mediation for newly qualified teachers employed in Surrey schools 8. Monitoring of delegated funding to schools 9. Providing Strategic Human Resource advice on policy and employment law to Surrey schools and undertaking the employer role for staff in Community and Voluntary Controlled schools 10. Statutory and strategic data collection and analysis 11. Supporting ICT functionality between schools and the Council and technical support for One EMS software 12. Providing strategic Health and Safety advice to schools 13. Provision of a cyclical tree inspection service on maintained school sites 14. Arboreal support and advice for capital projects undertaken on school sites and funded by SCC 15. Administrative and professional support for the Surrey Standing Advisory Council for RE 16. Promotion of strategic Health and Wellbeing aims in schools 17. Free school meal checks for schools' entitlement to Pupil Premium |

EQUALITY IMPACT ASSESSMENT

| | |
|---|--|
| Who is affected by the proposals outlined above? | <p>The proposal will impact</p> <ul style="list-style-type: none"> • All Surrey schools and academies to a greater or lesser degree, dependant on the task/service • Babcock staff employed to support the SCC contract • Surrey County Council staff working in areas that link with the tasks currently delivered by B4S • School students insofar as aspects of the services relate to support for learning and statutory assessment • People on school sites in relation to the monitoring of health, safety and risk assurance tasks |
|---|--|

6. Sources of information

| |
|---|
| Engagement carried out |
| <p>Schools' survey that included Head Teachers, School Business Managers and Governing Bodies; carried out between 6 November 2017 and 22 December 2017. Separate briefings for Heads, Governors and school business managers Attendance at all Phase Councils to discuss the exit strategy and seek views Schools' Bulletin updates SCC staff briefings and staff survey January 2018 Report to Children and Education Select Committee 20 Feb 2018 Report to Phase Councils March 2018 and further attendance at their meetings during Spring Term B4S has managed their own staff briefings B4S manager attendance and full involvement in the Exit Programme Steering Group Regular briefing of Cabinet Member for Education</p> |
| Data used |
| <ul style="list-style-type: none"> • Analysis of schools survey • Analysis of SCC survey • Feedback from Phase Councils • Feedback from Children and Education Select Committee • Cost analysis of current service delivery and likely future available funding to deliver these services |

EQUALITY IMPACT ASSESSMENT

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 |
|---|---|---------------------------------|---|
| Age | No discernible impact on pupils or residents arising from the recommendations | No negative impacts anticipated | Wide and deep engagement with school leaders |
| Disability | Proposal to bring SEND monitoring process in house should lead to greater synergy with operational management of all SEN services and improved quality assurance. This, in turn, will contribute to the wider improvement programme for pupils with disabilities. | No negative impact anticipated | In house discussions with Strategic Lead for SEND |
| Gender reassignment | By bringing oversight of the HR/Equalities advice to schools (where SCC is the employer) on house this should lead to greater consistency of advice to schools and provide greater challenge to discriminative practices. | No negative impact anticipated | Schools generally approach the Area Schools Officers or other local support teams for advice regarding pupil matters; these SCC teams will, in future, rely on SCC legal and HR advice prior to assisting the school with the issue. The direct relationship between Surrey schools and the LA should be helpful in ensuring clarity of response. |
| Pregnancy and maternity (includes parents of children) | By bringing oversight of the HR advice to schools (where SCC is the employer) this should lead to greater consistency of advice to schools and non- | No negative impact anticipated | Where TUPE arrangements are under consideration B4S staff who are pregnant, on maternity leave or on parental or adoption leave will be considered for eligibility along with all other employees |

Page 24

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

EQUALITY IMPACT ASSESSMENT

| | | | |
|--|---|--------------------------------|---|
| | discriminative employment practices. The proposed Public Health redesign of Health and Wellbeing guidance, support and advice services for schools may have a positive impact on the support for pregnant school girls and young parents of school age. | | |
| Race | No discernible impact arising from the recommendations | No negative impact anticipated | Inclusive services will continue to be available to all service users |
| Religion and belief | No discernible impact arising from the recommendations | No negative impact anticipated | Inclusive services will continue to be available to all service users |
| Sex | No discernible impact arising from the recommendations | No negative impact anticipated | Inclusive services will continue to be available to all service users |
| Sexual orientation | No discernible impact arising from the recommendations | No negative impact anticipated | Inclusive services will continue to be available to all service users |
| Marriage and civil partnerships | No discernible impact arising from the recommendations | No negative impact anticipated | Inclusive education support services will continue to be available to all service users with children aged 0 - 19 |
| Carers³ | No discernible impact arising from the recommendations | No negative impact anticipated | Inclusive services will continue to be available to all service users |
| Socio Economic factors | Schools with pupils entitled to pupil premium grant will benefit from a new system aimed at making it easier for parents to prove eligibility. The school is publicly accountable for this additional funding and the resource is | No negative impact anticipated | Discussions within Schools and Learning and Schools Finance teams ref re-design of service with more ambitious aims |

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

| | | | |
|--|---|--|--|
| | aimed at improving the outcomes of this group of pupils | | |
|--|---|--|--|

7b. Impact of the proposals on staff with protected characteristics

The proposal would result in employment opportunities, greater choice of opportunities for all staff, and opportunities to employ a more diverse workforce.

| Protected characteristic | Potential positive impacts | Potential negative impacts | Evidence |
|----------------------------|--|--------------------------------|---|
| Page 26 Age | All services in scope will continue to be accessible by schools and, where relevant, service users of statutory school age. NB the majority of services in scope are services to the Council. In areas where TUPE arrangements apply these will be applicable to all eligible B4S staff that are of working age (as defined by SCC's policy) | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Disability | In areas where TUPE arrangements apply these will be applicable to all eligible B4S staff. Reasonable adjustments will be made for eligible staff with disabilities. | No negative impact anticipated | Relocation of and accessibility of work place will be taken into consideration and appropriate support technology provided as necessary |
| Gender reassignment | By bringing oversight of the HR advice to schools (where SCC is the employer) this should lead to greater consistency of advice to | No negative impact anticipated | Provision within SCC and B4S employee policies |

EQUALITY IMPACT ASSESSMENT

| | | | |
|--|--|---|---|
| | schools and non-discriminative employment practices. | | |
| Pregnancy and maternity | No discernible impact on staff arising from the recommendations | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Race | No discernible impact on staff arising from the recommendations | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Religion and belief | No discernible impact on staff arising from the recommendations | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Sex | No discernible impact on staff arising from the recommendations | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Sexual orientation | No discernible impact on staff arising from the recommendations | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Marriage and civil partnerships | No discernible impact on staff arising from the recommendations | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Carers | Supportive arrangements will be put in place for TUPEd Staff with caring responsibilities | No negative impact anticipated | Provision within SCC and B4S employee policies |
| Socio Economic factors | Staff eligible for TUPE will be guaranteed continuity of employment by transferring to SCC | Relocation of staff may mean individuals incur additional travel expenses | SCC to pick up relocation expenses for set period of time |

EQUALITY IMPACT ASSESSMENT

8. Amendments to the proposals

| Change | Reason for change |
|--|-------------------|
| No immediate changes necessary but changes possible in due course where services coming back in house are to be re-designed. These will be subject to separate EIA at the time of change | |

9. Action plan

| Potential impact (positive or negative) | Action needed to maximise positive impact or mitigate negative impact | By when | Owner |
|--|---|----------------|-------------------------------------|
| Re-design of SEND monitoring and quality assurance – positive impact | Programme of coherent SEND improvement activities | September 2019 | Julie Stockdale and Mary Burguieres |
| Re-design of Pupil premium checking service – positive impact | Programme to bring checking in house to Surrey Commercial Services supported by IMT with improved communications to schools and parents | September 2019 | Beverley Baker and Liz Mills |

10. Potential negative impacts that cannot be mitigated

| Potential negative impact | Protected characteristic(s) that could be affected |
|---------------------------|--|
| none | |

11. Summary of key impacts and actions

| | |
|--|---|
| Information and engagement underpinning equalities analysis | Feedback from School and staff surveys; Phase Councils' engagement with diocesan boards of education and with Education and Children's Select Committee |
| Key impacts (positive and/or negative) on people with protected characteristics | <p>Opportunities for positive impact on monitoring and challenging the quality of provision in all schools for all pupils with SCC operating in its changed role and working in partnership directly with schools.</p> <p>Opportunities to maximise the income to schools arising from redesigned Pupil premium entitlement checking; whereby SCC will seek to work more closely with the boroughs and districts to obtain accurate data and thus improve the service</p> |

EQUALITY IMPACT ASSESSMENT

| | |
|---|--|
| Changes you have made to the proposal as a result of the EIA | Reconsidered who runs Pupil premium checks |
| Key mitigating actions planned to address any outstanding negative impacts | None required |
| Potential negative impacts that cannot be mitigated | None |

Further guidance

If you need more advice and guidance, you may find the following sources useful:

- [Government Equality Office: Equality Act guidance](#)
- [Equality and Human Rights Commission: *Guidance on the Equality Duty*](#)
- [Equality and Human Rights Commission: *Making fair financial decisions*](#)
- [Equality and Human Rights Commission: *Meeting the Equality Duty in policy and decision making*](#)
- [TUC: *Equality Toolkit*](#)

This page is intentionally left blank

SURREY COUNTY COUNCIL

CABINET

DATE: 24 APRIL 2018

REPORT OF: MR COLIN KEMP, CABINET MEMBER FOR HIGHWAYS

**MR JOHN FUREY, DEPUTY LEADER AND CABINET MEMBER
FOR ECONOMIC PROSPERITY**

**MR MIKE GOODMAN, CABINET MEMBER FOR ENVIRONMENT
AND TRANSPORT**

**LEAD OFFICER: JASON RUSSELL DEPUTY DIRECTOR ENVIRONMENT &
INFRASTRUCTURE**

**SUBJECT: ECONOMIC GROWTH THROUGH INVESTMENT IN
INFRASTRUCTURE: EM3 AREA.**



SUMMARY OF ISSUE:

The Local Enterprise Partnerships (LEPs) are responsible for setting the strategic framework for economic growth, through the development of Strategic Economic Plans. Delivery of plans is supported through the Local Growth Fund (LGF), a competitive fund managed by the LEPs.

An important element of this is investment in transport infrastructure in order to tackle congestion and unlock economic growth. In Surrey, the County Council has worked with the 2 LEPs (Coast to Capital (C2C) and Enterprise M3 (EM3)), Elmbridge Borough Council, Guildford Borough Council and the bus companies in the Guildford area to develop these plans and to develop and deliver schemes that support delivery of economic growth objectives. These partner organisations have been critical in enabling the County Council to develop a fully funded programme.

For the funding period 2018/19 – 2020/21, EM3 LEP have agreed 10 Expression of Interest projects in Surrey. Further information on these 10 projects is provided in **Annex A**.

Approval is now sought to submit Business Cases to the EM3 LEP for capital funding for three of these projects, as set out below that contribute towards improved productivity in the relevant project area.

- Brooklands Accessibility (Elmbridge)
- Quality Bus Corridor (QBC) improvements (Guildford)
- A31 Resilience (Guildford)

Further details on these projects is provided in **Annex B**.

The LEP requires a minimum of 25% match funding for LGF bids. The match funding for the first two schemes listed above has come from other sources, including Elmbridge Borough Council and the bus operators within Guildford.

However, to support delivery of the transport investment programme, Surrey County Council (SCC) is required to contribute £1.312m of capital funding, to provide match funding for the A31 Resilience project (between the County Boundary with Hampshire and the A331 Blackwater Valley Road junction).

SCC have already spent £0.700m on Capital repairs to the A31 following failure of the road in extreme heat in 2017. This means that some of the Resilience project has already been completed, and the LEP have indicated that they might be willing to use this as part of the contribution. If this is the case, then SCC would need to make an additional contribution of £0.612m.

However, the EM3 LEP will not make that decision until the Business case has been submitted (planned 30 April 2018), and the project has been assessed through the Independent Assurance and reported to the EM3 LEP at a planned meeting towards the end of June 2018.

RECOMMENDATIONS:

It is recommended that Cabinet:

1. Approve the submission of three Business Cases for transport infrastructure projects to the EM3 LEP, in order to bid for capital funding from the Local Growth Fund, namely:
 - Brooklands Accessibility (Elmbridge)
 - Quality Bus Corridor improvements (Guildford)
 - A31 Resilience (Guildford)
2. Approve Surrey County Council's share of required remaining local contribution [matched funding], up to a maximum of £0.612m towards the *A31 Resilience* scheme.

