

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 28 SEPTEMBER 2021 AT 2.00 PM
AT THE COUNCIL CHAMBER, WOODHATCH PLACE, 11 COCKSHOT
HILL, REIGATE, SURREY ,RH2 8EF.**

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

Members:

* = Present

*Tim Oliver (Chairman)	Natalie Bramhall
*Clare Curran	*Matt Furniss
*Mark Nuti	*Denise Turner-Stewart
*Sinead Mooney	*Marisa Heath
*Becky Rush	

Deputy Cabinet Members:

*Steve Bax	*Kevin Deanus
*Maureen Attewell	

Members in attendance:

Will Forster, Local Member for Woking South
Jonathan Essex, Local Member for Redhill East
Catherine Baart, Local Member for Earlswood and Reigate South
John O'Reilly, Chairman of the Communities, Environment and Highways
Select Committee

PART ONE
IN PUBLIC

The Leader stated that there seemed to be a misunderstanding amongst the press regarding fuel pressures. Although the Surrey Local Resilience Forum (SLRF) had met, a major incident had not been declared. The Leader urged all residents not to panic and to only purchase fuel when it was required. Residents were encouraged to walk or use public transport where they could.

154/21 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Natalie Bramhall.

155/21 MINUTES OF PREVIOUS MEETING: 20 JULY 2021 [Item 2]

The Minutes of the Cabinet meeting held on 20 July 2021 were approved as a correct record of the meeting.

156/21 DECLARATIONS OF INTEREST [Item 3]

Sinead Mooney declared an interest that her husband had a role with one of the three contractors who had bid for the term maintenance contract for highway services. She abstained from taking part in discussions regarding Items 10 and 19.

157/21 PROCEDURAL MATTERS [Item 4]

157/211 MEMBERS' QUESTIONS [Item 4a]

There were nine member questions. The questions and responses were published as a supplement to the agenda.

The Local Member for Earlswood and Reigate South queried how close the council was to securing funding for the council's climate change targets. The Cabinet Member for Environment explained that a finance plan that accompanies the climate change plan would be coming to Cabinet in due course and agreed that there was more work to do to lobby government for long term funding.

The Local Member for Redhill East queried what arrangements would be in place for the scrutiny of the response to the Gatwick Airport public consultation. The Cabinet Member for Transport and Infrastructure explained that comments made by members following the member briefing session on 25 October would be included in the response to the consultation. The tight deadlines meant that a response would need to be turned around quickly. The member queried if there would be a second member briefing session to scrutinise the draft response to the consultation. The Cabinet Member stated that he would respond to the member in writing.

In response to his member question the Local Member for Woking South asked why staff could only claim 75% of expenses on a taxi journey between Redhill Station, Reigate Station and Woodhatch Place whilst members could claim 100% and how many staff had raised concerns around the current Woodhatch transport arrangements. The Leader explained that he did not have this information to hand. He would respond to the member in writing and was not aware of any staff concerns.

The Local Member for Woking South queried how many sites had been identified for rainbow crossings. The Cabinet Member for Transport and Infrastructure explained that 22 sites had been identified with each going through a full safety audit. The divisional member would be consulted on the crossing and work was ongoing with Pride in Surrey to identify more areas.

On his last question, the Local Member for Woking South queried how many Surrey care home staff were unwilling to take the vaccine. The Cabinet Member for Adults and Health agreed to respond to the member in writing.

158/21 PUBLIC QUESTIONS [Item 4b]

There were no public questions.

159/21 PETITIONS [Item 4c]

There were none.

160/21 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

There were none.

161/21 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

The Cabinet Member for Transport and Infrastructure was thanked for his vigorous and powerful response to the South Western Railway consultation. The Chairman of the Select Committee introduced the recommendations on the procurement of highways' term maintenance contract and the policy on the use of safety cameras in Surrey. The Chairman thanked the Cabinet Member for the response to the recommendations and stated that it was positive to see a commitment to Surrey residents as the contract matures. The Chairman of the Select Committee commented that the policy on the use of safety cameras was sound and that expectations around cameras for community concern sites needed to be managed carefully.

The Leader explained that the initiative around speed cameras was started by the county council who approached the police. The Cabinet Member thanked the Select Committee for their excellent recommendations.

RESOLVED:

1. That the report from the Communities, Environment and Highways Select Committee on the procurement of highways' term maintenance contract and the policy on the use of safety cameras in Surrey be noted and recommendations agreed.

