

CABINET DECISION RECORD

The following decisions were taken by the Cabinet on Tuesday, 20 July 2021 and will take effect on 29/07/2021 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 29/07/2021.**

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, 20 July 2021 considered the following matters and resolved:

- **APOLOGIES FOR ABSENCE** (Item 1)
There were no apologies.
- **MINUTES OF PREVIOUS MEETING: 29 JUNE 2021** (Item 2)
The Minutes of the Cabinet meeting held on 29 June 2021 were approved as a correct record of the meeting.
- **DECLARATIONS OF INTEREST** (Item 3)
There were none.
- **Members' Questions** (Item 4a)
There were six member questions. The questions and responses were published as a supplement to the agenda.
- **PUBLIC QUESTIONS** (Item 4b)
There was one public question. The question and response were published as a supplement to the agenda.
- **PETITIONS** (Item 4c)
There were none.
- **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)
There were none.

- **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.

- **COVID-19 DELEGATED AND URGENT DECISIONS TAKEN** (Item 7)

RESOLVED:

1. That the decision 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.]

- **COVID-19: SURREY COUNTY COUNCIL - UPDATE, REVIEW AND LESSONS LEARNED** (Item 8)

RESOLVED:

1. That Cabinet acknowledges the impact that COVID-19 has had and continues to have on Surrey, its residents and economy and the services provided by the Council.
2. That Cabinet notes and endorses the actions being delivered through Surrey's Local Outbreak Control Plan, including the vaccination roll out, and the ongoing support to vulnerable residents, including through the council's Community Helpline and the COVID-19 Winter Support Grant scheme.
3. That Cabinet reviews and comments on the lessons learned derived from a review by the Surrey Local Resilience Forum and County Council on the response to and recovery from the COVID-19 pandemic.

Reasons for Decisions:

The recommendations set out in this report ensure that the Cabinet are appraised of the scope, detail and learning from our response to and recovery from the COVID-19 pandemic to date.

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

- **REVISED MINERALS AND WASTE DEVELOPMENT SCHEME** (Item 9)

RESOLVED:

1. That Cabinet approves the proposed revised Minerals and Waste Development Scheme dated July 2021, which sets out an updated timetable in relation to the production of the Surrey Minerals and Waste Local Plan, as set out at **Annex 1**.

Reason for Decisions:

It is a statutory requirement to produce the MWDS and to keep it up to date. An update to the MWDS has been proposed by officers, which seeks to extend the production timeline for the new SMWLP. The extension of time will allow the first public consultation stage for the new SMWLP (Issues and Options) to commence in October 2021 (previously June 2021). This will allow consultation to commence after the summer, in the expectation that many residents may be taking the opportunity over the summer period to go on holiday. The delay will therefore enable the best possible reach of the consultation to residents.

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

- **RIVER THAMES SCHEME COLLABORATION AGREEMENT PRINCIPLES** (Item 10)

RESOLVED:

1. That Cabinet approves the principles proposed for the development of the Collaboration Agreement.
2. That Cabinet agrees the delegation of authority to the Executive Director for Environment, Transport and Infrastructure, in consultation with the Cabinet Member for Environment and the Executive Director of Resources, to enter into the collaboration agreement and to take such actions and decisions necessary to facilitate the delivery of the Scheme within the approved budget.
3. That Cabinet recommends to Council that all decisions and actions relating to the Council's regulatory and planning functions that pertain to the River Thames Scheme be delegated to the Director of Law and Governance in consultation with the Planning Group Manager.

Reason for Decisions:

The River Thames Scheme Collaboration Agreement will provide a sound legal basis for partnership working between the EA and SCC to deliver the River Thames Scheme.

However, development of the Agreement will take some time and will not be complete until the end of the calendar year. As such, Cabinet approval of a set of Collaboration Agreement principles will provide political support and direction for the negotiation of the full legal agreement, ensuring that it will represent the Council's best interests.

The delegation of the approval of the final Collaboration Agreement as set out in

the recommendations will ensure that SCC decision making is as agile as possible and does not hold up progress on the Scheme.

In addition, Cabinet has previously approved, on 26 January 2021, the need to develop an approach to separate the exercise of the Council's functions as (i) a joint applicant to the DCO and (ii) its regulatory functions as a local planning authority to avoid a perceived conflict of interest. The final recommendation above puts this into action.

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

- **ACQUISITION OF LAND IN SUPPORT OF THE A320 ROAD IMPROVEMENT SCHEME** (Item 11)

RESOLVED:

1. That Cabinet authorise the making of a compulsory purchase order (the Order) under the provisions of section 239 of the Highways Act 1980 to acquire the Order Land to facilitate the carrying out of the said Scheme, being satisfied that there is a compelling case in the public interest for the compulsory purchase of the Order Land to facilitate the carrying out of the A320 HIF Scheme.
2. That Cabinet authorise the Executive Director of Environment, Transport and Infrastructure (in consultation with the Cabinet Member for Transport and Infrastructure) to settle the final extent, form and content of the Order and all associated documentation and take all action needed to pursue the Order and secure its confirmation.
3. That Cabinet authorise the Director of Law and Governance (in consultation with the Cabinet Member for Transport and Infrastructure) to negotiate, agree land acquisition terms, and enter into agreements with interested parties, including agreements for the withdrawal of objections; to give undertakings not to enforce the Order on specific terms; (where appropriate) to remove land or rights from the Order, or to request the modification of the Order by the Secretary of State.
4. That Cabinet authorise the Director of Law and Governance (in consultation with the Cabinet Member for Transport and Infrastructure) to implement the Order powers following confirmation of the Order, including acquiring title to and/or possession of the land and paying compensation agreed or determined.
5. That Cabinet authorise the Director of Law and Governance (in consultation with the Cabinet Member for Transport and Infrastructure) to enter into an agreement (or agreements) with Highways England under sections 6 and 8 of the Highways Act 1980:
6. That Cabinet accept the delegation of the functions of Highways England with regard to the improvements to highways at M25 junction 11 including the making of the compulsory purchase order in respect of the Order Land at junction 11 (where the Council is not the highway authority).