REASON FOR RECOMMENDATIONS:

Reasons for Recommendation

Supporting Economic Growth

Inadequate transport infrastructure is identified as the biggest barrier to economic growth in the county. If the bids are successful, the EM3 LEP would contribute up to 75% of the capital scheme cost, with the remainder to be provided as match funding. In terms of match funding, working with Elmbridge Borough Council together with bus operators within Guildford, a significant amount of match funding has been identified for two of these projects as follows;

- Brooklands Accessibility (Elmbridge) - the match funding has been fully funded through Elmbridge Borough Council Community Infrastructure Levy (CIL).
- Quality Bus Corridor improvements (Guildford) - the match funding has been fully funded through the bus operators.

-
- A31 Resilience (Guildford) - the proposed match funding is a mixture of £0.700m that has already been spent on emergency repairs during the summer of 2017, subject to LEP approval that this spend can be counted as match, and additional capital contribution from SCC.

If the £0.700m of match funding is not accepted by the EM3 LEP the *A31 Resilience project* may become a smaller project based on the funding available.

DETAILS:

Background and Business Case

6. In July 2014, the Government announced the Local Growth Fund (LGF) allocation for transport infrastructure to Local Enterprise Partnerships (LEPs), for the 2015 – 2021 periods, based on their respective SEPs.
7. Allocation of funding has been made available in tranches by government and a further allocation was made available in July 2017 through the LEPs for the period covering 2018 to 2021, with a key contributory factor of improving productivity to an area.
8. Surrey County Council has submitted 10 Expressions of Interest for projects that have been agreed with the EM3 LEP following the announcement of grant funding. These are set out in Annex A.
9. Approval is now sought to submit Business Cases on the 30 April 2018 to the EM3 LEP for the following projects (further details can be found in Annex B);
 - Brooklands Accessibility (Elmbridge)
 - Quality Bus Corridor improvements (Guildford)
 - A31 Resilience (Guildford)

Local Contribution [match funding]

- The requirement of the EM3 LEP is for the delivery body (Surrey County Council) to provide a local contribution [match funding] of at least 25%.
- Sufficient funding has been obtained by working closely with Elmbridge Borough Council to provide the match for the Brooklands Accessibility project and the local bus operators in the Guildford area to provide the match for the Guildford QBC project.
- Match funding is required for the A31 Resilience Scheme. The Business Case includes £0.700m of spend in 2017, which resulted from deterioration of the carriageway in hot weather. These works support the aims of the A31 Resilience project.
- Set out below in **Table 1** are the project description and funding arrangements.

Table 1

| Project description | Estimated cost (£) | Match funding required (£) | Source of match funding |
|---|--------------------|----------------------------|---|
| Brooklands Accessibility (Elmbridge) | £2.500m | £0.620m | £0.620m provided by Elmbridge Borough Council |
| Quality Bus Corridor improvements (Guildford) | £4.450m | £1.240m | £1.240m provided by bus operators within Guildford. |
| A31 Resilience (Guildford) | £3.710m | £1.312m | SCC £0.700m already spent during summer of 2017. However, £0.612m is required to complete the full match funding required from SCC. |

CONSULTATION:

10. **Brooklands Accessibility (Elmbridge);** significant work has already been undertaken to develop the project with key stakeholders, Elmbridge Borough Council and several landowners. The majority of the pedestrian/cycle scheme is not on highway land, and this scheme is critical in ensuring that the public are able to continue to have a right of access over it. As part of the scheme SCC are seeking to ensure control over privately owned assets, including Wellington Way, currently being used by the public to ensure that these future rights of access are maintained and that this vital and local link remains open. This would avoid these privately controlled access routes being closed that could result in delays to movement. All landowners including the Borough Council have been consulted and are supportive, especially the landowners/stakeholders with greatest influence over the cycle scheme - Elmbridge Borough Council and Mercedes Benz World. Further consultations are continuing during March and April 2018 before the Business case submission.
11. Permissions are being formally secured and the aim is to obtain agreements in principle prior to the business case submission date.
12. If any agreements in principle are not obtained prior to the business case submission date (30 April 2018) a decision will be made whether to submit the business case at that time or delay until the end of June 2018. That decision will be based on the likely timing and confidence of obtaining the agreement in principle.

13. The Local Committee for Elmbridge receive regular updates on project progress.
14. **Quality Bus Corridor improvements (Guildford) and A31 Resilience (Guildford)**; these two projects are included within the Unlocking Guildford Package where the County Council have worked closely with Guildford Borough Council.
15. This package was subject to a public consultation during February and early March 2018, to help determine the level of support for each project, including the projects to be submitted by Guildford Borough Council and the Environment Agency. Overall there was a good level of support for each of the projects and a completed report on the consultation was presented to the Local Committee for Guildford at their meeting on the 21 March 2018.
16. The Local Committee for Guildford receive regular updates on project progress.
17. Where any further consultations are required, for example related to Traffic Regulation Orders, these will be consulted upon separately at that time, via the Local Committee process.

RISK MANAGEMENT AND IMPLICATIONS:

18. Each of the projects have their own project risk register that is reviewed regularly by the project team.
19. The project costs set out in this report are estimates that were reviewed in 2017/18, based on outline scheme designs. Whilst they include a sum for contingency and optimism bias there is a risk that these estimated costs could increase once the designs are finalised and procurement undertaken. If these estimated costs increase, such that the local contribution required would then exceed the amount stated in this report, then the following mitigation strategies would apply:
 - Further value engineering exercises would be undertaken as the design is developed to see if scheme costs could be brought down without reducing the scope of the scheme.
 - If estimated scheme costs cannot be reduced then the scope of the scheme would be reviewed to see if the primary benefits could still be realised but with a reduced scheme.
 - If it is not possible to reduce the estimated scheme cost in either of these ways, then we would engage with the LEPs and the relevant borough/district to see if they are able to increase their contribution.
 - If, after following the steps above, the scheme would still require a greater contribution from Surrey, a further decision would be sought from Cabinet or Cabinet Member, as appropriate.
20. It should be noted that if these business cases are not submitted to Enterprise M3 LEP the County Council will not be in a position given the financial situation, to allocated funds from elsewhere.
21. The LEPs are urging Councils and other delivery bodies to ensure that they utilise the LGF funding available in each year as any unused funds could be clawed back.

Financial and Value for Money Implications

22. The requirement of the LEP is for the delivery body (Surrey County Council) to provide a local contribution of at least 25%.
23. After positive close working with Elmbridge Borough Council as well as local bus operators in the Guildford area to obtain significant match funding towards two of the projects there remains a shortfall of £1.312m to support the A31 Resilience.
24. The *A31 Resilience project* £0.700m has already been spent on the A31 Hogs Back section during the summer of 2017, to deal with the impacts of heat on the carriageway, which supports the aims of the resilience scheme. This project is a highway/drainage scheme to address infrastructure defects which currently impacts on journey times and network reliability. We are awaiting confirmation from the LEP that this previous expenditure can be considered eligible as match funding.
25. The £0.612m match funding can be provided from within the existing Place Development capital budget identified within the 2018-21 Medium Term Financial Plan.
26. The Quality Bus Corridor improvements project (Guildford), which forms part of the *Unlocking Guildford Package* has the full local contribution funding requirement. This is being provided by the bus operators in the Guildford area.
27. The Brooklands Accessibility project has the full local contribution requirement. This is being provided by Elmbridge Borough Council.

Section 151 Officer Commentary

28. The Council is required to make a financial contribution toward LGF schemes, unless this is provided by other partners. In the case of the schemes put forward in this report, the Council is required to make a contribution of £1.312m to that A31 Resilience scheme. This will be made up of works already completed totalling £0.7m (which is subject to agreement by the LEP) and a planned contribution of £0.612m from the existing capital budget within the council's MTFP 2018-21. Should EM3 LEP not allow the council to use works already completed as part of its contribution, the A31 Resilience project may not be able to proceed.
29. The Section 151 Officer also highlights that scheme costs are in some cases based on outline scheme designs and therefore would be expected to change as designs evolve, and are also subject to change as schemes are procured. In recognition of this, estimated costs include an allowance for risk. If costs exceed agreed funding the mitigation strategy outlined in this report would apply, although ultimately the Council may need to consider how it would fund cost increases, e.g. by reducing spend elsewhere.
30. The Council would also need to meet any future maintenance costs for assets created as part of these schemes.

Legal Implications – Monitoring Officer

31. Ten Expressions of Interest have been agreed with the EM3 LEP following the announcement of the grant funding covering the 2018/19 to 2020/21 period as set out in **Annex A** – Programme overview.
32. These identified projects have been the subject of consultation and may need to have further public consultation, if required, before final approval by the EM3 LEP. The LEP will need to take account of the results of those consultations when finalising their views.
33. **Annex A** also sets out the planned match funding for each of the projects that have been committed by the Boroughs councils as well as local bus operators.

Equalities and Diversity

34. The Brooklands Accessibility (Elmbridge), Quality Bus Corridor Improvements (Guildford) and A31 Resilience (Guildford) projects have Equality and Diversity screening assessments as part of the development of the project.
35. These assessments will eliminate any perceived and/or actual inequalities through compliance with up to date design standards which address disabled access and social inclusivity.

Public Health implications

36. A key objective of these projects is to improve air quality and reduce carbon emissions through a combination of reduced vehicle delays, improvements to public transport and encouraging alternative modes of transport to motorised vehicles.
37. In addition to this, improvements in public health can be gained through more walking and cycling and cleaner air.

WHAT HAPPENS NEXT:

The Brooklands Accessibility (Elmbridge), Quality Bus Corridor Improvements (Guildford) and A31 Resilience (Guildford) projects will (subject to Cabinet approval) have separate Business cases submitted to the EM3 LEP on the 30 April 2018.

The EM3 LEP will carry out an Independent Assurance assessment which will be reported to the EM3 Transport Advisory Group (TAG) meeting in June and the Board meeting at the end of June 2018.

If successful Surrey County Council would enter into a legal agreement to deliver the projects over an agreed period of time, as set out in the Business cases.

Contact Officer:

Lyndon Mendes – Transport Policy Team Manager, telephone; 03456 009 009

Consulted:

Local Enterprise Partnership EM3

Brooklands Accessibility

Local Committee for Elmbridge, Elmbridge Borough Council, Mercedes Benz World, South Western Railway, Network Rail, Thames Water Utilities, Other relevant landowners including M&G, Brooklands Museum, Weybridge town centre businesses Brooklands College, Residents via the Common Land Application, Cycle Track Order consultation notices and web page. Common Land Application - as part of this we fulfilled all the consultation requirements (including residents and stakeholders affected) as set by the Planning Inspectorate.

Unlocking Guildford - Guildford Local Committee, Guildford Borough Council Public, Businesses, Bus Operators (Public consultation January/February 2017)

Annexes:

Annexe A - Programme Overview

Annexe B - Project Descriptions

Sources/background papers:

1. Cabinet Report, 'Supporting the economy through investment in transport infrastructure', 27 November 2012.
 2. Cabinet Report, 'Supporting Economic Growth through investment in Transport and Highways infrastructure – third tranche', 15 December 2015.
 3. EM3 PMG meeting 15 March 2018.
-

ANNEX A – PROGRAMME OVERVIEW

There are 10 Expression of Interest projects that have been agreed with the EM3 LEP following the announcement of 2018/19 to 2020/21 grant funding that has been made available.

- 6 of these projects will be led by Surrey County Council,
- 3 by Guildford Borough Council and
- 1 by the Environment Agency.

These 10 projects are planned to be submitted to the EM3 LEP on three key submission dates as agreed with the LEP as set out in Tables 1 and 2.