162/21 LEADER / DEPUTY LEADER / CABINET MEMBER/ STRATEGIC INVESTMENT BOARD DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 6]

The delegated decisions were noted by Cabinet.

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.

163/21 COVID-19 DELEGATED AND URGENT DECISIONS TAKEN [Item 7]

The Cabinet Member for Adults and Health provided some more detail around the Disbursement of Infection Control Grant Funding round 4 and Rapid Testing Fund round 3 and funding for the Clinically Extremely Vulnerable. She explained that funding from the Department of Health had been distributed amongst the workforce and providers.

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.

164/21 CABINET MEMBER OF THE MONTH [Item 8]

The Cabinet Member of the month report was introduced by the Cabinet Member for Transport and Infrastructure. The Cabinet Member started by saying that three bidders Amey, Kier and Ringway were keen to join Surrey and bring their expertise and new ideas for the future contract which had now been awarded. Surrey's new Lane Rental Scheme commenced on 1 April and positive behaviour changes from contractors were already being felt. In the last 12 months, 3000 whips had also been planted across the county. The highways team were also trialling the use of 'cold lay' materials for repairing potholes. The 'cold lay' materials could be used in all weathers and could provide a number of benefits when compared to traditional materials. These would be used for everyday emergency works. Members commented on the positive work being undertaken in the highways service and the resident focused initiatives. The Cabinet Member explained to the committee that two thirds of the work carried out on the highways network was done by either Broadband or Water companies. BT had recently been taken to court by the county council and prosecuted and fined £60k for carrying out unsatisfactory work on the highway. Members were informed that residents could find out how many trees were being planted in their local areas via an interactive map on the county councils website.

RESOLVED:

That the Cabinet Member of the Month report be noted.

165/21 AMENDMENTS TO THE SPELTHORNE JOINT COMMITTEE CONSTITUTION FOLLOWING IMPLEMENTATION OF THE COMMITTEE SYSTEM BY SPELTHORNE BOROUGH COUNCIL [Item 9]

The Cabinet Member for Communities explained that Spelthorne Borough Council had changed its form of governance to a committee system which would in turn impact the operation of the Spelthorne Joint Committee. As a result the constitution of the Spelthorne Joint Committee would need to be updated.

RESOLVED:

1. That Cabinet agrees the changes to Spelthorne Joint Committee constitution, to reflect the change from a Cabinet to a Committee system within Spelthorne Borough Council, as set out in this report and Annex A.

Reasons for Decisions:

To ensure that the Joint Committee constitution is fit for purpose.

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

166/21 AWARD OF TERM MAINTENANCE CONTRACT FOR HIGHWAY SERVICES [Item 10]

Sinead Mooney left the meeting at 14:40

The Cabinet Member for Transport and Infrastructure explained that the report provided an update following a procurement exercise for the Term Maintenance Contract and proposed a recommendation to award the contract to the successful bidder. The award of the contract would enable the Council to preserve and improve Surrey's infrastructure and support the connectivity that would facilitate growing a sustainable economy and tackling health inequality. The procurement process undertaken would also enable a greener future through the commitments achieved on environmental sustainability and reductions in highway operational carbon emissions. The contract would last a minimum of ten years and a maximum of 21 years. A robust tender exercise had been undertaken with the three bidders, Amey, Ringway and Kier. The Deputy Leader and Cabinet Member for Finance and Resources explained that a financial deep dive had been undertaken with the contract and pricing mechanisms had been incorporated into the contract. The Cabinet Member was happy with the financial outlook for the contract.

There was a discussion around social value and it was explained that social value outputs were expected as a core benefit of the contract. The Cabinet Member for Transport and Infrastructure gave some detail around the Surrey Infrastructure Academy and S-Skills which were great examples of offering employment opportunities for young people in tandem with the county council.

The local member for Woking South stated that concerns had been raised about all three contractors and if the council had considered running the service in house. The Cabinet Member explained that the council had good oversight over contracts and took a vigorous and thorough approach to these. Running the service in house had been considered but it was felt that working in partnership with a contractor was the best approach forward. The Leader explained that the Select Committee would monitor the delivery of the contract and that a six month mobilisation period had been built within the contract.

RESOLVED:

1. That Cabinet approves the award of the Term Maintenance Contract to the successful bidder; and authority be delegated to finalise and enter into contract with the successful bidder to the Executive Director for Environment, Transport and Infrastructure in consultation with the Executive Director for Resources and the Cabinet Member for Transport and Infrastructure.

