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## **Agenda and Reports**

for the meeting of

**THE COUNTY COUNCIL**

to be held on

**8 OCTOBER 2019**

County Hall  
Kingston upon Thames  
Surrey

Friday, 27 September 2019

TO THE MEMBERS OF SURREY COUNTY COUNCIL

## SUMMONS TO MEETING

You are hereby summoned to attend the meeting of the Council to be held in the Council Chamber, County Hall, Kingston upon Thames, Surrey KT1 2DN, on Tuesday, 8 October 2019, beginning at 10.00 am, for the purpose of transacting the business specified in the Agenda set out overleaf.

JOANNA KILLIAN  
Chief Executive

**Note 1:** *For those Members wishing to participate, Prayers will be said at 9.50am. Reverend Dr Mark Wakelin, from Epsom Methodist Church has kindly consented to officiate. If any Members wish to take time for reflection, meditation, alternative worship or other such practice prior to the start of the meeting, alternative space can be arranged on request by contacting Democratic Services.*

*There will be a very short interval between the conclusion of Prayers and the start of the meeting to enable those Members and Officers who do not wish to take part in Prayers to enter the Council Chamber and join the meeting.*

**Note 2:** *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.*

If you would like a copy of this agenda or the attached papers in another format, e.g. large print or braille, or another language please either call Democratic Services on 020 8541 9122, or write to Democratic Services, Surrey County Council at Room 122, County Hall, Penrhyn Road, Kingston upon Thames, Surrey KT1 2DN, Minicom 020 8541 9698, fax 020 8541 9009, or email [amelia.christopher@surreycc.gov.uk](mailto:amelia.christopher@surreycc.gov.uk)

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Amelia Christopher on 020 8213 2838.

## 1 APOLOGIES FOR ABSENCE

The Chairman to report apologies for absence.

## 2 MINUTES

(Pages  
11 - 38)

To confirm the minutes of the meeting of the Council held on 9 July 2019.

***(Note: the Minutes, including the appendices, will be laid on the table 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 CHAIRMAN'S ANNOUNCEMENTS

- Please do take a look at the Chairman and Vice-Chairman notice boards (situated outside their offices) which provides pictorial information about recent visits and activities.

### Recent visits and events

- **Interfaith Forum: 12 Years to Save our Planet.** I attended a wonderful and thought-provoking event at the University of Surrey which discussed how all faiths could and should come together to work together as a whole for the entire community, instead of working separately for their own section of society.
- **Pitch@Palace:** I had the pleasure of meeting HRH The Duke of York at a Pitch@Palace event hosted at the University of Surrey. The event provided a platform for around 20 entrepreneurs to pitch their ideas and business propositions and helped connect them with potential supporters who could help turn their business dreams into a reality. It was fascinating and highly encouraging to see the wealth of talent and creativity that Surrey residents have to offer.

- **Opening:** I am delighted that the Eliza Palmer Hub has been opened at Whiteley Village, which expands the care services and capacity at Britain's oldest retirement village. The new care hub provides intensive care capacity for up to 30 people with complex needs associated with old age and includes space for visiting families to stay with their loved ones, therapy space and even a café to provide a new social venue at the heart of the village.
- **Surrey Youth Mayor:** Surrey's youth mayor, Jacob Wrenn, has been very busy, helping to create one voice for younger people across Surrey by linking the District/Borough youth Councils (Woking, Reigate and Banstead, Surrey Heath and Mole Valley) to the Youth Cabinet. He has attended numerous events around the County, including 'Safe Drive Stay Alive', which is all about safe driving for younger people. We wish him well on his endeavours.

## 5 PUBLIC PETITION

To consider a petition regarding fire appliances in Surrey, which received 13,048 signatures via the Council's e-petition facility.

The petition states:

"We the undersigned petition Surrey County Council to demand Surrey County Council scrap their plans to leave 7 major fire appliances uncrewed at night."

## 6 LEADER'S STATEMENT

The Leader to make a statement.

There will be an opportunity for Members to ask questions and/or make comments.

## 7 MEMBERS' QUESTION TIME

1. The Leader of the Council or the appropriate Member of the Cabinet or the Chairman of a Committee to answer any questions on any matter relating to the powers and duties of the County Council, or which affects the county.

**(Note: Notice of questions in respect of the above item on the agenda must be given in writing, preferably by e-mail, to Democratic Services by 12 noon on Wednesday 2 October 2019).**

2. Cabinet Member Briefings on their portfolios.

These will be circulated by email to all Members prior to the County Council meeting, together with the Members' questions and responses.

There will be an opportunity for Members to ask questions.

## **8 STATEMENTS BY MEMBERS**

Any Member may make a statement at the meeting on a local issue of current or future concern.

***(Note: Notice of statements must be given in writing, preferably by e-mail, to Democratic Services by 12 noon on Monday 7 October 2019).***

## **9 ORIGINAL MOTIONS**

### **Item 9 (i)**

**Mr Chris Botten (Caterham Hill) to move under standing order 11 as follows:**

#### **This council notes:**

With concern that Surrey residents who pay for their own elderly care significantly subsidise the residents who rely on County to pay for their care. This is a result of an unjust and inequitable funding regime which is itself a result of inadequate government funding. It further notes with concern that the proposal for the coming financial year in the local government funding settlement appears to allow councils to raise a precept on residents to cover the funding gap.

This approach is deeply flawed; it perpetuates the injustice of the current system, asking those who have savings to subsidise the care of those who don't, and it is a sticking plaster to cover up the failure of successive governments to bring forward a sustainable and equitable solution to the problem of social care funding.

#### **Therefore resolves that:**

- I. This council accordingly calls on the government to bring forward urgently a sustainable solution so that councils can restore equity and enable a sustainable market for social care provision in Surrey and across the country.
- II. The Cabinet is called upon to publish the business case it promised in February examining the possibility of the Council entering the market as a provider of adult social care, since that move could stabilise a fragile market, potentially re-balance some of the inequities of a for profit environment, and secure quality against the significant risk of the impact of Brexit on the local workforce.
- III. This Council further requests that Cllr Sinead Mooney, the cabinet member for adults and public health, seek an urgent meeting with Caroline Dinenage MP, the minister of state in the department for Health and Social Care.

**Item 9 (ii)**

**Mr Robert Evans (Stanwell and Stanwell Moor) to move under standing order 11 as follows:**

**This council notes:**

This Council has previously noted that both Heathrow and Gatwick airports make vital contributions to the continuing success of Surrey's economy and Surrey County Council now takes note of Heathrow's Airport Expansion document, dated June 2019 and the associated community consultations events.

Council welcomes Councillor Kemp's letter to Heathrow dated 9 September 2019, highlighting the many serious concerns and discrepancies in Heathrow's latest position.

Surrey County Council also notes the serious reservations on airport expansion now being registered by an increasing number of councils, around Heathrow airport, in particular Spelthorne Council which recently voted to send a strong message to Heathrow Airport Limited, stating that its masterplan for expansion now presents "significant issues" for residents of Spelthorne, concluding that it could only support the expansion and third runway if the council's 15 demands laid out last year are met, including compensation for those people whose properties are worst affected.

Council is dismayed that neither the Government nor the aviation industry have shown any intention to invest in road or rail connections and that far from reducing congestion, the current proposals will inevitably increase overcrowding on Surrey's roads and put undue pressure on communities, especially those near Heathrow. Council believes that unless and until the surface access links, delivering improved public and active transport links to the airport are implemented, there must be no increase in the current 480,000 flights a year.

Furthermore Council is concerned that large areas of Green Belt in the north of Spelthorne, proposed to include around 220 Hectares of green space, will be sacrificed. Heathrow Airport Limited, by their own admission, set out that the proposed Heathrow plan will adversely affect many people's health by a deterioration in air quality due to 'dust and vehicle emissions' as well as totally unacceptable increases in noise pollution.

Finally, the proposed expansion, without any curbs on flying elsewhere, will exceed the carbon budget for aviation set out in the 2015 final report from the Government's Airports Commission, let alone the more stringent targets now committed to by the Government, Surrey County Council and many other local authorities.

At its meeting on 16 July 2013, Surrey County Council agreed that 'expansion at either airport would require the environmental and surface access issues involved to be satisfactorily addressed.' Council called on 'Government and the aviation industry to prioritise investment in road and rail connections to the airports to reduce congestion and overcrowding.'

(vii)

On 6 December 2016 Council reiterated its view that any expansion 'requires the environmental and surface access issues involved to be satisfactorily addressed,' adding that the Council 'considers that the proposals and commitments, including on surface access, that have so far been made by the airport and by the Government associated with the preferred approach to expansion at Heathrow are inadequate. In particular they give neither confidence that the necessary measures will be prioritised nor that adequate funding will be committed.'

**This council therefore agrees:**

- I. To suspend its unqualified support for Heathrow expansion and seek meetings with the Secretary of State for Transport and Heathrow Airport Limited to register these concerns and demand that plans are finalised and funding secured for vastly improved surface access to the airport and sufficient safeguards on air quality, noise pollution, night flights, protection of the Green Belt and compensation for residents, most seriously affected.
- II. That expansion of Heathrow is not consistent with either the Council or the Government's declaration of a climate emergency, and the need to now reduce carbon emissions to zero.
- III. And additionally agrees to support Hillingdon, Wandsworth, Richmond, Hammersmith & Fulham and Windsor & Maidenhead councils in seeking a judicial review of these plans on the grounds of air quality, climate change, noise pollution and surface transport access.

**Item 9 (iii)**

**Mr Tim Hall (Leatherhead and Fetcham East) to move under standing order 11 as follows:**

**This council agrees:**

- Sustainable growth needs to be supported by infrastructure.
- Homes, highways, schools, businesses, leisure facilities and healthcare are essential for well-functioning and well-connected communities.

**This council notes:**

- The Surrey Infrastructure Study, which indicates that delivering the necessary infrastructure to support growth planned in Surrey to 2031 is estimated to cost at least £5.51 billion with only £3.04 billion of potential funding identified.

**Therefore this council resolves:**

- I. To continue to work closely with partners, such as district and borough colleagues, Local Enterprise Partnerships, and with authorities in London, the East of England and South East to coordinate strategic policy and infrastructure investment across the wider South-East, including joint lobbying for strategic infrastructure priorities.

- II. To engage with Government and national agencies to shape their investment plans, as part of the shadow Sub-National Transport Body, Transport for the South East.
- III. Revisit the evidence base behind this study on a regular basis in collaboration with partners to maintain a rolling understanding of the infrastructure landscape and funding priorities.

**10 APPOINTMENT OF INDEPENDENT REMUNERATION PANEL**

(Pages  
39 - 44)

To approve the appointment of the Independent Remuneration Panel and its Terms of Reference.

**11 APPOINTMENT OF LOCAL COMMITTEE VICE-CHAIRMAN**

**Recommendation:**

That Rachael I. Lake is duly elected as the Vice-Chairman of the Elmbridge Local Committee for 2019/20.

**12 UPDATES TO THE CONSTITUTION**

(Pages  
45 - 74)

To approve the updates to the constitution.

**13 CHANGES TO CABINET PORTFOLIOS**

(Pages  
75 - 76)

To note the Leader's changes to the Cabinet Portfolios.

**14 REPORT OF THE CABINET**

(Pages  
77 - 150)

To receive the report of the meetings of the Cabinet held on 16 July 2019 and 24 September 2019; to agree one recommendation in respect of:

- a. Updated Statement of Community Involvement

and to note items for information / discussion:

- b. Proposal to charge maintained schools for the cost of conversion to become an academy school
- c. Creation of a New Specialist Centre at Worplesdon Primary School in Partnership with Freemantles School Providing 21 Places for Pupils with High Communication and Interaction Needs
- d. Proposal to enter into a local education partnership with Schools Alliance for Excellence
- e. Children's Improvement Update
- f. Providing Council Tax Relief for Surrey's Care Leavers
- g. Making Surrey Safer – Our Plan 2020 – 2023
- h. School Place Planning: Strategy for Specialist Placements



- i. Surrey County Council's Response to Statutory Consultation on Heathrow Airport Expansion
- j. Quarterly report on Decisions Taken Under Special Urgency Arrangements: 29 June to 27 September 2019

**15 MINUTES OF CABINET MEETINGS**

(Pages  
151 -  
168)

Any matters within the minutes of the Cabinet's meetings, and not otherwise brought to the Council's attention in the Cabinet's report, may be the subject of questions and statements by Members upon notice being given to Democratic Services by 12 noon on Monday 7 October 2019.

The minutes from the Cabinet meeting on 24 September 2019 are to follow.

**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*

**MINUTES OF THE MEETING OF THE COUNTY COUNCIL HELD AT THE COUNCIL CHAMBER, COUNTY HALL, KINGSTON UPON THAMES, KT1 2DN ON 9 JULY 2019 COMMENCING AT 10.00 AM, THE COUNCIL BEING CONSTITUTED AS FOLLOWS:**

Tony Samuels (Chairman)  
Helyn Clack (Vice-Chairman)

*	Mary Angell		Naz Islam
	Ayesha Azad		Colin Kemp
	Barton		Eber Kington
	John Beckett		Graham Knight
	Mike Bennison		Rachael I Lake
*	Amanda Boote	*	Yvonna Lay
	Chris Botten		David Lee
*	Liz Bowes		Mary Lewis
	Natalie Bramhall		Andy MacLeod
	Mark Brett-Warburton		Ernest Mallett MBE
	Ben Carasco		David Mansfield
	Bill Chapman	*	Peter Martin
	Stephen Cooksey		Jan Mason
	Clare Curran		Cameron McIntosh
	Nick Darby		Sinead Mooney
	Paul Deach	*	Charlotte Morley
	Graham Ellwood		Marsha Moseley
	Jonathan Essex		Tina Mountain
	Robert Evans		Bernie Muir
	Tim Evans		Mark Nuti
	Mel Few		John O'Reilly
	Will Forster		Tim Oliver
*	John Furey		Andrew Povey
	Matt Furniss	*	Wyatt Ramsdale
	Bob Gardner		Penny Rivers
	Mike Goodman	*	Becky Rush
	Angela Goodwin		Stephen Spence
	David Goodwin		Lesley Steeds
	Zully Grant-Duff		Peter Szanto
	Alison Griffiths		Keith Taylor
	Ken Gulati		Barbara Thomson
	Tim Hall	*	Rose Thorn
	Kay Hammond		Chris Townsend
	David Harmer		Denise Turner-Stewart
	Jeffrey Harris		Richard Walsh
	Nick Harrison		Hazel Watson
*	Edward Hawkins	*	Fiona White
	Marisa Heath		Keith Witham
	Saj Hussain		Victoria Young
*	Julie Iles		

\*absent

#### **44/18 APOLOGIES FOR ABSENCE [Item 1]**

Apologies for absence were received from Mrs Angell, Mr Furey, Mr Hawkins, Mrs Iles, Mrs Lay, Ms Morley, Mr Ramsdale, Mrs Rush, Mrs Thorn and Mrs White.

#### **45/18 MINUTES [Item 2]**

The minutes of the meeting of the County Council held on 21 May 2019 were submitted, confirmed and signed.

#### **46/18 DECLARATIONS OF INTEREST [Item 3]**

Dr Andrew Povey declared a non-pecuniary interest as he was a trustee for the Surrey Hills Society.

#### **47/18 CHAIRMAN'S ANNOUNCEMENTS [Item 4]**

The Chairman:

- Highlighted to Members that the Chairman's Announcements were located in the agenda front sheet.
- Welcomed and congratulated Jacob Wren, the Surrey Youth Mayor.
- Reminded Members of the Yehudi Menuhin concert taking place after the meeting.

#### **48/18 LEADER'S STATEMENT [Item 5]**

The Leader made a detailed statement. A copy of the statement is attached as Appendix A.

In addition to his Statement the Leader:

- Welcomed Extinction Rebellion in the Public Gallery, highlighted the important environmental issues to be debated and was grateful for the input of several of their representatives.

Members raised the following topics:

- Praised the work of Children's Services for their continued improvement and progress, thanked all those involved and noted the challenges ahead.
- Welcomed the invitation of the Cabinet Member for Adults and Public Health to the first meeting of the new all-party parliamentary group on social care.
- Highlighted the lack of current funding arrangements by Surrey County Council which led to the abandonment of youth centres.
- The recent report from the all-party parliamentary group on Highways was welcomed but footways and roads remained poor in some areas.
- That there were two recent reports on the lack of local authority funding, which outlined the £60 billion deficit by 2024/25.

- The Green Paper on Social Care which highlighted the serious lack of funding remained unpublished.
- Endorsed the Leader’s Statement on Children’s Services as attested to by the recent report by Ofsted which showed excellent programme management by the Council.
- Praised the progress of Local Partnership Boards and that the Council must continue to be a “system leader” on challenging issues like school place planning.
- Welcomed the Leader’s Rethinking Transport project on sustainable transport and urged the Council against Heathrow’s expansion.
- That there must be adequate infrastructure funding and senior oversight over Community Investment Levy’s/Section 106 planning applications.
- That the Highways team provide detailed responses to complex planning applications.
- As the Lead Local Flood Authority, the County Council must ensure that the Environment Agency and local water boards provide adequate drainage and sewage services.
- That there was a crisis in primary care and the Health and Wellbeing Strategy was welcomed to address this.
- Called for more investment in sustainable public transport and encouraged cycling and walking to reduce air pollution and healthier option.
- Congratulated the use of recycled materials by Surrey Choices in their award-winning garden at the Hampton Court Palace Garden Festival.
- Surrey County Council’s EmployAbility Making a Difference Award was praised as it provided employment opportunities and training for those with learning difficulties.
- Supported Children’s issues being at the forefront of the speeches and highlighted the report of Children’s Commissioner which commended the progress in Children’s services despite the challenge of a recent restructure.
- Highlighted the letter of congratulations sent on behalf of Unison by their Children’s Convener which praised the Council’s positive Ofsted report on Children’s Services.

**49/18 MEMBERS’ QUESTION TIME [Item 6]**

**Questions:**

Notice of seven questions had been received. The questions and replies were published in a supplementary agenda on 8 July 2019.

A number of supplementary questions were asked and a summary of the main points is set out below:

**(Q1) Mr Will Forster** asked if the Leader of the Council could write to the new Prime Minister and the new Secretary of State for Education once they were in office, asking them to adequately fund all schools and SEND in Surrey. The Leader of the Council agreed to note that.

**(Q2) Mr Chris Botten** asked if the Leader of the Council would note the success of having senior Cabinet Members involved in the delivery of Infrastructure Local Plans. The Leader of the Council noted the comment.

**(Q3) Mrs Hazel Watson** asked the Cabinet Member for Highways for a copy of the new Strategy and Action Plan on Drive SMART and asked for a progress report in six months' time. The Cabinet Member for Highways will ensure all Members would have a copy and agreed that in six months' time a progress report would be given to the Council.

**(Q4) Mr Robert Evans** asked the Leader of the Council if he had any special measures to ensure that Surrey County Council would not run out of money to meet its legal obligations in next three years. Mr Evans also asked if the Leader of the Council had made any specific plans to visit the new Prime Minister once in office. The Leader of the Council stated that this would be achieved through good financial planning, for the first time the books were balanced in the last financial year but there would be a challenge this year for the Council as there would be in many local authorities. CIPFA have looked at the Council's budget process and transformation plans, to ensure sound financial management. The Leader recognised the severe underfunding of local government and lobby the Conservative Government.

**(Q5) Mr Ernest Mallett** stated that the terminology of the response was unclear. Mr Mallett asked the Cabinet Member for Children, Young People and Families if Youth Centres would close due to no open access being available for voluntary groups. He also restated the last bullet point of his question which he felt had not been answered, by asking if the premises and equipment would be open to voluntary providers. Lastly, he asked if any work had been done to reduce the potential for increased crime and vandalism due to the withdrawal for the provision of Youth Services.

Mr Essex asked if local committees could have an update on youth provision on how this has changed in the last three years.

Mr Harrison asked if voluntary groups such as the Horley and Edge Centres would be charged rent for the use of these premises.

Mrs Mason agreed that the first three bullet points of Mr Mallett's question had not been answered. She asked the Cabinet Member for Children, Young People and Families if she accepted the widely held view in Epsom and Ewell, that young people had been abandoned without alternative suitable provision of Youth Services such as the Edge Centre.

Mr Townsend asked that if there is an upcoming consultation on youth centres, when will this happen.

The Cabinet Member for Children, Young People and Families replied that the current position on Youth Service provision is unchanged since the restructure and that greater provisions were a work in progress. That none of the youth centres would be closed during the restructure. There would also be new support structures such as an adolescent safeguarding service and the targeted youth support service. That the Edge Centre had a low level of take up for women which would be addressed.

**(Q6) Mr Jonathan Essex** asked the Leader of the Council if he could confirm why these locations were sensitive, what would the general scope of sites be and the time, length and previous uses of these sites. The leader of the Council responded that these sites were commercially sensitive and that a briefing under the Part 2 of the Local Government Act was available.

**(Q7) Mr Robert Evans** asked the Cabinet Member for Finance if he felt that this was another case of the figures not being made available and since Surrey County Council had budgeted for this project, why was the cost not disclosed.

Ms Turner Stewart asked if the Cabinet Member for Finance would agree that once operational the station would have an impressive range of capabilities so that it could be a multi-agency facility.

The Cabinet Member for Finance agreed with Ms Turner Stewart's question. Once the facility has been completed and the final invoices have been received, the Council will be informed of the cost of the project.

**Cabinet Member Briefings:** these were also published with the supplementary on 8 July 2019.

Members made the following comments:

**Cabinet Member for Highways:** on the issue of surface dressing, that the money spent on anti-skid surface dressing in a particular division would have been better allocated to address the severe flooding issue on the A24. The Cabinet Member stated that the resurfacing budget would not have covered the major flooding issue and that the resurfacing was done on safety grounds. He would be happy to go to the Member's division to discuss the matter further and put any further issues to the local committees.

It was asked that in what circumstances would Surrey County Council as the Highways authority be not best placed to undertake important highways maintenance and would there be sufficient funds to complete these works locally. The Cabinet Member responded that it was down to District and Borough Councils to decide their work projects, such as Woking's higher quality pedestrianised areas and noted that income from the licensing in these areas were kept within the local District and Borough Councils.

**Deputy Leader and Cabinet Member for Economy and Development and Infrastructure:** on the A320, that the infrastructure bid would be delivered by March 2023 and that the Council should be informed about the details of the spending. The Cabinet Member stated that he had only recently seen the terms and conditions of the bid and that once he and the relevant officers had gone through the document, he would discuss this with the Member where it concerned him locally.

Members also raised the issue of the Local Enterprise Partnerships (LEPs) and questioned how they operated. That many member briefings on these had been cancelled and it would be useful to be informed of the difference between the East and West LEPs. The Cabinet Member stated that each LEP had its own way of interpreting issues and delivery strategies, with the four boroughs in the east covered by Coast 2 Capital and seven boroughs in the west covered by Enterprise M3. More member briefings would be arranged and representatives

from these groups would be happy to discuss their local industrial strategies with Members.

It was asked whether the LEPs covered the whole of Surrey County as this was not the case previously. The Cabinet Member confirmed that that the LEPs do cover the whole of Surrey County with Coast 2 Capital covering the boroughs in the east and Enterprise M3 covering the boroughs in the west.

It was asked whether there would be an impact on the LEPs in Surrey County as they were served by two LEPs, as the Government has now limited to one LEP per county. The Cabinet Member stated that there was a recent boundary review done by the LEPs and that he would continue to respond to local government consultations on this matter.

**Cabinet Member for Environment and Waste:** on the statutory consultation response concerning Heathrow, whether it should go through Council, Cabinet or the Communities, Environment and Highways Select Committee rather than one Cabinet Member and Officers in private. The Cabinet Member stated that it was current practice to produce a reply in consultation with the relevant Officers. There had already been five member briefings on the expansion of Heathrow and there would be another one in July. The views raised in those briefings would form part of the Cabinet Member's consultation response.

**Deputy Cabinet Member for Property:** on the property project delivery of a site in Mole Valley and the likelihood of its approval. The Deputy Cabinet Member reported that the particular property was in the first tranche of properties in the Joint Venture and was expected to be processed by the end of this year.

## **50/18 STATEMENTS BY MEMBERS [Item 7]**

Mr Nick Darby made a statement in regards to secondary school admissions in the Dittons and for Surrey County Council to review the admissions criteria in Elmbridge.

## **51/18 ORIGINAL MOTIONS [Item 8]**

### **Item 8(i)**

Under Standing Order 12.3 the Council agreed to debate this motion.  
Under Standing Order 12.1 Mr Mike Goodman moved:

an amendment to the motion set out in the agenda for this meeting in his own name, as follows: (with additional words in bold/underlined and any deletions crossed through)

Following the Prime Minister's announcement that the UK will eradicate its net contribution to climate change by 2050.

This council notes:

- That as the first country in the G7 to legislate for long-term climate targets, the UK already leads the world in tackling climate change



- This is not only the right thing to tackle the climate emergency for future generations but a significant opportunity to increase our energy efficiency, improve our resilience and deliver a greener, healthier society.

This council welcomes:

- The target of net zero emissions being enshrined in law as soon as possible
- That in its report, the Committee on Climate Change forecast significant benefits to public health and savings to the NHS from better air quality and less noise pollution, as well as improved biodiversity
- That the UK is on track to become the first G7 country to legislate for net zero emissions, with other major economies expected to follow suit
- That for the first time, young people will have the chance to shape our future climate policy through the Youth Steering Group, set up by DCMS and led by the British Youth Council, who will advise Government on priorities for environmental action and give a view on progress to date against existing commitments on climate, waste and recycling, and biodiversity loss.

Therefore, this council resolves to:

1. commit to working closely with the Government, the Environment Agency, our Borough & District colleagues, local businesses, our residents and other partners in meeting this ambitious target.
2. deliver a strategy in 2019/20 **involving a task group** that clearly outlines how we plan to deliver the target **including actions that will be taken.**
3. write to the government asking them to confirm what support will be made available to local authorities to help achieve this goal.
4. **declares a ‘Climate Emergency’, and commits actions to support businesses and all local authorities in their work to tackle climate change by providing a strong unified voice for councils in lobbying for support to address this emergency, and sharing best practice across all councils.**

Members agreed to accept the amendment and therefore it became a substantive motion.

Mr Goodman made the following points:

- Stressed the importance of climate change and welcomed the County Council’s announcement of a “Climate Emergency”.
- Thanked all those involved in Surrey County Council for the actions taken to tackle climate change and that there must be a collaborative approach.
- That there was a need to develop and deliver an action targeted climate change strategy for Surrey by next spring. To ask the Environmental

Commission and the newly formed Select Committee Task Group, partners, District and Borough Councils to help deliver this.

- That individual action is critical for meaningful climate change, it was not just about the environment but about justice and the community.
- Surrey County Council listened to its resident's concerns for a clean and safe environment addressed through its 2030 Vision.
- That the legal obligations surrounding climate change were not fully addressed until 2008 by the United Kingdom through its Climate Change Act.
- Welcomed greater awareness of the issue over last ten years through Sir David Attenborough's Blue Planet documentary, Extinction Rebellion's cause and praised Greta Thunberg's campaign.
- Highlighted the importance of the report by the Committee on Climate Change this May on its document on "net zero" emissions by 2050 now enshrined in law in the United Kingdom.
- Climate change required the embracing of new technologies, multi-agency collaboration and action plans between the government and local authorities.
- That Aviation contributed to CO2 and non-CO2 warming effects. The United Nations' International Civil Aviation Organisation to develop an approach to mitigate this.
- That the United Kingdom must consider the upcoming report by the Committee on Climate Change on the impacts on the climate from the aviation sector and consider Heathrow expansion further.
- That Surrey County Council's use of renewable energy was low new targets needed to be set in line with the Leader's Environment Charter.
- The highest levels of CO2 and NO2 emissions in Surrey County Council were from transport.
- The Council needed to review its public transport provision, buses to be zero emissions in the future and more fast-charging points for electric cars would be required.
- That seven out of eleven districts and boroughs are at a very good green standard for energy efficiency for new builds, this would be improved through partnerships.
- That recycling rates in Surrey were among the highest in United Kingdom, but 2016 data showed that 121,000 tonnes of CO2 could have been saved from recycling going to landfill, service to report this annually.

The motion was formally seconded by Mr Will Forster, who made the following comments:

- Climate change was the biggest concern facing the United Kingdom and that there was an uncertainty around climate change policies with the change of Government.
- That this action should have happened sooner as earlier motions in the year were on climate change.
- Praised the work of the Cabinet Member for Environment and Waste for leading the way with the declared "Climate Emergency".
- That the Council needed a comprehensive plan for the climate crisis so that Surrey would be greener, cleaner and safer.

Eight Members made the following points:

- That expectations would be raised after agreeing this motion, there needed to be substantive and measurable policies on climate change not just rhetoric.
- That the role of public transport was critical including the need of a greater provision of electric buses.
- That climate change must be a matter of policy prioritisation even in times of economic distress.
- Collaboration on this amended motion led the way towards a zero carbon Surrey.
- There was a need for a new officer team of sustainability, renewable energy and green investment specialists to rethink public transport in Surrey.
- That more than £1 billion was needed for greener energy, the modern way of living was responsible for more than 40 times of the CO<sub>2</sub> that trees could absorb in Surrey.
- The Council must stop the support of Gatwick expansion through real estate investment and must halt Heathrow expansion taking over Spelthorne.
- That a new minerals strategy was needed which focussed on renewables.
- That the Council should divert £145 million of pension funds divested in drilling for oil, gas extraction and coal mining to green alternatives.
- The United Kingdom to be advanced of the global target of 2040-55 net zero CO<sub>2</sub> emissions and 71 Councils had signed up to a 2030 plan of action.
- That there needed to be collective action by all in Surrey not just County Councillors, encourage household energy efficiency and recycling.
- Highlighted the Plastic-Free Woking initiative helping shoppers to reduce plastic waste.
- Surrey County Council to lobby Government through the eleven Surrey Members of Parliament, not just write to them.
- District and Borough Councils' to address this issue in parallel with Surrey County Council.
- Concern over the impact of atmospheric pollution on children's learning and development, address use of vehicles outside schools.
- Questioned the motion's declaration of a "Climate Emergency" raised earlier this year, that there had been no significant change on the Council's legal standing to declare this emergency.

The Chairman asked Mr Goodman, as proposer of the original motion, to conclude the debate:

- The Government and new prime minister would not roll back on its net contribution to climate change as it was now law, the first G7 country to legislate this.
- That he had written to the government three times on the last motion on climate change, the Government legislated for the report on "net zero"

CO2 emissions by 2050 and this document was recommended to the Council.

- Agreed that it was a joint effort by all in Surrey.
- Highlighted the need to address climate change in schools such as the anti-idling campaign to reduce the level of harmful emissions.
- That Government commitment on this issue was essential, and he would put this concern to the Rt. Hon Michael Gove MP for Surrey Heath.

The substantive motion was put to a vote with 68 members voting for, 0 voting against and 1 abstention.

Therefore, it was **RESOLVED** that:

Following the Prime Minister's announcement that the UK will eradicate its net contribution to climate change by 2050.

This council notes:

- That as the first country in the G7 to legislate for long-term climate targets, the UK already leads the world in tackling climate change
- This is not only the right thing to tackle the climate emergency for future generations but a significant opportunity to increase our energy efficiency, improve our resilience and deliver a greener, healthier society.

This council welcomes:

- The target of net zero emissions being enshrined in law as soon as possible
- That in its report, the Committee on Climate Change forecast significant benefits to public health and savings to the NHS from better air quality and less noise pollution, as well as improved biodiversity
- That the UK is on track to become the first G7 country to legislate for net zero emissions, with other major economies expected to follow suit
- That for the first time, young people will have the chance to shape our future climate policy through the Youth Steering Group, set up by DCMS and led by the British Youth Council, who will advise Government on priorities for environmental action and give a view on progress to date against existing commitments on climate, waste and recycling, and biodiversity loss.

Therefore, this council resolves to:

1. commit to working closely with the Government, the Environment Agency, our Borough & District colleagues, local businesses, our residents and other partners in meeting this ambitious target.
2. deliver a strategy in 2019/20 involving a task group that clearly outlines how we plan to deliver the target including actions that will be taken.

3. write to the government asking them to confirm what support will be made available to local authorities to help achieve this goal.
4. declares a 'Climate Emergency', and commits actions to support businesses and all local authorities in their work to tackle climate change by providing a strong unified voice for councils in lobbying for support to address this emergency, and sharing best practice across all councils.

**Item 8(ii)**

Under Standing Order 12.3 the Council agreed to debate this motion.

Under Standing Order 12.1 Mr Eber Kington moved the motion, which was:

This Council notes:

- The importance of trees in slowing the pace of climate change by absorbing carbon dioxide and releasing oxygen into the air, as well as providing a habitat for wildlife
- The contribution trees make to the environment in our towns including shading and cooling, pollution and noise mitigation, as well speeding up floodwater drainage and improving the quality of our street scene.

This Council further notes:

- The Government's pledge in 2018 to plant 11 million new trees by 2050, including in towns and urban areas, and the appointment of a national Tree Champion with a remit to make this happen.