Table 1

| Project Number | Scheme name | Estimated cost | Match funding required | SCC contribution* | Local Contribution sources and comments |
|---|---|----------------|------------------------|-------------------|---|
| Blackwater Valley Package (scheduled for 29 May 2018 Cabinet Report) | | | | | |
| 1 | A30 London Rd., Camberley (Surrey Heath- SHBC) Scheduled for 29 May 2018 Cabinet for submission to LEP in June 2018. | £5.00m | £1.25m | See below* | SHBC = £0.770m; S106 = £0.217m |
| 2 | Blackwater Valley Gold Grid [Joint with SCC & HCC] Scheduled for 29 May 2018 Cabinet for submission to LEP in June 2018. | £8.50m | £4.00m | See below* | Stagecoach; |
| Elmbridge Project (scheduled for submission to the EM3 LEP on 30 April 2018) | | | | | |
| 3 | Brooklands Accessibility (Elmbridge) Scheduled for 24 April Cabinet for submission to LEP in April 2018 | £2.50m | £0.62m | See below* | Elmbridge BC |
| Woking Project (scheduled for 29th May 2018 Cabinet Report) | | | | | |
| 4 | Woking Sustainable Transport Package – Ph.1 Scheduled for 29 May 2018 Cabinet for submission to LEP in June 2018. | £4.00m | £1.00m | See below* | Woking BC |
| Unlocking Guildford Package | | | | | |
| 5 | Guildford – Sustainable Movement Corridor – Ph.1 Submitted to LEP by Guildford Borough Council in January 2018. | £3.85m | £1.12m | See below* | Guildford BC; B/Case has been submitted by GBC. SCC to award GEN 3-2 contract then to novate contract to GBC. |

| Project Number | Scheme name | Estimated cost | Match funding required | SCC contribution* | Local Contribution sources and comments |
|----------------|---|----------------|------------------------|-------------------|---|
| 6 | Guildford – Quality Bus Corridor Scheduled for 24 April Cabinet for submission to LEP by SCC on 30th April 2018 | £4.45m | £1.24m | See below* | Bus operators |
| 7 | Guildford – A31 Resilience Scheduled for 24 April Cabinet for submission to LEP on 30 April 2018 | £3.71m | £1.312 m | See below* | SCC £0.700m already spent. During summer of 2017. |
| 8 | Guildford – A331/ A31 and A331/A323 Hot Spots To be submitted to LEP by GBC in April 2018 | £3.93m | £1.96m | See below* | GBC; B/Case to be submitted by GBC |
| 9 | Guildford – Town Centre approaches. To be submitted to LEP by GBC in April 2018 | £1.03m | £0.33m | See below* | GBC; B/Case to be submitted by GBC |
| 10 | Guildford – Town Centre Flood Alleviation. To be submitted to LEP by the Environment Agency in June 2018 | £6.60m | £5.10m | See below* | B/Case to be submitted by Environment Agency |

* The Cabinet is asked to commit to the County Council's share of the required remaining funding of £0.612m.

The timetable for the Business Case submissions as indicated above for all the Spring/Summer 2018 packages of transport measures within the EM3 LEP area of Surrey are set out in Table 2;

Table 2

| Date/month | Projects |
|--------------|---|
| January 2018 | Project Number. 5, Guildford – Sustainable Movement Corridor – Ph.1(submitted by Guildford Borough Council) |
| April 2018 | Project Numbers 3, Brooklands Accessibility, 6, Guildford Quality Bus Corridor and 7, Guildford A31 Resilience (to be submitted by Surrey County Council) plus 8, Guildford A331/A31 and A331/A323 Hot spots and 9, Guildford town centre approaches (to be submitted by Guildford Borough Council). |
| June 2018 | Project numbers 1, A30 London Road Camberley, 2, Blackwater Valley Gold Grid [Joint with SCC & HCC], 4, Woking Sustainable Transport Package Phase 1 (to be submitted by Surrey County Council) and 10, Guildford – Town Centre Flood Alleviation (to be submitted by the Environment Agency). |

The ***Unlocking Guildford Package*** with its 6 individual projects is covered by one Strategic Case including the packages Aims and Objectives and not separate Strategic Cases. An overview of these projects and the Brooklands Accessibility project together with Aims and Objectives for both packages has been set out in Annex B.

ANNEX B – PROJECT DESCRIPTIONS

Project No 3: Brooklands Accessibility (planned to be submitted to the EM3 LEP in April 2018 by Surrey County Council)

The scheme consists of a range of transport measures to improve accessibility between Brooklands Business Park and Weybridge town centre via Weybridge rail station. This will include improved pedestrian, cycle and road infrastructure to benefit all users, and in particular encourage sustainable travel to and from Brooklands Business Park.

The scheme costs are estimated at £2.5m, seeking EM3 LEP funding of £1.875m and a confirmed local contribution from Elmbridge Borough Council of £0.625m.

Subject to EM3 LEP approval, the scheme would commence construction in 2018/19.

Aims and Objectives of the project

The primary aim of this project is to improve accessibility to the Brooklands Business Park to both support its future growth and ensure the retention of around 250 existing businesses.

The project will also improve accessibility to Weybridge Station and Weybridge town centre, widen travel choice and encourage more people to travel by sustainable modes, mitigate congestion, and encourage people living and working in the area to lead healthier lives through active travel.

The project aligns with all the SCC Corporate priorities (well-being, economic prosperity, residents' experience).

This project aims to support Brooklands as an attractive location for businesses to be based and aims to:

- Support the future intensification of the Brooklands Business Park.
- Support the retention of the existing 9,000 jobs at the Brooklands Business Park which would be at risk if congestion worsens.
- Support new jobs in Weybridge town centre.
- Through providing transport infrastructure this project also aims to support the delivery of new homes in Weybridge

Unlocking Guildford Package

Projects No's 5 to 10 all form part of the ***Unlocking Guildford Package***, which has a Strategic Case covering the package as a whole with each individual project having a separate Business Case.

The Strategic Case covers the Aims and Objectives of the package which are set out below;

- Improved access by all modes but with priority for public transport and sustainable travel into the town centre and West Guildford.
- A sustainable transport corridor in the West and improve access between town centre, residential areas and Slyfield Estate through improved public transport.
- To relieve traffic pressure on strategic routes into Guildford currently subject to significant peak hour congestion.
- To ensure the transport infrastructure is available during periods of flooding and to remove constraints on development of a number of sites in the town centre.
- To create the conditions to ensure that growth can be delivered and sustained across Guildford.

Project No 5: Guildford – Sustainable Movement Corridor – Phase 1 (project already submitted by Guildford Borough Council in January 2018).

Implementation of a transport corridor linking the Guildford Station and the Town Centre to the Surrey Research Park, Royal Surrey County Hospital and University of Surrey campus. The proposed interventions will effectively manage traffic flows giving priority to buses and offering fast safe and convenient routes for cyclists and pedestrians.

Phase 1 will include measures to improve cycling and pedestrian access and a major upgrade to Tesco's Roundabout involving signalisation of the roundabout, which will provide for all modes including a controlled crossing point.

The project is estimated to cost £3.8m, with a local contribution of £1.12m secured from Guildford Borough Council (GBC).

The Business Case for the project has been submitted directly by GBC in early January 2018 and if the project is approved by the EM3 Local Enterprise Partnership (LEP) GBC will enter into a legal agreement with the LEP.

The proposal is that Guildford Borough Council will deliver this project under a section 278 agreement with the County Council where works are on the public highway maintainable at public expense.

Guildford Borough Council do not have direct access to the GEN 3 framework that the County Council use for these major highway improvement projects, therefore the County Council will tender the works through the GEN 3 framework which will require Cabinet approval later this year. To ensure that the tender is awarded as quickly as possible with minimal delay it is recommended that the decision to award the contract is delegated to the Strategic Director for the Environment & Infrastructure.

Once the contract is awarded, the contract will be novated to Guildford Borough Council.

Project No. 6: Guildford – Quality Bus Corridor (planned to be submitted to the EM3 LEP in April 2018 by Surrey County Council)

This project seeks to improve the reliability of bus services whilst also ensuring that key routes which serve Guildford and its surrounding towns have attractive, clean and well-lit passenger waiting areas, and easily accessible and conveniently located bus stops.

These improvements will include:

- Bus reliability and improved journey times
- Better passenger information
- Improved passenger infrastructure

A reliable service makes the bus a much more attractive proposition and, as such, the outputs of the project are expected to increase bus patronage. This will mitigate the traffic impacts of growth and reduce demand on available highway space. Ultimately this is expected to benefit the town centre by reducing congestion and improving accessibility.

The scheme costs are estimated as £4.45m, with the local contribution of £1.24m secured from bus operators.

Project No. 7: Guildford A31 Resilience scheme (planned to be submitted to the EM3 LEP in April 2018 by Surrey County Council)

Substantial highway reconstruction and improvement to the flood resilience of the Surrey sections of A31 west of Guildford, to allow free flowing traffic to continue following heavy or prolonged rainfall, and to reduce the disruption to traffic during major flood events, and therefore improve productivity in the area.

The project focuses principally on the A31 County Boundary with Hampshire to the junction with the A331 Blackwater Valley Road.

The key works priorities for the project are as follows;

- Tackling identified drainage and flooding issues with improvements to for example; gullies, grips, ditches, soakaways and balancing ponds,
- Major reconstruction of the carriageway,
- Carriageway resurfacing,

The project costs are estimated as £3.71m, with the local contribution of £0.700m which has already been spent on the project location during the summer of 2017 and the remainder (£0.612m) to be provided from Surrey County Council capital resources identified within the MTFP.

If the EM3 LEP does not accept the £0.700m of match funding that has already been spent by SCC on this section of highway during the summer of 2017, the project may become a smaller project based on the remaining £0.612m of match funding (subject to Cabinet approval).

Project No. 8: Guildford – A331/ A31 and A331/A323 Hot Spots (to be submitted by Guildford Borough Council in April 2018).

This addresses two key junctions where there are peak time queues causing delays and potential safety issues. This intervention will provide a quicker and more reliable journey time for vehicles exiting the A31 westbound to join the A331 and for all road users using the A331/A323 interchange. The improvements will provide safety benefits by reducing the incidence of slip-road traffic queuing back onto the A31 and A331.

The Business Case for the project is to be submitted directly by GBC by the end of June 2018 and if the project is approved by the EM3 LEP, GBC will enter into a legal agreement with the LEP.

Project No. 9: Guildford – Town Centre approaches (to be submitted by Guildford Borough Council in April 2018).

The scheme enhances the ability to monitor, inform and control traffic through expanding the County Council's network management equipment/ Intelligent Transport Systems (ITS) and capability, based at its existing Network Management and Information Centre (NMIC).

This will enable congestion and road safety to be managed with increased resilience. It will encourage re-routing to avoid the town (and the A3 during incidents), improve parking information and upgrade signals to get traffic moving as "efficiently" as possible. It will bring about improvements to journey time reliability and also help the police in crime reduction measures through the implementation of Automatic Number Plate Recognition (ANPR) cameras.

The Business Case for the project is to be submitted directly by GBC by the end of April 2018 and if the project is approved by the EM3 LEP, GBC will enter into a legal agreement with the LEP.

Project No. 10: Guildford – Town Centre Flood Alleviation (to be submitted by the Environment Agency in June 2018).

Flood alleviation works to enable the re-development to go forward and freeing up land currently at risk of flooding, for development of residential, commercial and open green spaces. Flood alleviation will also have parallel benefits in protecting existing housing and business activity in the area adjacent to the river.

This page is intentionally left blank

SURREY COUNTY COUNCIL**CABINET****DATE: 24 APRIL 2018****REPORT OF: MR COLIN KEMP, CABINET MEMBER FOR HIGHWAYS****LEAD OFFICER: ROSS DUGUID, ASSISTANT DIRECTOR, ORBIS PROCUREMENT****JASON RUSSELL, DEPUTY DIRECTOR ENVIRONMENT & INFRASTRUCTURE****SUBJECT: CAMBERLEY THE MEADOWS GYRATORY MAJOR IMPROVEMENT SCHEME****SUMMARY OF ISSUE:**

The Meadows is a major gyratory providing connectivity between the M3 with the A30 and a key access route into Camberley town centre.

High levels of congestion on this strategic highway network lead to significant and regular queuing on the A30, A331 and A321 approaches. Improvements to the Meadows Gyratory aim to reduce delays and reduce congestion on this busy gyratory.

The proposed scheme addresses these constraints and capacity issues, improving access to Camberley town centre for all modes of transport. The improvements are an important component to ensure the future well-being of Camberley and resilience on the A30.

Following assessment of tenders received from contractors under the GEN3-2 Civil Engineering, Highways and Infrastructure Works Framework, a competitive tender process is complete. The project is at a stage where Cabinet's approval is sought to approve the award of the contract for the works to the recommended Tenderer.

As a result of decisions to minimise disruption on the network, namely to deliver the scheme at night and to delay implementation until completion of the M3 Smart Motorway, the final cost of the scheme exceeds the approved budget, by £646,000.

The Business Case has reported that the scheme will contribute to an increase of 1,675 jobs worth £86m Gross Value Added (GVA) to the local area. Additionally this investment in road building, new retail floorspace and housing development will generate a total of £288m of new investment for the area.

Consultation with local businesses and residents was held in 2016 and 2017 with the support of the Yorktown and Watchmoor Business Association. The public were consulted on the scheme at the A30/Camberley Town Centre Highway Improvements Public Consultation held in 2017. Surrey County Council (SCC) has demonstrated that we actively act on feedback from the public as we have introduced changes to the traffic management plans for the A331 Orange Cycle Route and Stanhope Road Junction construction to further reduce the inconvenience caused by

the construction work.

The Business Case has been produced in partnership and with the strong support of Surrey Heath Borough Council who are providing significant matched funding for the scheme.