Reasons for Decisions:

For several years, the Council has worked with private sector partners to deliver highway maintenance and improvement activities across the county on its behalf, and with the current arrangements expiring in April 2022 a new contract arrangement needs to be determined.

Following approval of the Procurement Strategy in September 2020, officers from Highways and Transport supported by officers from across the Council

including Procurement, Legal Finance and Strategic Commissioning have conducted a “Competitive Procedure with Negotiation” procurement exercise to identify the next Term Maintenance provider.

Following the recent completion of that procurement process, officers are now able to recommend the contract be awarded to the most “economically advantageous” bidder as explained in the Part 2 report.

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

Sinead Mooney returned to the meeting at 14:58

167/21 GREEN HOMES GRANT LOCAL AUTHORITY DELIVERY (GHGLAD) FUNDING [Item 11]

The Cabinet Member for Environment explained that the report requested authorisation for the Council to act as consortium lead and accept into the capital budget £3.2m grant funding from Government’s Green Homes Grant Local Authority Delivery (GHGLAD) Phase 2 for the purpose of decarbonising low-income homes in Surrey. The report also requests approval to accept additional funding streams with the purpose of decarbonising housing in Surrey which is delegated to the Council’s Capital Programme Panel; these funding streams include GHG LAD Phase 3 and the Home Upgrade Grant (HUG). Members welcomed the report and recommendations agreeing that the funding would increase social wellbeing and ensure nobody was left behind especially those on low incomes. The local member for Woking South queried how the council would work with private landlords. The Cabinet Member stated that the terms and conditions that came with the funding would set out how the council would be required to work with landlords.

RESOLVED:

1. That Cabinet Approves the addition of £3.2m to the capital programme from Government’s GHG LAD grant funding, for 21/22 (less 1% revenue costs for SCC admin).
2. That Cabinet delegates the approval to accept any future government grant funding for the purposes of decarbonising housing in Surrey to the Capital Programme Panel.

Reason for Decisions:

The recommendations in this report contribute towards the delivery of two of the dial up areas in the refreshed organisation strategy. The first is supporting a greener future in Surrey. Housing in Surrey accounts for 28% of the county’s carbon emissions. This is a challenging sector in which to achieve net zero carbon by 2050 due to lack of funding and incentive for homeowners to install insulation, renewable energy and low carbon heating measures. The GHGLAD programme helps to overcome these issues by providing a full grant to low-income households for decarbonisation measures.

The second dial up area is tackling health inequalities. Approximately 7% of households in Surrey are in fuel poverty, which largely impacts upon low-income households and is linked to increased winter illnesses and deaths.

The GH Lad programme helps to reduce fuel poverty by providing grant funding to improve the energy efficiency of energy inefficient homes resided in by fuel poor households.

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

168/21 POLICY ON THE USE OF SAFETY CAMERAS IN SURREY [Item 12]

The report presented a new policy which set out the criteria and process that will be followed for investment in new safety cameras. This included average speed, spot speed, red-light and combination cameras. The successful application of the policy would reduce road collisions and the congestion associated with them, and therefore improve journey time reliability. There was great public support for this new policy and the Surrey road safety partnership board would take the final decisions on the introduction of new safety camera sites.

RESOLVED:

1. That Cabinet approve the policy on the use of safety cameras in Surrey presented in Annex 1.

Reason for Decisions:

Higher vehicle speeds increase the risk of collisions. Also, the higher the speed the more severe the consequences are likely to be. Safety cameras have proven to be a very effective intervention to reducing casualties at the worst casualty hotspots where speeding or failure to comply with red traffic signals have been part of the problem.

In more recent years there has been greater use of average speed cameras as these can encourage greater compliance with the speed limit over a longer stretch of road compared with spot speed cameras. The policy presented here will ensure that safety cameras will continue to be deployed effectively in Surrey to reduce road collisions. It also allows for deployment at other locations to reduce the impact of speeding traffic in local communities where there might be concerns over air quality, noise pollution and congestion. It will also free up police officer enforcement resources to be deployed to tackle other locations.