In support of the national campaign to increase the number of trees being planted, particularly in our towns, this Council therefore:

- I. Calls for a review of Surrey County Council's current policies on, and attitude towards, the planting of trees in urban areas with a view to introducing a more proactive policy, which looks to increase the number and regularity of trees planted;
- II. Calls for the new strategy to include providing opportunities to educate children in understanding the benefits of trees and to get involved in tree planting;
- III. Recommends closer partnership working with Borough and District Councils, and landowners seeking sites for new tree planting; and
- IV. Recommends that Surrey Highways take advantage of any outside funding to assist with costs, including any Borough and District schemes that enable residents and community groups to fund the planting and future maintenance of trees.

Mr Kington made the following points:

- That the climate had changed physically and attitudinally on the issue of tree-planting.
- There was a growing demand for the planting of more trees in country, the United Kingdom appointed the first Tree Champion Sir William Worsley in 2018 dedicated to planting 12 million new trees.
- That the Council and Surrey Highways had not recognised the change fast enough in line with the government and local environmental groups- no new trees were planted in Epsom and Ewell since 2004.
- That since 2017, residents in Epsom and Ewell could request an approved and appropriate tree to be planted by borough councils in a verge at the cost of £250 if Surrey Highways agreed the application.
- Noted that Surrey Highway's policy on the measurements required for tree planting on verges was not fit for purpose.
- That new trees were planted in urbanised areas and questioned why the replacement and maintenance of existing trees had not happened.
- That the motion led to a more proactive approach towards tree planting with local organisations and district and borough councils identifying suitable sites.
- Epsom and Ewell had £12,500 to plant new trees but over 140 sites identified for tree planting were rejected by Surrey Highways.
- That there was a disconnect between Surrey Highways and district and borough councils on tree-planting.
- This Council must work cross-party and utilise its partnerships to be committed to planting more trees to tackle climate change.
- Praised the work of the Cabinet Member for Environment and Waste and the Leader of the Council.

The motion was formally seconded by Mr Goodman, who made the following comments:

- That he hoped to make an imminent final announcement on the Council's commitment to the planting of more trees.
- That he was committed to Surrey's 2030 Vision, that residents live in a clean, safe and green community.
- That the Government announced that it wanted to plant more than 10 million trees and has put £60 million to fund this.
- That new trees must be planted in the right areas, to be safe and maintained.
- The Woodland Trust to plant several million trees and had given away thousands of new trees to schools and communities.
- Surrey County Council would work more closely with environmental partners, with schools and its local councils to plant more trees.
- That the Council supported Surrey Wildlife Trust's "Hedgerows Heroes" project.
- Reported that there were over 280 million trees in the United Kingdom and Surrey was the most wooded county which covered 22% of its land.
- That Surrey Heath was the most wooded council in England with 40.6% of its land wooded followed by 40.2% for Waverley.

- That trees reduced air pollution, helped against flooding, and created important habitats increasing biodiversity.
- That Surrey County Council will work with the Surrey Nature Partnership so that trees are just planted and forgotten, must be maintained.

Thirteen Members made the following points:

- That there appeared to be a greater destruction of current trees than the planting of new trees.
- Raised the possibility of having blanket Tree Preservation Orders (TPO's) in Surrey and regenerating ancient woodlands.
- That planning agreements should take tree re-planting into consideration and noted Hindhead Tunnel project's provision of 10,000 more trees than were removed.
- That all have a small part to play to tackle climate change.
- That within the Worplesdon Division there were five new rowan trees planted this year, to act as a barrier around parking rather than bollards.
- That tree wardens in Ashted were instrumental in planting new trees last year.
- That there was a dispute between district and borough councils and Surrey County Council over the equipment to deal with wires under verges and the difficulty in finding suitable sites for tree planting.
- That residents and councillors must be informed by Surrey County Council and Surrey Highways on proposed tree cuttings.
- Highlighted the work of the longstanding Spelthorne tree wardens on the maintenance of trees.
- That Surrey Highways and Spelthorne Borough Council had worked collaboratively on utilities checks and new tree planting.
- That new trees planted would be of a smaller, less root bound species than those planted in the 1930s.
- Recognised that many members have used their allocation to fund the planting of new trees.
- That Bookham and Fetcham West had proactive tree wardens and the Bookham tree wardens recently planted their 200<sup>th</sup> street tree.
- That there was a difficulty in Epsom and Ewell to get trees planted which would provide benefits to mental health.
- That trees were highly important for absorbing CO2 emissions and that Surrey County Council was correct in only cutting down diseased and damaged trees in Spelthorne, not due to simple uprooting.
- Commended the work of the Tree Advisory Board in Epsom which was funded through a Member's Allocation, but the supply of trees was an issue.
- Highlighted the Centennial Wood in Epsom and Ewell that has planted hundreds of trees whilst the golf course opposite chopped down hundreds of trees.
- Suggested to the planning department at Surrey County Council that where trees could not be planted due to uprooting pavements, they be planted in boundary of new developments so the trees overhang onto the pavement.
- That in Elmbridge there was a problem of the "two-buggy rule" which hindered having replacement trees.

- That a review be undertaken on Surrey County Council’s policy on cutting down street trees and leaving a stump.
- Highlighted the Highways Act 1980 Section 142 to the Cabinet Member for Highways on the need for a common policy towards granting licences for the planting of trees and shrubs on highways and the difficulty and costs for obtaining and upholding them.
- Pointed out a section from the Member/Officer Protocol, that officers can assist members further by avoiding a focus on “obstacles”.
- That Surrey Highways has reviewed the policy on tree planting by identifying suitable locations, funding and encouraging the use of member allocations, identified different material for pavements so uprooting does not affect the pavement.

The Chairman asked Mr Kington, as proposer of the original motion, to conclude the debate.

- He thanked the Cabinet Member for Environment and Waste for his commitment on the issue of climate change and tree planting.
- Agreed that suitable locations for new trees and the maintenance of existing trees was essential.
- That the County Council must respond to the call by residents and tree wardens locally for new trees.
- Ensure that policies on climate change have real solutions and political will behind them.
- Hoped that Surrey would become the “tree planting county of the country”.

The motion was put to a vote and received unanimous support.

Therefore, it was **RESOLVED** that:

This Council notes:

- The importance of trees in slowing the pace of climate change by absorbing carbon dioxide and releasing oxygen into the air, as well as providing a habitat for wildlife
- The contribution trees make to the environment in our towns including shading and cooling, pollution and noise mitigation, as well speeding up floodwater drainage and improving the quality of our street scene.

This Council further notes:

- The Government’s pledge in 2018 to plant 11 million new trees by 2050, including in towns and urban areas, and the appointment of a national Tree Champion with a remit to make this happen.

In support of the national campaign to increase the number of trees being planted, particularly in our towns, this Council therefore:

- I. Calls for a review of Surrey County Council’s current policies on, and attitude towards, the planting of trees in urban areas with a view to introducing a more proactive policy, which looks to increase the number and regularity of trees planted;



- II. Calls for the new strategy to include providing opportunities to educate children in understanding the benefits of trees and to get involved in tree planting;
- III. Recommends closer partnership working with Borough and District Councils, and landowners seeking sites for new tree planting; and
- IV. Recommends that Surrey Highways take advantage of any outside funding to assist with costs, including any Borough and District schemes that enable residents and community groups to fund the planting and future maintenance of trees.

### **Item 8(iii)**

Under Standing Order 12.3 the Council agreed to debate this motion.

Under Standing Order 12.1 Mr Jonathan Essex moved the motion, which was:

#### **Managing Verges for Wildlife**

Surrey County Council is responsible for managing highway verges and related highway owned land. This includes the cutting of verges and the use of weed killer. The way in which it manages this land has an impact on wildlife and amenity.

This Council notes that each of Surrey's eleven boroughs and district areas has a contract to cut verges on behalf of the County Council which results in many of Surrey's highway verges being cut typically at least twice each year (where speed limits are over 50mph) and more often in urban areas.

Surrey's highway verges being cut several times each year means verges are cut before many wildflower plants have had a chance to flower. Wildflowers need to be available for insects when in flower and to be left long enough to have seeded before being cut. Cutting regimes should be timed to allow wildflower verges to self-perpetuate and improve the wildlife value of verges. Many councils who have reduced cutting regimes have also found it saved money.

Furthermore, this Council notes that its contracts for management of its highway verges include the use of Glyphosate weed killer. Other councils, including Croydon and Lewes, have committed to be pesticide free, the latter successfully adopting weed killer-free alternatives after six months of trials.

Council therefore agrees to:

- I. Review and reduce the timing and frequency of highway verge cuts across the County to increase biodiversity and manage our verges as wildlife habitats, and work with partners to produce a pollinator action plan to guide verge cutting contracts;
- II. Communicate to residents the reasons for the change of management and the importance of road verges as wildlife habitats; and
- III. Commit to phase out use of Glyphosate on Surrey Council's own land over the next two years.

Mr Essex made the following points:

- That the timing of verge cutting by contractors with four cuts a year in urban areas and two cuts in rural areas prevents biodiversity and the growth of wildflowers.
- That the weed killer “Glyphosate” was carcinogenic to people and toxic to wildlife, other councils used a greener alternative called “Foamstream”.
- Stop using weed killer on stumps and dig them up and replace them with a new tree.
- Glyphosate affects honey bees and therefore the pollination of wildflowers.
- Two year phasing out of the weed killer was necessary and a pollination action plan to be considered when cutting verges.

The motion was formally seconded by Mr R. Evans, who reserved the right to speak.

Mr Furniss moved an amendment which was tabled at the meeting. This was formally seconded by Mrs Bramhall.

The amendment was as follows (with additional words in bold/underlined and deletions crossed through):

#### **Managing Verges for Wildlife**

Surrey County Council is responsible for managing highway verges and related highway owned land. This includes the cutting of verges and the use of weed killer. The way in which it manages this land has an impact on wildlife and amenity.

**~~This Council notes that each of Surrey’s eleven boroughs and district areas has a contract to cut verges on behalf of the County Council which results in many of Surrey’s highway verges being cut typically at least twice each year (where speed limits are over 50mph) and more often in urban areas.~~**

Surrey’s highway verges being cut several times each year means verges may be cut before many wildflower plants have had a chance to flower. Wildflowers need to be available for insects when in flower and to be left long enough to have seeded before being cut. Cutting regimes should be timed to allow wildflower verges to self-perpetuate and improve the wildlife value of verges. **~~Many councils who have reduced cutting regimes have also found it saved money.~~**

**This Council notes that 9 out of the 11 Districts and Boroughs manage highway verge cutting and since last year the minimum number of cuts suggested by the County Council has reduced from 7 in urban areas to 4.**

Furthermore, this Council notes that its contracts for management of its highway verges include the use of Glyphosate weed killer. **However, the County Council has a legal obligation to treat and contain some injurious weeds,**

**such as ragwort and Japanese knotweed, in the most effective manner.**

Other councils, including Croydon and Lewis, have committed to be pesticide free, the latter successfully adopting weed killer-free alternatives after six months of trials.

Council therefore agrees to:

- I. ~~Review and reduce the timing and frequency of highway verge cuts across the County to increase biodiversity and manage our verges as wildlife habitats, and work with partners to produce a pollinator action plan to guide verge cutting contracts;~~
- I. Work with the Districts and Boroughs to:
  - a. Produce a pollinator action plan for the next contract period,
  - b. To further review and reduce the frequency of highway verge cuts where it is both safe and desirable to do so,
  - c. To assist in the management of verges and timings of cuts to promote wildlife habitats.
- II. Communicate to residents **via our website and social media the reasons for the changes to the frequency of the cuts, explaining the benefits this can have on the wildlife habitat** of management and the importance of road verges as wildlife habitats; and
- III. Commit to phase out use of Glyphosate on Surrey Council's own land over the next two years.
- III. **To trial more environmentally friendly alternatives on the highway and review outcomes after one full cycle use, and then look to reduce the use of glyphosate based on the results of these trials if cost effective to do so.**

Mr Furniss spoke to his amendment, making the following points:

- That the amendment offered clarity and ensured the delivery of the policies proposed.
- That there must be continued working with partners in district and borough councils, who as contractors of the work choose the timing and frequency of verge cutting, sometimes taking on additional cost.
- That the amendment includes the trialling of more environmentally friendly alternative weed killers, to protect the bees.
- Ensured that communication with residents over the changes and understand the balance between residents who want the verges cut more frequently and those that want to let them grow.
- That changing the management and policies surrounding verge cutting would incur short-term costs.

The motion was formally seconded by Mrs Bramhall, who reserved the right to speak.

Mr Essex accepted the amendment and therefore it became the substantive motion.

Mr Evans, the seconder of the motion, made the following comments:

- That not all verges needed to be maintained with respect of point i. b. of the motion on cutting verges when it was both “safe and desirable” to do so.
- That verges could be left unmaintained such as the wildflower meadow in Olympic Park, which inspired the 8 mile long wildflower stretch by Rotherham town council on a central reservation, increasing biodiversity and reducing maintenance costs.
- Questioned the “cost effective” wording of environmentally friendly weed killers, that the environmental and human costs as well as the financial cost.

Seven Members made the following points:

- That residents may be against cutting curbs due to unattractive weeds outgrowing the wildflowers.
- That each borough should go for crowdfunding to plant indigenous wild flowers which would help bees and fruiting trees.
- Pointed out plans to increase the number of central reservations with wildflowers in Surrey Heath.
- That verge cutting can promote road safety and residents were in favour of tidy verges.
- That some tree stumps should be kept as they were important in the lifecycle of beetles.
- That it was a safety issue as on country roads cut verges allow walkers, horse riders and cyclists to avoid oncoming vehicles.
- Asked parish councils in Mole Valley to audit the verges, those that needed to be maintained and those that could accommodate wildflowers.
- That along the A22 in Whyteleafe there were significant verges and these were badly cut yesterday which affected the flora.
- That the Council should support Surrey Wildlife Trusts’ protection of unmaintained corridors to protect biodiversity.
- That Surrey is an equine county and that the example of “ragwort” in the amended motion is problematic as it was not comparable to more difficult treatment of Japanese Knotweed.
- Raised concern with the wording on the “trailing” of more environmentally friendly alternatives “if cost effective to do so”, if it is necessary it should happen regardless of the expense and it should be long-term.
- That there is a call from residents for the County Council to review its policies on grass and verge cutting so that it is flexible and appropriate
- Many residents cultivate their own verges some have wildflowers, but also some have brambles and nettles, policies must be desirable.
- That there is an urban and rural solution, but questioned the meaning of urban in terms of the frequency of verge cutting at four cuts year.
- That a parish had gone Glyphosate free for the last two years and that ragwort was pulled up and burnt.

- That one parish had requested a certain stretch of verges to be unmaintained helping pollinators and biodiversity in the food chain, encouraging pedestrians and horse riders more than vehicles.

The Chairman asked Mr Essex, as proposer of the original motion, to conclude the debate.

- Thanked the members for their positive comments on verge maintenance.
- Guidelines must be drawn up with a clear rural/urban distinction in relation to the frequency of verge cutting.
- That “ragwort” should be removed to avoid confusion on effectively dealing with more difficult invasive species such as Japanese Knotweed.
- That future policies would consider maintenance approaches by others such as parish and district councils.
- That the wording of “cost effective” should remain as this appreciated the cost and the effectiveness in relation to being wildlife friendly, which would retain the commitment set out in the original motion.

The substantive motion was put to a vote with 63 members voting for, 0 voting against and 4 abstentions.

Therefore, it was **RESOLVED** that:

### **Managing Verges for Wildlife**

Surrey County Council is responsible for managing highway verges and related highway owned land. This includes the cutting of verges and the use of weed killer. The way in which it manages this land has an impact on wildlife and amenity.

Surrey's highway verges being cut several times each year means verges may be cut before many wildflower plants have had a chance to flower. Wildflowers need to be available for insects when in flower and to be left long enough to have seeded before being cut. Cutting regimes should be timed to allow wildflower verges to self-perpetuate and improve the wildlife value of verges.

This Council notes that 9 out of the 11 Districts and Boroughs manage highway verge cutting and since last year the minimum number of cuts suggested by the County Council has reduced from 7 in urban areas to 4.

Furthermore, this Council notes that its contracts for management of its highway verges include the use of Glyphosate weed killer. However, the County Council has a legal obligation to treat and contain some injurious weeds, such as Japanese knotweed, in the most effective manner. Other councils, including Croydon and Lewes, have committed to be pesticide free, the latter successfully adopting weed killer-free alternatives after six months of trials.

Council therefore agrees to:

- I. Work with the Districts and Boroughs to:
  - a. Produce a pollinator action plan for the next contract period,
  - b. To further review and reduce the frequency of highway verge cuts where it is both safe and desirable to do so,
  - c. To assist in the management of verges and timings of cuts to promote wildlife habitats.
- II. Communicate to residents via our website and social media the reasons for the changes to the frequency of the cuts, explaining the benefits this can have on the wildlife habitat; and
- III. To trial more environmentally friendly alternatives on the highway and review outcomes after one full cycle use, and then look to reduce the use of glyphosate based on the results of these trials if cost effective to do so.

#### **52/18 REVISED MEMBER/OFFICER PROTOCOL [Item 9]**

The Leader of the Council introduced the report and stated that the revised Protocol was clearer and more appropriately focussed. It highlighted the collaborative working between Members and Officers and the boundaries in which they operate under.

Members made the following comments:

- That it was constructive, the wording was well-balanced and served as a clearer guide than the previous protocol.
- This revision was at the request of the People, Performance and Development Committee for a more effective protocol.
- Raised a concern that the non-demanding tone of the document highlighted subtleties. Training would be necessary to understand the Protocol fully, ensuring both Members and Officers felt confident when engaging with each other.

#### **RESOLVED:**

The County Council endorsed the revised Member/Officer Protocol for inclusion in the Constitution.

#### **53/18 ANNUAL REPORT OF THE SHAREHOLDER BOARD [Item 10]**

The Leader of the Council introduced the report and summarised the report, stated that the Council has assets worth £300 million and generates a £17 million annual income revenue. Since the report was published a new Contract was awarded to Surrey Choices and the Council had sold their interest on FutureGov to generate a sizeable return.

Members made the following comments:

- Commended the work of Surrey Choices at Hampton Court Palace Garden Festival.
- Referred Members to page 53 of the report on Surrey Choices and welcomed the modernisation of its services and praised the appointment of a new Assistant Director for Learning Disabilities to provide genuine employment opportunities.
- Asked about the Municipal Bonds Agency in which the Council has an investment of £450,000, if investors would still have a preferential interest rate and that now investors have to bear the risk of default.
- Referred Members to page 48 on Halsey Garton Property Ltd., that the dividends on the returns on the investment was approximately £4 million since 2016, the modest 1% return as modest should be looked at in Resources and Performance Select Committee.
- Referred members to page 7 of the report on Babcock 4S and asked whether the council looked at other providers and not just Strictly Education.

The Leader of the Council informed Members of the business plan of Surrey Choices to address the delivery of service. Council would review continued involvement in the Municipal Bonds Agency. That the interest arbitrage on Halsey Garton Property Ltd. must also be taken into account and there would be a review on investment by the Strategic Investment Board. There was a Cabinet Paper which addressed the services within Babcock 4S.

**RESOLVED:**

The County Council noted the Annual Report of the Shareholder Board.

**54/18 APPOINTMENT OF MONITORING OFFICER [Item 11]**

The Leader of the Council introduced the report.

**RESOLVED:**

The Council appointed Paul Evans as the Monitoring Officer for Surrey County Council from when he commences employment with Surrey County Council.

**55/18 COMMITTEE APPOINTMENTS [Item 12]**

The Leader of the Council stated the recommendations and thanked Mr Harris who had requested to step down from the role.

**RESOLVED:**

1. That Bill Chapman is duly elected as the Chairman of the Adults and Health Select Committees for 2019/20.
2. That Bill Chapman is duly elected as Surrey County Council's representative on the South West London and Surrey Joint Health Scrutiny Committee and sub-committee.

**56/18 REPORT OF THE CABINET [Item 13]**

The Leader presented the report of the Cabinet meeting held on 28 May 2019 and 25 June 2019.

**Reports for Information/ Discussion**

- a. 2018/19 Financial Outturn Report
- b. Moving Closer to Residents
- c. Quarterly Report on Decisions Taken Under Special Urgency Arrangements: 8 May – 28 June 2019.

**RESOLVED:**

That the report of the meeting of the Cabinet held on 28 May 2019 and 25 June 2019 be adopted.

**57/18 MINUTES OF CABINET MEETINGS [Item 14]**

No notification had been received by the deadline from Members wishing to raise a question or make a statement on any matters in the minutes.

[Meeting ended at: 12.45 pm]

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**Chairman**



## County Council speech – July 2019

Mr Chairman and Members, I have said before in this chamber that there can be no greater priority for any of us than turning around our Children's Services.

I spoke in March about the "green shoots of recovery" following an Ofsted Monitoring visit, and I was tremendously encouraged by the follow up visit last month, which focussed on the Single Point of Access, the Early Help Hub and the Contact Centre team.

The feedback we have received is a testament to the rapid progress the team has made in over the past year and while there is more to do, continuing to improve our Children's Services will remain our highest priority. I am sure we would all want to congratulate our excellent staff in getting us to this point.

Mr Chairman, as you will all be aware, there will be a paper going to next week's Cabinet meeting that trails the second part of our libraries consultation, which kicks off in September and builds upon the initial consultation we did with our residents last Autumn.

Since then extensive officer level conversations have taken place across each of our districts and boroughs, and will continue to do so ahead of the launch.

The way libraries are used has changed dramatically since they were built in the 1950s, and the key aspect of the consultation is how we can modernise the service and provide opportunities for everyone to learn, access information, acquire new skills, and be involved in their communities.

Mr Chairman, one of the commitments in our Surrey 2030 vision is for journeys across the county to be easier and safer.

In support of this we have undertaken an important piece of work, which has seen Surrey's partners and residents work together to discuss our shared ambitions around reducing congestion, improving air quality and promoting independence.

The Rethinking Transport project is now coming to the end of its discovery phase but through these conversations, representatives of a number of partners, including businesses, health organisations and transport providers have shared their views on how Surrey's future transport system can contribute to achieving our 2030 ambitions and health and wellbeing priorities.

A number of innovative solutions have been suggested as part of this first phase:

- Reducing the need to travel through smarter working;
- Embracing emerging technology;
- And encouraging sustainable and active modes of transport.

The next phase will explore how these potential solutions might work in practice and highlights many of the key themes that are important to tackling climate change, which I know is something our residents care deeply about.

On the environment more broadly, I am pleased that colleagues across the chamber have embraced my suggestion of an environment charter.

The select committee has set up a cross-party task group and is planning an ambitious programme of work involving experts from academia and industry as well as key local communities and partners.

This will help us to understand the scale of the issues facing Surrey. We must take action to identify the threats to our natural environment and identify ways we can have the biggest impact to ensure Surrey remains a great place to live, work and enjoy. Indeed we will shortly be passing a motion put by Mike Goodman the Cabinet Member for the Environment declaring a climate emergency. Perhaps just as importantly, the charter will contain positive and practical steps that this Council will take to help avert the seriousness of the situation our society faces.

It requires all of us to think about our actions and behaviours as leaders of this organisation, as community representatives and also as residents going about our daily lives. That's why we'll be working with a number of partners, including the University of Surrey, and I look forward to receiving the select committee's draft call for action later in the year and a debate at Council on how we take this forward.

Alongside the select committee's work, we are developing our commissioning approach to encourage communities to come forward with ideas on how to tackle the issues we face at a local level – be that air quality, waste reduction or congestion. We know a lot of fantastic initiatives are already thriving in our communities and we would like to celebrate and encourage these initiatives.

Working with businesses to try to secure sponsorship, we want to engage local groups to showcase what we can do by working together and acting differently. We will be launching this towards the end of the month and I hope all members will actively support this initiative – wouldn't it be terrific if each of us put forward an idea to pilot in our own community? This is an issue for the whole county and beyond that cuts across many areas including transport and health.

And indirectly linked to that is the launch of Surrey's Health and Wellbeing strategy.

This has been made possible thanks to unprecedented levels of collaboration with the NHS, district and boroughs, the voluntary and community sector and the police, focused on delivering better health and wellbeing outcomes for people in Surrey.

The strategy has three key priorities:

- Helping people in Surrey to lead healthy lives
- Supporting the mental health and emotional wellbeing of people in Surrey, and
- Supporting people in Surrey to fulfil their potential

Mr Chairman, life expectancy is broadly based as much on actions taken by local government as it is on lifestyle decisions taken by an individual and medical interventions combined. And through this Strategy, we're signalling an important shift to a more preventative approach, addressing root causes of poor health and wellbeing – including things like poor housing and the environment – and not simply focusing on treating the symptoms.

The draft implementation plan will be finished over the coming months, and I very much look forward to signing this off at the Health and Wellbeing Board later this year.

Mr Chairman, there will be no let-up in the pace of activity over the second half of the year:

- This Summer the seventh annual Prudential RideLondon will be whizzing through our streets. Dozens of projects in Surrey have benefited from grants totalling nearly £4m since it begun, whilst the riders themselves have raised a staggering £66m for charity. As many of you are aware I will be taking part in this year's ride in aid of Shooting Star Children's Hospice and the Brain Tumour Charity – both fantastic causes. I will be doing all I can to raise the profile of the amazing work they do.
- We will continue the work to identify a new civic heart for the county council that will mean we are closer to our residents.

- The creation of Local Partnership Boards will gather pace, which I hope will be a key forum for engagement with communities around local issues, and I look forward to the boards being piloted by Reigate & Banstead and Runnymede Borough Councils.
- Equally we take our responsibilities in safeguarding our communities from the impacts of flooding very seriously, and I will be looking to make progress in closing the funding gap on the Surrey Flood Alleviation Scheme,
- Finally Mr Chairman I will also be announcing in the autumn a series of pledges which will be our promises to the residents of Surrey over the coming months and years and will support our commitment to be a leading County authority.

Can I wish all members a peaceful Summer break and suggest you use the opportunity to recharge your batteries in readiness for a very busy September.

Thank you.



## OFFICER REPORT TO COUNCIL

### APPOINTMENT OF AN INDEPENDENT REMUNERATION PANEL

#### **KEY ISSUE/DECISION:**

1. To ratify the appointment of members of the Council's Independent Remuneration Panel (IRP), and to agree its Terms of Reference and payment arrangements.

#### **BACKGROUND:**

2. The arrangements for setting a Scheme of Allowances and appointing an IRP are set out in The Local Authorities (Members' Allowances) (England) Regulations 2003. These Regulations state that local authorities must establish and maintain an IRP with the purpose of making recommendations to the authority about allowances paid to members.
3. At its meeting in July 2016 the County Council agreed that the IRP should consist of three members and that the Appointments Panel should comprise the Chairman or Vice-Chairman of the Council (in the role of recruitment panel Chairman), the Conservative Group Leader, the Residents' Association and Independent Group Leader and the Surrey Opposition Forum Group Leader.
  - (a) The previous three members of the IRP were selected for a three year term.
  - (b) In December 2018, one of the panel members resigned requiring a recruitment process to bring the panel back up to its quorum of three members. The recruitment process followed the County Council approved format and entailed:
    - Advert published on 10 June 2019 (posted on the SCC website, Jobs Go Public, Reed, Indeed, LG Jobs, The Guardian and LinkedIn) – the closing date for applications was 27 August.
    - Shortlisting (led by the Monitoring Officer) took place on 2 September.
    - Interviews were held on 11 September, with the Monitoring Officer in attendance.
  - (c) The leader of the Surrey Opposition Forum experienced an urgent private matter on the day of the interviews and in agreement with the Chairman of the Council and the Monitoring Officer, provided their

consent for the recruitment panel to continue with the interviews and support the outcome.

- (d) The remaining two panel members have agreed to continue serving on the IRP subject to County Council approval. All panel members have been offered the equal term of three years.

#### **RECOMMENDATIONS FOR APPOINTMENT:**

4. The recruitment panel's recommendations for appointment are:
- (a) Bryan Ingleby (Chairman): Former National Audit Office and co-opted member of a housing trust audit committee.
  - (b) Paul Eaves: Former HMRC and SME business owner.
  - (c) (Newly recruited) Steve Banks: Former Metropolitan Police Service and school governor.
5. **IRP Remuneration.** At its meeting in June 2016, the County Council agreed the current payment of £1500 for the Chairman and £1000 per panel member (plus travel expenses), per review. It is recommended that this is maintained with the aim of convening one review per year (any further by exception only).

#### **TERMS OF REFERENCE FOR THE IRP**

6. The IRP's work will be guided by its Terms of Reference. The draft IRP Terms of Reference are set out in the **Annex** to this report, and the Council is asked to review and approve these with any amendments as necessary.

#### **NEXT STEPS**

7. If the recommendations are approved, the IRP's review will commence in November 2019. Members will be consulted and updated on proposals prior to formal submission of the report and recommendations to the Council in February 2020.

#### **RECOMMENDATIONS:**

8. That the Council ratifies the appointments of the Independent Remuneration Panel members for a three year term.
9. That the Council ratifies the remuneration of the Independent Remuneration Panel members.



10. That the Council reviews and approves the Terms of Reference of the Independent Remuneration Panel set out in the Annex.
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**Lead/Contact Officers:**

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**Sources/background papers:**

[The Local Authorities \(Members' Allowances\) \(England\) Regulations 2003](#)

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## INDEPENDENT REMUNERATION PANEL

### TERMS OF REFERENCE

1. The establishment, composition and duties of the Independent Remuneration Panel (IRP) are required to comply with the Local Authorities (Members' Allowances) (England) Regulations 2003.
2. The IRP is to review the County Council's Members' Allowances Scheme, taking into account the roles and responsibilities of Members (both in the Council and in serving their communities) set out in the County Council's agreed role profiles. The Panel will also have regard to:
  - (a) comparative data on the allowances paid by other similar local authorities; and
  - (b) the need for the composition of the Council to better reflect the population of Surrey.
  - (c) the recommendations of the Chief Executive when developing the scope of its review programme.
3. To make recommendations to the Council on:
  - (a) the amount of Basic Allowance which should be paid to all Members;
  - (b) the responsibilities or duties for which Members should receive Special Responsibility Allowances and the amount of such allowances;
  - (c) the amount of the Childcare and Dependants' Carers' Allowances;
  - (d) Travelling and Subsistence Allowances;
  - (e) Co-optees' Allowances;
  - (f) whether payment of allowances should be backdated to the beginning of the financial year;
  - (g) whether any allowances should be withheld if a Member is wholly or partially suspended;
  - (h) whether adjustments to the level of allowances should be determined according to an index, and if so, which index and how long that index should apply.
4. The Panel will be administratively supported by Democratic Services and will have access to any Member, officer or information that it considers necessary to fulfil its duties.

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## OFFICER REPORT TO COUNCIL

### AMENDMENTS TO THE CONSTITUTION

#### **KEY ISSUE/DECISION:**

It is the Council's responsibility to approve changes to the Scheme of Delegation regarding non-executive functions, while amendments to executive functions are delegated to the Leader and are brought to County Council to note.

The Leader has agreed changes to the Officer Scheme of Delegation at his decision making meeting on 3 September 2019 in the following areas:

- Children, Families, Lifelong Learning and Culture;
- Highways and Transportation;
- Finance;
- IT & Digital;
- Legal Services;
- Property

In accordance with Articles 5.02 and 6.05(d)(ii) of the Council's Constitution, the changes made by the Leader are being reported to Council.

This report also seeks Council's approval for the Council's financial 'key decision' threshold to be increased.

These changes are brought to Council in accordance with Articles 4.09 and 5.02 of the Council's Constitution.

#### **BACKGROUND:**

1. Changes to any non-executive functions require approval by Council. Proposed changes are detailed in paragraphs 2-5 below. In addition, the Leader is responsible for maintaining a list in Part 3 of the Constitution setting out who will exercise executive functions. Any changes to this list are required to be reported to the next appropriate meeting of the County Council. Such changes, which have already been agreed by the Leader, are set out in paragraphs 6-13 of this report.

## **FUNCTIONS FOR DECISION BY COUNCIL:**

### **Increase the Council's financial 'key decision' threshold**

2. All local authorities must operate a system of taking "key decisions". For the Council, a key decision means an executive decision which is likely either –
  - a. to result in the Council incurring expenditure, or making of savings, with a value of £0.5m or over, and which are significant having regard to the budget for the service or function to which the decision relates; or
  - b. to be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the county.
3. The financial threshold is subject to discretion by each individual authority taking into account its own circumstances. Most county authorities have adopted either £500,000 or £1,000,000. Key decisions must be publically advertised and time periods before decisions can be taken adhered to.
4. As part of the Council's transformation programme, it is moving towards a more agile decision making process in a number of areas. Decisions are increasing required at pace and given the size of the Council it is reasonable to increase the financial threshold for key decisions to £1,000,000, in line with similar county authorities.
5. In addition, officers are subject to a limitation preventing them taking 'key decisions' in Paragraph 7.1 of Part 3, Section 3, Part 1 of the Council's constitution. The emerging governance model, including for the capital programme as set out below, allows officers to take decisions up to the £1,000,000 threshold. Therefore, the key decision threshold will need to be increased to allow for these changes.