RECOMMENDATIONS:

It is recommended that Cabinet:

1. Approves the award of contract for the works for the Meadows Gyratory Improvement Scheme to the recommended contractor as detailed in the Part 2 report.
2. Approves the allocation of up to £646,000 from the Place Development capital budget to meet the funding shortfall.

REASON FOR RECOMMENDATIONS:

The aim of this project is to improve the transport network in Surrey Heath to deliver journey time reliability, increased accessibility, reduced journey time and encourage shift in modes of transport.

The Meadows Gyratory Improvement scheme will deliver the following outcomes:

- Reduced delays and reduced congestion on this busy gyratory.
- Improved access to Camberley town centre for all modes of transport.
- Improved signal crossings and traffic islands to protect pedestrians and cyclists.
- A positive impact on employment resulting from improved accessibility to make the area more attractive for businesses to invest and help improve the attractiveness of retail and leisure in the area.
- The scheme will help to enable to generate approximately 540 full time employment (FTE) jobs by helping to fill Camberley's vacant employment space and contribute to securing around 210 Full Time Equivalent ('FTE') at the London Road Revitalisation Area site. In addition, approximately 1,000 transport and storage jobs in the area could be secured as a result of the scheme.
- The provision of improved pedestrian and cycling facilities will be of benefit to those living in areas of relative deprivation and provide good quality alternative options to the car, using walking, cycling, bus/rail to access areas of employment, retail and educational establishments.
- The reduction in travel time through Meadows will help improve business and staff productivity caused by less work commuting and driver stress. This will contribute to the increase in efficiency of logistics to local business parks.

The biggest benefits are for movements approaching the roundabout on the A30 to the West of the junction and, in particular, those turning right as those vehicles no longer need to traverse the roundabout. There is also generally benefit for traffic approaching from the A321 as these movements are no longer opposed by the large flow from West to South traversing the roundabout.

A competitive tender for the works for Meadows Gyratory Improvement Scheme is complete. The offer from the recommended Tenderer named in Annex 1 provides best value for money.

The Meadows Gyratory is a key location in the highway network and a critical concern is the impact on the local network during the construction period. As a result, a decision was taken to delay the works until the completion of the M3 Smart Motorway and to undertake the works at night. These factors have resulted in cost increases from the original estimates.

DETAILS:

Business Case

1. The Meadows Gyratory junction is acknowledged locally as a key location on both the local and strategic highway network, with capacity and congestion a regular issue. Survey data identified over 50,000 vehicles passing through the junction during an average 12-hour weekday period, and over 45,000 at the weekend, with weekday PM peak flows of 5,400 vehicles, illustrating the multifunctional role of the gyratory in accommodating commuter trips as well as leisure based trip during the weekend.
2. The transport model outputs from the Base (Do-nothing) scenarios identify a continual deterioration in the operation of the Meadow's Gyratory and its approach routes, with increased average journey time delays during the peak traffic periods. This has been assessed to amounting to a total delay of 90 hours to all vehicle movements during the AM peak hour period by 2026.
3. These additional delays are generated as a result of increased queuing and congestion in the network, which contribute to the existing conditions on the A30/A331 corridors approaching Meadows Gyratory.
4. The proposed scheme would deliver improvements to maximise junction throughput, reduce delays and provide a more stable traffic control platform from which to manage and control journey time reliability. The proposed scheme will reduce peak period journey time by up to 35% compared to the Do nothing scenario. The proposed improvements will produce a Benefit Cost Ratio (BCR) of 9:1 as reported in the Business Case, i.e. for every £1 invested, the project delivers £9.
5. If the scheme was not implemented then large queues and delays would be generated resulting in the need for significant trips potentially being forced to change time of travel, change mode or change destination. It would have a significant detrimental impact to the economy of Surrey Heath Borough, Camberley town centre and the vehicular access by adjacent residents and visitors.

6. Funding for the scheme has been allocated from LEP Capital Funding with a Local Contribution being funded by Surrey Heath Borough Council and the Section 106 funds.
7. The funding shortfall will require an additional allocation of up to £646,000 from the Place Development capital fund. Work is underway to identify alternative options to manage the overspend, including identification of developer contributions that could support the scheme.

Procurement Strategy

8. Highways Service and Procurement Service carried out a strategic analysis of the procurement options available. The process has reviewed the commercial risks and opportunities to deliver the works. Three options were considered;
 - Option 1: Tender direct to the market place through an OJEU tender procedure. This takes on average between 3 and 6 months. Tender costs are considerable in staff time, as a result it was decided not to adopt this option.
 - Option 2: Use the existing Surrey Highways Term Maintenance Contract with Kier. As the maximum cost for an individual order is below the total estimated cost of the scheme, and the Meadows Gyratory Major Improvement Scheme cannot be broken down into individual minor improvement schemes, this option was not available.
 - Option 3: Tender using the Hampshire County Council's GEN3-2 Civil Engineering, Highways and Infrastructure Works Framework. The Framework is for highway construction schemes up to £25m and uses the NEC3 form of contract. This option was preferred as using an established regional framework offers optimum competition and allows for a more efficient tender process than an OJEU tender.

Competitive Tendering Process

9. A competitive tender for the Meadows Gyratory scheme was undertaken under the GEN3-2 Civil Engineering, Highways and Infrastructure Works Framework.
10. The procurement activity included inviting all 10 suppliers on the GEN3-2 Framework, with five contractors expressing an interest. Four tenders have been returned.
11. The award criteria used to evaluate the tenders were split into Quality at 40% weighting and Price at 60%. The results of the evaluation process are in the Part 2 Report.
12. The tender process is now complete. Following a thorough assessment process the Evaluation Panel recommends that an offer from the Mildren Construction Ltd is accepted as their offer provides best value for money.
13. On 13 March 2018 the Sourcing Governance Board accepted the tender results and recommended to seek approval from Cabinet to award the contract.

14. The project is at a stage where Cabinet's approval is sought to award the contract for the works.
15. It is intended that the contractor award proceed as scheduled in May 2018 following April 2018 Cabinet approval such that works would be able to commence by June 2018

CONSULTATION:

16. Stakeholders including Surrey Heath Borough Council (Local Committee Meeting on 12/3/2015), Hampshire County Council and Bracknell Forest Council have been consulted during the design and procurement process. Local businesses were consulted through forums with businesses held in 2016 and 2017 and through the Yorktown and Watchmoor Business Association. The public were consulted on the scheme at the A30/Camberley Town Centre Highway Improvements Public Consultation held in 2017. Consensus feedback on the proposed improvements supported the scheme.
17. Surrey County Council (SCC) are also submitting a regular article providing an update on progress on the Meadows Gyratory scheme in Surrey Heath Borough Council's resident magazine 'Heathside'. In addition, SCC has a dedicated web page for major schemes, including the Meadows Gyratory Major Improvement Scheme.
18. The Surrey Heath Local Committee is being updated on progress at their committee cycle and through a Major Projects Task Group.

RISK MANAGEMENT AND IMPLICATIONS:

19. The contract is the standard form of contract NEC3 Option B with Bill of Quantities. In this form of contract, the Contractor prices its rates accordingly and bears the risk of carrying out the work at the agreed prices. The risk in producing and verifying the Bill of Quantities lies with the Employer.
20. All framework providers on the GEN3-2 Civil Engineering, Highways and Infrastructure Works Framework completed satisfactory financial checks as well as checks on competency in delivery of similar contracts. The framework providers' financial status and performance are continuously monitored by the Framework Management Team.
21. There is a contingency sum that is available within the project budget.
22. At the end of the contractual term, ownership of the contract will remain with SCC. Therefore, those conditions of the contract which survive the validity period of the contract (such as defect correction period, insurance provisions etc.) will remain binding upon parties to the contract.

Financial and Value for Money Implications

23. The proposed Meadows Gyrotory major scheme has been the subject of a business case and has passed through an independent assurance assessment carried out by the EM3 LEP's consultants and been through a cost/benefit analysis where it was highly rated.
24. Funding for the scheme will come from LEP Capital Funding with a Local Contribution being funded by Surrey Heath Borough Council and the Section 106 funds.
25. Funds are available within the Place Development capital budget to meet the remaining shortfall of £646,000.
26. There is a contingency sum that is available within the project budget.
27. The Local Growth Fund provided by the EM3 LEP is required to be spent by 31 December 2019. The recommended Tenderer for this contract indicated a programme of works, which will commence on 1 June 2018 and will last 12 months.

Section 151 Officer Commentary

28. The Section 151 Officer confirms that the additional funding of £646,000 is available within the Place Development capital budget, as set out in the MTFP 2018-21. Approving the use of this funding will enable the contract award, and the wider project, to proceed. The Council will continue to bear the risk of cost variation due to changes in the contract bill of quantities as set out in paragraph 19, as well as changes in the wider project. In recognition of those risks, officers have included a contingency allowance within the project budget. Should the project not proceed there is a risk that some of the grant claimed to meet costs to date will need to be repaid, as explained in Part 2 to this report.

Legal Implications – Monitoring Officer

29. The Council is the highway authority for its area by virtue of s1 of the Highways Act 1980 and has a general power to improve highways under s62 of that Act. Furthermore, the Council is subject to duty to achieve best value under s3(1) of the Local Government Act 1999, expressed as being to "...secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness".
30. The Council has undertaken a competitive procurement exercise in accordance with the requirements of the Public Contracts Regulations 2015 and the Council's own Procurement Standing Orders. The tenders received were evaluated against set criteria and the first-placed bidder chosen because their tender was the most economically advantageous.
31. An agreement is in place between the EM3 LEP, the Council and Surrey Heath Borough Council to govern the external funding provided for this project.

| |
|--|
| <u>Equalities and Diversity</u> |
|--|

32. It is the objective of SCC to treat all users of the public highway equally. A less complex layout will make transport safer at this location and providing crossings for pedestrians and cyclists to key destinations.

| |
|---------------------------------|
| <u>What Happens Next</u> |
|---------------------------------|

33. The timetable for implementation is as follows:

| Action | Date |
|--|-------------|
| Cabinet decision to award (including 'call in' period) | 1 May 2018 |
| Contract award letter | 2 May 2018 |
| Contract Commencement Date | 1 June 2018 |

Contact Officers:

Paul Dalton – Procurement Specialist, Orbis Procurement Service

Lyndon Mendes – Transport Policy Team Manager

Consulted:

Surrey Heath Borough Council – Cllr Moira Graham, Karen Whelan, Jenny Rickard & SHBC Local Committee (12/3/2015)

Hampshire County Council – Cllr Adrian Collett, Cllr David Simpson, Cllr Brian Blewett, Cllr Bob Harward

Hart District Council – letter of support

Bracknell Forest Council – letter of support

Public and local businesses via a public consultation and exhibition process

Yorktown and Watchmoor Business Association

Enterprise M3 Local Enterprise Partnership (EM3 LEP)

Highways England

Annexes:

Part 2 Annex

This page is intentionally left blank

SURREY COUNTY COUNCIL

CABINET

DATE: 24 APRIL 2018

REPORT OF: MR TIM OLIVER, CABINET MEMBER FOR PROPERTY AND BUSINESS SERVICES

LEAD OFFICER: SHEILA LITTLE, DIRECTOR OF FINANCE

SUBJECT: LEADERSHIP RISK REGISTER



SUMMARY OF ISSUE:

The Surrey County Council Leadership risk register is presented to Cabinet each quarter and this report presents the Leadership risk register as at 12 April 2018.

RECOMMENDATIONS:

It is recommended that the Cabinet note the content of the Surrey County Council Leadership risk register (Annex 1) and endorse the control actions put in place by the Corporate Leadership Team.

REASON FOR RECOMMENDATIONS:

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.

