

CABINET

The following decisions were taken by the Cabinet on Tuesday, 25 September 2018 and will take effect on 4/10/2018 unless the call-in procedure has been triggered.

CALL-IN DEADLINE: 3/10/18.

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

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

The Cabinet at its meeting on Tuesday, 25 September 2018 considered the following matters and resolved:

- **Members' Questions** (Item 4a)

There were three questions from Members. These and the responses were published as a supplement to the agenda.

- **MONTHLY BUDGET MONITORING REPORT** (Item 7)

RESOLVED:

1. That the Council's overall revenue and capital budget positions as at 31 July 2018 be noted.
2. That the management actions proposed to achieve a further £25m in-year savings, bringing the total additional savings to £40m be noted.
3. That the adjustments to reduce and reprofile the service capital programme for 2018-21, outlined in paragraphs 58 to 61 of the submitted report and annexed to these minutes, be approved.
4. That the draw down of £170,000 carry forwards, as given below, be approved:
 - a. Communications to draw down the £70,000 agreed carry forward, allocated to a budget engagement activity that has been undertaken.
 - b. Legal Services forecasts a +£0.2m overspend mainly because of the high cost of childcare cases. This may increase further due to the high volumes. Legal Services to draw down the £100,000 carry forward agreed to fund the delayed case from the last financial year.

Reason for Decisions:

This report is presented to comply with the agreed policy of providing a monthly budget monitoring report to Cabinet for approval and action as necessary.

[The decisions on this item can be called in by the Corporate Overview Select Committee]

- **FINANCE IMPROVEMENT PLAN** (Item 8)

RESOLVED:

1. That the key findings of the CIPFA review be noted and commitment to addressing the issues identified was affirmed.
2. That the finance improvement plan set out in Annex 2 to the report be approved.
3. That the tasks, actions and deliverables assigned to the Cabinet in the finance improvement plan and that the Leader would initially lead on finance was agreed.

Reason for Decisions:

To remedy the financial position the Council faced would require the commitment of Members and officers to make difficult decisions on where savings could be made. Supporting the finance improvement plan would demonstrate that the Council had the collective drive to resolve the financial difficulties outlined in the CIPFA review.

[The decisions on this item can be called in by the Corporate Overview Select Committee]

- **SUPPLY AND DISTRIBUTION OF FRESH PRODUCE** (Item 9)

RESOLVED:

That the award of a contract for three years to two suppliers; Cheesman Bros Ltd and AG Axtons for the supply and distribution of a fresh fruit and vegetables was approved. The total contract value for all lots was £2.58M.

Reason for Decision:

The contract awards supported the Draft Vision for Surrey in 2030, the ambitions and themes of the Transformation Programme by meeting the high service and quality standards for food supplied for Surrey schools, involving the use of local suppliers and producing a saving against current contract value.

The awards supported Commercial Services for the Council in assisting school governors meet their statutory requirement to provide school meals.

The current contracts which were extended in agreement with the incumbent bidders expired on in 31 October 2018, and the new contract would commence on 1 November 2018.

The tender had been conducted in compliance with the requirement of Public Contract Regulations 2015 and Procurement Standing Orders.

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

- **CONTRACT AWARD FOR RESIDENTIAL DEMENTIA AND NURSING CARE HOME AND LEASEHOLD DISPOSAL OF THE LAND AT FORMER OLDER PERSONS IN-HOUSE CARE HOME AT BROCKHURST, BROX ROAD, OTTERSHAW (Item 10)**

RESOLVED:

1. The conclusion of the procurement process for the award of a care services contract to Care UK Community Partnerships Ltd was approved and the agreement of the final care services contract terms and conditions delegated to the Cabinet Member for Adults and the Executive Director for Adult Social Care.
2. The progression of the leasehold disposal of the former older peoples in house care home at Brockhurst was approved and:
 - a) authority to sign off that the Council had met its requirements under Section 123 of the Local Government Act 1972: Disposal of land by principal councils was delegated to the Lead Cabinet Member for Place and the Chief Property Officer; and
 - b) the agreement of the final terms and risk exposure to the Council of the Brockhurst agreement for lease and ground lease was delegated to the Lead Cabinet Member for Place and the Chief Property Officer.

Reason for Decisions:

The Council's vision was to promote independence, choice and control in all of its practice and to achieve this in a financially challenging climate, where the demographic of need is inherently changing.

