

CABINET DECISION RECORD

The following decisions were taken by the Cabinet on Tuesday, 29 September 2020 and will take effect on 08/10/2020 unless the call-in procedure has been triggered.

CALL-IN DEADLINE: 07/10/20.

The following represents a summary of the decisions taken by the Cabinet. It is intended to represent the formal record of the decisions taken and to facilitate the call-in process. The minutes will be published in due course to site alongside this decision sheet.

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

The Cabinet at its meeting on Tuesday, 29 September 2020 considered the following matters and resolved:

- **APOLOGIES FOR ABSENCE** (Item 1)
Apologies were received from Mr Colin Kemp.
- **MINUTES OF PREVIOUS MEETING: (21 JULY 2020)** (Item 2)
The Minutes of the meeting held on 21 July were approved as a correct record.
- **DECLARATIONS OF INTEREST** (Item 3)
There were none.
Members' Questions (Item 4a)
There were five Member questions. The questions and responses were published as a supplement to the agenda.
- **PUBLIC QUESTIONS** (Item 4b)
There were no public questions.
- **PETITIONS** (Item 4c)
One petition with 6,089 signatures had been received. It requested that the Council 'Reverse cuts to Surrey Fire and Rescue Service'. The response to the petition was published as part of the supplementary agenda and on the petition's website. Ms Emma Kennedy presented the petition.
- **REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE** (Item 4d)
There were none.
- **REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL** (Item 5)

RESOLVED:

That the Strategic Reset Group report be noted and recommendations agreed.

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

RESOLVED:

That the delegated decisions taken since the last meeting of the Cabinet be noted.

Reason for decision:

To inform the Cabinet of decisions taken by Cabinet Members, Strategic Investment Board and the Committee in Common subcommittee under delegated authority.

- **CABINET MEMBER UPDATE (Item 7)**

RESOLVED:

That the Cabinet Member update be noted.

- **COVID- 19 DELEGATED AND URGENT DECISIONS TAKEN (Item 8)**

RESOLVED:

That the five decisions taken by officers since the last meeting be noted.

Reason for decision:

To inform the Cabinet of decisions taken by officers under delegated authority.

[This decision is subject to call-in by the relevant Select Committee Chairman dependent on the recommendation.]

- **SURREY COUNTY COUNCIL STRATEGIC RESET (Item 9)**

RESOLVED:

1. That the key themes emerging from the planning assumptions and evidence base that have informed the strategic reset be noted.
2. That the input of the Member Reference Group in informing the Strategic Reset paper be noted.
3. That the financial implications, impacts on the Transformation Programme, and the impacts on Directorate business plans be noted.
4. That the four emerging priority objectives (Tackling inequality and ensuring no one is left behind; Driving inclusive growth; Creating a greener future; and Enabling resilient and connected communities) that will form a new focus for the council and become the basis of a refreshed Organisation Strategy be approved.
5. The process being undertaken by Directorates to understand the

implications for future years following the impact of Covid-19 on residents, communities and the council be noted.

Reason for Decision:

Through the council's response to Covid-19 a number of the council's organisational priorities have come into sharper focus, including themes such as a strong and prosperous economy; happy, healthy, connected and resilient communities; a greener future; and being a leading council. There is consensus that the 2030 Vision remains the right focus, but how we get there might need to change without losing the strong foundations that have been established over the past two years.

It is recommended that as part of the strategic reset a focus on these emerging priority areas will help the council to better prioritise its resources, refocus its transformation programme and ensure a stable provision of services going forward.

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

- **DEVELOPING LOCAL SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) PROVISION IN SURREY TO MEET DEMAND IN 2021/2022 (Item 10)**

RESOLVED:

1. That the use of SEND Capital Funding against the projects identified through the Expression of Interest (EOI) process with Surrey Schools for Phase 2 of the SEND Capital Programme to create 213 additional Specialist Planned Places in Surrey for academic year 2021-2022 be approved.
2. That the use of additional SEND Capital Funding of £6.4m required to complete the Freemantle's expansion, in addition to Phase 1 be approved.
3. That the transfer of £36m of Capital Budget to the SEND Capital Phase 1 and 2 Programmes be approved.