## **FUNCTIONS FOR REPORT TO COUNCIL**

At the Leader's decision making meeting on 3 September 2019, the following changes to the Scheme of Delegation were approved.

### **Legal Services Scheme of Delegation – changes to the Scheme of Delegation approved by the Leader**

7. Following the decision to take Legal Services out of Orbis Public Law, a review of the scheme was requested to ensure it meets the Council's needs. The revised scheme as set out in Annex 1 is the result of this exercise.

### **Home to School Transport Policies – delegation to Cabinet Member for All-Age Learning – changes to the Scheme of Delegation approved by the Leader**

8. At its meeting on 28 November 2017 the Cabinet approved a new travel assistance policy for children and young people with an education, health and care plan or statement of special educational needs, 0-25 years, and in doing so also approved a delegation allowing the Cabinet Member with responsibility for the education portfolio to approve any future changes to this policy. The amended delegation is included in Annex 4.
9. As a result the following delegation was added to the Scheme of Delegation – Responsibility for Function, Section 2 – Responsibility for executive functions exercised by Cabinet Members, as listed by the Leader (outlined in Article 5.02 of the Constitution):

*‘To agree changes to the Travel Assistance Policy for Children and Young People with an Education Health and Care Plan (EHCP) or a Statement of Special Education Needs (SSEN): 0-25 years’*

10. Since this delegation was approved it has become clear that this policy should not be looked at in isolation and as a result a further delegation is requested to allow the Cabinet Member for All-Age Learning to approve changes to all School Transport Policies.

### **Delegation for Shareholder and Investments Panel – changes to the Scheme of Delegation approved by the Leader**

11. At the Leader decision meeting of 7 May 2019, a new delegation was put in place to the Director of Corporate Finance to chair and be the decision maker on the Shareholder and Investments Panel. To avoid any situation where decisions cannot be taken due to their absence, this delegation is proposed to be expanded to include the Executive Director of Resources as well. The amended delegation is included in Annex 2.
12. Minor clarifications to the delegated matters have also been made to ensure LLPs and properties within the Council’s directly-owned investment portfolio are also overseen by the Panel.

### **Capital Programme – changes to the Scheme of Delegation approved by the Leader**

13. Following the approval of the Asset and Place Strategy 2019-2030, the capital programme processes have been reviewed. Cabinet will have annual oversight of the capital programme through the MTFP and additionally for any new capital schemes in excess of £1,000,000 or variations to approved schemes in excess of £500,000. All other decisions concerning the capital programme are proposed for delegation to officers in line with the new delegations set out in Annex 3.

<b>RECOMMENDATIONS:</b>
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It is recommended:

- a) that the County Council agrees to increase the Council's financial 'key decision' threshold to £1,000,000;
  - b) that the amendments agreed by the Leader to the Scheme of Delegation be noted.
  - c) That the Director of Law and Governance be authorised to make the necessary changes to the Council's Scheme of Delegation and the Constitution be updated accordingly.
- 

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**Sources/background papers:**

The Council's Constitution

Leader's decision making meeting papers 3 September 2019



## Annex 1 – Legal Services Scheme of Delegation

No	SERVICE AREA	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
LDS1	Legal and Democratic Services	To update the Constitution, and in particular the Scheme of Delegation, following structural reorganisation of the Council where the only change is to the title of the post holder receiving the delegation, provided there is no reduction in the management level to which the delegation is made.	Monitoring Officer Deputy Monitoring Officers
LDS2	Legal and Democratic Services	To be the custodian of the common seal of the Council and to determine the nature and type of documents to be sealed.	Director of Law & Governance
LDS3	Legal and Democratic Services	Where no objection has been received, to determine applications to register land as a Town or Village Green under the Commons (Registration of Town or Village Greens) (Interim Arrangements) (England) Regulations 2007.	Director of Law & Governance
LDS4	Legal and Democratic Services	After consultation with the Chairman of the Communities, Environment and Highways Select Committee, to determine an application under Section 19 and Paragraphs 6 to 9 of Schedule 2 of the Commons Act 2006, if no significant objection has been received and the authority has no legal interest in the land.	Director of Law & Governance
LDS5	Legal and Democratic Services	To authorise the sealing or signing of any documents necessary to give effect to a statutory obligation on the Council.	Director of Law & Governance Senior Principal Lawyers
LDS6	Legal and Democratic Services	To authorise officers to appear in any legal proceedings on behalf of the Council before a magistrates' court in accordance with Section 223 of the Local Government Act 1972.	Director of Law & Governance Senior Principal Lawyers Principal Lawyers
LDS7	Legal and Democratic Services	To witness the affixing of the common seal of the Council on any documents or deeds necessary to give effect to a	Director of Law & Governance Senior Principal Lawyers Principal Lawyers

## Annex 1 – Legal Services Scheme of Delegation

		decision of the Cabinet, a Cabinet Member, the Council (or any part of it) or an officer acting under delegated powers.	
LDS8	Legal and Democratic Services	To act as authorised signatories for the Council and sign any document necessary to give effect to a decision of the Cabinet, a Cabinet Member, the Council (or any part of it) or an officer acting under delegated powers (unless any enactment otherwise requires or authorises).	Director of Law & Governance Senior Principal Lawyers Principal Lawyers Senior Lawyers
LDS9	Legal and Democratic Services	To institute or defend or appear in any legal proceedings on behalf of the Council before any Court, Tribunal or Inquiry and to take any action in connection with such proceedings, including authority to settle proceedings.	Director of Law & Governance Senior Principal Lawyers Principal Lawyers Senior Lawyers
LDS10	Legal and Democratic Services	To sign any document necessary for any legal procedure or proceedings on behalf of the Council (unless any enactment otherwise requires or authorises).	Director of Law & Governance Senior Principal Lawyers Principal Lawyers Senior Lawyers

**Annex 2 – Delegation for Shareholders and Investments Panel**

No	SERVICE AREA	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
ORB58	Finance	<p>In consultation with representative officers from Legal Services and Property Services, to exercise the decision making of the Shareholder and Investment Panel on the following matters:</p> <ul style="list-style-type: none"> <li>• appoint and remove council-nominated directors of companies or representatives of the council in any LLP</li> <li>• authorise resolutions and exercise any reserved powers in the articles of association or members' agreement of a company or LLP in which the council holds an interest, unless a decision of the Strategic Investment Board is required</li> <li>• approve, monitor and endorse amendments to the business plans and annual accounts of any company or LLP in which the council holds an interest</li> <li>• in consultation with the directors of a company or LLP in which the council holds an interest, determine the distribution of any surplus or the issue of any dividends from the company</li> <li>• review the risks associated with trading activities or investments and recommend actions to the Strategic Investment Board as appropriate</li> <li>• approve capital or revenue investments or asset management expenditure up to £1,000,000 for properties managed within the council's investment portfolio and by any company or LLP in which the council holds an interest</li> <li>• approve all asset management activities including rent reviews, new lettings or lease re-gears for properties managed within the council's investment portfolio</li> <li>• approve the provision of additional financing by way of loan, equity or a mixture of the two, up to a value of</li> </ul>	<p>Executive Director of Resources Director of Corporate Finance</p>

**Annex 2 – Delegation for Shareholders and Investments Panel**

		£1,000,000, to any company or LLP in which the council holds an interest	
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### Annex 3 – Delegations for Capital Programme

No	SERVICE AREA	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
ORB59	Finance	<p>In consultation with representative officers from Property Services, IT&amp;D or Highways Services, dependent upon the project type, to exercise the decision making of the Capital Programme Panel on the following matters:</p> <ul style="list-style-type: none"> <li>• To give managerial control approval for any capital scheme over £1,000,000 in total value already approved by Cabinet in the MTFP, but still subject to final business case approval</li> <li>• To approve budgets between £250,000 and £1,000,000 for new capital schemes not specifically approved by Cabinet but which fall within the approved capital programme budget (e.g. schemes within a programme budget)</li> <li>• In consultation with the Leader and Lead Cabinet Member, to approve budgets of up to £1,000,000 for new schemes from the unallocated capital programme budget</li> <li>• To agree variations in the agreed budgets for capital schemes (no matter how originally approved) of up to 10% of total budget, to a maximum of between £250,000 and £500,000</li> </ul>	<p>Executive Director of Resources</p> <p>Director of Corporate Finance</p> <p>Director of Finance Insights</p>
EAI125	Highways and Transportation	<p>To exercise the decision making of the Infrastructure Board on the following matters:</p> <ul style="list-style-type: none"> <li>• To give managerial control approval for any infrastructure capital scheme up to £1,000,000 in total value already approved by Cabinet in the MTFP, but still subject to final business case approval</li> </ul>	<p>Head of Highways &amp; Transport</p> <p>Strategic Finance Business Partner - CTE</p>

### Annex 3 – Delegations for Capital Programme

		<ul style="list-style-type: none"> <li>To approve budgets up to £250,000 for new infrastructure capital schemes not specifically approved by Cabinet but which fall within the approved capital programme budget (e.g. schemes within a programme budget)</li> <li>To agree variations in the agreed budgets for infrastructure capital schemes (no matter how originally approved) of up to 10% of total budget, to a maximum of £250,000</li> </ul>	
ORB60	IT&D	<p>To exercise the decision making of the IT Board on the following matters:</p> <ul style="list-style-type: none"> <li>To give managerial control approval for any IT capital scheme up to £1,000,000 in total value already approved by Cabinet in the MTFP, but still subject to final business case approval</li> <li>To approve budgets up to £250,000 for new technology capital schemes not specifically approved by Cabinet but which fall within the approved capital programme budget (e.g. schemes within a programme budget)</li> <li>To agree variations in the agreed budgets for technology capital schemes (no matter how originally approved) of up to 10% of total budget, to a maximum of £250,000</li> </ul>	<p>Head of Enterprise &amp; Technology</p> <p>Strategic Finance Business Partner - Improvement &amp; TPP/Resources</p>
ORB61	Property	<p>To exercise the decision making of the Property Board on the following matters:</p> <ul style="list-style-type: none"> <li>To give managerial control approval for any property capital scheme up to £1,000,000 in total value already approved by Cabinet in the MTFP, but still subject to final business case approval</li> </ul>	<p>Lead Asset Strategy Manager</p> <p>Strategic Finance Business Partner - Improvement &amp; TPP/Resources</p>

### Annex 3 – Delegations for Capital Programme

		<ul style="list-style-type: none"> <li>To approve budgets up to £250,000 for new property capital schemes not specifically approved by Cabinet but which fall within the approved capital programme budget (e.g. schemes within a programme budget)</li> <li>To agree variations in the agreed budgets for property capital schemes (no matter how originally approved) of up to 10% of total budget, to a maximum of £250,000</li> </ul>	
ORB62	Property	To authorise the sale of land and/or buildings for a consideration of £500,000 to £1,000,000 in any one case, including setting a reserve figure for auction sales	Executive Director of Resources Director Strategic Land & Assets
ORB63	Property	To authorise the sale of land and/or buildings for a consideration of up to £500,000 in any one case, including setting a reserve figure for auction sales	Director Strategic Land & Assets Lead Asset Strategy Manager Investment and Disposal Manager

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**Annex 4 – CFLC Scheme of Delegation**

**CHILDREN, FAMILIES AND LEARNING**

<b>No</b>	<b>SERVICE AREA</b>	<b>FUNCTIONS DELEGATED</b>	<b>TITLE OF POSTHOLDER</b>
CFL1	Education, Lifelong Learning and Culture	To ensure the delivery of Cultural Services in accordance with the duties imposed upon the authority by legislation	Assistant Director of Lifelong Learning and Culture
CFL2	Education, Lifelong Learning and Culture	To meet the requirements of the Public Libraries and Museums Act 1964, e.g. display of sensitive material, use of mobile libraries	Assistant Director of Lifelong Learning and Culture
CFL3	Education, Lifelong Learning and Culture	To supply information required to the Department of Culture, Media & Sport	Assistant Director of Lifelong Learning and Culture
CFL4	Education, Lifelong Learning and Culture	To exercise the powers under the Library Bylaws and Regulations, e.g. temporary closure of libraries in extenuating circumstances, exclusion of library users, setting of loan periods and fees and discounts where applicable	Assistant Director of Lifelong Learning and Culture
CFL5	Education, Lifelong Learning and Culture	In consultation with the Chairman of the Local Committee or, in relation to Surrey Performing Arts Library, the relevant Portfolio Holder, to approve changes amounting to no more than 15% of a library's total hours of opening (whether managed directly by Surrey County Council or under a community partnership agreement)	Assistant Director of Lifelong Learning and Culture
CFL6	Education, Lifelong Learning and Culture	Within their area of responsibility to make grants to local groups within budget	Assistant Director of Lifelong Learning and Culture
CFL7	Education, Lifelong Learning and Culture	Performing Arts Library: To deliver the service under the terms of the Service Level Agreement	Assistant Director of Lifelong Learning and Culture
CFL8	Education, Lifelong Learning and Culture	To provide the service to the Surrey Museums Consultative Committee in accordance with its terms of reference.	Assistant Director of Lifelong Learning and Culture
CFL9	Education, Lifelong Learning and Culture	To safeguard and to make available records under the Public Records Acts 1958 as amended, the Parochial Registers and Records Measure 1978 and the Manorial Documents Rules (Law of Property	Assistant Director of Lifelong Learning and Culture

## Annex 4 – CFLC Scheme of Delegation

No	SERVICE AREA	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
		Amendment Act 1925), the Local Government Act 1972, Section 224 and the Local Government (Records) Act 1962.	
CFL10	Education, Lifelong Learning and Culture	To access sensitive or confidential material in accordance with Department of Health guidelines, Coroners' Rules and the Data Protection Acts of 1984 and 1998 and the Freedom of Information Act (as subsequently amended).	Assistant Director of Lifelong Learning and Culture
CFL11	Education, Lifelong Learning and Culture	To permit the use of material in accordance with the Copyright Acts	Assistant Director of Lifelong Learning and Culture
CFL12	Education, Lifelong Learning and Culture	To enter into agreements with developers and others to ensure that archaeological work in connection with proposed or consented development is carried out.	Assistant Director of Lifelong Learning and Culture
CFL13	Education, Lifelong Learning and Culture	To establish procedures relating to heritage assets to be owned or loaned to SCC.	Assistant Director of Lifelong Learning and Culture
CFL14	Education, Lifelong Learning and Culture	To promote Heritage based learning and manage learning events and activities.	Assistant Director of Lifelong Learning and Culture
CFL15	Education, Lifelong Learning and Culture	To apply for funding and enter into agreements with external funders to enable heritage activities to be carried out, in consultation with the Director of Finance.	Assistant Director of Lifelong Learning and Culture
CFL16	Education, Lifelong Learning and Culture	To enter into agreements with partners to enable and ensure that heritage activities are carried out.	Assistant Director of Lifelong Learning and Culture
CFL17	Education, Lifelong Learning and Culture	To manage a Heritage Environment Record for Surrey.	Assistant Director of Lifelong Learning and Culture

#### Annex 4 – CFLC Scheme of Delegation

No	SERVICE AREA	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL18	Education, Lifelong Learning and Culture	To meet the requirements of the Learning & Skills Act 2000 to secure learning for adults, ensuring that the needs of adults with learning difficulties are considered.	Assistant Director of Lifelong Learning and Culture
CFL19	Education, Lifelong Learning and Culture	To produce an annual Adult Learning Plan and submit this to the Learning & Skills Council (LSC).	Assistant Director of Lifelong Learning and Culture
CFL20	Education, Lifelong Learning and Culture	To report to the LSC information required, in particular regarding Individual Learner Records.	Assistant Director of Lifelong Learning and Culture
CFL21	Education, Lifelong Learning and Culture	In connection with section 106 Town and Country Planning Act 1990, to approve the nature and value of contributions to be made by developers in relation to libraries provision after consultation with the Head of Property where these include possible property transactions	Assistant Director of Lifelong Learning and Culture

## Annex 4 – CFLC Scheme of Delegation

### CHILDREN, FAMILIES AND LEARNING

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL22	Education, Lifelong Learning and Culture	To ensure that service delivery in respect of schools and learning complies with the duties imposed on the Authority by legislation.	Assistant Director for Education
CFL23	Education, Lifelong Learning and Culture	To make, in consultation with the Cabinet Member, local education authority appointments to governing bodies of schools, further and higher education establishments and independent schools.	Assistant Director for Education
CFL24	Education, Lifelong Learning and Culture	To approve applications for free Home to School mainstream transport following initial refusal by the Service Manager for Admissions and Transport, where there are exceptional circumstances or where new evidence is produced.	Assistant Director for Education
CFL25	Education, Lifelong Learning and Culture	To authorise school loans of less than £500,000 and to licence school deficits of up to 5% of a school's budget and less than £500,000.  Note: deficits of more than 5% are referred to Cabinet/Cabinet Member for approval	Director of Education, Lifelong Learning and Culture
CFL26	Education, Lifelong Learning and Culture	In consultation with the Director of Finance, to serve a notice of concern under paragraph 2.16 of the Surrey Scheme for Financing Schools where a school has not complied with the provisions of the Scheme.	Director of Education, Lifelong Learning and Culture

#### Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL27	Education, Lifelong Learning and Culture	To serve a warning notice on a school under s15 of the School Standards and Framework Act 1998 that the Council may exercise its powers of intervention under the Act.	Director of Education, Lifelong Learning and Culture
CFL28	Education, Lifelong Learning and Culture	To fix the admission numbers for community and voluntary controlled schools.	Assistant Director for Education
CFL29	Education, Lifelong Learning and Culture	To ensure that school premises conform to the standards prescribed.	Assistant Director for Education
CFL30	Education, Lifelong Learning and Culture	To review and report to the Secretary of State annually on the supply of places.	Assistant Director for Education
CFL31	Education, Lifelong Learning and Culture	To ensure compliance with class size of 30 legislation.	Assistant Director for Education
CFL32	Education, Lifelong Learning and Culture	To publish information as to schools' admission arrangements.	Assistant Director for Education
CFL33	Education, Lifelong Learning and Culture	To enable parents to express a preference as to the school their child is to attend in accordance with any scheme for coordinating the arrangements for admissions with those of other admission authorities.	Assistant Director for Education

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL34	Education, Lifelong Learning and Culture	To comply with any preference expressed in accordance with the Authority's arrangements, and any scheme for coordinating these arrangements with those of other admission authorities unless compliance with the preference would prejudice the provision of efficient education use of resource.	Assistant Director for Education
CFL35	Education, Lifelong Learning and Culture	To consult, at least once in every year, as to the proposed admission arrangements for schools.	Assistant Director for Education
CFL36	Education, Lifelong Learning and Culture	To make arrangements for the provision of such free transport as the Authority considers necessary to facilitate the attendance of pupils at schools.	Assistant Director for Education
CFL37	Education, Lifelong Learning and Culture	To require a maintained school to accept a pupil named in a school Attendance Order.	Assistant Director for Education
CFL38	Education, Lifelong Learning and Culture	To direct a maintained school to admit a child who would otherwise be without a place.	Assistant Director for Education
CFL39	Education, Lifelong Learning and Culture	To ensure that appropriate provision is made for pupils who have special educational needs.	Assistant Director for SEND Commissioning
CFL40	Education, Lifelong Learning and Culture	To ensure sufficient childcare places for working parents.	Assistant Director for Commissioning
CFL41	Education, Lifelong Learning and Culture	Duty to keep day care arrangements under review in conjunction with the local authority.	Assistant Director for Education

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL42	Education, Lifelong Learning and Culture	To identify those children with special education needs which call for the authority to determine the special education provision which should be made for them and to review statements of special educational need or Educational Health and Care Plans on an annual basis.	Assistant Director for Vulnerable Learners
CFL43	Education, Lifelong Learning and Culture	To ensure that, subject to qualifications, children with special needs are educated in the most appropriate mainstream or specialist setting.	Assistant Director for Vulnerable Learners
CFL44	Education, Lifelong Learning and Culture	To discharge duties regarding the creation of early education places for 3 and 4 year olds under the relevant statutory plans.	Assistant Director for Commissioning
CFL45	Education, Lifelong Learning and Culture	To support and service the work of the Early Years and Childcare Partnership.	Assistant Director for Education
CFL46	Education, Lifelong Learning and Culture	To ensure that there is effective partnership working to support the provision of early education and childcare.	Assistant Director for Education
CFL47	Education, Lifelong Learning and Culture	To ensure that there is the development of an integrated approach to early education and childcare.	Assistant Director for Education
CFL48	Education, Lifelong Learning and Culture	To keep special education arrangements under review.	Assistant Director for SEND Commissioning

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL49	Education, Lifelong Learning and Culture	In connection with section 106 Town and Country Planning Act 1990, to approve the nature and value of contributions to be made by developers in relation to educational provision after consultation with the Head of Property where these include possible property transactions	Assistant Director for Education
CFL50	Education, Lifelong Learning and Culture	To manage youth centres and neighbourhood based youth work  To suspend or permanently exclude young people from centres or work in exceptional circumstances	Assistant Director for Early Help and Hubs
CFL51	Education, Lifelong Learning and Culture	To assist if requested the local authority's investigations of young people who have suffered or may have suffered 'significant harm'	Assistant Director for Services for Commissioning and Prevention
CFL52	Education, Lifelong Learning and Culture	To deliver the service under the terms of Service Level Agreements with the voluntary sector and with Surrey Connexions.	Assistant Director for Services for Commissioning and Prevention
CFL53	Education, Lifelong Learning and Culture	To implement and manage the local Duke of Edinburgh Scheme	Assistant Director for Lifelong Learning and Culture
CFL54	Education, Lifelong Learning and Culture	To secure the admission of a pupil excluded from school to a place at another maintained school	Assistant Director for Education
CFL55	Education, Lifelong Learning and Culture	To secure provision of education 'otherwise than at school' where necessary to meet a pupil's need	Assistant Director for Vulnerable Learners
CFL56	Education, Lifelong Learning and Culture	To ensure that the parent complies with his duty under Section 7 of the 1996 Education Act	Assistant Director for Vulnerable Learners



## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
		to cause his child of compulsory school age to receive efficient full-time education suitable to his age, abilities and aptitudes whether by regular attendance at school or otherwise and to authorise the prosecution of parents who fail to comply with this duty under Section 444 of the Education Act 1996.	
CFL57	Education, Lifelong Learning and Culture	Under Section 447 of the Education Act 1996, to consider whether an Education Supervision Order would be in the better interests of a child than prosecution of parents under Section 444 of the Education Act 1996 and to issue an application for an education supervision order under Section 36 of the Children Act 1989 where appropriate.	Assistant Director for Vulnerable Learners
CFL58	Education, Lifelong Learning and Culture	Under Section 437 of the Education Act 1996 to serve a school attendance order on the parent of a child of compulsory school age who does not appear to be receiving suitable education and to authorise the prosecution of parents who fail to comply with such an order under Section 443 of the Education Act 1996.	Assistant Director for Vulnerable Learners
CFL59	Education, Lifelong Learning and Culture	Under Section 444A and 444B of the Education Act 1996 and Section 105 of the Education and Inspections Act 2006 to issue penalty notices.	Assistant Director for Vulnerable Learners
CFL60	Education, Lifelong Learning and Culture	Under s223 of the Local Government Act 1972, these officers are authorised to prosecute, defend or appear in legal proceedings on behalf of the authority in relation to sections 443, 444, 446 and 559 of the Education Act 1996, section 36 of the Children Act 1989, section 20 of the Anti Social Behaviour Act 2003 and Section 103 of the Education and Inspections Act 2006.	Assistant Director for Vulnerable Learners
CFL61	Commissioning and Prevention	To approve Youth Small Grants of £5,000 and under, in consultation with the relevant Local	Head of Market Strategy

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
		Committee and/or the Local Youth Task Group Chairman and the Divisional Member.	
CFL62	Commercial Services	Acquisitions and disposal of services, supplies and equipment Submit tenders and quotations for external contracts and internal arrangements Employ staff to meet requirements of contracts in accordance with specifications and trade levels.	Head of Commercial Services Regional Manager Operations Manager Finance Manager
CFL63	Commercial Services	Acquisitions and disposal of equipment.	Premises Manager
CFL64	Education, Lifelong Learning and Culture	The annual consideration of charges for maintained schools for the cost of conversion to academies.	Executive Director for Children, Families and Learning
CFL65	Education, Lifelong Learning and Culture	To offer advice, guidance and support to childcare providers on meeting national standards.	Assistant Director for Education
CFL66	Education, Lifelong Learning and Culture	To manage outdoor education centres.  To suspend or permanently exclude young people from centres in exceptional circumstances	Assistant Director for Lifelong Learning and Culture

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
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## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL67	Children's Services	Decisions on outcome of referrals and assessments	Team Manager
CFL68	Children's Services	Responsibility to commence Child and Family Assessment and make recommendations	Social Worker
CFL69	Children's Services	Authorisation to commence Public Law Outline	Assistant Director
CFL70	Children's Services	Agreeing to accommodate a child (S20)	Assistant Director
CFL71	Children's Services	Agreement to discharge a child who is accommodated under Section 20, 1989 Children Act	Assistant Director
CFL72	Children's Services	Decision to apply for an EPO (Emergency Protection Order)	Assistant Director
CFL73	Children's Services	Decision to instigate care proceedings in any court.  Decision to apply for any of the following under the Children Act 1989: Children Assessment Order, Child Safety Order, Section 8 Order.	Assistant Director (in exceptional circumstances, where delay would place the child at risk – delegated to service manager).
CFL74	Children's Services	Signing and quality assurance of applications to court	Service Manager
CFL75	Children's Services	Endorse applications to court	Assistant Director
CFL76	Children's Services	Signing of Initial and Final Care Plans to Court	Assistant Director

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL77	Children's Services	Decision to apply for discharge of care order	Assistant Director
CFL78	Children's Services	Agreement to place with Independent Fostering Arrangements	Assistant Director, Children's Resources
CFL79	Children's Services	Authority to change a child's placement: requiring 'same day' decision	Assistant Director
CFL80	Children's Services	Authority to postpone a CLA Review beyond statutory time limits	Service Manager, IRO Service
CFL81	Children's Services	Missing Children from Care: Surrey Residential units notify police, senior managers  All children in care	Registered Manager to inform Service Manager, Residential and Assistant Director, Children's Resources and Quadrant Assistant Director  Escalate as protocol
CFL82	Children's Services	Financial of up to £100 in the Assessment, Family Safeguarding, Looked After and Care Leaver's Teams and Targeted Youth Support	Team Manager
CFL83	Children's Services	Financial of up to £500 in the Assessment, Family Safeguarding, Looked After and Care Leaver's Teams and Targeted Youth Support	Service Manager
<b>Serious Incident/ Need to Know Notification</b>			
CFL84	Children's Services	Notify the Assistant Director	Service Manager

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL85	Children's Services	Notify parent in relation to a serious incident/ death of a child in conjunction with social worker	Assistant Director
CFL86	Children's Services	Notify Director/ Director of Quality Performance	Assistant Director
CFL87	Children's Services	Inform Lead Cabinet Member	Director
CFL88	Children's Services	Notify incidents to National Child Safeguarding Practice Review/ Ofsted	Director of Quality and Performance
CFL89	Children's Services	Notification of incidents to Ofsted in line with Children's Homes regulations	Registered Team Manager
<b>Children Looked After</b>			
CFL90	Children's Services	Agreement to at a distance placement	Executive Director
CFL91	Children's Services	Out of area placement	Director
CFL92	Children's Services	Consent to: Immunisation / vaccination (e.g. meningitis)	Team Manager if not able to be obtained from parent
CFL93	Children's Services	Consent to routine medical treatment	Team Manager if not able to be obtained from parent
CFL94	Children's Services	Consent to emergency treatment including anaesthetic and consent to surgery	Assistant Director if not able to be obtained from parent
CFL95	Children's Services	Consent to contraceptive treatment	Assistant Director if not able to be obtained from parent or child not deemed to be Fraser competent.

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL96	Children's Services	Consent to marriage of CLA	Director if consent cannot be obtained from parent.
CFL97	Children's Services	Consent to termination of pregnancy and HIV testing of CLA	Assistant Director if not able to be obtained from parent.  In consultation with young person (Fraser competent).
CFL98	Children's Services	Decision for CLA to stay overnight with a friend (see delegated authority policy for carers).	Carer in discussion with Social Worker if necessary
CFL99	Children's Services	Signing a passport application of CLA	Assistant Director (applicant signatory), Social Worker (counter-signatory).  In consultation with young person (Fraser competent).
CFL100	Children's Services	Authorising a trip abroad for CLA	All with Parental Responsibility to be consulted - Service Manager for more than 28 days (seek Foreign Office Advice where appropriate)
CFL101	Children's Services	Authorising request for DBS checks on children's carers	Team Manager
CFL102	Children's Services	Decision to take further action regarding CRB check results	Assistant Director
CFL103	Children's Services	Case allocation / closure	Service Manager/ Team Manager
CFL104	Children's Services	Placement with parents	Assistant Director

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL105	Children's Services	Decision to apply for leave of the court for a child in care to live outside of England and Wales.	Assistant Director
CFL106	Children's Services	Decision to withhold the whereabouts of a child from a person, usually a parent for up to 7 days pending application to court.	Assistant Director
CFL107	Children's Services	Authority to place CLA with regulation 38 carers (family and friends)	Assistant Director
CFL108	Children's Services	Authority to place siblings separately short term	Service Manager
CFL109	Children's Services	Agreement to suspend contact (child on Care Order Section 34 (6) Children Act 1989) and application for order relating to contact under section 34	Service Manager with legal advice
CFL110	Children's Services	Decision to apply for a Recovery Order for a child who is in care, the subject of an EPO, or in police protection	Assistant Director
CFL111	Children's Services	Decision to inform a third party of the identity and concerns about a person who is considered a risk to children	Service Manager with legal advice
CFL112	Children's Services	Consent to tattoos and piercings where the young person is Fraser competent and has been appraised of the risks (note: young people over the age of 16 are able to get their ears pierced without parental consent)	Service Manager
CFL113	Children's Services	Application to the Probate Registry for Letters of Administration in respect of the estate of a	Director Corporate Parenting

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
		deceased parent of a CLA (subject to a Care Order)	
<b>Secure Accommodation</b>			
CFL114	Children's Services	Makes application to Assistant Director for Secure Accommodation who takes responsibility for each placement and must record her/his reasons for the decision and attach these to the report.	Assistant Director
CFL115	Children's Services	Authority to endorse secure application	Director
CFL116	Children's Services	Authority to progress secure application for under 13 year old to Secretary of State	Director
CFL117	Children's Services	To agree children to be placed in secure for up to 72 hours pending a court decision	Assistant Director
<b>Child arrangement order/ special guardianship order</b>			
CFL118	Children's Services	Departmental agreements to fund an application to apply for Child Arrangement Order	Assistant Director
CFL119	Children's Services	Departmental agreement to fund an application for a Special Guardianship Order	Assistant Director
CFL120	Children's Services	Departmental approval for Reg 24 Friends and Family Care Placement	Assistant Director Children's Resources in consultation with Service Manager
CFL121	Children's Services	Authorisation of payments for Child Arrangement Order and Special Guardianship	Assistant Director



## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
		Order allowances in excess of the agreed scheme in exceptional circumstances	
<b>Foster Care &amp; Adoption</b>			
CFL122	Children's Services	Adoption Agency Decision Maker	Assistant Director, Children's Resources
CFL123	Children's Services	Fostering Agency Decision Maker	Assistant Director or Nominated Agency Decision Maker
CFL124	Children's Services	Approval or rejection of foster carers with any relevant conditions after recommendations from fostering panels	Delegated to Agency Decision Maker
CFL125	Children's Services	Decisions relating to foster care allowances and financial assistance for foster carers	Director Corporate Parenting with Cabinet approval
CFL126	Children's Services	Appointment of members of adoption panels and fostering panels	Assistant Director, Children's Resources
CFL127	Children's Services	Decision to make a prohibition notice or requirements in respect of private foster carers	Director Corporate Parenting in consultation with Assistant Director, Children's Resources
CFL128	Children's Services	Approval of prospective adoptive parents and approval that children should be placed for adoption and approvals of placement of a child with an adoptive family following recommendations from adoption panel	Agency decision maker
CFL129	Children's Services	Decisions relating to adoption allowances and to pay legal costs for adopters in adoption cases	Assistant Director, Children's Resources

## Annex 4 – CFLC Scheme of Delegation

No.	Service Area	FUNCTIONS DELEGATED	TITLE OF POSTHOLDER
CFL[130]	Children's Services	Authorisation of applications under Adoption and Children Act 2002	Assistant Director
<b>Data Protection</b>			
CFL131	Children's Services	Authorisation of restricted access in relation to a Data Protection access to file request	Assistant Director
CFL132	Children's Services	Authorisation to waive public interest immunity in relation to the disclosure of information in a criminal prosecution	Assistant Director
<b>Child Employment</b>			
CFL133	Children's Services	To monitor the employment of children of compulsory school age and register for entertainment licences. To investigate cases of illegal employment and take necessary action within the relevant sections of the Children and Young Persons Acts 1033 and 1963, The Children (Performances and Activities) (England) Regulations 2014, Section 559(1) and (2) of the Education Act 1996 and in accordance with current local byelaws.	Child Employment Team Manager

## Cabinet Portfolios

Cabinet Member Portfolio	Key areas of responsibility
<p><b>Leader:</b></p> <p>Tim Oliver</p>	<ul style="list-style-type: none"> <li>• Overall vision and strategic direction</li> <li>• Major government and national representation</li> <li>• District and Borough partnerships, including</li> <li>• Local &amp; Joint Committees</li> <li>• Regional and strategic partnerships</li> <li>• Lead role for Surrey on Health Integration, including wider determinants of Health</li> <li>• Strategic lead on the Transformation Programme</li> <li>• Communications</li> <li>• Engagement and consultation</li> <li>• Corporate governance</li> <li>• Commissioning</li> </ul>
<p><b>Deputy Leader:</b></p> <p>Colin Kemp</p>	<ul style="list-style-type: none"> <li>• Major projects, including infrastructure</li> <li>• Economic Growth</li> <li>• LEP relationships</li> <li>• Brexit Planning</li> <li>• Planning</li> <li>• Apprenticeships</li> <li>• Rail</li> </ul>
<p><b>Corporate Support:</b></p> <p>Zully Grant-Duff</p>	<ul style="list-style-type: none"> <li>• Digital and IT Strategy</li> <li>• Orbis and Orbis Public Law</li> <li>• Legal and democratic services</li> <li>• HR and OD, people strategies</li> <li>• Procurement</li> <li>• Customer Services</li> <li>• Agile working</li> <li>• Registration Services</li> <li>• Equalities</li> <li>• Coroner</li> </ul>
<p><b>Cabinet Member for Finance:</b></p> <p>Mel Few</p>	<ul style="list-style-type: none"> <li>• Finance</li> <li>• Finance Improvement Programme</li> <li>• Capital programme</li> <li>• Internal control/audit</li> <li>• Commercial investment oversight</li> <li>• Cash Flow &amp; Borrowing</li> <li>• Performance management and reporting</li> <li>• Data analytics and business intelligence</li> <li>• Property &amp; Assets</li> </ul>

<p><b>Cabinet Member for Highways:</b></p> <p>Matt Furniss</p>	<ul style="list-style-type: none"> <li>• Highways – operational delivery</li> <li>• Street works</li> <li>• Road safety</li> <li>• Parking</li> <li>• Bus Transport (including Send &amp; school transport)</li> <li>• Flooding</li> </ul>
<p><b>Cabinet Member for Adults and Public Health:</b></p> <p>Sinead Mooney</p>	<ul style="list-style-type: none"> <li>• Adult Social Care</li> <li>• Safeguarding</li> <li>• Accommodation for vulnerable and elderly adults</li> <li>• Learning Disabilities</li> <li>• Transitions</li> <li>• Public Health</li> </ul>
<p><b>Cabinet Member for Children, Young People &amp; Families:</b></p> <p>Mary Lewis</p>	<ul style="list-style-type: none"> <li>• Children’s Services</li> <li>• Safeguarding</li> <li>• Family Resilience</li> <li>• Youth Services</li> <li>• Corporate Parenting (including fostering and adoption)</li> <li>• Accommodation for vulnerable children</li> <li>• Early Help</li> </ul>
<p><b>Cabinet Member for All Age Learning:</b></p> <p>Julie Iles</p>	<ul style="list-style-type: none"> <li>• Education</li> <li>• Special Education Needs and/or Disabilities</li> <li>• Adult Learning</li> <li>• Libraries, Arts Culture and Tourism</li> </ul>
<p><b>Cabinet Member for Environment &amp; Waste:</b></p> <p>Mike Goodman</p>	<ul style="list-style-type: none"> <li>• Waste and recycling – operational delivery</li> <li>• Environmental Protection and Improvements</li> <li>• Climate Change</li> <li>• Planning (Waste &amp; Mineral)</li> <li>• Aviation</li> <li>• Air Quality</li> <li>• RTS and flood alleviation</li> </ul>
<p><b>Cabinet Member for Community Safety, Fire &amp; Resilience:</b></p> <p>Denise Turner- Stewart</p>	<ul style="list-style-type: none"> <li>• Surrey Fire and Rescue Service</li> <li>• Community Safety</li> <li>• Trading Standards</li> <li>• Emergency Management</li> <li>• Business Continuity</li> <li>• Voluntary, Community and Faith Sector</li> <li>• Countryside</li> </ul>

<b>Deputy Cabinet Member</b>	<b>Area of responsibility</b>
Alison Griffiths	Health
Natalie Bramhall	Property
Mark Nuti	Support over different portfolios as required

County Council Meeting – 8 October 2019

## REPORT OF THE CABINET

The Cabinet met on 16 July 2019 and 24 September 2019.