With changing demographics, increasing financial challenges, and a joint health and social care strategy to support people to live independently in their homes for as long as possible, the Council needed to commission the right accommodation options to meet our resident's health and wellbeing needs. This included those with complex needs that can only be catered for in a specialist residential care or nursing care setting. Key to generating these options, was shared working between the Council, partners and the private sector to develop and shape the market for accommodation with care and support.

There was an opportunity to develop dementia and nursing residential care provision on the Brockhurst site. The Council was confident of the need for such provision and analysis of the site confirms its suitability, based on the site's size, accessibility, existing planning class use and the location.

A full tender process, in compliance with the requirement of Public Contract Regulations and Procurement Standing Orders had been completed, and the recommendations provided best value for money for the Council following a thorough evaluation process.

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

- **PROVISION OF PERSONAL PROTECTIVE EQUIPMENT FOR SURREY FIRE & RESCUE SERVICE** (Item 11)

RESOLVED:

That a contract for a supply and fully managed service provision of Personal Protective Equipment be awarded for an eight year period to Bristol Uniforms Ltd was agreed. The contract would be a call-off from the Kent and Medway Fire and Rescue Authority Framework Agreement for the Provision of Personal Equipment for Firefighters to commence on 9 January 2020.

Reason for Decision:

Surrey Fire and Rescue Service (SFRS) had a statutory duty to provide firefighters with appropriate Personal Protective Equipment (PPE).

The current contract expired on 8 January 2020 and SFRS required the replacement of the existing PPE to ensure the Council (as the Fire Authority) fulfilled its legal duties under the Fire and Rescue Services Act 2004 and the Health and Safety Act 1974. An eight year contract period was required as this was the lifespan of the PPE ensemble.

Procuring the services through this Framework had been identified as providing the best route to market and would allow SFRS to obtain efficiency savings over the contract duration due to the collaborative approach with neighbouring Fire and Rescue Services.

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

- **COMMUNITY PARTNERED LIBRARIES CHANGES TO SUPPORT ARRANGEMENTS** (Item 12)

RESOLVED:

That the introduction of alternative arrangements to provide support to Community Partnered Libraries (CPL) and that the agreement to provide library team attendance for 20% of CPL opening hours be changed, with the resource being redeployed towards the development of volunteering across the library network was agreed.

Reason for Decision:

Due to the maturity of the CPLs and level of knowledge and skills which had developed amongst volunteers, advances in digital technology, a well-established working relationship with the Council and a keenness amongst volunteers to expand what they do on-site to support the needs of residents, the library service was proposing changes in the support model.

The library service has consulted with CPLs about these proposed changes and the CPLs were engaged with taking this proposal forward. Their ideas and concerns had been fed into the redesigned support model.

The proposed changes recommended a decrease in the regular presence that CPL Support Team officers provide on-site at each CPL from weekly to a monthly visit. Other changes include increased access to the library management system

to enable volunteers to provide a fuller service to customers locally without having to contact a member of library staff and direct contact with other parts of the library service and the Council which currently go via the CPL team.

The experience of the CPL Support team in setting up and maintaining support to the CPLs has made them ideally placed to carry out a future programme increasing the amount of volunteering which already adds value to the library service and to build on that to ensure libraries remain vibrant community destinations and meet the needs of residents.

The changes will be phased and completed by April 2019.

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

- **REGULATION OF INVESTIGATORY POWERS ACT 2000 - UPDATED CORPORATE POLICY AND PROTOCOL (Item 13)**

RESOLVED:

The proposed new Corporate Policy and Protocol on the application of the Regulation of Investigatory Powers Act 2000 (RIPA) (Annex 1 to the report) to include the added section at paragraph 12 including the use of RIPA regarding social media and online selling platforms and the added section at paragraph 16.1 including how the policy complies with Data Protection legislation was agreed.

Reason for Decision:

The inclusion of a section within the Corporate Policy and Protocol provided an updated framework to ensure that the Council continued to comply fully with the requirements of RIPA. In line with the changing market place for goods and services, the way Trading Standards investigated legal compliance had also changed and often involved the use of social media and online selling platforms.

The Corporate Policy and Protocol on the use of RIPA was a public document and the introduction of new data protection legislation and the requirement to be open and transparent in how the Council processed personal data had led to the requirement to include a section within the Policy.

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

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

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

- **SUPPLY AND DISTRIBUTION OF FRESH PRODUCE (Item 15)**

RESOLVED:

See Minutes 149/18 and Exempt Minute [E-155-18].

Reason for decision:

See Minute 149/18.

