

CABINET DECISION RECORD

The following decisions were taken by the Cabinet on Tuesday, 27 October 2020 and will take effect on 05/11/2020 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 04/11/2020.**

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, 27 October 2020 considered the following matters and resolved:

- **APOLOGIES FOR ABSENCE** (Item 1)

Apologies were received from Mr Colin Kemp.

- **MINUTES OF PREVIOUS MEETING: 29 SEPTEMBER 2020** (Item 2)

The Minutes of the Cabinet meeting held on 29 September were approved as a correct record of the meeting.

- **DECLARATIONS OF INTEREST** (Item 3)

There were none.

Members' Questions (Item 4a)

There were four Member questions. The questions and responses were published as a supplement to the agenda.

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

There were three public questions. The questions and responses were published as a supplement to the agenda.

- **PETITIONS** (Item 4c)

There were no petitions.

- **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 No Wrong Door Task Group report and the Mental Health Task Group be

noted. Cabinet responses to the task group recommendations were included in the supplementary agenda.

- **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)

There were no delegated and urgent decisions to report.

- **ORGANISATION STRATEGY REFRESH** (Item 9)

RESOLVED:

1. That the content of the refreshed Surrey County Council Organisation Strategy is approved and recommended onto the County Council for approval at its meeting on 8 December 2020.

Reason for Decision:

Through our experience in responding to the Covid-19 pandemic, our interaction with residents and partners, and analysis of the latest data, we are confident that the 2030 Vision remains the right destination for the county. While the broad ambitions outlined remain valid, the way we get there needs to change, and a sharper focus on a smaller group of priorities will enable us to more effectively prioritise our resources and activity.

We want to use the refreshed Organisation Strategy to reaffirm our commitment to 'no one left behind' in the county and make this the guiding principle underpinning all of our work. The strategy also sets out more clearly our commitments around equality, diversity and inclusion, including setting four new equality objectives.

Alongside the new priority objectives and guiding principle of 'no one left behind', we will continue to deliver the activities and services that contribute towards the ten outcomes set out in the 2030 Vision. The impact of Covid-19 continues to be felt by our communities and this is likely to continue into the future. The activities outlined in the 'We Will' statements in the strategy reflect not only our contribution to the 2030 Vision, but also how we will support the county in its recovery from the

effects of the pandemic.

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

- **DELIVERY OF CARE LEAVERS ACCOMMODATION, A LIBRARY AND FAMILY CENTRE IN CATERHAM HILL (Item 10)**

RESOLVED:

1. That the transfer of £5.6m (excluding VAT) from the pipeline budget for the proposed scheme; redevelopment of the existing library site to provide accommodation for care leavers, a library and Family Centre is approved.
2. That delegated authority be given to the Director of Land and Property and the Cabinet Member for Resources for awarding the contract to redevelop the site which includes construction works.

Reason for Decision:

The proposal will provide a new community facility with excellent facilities which will make a positive difference to the lives of local residents and help to regenerate this area of Caterham. When completed, this scheme will provide a well-designed, sustainable building for a range of users.

The proposed scheme offers an opportunity to build on an existing SCC freehold asset.

The proposals would distinctly enhance the quality of accommodation for care leavers.

This will provide for the delivery of a fit for purpose accommodation for community provisions, namely, a library and Family Centre.

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

- **ADULT SOCIAL CARE HOME BASED CARE RECOMMISSIONING OCTOBER 2021 (Item 11)**

RESOLVED:

1. That the commissioning and procurement strategy as set out in the paper is agreed.
2. That the proposal to procure the proposed tender and service specification for Home Based Care services which will be issued in January 2021 be approved with the contracts being awarded in June 2021 with a start date of the 1st of October 2021 to allow for a period of contract mobilisation.
3. The continuation of joint arrangements to purchase services with the NHS in Surrey be approved.
4. It was agreed that there should be limited service interruption to residents receiving a home based care service package. If a provider does not form

part of the new contract arrangements from October 2021, they can continue to support any existing residents with home based care until the package ends or there is a suitable change point for the provision of care.