Reason for Decision:

Under Part 3 Section 21 of the Children & Families Act, 2014 the Local Authority and its partners have a statutory duty to keep special educational provision under review, including planning, commissioning and monitoring. In carrying out the duties in the Children & Families Act 2014, local authorities and others with responsibilities under that Act, are also covered by the Equality Act, 2010.

Developing and maintaining high quality specialist provision in Surrey is vital to ensure appropriate placements for the county's most vulnerable children and young people who have complex SEND and require specialist educational provision.

The proposed schemes (See Annex 1) ensure enough special school places are provided for secondary and Post 16 age children and young people who have Social, Emotional and Mental Health needs, Communication & Interaction needs and Cognition & Learning needs. These are the 3 need-types where long-term deficits in planned places have already been identified.

Increasing local specialist provision assures high quality teaching (through robust

monitoring protocols) in Surrey's Good and Outstanding provision as graded by Ofsted, value for money at a more equitable cost per learner, the development of social value opportunities as well as employment in local communities.

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

- **PROCUREMENT OF HIGHWAYS CONTRACTS (Item 11)**

RESOLVED:

1. That the highways service's market research conducted to inform the procurement strategy be noted and the procurement strategy for highway services contracts be approved.

Reason for Decision:

The Highways Service has successfully engaged contractors to deliver elements of its services on its behalf for many years, bringing together the strengths of both the public and private sector. The exact scope of services needs to be balanced against the cost of delivering these services, the management of a wide variety of associated risks and the need to employ the required skills when needed.

Officers have undertaken extensive research into what other authorities are doing in this area, the market's capabilities to deliver the required services and the industry's desire to enter into such contracts. This research has been overlaid with the Council's objectives to not only continue to deliver highway maintenance activities, but also to transform delivery of highway and transport activities over the next 10 to 20 years.

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

- **A31 AND BLACKWATER VALLEY RELIEF ROAD (BVR) BALANCING POND RESTORATION PROCUREMENT (Item 12)**

RESOLVED:

1. That the commissioning and procurement strategy developed by Strategic Network Resilience and Procurement teams so that a suitable contractor can be appointed to maintain and refurbish balancing ponds along the A31 and Blackwater Valley Relief Road (A331) be approved.
2. That delegated authority be given to the Executive Director for Environment, Transport & Infrastructure in consultation with the Cabinet Member for Transport to approve the contract award decision.

Reason for Decision:

We are requesting Approval to Procure for the Balancing Pond Term Contract to enable the refurbishment of essential highway drainage assets to ensure that they are performing as designed.

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

- **HOUSING INFRASTRUCTURE FUND FORWARD FUNDING - FUNDING ALLOCATION OF £41.8 MILLION TO THE A320 NORTH OF WOKING (Item 13)**

RESOLVED:

1. That subject to the signing of a flow down agreement with Runnymede Borough Council as detailed in recommendation 2, it be approved that Surrey County Council (SCC) confirms acceptance of the funding award of £41.8 million for the A320 North of Woking Housing Infrastructure Fund (HIF) Forward Funding scheme allocated by the Ministry of Housing, Communities & Local Government (MHCLG), by agreeing to proceed to sign the relevant Homes England Grant Determination Agreement (GDA);
2. That either prior to or concurrently with signing the GDA agreement, it be approved that SCC enters into a side agreement / Flow Down contract with Runnymede Borough Council (RBC) regarding any GDA conditions which relate not to the delivery of the infrastructure but instead to those elements particularly associated with housing, alongside a cost sharing arrangement. The signing of the GDA be delegated to the Executive Director Environment, Transport and Infrastructure and the Executive Director of Resources in consultation with the relevant Cabinet Member and the Leader.
3. That the scheme be moved from capital pipeline to capital budget immediately post-GDA signature but prior to the targeted receipt date for the HIF allocation of October 2020 in order to allow for the project to progress in line with the target timescale for completion be approved.
4. That provision for a contingency of £2m from the Council's capital programme to support any project cost overruns should they arise be approved.
5. That delegated authority be given to the Executive Director Environment, Transport and Infrastructure and the Executive Director of Resources in consultation with the relevant Cabinet Member to approve any further decisions relating to the forward funding conditions.
6. That the necessary authority and permission be given to officers to proceed to facilitate land purchase through Compulsory Purchase be approved in the event that any initial attempts through direct negotiation prove to be unsuccessful, subject to the signing of the GDA by SCC.