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

- **CONTRACT AWARD FOR RESIDENTIAL DEMENTIA AND NURSING CARE HOME AND LEASEHOLD DISPOSAL OF THE LAND AT FORMER OLDER PERSONS IN-HOUSE CARE HOME AT BROCKHURST, BROX ROAD, OTTERSHAW (Item 16)**

RESOLVED:

See Minute 150/18.

Reason for decision:

See Minute 150/18.

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

- **PROVISION OF PERSONAL PROTECTIVE EQUIPMENT FOR SURREY FIRE & RESCUE SERVICE (Item 17)**

RESOLVED:

See Minutes 151/18 and Exempt Minute [E-156-18].

Reason for decision:

See Minute 151/18.

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

- **PUBLICITY FOR PART 2 ITEMS (Item 18)**

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

Monthly Budget Monitoring Report

(Extracted paragraphs 58-61 from the submitted report)

Revisions to the capital programme budget

58. To ensure the capital programme aligns with its long term strategy and priorities, the Council conducted a deep dive review of the 2018-21 capital programme. The review assessed the assurances the Council can take in the delivery of the capital programme, specifically in areas with a history of significant underspending. The outputs from the review include actions to confirm the need to spend on schemes and to match capital budgets more closely to known and anticipated spending patterns and timescales.

59. In summary, after taking account of £24.4m residual capital carry forwards from 2017/18 plus current virements and other adjustments in 2018/19, the review recommends: reprofiling -£22.0m into future years (+£21.9m into 2020/21); and reducing budgets by -£22.8m to give a proposed 2018/19 capital budget of £135.0m. Table 3 outlines these changes give the proposed 2018/19 service capital programme budget.

Table 3 Proposed 2018/19 capital programme budget

| | Current full year budget £m | Residual 2017/18 carry forwards £m | Virements £m | Reprofiling £m | Reductions £m | Proposed budget £m |
|----------------------------------|-----------------------------------|---|-----------------|-------------------|------------------|--------------------------|
| Schools basic need | 47.6 | 4.0 | | -7.4 | -17.1 | 27.1 |
| Property Services | 42.0 | 10.6 | -1.6 | -14.6 | -5.5 | 30.9 |
| IT & Digital | 4.5 | 2.0 | | | | 6.5 |
| Highways & Transport | 42.0 | 0.0 | | 0.0 | | 42.0 |
| Place Development & Waste | 14.9 | 2.3 | | | | 17.2 |
| Other capital projects | 6.0 | 5.4 | | | -0.1 | 11.3 |
| Service capital programme | 157.0 | 24.4 | -1.6 | -22.0 | -22.8 | 135.0 |

Note: All numbers have been rounded - which might cause a casting difference

60. The full year service capital programme forecast as at 31 July 2018 would show -£1.0m variance against the proposed budget, in other capital projects.

61. Table 4 shows the outline capital programme expenditure for 2018-21 and the corresponding funding. The three year programme has increased from £322m to £338m mainly because of: £29m carry forwards from 2017/18 brought into 2018/19; -£23m reductions to the programme following the deep dive review; and £10m other movements, including £7m additional highways maintenance, plus grant changes.

Table 4 Proposed capital programme expenditure and funding 2018-21

| | 2018/19 proposed £m | 2019/20 proposed £m | 2020/21 proposed £m | 2018-21 proposed £m |
|------------------------------|------------------------------------|------------------------------------|------------------------------------|------------------------------------|
| Expenditure programme | | | | |
| Schools basic need | 27.1 | 36.6 | 31.5 | 95.2 |
| Property Services | 30.8 | 28.7 | 21.8 | 81.3 |
| Highways & Transport | 41.9 | 29.7 | 24.2 | 95.9 |
| Place Development & Waste | 17.2 | 9.1 | 1.1 | 27.5 |
| IT & Digital | 6.5 | 3.5 | 6.9 | 16.8 |
| Other capital projects | 11.5 | 4.7 | 5.3 | 21.5 |
| Total expenditure | 135.0 | 112.4 | 90.8 | 338.2 |
| | | | | |
| Programme funding | | | | |
| Government Grants | 81.3 | 65.3 | 50.6 | 197.3 |
| Reserves | 3.2 | 0.5 | 3.8 | 7.6 |
| Capital Receipts | 21.0 | 0.9 | 0.3 | 22.3 |
| Third Party Contributions | 8.3 | 7.3 | 2.7 | 18.4 |
| Borrowing | 21.1 | 38.3 | 33.3 | 92.7 |
| Total funding | 135.0 | 112.4 | 90.8 | 338.2 |

Note: All numbers have been rounded - which might cause a casting difference

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