Reason for Decisions:

In September 2020 the Cabinet confirmed acceptance of the HIF funding award of

£41.8 million (see Cabinet Paper at item 13).

As at the Cabinet decision date of September 2020 the Scheme had not been fully designed, thus the final land take was not known, and the Report anticipated that a further authority to pursue a compulsory purchase order would be sought from Cabinet. This paper seeks that further authority to make a Compulsory Purchase Order and to seek its confirmation by the Secretary of State.

The decision as recommended by this report will enable the Council with funding for its Infrastructure Fund Forward Funding scheme from the Ministry of Housing, Communities & Local Government (MHCLG) to construct the necessary infrastructure improvements described above. To facilitate such construction, it will be necessary to purchase additional land adjacent to the A320 public highway from third party landowners either by negotiation and voluntary agreements or by compulsory purchase.

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

- **CLEANING CONSUMABLES CONTRACT** (Item 12)

RESOLVED:

1. That Cabinet grants Approval to Procure for a contract to enable the provision of cleaning consumables across Surrey County Council's care homes, schools, offices and libraries. A decision is required to add this procurement to the Annual Procurement Forward Plan (APFP) for 2021/22.
2. That Cabinet delegates the authority for contract award decision to the Executive Director for Resources.

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 2021/22.
- To secure fixed product and service pricing where possible, and economies of scale for a wide variety of products ordered frequently across multiple sites within Surrey.

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

- **JOINT WORKING ARRANGEMENTS FOR FINANCE SERVICES WITH TANDRIDGE DISTRICT COUNCIL** (Item 13)

RESOLVED:

1. That Cabinet approve the continued development of the Finance Services partnership with Tandridge DC through the development and delivery of the Tandridge Finance Transformation Programme.
2. That Cabinet approve the commitment of the necessary SCC officer time to support the successful delivery of the TFT plan within TDC.

3. That Cabinet approve the development of a Joint Working Agreement with TDC and delegate its final approval to the Executive Director, Resources, subject to the satisfactory negotiation of the details of the working arrangements.

Reason for Decisions:

TDC faces challenges both in terms of needing to improve its financial health and the capacity and capability of the finance function. SCC has been providing support to the TDC finance function since August 2020 during which time formative progress has been made. There is now a need to broaden the scope of the work to ensure that the changes identified as necessary (both within the TDC finance function and more widely across TDC) can be delivered.

A transformation plan ('TFT') has been developed which identifies a new operating model for the TDC finance function and includes a business case for the necessary investment to support the delivery of the TFT plan. This plan will involve the commitment of officer time from SCC to ensure its successful delivery. A Joint Working Agreement will provide the formal legal basis for the governance of the partnership and clarify the expectations of both Parties.

The development of the finance partnership with TDC supports the delivery of one of the SCC key objectives which is to develop Stronger Partnerships with other public services.

The successful delivery of the TFT plan will assist TDC to emerge with a stronger underlying financial position and a finance function which is capable of sustaining this over the longer term.

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

- **2020/21 MONTH 2 (MAY) FINANCIAL REPORT** (Item 14)

RESOLVED:

1. That Cabinet note the Council's forecast revenue and capital budget positions for the year.
2. That Cabinet agree the carry forward of two amounts within the DSG schools block totalling £183k into 2021/22.

Reason for Decisions:

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]

- **ACQUISITION OF LAND IN SUPPORT OF THE A320 ROAD IMPROVEMENT SCHEME** (Item 16)

See Minute 147/21.

DEMOCRATIC SERVICES – CONTACT LIST

Governance Lead Manager

Vicky Hibbert – x419229
vicky.hibbert@surreycc.gov.uk

Committees Business Manager
Andre Ferreira- 07816096705
andre.ferreira@surreycc.gov.uk

Committee Manager
Angela Guest – x419075
angela.guest@surreycc.gov.uk

Committee Manager
Huma Younis- x132725
huma.younis@surreycc.gov.uk

Committee Manager
Amelia Christopher - x132838
amelia.christopher@surreycc.gov.uk

Committee Manager
Joss Butler – x419702
joss.butler@surreycc.gov.uk

Scrutiny Business Manager
Ross Pike – x417368
ross.pike@surreycc.gov.uk

Scrutiny Officer
Kunwar Khan
kunwar.khan@surreycc.gov.uk

Scrutiny Officer
Ben Cullimore – x132782
ben.cullimore@surreycc.gov.uk

Scrutiny Officer
Benjamin Awkal – x132502
benjamin.awkal@surreycc.gov.uk