Reason for Decision:

The current contract is set to end in September 2021. It is necessary to release the tender opportunity to the care provider market in January 2021, in order to allow for a thorough review and evaluation of the responses received and for an appropriate mobilisation period of up to 3 months between June and September 2021. This provides an adequate timeframe to facilitate robust procurement and implementation.

Providers will be bidding to join the new Dynamic Purchasing System (DPS).

Cabinet approval is being sought alongside approval from Surrey Heartlands Clinical Commissioning Group (who hosts Continuing Healthcare on behalf of the three Surrey CCGs) to continue the joint arrangements for the operation of the approved provider DPS with the NHS.

The existing procurement and framework have proved successful and the options appraisal for the re-commissioning of the service in 2021 indicates that this remains the preferred approach. The re-commissioning will see changes to the contracting terms and business rules driving further improvement and enhancement to the current arrangement.

It is envisaged that there will be no interruption of services for residents receiving home based care provision at the point where new contracting arrangements commence. There will be no requirement for a provider to cease providing support to existing residents if they are not continuing to provide further support under the new contracting arrangements.

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

- **DECISION ON THE ROUTE TO MARKET FOR TWO EXTRA CARE HOUSING SCHEMES** (Item 12)

RESOLVED:

1. That the development of Extra Care Housing on the Lakeside and Salisbury Road sites owned by the Council set out in the paper be approved.
2. That the Extra Care Housing schemes are approved and developed on these sites on the basis that the Council has 100% nomination rights for all of the units. This will mean that all of the units will be available to support people with Adult Social Care needs for whom the Council has a responsibility to commission care and support services to meet their eligible needs.
3. That the following delivery models for the development of Extra Care Housing on Lakeside, Frimley, Surrey Heath and Salisbury Road, Epsom, Epsom and Ewell sites be approved:
 - a. External delivery through the tender for strategic development and housing management partner(s) as the preferred option.

- b. In-house delivery whereby the Council would manage and fully fund the costs of the developments if the tender for strategic development and housing management partner(s) is not successful.
4. That grants approval to procure in order to enable a full tender process to identify an Extra Care Housing development and housing management strategic partner(s) for the Lakeside, and Salisbury Road sites as set out in this paper be approved.
5. That in the event of in-house delivery, decisions be delegated for:
 - a. the award of contract to a building contractor,
 - b. final agreement on tenure and lease arrangements,
 - c. agreements with the housing management partner,

Collectively to the Executive Director for Resources in consultation with the Cabinet Member for Resources and Executive Director for Adult Social Care in consultation with Cabinet Member for Adult Social Care.

Reason for Decision:

The development of Extra Care Housing on the two sites set out in this paper will represent a substantial contribution towards the Council's strategic objective to expand affordable Extra Care Housing provision by 2030.

Tendering for strategic development and housing management partner(s) to take forwards the development of Extra Care Housing on the Lakeside and Salisbury Road sites is consistent with previous decisions made by Cabinet. In October 2019 and July 2020 Cabinet agreed to identify a strategic partner(s) for the development and housing management of Extra Care Housing at the former Pond Meadow School, the former Brockhurst Care Home and the former Pinehurst Resource Centre sites through a tender process.

This is consistent with our ASC vision for development of Extra Care Housing, which has been clearly communicated through market and stakeholder engagement.

A tender was published in the Summer 2020 for an Extra Care Housing development and housing management strategic partner at the former Pond Meadow School site. This process provides the Council with learning and a template to inform any future tenders for further Extra Care Housing schemes.

By approving both delivery models for Extra Care Housing on the Lakeside, and Salisbury Road sites, in the event that the tender is not successful, the in-house delivery option can be employed. This will minimise delay in delivering Extra Care Housing at these sites.