Reason for Decision:

- SCC's acceptance of the grant funding will facilitate the delivery of the road infrastructure to support the additional housing identified in RBC's Local Plan.
- The proposed flow-down/side agreement will ensure that SCC and RBC are held to account for those elements of the project and related outcomes for which they are responsible.
- Moving the scheme funding from pipeline to capital budget will release

funds for further scheme development and thereby enable SCC to commence work on the scheme as early as possible considering the limited time now available within which to deliver the full improvements. The cost of expenditure incurred pre-signature will be fully rechargeable to the Scheme once funding is released.

- The additional contingency provided by SCC will ensure that should any cost overruns are able to be met, and that these are met in a way that is shared with RBC in accordance with the methodology set out in this report.
- Delegation on decisions relating to the forward funding conditions is sought to enable timely decisions to be taken on the operational aspects of delivering the scheme.
- Beyond Cabinet's previous resolution that authority be given to officers to commence early discussions with landowners with respect to acquisition by negotiation, Cabinet is also now asked to provide authority to commence land acquisition with through compulsory purchase where such negotiations are clearly failing. The provision of such authority will allow the CPO process to progress in a timely manner should the need arise particularly where the designed future alignment requires land that cannot be acquired by negotiation.

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

- **COMMUNITY PROJECTS FUND (Item 14)**

RESOLVED:

1. That the key findings from the community co-design work be noted.
2. That the proposed updates to the process, criteria and framework for delivery of the Fund be approved.
3. The recruitment of the officer roles to manage the CPF process be noted.
4. The communications and engagement approach for the launch and delivery of the Fund be noted and the suggested timescales for the launch of the Fund and the opening of the first funding window be approved.

Reason for Decision:

The development of the Community Project Fund (CPF) represents a significant and exciting opportunity for Surrey County Council (SCC) to invest in a meaningful and lasting way in communities, and for communities to drive projects that will make a real difference to where they live. Crucially the Fund fills a unique gap in the market for investment in truly resident and community-led projects to have a positive impact on the places in which they live.

The recommendations in this report will enable the Fund to be launched and to be delivered in a way that ensures the Fund is accessible to all, supports successful projects and that communities' benefit.

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

- **HYPERCONVERGED SYSTEM PHASE 2 PROCUREMENT** (Item 15)

RESOLVED:

1. That the procurement for Hyperconverged System Phase 2 be added to the 2020/21 Annual Procurement Forward Plan (APFP) in accordance with the Council's Procurement and Contract Standing Orders be approved.
2. That where the first ranked tender for this project is within the +/-5% budgetary tolerance level, the relevant Executive Director, Director or Head of Service (as appropriate) be delegated authority to award such contracts.

Reason for Decision:

- To comply with the Procurement and Contract Standing Orders agreed by the Council in May 2019.
- To provide Cabinet with strategic oversight of planned procurement projects for 2020/21.
- New hardware is required to address current issues with the data centres server infrastructure, including:
 - Increasing hardware faults, in particular hard disk failures, caused by the current infrastructure reaching end of life;
 - Capacity issues with the current infrastructure;
 - Ability to make critical systems (e.g. *Children's, Finance, ERP*) highly available.

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

- **2020/21 MONTH 4 (JULY) FINANCIAL REPORT** (Item 16)

RESOLVED:

1. That the Council's forecast revenue and capital budget positions for the year be noted.
2. That the transfer of the balance of the CV-19 funding (£1.9m) and amended revenue budget baseline as £1,019.7m be noted.
3. That the addition of the 20/21 contingency (£20.4m) to the Budget Equalisation Reserve be approved.

Reason for Decision:

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

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

- **EXCLUSION OF THE PUBLIC** (Item 17)

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.

- **HOUSING INFRASTRUCTURE FUND FORWARD FUNDING - FUNDING ALLOCATION OF £41.8 MILLION TO THE A320 NORTH OF WOKING** (Item 18)

RESOLVED:

See Minute 136/20

Reason for Decision:

See Minute 136/20

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

- **PUBLICITY FOR PART 2 ITEMS** (Item 19)

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

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