In accordance with the Constitution, Members can ask questions of the appropriate Cabinet Member, seek clarification or make a statement on any of these issues without giving notice.

The minutes containing the individual decisions for 16 July and 24 September meetings are included within the agenda at Item 15. Any Cabinet responses to Committee reports are included in or appended to the minutes. If any Member wishes to raise a question or make a statement on any of the matters in the minutes, notice must be given to Democratic Services by 12 noon on the last working day before the County Council meeting (Monday, 7 October 2019).

For members of the public all non-confidential reports are available on the web site ([www.surreycc.gov.uk](http://www.surreycc.gov.uk)) or on request from Democratic Services.

### REPORTS FOR DECISION

#### A. UPDATED STATEMENT OF COMMUNITY INVOLVEMENT

At its meeting on 24 September Cabinet discussed the amended Statement of Community Involvement (SCI) which was the Council's public statement of how it engaged with the public and consultees on planning applications and planning policy documents.

#### Cabinet RECOMMENDS that Council:

Adopt the revised Statement of Community Involvement (SCI). (Attached as annex A).

#### Reason for Decision:

It is a statutory requirement to produce the SCI and to keep it up to date. The current SCI was adopted in 2015 and this revision takes account of changes in legislation and policy.

### REPORTS FOR INFORMATION / DISCUSSION

At its meeting on 16 July, Cabinet considered the following:-

#### B. PROPOSAL TO CHARGE MAINTAINED SCHOOLS FOR THE COST OF CONVERSION TO BECOME AN ACADEMY SCHOOL

There are costs for the Department for Education (DfE), maintained schools and their maintaining authorities when a school converts to become an academy. Schools are given a grant to contribute to their costs but local authorities get no financial support. Local authorities must either bear the full cost of the work they undertake by law to facilitate transfers of status, or charge the converting school the costs, which they are entitled to do. The costs nationally of schools converting to become academy trusts (or becoming a part of an existing trust) are high. The

House of Commons committee of public accounts estimated in its report, published in July 2018 and entitled 'Converting schools to academies', that the cost to the government of conversions had been £745,000,000 since 2010.

**Cabinet AGREED:**

1. The charging of schools for the costs to the council on an 'averaged' basis was approved.
2. That charges of £6,000 for a community or voluntary controlled school, £5,000 for a voluntary aided school (which does not require HR service input); £4,000 for foundation or trust schools (which do not require human resource or property service input); and charges to be negotiated on a case by case basis for private finance initiative (PFI) schools was approved.
3. That annual consideration of charges, taking account of any inflation or deflation in the specific areas of work, be delegated to the Executive Director for Children, Families and Learning and that the Council's constitution be amended to allow the scheme of delegation to reflect this.
4. That charges be levied for any new school formally requesting to convert to academy status (upon receipt of approval from the Department for Education) from 1 September 2019 was agreed.

**C. CREATION OF A NEW SPECIALIST CENTRE AT WORPLESDON PRIMARY SCHOOL IN PARTNERSHIP WITH FREEMANTLES SCHOOL PROVIDING 21 PLACES FOR PUPILS WITH HIGH COMMUNICATION AND INTERACTION NEEDS**

Cabinet considered a report that sought agreement to the proposal for a new specialist centre to be developed at Worplesdon Primary School in partnership with Freemantles School. This would create places for primary pupils with an Education Health and Care Plan (EHCP) and who have Communication and Interaction Needs (COIN) in Surrey. The specialist centre will be based at Worplesdon Primary School and operated in partnership with Freemantles School.

**Cabinet AGREED:**

1. That the proposal to build a specialist centre at Worplesdon Primary School in partnership with Freemantles School, be agreed in principle, and the project to proceed subject to a full public consultation and statutory notices was approved.
2. That the funding for this project be allocated from the Special Education Needs & Disabilities Capital Grant of £10.7m and the scheme be added to the Capital programme, as detailed in the Part 2 annex of the submitted report.

**D. PROPOSAL TO ENTER INTO A LOCAL EDUCATION PARTNERSHIP WITH SCHOOLS ALLIANCE FOR EXCELLENCE**

Approval was sought for the council to be a partner in a new, not-for-profit company, which was to be called the Schools Alliance for Excellence (SAfE).

This was a partnership – between schools, both maintained schools and academies, the Surrey Teaching Schools Network (STSN) and Surrey County Council – to continue to improve the quality of education in Surrey.

Following the end of the Babcock 4S contract, it was proposed that the council should commission SAfE to provide a number of services previously provided by that company. In the first instance, these services were those relating explicitly to school improvement but as SAfE establishes itself, it is anticipated this commission may be extended to other areas.

The report set out the proposed outcomes for the three-year period of the initial commission (1 September 2019 to 31 August 2022). As indicated in Surrey County Council's Joint Strategic Needs Assessment (2019), most children in Surrey succeed without intervention from the council. Consequently, in line with Surrey's community vision for 2030, these commissioning intentions should have a particular focus on the progress and outcomes of the most vulnerable children and young people with the aim of increasing their educational engagement and achievements and in closing the gap in attainment levels. Independent schools can benefit from SAfE services but cannot be part of the partnership.

**Cabinet AGREED:**

1. That the establishment of the new school-led partnership for improvement in Surrey known as the Schools Alliance for Excellence (SAfE) be approved.
2. That the Council's participation as a member of SAfE with two officers of the Council to be appointed to the board of directors of the company be endorsed.
3. That the commission SAfE lead and manage Surrey's school improvement strategy for an initial three years, from September 2019 to 2022 was agreed.
4. That delegated authority be given to the Executive Director for Children, Families, Lifelong Learning and Culture, in consultation with the Cabinet Member for All-Age Learning, to agree, as appropriate, to SAfE being contracted for further council commissions over the next three years was agreed.
5. That the Council act as the 'supervising authority' for SAfE was agreed.

**E. CHILDREN'S IMPROVEMENT UPDATE**

Cabinet considered an update on the delivery of Surrey's Children's Improvement Plan, the findings from the Commissioner's interim review and the recent Ofsted Monitoring Visit and Annual Conversation. A progress update was provided on the service restructure and transformation work to implement and embed the new model for Surrey's Children's Services.

The report showed the huge amount of progress made to improve children's services and was supported by the recent external scrutiny. The Commissioner stated that "the authority had made rapid and solid progress since submitting his original report [to the Department for Education]" and Ofsted inspector's fed back that we have "achieved a fundamental aim of the remodelling" and have "made substantial progress...through the newly implemented 'front door' arrangements".

**Cabinet AGREED:**

1. The progress made delivering the Children's Improvement Plan and the findings from the recent Children's Commissioner Re-Visit, Ofsted Monitoring Visit 03 and Ofsted Annual Conversation was noted.
2. That Cabinet review progress in December 2019 on the delivery of the Children's Improvement Plan and the findings from subsequent inspections was agreed. (The Children's Commissioner will be conducting a further review of our improvement work in October 2019 and Ofsted will next conduct a Monitoring Visit in October-November 2019.)

**F. PROVIDING COUNCIL TAX RELIEF FOR SURREY'S CARE LEAVERS**

Care Leavers experience a range of challenges in their lives and, by the nature of having the legal status of a care leaver, it means they have spent time in the care system as a 'looked after child/young person'. This included unaccompanied asylum seeking children.

One of the challenges that Care Leavers face was finding and paying for accommodation as a young adult, which included living on their own. Surrey is an expensive place to live including paying for accommodation. Currently in the local authority area of Surrey a small number of district and borough areas were providing council tax relief for care leavers, however this was not a consistent offer or a consistent geographical offer resulting in unfairness.

The Cabinet was asked to agree in principle to support care leavers by paying the Surrey County Council proportion of Council Tax (around 75% of the total amount of Council Tax), for those care leavers living by themselves (independent living) or sharing with others with some support (semi-independent living).

**Cabinet AGREED:**

1. That Council Tax Relief be provided, for the Surrey County Council proportion of Council Tax, for Care Leavers (living in and out of the county) in independent and semi-independent living arrangements from 1 April 2020 from the ages of 18-25 years old (up to their 25th birthday) was agreed in principle.
2. That for Care Leavers from the ages of 18-25 years old (up to their 25th birthday), living in independent and semi-independent living arrangements outside of Surrey County Council local authority area; that 75% of their Council Tax is paid for Surrey County Council was agreed.
3. That Cabinet review this each political cycle (i.e. every 4 years), including understanding the impact this has made for Care Leavers, with the first review taking place in 2021 following the County Council elections was agreed.

At its meeting on 24 September, Cabinet considered the following:-

**G. MAKING SURREY SAFER - OUR PLAN 2020 – 2023**

The Leader opened the discussion on this item by expressing gratitude to the fire service for the vital work they do and for their courage and commitment. He had



spoken to firefighters prior to the meeting and was aware of the passion and strength of feeling amongst them. He went on to explain that the intention of the Plan was to modernise the service for the next 20 years, that there was no intention to cut funding or cut the number of firefighters, in fact both would increase. Whilst understanding concerns of residents he hoped that they would place confidence in the experts of the fire service who had formed the Plan.

**Cabinet AGREED:**

That the “Making Surrey Safer – Our Plan 2020-2023”, be approved for publication and implementation.

**H. SCHOOL PLACE PLANNING: STRATEGY FOR SPECIALIST PLACEMENTS**

As part of the SEND transformation plan, approved by cabinet on 29 January 2019 a recommendation was made to provide more specialist school places in Surrey– in specialist provision in mainstream schools and in special schools – so that children with special educational needs and / or disabilities (SEND) could be placed closer to home. This would reduce travel time and enable children with SEND to be more a part of their local community, and, crucially, help to increase their progress, attainment and outcomes.

At present, there were insufficient places in mainstream (resourced places) and special schools in Surrey. This means the council is reliant on non-maintained independent schools (NMIs) to meet the demand. On average, these schools were much more expensive, not local to the child’s home, and rarely more effective than state-funded schools. Surrey currently has approximately 12 per cent of pupils with education, health and care plans (EHCPs) in NMIs. This is nearly double that of English local authorities (LAs), which have approximately six per cent of pupils with EHCPs in such provision, leading to significantly higher costs in the high needs block (HNB), which was the council budget used to fund SEN.

Officers had drafted a ten year place planning strategy, the aim of which was to provide a greatly improved environment for children with the highest level of specialist needs and increase their outcomes through more newly-built or refurbished state-funded, local provision. This strategy was in two parts:

- a four year plan, which is intended to provide an extra 883 specialist places, including 77 ‘bulge’ places, over that period. Each of these types of place provision will be reported to cabinet where appropriate as they are identified and require approval; and
- a broader 10 year plan, which is less specific and will be developed depending on whether improved practice reduces the need for specialist provision compared with current forecasts through more places within mainstream schools, but which currently projects the need for 1,693 additional specialist places in the period.

**Cabinet AGREED:**

1. That the SEND place-planning strategic approach for a ten-year period (2019 to 2029) be approved, in principle.
2. That the 77 bulge places for September 2019 be approved.
3. That future projects identified as part of the place planning strategy are, where appropriate, reported to cabinet or cabinet member for approval.

## **I. SURREY COUNTY COUNCIL'S RESPONSE TO STATUTORY CONSULTATION ON HEATHROW AIRPORT EXPANSION**

The statutory consultation on Heathrow Airport's Preferred Masterplan for the future expansion of the airport ran between 18 June 2019 and 13 September 2019. This was scheduled to be the last public consultation in advance of Heathrow Airport Limited (HAL) submitting an application for a Development Consent Order (DCO) to the Planning Inspectorate (PINS) for examination under the provisions of the Planning Act 2008 for determining Nationally Significant Infrastructure Projects (NSIPs). The scale and complexity of the expansion plans is considerable and the consultation material substantial; as well as a third runway and new terminal facilities, Heathrow's expansion will include modification of the M25 between junctions 14-15, replacement and re-routing of local roads, river diversions and flood storage, parking, environmental mitigation and a range of airport supporting facilities.

The draft consultation response attached at Annex A has been produced in consultation with Surrey County Council services impacted by the scheme and provides commentary on the specific issues that are likely to significantly affect Surrey residents, businesses and county council service interests.

As agreed with the Leader and relevant Cabinet portfolio holders, the draft response was submitted in time to meet the consultation deadline, but HAL is aware that this response is subject to political sign off following the end of the consultation period and has accepted that further comments may be provided before the end of September.

### **Cabinet AGREED:**

That the consultation response submitted to Heathrow Airport Ltd (HAL) and attached at Annex B be agreed.

## **J. QUARTERLY REPORT ON DECISIONS TAKEN UNDER SPECIAL URGENCY ARRANGEMENTS: 29 JUNE to 27 SEPTEMBER 2019**

The Cabinet is required under the Constitution to report to Council on a quarterly basis the details of decisions taken by the Cabinet and Cabinet Members under the general exception arrangements set out in Standing Order 55 of the Constitution. This occurs where a decision is required on a matter that is not contained within the Leader's Forward Plan (Notice of Decisions). Where a decision on such matters could not reasonably be delayed, the Chairman of the appropriate Scrutiny Board must be notified.

1. Two Part 2 items were dealt with at the 24 September meeting of the Cabinet. One item was a key decision and therefore dealt with under General Exception – Disposal of Waterman House and the Former Youth Centre, Woking. Details are included in the Minutes of the Cabinet at agenda item 20.

*[In accordance with Standing Order 56 (General Exception), the Chairman of the Resources & Performance Select Committee agreed that the decisions on this item could not be reasonably deferred so this item was not subject to call in]*

2. The second Part 2 item dealt with at the 24 September meeting of the Cabinet was an update report - Commercial Programme (Waste) Update. Details are included in the Minutes of the Cabinet at agenda item 19.

*[The Chairman of the Communities, Environment & Highways Select Committee was notified as this did not appear on the Leader's Forward Plan]*

***The Cabinet RECOMMENDS that the County Council notes that there has been two urgent decision in this quarter.***

**Mr Tim Oliver, Leader of the Council  
27 September 2019**

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ANNEX A

## **Surrey County Council Minerals, Waste and County Development Planning**

# **Statement of Community Involvement**

Final draft

June 2019



**SURREY**

If you have any questions about the consultation or you are having difficulty in accessing the documents please contact Surrey County Council:



Phone: 03456 009 009



Email: [mdf@surreycc.gov.uk](mailto:mdf@surreycc.gov.uk)



Letter: Planning and Development Service,  
Room 385 County Hall, Penrhyn Road,  
Kingston upon Thames, KT1 2DW



Textphone: 07860 053 456

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## Executive Summary

- Involving local communities and interested parties is an essential part of the planning process and is seen as a priority by Surrey County Council. We want to make the planning process more accessible and increase community participation.
- The Statement of Community Involvement (SCI) outlines the policy for involving local communities and interested parties in matters relating to minerals, waste and County Council developments within the local area.
- The SCI sets out how the Council will involve the local community:
  - In preparing, altering and reviewing minerals and waste planning policy documents; and
  - In determining planning applications for minerals, waste and Surrey County Council developments.
- The SCI will undergo a public consultation between the 7th of May and the 18<sup>th</sup> of June, 2019. Once adopted the revised SCI will replace the SCI adopted in 2015.



# 1 Introduction

## 1.1 What is a Statement of Community Involvement

1.1.1 The statement of community involvement (SCI) sets out the ways in which you can comment on planning applications, and how and when you can influence the content of new planning policy documents.

1.1.2 Surrey County Council is the County Planning Authority (CPA) responsible for determining planning applications for Minerals, Waste and the Council's own service developments<sup>1</sup> and developing planning policies for minerals and waste matters. All other planning matters are dealt with by Surrey's district and borough councils.

1.1.3 Planning is a statutory function and any information is held on the lawful basis of public task (in accordance with the Town and Country Planning Act 1990, as amended, related orders and regulations). The names, addresses and contact details of those who have submitted a planning application to Surrey County Council or made a comment on a planning application will be saved in our files, electronic and paper. We do this so we can notify the public about amendments to the proposal, the outcome of the application, if an appeal is lodged against the application, and subsequent applications in respect of the site. This information will be retained indefinitely as part of the background information on which the planning decision has been based. Additionally, all submissions are sent to the relevant Borough or District Council to be placed on the Planning Register as this is their responsibility. In the event of an appeal or a 'call-in' by the Secretary of State, submissions may be copied to the Planning Inspectorate or the National Planning Casework Unit and the appellant.

## 1.2 Our approach

1.2.1 The SCI takes forward the County Council's commitment to public involvement. It is based on the following principles:

- a. Encouraging everyone who may be directly or indirectly affected by planning decisions to get involved;
- b. Encouraging involvement at the earliest stage and throughout the planning process;
- c. Using methods of involvement that suit different people and that are appropriate to the stage of the planning process;

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<sup>1</sup> Regulation 3 of the Town & Country Planning General Regulations 1992 enables the County Council to make planning applications to be determined by itself, as long as the development is to be carried out by (or on behalf of) the Council. See also the [General Permitted Development Order 2015](#).

- d. Making sure that all information relevant to plans or planning applications is easily accessible to as many people as possible;
- e. Ensuring the process of consultation is open and transparent;
  
- f. Giving feedback so that those involved are aware of the contribution they have made to the process; and
- g. Making sure the limits of what we can realistically achieve is fully understood.

1.2.2 The SCI also conforms to statutory requirements<sup>2</sup> and takes account of government planning practice guidance<sup>3</sup>.

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<sup>2</sup> [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

<sup>3</sup> [Planning Practice Guidance](#)

### 1.3 Who we will involve

- 1.3.1 We will involve groups, organisations and people who may be directly or indirectly affected by planning decisions in Surrey. This may include:
- a. Individuals;
  - b. Residents' associations, local community groups, action groups and other voluntary bodies (such as sporting and leisure groups) and environmental groups (such as Surrey Wildlife Trust or The Royal Society for the Protection of Birds);
  - c. Businesses (such as chambers of commerce and minerals and waste companies and trade associations); and
  - d. Statutory organisations such as district and borough councils, parish councils, including those adjoining the administrative boundary of the county, and, for example, the Environment Agency.
- 1.3.2 For more information regarding the organisations we consult see Appendix 1.

### 1.4 Electronic communications

- 1.4.1 Electronic communication provides a way to disseminate large amounts of information. This is especially important for the more rural areas of the county where it can be difficult for some residents to get to local district and borough council offices or Surrey County Council offices.
- 1.4.2 By the end of 2014 more than 99% of premises in Surrey had access to fibre based broadband following the county council's Superfast Broadband initiative. This will make it easier for people to access information on planning applications, minerals and planning policy documents and make representations to the Council.
- 1.4.3 The Planning Authority is committed to making the most appropriate use of electronic communication when undertaking consultation and notification activities. Where appropriate email or use of the internet will be the primary method of communication when engaging communities during the plan making process or consulting on planning applications.
- 1.4.4 Nevertheless, reliance on electronic communication will not always be appropriate and we will still rely on site notices and letters where these are necessary to ensure effective communication.

## 1.5 Hard-to-reach groups

- 1.5.1 For some people it may be difficult to get involved in planning decisions and plan-making for all sorts of reasons. These bodies are sometimes called 'hard-to-reach groups'. Hard-to-reach groups may change over time, but the groups that we have identified include elderly people, young people, people who speak little or no English, people who do not have access to the internet, commuters, and people who have disabilities.
- 1.5.2 The following methods will be used to facilitate the involvement of 'hard to reach' groups in the planning process:
- a. Officers will assess the involvement of hard to reach groups or individuals during the production of planning policy documents and the consideration of planning applications and decide how best to contact and involve them;
  - b. Use of 'plain English' in documents and other published material;
  - c. Ensuring that our online documents and information can be accessed using assistive technologies;
  - d. Provide contact details which are accessible in a range of ways e.g. textphone/minicom.
- 1.5.3 Our documents can be produced in other formats on request and where the demand is significant and resources allow (this would include Braille, large print and documents in languages other than English).

## 1.6 When we consult on planning matters

- 1.6.1 Our approach to consultation and publicity encourages people and organisations to be involved in planning decisions that could affect them. There are three different stages of the planning process when this is necessary:
- a. **Determining planning applications and other submissions:** We are responsible for making decisions on planning applications for minerals and waste developments and our own service development proposals (such as new schools). In this SCI, we set out how we will involve the community when considering applications for development.
  - b. **Preparing Planning Policy Documents (Local Plans and supporting documents):** We prepare minerals and waste local plans that provide a framework for future development. In this SCI we set out the stages of developing these plans and how we will involve the community at each stage.
  - c. **Involving the community in the long term:** Involving the community does not end with publishing a plan or making a decision on a planning application. In this SCI we set out how we will continue to work with the community once facilities are up and running and when monitoring how well the minerals and waste local plans are being put into practice.

## 2 Planning applications

### 2.1 Our Role as the planning authority

2.1.1 Surrey County Council is required to undertake consultation and publicise planning applications and this varies according to type of application. This section sets out how we will involve the local community who may be affected by a proposal in the planning application process.

### 2.2 Pre-application discussions

2.2.1 The National Planning Policy Framework (NPPF) encourages pre-application discussions and states that 'early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties'.

2.2.2 Surrey County Council encourages developers to enter into pre-application discussions with the Council to establish the information that will be required, and to identify key issues and policies associated with any potential application. Further information on pre-application discussions is available on the website<sup>4</sup>.

2.2.3 The Council operates a charging scheme for pre-application advice relating to Minerals and Waste development only. The pre-application discussions for planning applications webpage also provides more information on the charging scheme in the form of a minerals and waste pre-application advice guidance document. This sets out the benefits to developers of seeking planning advice on applications prior to submission and the arrangements for providing advice.

2.2.4 Pre-application discussions take place between the developer and the County Planning Authority as they are largely technical exercises. However, they can provide an opportunity for the local community/local residents to be engaged in the planning application process. The council encourages developers to talk to the community, to inform them of their plans and so ensure that a link with the local community is established at an early stage in the process. The onus is on the developer, and we as the County Planning Authority will not normally carry out pre-application consultations with individuals or communities. Where a developer has undertaken community engagement prior to submission of a planning application, this information should be provided in the planning

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<sup>4</sup> [Pre-application discussions for planning applications](#)

application. Pre-planning application discussions between counties and their districts is strongly encouraged by the government.

## 2.3 Environmental Impact Assessment

- 2.3.1 Under the Town & Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) (the EIA Regulations) prospective applicants may seek our opinion on the need for environmental impact assessment (EIA) (a Screening Opinion under Regulation 6), or where EIA is required our opinion on the matters that need to be covered in the Environmental Statement (ES) that is to be submitted with the planning application (a Scoping Opinion under Regulation 15).
- 2.3.2 For Screening Opinions we have to respond to such requests within a minimum period of 3 weeks, and are not required to undertake any consultation or publicity prior to the adoption of the Opinion. Once adopted the Screening Opinion will be made available on the planning register at the relevant borough or district authority. Where a prospective applicant, or a third party, disagrees with the conclusions of our screening opinion they have the right (under Regulation 7 for prospective applicants, and under Regulation 5(6)(b) for third parties) to seek a Screening Direction from the Secretary of State.
- 2.3.3 For Scoping Opinions, which are requested at the prospective applicant's discretion, we have to respond to such requests within a minimum period of 5 weeks. As part of Scoping Opinion preparation we are required to undertake consultation with Natural England, the Environment Agency, Historic England, the relevant local planning authority, and any other body that we would be required to consult if an application for the proposed development were before us (as listed in Schedule 4 of the Town & Country Planning (General Development Management Procedure) Order 2015). Once adopted the Scoping Opinion will be made available on the planning register at the relevant borough or district authority. There is no requirement for publicity or notification in respect of Scoping Opinions.

## 2.4 The planning application

- 2.4.1 Consultation and publicity on planning applications has different purposes. We ask some bodies (for example, the Environment Agency) to provide professional advice and to assess technical work. Other people (for example, local residents' groups) are often able to provide local knowledge and may want to give us their views on the likely effects of the development. We will take account of the range of roles and expertise of

different people so that we can identify all possible issues and consider them in further detail.

- 2.4.2 The nature of the consultation on planning applications will be related to the type and size of the proposal, the location and the likely effects on the environment. Smaller proposals (which may have less impact) have different consultation requirements from larger proposals.
- 2.4.3 We must consult certain organisations on planning applications (statutory consultees) and can decide whether or not to consult others (non-statutory consultees). For more information regarding the organisations we consult see Appendix 1. Who we are required to consult may change over time and therefore a comprehensive list of consultee groups and organisations is not included in this document.
- 2.4.4 Once a planning application has been received, together with all the relevant information that will enable the process of determination to begin<sup>5</sup>, we will:
- Publicise planning applications in line with Table 1 and as appropriate by letters<sup>6</sup> / site notices / newspaper advertisements<sup>7</sup>;
  - Consult statutory and non-statutory consultees<sup>8</sup> by email over and above those we must consult in line with regulations, where appropriate for the application; and
  - Ensure details of planning applications are available in our online register of applications and appeals<sup>9</sup>.
- 2.4.5 Copies<sup>10</sup> of planning applications together with all supporting documents can also be viewed<sup>11</sup> at our main offices (County Hall) and at the offices of the relevant borough or district council. All planning application documents will be handled in electronic form and be available to view through the Surrey County Council's web site.

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<sup>5</sup> The County Council has adopted a Local List which sets out the type and extent of information required as part of any planning application.

<sup>6</sup> Publicity will rely heavily on Neighbour Notification letters since this is the only way that we can ensure that those most affected by a proposed development are informed.

<sup>7</sup> We will use newspaper advertisements in accordance with the current relevant regulations

<sup>8</sup> Our approach will be to notify consultees by email once applications are available online giving them at least 21 days in which to comment (or 28 days for Natural England in the case of a planning application potentially affecting a Site of Special Scientific Interest (SSSI) or in a SSSI consultation area).

<sup>9</sup> See [the online register of planning applications, decisions and appeals](#) for minerals, waste and county developments.

<sup>10</sup> The format in which these copies are made available is decided by the district/borough and may involve electronic copies only.

<sup>11</sup> Details are available of planning applications and/or appeals in our online register. All application documents following the introduction of our online facility will be available to view online.

2.4.6 Comments on planning applications should be made in writing by the date specified in the publicity, which is normally 21 days from the date of the site notice sent with our notification letter or within 21 days from the date of a newspaper advert or site notice appearing. In the case of EIA development, where an Environmental Statement has been submitted with the planning application, the consultation period is 30 days. Comments received will be acknowledged. Comments can be made by letter, email or using our online comments form<sup>12</sup>. Comments must also include a name and address in order for the comments to be recorded. Nevertheless, we will endeavour to ensure all relevant comments are made available to decision makers<sup>13</sup> if received by 12 noon the day before the relevant planning and regulatory committee or up to the point of a delegated decision being made.

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<sup>12</sup> The Online Form for making comments is available on the Councils [website](#)

<sup>13</sup> Applications are either determined by the Planning & Regulatory Committee or the Head of Planning Service under powers delegated by the Planning and Regulatory Committee under the council's Constitution. (See [Part 3, Section 3 Part 3A of the latest version of the Constitution](#)).



**Table 1 Publicising planning applications**

Type of development	Method used by Surrey County Council
<ul style="list-style-type: none"> <li>• All minerals and waste development.</li> <li>• Major County Development<sup>14</sup>.</li> <li>• The application is for development that requires an environmental impact assessment (EIA) and comes with an environmental statement<sup>15</sup>.</li> <li>• The development is not in line with the Development Plan.</li> <li>• The development affects a public right of way.</li> <li>• The development affects the setting of a listed building.</li> <li>• The development affects the character or appearance of a conservation area.</li> </ul>	<p>Newspaper advert, site notice <b>and</b> letter to neighbours<sup>16</sup> generally within 90 metres of the application site boundary<sup>17</sup>.</p>
<p>All other County development (minor).</p>	<p>Site notice or letter to adjoining neighbours, wider publicity at the case officer’s discretion.</p>

2.4.7 Conditions normally apply to most planning permissions we grant. Under some of these conditions, we may need to approve further details within specific timescales (examples include detailed working and restoration schemes for quarries, and colours and finishes to be used on the outside of buildings). By law, we do not need to publicise or consult on these details. Any consultation we do undertake will largely be in respect of technical matters and will usually involve relevant statutory or non-statutory consultees only.