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

- **CATERHAM ON THE HILL AND OLD COULSDON FLOOD ALLEVIATION SCHEME** (Item 13)

RESOLVED:

1. That the addition of the Caterham on the Hill and Old Coulsdon Flood Alleviation Scheme to the Capital Programme is approved through external funding subject to the approval of the Outline Business Case by the Environment Agency.
2. That the approval of any changes to the Outline Business Case is delegated to the Director for Highways and Transport and Strategic Finance Business Partner in consultation with the Cabinet Member for Environment and Climate Change.
3. That the procurement of the works through the Environment Agency Property Flood Resilience Framework is approved as the scheme was not included in the 2020/21 Annual Procurement Forward Plan approved by Cabinet in January 2020.
4. That the development of the wider flood mitigation measures in the catchment is supported and decisions on individual schemes as they come forward are delegated to the Director for Highways and Transport and Strategic Finance Business Partner in consultation with the Cabinet Member for Environment and Climate Change.

Reason for Decision:

The Caterham on the Hill and Old Coulsdon Flood Alleviation Scheme will reduce the impacts of flooding to 205 properties within the catchment currently at risk.

Recent flooding in the area has caused significant disruption to the area and damage to infrastructure and properties. The long term impacts on residents' lives cannot be underestimated, and these proposals will offer protection and some comfort to those living with the threat of flooding to their homes.

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

- **SURREY COUNTY COUNCIL RESILIENCE PLANNING FOR WINTER 2020/21** (Item 14)

RESOLVED:

1. That the work being undertaken by services across the Council with partners to ensure the business continuity of the services provided to residents and communities across the county be noted.

Reason for Decision:

The Council and partners across Surrey face a challenging period over the Autumn and Winter period 2020/21, and the risks and threats facing the authority require services to ensure that they have planned for potential disruption. This kind of organisational resilience requires a robust understanding of the likely threats and risks, but also effective and tested business continuity plans that aim to minimise the negative impacts of such disruption to services on residents and customers served. In addition, it is vital that the Council has effective cross-Council arrangements in place to support an effective response when an incident

arises.

As a local authority providing critical services to communities, Surrey County Council has a responsibility to prepare for such threats to business continuity, as well as in its capacity as a Category 1 responder under the Civil Contingencies Act 2004 to contribute to multi-agency planning and response.

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

- **SURREY SAFEGUARDING ADULTS ANNUAL REPORT 2019-2020** (Item 15)

RESOLVED:

1. That the Surrey Safeguarding Adults Annual Report for 2019/2020 be noted.

Reason for Decision:

This recommendation demonstrates that the Council is fulfilling its statutory requirement under the Care Act 2014 in having established a Safeguarding Adults Board in its area.

It will support the SSAB to be transparent by providing information to the public on the performance of the Board and its strategic plan.

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

- **SURREY WASTE LOCAL PLAN: ADOPTION** (Item 16)

RESOLVED:

1. That the report of the Inspector who examined the Surrey Waste Local Plan as set out in Annex 1 be noted.
2. That Council adopts the Surrey Waste Local Plan, including the Policies Map, as set out in Annexes 2 and 3, at its meeting on 8 December 2020.
3. That the publication be approved alongside the adopted Surrey Waste Local Plan the required post-adoption environmental statement, as set out in Annex 4.

Reason for Decision:

The Surrey Waste Local Plan contains updated planning policy affecting the management of waste in Surrey and, with modifications, has been found sound and legally compliant following examination by an independent Planning Inspector. Council's adoption of the Surrey Waste Local Plan (as modified) will mean that it forms part of the formal Development Plan for Surrey and will be used when making decisions on planning applications for related development in Surrey.

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

- **STREET LIGHTING PFI CONTRACT - REFINANCING** (Item 17)

RESOLVED:

1. That the application of the contract mechanism to refinance the Street Lighting contract which will result in a saving to the Council in the amount it pays for these services either as an annual cost reduction, a one-off saving or a combination of both be approved in principle.
2. That the final decision be delegated to the Executive Director for Environment, Transport and Infrastructure (ETI) and the Executive Director for Resources, in consultation with Cabinet Member for Transport and Cabinet Member for Resources.

Reason for Decision:

The principal of refinancing the street lighting PFI contract has been explored a few times over the past 10 years and until now any financial benefit from doing so has been outweighed by the costs associated with the refinancing itself. Despite the latest review having been conducted in the months since Covid-19 has impacted the Country, the refinancing gain available has improved significantly.

The balance of the financial return from refinancing is assessed to outweigh any amended/increased risk to the Council.