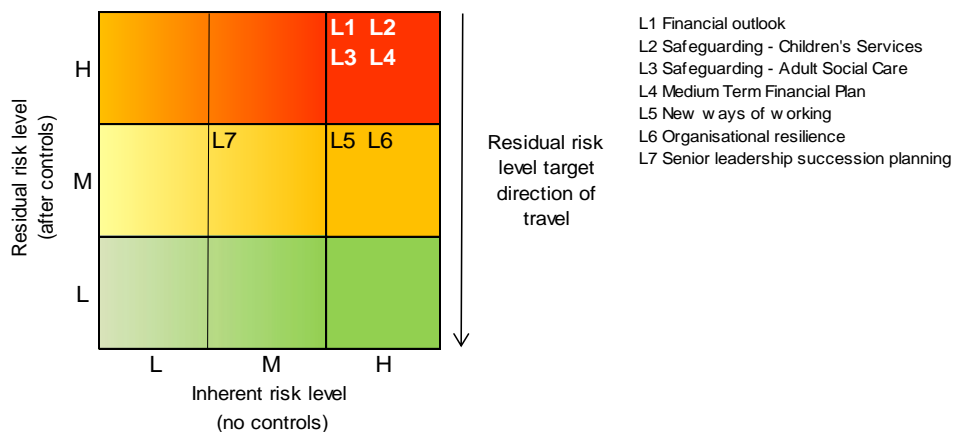
LEADERSHIP RISK REGISTER:

1. The Surrey County Council Leadership risk register (Annex 1) is owned by the Chief Executive and captures Surrey County Council's key strategic risks. The risk register focuses specifically on the strategic risks that have the potential to significantly destabilise the organisation.
2. The role of the Cabinet is to assure itself that Surrey County Council's strategic risks are captured on the risk register and that appropriate actions are being taken to effectively mitigate the risks to a tolerable level.
3. The Leadership risk register is reviewed monthly by the Corporate Leadership Team, bi-monthly by the Strategic Risk Forum and the Audit and Governance Committee at each meeting.
4. Since the Leadership risk register was last presented to Cabinet on 31 January 2018, updates have been made to the following risks:
 - **Risk L1 (Financial Outlook):** Removed reference to Members induction programme and added references to the development of a transformational programme for improved financial sustainability.

- **Risk L3 (Safeguarding – Adult Social Care):** Updated reference to working with Surrey Safeguarding Adults Board.
- **Risk L4 (Medium Term Financial Plan):** Additional references to detailed savings tracker, earlier budget planning and Members financial briefings.
- **Risk L5 (New Ways of Working):** Removed reference to local oversight and challenge. Updated references to Governance arrangements and Sustainability and Transformation partnerships.
- **Risk L7 (Senior Leadership Succession Planning):** Processes and controls updated to reference the changes to the leadership team.
- **‘Leadership level risk assessment criteria’ table:** This is currently under review. Any amendments will be reported to Cabinet once the review is completed.

Residual risk level

5. The Surrey County Council Leadership risk register includes both the inherent and residual risk levels for each risk. Inherent risk is the level of risk before any control activities are applied. The residual risk level takes into account the controls that are already in place or are being put in place, detailed on the risk register as both ‘processes in place’ and ‘controls.’
6. There are currently seven risks on the Leadership risk register, six of which have a high inherent risk level, as illustrated in the table below. Despite mitigating actions, four risks continue to have a high residual risk level (L1,L2,L3,L4), three have a medium residual risk level (L5,L6,L7), showing the significant level of risk that the council is facing despite the processes and controls being put in place to manage the risks.



CONSULTATION:

7. The Surrey County Council Leadership risk register has been reviewed by a number of senior officer groups and the Audit and Governance Committee.

RISK MANAGEMENT AND IMPLICATIONS:

8. Effective management of risks and financial controls supports the council to meet its objectives and enable value for money.

Financial and Value for Money Implications

9. There are no direct financial implications relating to the Surrey County Council Leadership risk register.

Section 151 Officer Commentary

10. The Section 151 Officer is well sighted of current and emerging risks through being chair of the Strategic Risk Forum and a member of the Corporate Leadership Team. Her attendance at key strategic meetings provides further insight and ensures an integrated risk approach.

Legal Implications – Monitoring Officer

11. There are no direct legal implications relating to the Surrey County Council Leadership risk register.

Equalities and Diversity

12. There are no direct equalities implications but any actions taken need to be consistent with the council's policies and procedures.

WHAT HAPPENS NEXT:

13. The Surrey County Council Leadership risk register is presented to the Cabinet on a quarterly basis.

Contact Officer:

Rawdon Phillips, Risk Manager
Tel: 01273 481593

Consulted:

Strategic Risk Forum, Corporate Leadership Team, Audit and Governance Committee, Cabinet

Annexes:

Annex 1 – Leadership risk register

Sources/background papers:

None

This page is intentionally left blank

Leadership risk register as at 12th April 2018 update (covers rolling 12 months)

Owner: Joanna Killian

Strategic risks – have the potential to significantly disrupt or destroy the organisation

| Ref | Risk ref. | Description of the risk | Inherent risk level (no controls) | Processes in place (ie the 'how' risks are being mitigated) | Controls (i.e. decisions needed) | Lead risk owner | Residual risk level (after existing controls) |
|-----|--------------------------------------|--|-----------------------------------|---|---|---------------------|---|
| L1 | ASC1 CSF7 EAI1 FN1 ORB10 | Financial outlook Further reductions in funding, due to constraints in the ability to raise local funding and/or distribution of funding, results in significant adverse long term consequences for sustainability and service reductions leading to significant implications for residents. | High | <ul style="list-style-type: none"> Proactive development and implementation of a transformation programme to support the council in improved financial sustainability ahead of 2020/21 and enable the delivery of a balanced budget for 2019/20 Structured approach to ensuring Government understands the council's Council Tax strategy and unsustainable impact of current funding mechanism. Targeted focus with Government to secure a greater share of funding for specific demand led pressures (in particular Adult Social Care). Proactive engagement with Government departments to influence core Government policy direction (specific areas to be developed as Government priorities become clear). Continued horizon scanning of the financial implications of existing and future Government policy changes. Development of alternative / new sources of funding (e.g. bidding for grants where economically advantageous). <p>Notwithstanding actions above, there is a significant risk of Central Government policy changes /austerity measures due to changes in ministerial responsibilities impacting on the council's long term financial sustainability.</p> | <ul style="list-style-type: none"> Strengthened Transformation Governance arrangements established to effectively manage and monitor progress (fortnightly Transformation Board). Members make decisions to stop new spending, reduce spending and or generate alternative sources of funding, where necessary, in a timely manner. Members proactively take the opportunities to influence central Government. Officers continue to analyse events and create budget scenarios. The council pro-actively seek to participate in consultations and other opportunities to engage with Government as it develops future funding policies. | Director of Finance | High |

Page 59

Key to references:

ASC = Adult Social Care risk
CSF = Children, Schools and Families risk

C&C = Customers and Communities risk
EAI = Environment and Infrastructure risk

FN = Finance Service risk
ORB = Orbis risk

Leadership risk register as at 12th April 2018 update (covers rolling 12 months)

Owner: Joanna Killian

| Ref | Risk ref. | Description of the risk | Inherent risk level (no controls) | Processes in place (ie the 'how' risks are being mitigated) | Controls (i.e. decisions needed) | Lead risk owner | Residual risk level (after existing controls) |
|-----|-----------|--|-----------------------------------|---|---|---|---|
| L2 | CSF3,4,9 | <p>Safeguarding – Children's Services</p> <p>Avoidable failure in Children's Services, through action or inaction, including child sexual exploitation, leads to serious harm, death or a major impact on well being.</p> | High | <ul style="list-style-type: none"> Children's Improvement Board, with partnership membership, in place which has set improvement objectives for children through an Improvement Plan and regularly reviews impact for children and whole system capability and capacity. In addition to the Improvement Board there is scrutiny and quality assurance across the partnership through for example the Children's Safeguarding Board, Corporate Parenting Board, the Council's Select Committees and other scrutiny functions. Regular quality assurance and review within Children's, Schools and Families, including feedback from regulators, peer review, quality and performance insight, and feedback from children and families. Children's, Schools and Families Assistant Director roles and responsibilities have been reshaped to strengthen leadership and governance. Work now underway to strengthen practice leadership at all levels. Focus on improving practice and practice leadership. | <ul style="list-style-type: none"> Timely interventions by well recruited, trained, supervised and managed professionals ensures appropriate actions are taken to safeguard and promote the wellbeing of children in Surrey. Quality assurance and management systems in place to identify and implement any key areas of learning so safeguarding practice can be improved. Actively respond to feedback from regulators, partners and service users. The Surrey Safeguarding Children Board (with an independent chair) is the key statutory mechanism to ensure agencies, including the council, work together effectively to safeguard and promote the welfare of children. An Improvement Board (chaired by the Leader) sets direction and reviews progress on the Improvement Plan and agrees any areas of action as required. | Strategic Director of Children's Schools and Families | High |

Key to references:

ASC = Adult Social Care risk
CSF = Children, Schools and Families risk

C&C = Customers and Communities risk
EAI = Environment and Infrastructure risk

FN = Finance Service risk
ORB = Orbis risk

Leadership risk register as at 12th April 2018 update (covers rolling 12 months)

Owner: Joanna Killian

| Ref | Risk ref. | Description of the risk | Inherent risk level (no controls) | Processes in place (ie the 'how' risks are being mitigated) | Controls (i.e. decisions needed) | Lead risk owner | Residual risk level (after existing controls) |
|-----|--------------|--|-----------------------------------|--|---|---|---|
| L3 | ASC6,7,13,14 | <p>Safeguarding – Adult Social Care</p> <p>Avoidable failure in Adult Social Care, through action or inaction, leads to serious harm, death or a major impact on wellbeing.</p> | High | <ul style="list-style-type: none"> • Working within the framework established by the Surrey Safeguarding Adults Board ensures that the council's policies and procedures are up to date and based on good practice. • The Adult Social Care and Children, Schools and Families Multi Agency Safeguarding Hub went live on 5 October 2016 facilitating the sharing of good practice. • Established a locality safeguarding advisor role to assure quality control. • Surrey Safeguarding Adults Board has undertaken external auditing of adult safeguarding enquires in 2016 and 2017 and we have acted on the learning from these. • We have improved our process including our case recording system and our internal quality assurance process. • In addition to the work of the Safeguarding Adults Board, there is further scrutiny of the function through the activities of the Council's Adults and Health Select Committee. | <ul style="list-style-type: none"> - Continue to work with the Independent Chair of the Surrey Safeguarding Adults Board to ensure feedback and recommendations from case reviews are used to inform learning and social work practice. - Actively respond to feedback from regulators. - We are working with Surrey Safeguarding Adults Board (SSAB) and our partners to revise our adult safeguarding policies, procedures and guidance, associated tools such as the competency framework and our learning and development offer to support these. The revised SSAB policy, procedure and competency framework have been agreed by relevant sub-groups. Final sign off is anticipated at the next Board meeting in May 2018. The revised adult safeguarding training offer for ASC staff commenced in April 2018. | Strategic Director of Adult Social Care & Public Health | High |

Page 61

Key to references:

ASC = Adult Social Care risk
 CSF = Children, Schools and Families risk

C&C = Customers and Communities risk
 EAI = Environment and Infrastructure risk

FN = Finance Service risk
 ORB = Orbis risk

Leadership risk register as at 12th April 2018 update (covers rolling 12 months)

Owner: Joanna Killian

Cross cutting risks – high level risks that can be mitigated more effectively through cross working.

| Ref | Risk ref. | Description of the risk | Inherent risk level (no controls) | Processes in place (ie the 'how' risks are being mitigated) | Controls (i.e. decisions needed) | Lead risk owner | Residual risk level (after existing controls) |
|-----|--|---|-----------------------------------|---|--|---------------------|---|
| L4 | ASC1,2,12,16,17 C&C4 CSF1,2,7 EAI1,3 FN2 ORB01,10 | <p>Medium Term Financial Plan (MTFP) 2018-21 Failure to achieve the MTFP, which could be a result of:</p> <ul style="list-style-type: none"> • Not achieving savings • Additional service demand and/or • Over optimistic funding levels. <p>As a consequence, lowers the council's financial resilience and could lead to adverse long term consequences for services if Members fail to take necessary decisions.</p> | High | <ul style="list-style-type: none"> • Detailed savings tracker in place for CLT to monitor progress of delivery of 2018/19 savings, covering: necessary consultations, milestones, Equality Impact Assessments, detailed plans. (Enables early conversations to be held with all relevant stakeholders to ensure consultations about service changes are effective and completed in a timely manner). • Monthly reporting to Continuous Improvement and Productivity Network and Cabinet on the forecast outturn position is clear about the impacts on future years and enables prompt management action (that will be discussed informally with Cabinet). • Weekly review of the in year financial position at Corporate Leadership Team meeting and strong focus on development of plans for delivery of the 2018/19 service efficiencies and reductions – to enable early management action as relevant. • Budget planning cycle up-dated to ensure key decisions for 2019/20 financial year made well ahead of the February 2019 council meeting to enable full year delivery on plans. • Earlier budget planning discussions held with Cabinet and Select Committees. • Cross service networking and timely escalation of issues to ensure lawfulness and good governance. | <ul style="list-style-type: none"> - Prompt management action taken by CLT, Directors / Leadership Teams to identify correcting actions for any in year overspends or failure to deliver service reductions (evidenced by robust action plans). - Members (Council, Cabinet, Select Committees) make the necessary decisions to implement action plans in a timely manner. - Members have all the relevant information to make necessary decisions. | Director of Finance | High |