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<sup>14</sup> Buildings over 1000 square metres or more, or a development on a site larger than 1ha

<sup>15</sup> [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017](#) (as amended) (or predecessor regulations where applicable)

<sup>16</sup> Letters to neighbours must give at least 21 days for comments to be made

<sup>17</sup> The distance of 90 metres is not statutory but will be applied as a general minimum and increased at the discretion of the case officer if the proposed development has the potential to affect the wider area

## 2.5 Amendments to planning applications

### a) All planning applications:

- 2.5.1 Amendments to a development proposal are often made during the process of considering a planning application. There is no statutory obligation on local authorities to consult on or publicise changes to planning applications that are not accompanied by an Environmental Statement. It is up to the local planning authority to decide whether further consultation and publicity is necessary and, when undertaken, to set the timeframe for responses, balancing the need for people to be given time to consider and respond to the amendment against the need for efficient decision making.
- 2.5.2 Where it is decided further consultation is necessary, only those consultees with an interest in the proposed amendment will be consulted. It will be down to the case officer's discretion which consultees have an interest, depending on the amendment.
- 2.5.3 All those notified and who have made representations will be made aware of how they can keep up to date with the progress of an application, including whether the application is amended before it is determined. Further publicity will be at the discretion of the case officer depending on the extent of the amendments and the level of public interest.
- 2.5.4 Details of all amendments to planning applications will be placed on the County Council's [register of planning applications, decisions and appeals](#) and sent to the relevant District and Borough to be made available on the statutory planning register. Details of the date the applications will be considered at Committee (if appropriate) will be placed on the County Council's [register of planning applications, decisions and appeals](#).

### b) Environmental Statement:

- 2.5.5 When further information is submitted relating to the Environmental Statement, we will consult in accordance with Regulation 25 of the EIA Regulations 2017 (as amended), or where relevant the appropriate predecessor regulations, and publicise the information. Under the EIA Regulations we can request further information and evidence in relation to Environmental Statements when considering EIA planning applications.

## 2.6 Making decisions on planning applications

- 2.6.1 A committee of councillors (the Planning and Regulatory Committee) or designated officers<sup>18</sup> make decisions on planning applications.
- 2.6.2 Officers prepare a report for all applications (whether delegated or not), which includes an outline of the consultation, the publicity carried out and a summary of the comments received.
- 2.6.3 Meetings of the Planning & Regulatory Committee are held in public and future meeting dates, agendas, committee reports and minutes can be viewed on the council's [website](#). All meetings are webcast live or are available to view at a later date<sup>19</sup>. An induction loop facility is available at meetings of County Council committees at County Hall.
- 2.6.4 We run a '[public speaking](#)' scheme that allows people who have made written comments to speak to the Committee. Under the current scheme written comments (by email, letter and online form) have to be from you as an individual and you would not be eligible to speak if you only signed a petition or a standard proforma response. Up to five people who support and five who object to a proposal may speak. The applicant also has the right to respond to comments made by those speakers who object to the proposal.
- 2.6.5 We will place reports on planning applications determined by designated officers (under delegated powers) on our [register of planning applications, decisions and appeals](#). After a decision on the application has been made, we issue a decision notice that contains details of any conditions the applicant must meet if we have granted planning permission. If we have refused the application, the decision notice explains the reasons why. We place a copy of all decision notices on our register of planning applications, decisions and appeals.

## 2.7 Other Approvals

- 2.7.1 The County Council also deals with a number of other matters in addition to applications for planning permission. These include non-material amendments to existing planning permissions, hazardous substance consents, applications for prior approval and certificates of lawfulness. Consultation on these matters will largely be in respect of technical matters and will usually involve statutory and non-statutory consultees only. Notification of the public is at officers' discretion.

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<sup>18</sup> Under powers delegated by the Planning and Regulatory Committee. See the council's scheme of delegation as part of its [constitution](#).

<sup>19</sup> Webcasts are available on the website for 6 months after the meeting.

## 2.8 Appeals

- 2.8.1 If we refuse to give planning permission, the applicant has the right to appeal against the CPA's decision to the Secretary of State<sup>20</sup>. Appeals must be made to the Planning Inspectorate<sup>21</sup> who manages the process on behalf of the Secretary of State. If we receive notification of an appeal from the Planning Inspectorate we publicise it in line with the legal requirements. Any written comments received relating to the original application will be forwarded by us to the Planning Inspectorate and the appellant for consideration as part of the appeal process. We must write to statutory and non-statutory consultees, and everyone who was originally notified or made comments on the planning application so that they have the opportunity to participate in the appeal. In addition we may give further publicity by newspaper advert or site notice if this is required by the Planning Inspectorate. Appeal decisions can be viewed on the Planning Inspectorate website

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<sup>20</sup> There are other circumstances when an applicant may make an appeal (i) when a decision on their application has not been made within the statutory timescale (non-determination of an application), (ii) against a planning condition that has been attached to a planning permission. Appeals may also be made in relation to enforcement notices and stop notices.

<sup>21</sup> For more information on the Planning Inspectorate visit the [Planning Inspectorate webpage](#).

### 3 Planning policy documents

#### 3.1 Development Plan Documents (Local Plans)

3.1.1 Surrey County Council has adopted a full set of Development Plan Documents (Local Plans) as follows:

- [Surrey Waste Plan](#) adopted 6 May 2008
- [Surrey Minerals Plan Core Strategy DPD](#) adopted 19 July 2011
- [Surrey Minerals Plan Primary Aggregates DPD](#) adopted 19 July 2011
- [Aggregates Recycling Joint DPD](#) adopted 12 February 2013

3.1.2 The [Minerals and Waste Development Scheme](#) (MWDS) sets out the arrangements for the monitoring and review of the Local Plans listed above.

3.1.3 When Local Plans are reviewed, we will undertake consultation at the key stages of the plan making process as required by statutory requirements<sup>22</sup> and government planning practice guidance<sup>23</sup>.

3.1.4 The following illustrates those key stages and shows when you can get involved in the process of preparing planning documents. We will ask for your views as early as possible so that you have the greatest opportunity to influence the policy making process. The stages and consultation periods are set out below:

Stage	Consultation period (minimum):
Gathering of evidence and public consultation on what the Local Plan should contain	12 weeks
Public consultation on the soundness of the Local Plan prior to submission of the local plan (known as the Local Plan submission draft) to the Secretary of State and the Planning Inspectorate	6 weeks
Independent public Examination of submitted Local Plan	6 weeks

<sup>22</sup> [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

<sup>23</sup> [Planning Practice Guidance](#)

Publication of modifications to the submission draft Local Plan if required	6 weeks
Adoption of local plan by County Council	N/A

3.1.5 We will publicise details of formal consultation by:

- Sending an email<sup>24</sup> or letter to all statutory organisations and other organisations or groups on our minerals and waste database<sup>25</sup>;
- Updating our website with details of current consultations and upcoming consultations.

3.1.6 We may also use other methods including: media e.g. Surrey Matters magazine, social media and workshops or meetings to make you aware of consultations.

3.1.7 We will make it clear in our communication details of:

- The consultation period,
- How to comment
- Where and when we will make documents available.

3.1.8 In order to submit comments individuals will be required to give their name and address. All representations will be acknowledged and treated as public documents. It will not be possible to respond to every letter in detail. What we will do is publish a summary of the results of consultations on our website and show how we have considered them. For more information about how we process your data please refer to our [Minerals and Waste Planning Policy Consultations Privacy Notice](#) on our website.

## 3.2 Supplementary Planning Documents (SPDs)

3.2.1 In addition to local plans the Council will occasionally produce supplementary planning documents (SPDs) which explain the implementation of planning policy. An example is the [Minerals Site Restoration SPD](#). The process of preparation and adoption is shorter and involves fewer stages, set out below.

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<sup>24</sup> Email will be the preferred method of communication with letters used only where email addresses are not available or unreliable.

<sup>25</sup> Our database will be reviewed with a list of organisations and groups who will be consulted made public on our website

Stage	Consultation period (minimum):
Public consultation on draft Supplementary Planning Document	6 weeks
Public consultation on any significant amendments to draft Supplementary Planning Document	6 weeks
Adoption of Supplementary Planning Document by County Council	N/A

### 3.3 Local Development Scheme

- 3.3.1 The Council is responsible for producing and keeping up to date a Local Development Scheme.
- 3.3.2 For more information, please see our [Surrey Minerals and Waste Development Scheme](#) that is available on our website.
- 3.3.3 We invite comments to be made on the scheme. All comments will be taken into consideration when making decisions concerning reviewing the Development Scheme.

### 3.4 Assessment and Appraisal

- 3.4.1 The plan preparation process is subject to requirements for the assessment of the environmental and wider sustainability impacts of the proposed plan.
- 3.4.2 The assessment of environmental effects is undertaken through the strategic environmental assessment (SEA) process, whilst the evaluation of wider sustainability effects is carried out through sustainability appraisal (SA). In practice the two processes are combined and are carried out in parallel to the preparation of new plans.
- 3.4.3 Plans may also be subject to a requirement for Habitats Regulations Assessment (HRA)<sup>26</sup>, which is concerned with identifying and addressing the extent to which implementation of the plan could give rise to significant

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<sup>26</sup> The Conservation of Habitats & Species Regulations 2017 (as amended) (Statutory Instrument 2017 No.1012). The HRA assessment is focused exclusively on sites designated, or proposed for designation as either Special Areas of Conservation (SACs) (under the EU Habitats Directive) or as Special Protection Areas (SPAs) (under the EU Wild Birds Directive).

adverse impacts on species and habitats of nature conservation importance at the European level.

**Strategic environmental assessment**

3.4.4 SEA<sup>27</sup> is a process that can help to inform the development of new plans, by providing information about the potential environmental consequences of the options and alternatives (e.g. for spatial strategy, for policies, for site allocations etc.) that are under consideration. The primary aim of the SEA process is to provide a high level of protection for the environment, and it can be used to build appropriate safeguards into plans (e.g. in the form of environmental protection policies).

**Sustainability Appraisal**

3.4.5 The requirement for development plans produced in England to undergo SA as part of the plan preparation process derives from section 19(5) of the Planning & Compulsory Purchase Act 2004 (as amended by the Planning Act 2008). The requirement for sustainability appraisal does not apply to supplementary planning documents (SPDs).

**Consultation**

3.4.6 Regulation 12 of the SEA Regulations specifies the first step in the SEA process is a scoping exercise, which involves consultation with Natural England, the Environment Agency, and Historic England (as identified under Regulation 4 of those Regulations). Regulation 12 specifies a period of 5 weeks for consultation on the SEA scoping report.

3.4.7 The length of time for which consultation should be carried out in respect of draft plans for which environmental reports have been prepared under the SEA Regulations is not specified in those Regulations<sup>28</sup>. For our plans the final version of the relevant SEA/SA report will be consulted on alongside the Regulation 19<sup>29</sup> version of the plan in accordance with the timescale defined under Regulation 17 of the Town & Country Planning (Local Planning) Regulations 2012.

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<sup>27</sup> The Environmental Assessment of Plans & Programmes Regulations 2004 (Statutory Instrument 2004 No.1633). Which implements into English law EU Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

<sup>28</sup> Regulation 13(3) of the Environmental Assessment of Plans and Programmes Regulations 2004 requires that the period allowed for consultation, "...be of such length as to ensure that the consultation bodies and the public consultees are given an effective opportunity to express their opinion on the relevant documents."

<sup>29</sup> Regulation 19 of the Town & Country Planning (Local Planning) Regulations 2012



Stage	Consultation period (minimum):
SEA/SA Scoping Reports	5 weeks
Final SEA/SA Scoping Reports	6 weeks

## 4 Neighbourhood Planning

### 4.1 What is neighbourhood planning

4.1.1 Since the 2011 Localism Act was introduced, neighbourhood forums and parish councils have been encouraged to develop their own neighbourhood development plans. Neighbourhood plans provide an opportunity for communities to guide and shape development in their local areas.

### 4.2 What is our role in neighbourhood planning

4.2.1 Neighbourhood plans must be in general conformity with national and local planning policy, including local plans. This means that neighbourhood forums and parish councils will need to engage with the county council particularly where there are any sites/issues that raise minerals and waste safeguarding issues or involve County Council land or services such as schools and libraries.

4.2.2 Surrey County Council can support neighbourhood planning in the following ways:

- Respond to consultations on neighbourhood plans, including checking the compatibility of the draft neighbourhood plan with the county's adopted and draft DPDs;
- Provide advice on county council service related issues;
- Highlight where the Community Infrastructure Levy (CIL)<sup>30</sup> investment could help fund improvements to county council infrastructure and services for the local community.

4.2.3 More information on the county council's role in neighbourhood planning is provided in our [Neighbourhood Planning Guide](#) available on our website.

<sup>30</sup> Further information is available on the [planning portal Community Infrastructure Levy page](#)

## 5 Longer term engagement

### 5.1 Monitoring the Statement of Community Involvement

5.1.1 Involving the community does not end with adopting a local plan or making a decision on a planning application. This section covers opportunities for involving people to help measure the effectiveness of the planning process and improve the quality of our decisions.

### 5.2 Annual Monitoring Report

5.2.1 The annual monitoring report is a useful way of keeping people up to date on how effectively we are achieving the planning objectives in our minerals and waste local plans.

5.2.2 We will produce an annual monitoring report that provides information on:

- Preparing and reviewing the Minerals and Waste Local Plans and other planning documents;
- Planning applications for minerals and waste development and our own proposals for development; and
- Monitoring minerals and waste policies and enforcement work.

5.2.3 The annual monitoring report is available to download on our [website](#).

### 5.3 Liaison Groups

5.3.1 We will continue to liaise with local communities through bodies such as action groups, parish and town councils and where they exist, community liaison groups, in dealing with any issues arising at minerals and waste sites.

5.3.2 Liaison groups are an effective way of involving the community in dealing with issues at minerals and waste sites. These groups meet regularly and may be chaired by a county councillor. Planning officers, county councillors, the site operator and other interested people (such as representatives of local communities) take part in these groups. The liaison groups provide a forum for discussing future developments and an opportunity to deal with any ongoing issues at the site.

5.3.3 They are generally organised by the applicant or site operator for large sites, or for developments that were particularly controversial during the planning process.

## 5.4 Monitoring and enforcement

5.4.1 The Council carries out monitoring and enforcement of minerals and waste sites in order to ensure compliance with planning permissions. Regular site visits and other contact with both mineral and waste operators helps us to identify possible issues and address them as early as possible. Where development is taking place without planning permission it will seek to resolve the situation in the most appropriate way through one or more of the following:

- encouraging the submission of a retrospective planning application
- negotiating the cessation of activity and the restoration of the site
- initiating formal enforcement action where negotiation fails

5.4.2 The County Council is both applicant and determining planning authority in respect of schools, infrastructure and other investment programmes. This is permitted under Regulation 3 of the Town and Country Planning Act. Where irreconcilable planning disputes arise, there is no direct way of resolving matters. The County Council is unable to take enforcement action against itself and therefore the County Council Development (Regulation 3) Monitoring and Enforcement Protocol<sup>32</sup> is used as a way of addressing concerns in respect of non-compliance with planning permission.

5.4.3 Further guidance on the principles and standards of the County Planning Authority, and what factors are taken into account in relation to a breach of planning control is available in the Planning Enforcement Protocol on Surrey County Council's website.<sup>31</sup>

5.4.4 If you have concerns that there is a breach of planning control or unauthorised activity at a site you can contact the council's enforcement team using the following methods:

- [Online Form](#)
- Email: [mwcd@surreycc.gov.uk](mailto:mwcd@surreycc.gov.uk)
- Telephone: 03456 009 009
- Fax: 020 8541 9399

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<sup>31</sup> [The Planning Enforcement of Minerals, Waste and County Development](#)

## Appendix 1

### 5.5 Bodies, groups and organisations we consult

5.5.1 Government regulations require us to consult certain bodies and organisations when carrying out particular stages of the planning process, and we can decide whether to consult others.

5.5.2 The regulations for preparing local development plan documents<sup>32</sup> define these organisations as:

- Specific consultation bodies, such as parish and town councils, and government departments; and
- General consultation bodies, including voluntary bodies (such as residents' associations) and organisations which represent the interests of disabled people, businesses, and religious, ethnic groups.

5.5.3 The regulations<sup>33</sup> for planning applications define these organisations as:

- Statutory consultees: such as district and borough councils, parish and town councils, and technical specialists such as the Highways Authority and the Environment Agency, also gas, water and electricity suppliers and neighbouring local authorities; and
- Non-statutory consultees<sup>34</sup>: such as established community and residents' organisations and rights of way interest groups (for example, the Ramblers' Association and the Open Spaces Society).

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<sup>32</sup> [The Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#)

<sup>33</sup> [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#)

<sup>34</sup> [Other Organisations \(non-statutory consultees\) consultation and pre decision matters guidance](#)

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**SURREY**

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# Equality Impact Assessment (EIA)

## 1. Topic of assessment

<b>EIA title</b>	<b>Draft Statement of Community Involvement June 2019</b>
<b>EIA author</b>	Maureen Prescott

## 2. Approval

	<b>Name</b>	<b>Date approved</b>
<b>Approved by</b>	Paul Sanderson	25 June 2019

## 3. Quality control

<b>Version number</b>	0.2	<b>EIA completed</b>	
<b>Date saved</b>	25/06/2019	<b>EIA published</b>	

## 4. EIA team

<b>Name</b>	<b>Job title</b>	<b>Organisation</b>	<b>Team role</b>
Paul Sanderson	Minerals and Waste Policy Team Leader	Surrey County Council	
Maureen Prescott	Planning Technician	Surrey County Council	

## 5. Explaining the matter being assessed

<p><b>What policy, function or service is being introduced or reviewed?</b></p>	<p><b>Draft Statement of Community Involvement June 2019</b></p>
<p><b>What proposals are you assessing?</b></p>	<p>Surrey County Council is currently reviewing the adopted Statement of Community Involvement (SCI) which was published in 2015.</p> <p>It is a legal requirement for the council to have an adopted SCI.</p> <p>The Draft SCI 2019 sets out the councils strategy for involving the local community and other stakeholders in:</p> <ul style="list-style-type: none"> <li>• The development of minerals and waste plans and supplementary planning documents; and</li> <li>• The determination of planning applications for minerals and waste developments and the county council's own developments such as schools and libraries.</li> </ul> <p><b>Overall Approach</b></p> <p>The adopted SCI is based on principles which promote equality of opportunity and ensures that a wide range of people are consulted with regard to planning matters.</p> <p>The Draft revised SCI will carry this forward by:</p> <ol style="list-style-type: none"> <li>a. Encouraging everyone who may be directly or indirectly affected by planning decisions to get involved;</li> <li>b. Encouraging involvement at the earliest stage and throughout the planning process;</li> </ol>



- c. Using ways of involvement that suit different people and are appropriate to the stage of the planning process
- d. Making sure that all information relevant to plans or planning applications is as accessible to as many people as possible;
- e. Ensuring that the process of consultation is open and transparent;
- f. Giving feedback so that those involved are aware of the contribution they have made to the process; and
- g. Making sure that the limits of what we can realistically achieve is fully understood.

#### **Proposed Changes to the adopted SCI**

The changes proposed in the Draft SCI 2019 have been shaped by views received during the recent determination of planning applications and plan making, legislation, government advice and good practice.

#### **Engagement and consultation on minerals and waste plans**

No changes are proposed in the draft SCI with regard to our engagement and consultation on minerals and waste plans.

Since the existing SCI was adopted, the council has prepared a new waste local plan that will be subject to a Public Examination in September 2019.

An analysis of responses received during the plan preparation process suggest that engagement with residents was been broadly successful, although the level of engagement with residents from younger age groups and some ethnic groups was low compared with the demography of Surrey.

We will continue to explore whether we can make any realistic improvements to try to ensure that future engagement is as good as can reasonably be expected.

**Engagement and consultation on development management**

In the draft SCI the protocol for consulting residents and other statutory and non-statutory consultees in respect of planning applications remains broadly unchanged.

We are proposing some changes to the way that we publicise minor applications and some other applications, e.g., applications relating to planning conditions.

Currently our level of publicity on these applications exceeds statutory requirements. In practice often the responses that we receive do not justify this and are not cost effective.

The Draft SCI proposes that in future case officers will be able to decide what level of publicity is appropriate taking into account the nature of the proposal, whether residents are likely to be affected and the level of public interest.

**Engagement and consultation on Neighbourhood Plans**

The Draft SCI sets out the county council's policies for supporting the neighbourhood planning process. This helps to ensure that neighbourhood plans take into account the council's statutory responsibilities, to the benefit of Surrey's communities.

**Who is affected by the proposals outlined above?**

The SCI affects everyone who may be directly or indirectly affected by the County Council's planning decisions including:

- Residents
- Business
- Statutory Consultees
- Community organisations
- Members
- Surrey County Council Staff
- Developers

## 6. Sources of information

**Engagement carried out**

- Public Consultation on the Draft SCI 2019
- Public consultations during the waste plan preparation process
- Discussions with relevant county council officers

**Data used**

- Analysis of responses to the consultation on the draft SCI 2019
- Analysis of responses to the Draft Surrey Waste Local Plan consultation

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

### Impact of the proposals on residents and service users with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
All	<p><b>Minerals and waste plans</b> The SCI gives people opportunities to provide local knowledge and influence:</p> <ul style="list-style-type: none"> <li>• The types of facilities that are provided;</li> <li>• Where facilities are located;</li> <li>• The policies and conditions that protect people from potential negative impacts of development, e.g., noise, dust and traffic impacts.</li> </ul>		<p>The county council's plan preparation process complies with legislation and government guidance.</p> <p>Responses to public consultations on the new waste local plan have helped to shape the plan</p> <p>The council publishes statements that set out how we have considered responses to draft minerals and waste plans.</p>
All	<p><b>Development management</b> The SCI gives people opportunities to provide local knowledge and to give their views on planning applications.</p>		<p>The county council's development management process complies with legislation and government guidance.</p> <p>Historically there has been a high of level of public involvement on significant planning applications.</p>

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
All	<p><b>Development management continued</b></p> <p>The proposed changes to the protocol for publicising minor applications and some other approvals will make the development management process more efficient and allow officers to focus on more complex planning applications which potentially have wider ranging impacts and can be of wider concern.</p>	<p>Some residents will no longer be notified directly on minor applications and some other approvals.</p> <p>However there will still be opportunities for all residents to view and comment on all applications.</p> <p>The SCI sets out the variety of other methods that are used to consult and engage people.</p>	<p>The county council's development management process complies with legislation and government guidance.</p>

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
<b>Age</b>	<p>Using social media and electronic communication may make our engagement with younger people more effective.</p> <p>Handling applications electronically and using the internet and email as our main methods of consulting may improve access to the planning process for people who are less mobile or have impaired sight or hearing difficulties.</p> <p>By using accessible premises and facilities such as hearing loops, we make it easier for people with limited mobility, impaired sight or hearing difficulties to take part in consultation events, local plan examinations and public inquiries</p>	<p>Some people may lack familiarity with or be unable able to access the internet and may not have the same opportunity to consider draft minerals or waste plans or applications.</p> <p>The SCI sets out the variety of other methods that are used to consult and engage people.</p> <p>The County Council does consider requests for making documents available in a variety of formats to make engagement easier, e.g., large print, Braille.</p>	
<b>Disability</b>	As for age above.	As for age above.	

<b>Gender reassignment</b>	No specific impacts expected.	No specific impacts expected	
<b>Pregnancy and maternity</b>	Handling applications electronically and using the internet and email as our main methods of publicising and consulting can improve access to the planning process or people who would find it difficult to travel to County Hall, or district and borough council offices to view documents	None	
<b>Race</b>	Where possible we use plain English in county council documents and provide non-technical summaries of key documents.  Surrey County Council also considers requests for making documents available in a variety of languages.  This practice may benefit people whose first language is not English.		
<b>Religion and belief</b>	No specific impacts expected	No specific impacts expected	
<b>Sex</b>	No specific impacts expected	No specific impacts expected	
<b>Sexual orientation</b>	No specific impacts expected	No specific impacts expected	
<b>Marriage and civil partnerships</b>	No specific impacts expected	No specific impacts expected	
<b>Carers (protected by association)</b>	Handling applications electronically and using the internet and email as our main methods of publicising and consulting can improve access to the planning process or people who would find it difficult to travel to County Hall, or district and borough council offices to view documents		

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

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
<b>Age</b>	As for residents and service users above.		
<b>Disability</b>	As for residents and service users above		
<b>Gender reassignment</b>	As for residents and service users above		
<b>Pregnancy and maternity</b>	As for residents and service users above		
<b>Race</b>	As for residents and service users above		
<b>Religion and belief</b>	As for residents and service users above		
<b>Sex</b>	As for residents and service users above		
<b>Sexual orientation</b>	As for residents and service users above		
<b>Marriage and civil partnerships</b>	As for residents and service users above		
<b>Carers (protected by association)</b>	As for residents and service users above		



## 8. Amendments to the proposals

Change	Reason for change
<p>No changes are proposed but we will remind officers of the need to consider all stakeholders and take the necessary steps to include hard to reach groups by ensuring that:</p> <ul style="list-style-type: none"> <li>the appropriate support and information is available to help planning officers identify and address any equalities issues that arise</li> <li>Planning officers apply a consistent approach with regard to equalities issues</li> </ul>	<p>Not applicable</p>

## 9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
	<p>No changes are proposed but we will remind officers of the need to consider all stakeholders and take the necessary steps to include hard to reach groups by ensuring that:</p> <ul style="list-style-type: none"> <li>the appropriate support and information is available to help planning officers identify and address any equalities issues that arise</li> <li>Planning officers apply a consistent approach with regard to equalities issues</li> </ul>	<p>Regular reminders at DM team meetings</p>	<p>Caroline Smith</p>

## 10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
<p>Not applicable.</p>	<p>Not applicable.</p>

## 11. Summary of key impacts and actions

<p><b>Information and engagement underpinning equalities analysis</b></p>	<ul style="list-style-type: none"> <li>a. Public consultation on the Draft SCI</li> <li>b. Public consultation for the waste plan preparation process</li> <li>c. Discussions with relevant county council officers</li> <li>d. Analysis of responses to the Draft SCI consultation</li> <li>e. Equality analysis of residents' responses to the Draft Surrey Waste Local Plan consultation</li> </ul>
<p><b>Key impacts (positive and/or negative) on people with protected characteristics</b></p>	<p><b>Minerals and waste plans</b>  The SCI gives all residents opportunities to provide local knowledge and influence:</p> <ul style="list-style-type: none"> <li>• The types of facilities that are provided;</li> <li>• Where facilities are located;</li> <li>• The policies and conditions that protect people from potential negative impacts of development, e.g., noise, dust and traffic impacts.</li> </ul> <p><b>Neighbourhood Plans</b>  The Draft SCI sets out the county council's policies for supporting the neighbourhood planning process. This helps to ensure that neighbourhood plans take into account the council's statutory responsibilities, to the benefit of Surrey's communities.</p> <p><b>Development management</b>  The SCI gives all residents opportunities to provide local knowledge and give their views on planning applications.</p> <p>The proposed changes to the protocol for publicising minor applications and some other approvals will make the development management process more efficient and allow officers to focus on more complex planning applications which potentially have wider ranging impacts and can be of wider concern.</p> <p>The proposed changes to the protocol for publicising minor applications and some other approvals will mean that some residents are will no longer be consulted directly but there will still be opportunities for all residents to view and comment on all planning applications.</p>

<p><b>Changes you have made to the proposal as a result of the EIA</b></p>	<p>No changes are proposed but we will remind officers of the need to consider all stakeholders and take the necessary steps to include hard to reach groups by ensuring that:</p> <ul style="list-style-type: none"> <li>• the appropriate support and information is available to help planning officers identify and address any equalities issues that arise</li> <li>• Planning officers apply a consistent approach with regard to equalities issues</li> </ul>
<p><b>Key mitigating actions planned to address any outstanding negative impacts</b></p>	<p>Not applicable</p>
<p><b>Potential negative impacts that cannot be mitigated</b></p>	<p>Not applicable</p>

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Mr John Holland-Kaye  
Chief Executive  
Heathrow Airport Limited  
**[by email: [feedback@heathrowconsultation.com](mailto:feedback@heathrowconsultation.com)]**

Monday 9 September 2019

Dear John,

### **Airport Expansion Consultation June 2019 - Comments from Surrey County Council**

Thank you for the opportunity to comment on your preferred proposals for the expansion of Heathrow Airport. As indicated at our recent meeting, Surrey County Council's Communities, Environment and Highways Select Committee and Cabinet will not have had the opportunity to consider and agree this response before the consultation deadline of 13 September. However, as agreed, we are submitting this draft response to meet the deadline and if there are any subsequent comments to be made we will provide these to you by the end of September.

We recognise the importance of Heathrow's role in supporting employment for Surrey residents, generating investment in Surrey's economy and attracting business to locate in the county, but the environmental, surface access and other infrastructure issues associated with the expansion must be satisfactorily addressed. The anticipated impacts during both construction and operation of an expanded Heathrow will have significant impacts on communities, businesses and the environment in the county especially in relation to noise, congestion on the road network, air pollution, flood risk, the water environment and green and community infrastructure.

A particular concern is the potential cumulative impact on those Surrey communities of Stanwell and Stanwell Moor closest to the airport. The proposed Surface Access Strategy is critical, not least because increased traffic around the airport, especially heavier freight vehicles, could affect road condition and have maintenance implications for the council. We have considered the consultation documents in this context and in the county council's roles as the local highway authority and minerals and waste planning authority for Surrey, as a key infrastructure provider and with passenger transport and public health responsibilities.

Whilst we appreciate the substantial amount of work that has already gone into developing the preferred Masterplan and the engagement we have had with Heathrow Airport Limited (HAL) to date, we need to see more information, particularly on mitigation measures, to enable us to understand and develop an informed view of the likely environmental effects, especially in those areas listed above, construction, delivery and implementation and the health impacts on communities. Our response reflects this and our comments are less detailed than they might have been had the consultation been carried out when the proposals were more developed and more detail available.

It is a pity that even though the Heathrow Strategic Planning Group (HSPG) of which we are a member has been working with HAL for a number of years, a key premise of ensuring that a common

base position supported by appropriate detail could be agreed early on with HAL has not materialised as we are still awaiting much of the necessary detail.

We are also disappointed that the emerging preferred Masterplan, which will have very significant impacts on communities in Surrey, appears to lack ambition as regards legacy and benefits such as improved and subsidised public transport, active travel infrastructure, community and recreation facilities, skills training and enhanced or new green infrastructure. We are concerned that even some of the proposed benefits for communities and local businesses will not materialise given the recent CAA CAP1819 consultation. There is a need for further consultation with this council, HSPG, local communities and other stakeholders on surface access and mitigating the environmental effects as the scheme design progresses and we will continue to engage positively with HAL in this process.

Our considerable concerns over the preferred Masterplan and plans to operate and manage the impacts of the airport as it grows are set out in the annex to this letter. In particular, we wish to emphasise the following points:

1. Southern Rail Access is a priority infrastructure project for this council and will support economic and sustainable growth. A rail link is essential to achieve greater modal shift from the south and, in our view, if there is no fast and reliable public transport provision to Heathrow serving Woking, Guildford and other parts of Surrey plus the wider south east, HAL may not be able to meet their public transport targets. Furthermore, if HAL does introduce the proposed vehicle access charge without meaningful and attractive additional public transport provision from Surrey this impacts disproportionately on Surrey residents (apart from those very close to the airport) who have little other option but to drive/take a taxi to Heathrow unlike London residents who do have fast and reliable public transport alternatives.
2. As the local highway authority for Surrey, we continue to stress that we are not being adequately consulted on transport assessments or mitigation proposals. The scale of parking proposed in the Stanwell area and the creation of a main vehicular point of access to the airport in the south west have a number of critical implications for Surrey. Sharing of transparent, robust transport modelling as soon as possible is essential for us to enter into discussions with HAL around impact and mitigation. This has been raised consistently through our responses to previous formal and informal consultations and engagement with HAL at all stages of scheme development. In our view, given HAL's timetable, detailed discussion that remains to be held should be happening now.
3. Expansion provides the opportunity for proactive bus improvements which can be future proofed to ensure viable services if frequency, route and journey time can be relied on. The commitment to public transport improvements to the south and west of the airport needs to be stronger. We would like to see greater detail on what specific improvements are being committed to including on the level of financial support that will be available to ensure sustainability of services in the long term and how this will be governed. This funding and the means by which it is permanently provided needs to form part of the Development Consent Order (DCO). Surrey County Council should be included in discussions regarding future bus routes within the county.
4. The Committee on Climate Change (CCC) is expected to report in the autumn setting out its recommendations for the aviation sector consistent with delivering the Government's recently legislated target for net zero carbon by 2050. We expect these recommendations to be taken into account in the Government's final Aviation Strategy for 2050 and there may be a requirement for the ANPS to be reviewed. This is a key issue that HAL will need to address.
5. Air quality is an area of concern for the Council because of its impact on public health. The DCO boundary is surrounded by Air Quality Management Areas (AQMAs) and the whole of Spelthorne is an AQMA. The Stanwell area could be significantly impacted because of the increase in airport related road traffic to the south and west of the airport and construction activities but more information on transport modelling is needed to fully assess the impact on air quality. We would like to see HAL commit to supporting progressive reductions in air pollutants in areas currently below legal thresholds, not just avoid contributing to exceedances of maximum legal limits.
6. We would question whether the one hour recovery period for delays that HAL appears to be assuming as part of normal operations should count towards the six and a half hour scheduled

night flight ban period required by the Airports National Policy Statement (ANPS). We consider there should be a full six and a half hours when only dispensed flights would be acceptable rather than the currently proposed five hours and fifteen minute no operation period. The design of any noise envelope must go beyond maintaining the 2013 baseline and should be subject to regular review at least every 5 years given that noise metrics, understanding the physical and mental health impacts of noise and aircraft technology are continually evolving. The noise insulation policy should also be subject to regular review.