If the Council were not to proceed with the refinancing exercise, it would be paying more for the service than it needed to and so would not be securing Best Value.

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

- **SURREY ECONOMIC STRATEGY 2030 UPDATE** (Item 18)

RESOLVED:

1. That the progress taken on the development of the Surrey 2030 Economic Strategy and the proposed process of engagement and approval be noted.
2. That the final strategy be presented to Cabinet in December 2020.

Reason for Decision:

Cabinet is receiving this update to ensure that the process of engaging and consulting on the 2030 Economic Strategy is inclusive and that Members are aware of the wider context and emerging themes; this will give all stakeholders the opportunity to contribute to the Strategy in advance of it being presented for approval in December 2020.

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

- **BROADWATER SECONDARY SCHOOL, GODALMING, SURREY** (Item 19)

RESOLVED:

1. That subject to the approval of the detailed financial information as set out in the Part 2 report, the business case for the expansion of Broadwater School, creating an additional 150 school places be approved.

Reason for Decision:

The proposal supports the Authority's statutory obligation to provide sufficient school places relative to demand.

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

- **PRUDENTIAL RIDE LONDON-SURREY (Item 20)**

RESOLVED:

1. That Surrey County Council continues to work with the event organiser to maximise the benefits to Surrey and mitigate any potential negative impacts of the shorter sportive/inspiration ride event scheduled for May 2021 (subject to the implications of the COVID pandemic and any associated restrictions).
2. That Surrey County Council does not continue to host the original 100 mile-event closed road event in Surrey after 2021 but that the council will remain open-minded to and explore opportunities for smaller, less disruptive events (subject to the COVID pandemic and any associated restrictions) that might inspire cycling for everyday journeys, rather than events focussed primarily on sports cycling.

Reason for Decision:

There are reasonable arguments in favour of continuing to support the 100-mile closed road event such as inspiring more cycling, generating grants for sporting and recreation organisations in Surrey and raising money for national charities. However, these benefits are set against the strong concerns from many Surrey residents over the disruption and negative impact on local businesses and services from the event, and concerns over anti-social behaviour of a small minority of sports cyclists.

With these finely balanced arguments in mind, a better deal for Surrey residents was sought from the event organisers to ensure that the negative impacts of the event on local communities was sufficiently outweighed by the benefits to the wider community. These efforts were led by the Leader, Cabinet Member and relevant senior officers, and specifically sought a financial contribution to provide thousands more children with cycle training across Surrey's schools, but regrettably this commitment was not forthcoming from London Marathon Events.

However, there are smaller events that could be hosted in the county that are less disruptive events and would build on the County Council's existing services to inspire and enable more people to cycle for everyday journeys. This approach would more closely align with the Council's corporate objectives, compared with longer events focused primarily on sports cycling.

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

- **2020/21 MONTH 5 (AUGUST) FINANCIAL REPORT (Item 21)**

RESOLVED:

1. That the Council's forecast revenue and capital budget positions for the year be noted.
2. That the establishment of an Early Years recovery fund to support

providers' financial sustainability, included within the current forecast be approved.

3. That the reset to the 2020/21 capital budget including accelerated delivery of £6m of Highways Maintenance 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 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.

- **DECISION ON THE ROUTE TO MARKET FOR TWO EXTRA CARE HOUSING SCHEMES** (Item 23)

RESOLVED:

1. It be noted that the financial modelling set out in this paper and associated annexes demonstrates that the development of Extra Care Housing on the sites in question is expected to generate financial benefits for the Council in addition to representing an important contribution to the Council's strategic aim to develop an additional 725 affordable units of Extra Care Housing in Surrey by 2028.
2. That capital investment in the development of Extra Care Housing on the sites out of the [Exempt Minutes E-17-20] pipeline funding already approved in the Council's Medium Term Financial Strategy (MTFS) be approved for this programme as follows:
 - a) Up to [Exempt Minutes E-17-20] for Lakeside and [Exempt Minutes E-17-20] for Salisbury Road if contributions towards developments costs are required by the Council as part of a tender for development and strategic housing management partner(s), which is the recommended delivery approach.
 - b) Up to [Exempt Minutes E-17-20] for Lakeside and [Exempt Minutes E-17-20] for Salisbury Road if the tender for development and strategic housing management partner(s) is not successful, meaning that the development of Extra Care Housing is instead managed in house and fully funded by the Council.