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

169/21 SURREY OUTDOOR LEARNING AND DEVELOPMENT - PHASE 1, THAMES YOUNG MARINERS [Item 13]

The report introduced by the Cabinet Member for Education and Learning asked Cabinet to approve capital investment of £6.2m for Thames Young Mariners, Phase 1 of the Surrey Outdoor Learning Development (SOLD) improvement programme. The site required significant investment to bring it up to current health and safety standards with modern, fit for purpose facilities which will allow SOLD to increase its service capacity and strengthen its commercial operation to generate income for Surrey County Council. The site in question forms part of alternative provision in Surrey. Finance colleagues have concluded the option 3 was the most financially viable option.

There was recognition from members on the benefits of this type of site for young people. The site at High Ashurst was used as an example of great work being done to support young people.

RESOLVED:

1. That Cabinet approves the total funding of £6.2m. This comprises £4.2m to be transferred from the current pipeline within the Medium-Term Financial Strategy (MTFS) that was approved on 9 February 2021 as part of the capital programme. An additional £2m of capital investment has been identified through this business case to enable a comprehensive rebuild of the site, address significant repair and maintenance requirements and to extend and enhance the site's facilities which will generate additional income for the Council.

Reason for Decisions:

Capital development at Thames Young Mariners will enable SOLD to realise the potential in the site through a significant increase in service capacity, supporting the Council's strategic priorities for children, young people, and families by providing bespoke programmes of personal development, appropriate education, skills training and family support. It will further enhance SOLD's ability to work in partnership with services across the Children, Families and Lifelong Learning Directorate to support vulnerable children and young people including children with a social worker, young people in contact with the criminal justice system and children missing education. Whilst focussing on children and young people, the facilities will also be available for all ages to support the Council's broader strategic objectives.

Commitment to the £6.2m capital investment would allow TYM to offer an all year-round programme. The lack of year-round residential and day facilities means the site can only operate April – October, with five months of no significant on-site activity. Market testing confirms that post-pandemic there is considerable unmet demand from the customer base for year-round and residential facilities.

The proposed investment will see TYM contribute significantly to the long-term financial sustainability of SOLD as the investment will be self-funding through the net surplus created each year. In addition, site assessments of the current property confirm that the facilities are increasingly unsafe and require urgent backlog maintenance works of £0.4m simply to make the site safe and facilities usable in the immediate term. Site assessments also confirm that in the next five years, a further £0.9m of capital forward maintenance will be required to maintain the facilities at an acceptable, safe standard.

In the mid to long term period, by proceeding with the proposed £6.2m capital investment programme at TYM, the Council will in total reduce its net maintenance liability by approximately £1m over the next ten year period as the current site is in very poor condition and will require significant works to maintain the standards of the building and surrounding site.

In the longer term, should the proposed works not proceed, in addition to the most urgent maintenance requirements, there is also a further requirement of

maintenance works over the next 30 years of £1.68m based on an annual estimated cost of £56k for building and external areas. Lack of further investment will also put the achievement of planned revenue generation from TYM (circa £235k per annum by 2025/26) at serious risk.

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

170/21 APPROVAL OF PROCUREMENT ROUTE TO MARKET AND TO DELEGATE THE AWARD DECISION FOR SURREY ONLINE SCHOOL [Item 14]

The Cabinet Member for Education and Learning explained that the Surrey Online School was an innovative council service that provided an online, high-quality learning experience in a live, safeguarded environment for vulnerable children and children with additional needs countywide. The current contract expired on 22 July 2022 and a new contract was required for 1 September 2022 for a duration of three years. Referring to the annexes alongside the report a member of the committee highlighted the positive feedback received on the Surrey Online School.

RESOLVED:

1. That Cabinet grants approval to procure a contract for the provision of Surrey Online School. The new contract will start on 1 September 2022. This will be a 3-year contract with the option to extend by an additional two years in 12 monthly increments, making the possible contract term 5 years in total. Current estimated annual value is circa £310,000 so total cost over the maximum 5-year period could be up to £1,550,000.
2. That authority for the contract award decision be delegated to the Executive Director for Children, Families and Lifelong Learning and the Cabinet Member for Education and Learning.

Reason for decision:

To comply with the Procurement and Contract Standing Orders agreed by the Council in May 2019 and to provide Cabinet with strategic oversight of planned procurement projects for 2021/22.

A new contract is required to meet the statutory obligation of Surrey County Council by providing quality assured learning experiences online for vulnerable children and children with additional needs.