Page 62

Key to references:

ASC = Adult Social Care risk
CSF = Children, Schools and Families risk

C&C = Customers and Communities risk
EAI = Environment and Infrastructure risk

FN = Finance Service risk
ORB = Orbis risk

Leadership risk register as at 12th April 2018 update (covers rolling 12 months)

Owner: Joanna Killian

| Ref | Risk ref. | Description of the risk | Inherent risk level (no controls) | Processes in place (ie the 'how' risks are being mitigated) | Controls (i.e. decisions needed) | Lead risk owner | Residual risk level (after existing controls) |
|-----|--|--|-----------------------------------|--|--|-----------------|---|
| | | | | <ul style="list-style-type: none"> Increased challenge and rigour on cost control. Ongoing all Members briefings to ensure all members are aware of the financial challenge in 2018/19 and the longer term. Ongoing induction programme for new Chief Executive to introduce her to the council and provide insight to all relevant issues. Significant focus on income generating activities through an enlarged property investment programme and the optimisation of the existing property assets. | | | |
| L5 | ASC2, 16 Page 63 CSF1,2, 5,6,8 ORB01, 02,07, EMT3, 12, EA13 | New ways of working Failure to work effectively as part of a multi-agency system leads to severe service disruption and reputational damage. | High | <ul style="list-style-type: none"> Shared and aligned strategies to ensure no unintended consequences. Robust governance arrangements (e.g. Inter Authority Agreements, Memorandum of Understanding, Joint Commissioning Committee, Executive Leadership Group, Health and Social Care Integration Board, Health and Wellbeing Board, financial governance framework) in place with early warning mechanisms. Effective transition arrangements with continuous stakeholder engagement. Continuous focus on building and maintaining strong relationships with partners through regular formal and informal dialogue. Close liaison and communication with customers, partners, inspectorates and regulators. Self-assessment continually refreshed in line with Ofsted inspection framework to inform Children's improvement work. Regular reviews with Department for Education, feedback from Ofsted and listen to | <ul style="list-style-type: none"> Working closely with Department for Education and Ofsted to inform future Children's improvement strategy. Leadership and managers recognise the importance of building and sustaining good working relationships with key stakeholders and having early discussions if these falter. Continue to nurture strategic partnerships to affect better outcomes for residents. Work with Sustainability and Transformation Partnerships and Integrated Care Systems (including Clinical Commissioning Groups and Health Providers) on models of integrated care. Members continue to endorse approaches for integration | Chief Executive | Medium |

Key to references:

ASC = Adult Social Care risk
CSF = Children, Schools and Families risk

C&C = Customers and Communities risk
EAI = Environment and Infrastructure risk

FN = Finance Service risk
ORB = Orbis risk

Leadership risk register as at 12th April 2018 update (covers rolling 12 months)

Owner: Joanna Killian

| Ref | Risk ref. | Description of the risk | Inherent risk level (no controls) | Processes in place (ie the 'how' risks are being mitigated) | Controls (i.e. decisions needed) | Lead risk owner | Residual risk level (after existing controls) |
|-----|--|---|-----------------------------------|--|---|-----------------|---|
| | | | | feedback from partners and practitioners, all informs our Children's improvement work. | across the council. | | |
| L6 | ASC4, 5,8 CSF5 EAI2, 3,4 ORB 02,03, 08 LD6 EMT1, 10,11 | Organisational resilience Failure for the organisation as a whole to plan for and/or respond effectively to a significant event and or strains on workforce capacity or resilience, results in severe and prolonged service disruption and loss of trust in the organisation. | High | <ul style="list-style-type: none"> Developing an employment framework that supports flexibility in service delivery and organisational resilience. Robust governance framework (including codes of conduct, IT cyber resilience and information assurance policies, health and safety policies, complaints tracking). Information Governance Board monitors information governance requirements and changes and reviews information governance risks. Review of third party information governance risks. External risks are regularly assessed through the Local Resilience Forum and reviewed by the Corporate Leadership Team. Active learning by senior leaders from external experiences / incidents informs continual improvement within the council. Close working between key services and the Emergency Management Team to proactively update and communicate business continuity plans and share learning. Leadership and management development programme in place to increase skills, resilience and effectiveness of leaders, focusing on communication and setting clear expectations. Career conversations built into appraisal process looking forward five years Robust management networks in place including Corporate Leadership Team and Council Risk and Resilience Forum. | <ul style="list-style-type: none"> Corporate Leadership Team review business continuity plans at least twice annually. Regular monitoring of effectiveness of processes is in place and improvements continually made and communicated as a result of learning. Robust change management processes. Refresh staff awareness for IT security and information management. All externally hosted IT solutions should be considered by Security Working Group (IT & Digital and Information Governance), with contract approval via IT & Digital. Senior management annual assurance statement provides assurance that business continuity is well planned and staff are all aware. Mutual aid arrangements set up to provide support to other SE7 Authorities in the event of an emergency. | Chief Executive | Medium |

Page 64

Key to references:

ASC = Adult Social Care risk
CSF = Children, Schools and Families risk

C&C = Customers and Communities risk
EAI = Environment and Infrastructure risk

FN = Finance Service risk
ORB = Orbis risk

Leadership risk register as at 12th April 2018 update (covers rolling 12 months)

Owner: Joanna Killian

| Ref | Risk ref. | Description of the risk | Inherent risk level (no controls) | Processes in place (ie the 'how' risks are being mitigated) | Controls (i.e. decisions needed) | Lead risk owner | Residual risk level (after existing controls) |
|-----|-----------|--|-----------------------------------|--|---|-----------------|---|
| | | | | <ul style="list-style-type: none"> Ongoing Members development programme in place to ensure that all Members have the skills and information they need to understand the challenges facing the Council and to perform their roles effectively. | | | |
| L7 | | <p>Senior Leadership Succession Planning A significant number of senior leaders leave the organisation within a short space of time and cannot be replaced effectively resulting in a reduction in the ability to deliver services to the level required.</p> | Medium | <ul style="list-style-type: none"> Executive leadership team being reshaped and programme management capacity and capability has been strengthened under leadership of the Chief Executive (eg MyProteus have been appointed to support the change programme) . | <ul style="list-style-type: none"> Up-dated Executive Leadership Team agreed by People, Performance and Development Committee on 9 April 2018. Additional capacity at tier 2 and 3 to be secured over the next six months as appropriate. | Chief Executive | Medium |

Page 65

Key to references:

ASC = Adult Social Care risk
CSF = Children, Schools and Families risk

C&C = Customers and Communities risk
EAI = Environment and Infrastructure risk

FN = Finance Service risk
ORB = Orbis risk

Leadership level risk assessment criteria

Due to their significance, the risks on the Leadership risk register are assessed on their inherent risk level (no controls) and their residual risk level (after existing controls have been taken into account) by high, medium or low.

| Risk level | Financial impact | Reputational impact | Performance impact | Likelihood |
|------------|------------------------------|---|--|----------------------------------|
| | <i>(% of council budget)</i> | <i>(Stakeholder interest)</i> | <i>(Impact on priorities)</i> | |
| Low | < 1% | Loss of confidence and trust in the council felt by a small group or within a small geographical area | Minor impact or disruption to the achievement of one or more strategic / directorate priorities | Remote / low probability |
| Medium | 1 – 10% | A sustained general loss of confidence and trust in the council within the local community | Moderate impact or disruption to the achievement of one or more strategic / directorate priorities | Possible / medium probability |
| High | 10 – 20% | A major loss of confidence and trust in the council within the local community and wider with national interest | Major impact or disruption to the achievement of one or more strategic / directorate priorities | Almost certain / highly probable |

Key to references:

ASC = Adult Social Care risk
 Finance Service risk
 CSF = Children, Schools and Families risk
 = Orbis risk

C&C = Customers and Communities risk

FN =

EAI = Environment and Infrastructure risk

ORB

SURREY COUNTY COUNCIL**CABINET****DATE: 24 APRIL 2018****REPORT OF: MR DAVID HODGE, LEADER OF THE COUNCIL****LEAD OFFICER: SHEILA LITTLE, DIRECTOR OF FINANCE****SUBJECT: FINANCIAL BUDGET OUTTURN 2017/18****SUMMARY OF ISSUE:**

Surrey County Council takes a multiyear approach to its budget planning and monitoring, recognising the two are inextricably linked. This report presents the Council's year-end financial outturn position for 2017/18 and services' requests to carry forward funding amounts into 2018/19.

The Section 151 Officer stated in her report to County Council of February 2017 on the 2017/18 to 2019/20 budget and Medium Term Financial Plan that the financial challenges facing the Council have become even more serious in the last year. In 2017/18, the Council had to deliver already stretching service reduction target of £104m to meet its budget and move towards a sustainable budget for future years.

During 2017/18 the Council achieved a record level of £79m savings. It also achieved a significant recovery of its financial position from the £24m overspend forecast as at 30 June 2017. The forecast overspend was driven by: increased numbers of those who need services, the increased complexity of their needs and the increasing costs of meeting those needs. The Council recovered its 2017/18 financial outturn position through early achievement of 2018/19 savings, significant one off measures and spending delays. While one-off measures help address current budget issues, they do not address the underlying issue of ongoing service overspends.

The mix of: increasing service demands (particularly in social care), the escalating challenge of adding to the substantial level of savings already achieved and ongoing reductions in central government funding together mean the Council's longer term financial resilience is a serious challenge. This reinforces the need for all services to continue to take all appropriate action to keep costs down and optimise income (e.g. through minimising spending, managing vacancies wherever possible etc.) for the foreseeable future and for Cabinet to consider very carefully services' requests to carry amounts forward to 2018/19.

The annexes to this report give details of the Council's financial position.

RECOMMENDATIONS:

Recommendations to follow.

REASON FOR RECOMMENDATION:

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 set its gross expenditure budget for the 2017/18 financial year at £1,672m. A key objective of MTFP 2017-20 is to increase the Council's overall financial resilience. As part of this, the Council's 2017/18 budget requires it to make efficiencies totalling £104m including £9m savings it has yet to identify.
2. The Council aims to smooth resource fluctuations over its three year medium term planning period. To support the 2017/18 budget, Cabinet approved use of £11.8m from the Budget Equalisation Reserve and carry forward up to £1.6m to fund continuing planned service commitments. The Council currently has £21.3m in general balances.
3. In January 2017, Cabinet approved the Council's Financial Strategy 2017-20. The Financial Strategy aims to:
 - secure the stewardship of public money;
 - ensure financial sustainability
 - enable the transformation of the Council's services and
 - build partnerships to achieve better value outcomes.

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 its £387m capital programme in MTFP 2017-20 and £185m budget for 2017/18.

Budget monitoring overview

5. The Council's 2017/18 financial year began on 1 April 2017. This budget monitoring report covers the financial position at outturn 2017/18 (31 March 2018). 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 the Council focuses 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 outturn as at 31 March 2018. The report provides explanations for significant variations from the revenue budget, with a focus on efficiency targets. As a guide, a 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.
 10. Annex 1 also reports the Council's capital budget outturn. Appendix 1 provides details of the MTFP efficiencies, revenue and capital budget movements, earmarked reserves, debt and treasury management.
 11. Annex 2 lists the year end outturn for 2017/18's Medium Term Financial Plan savings projects.
 12. Annex 3 contains requests to carry forward revenue and capital sums from 2017/18 to fund ongoing activities in 2018/19.

CONSULTATION:

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

RISK MANAGEMENT AND IMPLICATIONS:

14. 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

15. The report considers financial and value for money implications throughout and future budget monitoring reports will continue this focus.

SECTION 151 OFFICER COMMENTARY

16. The Section 151 Officer confirms the financial information presented in this report is consistent with the Council's general accounting ledger and forecasts have been based on reasonable assumptions, taking into account all material, financial and business issues and risks.
17. The Council has a duty to ensure its expenditure does not exceed resources available. During 2017/18, the Council had to plan to deliver already stretching service reduction targets of £104m, of which it identified plans for £95m of service reductions to balance the 2017/18 budget and move towards a sustainable budget for future years. All services must continue to take all appropriate action to keep costs down and optimise income (e.g. through minimising spending, managing vacancies wherever possible etc.).
18. The Council's reserves are already at minimum safe levels and these should be retained to mitigate the risk of non-delivery of significant savings targets.

LEGAL IMPLICATIONS – MONITORING OFFICER

19. The Local Government Finance Act requires the Council to take steps to ensure that the Council's expenditure (that is expenditure incurred already in year and anticipated to be incurred) does not exceed the resources available. Cabinet should be aware that if the Section 151 Officer, at any time, is not satisfied that appropriate strategies and controls are in place to manage expenditure within the in-year budget she must formally draw this to the attention of the Cabinet and Council and they must take immediate steps to ensure a balanced in-year budget.