Reason for decision:

This paper sets out the financial case underpinning the development of Extra Care Housing on the sites in question.

Cabinet is asked to approve the potential capital investment required for both of the two delivery approaches set out in the Part 1 paper – external delivery through

a tender for development and strategic housing management partner(s) and in-house delivery whereby the Council would manage and fully fund the costs of development.

As set out further in this paper, external delivery through a tender is recommended as the desired delivery approach as it is modelled to achieve a greater financial return over the initial 40 year estimated life of the assets. The aim will be to avoid or limit as far as possible any capital investment by the Council. Capital investment will only be considered if the winning bidder in the tender for each site requires it as part of their tendered proposal for the development of Extra Care Housing at a site. The level of capital investment Cabinet which is being asked to be approved here has been capped at the estimate existing use value of each site. This means that the modelled financial benefits of developing Extra Care Housing on each site would be no less than the opportunity cost of selling the land. If a higher level of capital investment is required for either site following the outcome of the tender, then the Extra Care project team will consider whether this is financially viable and acceptable to the Council. A further report would then be brought back to Cabinet if appropriate to request approval for additional capital investment above the levels set out in recommendation 2a above.

If the tender for development and strategic housing management partner(s) is not successful, then Cabinet is asked to approve capital investment to cover the estimated full costs of development. As set out in this paper, although in-house delivery is not modelled to fully repay the capital outlay over a 40 year period, it is expected to generate care package savings and to achieve a financial return beyond the initial 40 year life of the assets. The development of Extra Care Housing would increase the land value of the sites, create an asset for the provision of Extra Care Housing, as well as making an important contribution to reaching the Council's strategic ambition. Furthermore, if in-house delivery did become the only viable option, then the Council would re-explore the possibility of securing some form of funding or investment by other public bodies such as Homes England in the sites. This could reduce the scale of capital investment required by the Council and in doing so increase the Council's net financial return.

If Cabinet approves the capital investment requested for the two sites in this paper, then capital funding within the limits approved will be moved from the Council's capital pipeline to the Council's capital budget as required based on the outcome of the tender for strategic housing management partner(s) or if necessary to fund the full cost of developments if in-house delivery becomes the only viable option.

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

- **STREET LIGHTING PFI CONTRACT - REFINANCING** (Item 24)

RESOLVED:

1. That the application of the contract mechanism to refinance the Street Lighting contract which will result in a saving to the Council in the amount it pays for these services as an annual cost reduction of approximately [Exempt Minutes E-18-20] and a one-off upfront payment of approximately [Exempt Minutes E-18-20] payable upon completion of the Refinancing which is expected to be completed in November 2020 be approved in principle.

2. That completion of the negotiation and execution of the final details of the Refinancing including a Deed of Variation be delegated to the Executive Director for Environment, Transport and Infrastructure (ETI) and the Executive Director for Resources, in consultation with the Cabinet Member for Transport and Cabinet Member for Resources in line with the tolerance set out in paragraph 28.

Reason for decision:

See Minute 162/20.

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

- **BROADWATER SECONDARY SCHOOL, GODALMING, SURREY (Item 25)**

RESOLVED:

1. That the business case for the project to expand Broadwater School by 150 places, at a total cost to Surrey County Council of [Exempt Minutes E-19-20] be approved.
2. That the arrangements by which a variation of up to 10% of the total value may be agreed by the Director of Land & Property in consultation with the Cabinet Member for All Age Learning, the Cabinet Member for Finance and the Leader of the Council be approved.
3. That the award of contract for works be delegated to the Director of Land & Property in consultation with the Leader of the Council, Cabinet Member for All Age Learning, Procurement Partner (Infrastructure and City) Strategic Procurement Team and Section 151 Officer when a competitive tender is procured through the new Orbis Construction Framework.

Reason for decision:

See Minute 164/20.

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

- **PUBLICITY FOR PART 2 ITEMS (Item 26)**

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

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