

CABINET

The following decisions were taken by the Cabinet on Tuesday, 17 December 2019 and will take effect on 31/12/2018 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 30/12/18.**

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, 17 December 2019 considered the following matters and resolved:

- **MINUTES OF PREVIOUS MEETING: 26 NOVEMBER 2019** (Item 2)

The Minutes of the meeting held on 26 November were approved as a correct record.

- **PUBLIC QUESTIONS** (Item 4b)

There was one question from Mrs Smyth. This and the Cabinet response was published as a supplement to the agenda.

- **SURREY SCHOOLS & EARLY YEARS FUNDING 2020-21** (Item 7)

RESOLVED:

That the proposals set out in Annex 3 to the submitted report be approved, namely that:

1. an appeal be lodged with the Secretary of State for Education to overturn the decision of the Schools Forum and permit the transfer of 0.5% of the schools block (estimated at £3.3 million) to support high needs SEND (Special Education Needs & Disabilities).
2. the transition to the National Funding Formula (NFF) progresses at a steady rate to an estimated 92.5% of published 2020/21 NFF values.
3. the council implement the DfE's recommended Minimum Per Pupil Level in full.
4. the Schools Forum's formula recommendations for Schools and early years funding as set out in Annex 3 of the submitted report be approved.
5. the cost of additional Special Education Needs (SEN) funding for inclusive schools be contained within £0.9 million per year. To achieve this, authority was delegated to the Director of Education, Lifelong Learning & Culture in consultation with the Cabinet Member for All-Age Learning to approve amendments to the schools and early years additional SEN funding and notional SEN funding formula, following discussion with Schools Forum in December.
6. authority be delegated to the Director of Education, Lifelong Learning & Culture in consultation with the Cabinet Member for All-Age Learning to approve amendments to the schools and early years formulae as appropriate following receipt of the Dedicated Schools Grant (DSG)

settlement and Department for Education (DfE) pupil data in December 2019. This was to ensure that total allocations to schools under this formula remain affordable within the council's DSG settlement.

Reasons for decision:

To comply with DfE regulations requiring formal council approval of the local funding formula for Surrey's primary and secondary schools.

[The decisions on this item can be called in by the Children, Families, Lifelong Learning & Culture Select Committee]

• **SURREY WASTE LOCAL PLAN: PROPOSED MAIN MODIFICATIONS** (Item 8)

RESOLVED:

1. That the proposed Main Modifications to the Surrey Waste Local Plan (Submission Draft) were agreed.
2. That the Main Modifications be published for consultation, together with a revised Environmental & Sustainability Report, from 13 January – 23 February 2020.

Reason for decision:

Main Modifications identified as part of the examination process are being proposed in order to ensure the Plan is legally compliant and sound. In accordance with the December 2018 report to Cabinet, the proposed Main Modifications to policy need to be agreed by Cabinet prior to their publication for comments.

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

• **APPROVAL OF COMMISSIONING AND PROCUREMENT STRATEGY FOR THE COUNTRYSIDE WORKS SERVICES FRAMEWORK RE-PROCUREMENT** (Item 9)

RESOLVED:

That the commissioning and procurement strategy developed by Highways, Countryside and Procurement for the re-procurement of the Countryside Works Framework Agreement was approved.

Reason for decision:

We are requesting approval of the commissioning and procurement strategy for the Countryside Works Framework Agreement to enable Highways and Countryside to continue providing the services required to maintain Surrey's countryside in accordance with the relevant procurement regulations.

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

• **ANNUAL PROCUREMENT FORWARD PLAN 2020-21** (Item 10)

RESOLVED:

1. That approval to Procure for the projects listed in Annex 1 of the submitted report – "Annual Procurement Forward Plan for 2020/21" in accordance

with the Council's Procurement and Contract Standing Orders was agreed.

2. That where the first ranked tender for any projects listed in Annex 1 of the submitted report is within the +/-5% budgetary tolerance level, the relevant Executive Director, Director or Head of Service (as appropriate) is authorised to award such contracts was agreed.
3. That the procurement activity that will be returned to Cabinet for review of the commissioning and procurement strategy prior to going out to market, and which is highlighted in grey in Annex 1 of the submitted report was agreed.

Reasons for decision:

- To comply with the Procurement and Contract Standing Orders agreed by Council in May 2019.
- To provide Cabinet with strategic oversight of planned procurement projects for 2020/21.
- To ensure Cabinet oversight is focussed on the most significant procurements.
- To avoid the need to submit multiple individual requests for Approval to Procure as well as individual contract award approvals for work taking place in 2020/21.

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

- **SUPPLY OF FROZEN AND GROCERY PRODUCTS FOR THE DELIVERY OF TWELVE15 CATERING SERVICES** (Item 11)

RESOLVED:

To Procure be approved and agreed the proposed route to market of a full open competitive tender process that Procurement, Pelican (the appointed Food Buying Agent) and Twelve15 will effect to obtain the best value catering service for schools with an efficient supply and distribution of frozen and grocery supplies across the Twelve15 contract portfolio.

Reasons for decision:

The existing contract for the supply of frozen and grocery supplies to facilitate the service expired in October 2020.

In order to ensure the provision of the catering service continued to evolve with the change of customer expectation and ever changing food trends, Twelve15 had undertaken an extensive supplier engagement process to fully engage with the market and ensure the future contract for the supply of frozen and grocery products fully reflected the need of the business. In July 2019, Twelve15, Pelican and Procurement undertook a supplier engagement exercise whereby 5 suppliers in the market were invited to present against a prescribed brief setting out 5 key priority areas:

1. Flexibility of supply chain
2. Carbon Footprint
3. Innovation in the Market
4. Sourcing
5. Engagement

The information gleaned from the supplier engagement exercise will be used to inform the tender specification to ensure the commissioning of a supplier is in line with the needs of Twelve15's business. The successful supplier will be expected to deliver food innovation and development concepts, support promotional and marketing activity to increase business uptake, promote and encourage healthy eating and to supply product that fully comply with food safety legislation and offer a value for money ethos.

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

- **MONTHLY BUDGET MONITORING (Item 12)**

RESOLVED:

1. That Local Learners Fund expenditure of £0.6m funded from the 2018/19 Schools and Early Years block Dedicated Schools Grant carry forward be approved;
2. That the transfer of the balance of the contingency to reserves (£8.9m) to support future revenue budgets be approved;
3. That the re-profiled 2019/20 capital budget of £120.3m be approved;
4. That the Council's forecast revenue and capital budget positions for the year be noted.

Reason for decision:

This report complied with the agreed policy of providing a monthly budget monitoring report to Cabinet for approval of any necessary actions.

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

- **EXCLUSION OF THE PUBLIC (Item 13)**

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.

- **ANNUAL PROCUREMENT FORWARD PLAN 2020-21 (Item 14)**

This Part 2 annex contains information which is exempt from Access to Information requirements by virtue of paragraph 3 – Information relating to the financial or business affairs of any particular person (including commercially sensitive information to the bidding companies).

See Minute 218/19.

[The decisions on this item can be called in by the Resources & Performance Select Committee]

- **URGENT ITEM - COMMERCIAL PROGRAMME (WASTE) UPDATE (Item 15)**

This Part 2 annex contains information which is exempt from Access to Information requirements by virtue of paragraph 3 – Information relating to the financial or business affairs of any particular person (including commercially sensitive information to the bidding companies).

In accordance with Standing Order 56.1 (Special Urgency), the Chairman of the Environment Select Committee has agreed that the decision cannot reasonably be deferred because there is an urgent need for the Cabinet to be updated on latest developments.

See [Exempt Minute E-20-19]

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

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