7. Early growth is dependent on the use of Independent Parallel Approaches (IPA) to allow more arrivals through the use of new arrival routes into Heathrow from the holding stacks. IPA is a serious concern for many residents of Surrey as it could potentially impact on areas of Surrey Heath, Woking, Spelthorne, Runnymede, Elmbridge, Epsom & Ewell, Mole Valley and Reigate & Banstead. This council does not support IPA as it would represent a worsening of the current situation for many local communities and could have health impacts. We do not consider there to be any national policy basis in either the ANPS or Government aviation policy for the more intensive use of the existing two runways to support early growth at Heathrow, but if early growth is to be allowed as part of the Development Consent Order (DCO), then it must be subject to noise management controls including no additional runway landings or take offs before 06:00.
8. We strongly disagree with proposals set out within the Preliminary Environmental Information Report (PEIR) to disregard aggregate recycling capacity at Hithermoor Quarry. Development in the vicinity of Hithermoor Quarry must allow for transport and processing of any future mineral extraction from King George VI Reservoir in accordance with the adopted Surrey Minerals Plan and we consider that any implications for the ability of Hithermoor to be used for the processing of material from King George VI Reservoir must be appropriately assessed.
9. We are very concerned that not all land to be assembled for necessary mitigation measures is included within the DCO boundary. The Masterplan includes various measures, particularly in relation to the provision of high quality, connected green and blue infrastructure and open space, which could provide quality of life and health benefits for residents in terms of leisure and active travel, however, the land identified for these purposes is outside the application boundary. There is no guarantee that this land can be secured through third party agreements and so there is a risk that not all of the Masterplan, especially some of the proposed mitigation, will be delivered which would be to the detriment of local communities.
10. The Wider Property Offer Zone (WPOZ) should be extended to incorporate the entire village of Stanwell Moor and large parts of Stanwell. There will be residents in these communities who will experience prolonged quality of life and potential health impacts given the long construction period by being exposed to temporary unacceptable levels of noise during construction. They will also be newly exposed to more aircraft noise from the expanded airport once it is operational, including from aircraft on the runways and taxiways as well as overhead and likely poorer air quality. We consider that there needs to be a local health impact assessment for each of these communities so that the combined and cumulative effects of HAL's proposals on residents can be understood.

Given the extent of our comments, rather than addressing the specific questions in the feedback questionnaire, we have presented them in the annex in terms of the relevant topics for the assessment of potential impacts and assessment principles identified in the ANPS. However, where possible we have indicated where they relate to particular feedback questions. We would also refer you to HSPG's response. We welcome ongoing dialogue with HAL (and through our involvement with HSPG) as HAL sets about finalising the Masterplan and DCO application.

Yours sincerely,



Colin Kemp  
Deputy Leader

## **ANNEX**

### **Surrey County Council's response to the Airport Expansion Consultation – September 2019**

#### **Surface Access** (Feedback questions 9-11)

The following comments on this topic can be summarised in five key points:

1. A firm commitment that HAL agrees the need for Southern Rail Access and will stand together with local authorities on the outcomes that we collectively wish to see delivered and pro-actively work with Government to deliver it. If a Southern Rail scheme cannot be delivered before the new runway is operational, we suggest a condition on the DCO that no more than 600,000 ATMs per annum should be allowed until both the Western and Southern Rail schemes are in place.
2. The need for more information and sensitivity testing of different interventions and assumptions that are being modelled to inform the iterative process of mitigation identification and to enable us to understand the likely impacts.
3. A stronger commitment to and more detail on specific public transport and active travel measures to the south west of the airport.
4. An urgent request to see the impact modelled of 'hard wiring' the Southern Parkway into the SRN.
5. A request to commence discussions on Controlled Parking Zones and how these will be implemented.

#### **General comments**

Surrey County Council wishes to raise a number of fundamental issues on HAL's work to date in relation to ANPS requirements. As the local highway authority for Surrey, we continue to stress that we are not being adequately consulted on transport assessments or mitigation proposals. The scale of parking proposed in the Stanwell area and the creation of a main vehicular point of access to the airport in the south west have a number of critical implications for Surrey. Sharing of transparent, robust modelling as soon as possible is essential for us to enter into discussions with HAL around impact and mitigation. This has been raised consistently through our responses to previous formal and informal consultations and engagement with HAL at all stages of scheme development. In our view, given HAL's timetable, much of the detailed discussion that remains to be held should be happening now.

The surface access proposals are highly focussed on meeting the mode share and colleague car trip targets of the ANPS, principally through limiting colleague car parking and introducing a vehicle access charge for passengers. As currently presented, they lack specific detail on how the airport's expansion will impact local transport networks and there is an absence of proposals for the provision of mitigation measures. It is stated that this information will be provided prior to the DCO in the Transport Assessment, but this document is not currently available and therefore not something that forms part of the consultation. Until we see the findings, including an assessment of committed mitigation measures, we are unable to give an informed view on the likely significant effects. In our view, the surface access strategy could do much more to facilitate sustainable travel within and across the Heathrow sub-region.

The public pledge on no more airport related traffic relates to an area that closely follows the boundary of the airfield. It excludes traffic generated by airport related development and supporting facilities located near the airport, but outside this boundary. This might include development displaced by the expansion itself. We consider that the no more traffic pledge should include traffic to and from any development displaced by the expansion and also construction traffic, particularly as construction traffic is included in the baseline and given the number of years over which construction will extend. The definition of through traffic is also a vital consideration and a clear definition needs to be established.



This same boundary applies to the definition of 'colleague' (airport worker). Such a narrow definition means that the forecast number of Heathrow colleagues that are subject to the ANPS travel requirements is lower. The definition of 'colleague' should be extended to include those working beyond the boundary of the airport in a role that is directly related to the airport, particularly if it is in a displaced activity. We support HSPG's request for a scenario to be tested within the surface access strategy that models the traffic impacts of the growth in employment outside the airport boundary that directly results from the airport's expansion.

Furthermore, we are concerned about the difficulty of clearly establishing the number of colleague trips in the base year, with the various surveys and MAID (access control system) data all measuring slightly different things. The lower the base means that the amount of colleague car trips that are needed to reduce to meet the ANPS targets is also reduced. Without clear evidence to the contrary, the base case number of colleague trips should be defined using assumptions that ensure the greatest absolute reduction in colleague car trips is tested.

### **Southern Rail Access**

Southern Rail Access was originally identified as needed to support T5 and the Airports Commission envisaged Southern Rail Access as an integral part of the surface access strategy for an expanded Heathrow. Given that HAL sees the expansion of Heathrow as 'a unique opportunity to change the way that people and goods travel to, from and around the airport', wants it to be at the heart of the rail network and as helping to facilitate economic development, we are disappointed at HAL's seeming lack of recognition of the importance of a Southern Rail Access to achieving these aims.

A Southern Rail link is a priority infrastructure project for this council and HSPG. We believe it should be a pre-requisite for expansion and remain committed to being involved in helping to shape the best possible outcome. Such a link will support sustainable growth and will radically improve access to Heathrow Airport from many areas. By improving connectivity to economic hubs in the sub-region, it will help both distribute the economic benefits of the expanded airport as widely as possible as well as helping to ensure that the airport can meet its obligations on traffic and air quality.

A rail link is essential to achieve greater modal shift from the south and, in our view, if there is no fast and reliable public transport provision to Heathrow serving Woking, Guildford, other parts of Surrey and the wider south east, HAL may not be able to meet their public transport targets. If HAL does introduce the proposed vehicle access charge without meaningful and attractive additional public transport provision from Surrey this impacts disproportionately on Surrey residents (apart from those very close to the airport) who have little option but to drive/take a taxi to Heathrow unlike London residents who do have fast and reliable public transport alternatives.

We would like to see a firm commitment that HAL agrees the need for Southern Rail Access and will stand together with local authorities on the outcomes that we collectively wish to see delivered and pro-actively work with Government to deliver it. If a Southern Rail scheme cannot be delivered before the new runway is operational then in our view, and having considered HAL's own growth forecasts, there should be a condition on the DCO that no more than 600,000 ATMs per annum should be allowed until both the Western and Southern Rail schemes are in place.

### **Traffic impact, modelling and local roads**

From the scheme development reports it is clear that transport modelling was not a key determinant of scheme design and only frequently referenced at a late stage in the process. As a local highway authority, we are very concerned by this approach and share the frustrations of HSPG's modelling sub-group around the lack of detail on what is being modelled and the lack of clarity around an agreed methodology. We remain concerned that there is insufficient information coming out of the modelling process to enable an audit of the assessment of the various scenarios and their impacts on Surrey's local road network.

Local authorities need proof of the robustness of the modelling, which includes greater clarity on the assumptions used. Without this there will remain disagreement over fundamental issues such as the proportion of traffic that is airport related and the extent of the impact on the local road network. Authorities are sceptical of the findings that just two network links will be operating in excess of capacity with seven forecast to be approaching capacity. We continue to seek clarity as to what sensitivity testing of different interventions and assumptions is being modelled. The HSPG transport sub-group has detailed specific assumptions that local authorities require sensitivity testing, which we fully support. These include the forecast proportion of transfer passengers, forecast number of airport workers, the impact of specific Surface Access Strategy (SAS) initiatives and growth in airport related traffic in the local area.

The Preliminary Transport Information Report (PTIR) contains no detailed junction modelling or microsimulation - just preliminary modelling of impacts on public transport and highway networks. Consequently, significant concerns exist as to how the iterative process of mitigation design will take place.

There remain fundamental queries around assumptions used within the modelling baseline, for example that less than 10% of total daily traffic on the majority of roads in the south west quadrant is estimated to be airport related traffic. Furthermore, preliminary modelling forecasts that there is to be little change on the highway network to the south west of the airport, with the majority of the difference occurring on the SRN, disregards growth in non-airport traffic in the local area, either due to induced or catalytic impacts of the expanded airport or for other reasons. Given the lack of capacity on the SRN for additional traffic, any increase in airport related traffic is likely to have significant local impacts. The consultation does not present any mitigation for these impacts stating that this will be part of the future transport assessment. We believe this is a serious omission from the current consultation, and that it is an important area of the scheme that is likely to require further consultation. As previously requested, we would like to see tested the scenario that the Southern Parkway be "hard wired" into the SRN, with no access to or from the local road network (other than for emergency access).

There remain significant concerns relating to the material reduction the proposed expansion will have on the capacity of the existing highways around the airport on the northern, western and southern sides. As they currently stand, the proposals result in the removal of much of the internal perimeter road network, and the replacement of a reduced capacity alignment of the A4. The A3044 replacement, whilst being of similar capacity (in terms of width), has a considerably greater design length, leading to longer journeys by all who use it. None of the new infrastructure provides discrete infrastructure for buses. By moving Airport Way and Southern Perimeter Road further south and increasing capacity to three lanes in each direction, there will be greater impact on the communities of Stanwell Moor and Stanwell due to increased noise and air pollution. Full consideration needs to be given to the location and access/egress for the relocated petrol filling station, which includes HGV facilities, to Stanwell Moor Road and any possible impacts on the Crooked Billet junction.

There are also elements of the scheme where we have queries around the 'buildability' of proposals, specifically at Junction 14. Space is limited for all the elements proposed here and we suspect that the Green Loop, an important green infrastructure element of the Masterplan and active travel corridor could end up being compromised. Greater assurances need to be provided that proposals are technically achievable.

There is a lack of detail on the quantum or impact of construction traffic, with no indication as to when this information will be presented. Insufficient justification has been given for the assumption that 60% of the construction workforce will travel by public transport.

Impacts on the local road network must be minimised and mitigated appropriately. Without sight of the full modelling data and assuming a worst case scenario of car access to and from the Southern Parkway via Surrey's network and to the Southern Road Tunnel and other hubs, we anticipate that mitigation may be required for a range of junctions and key links. Discussions around mitigation measures will only be possible once all modelling data is made available to assess performance issues associated with the expansion proposals. We have identified the following potential areas of significant highway impact:

- Junctions
- Horton Road with Junction 14 M25 roundabout.
- Spout Lane with A3113
- Spout Lane North with A3113
- Horton Road with A3044
  
- B378 with A3044
- Farnell Road with A3044
- A3044 with A30 (Crooked Billet)
- A308 London Road with Kingston Road, Staines
- A308 South Street with B376 Staines
- A308 Staines Bridge with B376
- A308 Staines Bridge with A320 Chertsey Lane (Egham Hythe)
- A308 with Fordbridge Road (roundabout)
- A308 with B378 School Road/Ashford Road signals
- A308 with Chertsey Road (Ashford Common)
- A308 with A244 Cadbury/Windmill Roads
- A308 with M3 with A316 with Vicarage Road with Station Road with Green Street (Sunbury Cross)
- B3003 with B378 with B377 (roundabout)
- A30 with B378 signals (Bulldog)
- B377 with B378 (roundabout)
- B377 with B378 (Signals)
  
- Links
- A3044 from county boundary in the north to Crooked Billet in the south

It should be noted that a number of the “committed and planned improvements” listed in the PTIR are either already completed or understood not to be committed:

- Runnymede Roundabout was substantially completed in July 2018
- Meadows Gyratory was completed in May 2019
- A30 Crooked Billet Roundabout - we not received confirmation that Highways England has committed funding to construct this scheme.

### **Bus and coach**

We note that the SAS highlights that Surrey has the second highest share of passengers who would take public transport to Heathrow if access was improved. We would like to see explicit commitments from HAL that they recognise the value of investing in transportation assets and that much of this investment will need to be made beyond the airport boundary where journeys start and end. Where required, transport proposals should include detail on the level of financial support that will be available to ensure sustainability of services in the long term and how this will be governed. This increased level of funding and the means by which it is permanently provided needs to form part of the DCO.

Expansion provides the opportunity for proactive bus improvements which can be future proofed to ensure viable services if frequency, route and journey time can be relied on. The commitment to public transport improvements to the south and west of the airport needs to be stronger, with greater detail on what specific improvements are being committed to. Surrey County Council should be included in discussions regarding future bus routes within the county. These discussions need to take place now, well ahead of DCO submission.

We consider that dedicated bus lanes should be provided on all new highway infrastructure including Southern Perimeter Road and that more detail be set out on bus priority measures on the wider local networks. We support the recent route improvements that HAL have already put in place and the

proposals within the consultation. HAL must make the most of the opportunity to evaluate and report on the impact of any pilot schemes to demonstrate effectiveness to stakeholders.

We have specific comments on a number of route suggestions:

- Discussions are already underway around the funding of a more frequent service on the route 555 corridor. We believe that investment in bus priority measures, resolving on-route pinch points and making improvements to at-stop, on-bus and real-time information facilities on the 555 bus corridor would ensure this bus route is a reliable and attractive option for travel to and from the airport and would help to secure Heathrow's ambition for extending the frequency and operating hours for this route.
- We would support express bus routes towards Staines, Egham and Camberley and agree that these should take account of worker shift patterns. These routes should be open to the public too. There are currently no bus services between Egham/Staines and Heathrow between 00:30 and 04:00, which we would like to see addressed.
- We query whether new bus routes to Chertsey, Addlestone and West Byfleet have been explored? There is potential to consider the development at Longcross as a new public transport destination.

We would like to see a commitment that bus and coach operators will not be charged to use the new Southern Road Tunnel and that access will not be exclusively to specific operators.

To support the proposals for longer operating hours on bus routes we recommend investment in waiting facilities for services at these times including lighting, real-time passenger information and personal safety improvements to access routes to/from the bus stops to maximise patronage at locations away from the airport.

Serving a polycentric facility like Heathrow with direct bus services is challenging as a degree of interchange is inevitable. We recommend key interchange sites are identified, including along perimeter roads to avoid travelling into terminals to change, and that they are set up with stop facilities to support interchange and are advertised as such. Preferably these interchanges would avoid the need to cross busy roads to change buses. We agree with HSPG that the Southern Road Tunnel provides opportunities to develop a Bus Rapid Transit system from the Central Terminal Area to the A30, with extensions provided through partnership with operators.

The consultation sets out the intention for bus and coach routes to remain free-flowing on specified key roads around the airport. The council is keen to work with HAL to identify additional locations that require improvements on Surrey's network. It is our view that works will be needed on routes farther from the airport to ensure bus reliability. We would also want to see a commitment that monitoring continues on these routes and that improvements will be delivered even if problems arise once operational that weren't identified through modelling. We see variable messaging signs as having a role in the future to turn general traffic lanes into priority lanes for buses (and potentially other higher occupancy vehicles) at times when traffic is not free-flowing.

We support HSPG's view that there should be more emphasis within the SAS on measures to subsidise public transport to the airport as a way of encouraging modal shift. We support an extension of the free travel zone.

On accessibility and inclusivity of public transport, we would like HAL to consider making specific commitments to improve audio-visual announcements on buses and to work with their own staff as well as operators to ensure all staff have training in assisting travellers with non-visible disabilities.

### **Active travel**

Surrey County Council is currently delivering £4.95m of sustainable transport infrastructure improvements through the Wider Staines Sustainable Transport Package (Staines STP) (delivery 2017-2020). The package includes improvements to passenger accessibility and waiting facilities at bus stops and the provision of off-road cycle infrastructure and controlled crossing facilities along a number of corridors within the Staines and Stanwell area.

Staines STP, which is majority grant-funded by the Enterprise M3 Local Enterprise Partnership (EM3 LEP), was also awarded £549,000 in funding from HAL through the Sustainable Transport Levy in 2016. The measures, of which a number have already been completed, improve southern access to Heathrow via sustainable modes along roads including A3044 Stanwell Moor Road, B378 Town Lane, B378 Park Road and A308 London Road. Elements of these improvements are expected to complement HAL's ambitions for the southern 'spoke' of an active travel corridor from Southern Perimeter Road into Spelthorne.

However, the Staines STP improvements will not deliver this in isolation and further spokes are needed to connect nearby areas of high Heathrow employee residency in Ashford, Sunbury and south Staines. The proposed infrastructure-related active travel initiatives within HAL's surface access proposals commit to nothing specific within this area, although there is recognition that existing infrastructure in Surrey must be improved to ensure end to end connectivity with the airport campus. As a general point, we therefore consider the proposals as being far too limited and lacking ambition and want to engage with HAL as to how the identified routes requiring enhancement can be defined and delivered as part of the surface access proposals.

We estimate some 4,000 colleagues live within cycling distance of the airport to the south. Key areas for improvements include:

- Extending the Stanwell Moor Road off-road facility north to connect with the perimeter facility orbiting the airport (this was previously not undertaken due to the anticipated changes to the road network around the airport)
- Extending routes south of the A30 to south Staines, Ashford and Sunbury
- Enhancing the Park Road facility
- The southernmost portion of the active travel route on Stanwell Moor Road is not complete. We would also like this route to be well connected to the Southern Parkway.

(Please note that within the PTIR, volume 4 p24, the footpath across the eastern edge of Hithermoor is incorrectly shown as an off road cycle route.)

Some of the surface access proposals appear to imply that the cycle routes through the Northern and Southern Road Tunnels to the Central Terminal Area may not be implemented. We strongly support the inclusion of these routes and ensuring the design of tunnel creates sufficient space for a segregated cycle track. These should be open and available for use at the first phase of expansion.

We would welcome further information on the effectiveness of the cycle hubs at the airport. We consider that there should be permeability for cyclists to access the airport boundary at several points to undertake that last mile of their journey. Clearly security will be a significant consideration, but without this permeability of access, cycling will not be maximised as a potentially major contributor to sustainable travel.

It would be good to see cycle hub access linked to any smart card or upgraded staff pass, rather than requiring separate application. We also support suggested cycle share and bike hire schemes, which would be desirable to extend the worker residential catchment along the identified corridors. No reference to Docking Cycle Stations is made and Heathrow could be a candidate for such a system that would provide local community benefit. TfL run docking cycle systems and Slough have a similar system. If HAL proposed cycle docking stations for a radius of the airport, it could be managed by them similar to the London model.

Walking should also be seen as an important enabler for public transport and demand management. We support core walking zone proposals, but the zones look small and disconnected and we would suggest that they should include connecting routes between them to link them together and to the wider community. Given the high levels of traffic, green screens that offer some barriers to noise and pollution would be desirable. There is a need for enhanced walking infrastructure around Stanwell, which has a high concentration of workers and is within walking distance of the airport and the Southern Parkway for onward shuttle.

### **Mobility information services**

Surrey County Council supports the principles of improving knowledge of and confidence in sustainable journey options such as public transport, as a powerful means of encouraging modal shift. We note the low uptake of Heathrow's existing journey planner and suggest integration with third party apps and processes will be essential if the information is to reach the vast majority of prospective travellers. We suggest an open data approach will be important if data is to be incorporated into the widest possible array of third party travel tools, including technologies and services that don't yet exist.

We suggest that there is an opportunity to make use of existing smartcard technology which is familiar to members of the public and the technology is readily available to accelerate rollout and increase early user confidence in the product. It would be desirable to make enrolment for the Heathrow Travelcard automatic for new starters. Longer-term, the Heathrow Travel Wallet offers very similar functionality to emerging third party MaaS platforms, which may be better placed to reach a wider group of workers at Heathrow and be more appealing to those on short-term contracts who may use those other platforms across multiple job contracts. It would be positive to see a commitment from Heathrow to work with these products and integrate Travel Wallet incentives into them, where they can help Heathrow achieve its modal shift objectives

### **Car parking**

The proposals for an overall increase in car parking appears to be at odds with HAL's modal shift ambitions and we continue to query the scale of parking proposed at the Southern Parkway. The Scheme Development Report suggests that there was little traffic modelling evaluation during optioneering for the parkways. Given the potential impact on the local road network in Surrey, we consider this to be unacceptable and urgently request to see the impact modelled of 'hard wiring' or isolating access to the Southern Parkway from the SRN. We consider it vital that the Southern Parkway has restricted access off the local road network to any private car (other than at times of incident on the SRN).

The phasing of the parkways is a cause for concern related to the quantum of parking proposed in the Stanwell area. The Northern Parkway is due to be completed later, not only concentrating vehicular access to the south west corner for a period, but also negating any potential for HAL to provide only the parking that is required, as has been previously suggested.

There is a commitment to work closely with local authorities to manage any potential impact from unintended off-site car parking resulting from the parking restraints to be applied. There has been no engagement with HAL on this specific issue to date and we seek confirmation that HAL will fund extensive fly parking management measures as required, including drawing up and consulting on proposals, implementation (following this council's approval) and funding of their management in perpetuity so that residents do not have to fund an annual permit fee. This will need to be operational at the construction stage. Areas to include are:

- Stanwell Moor and surrounding roads
- Stanwell and surrounding roads
- Ashford – where transport links generate a demand for potential airport parking (both employees and travellers)
- Staines - where transport links generate a demand for potential airport parking (both employees and travellers)
- Any other areas that may generate hub related fly parking, for example around a public transport.

We expect HAL to monitor role-based parking space allocations to understand where types of roles that require cars tend to exist, what the barriers are to getting rid of cars and then targeting actions to transform those roles in association with employers. We support HSPG's view that the number of colleague parking spaces could be reduced further.

## **Vehicle access charge**

The council is supportive of the proposed vehicle access charge, but in common with HSPG, we would like to see it go further. HSPG believes the ULEZ and vehicle access charge should be payable by all vehicles accessing any part of the airport campus. Many local residents work at the airport and the Southern Road Tunnel could potentially turn into a local route if colleagues had permits or passes that allowed free access through Heathrow. There should be modelling of the ULEZ with and without colleague exemption. A robust plan needs to be put in place for preventing vehicle drop-offs and pick-ups to avoid the charge on roads close to the Parkways and thereby impacting on the local road network.

Surrey County Council support HSPG's position that the vehicle access charge should not be managed in a similar manner to the airport's existing revenue stream. Income from the vehicle access charge should be held in a hypothecated fund for supporting local transport infrastructure improvements and subsidising public transport fares. A democratic mechanism involving key local partners needs to be set up to help determine the spending priorities of this fund.

## **Freight**

Freight trips are forecast to grow rapidly in the south west corner of the airport. We need further details of proposals to ensure that HGV journeys to and from Heathrow are kept off residential streets and out of town centres such as Staines-upon-Thames. We support further investigation of Spelthorne Borough Council's suggestion of a non-road cargo link under or over Southern Perimeter Road to help reduce freight movements. Increased traffic around the airport, especially heavier freight vehicles, could affect road condition and have maintenance implications for the council.

We would like to see a firm commitment from HAL to support low emission freight vehicles. The whole of Spelthorne is an Air Quality Management Area (AQMA), where air quality does not meet minimum government thresholds. We urge Heathrow as a large-scale fleet operator to put itself at the forefront of the trial and development of low emission fleet vehicles, challenging the vehicle manufacturing industry to accelerate the introduction of viable electric and low emission vehicle products in support of the UK Government's Industrial Strategy and Road to Zero Strategy.

There needs to be a strong commitment to open data for transport and this is a particular issue with freight where information is not shared due to issues with commercial sensitivities. Sharing data is essentially the only way to understand the airport operations and propose suitable mitigation and we expect HAL to take a lead on this.

On vehicle call forward facilities, we would like to see the process for booking a slot at the cargo centre used to ensure compliance with vehicles waiting in the call forward facility rather than local streets. We suggest that the role of fleet-tracking GPS be explored to see if it offers any advantages to dynamically managing demand as well as ensuring compliance with no waiting on local streets.

## **Air Quality (Feedback question 13)**

The following comments on this topic can be summarised in two key points:

1. The need for more information on transport modelling to fully assess the impact on air quality.
2. The need for more information on construction to enable an informed view of the likely effects to be developed.

Air quality is an area of concern for this council because of its impact on public health. The DCO boundary is surrounded by AQMAs and the whole of Spelthorne is an AQMA. The Stanwell area could be significantly impacted because of the increase in airport related road traffic to the south and west of the airport and construction activities including the expected location of construction supporting sites.

The ANPS requires Heathrow to demonstrate that, with mitigation, the airport expansion scheme will be compliant with legal obligations that provide for the protection of human health and the environment. The air quality impacts of the expanded airport will largely depend on the surface

access proposals and so until more information is available from detailed transport modelling it is not possible to develop an informed view of the likely significant effects.

Currently, HAL's construction proposals are generally high level and are considered to be standard proposals expected to apply to any major construction project. Much detail still needs to be worked through and there are references in the consultation documents to workstreams and documents that will be submitted with the DCO. Again, until more information is available it is not possible to develop an informed view of the likely significant effects.

We are concerned that current assessments are constrained to breaches of limit values and that HAL seems to be pursuing a narrow focus on whether the proposals will create or delay compliance of air quality zones with legal limits. We would like to see the aim go beyond compliance and for HAL to commit to supporting progressive reductions in air pollutants in areas currently below the thresholds, not just avoid contributing to exceedances of maximum legal limits, given that initial results in the Preliminary Environmental Information Report (PEIR) show widespread and long term increases in air pollution around the airport. We would like to see a firm commitment from HAL to support low emission buses and freight vehicles.

Ultrafine particulate pollution from aircraft is now recognised as affecting lung health and particularly populations up to several kilometres downwind of airports. While no 'standards' exist for this pollutant at present, given the scale of expansion proposed, we would like to see the potential ultrafines emissions and impacts on local air quality be assessed.

#### **Noise** (Feedback questions 6,7,8,15,16)

The following comments on this topic can be summarised in four key points:

1. Whether the recovery period should count towards the 6.5 hour ban period.
2. The design of any noise envelope must go beyond maintaining the 2013 baseline and should reflect sensitivity testing of various noise metrics and future fleet mix because of the impacts of noise on health.
3. The noise envelope should be subject to regular review at least every 5 years.
4. Any early growth must be subject to binding conditions to manage noise including no additional runway landings or take offs before 06:00.

#### **Night flight ban**

We would question whether HAL is proposing a full 6.5 hour scheduled night flight ban. Whilst we acknowledge that HAL's runway alternation proposals could potentially give communities close in to the airport at least a 7 hour respite period (other than dispensed flights) between 22:00 and 07:00 it will include night flights on some days, and in areas further out from the airport up to the 4,000 ft contour (and beyond), which includes many parts of north Surrey, communities may not receive 6.5 hours without overflights (other than dispensed flights) during the night period. In our response to the Airspace and Future Operations consultation earlier this year, we commented on the fact that the runway time is approximately 15 minutes earlier than the scheduled time on arrivals and 15 minutes later on departures so that a 6.5 hour scheduled night flight ban means local communities could actually experience noisy overflights for a shorter period.

This is likely to have come as a surprise to many of the public, who may feel they were misled by HAL's Consultation One in 2018 where the main consultation document asked for feedback on the timing of the proposed 6.5 hour scheduled night flight ban in the night period but failed to make this clear. In this consultation we now learn that HAL is essentially treating the recovery period to deal with delays - between 23:00 and 00:00 (albeit with some restriction on numbers and types of aircraft) - as part of its normal operating day (Timing of Runway Mode Allocation Changes section in the Future Runway Operations consultation document). This means that the effective no operation period in which the only aircraft allowed to fly will be those that have been dispensed under the rules for exceptional circumstances actually lasts for 5.15 hours from 00:00 – 05:15.



Therefore, we would question whether the recovery period should count towards the ban period. We expect a full 6.5 hour period when only dispensed flights would be acceptable. We also consider that the statement in the Future Runways Operation consultation document which states at para 4.6.4 that “options which do not allow for scheduled flights between 05:30 and 06:00 will mean that we cannot provide 740,000 flights a year” somewhat misleading as this is dependent on the options tested for the timings of the ban. We note that the Airports Commission recommended a scheduled night flight ban from 23:30 – 06:00 given the evidence of the greater health impact of noise on sleep disturbance in the early morning, but from the documentation this timing does not appear to have been tested.

### **Noise envelope**

The ANPS states that the noise mitigation measures should ensure the impact of aircraft noise is limited and, where possible, reduced compared to the 2013 baseline assessed by the Airports Commission (with reference to the 2013 baseline for the 54dB<sub>L</sub>Aeq,16h noise contour assessed by the Airports Commission where LAeq,16h indicates the annual average noise levels for the 16-hour period between 0700 – 2300). We consider that the design of any noise envelope must go beyond maintaining the 2013 baseline.

Some noise experts are of the view that the 2014 Survey of Noise Attitudes (SoNA) needs updating to test whether 54dB<sub>L</sub>Aeq,16h is still the right level for determining the onset of significant annoyance and 51dB<sub>L</sub>Aeq,16h appropriate for the Lowest Observed Adverse Effect Level (LOAEL), and we note that they are higher than recent WHO guidelines. Because of the noise impacts on health and the fact that this is an area that is still little understood, especially in relation to mental health, we expect HAL to undertake comprehensive sensitivity testing to assist the design of the noise envelope that looks at other metrics including the WHO guidelines and levels below 51dB<sub>L</sub>Aeq,16h, frequency of overflight, L<sub>max</sub> and ‘single mode’ operations (to avoid disadvantaging communities who currently only get overflights on easterlies - 30% of a typical year - but this is not reflected in noise contours that average out over a year). Furthermore, it is important to demonstrate that the assumptions around improvements in aircraft technology and future fleet mix are robust or apply sensitivity testing. The noise envelope should be subject to regular review at least every 5 years.

We expect that only the quietest aircraft will operate during the night period and that Heathrow should progressively reduce the amount of quota available for the period outside of any no operations period.

### **Noise insulation policy**

We support the proposed changes to the noise insulation policy in line with ANPS para 5.245 and that it should also be subject to regular review.

### **Early growth and Independent Parallel Approaches (IPA)**

HAL indicated in Consultation One that they were looking to deliver early growth to provide up to an additional 25,000 ATMs a year on Heathrow’s two existing runways and that this could form part of the application for development consent. Early growth is dependent on the use of IPA. This is a serious concern for many residents of Surrey. It could potentially impact on areas of Surrey Heath, Woking, Spelthorne, Runnymede, Elmbridge, Epsom & Ewell, Mole Valley and Reigate & Banstead. Many residents that previously would have had respite when the wind changed direction will no longer benefit and will be subject to adverse noise impacts from departing and arriving aircraft overhead. The council does not support IPA as it would represent a worsening of the current situation for many local communities and could have health impacts.