EQUALITIES AND DIVERSITY

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

WHAT HAPPENS NEXT:

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

Contact Officer:

Sheila Little, Director of Finance

020 8541 7012

Consulted:

Cabinet, strategic directors, heads of service.

Annexes:

Annex 1 – Revenue budget, staffing costs, efficiencies, capital programme, year-end reserves and balances, debt analysis and treasury management report.

Appendix 1 – Service financial information (revenue, capital and efficiencies), revenue and capital budget movements.

Annex 2 – Medium Term Financial Plan savings projects outturn 2017/18

Annex 3 – 2017/18 revenue and capital carry forward requests.

Sources/background papers:

None

This page is intentionally left blank

SURREY COUNTY COUNCIL**CABINET****DATE: 24 APRIL 2018****REPORT OF: MS DENISE TURNER-STEWART, CABINET MEMBER FOR COMMUNITIES****LEAD OFFICER: TREVOR PUGH, STRATEGIC DIRECTOR FOR ENVIRONMENT AND INFRASTRUCTURE****SUBJECT: FORMATION OF RUNNYMEDE JOINT COMMITTEE****SUMMARY OF ISSUE:**

Building on the positive partnership working between Surrey County Council (SCC) and Runnymede Borough Council (RBC), it is proposed to create a Joint Committee in place of the current SCC Runnymede Local Committee.

The new partnership arrangement will speed up decision making, improve outcomes for residents and strengthen local democracy. This embryonic approach is intended to enable closer working and to provide the ability to jointly respond to local issues for the benefit of residents. The change will also enable a more integrated approach to service delivery, planning and will support the County Council's vision for services shaped around places and communities.

The Joint Committee will have an extended remit over and above that of the current Local Committee and will operate under an agreed framework for an initial 12 month pilot, with the scope to delegate additional functions after this time in a structured format.

SCC Cabinet (and full Council) approval is now sought to establish the Joint Committee. As part of this process, approval is also being sought from the RBC Corporate Management Committee. If approved by both councils, the Joint Committee will be in place from 18 June 2018, when it will hold its first meeting.

RECOMMENDATIONS:

It is recommended that Cabinet:

1. Agrees to the establishment of the Runnymede Joint Committee in place of the current Local Committee arrangements to take effect from 18 June 2018.
2. Considers the Constitution set out in Annex 1, including the Standing Orders under which the Joint Committee will operate and agrees:
 - To delegate the executive functions to the Runnymede Joint Committee;
 - The extended advisory functions that will come under the remit of the Runnymede Joint Committee.
3. Recommends that the Council:
 - Agrees to the establishment of the Runnymede Joint Committee.
 - Delegates the non-executive functions to the Runnymede Joint Committee.
4. Recommends to Council the appointment of a Chairman of the newly formed Runnymede Joint Committee from 18 June 2018, when the Joint Committee

would hold its first meeting.

5. Delegates authority to the Director of Legal, Democratic and Cultural Services, in consultation with the Leader of the Council, and the SCC-appointed Chairman or Vice-Chairman of the Runnymede Joint Committee, to agree to any minor amendments to the Constitution, which may be required.

REASONS FOR RECOMMENDATIONS:

Cabinet and full Council agreement is required to establish a Runnymede Joint Committee, to replace the current Local Committee arrangements; to delegate recommended executive functions to the newly formed Runnymede Joint Committee; and to agree the Constitution and Standing Orders under which the newly formed committee will operate.

Joint Committees are an innovative two tier response to central government policy initiatives. Positive conversations are being held with other Surrey Borough and District Councils on the formation of further Joint Committees with SCC.

The creation of the Runnymede Joint Committee builds on a strong track record of joint and collaborative working between the two authorities and provides a platform on which future joint arrangements can be co-ordinated.

This approach has already proved successful in Woking and Spelthorne, where Joint Committees have been operating since June 2014 and January 2017 respectively and has been shown to improve partnership working.

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 to be jointly decided upon.

SCC Cabinet (and full Council) approval is sought at the current time in order for a Runnymede Joint Committee to be established from the beginning of the new municipal year in May 2018.

The Runnymede Joint Committee proposal is complementary to the work and remit of the current cross-party Local/ Joint Committee Review Group. The review aims “to set out the council’s vision for local governance and engagement including the future role of local/ joint committees in supporting members in their role as community leaders”, an aim reflected in the ambition of the proposed Joint Committee. The Chairman of the Review Group Councillor Mary Angell is the current Chairman of the Runnymede Local Committee and very supportive of the Joint Committee proposal.

DETAILS:

Business Case

1. Discussions between RBC 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 Runnymede.
2. The Joint Committee would be a true partnership between SCC and RBC enabling more joined-up and cohesive decision making on issues that affect residents. It would operate in place of the current Local Committee which can only take decisions on county council functions that are delegated to it, and which has

limitations on the voting rights of the co-opted borough members who are unable to vote on education and youth matters.

3. The Runnymede 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, game changers 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 strengthened.
4. 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 Runnymede. Both councils will be proactive in bringing issues to the Joint Committee and seeking to deliver local priorities together.
5. The Joint Committee will determine priorities for collaborative work undertaken within the committee's remit by both councils, including working with other partners.
6. If agreed by both SCC and RBC, the Runnymede Joint Committee will become operational from 18 June 2018.

Remit of the Runnymede Joint Committee

7. It is proposed that changes are made to the scheme of delegation to enable the establishment of the Runnymede Joint Committee with functions delegated to it by both SCC and RBC. The full functions of the Joint Committee are set out in the Constitution in Annex 1.

Funding Arrangements

8. The Joint Committee will have responsibility for a number of devolved budgets in relation to Highways and Community Safety:
 - Local Committee Highway Fund
 - Integrated Transport Schemes (ITS) Capital
 - Member Community Fund
 - Parking Revenue
 - Member Local Highway Fund
 - Community Safety funding.
9. A provision has also been made to enable the Joint Committee to apportion any resources delegated by either authority for Early Help Services in order to support joint working, though no specific resources has been identified at this time.

An Enhanced Role - Joint Working

10. The Joint Committee will build on the joint work exemplified by the current Runnymede Local Committee.
11. In addition to taking on the decision making functions of the existing Runnymede Local Committee, the Joint Committee will be broader in scope supporting the close working of the two councils across a range of key policy areas including Family

Support, Adult Services, Early Help, Educational Standards, Strategic Infrastructure and the Place agenda. This is detailed in the Constitution attached under Annex 1.

12. The Joint Committee will operate under this expanded framework for a period of 12 months. During this 12 month period the operation of the Joint Committee will be kept under review by the respective councils toward determining whether it has met its goal of enhancing joint working.
13. Following the 12 month period, other functions could be added or amended, in consultation with Members and Officers from both councils, and subject to approval from both councils. For instance RBC do not currently have an adopted Local Plan in place, which is required to develop a Community Infrastructure Levy (CIL) charging schedule and raise monies allied to infrastructure funding. It is anticipated that once the Local Plan is adopted, likely in 2019, and as the committee evolves that CIL will be added to remit of the Joint Committee.

Joint Committee Constitution

14. The committee will be established as a Joint Committee of SCC and RBC in order to discharge functions jointly.
15. Both the participating local authorities currently operate under different governance arrangements. In order to ensure the Joint Committee can function effectively and within the law, it will operate under its own Constitution (Annex 1).
16. The Constitution document is necessarily detailed, setting out the context and purpose, the functions and powers, and the Standing Orders under which the Joint Committee will operate.
17. The relevant sections of SCC's Constitution will also be updated in line with these changes.
18. If a point is reached where the majority of local committees have or are in the process of transferring to joint committee arrangements, a standardised operating framework for joint committees could be introduced.
19. Under the Constitution, whilst 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.
20. Meetings of the Runnymede Joint Committee will be held in public, enabling local people to have their say and contribute directly to the decision making process.
21. At the 12 month review point either council may give written notice of its intention to withdraw from the Joint Committee. The Joint Committee would then cease to exist and the functions delegated to it would each revert back to the relevant delegating authority.

CONSULTATION:

22. The Leader and the Cabinet Member for Communities have been consulted and are supportive of further joint committees being established. The then 'Resident Experience Board' (now Communities Select Committee) has been consulted on the development of joint committees.
23. The Runnymede Local Committee has been involved in the development of the proposals for the Joint Committee.
24. The Chairman of the Local/ Joint Committee Review Group, who is also Chairman of the Runnymede Local Committee, has been involved with the development of the proposal for the Joint Committee.
25. Detailed discussions during the development of the Joint Committee Constitution have been held with officers from Legal and Democratic Services from both SCC and RBC. Officers from relevant SCC service functions have also been fully involved in the development.
26. Approval for the Constitution for the Joint Committee is being sought from RBC's Corporate Management Committee and full Council, on 22 March and 19 April respectively.

RISK MANAGEMENT AND IMPLICATIONS:

27. There are no significant risk management implications arising from this report.
28. 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 constitution, which will provide effective governance and oversight of the issues being considered. A Joint Committee would be bound by the approved policies, budgets and financial regulations of both Councils.
29. The Joint Committee will work under a defined framework for its initial 12 month period following which a full review will be conducted into the operation of the committee. This approach should help to mitigate any potential risks from the operation of a Joint Committee.
30. The Joint Committee will enable SCC and RBC to make joint decisions. SCC and RBC 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

31. There are no additional financial implications of establishing a Joint Committee in place of the current local committee arrangements.
32. The Joint Committee will operate within the County Council's established budget setting and financial planning processes. SCC will agree each year the amount of funding allocated to the Joint Committee to carry out its delegated functions. RBC would agree on any funding to be made available to the Joint Committee through its own budget setting processes.
33. All funds will be held and administered by the originating authorities and spent in accordance with their respective financial regulations and policies.

34. Any allowances or expenses received by any Member of the Joint Committee in connection to the activities of the Joint Committee (including those in relation to Chairman and Vice Chairman roles), will be funded and administered by their respective authorities.

Section 151 Officer Commentary

35. The Section 151 Officer confirms that all material, financial and business issues and risks have been considered/addressed. The formation of the Runnymede Joint Committee changes the process of decision making, but all budget setting and expenditure will remain within and be administered by the originating authorities.

Legal Implications – Monitoring Officer

36. 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 Runnymede 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

37. 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.
38. By delivering against the recommendations of the original Cabinet Report, the formation of the Runnymede 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.
39. Equalities issues, particularly in relation to any disabilities, will be given consideration in the arrangements for public participation the Runnymede Joint Committee to ensure that anyone with a protected characteristic is not disadvantaged.
40. There are no further impacts arising from this report.

Safeguarding responsibilities for vulnerable children and adults

41. There will be closer Scrutiny of provision within Runnymede area.

Public Health

42. There will be closer Scrutiny of provision within Runnymede area.

| |
|---------------------------|
| WHAT HAPPENS NEXT? |
|---------------------------|

43. 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 Runnymede Joint Committee, agreement of the Runnymede Joint Committee Constitution and Scheme of Delegation.
44. Runnymede Joint Committee would be formally constituted from the 18 June 2018, when the Joint Committee would hold its first meeting.
45. The Constitution of the Runnymede Joint Committee will be reviewed after 12 months, and any recommended changes reported back through appropriate processes at SCC and RBC.

Contact Officers:

Jane Last
 Head of Service Community Partnerships and Safety
 Email janel@surreycc.gov.uk

Consulted:

Internal consultation: Cabinet Member for Communities; Leader, Surrey County Council, Runnymede Local Committee; Community Select Committee Chairman, Strategic Director Environment and Infrastructure, Chairman of Local/ Joint Committee Review Group.

External consultation: Runnymede Borough Council Leader, Runnymede Borough Council Corporate Management Committee; and Runnymede Borough Council Chief Executive and Senior Management Team

Annexes:

Annex 1: Runnymede Joint Committee Constitution

Sources/background papers:

- Review of Woking Joint Committee, within the Community Engagement in the Local Decision Making Process report to the Resident Experience Board on 19 May 2016.

This page is intentionally left blank

DRAFT Runnymede Joint Committee Constitution

| | <u>Page No.</u> |
|--|---------------------|
| Section 1 | |
| Context and Purpose | 1 |
| Section 2 | |
| Functions and Funding | |
| (A) General Remit | 2 |
| (B) Delegated Powers | 3 |
| (C) Funding | 5 |
| (D) Withdrawal from the Joint Committee | 5 |
| Section 3 | |
| Standing Orders | 6 |

Section 1 – Context and Purpose

Runnymede Joint Committee is a Joint Committee of Surrey County Council and Runnymede 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 Runnymede by strengthening local democracy and improving partnership working within the Borough of Runnymede.