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

171/21 MOLE BRIDGE REPLACEMENT SCHEME [Item 15]

Approval was requested to procure services for the delivery of the Mole Bridge replacement scheme as part of the Capital Structures works programme in the 2022/23 financial year. The Cabinet Member for Transport and Infrastructure explained that cost analysis had been undertaken on the bridge and the cost to replace or refurbish the bridge were very much the

same. Replacing the bridge would ensure its compliance with modern standards. The Deputy Cabinet Member to the Leader was the divisional member for the area in which the bridge was located and welcomed the replacement. He explained that work was necessary and although the closure of the bridge would cause disruption, residents welcomed the work being carried out.

RESOLVED:

1. That Cabinet approve the procurement of services to deliver the Mole Bridge replacement scheme as part of the Capital Structures 2022/23 programme.

Reasons for Decisions:

The scheme will replace a bridge that has reached the end of its life and will make improvements to other aspects of the highway environment. This includes wider carriageway lanes and additional footway provision as well as improved visibility at the adjacent junction for all road users.

The termination of the existing Highways Term Partnering Contract and implementation of new Contract in April 2022 poses a risk to the delivery and the required timescales of this project. An alternative procurement route is therefore required, which will be determined through a procurement report.

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

172/21 WATER AND WASTEWATER SERVICES [Item 16]

The report presented to Cabinet and requested an approval to procure for Water and Wastewater Services. East Sussex County Council would be leading a collaborative tender exercise to re-procure these services. The contract would include social value benefits and reflect the councils climate change targets.

RESOLVED:

1. That Cabinet grants Approval to Procure a contract for the provision of the supply of Water and Wastewater Services. The new contract will start on 1 February 2022.
2. That authority for the contract award decision be delegated to the Executive Director for Resources.

Reason for Decisions:

This will allow Surrey County Council (SCC) to compliantly procure a contract for water, wastewater and ancillary services which will be designed to provide improvement in quality and reduction in cost of the current level of service provided to date.

(This item can be called in by the Resources and Performance Select Committee)

173/21 2021/22 MONTH 4 (JULY) FINANCIAL REPORT [Item 17]

The report was introduced by the Deputy Leader and Cabinet Member for finance and resources who explained that at Month 4 the Council was forecasting a full year £19.5m deficit against the revenue budget. The deficit predominantly consisted of demands from Covid-19, adult social care and SEND. Contingencies had been built into the 2021/22 budget so a balanced outturn was anticipated. However, it was still the expectation that Directorates managed overspend within their budget envelopes. The Council had approved a capital budget for 2021/22 of £184.9m in February 2021. This had been reset to £201.1m to reflect subsequent Cabinet approvals and a reprofiling of schemes based on Quarter 1 forecasts. The Cabinet Member wished the Surrey county council finance and pensions team all the best as they had been shortlisted for the Public Finance Awards 2021.

The Leader reiterated the importance of the council delivering a balanced budget for the year.

RESOLVED:

1. That Cabinet note the Council's forecast revenue and capital budget positions for the year, including the reset capital budget.
2. That Cabinet approve a £3.9m drawdown from the Infrastructure capital pipeline to fund an increase in the capital budget for Local Highway Schemes.

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.

(This item can be called in by the Resources and Performance Select Committee)

174/21 EXCLUSION OF THE PUBLIC [Item 18]

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.

175/21 AWARD OF TERM MAINTENANCE CONTRACT FOR HIGHWAY SERVICES [Item 19]

The Cabinet Member for Transport and Infrastructure introduced a Part 2 report containing 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 166/21

Reasons for Decisions:

See Minute 166/21

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

176/21 SURREY OUTDOOR LEARNING AND DEVELOPMENT - PHASE 1, THAMES YOUNG MARINERS [Item 20]

The Cabinet Member for Education and Learning introduced a Part 2 report containing 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 Cabinet notes and agrees the financial details associated with the decision to agree the business case for the delivery of Phase 1 of the Surrey Outdoor Learning Development (SOLD) improvement programme at Thames Young Mariners (TYM).
2. That Cabinet notes the proposal for Option 3 as set out in the RIBA Stage 1 Report (Annex 1).

Reason for Decisions:

See Minute 169/21.

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

177/21 APPROVAL OF PROCUREMENT ROUTE TO MARKET AND TO DELEGATE THE AWARD DECISION FOR SURREY ONLINE SCHOOL [Item 21]

The Cabinet Member for Education and Learning introduced a Part 2 report containing 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 170/21.

Reason for Decisions:

See Minute 170/21.

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

178/21 PUBLICITY FOR PART 2 ITEMS [Item 22]

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

Meeting closed at 15:48

Chairman