HAL’s analysis, based on various assumptions, indicates that early growth would result in more people being newly exposed to noise levels above the 51dB<sub>L</sub>Aeq16h daytime LOAEL than without early growth and that some of these will be Surrey residents. We do not consider there to be any national policy basis in either the ANPS or Government aviation policy for early growth (see our later comments on early growth). However, if early growth is to be allowed as part of the DCO, then it must be subject to binding conditions to manage noise including no additional runway landings or take offs before 06:00.

## **Construction**

As indicated above, currently, HAL's construction proposals are generally high level and are considered to be standard proposals expected to apply to any major construction project. Significant noise impacts on residents in the Stanwell Moor/Stanwell area of Spelthorne are indicated in some of the consultation material which will need to be mitigated and residents compensated for, but more information is needed.

## **Carbon emissions** (Feedback question 12)

The Committee on Climate Change (CCC) is expected to report in the autumn setting out its recommendations for the aviation sector consistent with delivering the Government's recently legislated target for net zero carbon by 2050. We expect these recommendations to be taken into account in the Government's final Aviation Strategy for 2050 and there may be a requirement for the ANPS to be reviewed. Therefore, this will be a key consideration in determining whether the DCO application is acceptable in terms of its impact on the ability of Government to meet its carbon reduction targets that HAL will need to address.

More details are needed on the design and construction of airport infrastructure in relation to reducing carbon emissions and a stronger commitment from HAL to public transport and active travel measures.

## **Biodiversity and ecological conservation** (Feedback questions 12 and 22)

The following comments on this topic can be summarised in four key points:

1. The need for more information on mitigation and compensation measures to enable us to understand the likely impacts and the area of land required.
2. The need for areas of mitigation and enhancement which are part of the Masterplan to be included in the proposed DCO boundary.
3. The need for greater detail on the assessment around bird strike risk, which is an important consistency issue for this council given the work we carry out with HAL in this area.
4. The need for further detail as to how habitat compensation land can be both managed and protected to ensure additional liabilities do not fall on local authorities.

In relation to the biodiversity and ecological conservation aspects of the expansion proposals, much of the detail remains to be worked up with some ecological surveys still ongoing and mitigation and compensation measures yet to be developed. We are also concerned that there will be insufficient time in the process to influence proposals for biodiversity and ecological conservation and that, without precise information as to the extent of impacts, the area of land required to ensure the mitigation and compensation is unclear. Proposals are light in relation to biodiversity net gain.

The PEIR (Non Technical Summary Section 4.2 Biodiversity), includes a table of biodiversity impacts considered to have significant negative effects. Following the mitigation hierarchy, as required by the ANPS para 5.94, where impacts cannot be avoided, they should then be mitigated and finally compensated. For this DCO, the emphasis is on the mitigation and compensation measures. These are critical for ensuring no net loss of biodiversity and creating net gains and any uncertainty on whether such measures can be delivered will mean the scheme is unable to comply with the ANPS requirements.

We are concerned that the preferred Masterplan includes areas of mitigation and enhancement outside the proposed DCO boundary. Great emphasis is made of the role of green infrastructure in mitigation and enhancement and the role of the Green Loop, but parts of this are also outside the DCO boundary. During consultation, HAL stated that such areas would be included within the DCO boundary and we consider that the DCO boundary needs to include these areas if there is to be certainty that the measures can be achieved. We also query whether the Green Loop is wide enough to function properly, specifically as a wildlife corridor, in Spelthorne.

The proposed modifications to watercourses, creation of flood storage and treatment areas and overall changes to the water environment adjacent to the airport may result in increased birdstrike risk. No assessment of risk appears to have been included. In particular the proposed water

treatment facility would on the face of it appear to conflict with birdstrike precautions on which Surrey County Council works very closely with HAL to ensure both safe skies and good quality environment on the ground. An explanation of why this facility is proposed in this location and the acceptance of it, would be welcomed.

Further detail is required as to how habitat compensation land can be both managed and protected to ensure additional liabilities do not fall on local authorities. There will also be a need to monitor impacts on habitats and species and the success of the mitigation and compensation measures and this needs to be clarified.

#### **Land use including open space, green infrastructure and Green Belt** (Feedback questions 12 and 22)

The following comments on this topic can be summarised in four key points:

1. The need for more information to demonstrate how new green infrastructure outside the proposed DCO boundary will be delivered.
2. The need for more detail on how the loss of open space resulting from expansion within Spelthorne will be mitigated.
3. The need for any implications on the ability of Hithermoor Quarry to be used for the processing of minerals from King George VI Reservoir to be appropriately assessed.
4. A number of mineral restoration schemes are due for completion during the proposed construction period. Much of the biodiversity and recreational mitigation being offered is already being provided through restoration and we need to see details of the mitigation being provided over and above the approved restoration scheme.

#### **General**

This council is very concerned that not all land to be assembled for necessary mitigations is included within the red line DCO boundary and questions how it will be secured if not included. We also have concerns about the loss of public access to Hithermoor and HAL need to clearly demonstrate that adequate mitigation will be proposed for this loss. HAL need to provide much greater detail on the enhancements that are proposed to mitigate the loss of open space generally within Spelthorne.

#### **Mineral sites and restoration plans for green infrastructure**

Surrey County Council strongly disagrees with proposals set out within the PEIR to disregard aggregate recycling capacity at Hithermoor Quarry. Although Hithermoor Quarry has a time dependent permission, the site is identified in the adopted Surrey Minerals Plan as the preferred location for processing of material from the King George VI Reservoir allocated mineral site and the council has entered pre-application discussions with the operator of the site regarding use of this land for processing of material from the reservoir, as well as an extension to their current aggregate recycling activities. It is possible the extension of aggregates recycling activities could be sought for a period of 15 years. The council considers that the impact of including this land within the DCO project has the potential to be significant and should not be ignored, especially given the context of the adopted Surrey Minerals Plan. We consider that any implications for the ability of this site to be used for the processing of material from King George VI Reservoir must be appropriately assessed.

We consider that there is a need for HAL to discuss with this council any proposed alterations to agreed restoration schemes, including at Hithermoor, Stanwell Quarry, Homers Farm and Hengrove Farm and what compensatory provision is to be provided. We welcome confirmation that the restoration status of sites will be the baseline and discussions are now urgently needed to agree the enhancements and benefits to be delivered over and above what the restoration scheme would achieve. Mitigation and compensatory provision must be local to the site impacted. Part of the Hithermoor site has been subject to longstanding restoration and woodland planting and there would need to be additional environmental compensation for losses (taking into account woodland has amassed years of growth).

We support Heathrow's intention for mineral to be won from the relevant sites in advance of Heathrow related development. The PEIR acknowledges that the operator has begun extracting sand and gravel from the Homers Farm, Bedford site. The PEIR considers that mineral will have

been fully won from the site prior to development. We would urge HAL to engage now regarding any alteration to the current restoration scheme in place for the site, for example regarding backfilling of voidspace.

We refer you to the approved restoration plans for the sites referenced below (which we can supply if needed):

- **Zone H** - Homers Farm Quarry is affected here. This is a current operational site that is due to be back filled and restored to agriculture, with restoration due for completion by September 2020. The site is now proposed in the preferred Masterplan to fulfil drainage and pollution control infrastructure provision. Whilst this proposal recognises the constraints of the Southampton to Heathrow Esso pipeline, there also exists a Thames Water high pressure main that has pressure plug features which are dependent upon the weight of material over the pipeline to maintain that pressure. There is no detail of what exactly the drainage and pollution control proposals actually involve and there could also be a birdstrike issue to consider.
- **Zone J** - Stanwell Quarry is affected here. This is consented to 2027 (principally the recycling plant), but there is a phased restoration with much of the quarry already restored or expected to be in advance of that date. The council welcomes the fact that the scheme does now include most of the footprint of the Stanwell Place historic garden. However, the most recent time extension permission did include the north west part of the site changing from agriculture to create a new extension to the historic gardens and amenity area as a key component of the restoration design of the site. If this area is now to be lost through the DCO scheme it will need to be mitigated.

The proposed diversion of the Duke of Northumberland and Bedford Rivers together with greenspace alongside is also welcomed. Given the green space provision to the north and the Green Loop proposal that appears to affect the southern end of the site, it would seem logical to include this area to link greenspace provision within the Masterplan. The historic garden has water features that were originally fed from the Northumberland and Bedford Rivers and the opportunity should be taken to connect these to provide a circuit of water supply to the gardens.

The scheme does wipe out some of the biodiversity and open space enhancements being delivered through the restoration of the site and we would wish to see that this is expressly mitigated and compensated for. On the face of it, the new greenspace along the realigned rivers would do this, but it is not clear whether this is compensation for the loss on the site or from elsewhere in the scheme. Figure 7.5.1 in the Preferred Masterplan document shows an attenuation basin on the site which is not shown on the zonal plan, whilst figure 7.10.2 shows a noise attenuation bund proposal over the historic garden, which again is not shown on the zonal plan.

- **Zone K** - Hithermoor Quarry is affected here. The majority of the site (excluding the recycling/processing hub) is already close to restoration. Much of what is being offered as greenspace and biodiversity enhancement is already being delivered through the site's restoration. It should be made clear in the proposal, what *additional* provision the Heathrow scheme is making to this. The public open space for wildlife and people to the north west of King George VI Reservoir conflicts directly with the proposals for working the reservoir for mineral, being the area identified by the company for silt disposal. This could be an appropriate proposal for the use of the site, however, once extraction has ceased. The large drainage and pollution control facility being proposed on the site would wipe out the Tom Rod SSSI quality grassland site (which would need to be compensated) and raises the significant issue of birdstrike.
- **Zone U** - Hengrove Farm Quarry is a new affected area. Again, the expansion proposals ignore the fact that the restoration proposal for the site, which will be completed in advance of expansion, would deliver much of the scheme. Restoration is due for completion by the end of 2020. As elsewhere, this proposal could be integrated with the wider area to create a big open space/habitat area with Shortwood Common to the west and Hengrove Park to the east.

### **Resource and waste management** (Feedback question 12)

The following comments on this topic can be summarised in three key points:

1. There are insufficient measures in place to mitigate the identified potential significant adverse impacts of the DCO project.
2. The need for more information in relation to construction and waste management and for more detailed evidence to support the assumptions regarding the amount of waste arisings to be diverted from landfill, especially with regard to hazardous waste.
3. The need for more information on the implications for C,D &E waste and the specific implications arising from the early closure of Stanwell Quarry.

We are concerned that the waste chapter of the PEIR states that there will be a significant adverse impact on landfill capacity during phase 1 of construction, including for hazardous waste and also that the project will result in a significant adverse impact on non-hazardous waste capacity during the operational phase if the Lakeside energy from waste facility is not relocated. At para 20.8.15, the PEIR states that local authorities will account for the loss of capacity at hazardous and non-hazardous landfill sites and waste treatment facilities resulting from the expansion project through allotting more capacity in their Waste Local Plan updates. Para 20.13.1 states that there will be no additional measures or compensation for the likely significant effects of the DCO project. We are concerned that at present there are insufficient measures in place to mitigate the identified potential significant adverse impacts of the DCO project.

Assumptions have been made regarding the amount of waste material to be diverted from landfill via reduction, reuse and recycling which are based on best practice. Assessment of impact is based on these assumptions being realised. We are concerned that there is insufficient detail in the evidence provided to demonstrate that this will be the case, especially with regard to hazardous waste. Advance sight of the commitments and proposals to be included within the DCO and Environmental Statement is needed. Further detail is also required regarding how waste will be transported to management facilities.

The PEIR states it is only possible to provide an assessment for CD&E waste in broad terms due to lack of detailed design and phasing of works and we are concerned that as this work has not yet been carried out the assessment of potential adverse impacts is inadequate. We would also query how prevention activities have been calculated, it is stated that it is based on 'modest' assumptions, but further detail is requested.

We consider that insufficient evidence has been provided to indicate that the early loss of Stanwell Quarry as a waste facility would be neutralised by provision of additional CD&E waste management as part of the expansion project and it should be noted that the planning permission for the facility does not limit waste to originate only from Heathrow. There is also a need for more CD&E waste recycling capacity in Surrey and the premature closure of Stanwell Quarry would make this need more acute. The implications need to be appropriately assessed.

The draft Code of Construction Practice states that Site Waste Management Plans are to be produced in line with the Resource Management Plan. Site Waste Management Plans will include the permitted arrangements for onsite and offsite waste treatment, waste transfer and waste disposal. The council supports this, but is concerned that further work needs to be undertaken to understand how it will all work in practice.

We ask for a firm commitment that rail waste transport is favoured over road transport where reasonably practicable.

### **Flood risk** (Feedback question 12)

The following comments on this topic can be summarised in three key points:

1. The need for more information if this council as Lead Local Flood Authority is to accept that the expansion proposals will have little significant impact on flood risk in Surrey.
2. Assessments of risk which use assumptions of future mitigation measures (as yet undeveloped) should apply the precautionary principle and conservative approach rather than assuming that these measures will result in no significant impact.

3. All infrastructure including water storage/treatment areas which is necessary for the operation of the airfield should be included within the overall DCO boundary.

Much of the work required to fully assess impacts is yet to be undertaken and the assessments to date are based on assumptions that future work will provide suitable adequate mitigation. This may be the case, but a precautionary approach should be used at this stage and a worst case scenario assumed when assessing risk related to the water environment and flood risk.

Whilst we appreciate that the PEIR is taken at a snapshot in time and not all relevant information will be available to make assessments, a large amount of the baseline assessments are made using historic desktop study information rather than qualitative data on the existing situation. Instead, a general assumption has been made that all flood risk impacts will be resolved using mitigation measures which will not affect location or scale of development. This is not our experience based on other development. Flood risk mitigation requires detailed assessment and mitigation measures frequently require significant land use in specific locations to achieve sustainable drainage using gravity rather than pumped systems. It is difficult for this council as Lead Local Flood Authority to agree with the conclusions that there will be little significant impact on flood risk especially as there is little detail on the final proposals or mitigation measures proposed.

No details of the flood storage area capacities, attenuation area sizes and final locations, discharge locations, and final watercourse flow regimes have been provided. Again, this makes it impossible for the authority to conclusively agree with the outcomes of no significant effect presented in the PEIR for flood risk or drainage implications. The hydraulic modelling is not yet complete and therefore it is not possible to satisfactorily say what the level of residual risk will be or what mitigation may be required, or if the sequential or exemption tests are likely to be met. To provide any meaningful comment, we need much greater detail, including Flood Risk Assessments, GIS shapefiles of alignments, mitigations and likely structures and barriers. All of the options will need a full analysis to determine the preferred option with lowest risk, best environmental gain and overall balance versus cost/disruption and mitigated impact.

The Drainage Impact Assessment is a qualitative assessment rather than the quantitative one required to demonstrate that the site will be drained adequately and meet the requirements of not increasing flood risk on site or elsewhere. No opportunities for reducing flood risk have been incorporated into the proposal or even evaluated to show whether they are feasible; this goes against NPPF paragraph 157 (c).

The approach to surface water drainage being undertaken is for bookending of drainage outflows: the lower end is the greenfield rate as set out by Defra National Surface Water Drainage Standards (and represents the key requirements which need to be met by the DCO proposal), the upper end is no increase in runoff. However as infiltration is unlikely to be an option across the whole site (due to high groundwater levels, contaminated ground or clay strata), attenuation space is required to restrict flows to either of the two bookends above. The amount of land allocated to each parcel for attenuation space is therefore vital in determining whether a site will discharge drainage at the upper or lower bookends (i.e. if not enough attenuation space is allocated then only the upper bookend becomes technically feasible).

For the drainage of the runway, terminals and main airside activities it appears space has been allocated solely to meet the upper bookend – this means there will be no reduction in flood risk. This is likely because of the large flows (and therefore attenuation space) involved and therefore may be justifiable. Currently, no qualitative evidence has been provided in terms of the flows themselves or the land take allocated to storage. No attenuation information has been provided for other scheme components, including the Southern Parkway, but the space allocation for these must be provided and the amount allowed for will dictate which of the upper or lower bookend of discharge rates is met and whether there will be opportunities for any sites coming forward to meet the Defra standards that discharge ‘must be as close as reasonably practicable to the greenfield runoff rate from the development’.

As Lead Local Flood Authority, Surrey County Council consent any changes to non-main rivers within the county, therefore detailed discussion around proposals will be required. The consents need to ensure that the requirements of the Water Framework Directive are met.

### **Water quality and resources** (Feedback question 12)

The following comments on this topic can be summarised in four key points:

1. The need for more information on mitigation measures to enable an informed view of the likely effects to be developed including as to how any risk of downstream pollution from surface water attenuation features will be avoided.
2. The need for more information on measures to mitigate the hydromorphological impacts of the proposed river diversions.

The Water Framework Directive (WFD) assessment has assumed that the water quality and water quantity impacts are able to be mitigated through unidentified future works. This does not accord with the precautionary principle. This also applies to the assessment of the Covered River Channel which is an untried and untested approach and we believe that as such it is not appropriate to assume that “on the balance of available evidence at this stage, it is considered possible that the current concept design could satisfy the criteria.”

Currently, as impacts are likely to occur for which adequate mitigation has not been proposed or identified it is likely that the conditions set out under Article 4.7 of the WFD will have to be met to show that the development is not in breach of the WFD. This is not addressed in the PEIR and again has been delayed to a later stage.

There is an assumption that land which has previously been contaminated or used as landfill could be used as flood storage/water treatment areas; this is yet to be agreed with the Environment Agency and represents a significant risk.

Further detail is required as to how any risk of downstream pollution from surface water attenuation features will be avoided.

### **Geomorphology and river modification**

The expansion obviously results in huge disruption to the geomorphology of the hydrological system. Whilst lots of these historic channels are manmade they have become naturalised over time and hence the impact caused by diverting, combining and eventually separating using flow structures is potentially substantial. Indeed, the PEIR rightly identifies that there is a risk of high impact to hydromorphology as a result of these diversions. However, as the list of additional environmental measures required to mitigate them has not yet been finalised nor the feasibility of any measures tested, we do not believe that the PEIR has adequately demonstrated that the risk of these impacts can be mitigated and that it cannot be deduced there will be no significant effect on these watercourses as a result of the construction activities.

### **Historic environment** (Feedback questions 12 and 18)

The following comments on this topic can be summarised in two key points:

1. The need for more information especially in relation to evaluation to accord with the nationally-accepted processes of assessment-evaluation-mitigation set out within the NPPF.
2. The need for site specific impact information and archaeological impact appraisals for affected areas within the county.

The PEIR information provided is a mixture of the comprehensive and the generic. It is comprehensive in its identification of the issues and the spread of information accessed and referenced, but it falls short of the depth of information expected in a sitespecific Heritage Statement or archaeological Desk-Based Assessment and deals with many of the issues in a generic, conceptual manner, citing future, and as yet,unavailable reports. Still to be provided is site specific development and ground impact information as well as the terms of the archaeological investigation and historic building recording that are to come.

It is not entirely satisfactory that this PEIR stage of reporting is all that will be available prior to mitigation works being developed. We suggest that despite the wide ranging nature of the information presented, the approach falls short of the nationally accepted processes of assessment-

evaluation-mitigation set out within the NPPF. Any attempt to bypass the evaluation stage is unacceptable and would require detailed justification.

Proposals within Surrey appear to offer possible scope for preservation *in-situ* through re-siting or careful foundation design should archaeological remains be present. We would highlight that the Southern Parkway is proposed partially within a county-designated Area of High Archaeological Potential. The Archaeological Survival Model presented within the documentation does not have the correct Surrey Areas of High Archaeological Potential depicted and should be updated. Unknowns remain and for all impacted sites we will need to understand the direct nature of the impacts proposed, whether or not further assessment and/or evaluation of the site(s) will be required for archaeological purposes to determine if remains are present and whether or not preservation *in-situ* is desirable or indeed, achievable. Surrey County Council will be seeking site-specific impact information and archaeological impact appraisals for affected areas within the county.

HAL should be mindful that some of the Green Loop and other mitigation proposals might themselves impact on archaeology and heritage, and therefore ensure this has been taken into account through impact appraisal. This should include details of the possible hydrological impacts on any buried archaeology through proposed river diversions. This might require the implementation of a medium to long term monitoring programme, and the development of a contingency excavation resource should previously stable sites be found to be dewatering.

In line with the advice being given by Historic England and practices set out in the national planning legislation and guidance, we will require pre-determination archaeological evaluation of threatened sites, unless a different approach can be demonstrated as providing either a superior return on archaeological data, or there is the opportunity to divert significant resources into alternative heritage benefits for the county with little or no loss of archaeological information retrieval.

It is encouraging to note that heritage concerns are being integrated into the landscape and community considerations.

#### **Dust, odour, artificial light, smoke and steam** (Feedback question 12)

There is a need for much more information on construction. We have concerns that much of the detail on working hours for individual sites will be included in the Code of Construction Practice to be submitted with the DCO. Discussion around such key issues needs to take place in advance of DCO submission. The potential for temporary relocation of residents in Stanwell and Stanwell Moor will be linked to details such as whether 24/7 working is in operation and this information must be made available at the earliest possible stage.

We wish to highlight that the baseline for lighting impact at the Southern Parkway should be the restoration scheme, not the current mineral workings.

#### **Community compensation** (Feedback questions 20 and 21)

The following comments on this topic can be summarised in three key points:

1. The Community Fund must not be used to deliver mitigation required to make the proposals acceptable in planning terms, but should compensate those impacted by expansion.
2. The need for a clear governance structure to be in place for the Community Fund with a body having oversight of the overall Fund and its long term planning, the allocation of spend, and monitoring and reviewing individual projects.
3. The WPOZ should be extended to include Stanwell Moor and large parts of Stanwell and a local health impact assessment undertaken for each of these communities.

We would like to stress that the proposed Community Fund must not be used to deliver mitigation required to make the proposals acceptable in planning terms. For this reason, we oppose the use of the community compensation scheme to fund the Unforeseen Local Impacts Mitigation Strategy (ULIMs) as set out within the Environmentally Managed Growth proposals. The distinction between compensation and mitigation must be maintained. The approach to ULIMs will reduce the amount of



funding for wider community schemes and potentially absolves HAL of the need to deliver mitigation required in planning terms. This is in addition to significant practical issues around the ULIM proposals, including the proposed annual funding approval process and the need for mitigation schemes to compete against each other for funding. If schemes are required to mitigate impacts, they are all essential.

It remains difficult to comment on the geographical area that the fund should cover without detailed information of the noise impact of an expanded Heathrow. There is a clear role for the fund during construction, so work must be carried out early on to ensure the fund is up and running immediately post DCO determination.

A clear governance structure needs to be in place for the Community Fund with a body having oversight of the overall Fund and its long term planning, the allocation of spend, and monitoring and reviewing individual projects. Careful consideration needs to be given as to how community involvement in the Community Fund is guaranteed. There must be local authority political representation on the assessment panel. HAL may benefit from having discussions with Community Infrastructure Levy collecting authorities who will have useful learning from administering the spend of CIL receipts.

We again highlight that there must be additional compensation specifically for the residents of Stanwell Moor and large parts of Stanwell, who will experience prolonged quality of life and potential health impacts given the long construction period and the increase in airport operations. Assessments in the documentation point to the fact that residents in these areas will be exposed to temporary unacceptable levels of noise during construction, especially construction of the Southern Parkway, a major new roundabout junction at Stanwell Moor and realignment of the A3113. They will also be newly exposed to more aircraft noise from planes on the runways and taxiways as well as overhead once the expanded airport is operational and the number of ATMs increases. Air quality can also be expected to be poorer as a consequence of these activities. There are references to the need for temporary re-housing in the consultation document that focusses on the specific impacts on Stanwell and Stanwell Moor, but with no further detail on eligibility for compensation, which we do not consider to be acceptable. In our view, the WPOZ should be extended to include Stanwell Moor and large parts of Stanwell. We consider that there needs to be a local health impact assessment for each of these communities so that the combined and cumulative effects of HAL's proposals on residents can be fully understood.

### **Skills** (Feedback question 17)

The following comments on this topic can be summarised in the following key point:

1. The need for more engagement and collaboration to deliver apprenticeships and skills training, engaging with SMEs and attracting inward investment to Surrey.

Surrey County Council would value the opportunity to comment in more detail on the draft Apprenticeship Plan, detailing how HAL will achieve its targets, before it is published in the Economic Development Strategy by the end of 2019. For example, we value HAL's focus on enabling more vulnerable people to access sustainable and rewarding employment and would recommend that the Apprenticeship Plan defines what percentage of the 10,000 apprenticeships will be allocated to train and support vulnerable young people and adults in pre-apprenticeship schemes and directly in apprenticeships. Also, how will HAL continue to support these individuals into sustainable employment either as part of its own workforce or with local employers?

We recommend opening up a dialogue with other parties about skills including Surrey's education sector (not just those within the Heathrow core study area) and with the wider construction/infrastructure sector such as the Strategic Skills Forum for Construction to:

- identify opportunities to expand and grow leading-edge education and training provision for construction at all levels/programmes, within Surrey institutions and providers (beyond the current skills partnership group) and in collaboration, for example with existing programmes such as <https://www.surrey-ia.org/>;

- to universally make the construction sector a highly attractive career proposition for young people and adults, including those from diverse backgrounds, and providing clear pathways to career progression; and to
- understand the impact of population growth (both transient and permanent workers) on the county of Surrey (not just the core study area) and its resources.

This needs to be done in collaboration and within the context of the wider needs of other major future infrastructure/built environment projects in the South East.

We support HAL's commitment to the early adoption of T-levels starting in 2020. However, it is unclear if the proposed 1,200 work placement days for T-levels is for the academic period 2020-2022 only. If so, this equates to approximately 20 pupils (completing a 45 – 60 hours workplace), during their two year course. What is the expected yearly level of work placements beyond 2020?

We welcome that the skills transfer passport will be jointly co-designed with other sector employers to meet the needs and requirements of future UK infrastructure and construction projects. The data collected could also help to proactively identify future skills gaps and enable strategic planning of education provision. In addition, to the 'world of work' we would encourage HAL to create programmes to inspire, attract and support adults seeking a career change.

We support HAL's current approach to engaging with SMEs and the plans to expand the programmes and would encourage HAL to work with Surrey County Council, Surrey Chamber of Commerce, Surrey districts and boroughs and the LEPs to ensure that engagement is made with SMEs across Surrey.

HAL states it will continue to work with partners to help secure inward investment through a range of initiatives such as sectoral initiatives, marketing initiatives, town centre improvements and place making. We would support this objective and would like HAL to provide more details on how this will be done. HAL needs to continue to work with Surrey County Council, Surrey districts and boroughs and the Enterprise M3 Local Enterprise Partnership to ensure that any additional inward investment activity is coordinated with what is already being carried out.

As specified within the ANPS, the employment and skills measures proposed by HAL need to be tracked through a monitoring framework and this must have a clear baseline position.

We stress the importance of surface access improvements for access to skills and job opportunities and are slightly concerned that the surface access modelling for the scheme assumes a rapid focussing in the distribution of colleagues' home locations to the east of the airport, which does prompt questions around the economic benefit of expansion for the south west corner in terms of direct job creation.

#### **Assessment principles** (Feedback questions 12 and 14)

The following comments on this topic can be summarised in three key points:

1. A need for further engagement with Surrey's Local Resilience Forum.
2. The need for clearer articulation of how health effects are assessed, in particular why moderate effects are all deemed not significant.
3. The need for the detailed methodology for predictive modelling of health effects to be provided.
4. The need for a separate local health impact assessment undertaken for the communities of Stanwell and Stanwell Moor.

#### **Security and safety considerations**

In Surrey, the Lower Thames Catchment is the main area of risk for flooding in the county and since 2008 we have had three significant flood incidents in that area, the most impactful in 2014. On this basis, the national risk is reflected locally and the assessed risk for Surrey of fluvial flooding is very high particularly in this area of the county. If the construction phase for the Heathrow expansion is to run to post 2030 it is likely that there will be a significant flood event in the Lower Thames area and this needs to be taken into consideration.

Clarity is required as to who will be preparing the emergency response plans and how they will link to local off airport arrangements. There also needs to be greater clarity on whether incidents in the area are an airport lead response (under Emergency Orders CAP 168 chapter 8) or for the local response plans for the Local Resilience Forum (LRF) partners. Further engagement is needed with Surrey's LRF.

## **Health**

We welcome the fact that the PEIR makes use of the WHO definition of health and the wider determinants of health model. Within the PEIR it is not clear how professional judgement is used to determine whether factors are major/moderate/minor effects and also whether these effects are then significant. All moderate effects have been deemed not significant and the narrative to support why this decision has been made is not clear. There needs to be a narrative to link the methodology set out in Chapter 5 – which clearly shows the elements that will be considered in the assessment, with the final decisions of significance, as the thread is not clearly articulated in the PEIR. Moderate effects are potentially significant – for example, school displacement is only deemed significant for vulnerable groups, but impact on education of disruption could be across the population. Therefore, the professional judgement on significance of effects needs to be transparent and clearly articulated.

In relation to active travel, Spelthorne Borough Council is the most deprived community within the study area. The PEIR clearly sets out the link between lower incomes and reliance on active travel and that Stanwell and Stanwell Moor are community areas where active travel routes will be affected by the DCO. The PEIR also confirms that the strength of evidence is strong for a direct causal relationship between use of active travel and health outcomes and both national and local policy supports active travel. However, for vulnerable groups the impact is assessed as moderate negative (not significant) to minor negative (not significant) and it is not clear how assessors have determined the effect to be not significant. It is unclear whether a factor deemed to be not significant, would result in no mitigating measures being put in place to prevent potential negative impacts on health.

In relation to formal open space, it is specified that local re-provision of formal open space will be 'suitable' to the remaining population's needs. We request further information as to how 'suitable' provision will be determined and the evidence that will be used to support this.

We note that many of the key environmental measures were not in place before the PEIR was undertaken but should be available to inform the Environmental Statement. Therefore, the PEIR was not able to assess how these policies and strategies might mitigate impact. This makes it difficult to make an accurate assessment of the impact of these factors. It is not clear in the PEIR how the unintended health consequences will be minimised and how the beneficial health impacts maximised. It is important that the PEIR findings influence and feed into development of the key environmental measures (both embedded and additional measures) to ensure they maximise the opportunities to mitigate negative health impacts as well as maximise any potential positive impacts.

Inconsistencies have been noted in the reporting of some of the baseline data. In some cases the data for a specific indicator has been reported at borough level and county/sub-borough level for others. For example, in section 12.10.146 the prevalence of obesity or being overweight and inactive adults are reported for Spelthorne at borough level, however the data for residents' use of outdoor space has been reported at Surrey county level. We acknowledge that this could have been because the data for this indicator was not available/published at borough level, however in such cases it should be stated clearly and acknowledged that county level data may not always be representative of the borough/ward level population characteristics. We also note that some of the strategies referenced for Surrey are out of date (see <https://www.healthysurrey.org.uk/about/strategy>). The methodology describing the future health baseline assessment in chapter 5 of the PEIR is also unclear.

There is inadequate use of referencing to the sources of scientific literature and data sources within the report. This is important to enable cross checking of the evidence and also assess the type of evidence used (based on its strength and quality).

The cumulative and combined effects on the health of specific populations needs to be clearly assessed. We would like to see a separate local health impact assessment undertaken for

communities most affected around the airport at both construction and operation stages. Within Surrey this should include Stanwell and Stanwell Moor.

We would also refer you HSPG's draft position paper on public health principles especially in relation to producing a health management plan and construction ([http://www.heathrowstrategicplanninggroup.com/application/files/3915/6101/6919/HSPG\\_Position\\_Paper\\_-\\_May\\_2019.pdf](http://www.heathrowstrategicplanninggroup.com/application/files/3915/6101/6919/HSPG_Position_Paper_-_May_2019.pdf)).

### **Environmentally Managed Growth** (Feedback question 12)

HAL's proposals for Environmentally Managed Growth (EMG) highlight that the operational aspects of the expanded airport will have significant impacts for local communities and the ANPS is clear that expansion should only be allowed if these impacts can be managed within acceptable limits and every effort made to reduce, mitigate and compensate for the impacts. We agree the need for effective and robust monitoring and enforcement of environmental limits and/or envelopes, but we have significant concerns as to how the proposed framework will operate and how effective it will be. Much more information is needed on the proposed approach. Our concerns relate to:

- Any environmental framework to manage growth should not just be limited to the ANPS surface access targets, air quality, noise and carbon but should also monitor targets in relation to biodiversity and ecology to ensure that mitigation measures are delivered and are effective.
- The proposed Independent Scrutiny Panel (ISP) should have statutory powers to ensure limits are met. In the case of non-compliance with limits, the ISP has the potential to agree and propose mitigation, but it is unclear as to what powers it would have to bind Heathrow to take corrective action and implement mitigation, especially where impacts are off-site, or to prevent the airport's growth beyond a certain point until further mitigation can be found.
- Monitoring will be reviewing information to report against the limits 'after the fact' so it won't always be known if limits have been exceeded until some time after they have been breached. Therefore, it will be difficult to ensure that limits are adhered to and if the limits are shown to have been exceeded how the ISP will have the power to reduce the scale of airport operations.
- The community fund should not be used to mitigate for impacts which are as a direct result of expansion, either foreseen or unforeseen. The community fund should be used to improve the quality of life for local residents impacted by the expansion, above and beyond the mitigations required. There should be review mechanisms in the DCO to deal with mitigation for unforeseen impacts.