In addition to carrying out the functions previously performed by the Local Committee (Runnymede), the remit of the Joint Committee has been expanded in order to support the two councils in working together effectively.

Whilst the Joint Committee is responsible for making decisions relating to the delegated functions, the day-to-day operational arrangements relating to any particular function continues to be managed by the local authority having responsibility for that function.

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

The Joint Committee provides a single place for residents to engage with both authorities and a forum to debate cross cutting issues. Meetings of the Runnymede 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 Constitution includes the standing orders that apply to the Joint Committee. These need to also be read in the light of the individual Constitutions of each of the two Councils which continue to apply as appropriate to decisions delegated by each relevant authority.

There will be a review by both authorities towards the end of the first 12 months of the operation of Joint Committee in order to determine if any changes should be made.

Section 2 – Functions and Funding

The scope and overall purpose of the Runnymede 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 Runnymede Joint Committee is:

1. To identify and agree opportunities for the closer alignment of County and Borough services in Runnymede and provide a forum to debate cross cutting issues.
2. To make decisions on local services and budgets delegated to it by either Surrey County Council or Runnymede 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 champion joint working and 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 provide opportunities for local engagement.
8. To ensure that local authority services within the Borough of Runnymede are carried out in accordance with both Surrey County Council's and Runnymede Borough Council's core values, policies, strategies and within approved budgets.

(B) Delegated Powers

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

In discharging the delegated powers, the Runnymede 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 Constitution.

Set out below is a list of the functions that are delegated to the Runnymede Joint Committee. Additional functions and matters for determination may be delegated to the Committee in the future if agreed by both local authorities, which will then form part of an amended Constitution, which shall need Member approval before both Councils so that their respective Constitutions are duly updated to reflect such changes. The SCC Partnership 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

In relation to the Borough of Runnymede the Joint Committee will take decisions delegated to it by the SCC Cabinet on the following local services and budgets, to be taken in accordance with the financial framework and policies of the respective Councils and within 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 from Surrey County Council (SCC).
- (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 on-street 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 RBC, unresolved objections have been received during the period of statutory public advertisement, and to decide whether the application should proceed to the Magistrates' Court (SCC).

- (iv) Decisions on funding when a budget is allocated to the Joint Committee by Surrey County Council's Cabinet. (SCC)

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).

Decisions delegated by Surrey County Council and Runnymede Borough Council

Apportion any resources for Early Help services in accordance with the approved local Early Help priorities that may be delegated to the Joint Committee by Surrey County Council and / or Runnymede Borough Council, in relation to services for young people, with the aim of achieving an integrated approach from Surrey County Council and Runnymede Borough Council (SCC/RBC).

Service Monitoring and Issues of Local Concern - advisory functions

The Joint Committee will play an important advisory role in shaping the development and delivery of services locally across both authorities. It will:

- (i) Act as a one stop shop for residents to engage with both authorities, debate cross cutting issues, raise issues of concern and seek to influence the respective Councils in the light of local need.
- (ii) Monitor formal decisions taken by officers under delegated powers and provide feedback to improve service standards.
- (iii) Be consulted on any issues referred to it by either Council or produce responses as appropriate.

The Joint Committee may:

- (i) Consider the use of developer infrastructure funding in regard to proposed and planned strategic infrastructure schemes, identifying common objectives and supporting the pursuit of joint funding bids whether wholly or partly in Runnymede.

- (ii) Influence the development of a joint vision for the place shaping agenda including regeneration and town centre management.
- (iii) Influence the development of the Family Support Programme in Runnymede and monitor its performance. Provide political oversight and advice to the Early Help Advisory Board and advise on priorities for the Early Help offer locally.
- (iv) Consider the more effective use of existing public sector property assets in the borough and the potential opportunities that may exist for development where this could be in the mutual interest of both authorities where expediency allows.
- (v) Review and influence any new proposals for on and off street parking and enforcement locally including the use of budgets.
- (vi) Influence priorities for the provision of integrated Health and Social Care and Older People's Services locally.
- (vii) Influence action plans for the deprivation task groups established within the borough.
- (viii) Facilitate partnership work with schools, Multi Academy Trusts, governors and other partners to promote high educational standards and the fulfilment of potential for all children locally.

(C) Funding

- (i) With regards to budget setting and planning, Surrey County Council and Runnymede 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 meetings will normally be held in Runnymede Borough Council venues, unless alternative arrangements are jointly agreed with 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

The operation of the Joint Committee will be reviewed by both authorities after the first 12 months. At this point or at any future point either Council may give 6 months' notice in writing of their intention to withdraw from the Committee and return to operating as a SCC Local Committee under the SCC Constitution.

Section 3 - Standing Orders

1. MEMBERSHIP AND ATTENDANCE OF MEMBERS AT MEETINGS

- 1.1. Membership of the Runnymede Joint Committee shall be all county councillors with electoral divisions in Runnymede, one Surrey County Council Cabinet Member (who may also be a county councillor with an electoral division in Runnymede), 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 the Council's Corporate Management Committee. If there is no Surrey County Council Cabinet Member with an electoral division in Runnymede the County Council shall appoint a specific Cabinet member to the Runnymede Joint Committee and the Borough Council would be entitled to appoint an additional borough councillor representative on the Joint Committee to ensure equity.
- 1.2. No substitutes shall 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.
- 1.3. 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 Runnymede 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 Corporate Management Committee Member or resigns from the Runnymede Joint Committee.
- 1.4. Surrey County Council or Runnymede Borough Council may, through their respective Councils, co-opt representatives from the voluntary sector, public authorities or businesses in Runnymede 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.
- 1.5. Any Surrey County Councillor or Runnymede Borough Councillor 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. From 2018/2019 Municipal Year, the offices of Chairman and Vice-Chairman shall alternate between the two Councils every year, with the County Council providing the Chairman in 2018/19. If the appointed Chairman is representing Surrey County Council, the Vice-Chairman must be a Runnymede Borough Council representative and vice-versa with the appointments made in accordance with each authority's usual procedures.
- 2.2. The Chairman and Vice-Chairman shall, unless he or she resigns the office or ceases to be a member of the Runnymede 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 for the remainder of that term in accordance with each authority's usual procedures.

- 2.3. 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 Partnerships Team shall act as the Committee Manager for the Runnymede 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 Runnymede 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 Runnymede 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 Runnymede Joint Committee as set out in Section 2(B) of this Constitution.
- 5.2. The Runnymede 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 Runnymede Borough Council in the case of borough functions.
- 5.3. When discharging the delegated powers the Runnymede 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 Runnymede Borough Council as appropriate, including legal, financial and policy advice.
- 5.4. If the Joint Committee is to make a key decision delegated to it by either Surrey County Council Executive or Runnymede Borough Council, then the Joint Committee must follow the constitution of the authority delegating the decision, including publishing it in the monthly forward plan in the case of Surrey County Council.

6. OVERVIEW AND SCRUTINY

- 6.1. Executive decisions made by the Runnymede Joint Committee which are delegated from Surrey County Council are subject to scrutiny in accordance with Surrey County Council's constitution.
- 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 Runnymede Borough Council depending on which authority delegated the decision in question.

Call In of Joint Committee Decisions

- 6.3. The SCC Cabinet or RBC Overview and Scrutiny Select Committee may, dependent on which Council delegated the function or resources, require referral, for review and final determination any decision (other than Surrey County Council Non Executive Functions), 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.
- 6.3.1 Notice of referral may be given by the Leader or Deputy Leader of the relevant authority, or two or more members of the SCC Cabinet or RBC Overview and Scrutiny Select Committee as appropriate.
- 6.3.2 All members of the Joint Committee will be notified that a decision taken by the Committee has been required for referral by SCC Cabinet or RBC Overview and Scrutiny Select Committee.
- 6.3.3 The decision will be considered by the SCC Cabinet or RBC Overview and Scrutiny Select Committee 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.
- 6.3.4 The Joint Committee Chairman or Vice-Chairman may attend the SCC Cabinet or RBC Overview and Scrutiny Select Committee meeting, as appropriate, for the consideration of the matter and speak on the item.
- 6.3.5 The SCC Cabinet or RBC Corporate Management Committee (further to the recommendation from the RBC Overview and Scrutiny Select Committee) may accept, reject or amend the decision taken by the Joint Committee. A report on the decision taken by the Cabinet or Corporate Management Committee will be made to the next appropriate meeting of the Joint Committee, and to all the Members of either Surrey or Runnymede Borough Council, as appropriate, for information.

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

7. NOTICE OF MEETING

- 7.1. The date, time and place of the fixed meetings of Runnymede Joint Committee will be accessed through both the Surrey County Council and Runnymede Borough Council websites. The notice, agenda, reports and other documents prepared for the Runnymede Joint Committee will be posted on the Surrey County Council website (with links from the Runnymede 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 Runnymede 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 Runnymede 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. Runnymede 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 Runnymede Joint Committee shall be published by the SCC Committee Manager five clear working days in advance of a meeting, and copies will be made available via the County Council and Runnymede Borough Council websites.
- 9.3. Members of the Runnymede 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 Runnymede 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 Runnymede 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 as detailed in Section 24 of this document.
- 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 Runnymede Joint Committee or otherwise for so long as those papers remain confidential.

12. QUORUM

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

12.2. The quorum will be four voting members, two from Surrey County Council and two from Runnymede Borough Council.

13. MEMBER QUESTIONS TO THE RUNNYMEDE JOINT COMMITTEE

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

13.2. Notice of questions must be given in writing to the SCC 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 without discussion.

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 RUNNYMEDE JOINT COMMITTEE

14.1. PETITIONS

14.1.1. Any member of the public who lives, works or studies in the Runnymede Borough area may present a petition, containing 30 or more signatures or at the Chairman's discretion, relating to a matter within the Constitution 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 planning policy and licensing and/or regulatory matters; 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, RBC Corporate Management Committee or relevant committee of either SCC or RBC at the discretion of the Chairman.

14.1.3 Notice must be given in writing to the SCC Community Partnerships Team at least 14 days before the meeting. Alternatively, the petition can be submitted on-line through Surrey County 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 Runnymede Borough area may ask one question or make a statement relating to a matter within the Committee's Constitution. 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 which it relates to.

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 email to the SCC 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 made available 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 SCC 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 an item in which public participation has occurred, the Chairman shall clarify the point at which public participation 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

- 14.3.1 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.
- 14.3.2 Members of the public and their representatives may address the Runnymede Joint Committee on any applications relating to public Rights of Way being considered by the committee.
- 14.3.3 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.
- 14.3.4 Only those people who have previously made written representations in response to a Rights of Way application will be entitled to speak.
- 14.3.5 Speakers must declare any financial or personal interest they may have in the application.

- 14.3.6 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.
- 14.3.7 The time allowed for public speaking will be limited to 15 minutes overall for objectors and 15 minutes overall for supporters per item, and to 3 minutes per speaker.
- 14.3.8 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.
- 14.3.9 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.
- 14.3.10 Speeches will precede the Committee's formal discussion on each application requiring the committee's attention.
- 14.3.11 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 of the Joint Committee may speak on any business on the published agenda of the committee. Matters not relevant to the business on the agenda will be not permitted.
- 15.2 A Member may only speak once on a motion and amendment except:
- 15.2.1 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;
- 15.2.2 The mover of a motion may speak during the debate on any amendment to the motion;
- 15.2.3 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;
- 15.2.4 The Chairman may speak before the mover of the motion or amendment replies to the debate.

15.2.5 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 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 Leave out words

21.1.2 Add words, or

21.1.3 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 defeated, 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. 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.

24.3. 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.

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

25. MEMBERS' CODE OF CONDUCT

25.1. Members are bound by the Code of Conduct of the authority which appointed them to the Runnymede Joint Committee and should particularly observe the provisions of their respective Codes concerning the declaration of interests when attending meetings of the Runnymede 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:
- 27.2. not participate in any discussion or vote relating to the matter;
- 27.2.1 Withdraw from the room or chamber when it becomes apparent that the matter is being considered at that meeting;
- 27.2.2 Not exercise functions in relation to that matter; and
- 27.2.3 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 dispensation from either Monitoring Officer for their Authority or the County Council's Audit and Governance Committee for County Councillors or the Borough Council's Standards and Audit Committee.

28. ATTENDANCE OF MEMBERS

- 28.1. Members will sign a register of attendance.

29. EXCLUSION OF THE PRESS AND PUBLIC

- 29.1. The Runnymede 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 Runnymede 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 Runnymede 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.

Document is Restricted

This page is intentionally left blank

Document is Restricted

This page is intentionally left blank