Additionally, we consider that it will not be possible to know whether the EMG approach can work in an acceptable way to ensure that environmental targets are on track before further growth is allowed until it has been operating for a number of years. The existing planning regime at the airport sets a cap on ATMs to control aircraft numbers and limit environmental impacts. In our view, the DCO should set interim/conditional caps on the total of ATMs allowed, potentially aligned with the ANPS surface access requirements, to provide more confidence and security for local communities.

The structure and governance for EMG needs to ensure accountability to local communities and there needs to be further engagement with this council and HSPG to develop this aspect.

As specified within the ANPS, the employment and skills measures proposed by HAL also need to be tracked through a monitoring framework.

### **Early Growth** (Feedback question 8)

We do not consider there to be any national policy basis in either the ANPS or current government aviation policy for making more intensive use of Heathrow's existing two runways and increasing ATMs by 25,000 per annum.

Government policy in the ANPS only has effect in relation to the provision of a Northwest Runway at Heathrow and for new terminal capacity, although it would be a relevant consideration in determining

other applications for airport development particularly in London and the South East. In light of the Airports Commission recommendations on the more intensive use of existing infrastructure, government considered the needs case for making best use of existing runways across the whole of the UK and this is set out in its June 2018 policy statement. This is clear that government considers there is a needs case for making the best use of existing runways but beyond Heathrow. Para 1.25 states:

‘As a result of the consultation and further analysis to ensure future carbon emissions can be managed, government believes there is a case for airports making best use of their existing runways across the whole of the UK. The position is different for Heathrow Airport where the government’s policy on increasing capacity is set out in the proposed Airports NPS.’

Therefore, HAL should clearly demonstrate why these early growth proposals in the form of more intensive use of the current runways are needed to increase airport capacity in the UK and in the South East. There needs to be further engagement with local authorities on the detail of mitigation proposals.

### **Masterplan and Development Consent Order (Feedback questions 1 and 22)**

As a general principle, all mitigation proposed in the Masterplan should be included in the DCO red line boundary.

We need further assurance on how the green and blue infrastructure elements of the Masterplan will be delivered given that much of the area identified for this purpose lies outside the DCO boundary. Separate third party agreements for each land parcel outside the DCO are currently proposed, but there is no guarantee that this land can be secured to deliver the Masterplan being promoted. The realisation of the Masterplan is crucial to ensuring the airport provides the benefits promised to local communities and a clear mechanism to guarantee delivery of the Masterplan needs to be provided.

In common with the other HSPG authorities, we feel that there has been a lack of consideration of B2 and B8 land uses displaced through the scheme. Logistics space will continue to be a key issue given the shortage of land available to accommodate what is needed in the Heathrow area and more consideration will have to be given to this issue if Heathrow is to achieve its economic potential. The dispersal of freight and cargo into a wider area will also create additional transport impacts outside the airport boundary. The potential to include more of these displaced uses within the Masterplan should be considered further.

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**MINUTES OF THE MEETING OF THE CABINET  
HELD ON 16 JULY 2019 AT 2.00 PM  
AT ASHCOMBE SUITE, COUNTY HALL, KINGSTON UPON THAMES,  
SURREY KT1 2DN.**

These minutes are subject to confirmation by the Cabinet at its next meeting.

Members:

*Mr Tim Oliver (Chairman)	*Mr Mike Goodman
*Mr Colin Kemp (Vice-Chairman)	*Mrs Mary Lewis
*Dr Zully Grant-Duff	*Mrs Julie Iles
*Mrs Sinead Mooney	*Mr Matt Furniss
*Mr Mel Few	*Ms Denise Turner-Stewart

Deputy Cabinet Members:

*Mrs Natalie Bramhall	*Mr Wyatt Ramsdale
*Mr Cameron McIntosh	*Miss Alison Griffiths

\* = Present

Members in attendance:

Mr Jonathan Essex (Redhill East)  
Mr Will Forster (Woking South)

**PART ONE  
IN PUBLIC**

**111/19 APOLOGIES FOR ABSENCE [Item 1]**

There were none.

**112/19 MINUTES OF PREVIOUS MEETING: (25 JUNE 2019) [Item 2]**

The Minutes of 25 June 2019 were approved as a correct record.

**113/19 DECLARATIONS OF INTEREST [Item 3]**

Mr Colin Kemp declared a personal interest in *item 12 - Proposal to enter into a local education partnership with Schools Alliance for Excellence* in that he was a director at Surrey Training School Networks until last year but he took no part in the negotiations.

**114/19 MEMBERS' QUESTIONS [Item 4a]**

There were two questions from Mr Jonathan Essex. These and the responses are attached as Annex A.

**115/19 PUBLIC QUESTIONS [Item 4b]**

There were none.

#### **116/19 PETITIONS [Item 4c]**

There was one petition relating to Surrey Fire & Rescue Service. Details of the petition and Cabinet response is attached as Annex B.

Fiona Dent spoke to the petition and explained fire arrival times using various scenarios. She also pointed out that if Egham was closed this would be disastrous as it was close to an airport and close to a couple of major motorways. The Cabinet Member for Community Safety, Fire & Resilience reported that she was in contact with the Leader of Runnymede Council and would follow this up in due course.

#### **117/19 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]**

There were none.

#### **118/19 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]**

There were none.

#### **119/19 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS/ INVESTMENT BOARD TAKEN SINCE THE LAST CABINET MEETING [Item 6]**

##### **RESOLVED:**

That the decisions taken by Cabinet Members since the last meeting were noted.

##### **Reason for Decision:**

To inform the Cabinet of decisions taken by the Leader, Cabinet Members and Strategic Investment Board under delegated authority.

#### **120/19 SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TRAVEL ASSISTANCE [Item 7]**

The Cabinet Member for All-Age Learning presented a report that detailed the Council's proposals to review and ensure its Special Education Needs & Disabilities (SEND) travel assistance policy enabled the Council to continue to deliver its statutory responsibilities, improve outcomes for children and young people with SEND and control costs. Members noted that much of the transport was provided through a procurement framework. Also, that social life and independence were key issues for clients and therefore supported the recommendations.

##### **RESOLVED:**

1. That the design principles to support the delivery of the Council's statutory responsibilities for home to school transport for children and young people with special educational needs and disabilities be approved.



2. That the Executive Director for Children, Families and Learning in consultation with the Cabinet Member for All-Age Learning finalises proposals for public consultation from September 2019 be agreed.
3. That responsibility be delegated to the Executive Director in consultation with the Cabinet Member for All-Age Learning to review the Council's SEND travel assistance policy following public consultation in Autumn 2019, including children and young people with SEND and their families.

**Reason for Decision:**

There were significant areas of underperformance in relation to Surrey County Council's delivery of its arrangements for home to school transport for children and young people with special educational needs and disabilities. Poor practice and culture were driving poor outcomes for children and young people and high costs. Delivery of the outcomes sought through the proposed design principles will benefit all Surrey residents by supporting the integration and independence of children and young people with SEND, promoting environmental sustainability and securing the efficient use of public resources.

*The decision was unanimous.*

**121/19 COMMISSIONING OF SPECIAL EDUCATIONAL NEED OR DISABILITY PLACEMENTS FROM SCHOOLS AND COLLEGES IN THE NON MAINTAINED INDEPENDENT SECTOR [Item 8]**

The Cabinet Member for All-Age Learning explained the current method of spot purchasing for placements and how this new Dynamic Purchasing System (DPS) would increase negotiation, transparency and tailor packages for individuals. She highlighted the maximum fee for provision that would help control unit costs and work undertaken to ensure providers choose to be part of the framework.

Members discussed lobbying of the new Secretary of State when the new Prime Minister was in place.

**RESOLVED:**

1. That Surrey County Council join with West Sussex County Council to implement the Children's Placements and Other Support Services Dynamic Purchasing System contract for the provision of the placement of day and residential learners in independent schools and colleges from July 2019 until 31st March 2026 was approved.
2. That providers as listed in the Part 2 annex to the submitted report be awarded a place on the new Dynamic Purchasing System as they have passed the Invitation to Tender (ITT) evaluation process, whilst recognising that further organisations will be able to join throughout the duration of the Dynamic Purchasing System if they pass the ITT.
3. That authority be delegated to the Director of Education, Lifelong Learning & Culture to implement the Dynamic Purchasing System and

award all contracts, where a mini-competition tender procedure has been followed under the new Dynamic Purchasing System.

**Reason for Decision:**

Working regionally with West Sussex County Council and using a Dynamic Purchasing System will achieve the following benefits:

- By increasing market share, it will enhance Surrey's position to influence and negotiate; share information around specialist educational placements; address gaps in support and improve value for money
- Provide a framework where there is transparency around price and service offer which support value for money commissioning within Surrey's new Gateway for Resources team.
- Support better quality of education and outcomes for children through collaborative contract management and monitoring.
- Build up cost knowledge of the sector in a joined-up way with other local authorities so that Surrey achieves best value and is charged at a similar rate as neighbouring authorities.
- Joint working with suppliers to ensure compliance with regulations and laws.
- A better understanding of suppliers' processes, which may foster collaboration and working together to reduce costs.
- Standard templates for contracting thus reducing supplier time working out variances between forms and contracts when placing children.

*The decision was unanimous.*

**122/19 PROPOSAL TO CHARGE MAINTAINED SCHOOLS FOR THE COST OF CONVERSION TO BECOME AN ACADEMY SCHOOL [Item 9]**

The Cabinet Member for All-Age Learning introduced a report that recommended charging schools for conversion to academy status. There were costs for the Department for Education (DfE), maintained schools and their maintaining authorities when a school converted to an academy. Schools were given a grant to contribute to their costs but local authorities get no financial support. She explained that charges would take effect from 1 September 2019 and would not affect those schools already in the process of converting.

Recommendation 3, as given in the report, was removed as it was repeated.

**RESOLVED:**

1. The charging of schools for the costs to the council on an 'averaged' basis was approved.
2. That charges of £6,000 for a community or voluntary controlled school, £5,000 for a voluntary aided school (which does not require HR service input); £4,000 for foundation or trust schools (which do not require human resource or property service input); and charges to be

negotiated on a case by case basis for private finance initiative (PFI) schools was approved.

3. That annual consideration of charges, taking account of any inflation or deflation in the specific areas of work, be delegated to the Executive Director for Children, Families and Learning and that the Council's constitution be amended to allow the scheme of delegation to reflect this.
4. That charges be levied for any new school formally requesting to convert to academy status (upon receipt of approval from the Department for Education) from 1 September 2019 was agreed.

**Reason for Decision:**

The costs nationally of schools converting to become academy trusts (or becoming a part of an existing trust) are high. The House of Commons committee of public accounts estimated in its report, published in July 2018 and entitled 'Converting schools to academies', that the cost to the government of conversions had been £745,000,000 since 2010.

The committee noted that the full cost of conversion, including spending by schools and local authorities, is unclear. Surrey County Council, unlike many other top-tier councils in England, has not adopted a policy of charging for the costs it bears relating to such transfers. This currently means that the burden is shifted from general taxation to the council tax payer in Surrey. It also has an effect on the resources available for other council priorities.

For these reasons, it is proposed to charge schools, on the basis set out in recommendations above, for the costs to the council of conversions, on an averaged basis.

*The decision was unanimous.*

**123/19 LIBRARIES AND CULTURAL SERVICES TRANSFORMATION [Item 10]**

**RESOLVED:**

That this item be **DEFERRED**.

**Reason for decision:**

Following on from the widespread consultation at the end of 2018, the County Council had been discussing with districts and boroughs the precise way forward for a 21st century library service. These discussions had been fruitful but more time was required to formulate the final proposals. This item was therefore deferred to allow sufficient time for detailed discussions.

*The decision was unanimous.*

**124/19 CREATION OF A NEW SPECIALIST CENTRE AT WORPLESDON PRIMARY SCHOOL IN PARTNERSHIP WITH FREEMANTLES SCHOOL PROVIDING 21 PLACES FOR PUPILS WITH HIGH COMMUNICATION AND INTERACTION NEEDS [Item 11]**

The Cabinet Member for All-Age Learning detailed the proposals for a new specialist centre to be developed at Worplesdon Primary School in partnership with Freemantles School. This would meet place requirements and the need for specialist placements. The specialist centre would be based at Worplesdon Primary School and operated in partnership with Freemantles School. It would be the first centre in Surrey that was being developed in partnership between a special school and a mainstream primary school.

Several Members expressed support for this proposal and for bringing it into mainstream education. They gave praise and thanks to council officers, the Cabinet Member and to Freemantles.

**RESOLVED:**

1. That the proposal to build a specialist centre at Worplesdon Primary School in partnership with Freemantles School, be agreed in principle, and the project to proceed subject to a full public consultation and statutory notices was approved.
2. That the funding for this project be allocated from the Special Education Needs & Disabilities Capital Grant of £10.7m and the scheme be added to the Capital programme, as detailed in the Part 2 annex of the submitted report.

**Reason for Decision:**

A new specialist provision centre at Worplesdon Primary School would meet the demand for additional places for children and young people with communication and interaction needs (COIN). This is the first centre in Surrey that is being developed in partnership between a special school and a mainstream primary school. The two schools working in partnership ensure pupils benefit from the expertise of a special school as well as inclusion in a mainstream primary school.

*The decision was unanimous.*

**125/19 PROPOSAL TO ENTER INTO A LOCAL EDUCATION PARTNERSHIP WITH SCHOOLS ALLIANCE FOR EXCELLENCE [Item 12]**

Cabinet considered a report that sought approval for the Council to be a partner in a new, not-for-profit company, which was to be called the Schools Alliance for Excellence (SAfE). This was a partnership – between schools, both maintained schools and academies, the Surrey Teaching Schools Network (STSN) and the Council – to continue to improve the quality of education in Surrey. The Cabinet Member for All-Age Learning explained how this proposal was an innovative idea driven by schools for schools.

## **RESOLVED:**

1. That the establishment of the new school-led partnership for improvement in Surrey known as the Schools Alliance for Excellence (SAfE) be approved.
2. That the Council's participation as a member of SAfE with two officers of the Council to be appointed to the board of directors of the company be endorsed.
3. That the commission SAfE lead and manage Surrey's school improvement strategy for an initial three years, from September 2019 to 2022 was agreed.
4. That delegated authority be given to the Executive Director for Children, Families, Lifelong Learning and Culture, in consultation with the Cabinet Member for All-Age Learning, to agree, as appropriate, to SAfE being contracted for further council commissions over the next three years was agreed.
5. That the Council act as the 'supervising authority' for SAfE was agreed.

## **Reason for Decision:**

Surrey County Council outsourced its school improvement services over 15 years ago. Through the contract, Babcock 4S was engaged to undertake all 11 council duties relating to school standards and the quality assurance of all maintained schools, 14 compliance checking duties and five relating to the curriculum. This contract came to an end in March 2019, and these duties are currently being undertaken by council officers on a short-term basis. However, this is not consistent with the developing schools-led system and partnership approach underpinning our work with children and families.

Over recent years, Surrey schools have built a system of improvement using local practitioners and teaching schools. The recommendations in this report would extend the breadth and depth of that schools-led system so it can accelerate improvement in the outcomes for children and young people, particularly the most vulnerable, in Surrey schools.

*The decision was unanimous.*

## **126/19 CHILDREN'S IMPROVEMENT UPDATE [Item 13]**

The Cabinet Member for Children, Young People & Families introduced an update report on improvements to Children's Services. There were four key elements to the update:

- Progress on specific recommendations of Ofsted
- Findings of the Children's Commissioner
- Finding of the third Ofsted visit that looked at 'front door services', and
- The annual Ofsted conversation.

The Cabinet Member also reported that there had been an unexpected visit from the Probation Service to look at the Youth Offending Service and as they

only looked at historical cases it was expected that their report may be a difficult read. She went on to say that the Children's Commissioner was due back in October/November and Ofsted were due back in October. A further update report would come to Cabinet in December.

In response to Member queries the Cabinet Member explained the process for monitoring areas of concern which included the Surrey Safeguarding Children's Board, Cabinet, Scrutiny and the Corporate Parenting Board.

Members paid tribute to the Executive Director and staff for the work undertaken and to the Cabinet Member.

**RESOLVED:**

1. The progress made delivering the Children's Improvement Plan and the findings from the recent Children's Commissioner Re-Visit, Ofsted Monitoring Visit 03 and Ofsted Annual Conversation was noted.
2. That Cabinet review progress in December 2019 on the delivery of the Children's Improvement Plan and the findings from subsequent inspections was agreed. (The Children's Commissioner will be conducting a further review of our improvement work in October 2019 and Ofsted will next conduct a Monitoring Visit in October-November 2019.)

**Reason for Decision:**

The Department for Education appointed Children's Commissioner will next be reviewing our progress improving practice across children's services in Surrey in October 2019. The Commissioner will then report to the Department for Education and Secretary of State for Education in November 2019.

The next Ofsted Monitoring Visit, focussed on the Assessment service, will take place October-November 2019 with publication of the report in late-November 2019.

*The decision was unanimous.*

**127/19 APPROVAL FOR SURREY TO JOIN THE REGIONAL ADOPTION AGENCY [Item 14]**

Cabinet considered a report that sought approval for Surrey County Council to enter into an agreement to establish a Regional Adoption Agency (RAA) with three other local authorities, Brighton and Hove City Council, East and West Sussex County Councils. The Cabinet Member for Children, Young People & Families explained that a hub and spoke model would be used and that East Sussex CC would support the hub with the other council's being spokes. She also reported that East Sussex CC adoption service was rated as outstanding.

**RESOLVED:**

1. That Surrey County Council's participation in (the creation of) a Regional Adoption Agency (RAA) to be known as Adoption South East

(ASE) in partnership with Brighton and Hove City Council, and East and West Sussex County Councils was agreed.

2. That authority be delegated to the Executive Director for Children, Families, Lifelong Learning and Culture in consultation with the Cabinet Member for Children, Young People & Families to take any action necessary or incidental to the above including entering into and signing off the Partnership Agreement and any other agreement between Surrey County Council and the participating Authorities in order for the Regional Adoption arrangement to be implemented by 2020 was agreed.
3. That authority be delegated to the Executive Director for Children, Families, Lifelong Learning and Culture in consultation with the Cabinet Member for Children, Young People & Families to agree transfer of the Council's contribution to the pooled RAA budget, in accordance with the terms of the Partnership Agreement was agreed.

**Reason for Decision:**

In response to the Action Plan for Adoption and alongside many other Councils Surrey County Council, in conjunction with Brighton and Hove City Council, East and West Sussex County Councils has developed a proposal to deliver its adoption services via a RAA. The Government has a power through the Education and Adoption Act 2016 which allows it to direct a Local Authority to join a Regionalised Adoption Agency if it has not already done so by 2020.

*The decision was unanimous.*

**128/19 PROVIDING COUNCIL TAX RELIEF FOR SURREY'S CARE LEAVERS  
[Item 15]**

The Cabinet Member for Children, Young People & Families introduced a report that sought agreement to support care leavers by paying the Surrey County Council proportion of Council Tax (around 75% of the total amount of Council Tax), for those care leavers living by themselves (independent living) or sharing with others with some support (semi-independent living). She went on to explain that currently in the local authority area of Surrey a small number of district and borough areas were providing council tax relief for care leavers, however this was an inconsistent offer resulting in unfairness. Conversations with districts and boroughs would be ongoing and the with the Police & Crime Commissioner.

Mr Will Forster addressed the Cabinet and stated he was pleased this was happening and requested that all care leavers be notified that they didn't have to pay when the districts & boroughs send out the bills. The Cabinet Member agreed to take this suggestion forward.

**RESOLVED:**

1. That Council Tax Relief be provided, for the Surrey County Council proportion of Council Tax, for Care Leavers (living in and out of the county) in independent and semi-independent living arrangements

from 1 April 2020 from the ages of 18-25 years old (up to their 25th birthday) was agreed in principle.

2. That for Care Leavers from the ages of 18-25 years old (up to their 25th birthday), living in independent and semi-independent living arrangements outside of Surrey County Council local authority area; that 75% of their Council Tax is paid for Surrey County Council was agreed.
3. That Cabinet review this each political cycle (i.e. every 4 years), including understanding the impact this has made for Care Leavers, with the first review taking place in 2021 following the County Council elections was agreed.

**Reason for Decision:**

Through its Corporate Parenting responsibilities Surrey County Council (and its partners) has a duty to do the very best for Children in Care and Care Leavers, and provide the necessary care and support so they can achieve their potential. Supporting with the cost of living through Council Tax Relief will help Care Leavers to manage their transition to adulthood and help make their own home affordable, providing stability and a safe place.

*The decision was unanimous.*

**129/19 ADULT SOCIAL CARE ACCOMMODATION WITH CARE AND SUPPORT STRATEGY FOR EXTRA CARE HOUSING FOR OLDER PEOPLE AND INDEPENDENT LIVING SCHEMES FOR ADULTS WITH A LEARNING DISABILITY AND/OR AUTISM [Item 16]**

The Cabinet Member for Adults introduced a report that set out the challenges faced by the Care and Support system in Surrey. It also set out the Council's strategy to deliver accommodation with care and support by 2030 that would enable people to access the right health and social care at the right time in the right place, with appropriate housing for residents that helps them to remain independent, achieve their potential and ensure no one is left behind.

**RESOLVED:**

1. That commitment to the Adult Social Care Accommodation with Care and Support Strategy as approved by Cabinet on 30 October 2018 was reaffirmed.
2. Cabinet endorsed its ambition to deliver:
  - a. sufficient units of affordable extra care housing to reduce the council's reliance on traditional residential and nursing care over the next ten years; and
  - b. sufficient additional units of independent living to support people with a learning disability and/or autism over the next five years.
3. That the existing pipeline schemes that have been identified as suitable for extra care housing:
  - a. are assessed against the criteria and the process set out in the Asset and Place Strategy; and



- b. have full business cases developed and submitted to Cabinet for consideration and (if appropriate) approval at its meeting in October 2019, was agreed.
4. That the use of available delegated powers to acquire individual units in existing or new developments, and for larger acquisitions to be brought forward to Cabinet for approval was endorsed.
5. That the overall programme be included in the budget report and capital programme to be brought forward in January 2020 was agreed.
6. That all other existing vacant sites be reviewed in accordance with the Asset and Place Strategy for their potential development as extra care or independent living accommodation, and that suitable sites were brought forward to Cabinet for approval once the business case was developed be agreed.
7. That a dedicated team be resourced within Adult Social Care to deliver the project in line with the Accommodation with Care and Support Strategy was agreed.

**Reason for Decision:**

To ensure the Council delivers its Accommodation with Care and Support Strategy and Community Vision for Surrey 2030.

*The decision was unanimous.*

**130/19 HOUSING INFRASTRUCTURE FUND - FUNDING ALLOCATION OF £95 MILLION TO WOKING TOWN CENTRE [Item 17]**

A report that set out how Surrey County Council, in conjunction with Woking Borough Council, submitted a bid to the Housing Infrastructure Fund in the second round of bidding submissions on 3 December 2018 was introduced by the Deputy Leader. He explained that subject to a legal agreement between Surrey County Council and Woking Borough Council this project will be delivered by Woking Borough Council, working in close partnership with Surrey County Council and Network Rail. It was expected to reduce congestion in the area, as well as opening up land for housing.

Mr Will Forster addressed the Cabinet and requested that divisional Members be consulted on individual projects as part of the process. He also noted that the Equalities Impact Assessment had highlighted that some residents would do poorly in the use of shared spaces and therefore requested that segregated rather than shared paths be used.

The Deputy Leader responded that consultation would be led by local council and he would ensure divisional Members were part of that process. Likewise, the use of shared space was borough-led but he would look at what could be insisted on.

## **RESOLVED:**

1. That Surrey County Council accepts the funding award of £95million for the A320 Woking Town Centre project from the Housing Infrastructure Fund (HIF) allocated by the Ministry of Housing, Communities and Local Government, subject to Woking Borough Council entering into a legal agreement with Surrey County Council to deliver the project and accept all grant conditions as set by Homes England as well as indemnifying Surrey County Council against all financial and legal risks was agreed.
2. That Surrey County Council enter into appropriate legal agreements with Woking Borough Council to allow the Woking Borough Council to act as agent to deliver the project, accept all bid grant conditions as set by Homes England was agreed.
3. That authority be delegated to the Executive Director Community Protection, Transport & Environment and the Deputy Leader regarding any further decisions relating to this project was agreed.
4. That authority be delegated to the Executive Director Community Protection, Transport & Environment in consultation with the Deputy Leader for any future decisions on the three remaining HIF bids should they be successful and subject to meeting relevant and similar terms and conditions as set for the Woking Town Centre grant award was agreed.

## **Reason for Decision:**

To accept the grant funding awarded by government to the A320 Woking Town Centre project and enter into appropriate legal agreements to pass on all financial and legal risks in delivering the project to Woking Borough Council.

The grant funding will allow Woking to continue to prosper as a town and provide much needed housing for the local community.

To fast track decisions on the remaining three HIF bids should they be successful.

*The decision was unanimous.*

## **131/19 CONSULTATION RESPONSE TO THE TRANSPORT FOR THE SOUTH EAST PROPOSAL TO GOVERNMENT [Item 18]**

The Deputy Leader introduced a report that set out the Councils position and basis for agreement to a draft proposal to Government agreed by the Transport for the South East (TfSE) Shadow Partnership Board in December 2018 setting out the powers that TfSE wished to secure should it be offered statutory status in the future.

There was concern expressed about the term 'franchising' to which the Deputy Leader explained that TfSE were not looking to take over the running of bus services but were looking at how they could support bus services

currently in use and looking across boundaries to deliver better services. TfSE were keen to work in partnership with local authorities.

**RESOLVED:**

1. That the consultation draft of the Proposal to Government (Annex 1 to the submitted report) including the powers and responsibilities requested by Transport for the South East (TfSE) and the proposed governance arrangements with the following amendments to Annex 1 (Table 1) be agreed,
  - a) Rail - The powers being sought for rail should be for strategic schemes only and the County Council must still be consulted directly on the terms of the franchises and any matters that affect us locally (including infrastructure and service enhancements).
  - b) Bus Service Provision - The powers being sought for bus service franchising should be in partnership with and with the agreement of the County Council.
2. That authority be delegated to the Executive Director for Community Protection, Transport and Environment in consultation with the Deputy Leader to make any final changes to the TfSE proposal submitted to Government.

**Reason for Decision:**

The TfSE Proposal to Government is a constructive way for Authorities in the South East Area to exercise a common voice to government through the use of the powers sought in Annex 1.

*The decision was unanimous.*

**132/19 TOWN CENTRE HIGHWAY MANAGEMENT AGREEMENTS [Item 19]**

The Cabinet Member for Highways presented a report that sought agreement for the council to enter into "Town Centre Highway Management Agreement" if sought by district/borough councils.

A few Members expressed their gratitude that this report was before them and stated how it showed the Council's commitment to partnership working.

**RESOLVED:**

1. That authority is delegated to the Head of Highways and Transport, in consultation with the Cabinet Member for Highways, to enter into "Town Centre Highway Management Agreements" with district/borough councils which request this arrangement was agreed.
2. That local / joint committees undertake operational oversight of any such agreements was agreed.

**Reason for Decision:**

The introduction of Town Centre Highway Management Agreements enable willing district/borough councils to manage and maintain their prestige locations according to local priorities and needs. Standards of maintenance

will need to be as high as, or greater than that provided by the county council for the rest of the highway network. The agreements may help to attract additional investment in the highway network. Income from licensing will facilitate such investment.

They will build on close cooperation between the county council and district/borough councils in delivering services for Surrey residents.

*The decision was unanimous.*

### **133/19 MONTHLY BUDGET MONITORING REPORT [Item 20]**

The Cabinet Member for Finance gave highlights from a report that summarised the most significant issues for the Council's 2018/19 financial position as at 31 May 2019 for revenue and capital budgets. Annex 1 to the report provided further details on service budgets, expenditure to date and year-end forecast.

The Leader of the Council informed Members that there would be a thorough look at the capital budget going forward. He also reiterated the challenges faced by the Council.

#### **RESOLVED:**

Cabinet noted that;

1. The Council's forecast revenue and capital budget positions for the year.

Cabinet approved;

2. The re-profiled 2019/20 capital budget of £114m, and
3. The draw-down of revenue funding carried forward at outturn for;
  - i. £0.28m for bus planning
  - ii. £0.05m for completed local highways works
  - iii. £0.23m for Economic Development

#### **Reason for Decision:**

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

*The decision was unanimous.*

### **134/19 CONTRACT FOR REACTIVE AND CYCLICAL MAINTENANCE OF SURREY COUNTY COUNCIL MAINTAINED BUILDINGS IN THE SURREY WEST AREA [Item 21]**

The Cabinet Member for Corporate Support introduced a report that described how this was included in the tender exercise for Hard Facilities Management, for which a report came to Cabinet in March, but the bids received did not provide value for money within the budget available. The decision was made to re-tender this service as a stand-alone requirement.

The existing contract for the provision of this service for Building Maintenance and Statutory Building Maintenance & Responsive Building Repairs Planned Maintenance Works was to expire on 30 September 2019. In order to maintain a continuous service and provide the new contractor with a reasonable mobilisation period, any new contract would need to be issued as soon as possible after the completion of the evaluation. Flexibility was therefore required on the timing of decision making to award contracts.

**RESOLVED:**

That authority be delegated to the Executive Director for Resources, in consultation with the Cabinet Member for Corporate Support, to award a contract to the winning bidder to provide Building Maintenance and Statutory Building Maintenance & Responsive Building Repairs – Building Fabric Maintenance to Surrey County Council Maintained Buildings in the Surrey West Area for up to 7 years.

**Reason for Decision:**

To ensure that a decision can be made flexibly and quickly to make sure that we can provide continuity of service and to maximise the mobilisation period available to the new Contractor.

*The decision was unanimous.*

**135/19 EXCLUSION OF THE PUBLIC [Item 22]**

**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.

**136/19 COMMISSIONING OF SPECIAL EDUCATIONAL NEED OR DISABILITY PLACEMENTS FROM SCHOOLS AND COLLEGES IN THE NON MAINTAINED INDEPENDENT SECTOR [Item 23]**

The Cabinet Member for All-Age learning introduced this Part 2 annex to the main report that contained information which was 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).

**RESOLVED:**

See Minute 121/19.

**Reason for Decision:**

See Minute 121/19.

**137/19 CREATION OF A NEW SPECIALIST CENTRE AT WORPLESDON PRIMARY SCHOOL IN PARTNERSHIP WITH FREEMANTLES SCHOOL PROVIDING 21 PLACES FOR PUPILS WITH HIGH COMMUNICATION AND INTERACTION NEEDS [Item 24]**

The Cabinet Member for All-Age learning introduced this Part 2 annex to the main report that contained information which was 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).

**RESOLVED:**

1. That the business case for the project to provide a new specialist centre providing 21 places for pupils with high communication and interaction needs See Exempt Minute [E-7-19].
2. Approved the arrangements by which a variation (See Exempt Minute [E-7-19]) may be agreed by the Lead Asset Strategy Manager and Executive Director for Children, Families and Lifelong Learning and Culture in consultation with the Cabinet Member for Education, the Cabinet Member for All Age Learning and Cabinet Member for Finance and the Leader of the Council.
3. That authority be delegated to the Lead Asset Strategy Manager in consultation with the Leader of the Council, Cabinet Member for Education, Head of Procurement and Section 151 Officer to approve going to tender for works to when a competitive tender is procured.

**Reason for Decision:**

See Minute 124/19.

*The decision was unanimous.*

**138/19 PROPOSAL TO ENTER INTO A LOCAL EDUCATION PARTNERSHIP WITH SCHOOLS ALLIANCE FOR EXCELLENCE [Item 25]**

The Cabinet Member for All-Age learning introduced this Part 2 annex to the main report that contained information which was 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).

**RESOLVED:**

See Minute 125/19.

**Reason for Decision:**

See Minute 125/19.

**139/19 DISPOSAL OF THE FORMER MERSTHAM LIBRARY, WELDON WAY, MERSTHAM [Item 26]**

The Leader of the Council introduced this Part 2 report that contained information which was 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).

**RESOLVED:**

1. That the former Merstham library site be sold. See Exempt Minute [E-8-19].
2. That authority be delegated to the Executive Director of Resources, in consultation with the Leader, for a variation in the agreed sale price to reflect possible changes and circumstances as a result of the due diligence process. See Exempt Minute [E-8-19].

**Reason for Decision:**

The property was no longer considered suited to ongoing service delivery, nor capable of generating significant income. See Exempt Minute [E-8-19].

*The decision was unanimous.*

**140/19 PUBLICITY FOR PART 2 ITEMS [Item 27]**

**RESOLVED:**

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

Meeting closed at 3.45 pm

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**Chairman**

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