

CABINET DECISION RECORD

The following decisions were taken by the Cabinet on Tuesday, 25 January 2022 and will take effect on 03/02/2022 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 02/02/2022.**

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 Regulatory Business Manager or relevant Committee Manager.

The Cabinet at its meeting on Tuesday, 25 January 2022 considered the following matters and resolved:

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

There were no apologies.

- **MINUTES OF PREVIOUS MEETING: 21 DECEMBER 2021** (Item 2)

The Minutes of the Cabinet meeting held on 21 December 2021 were approved as a correct record of the meeting.

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

Rebecca Paul declared a personal interest noting that two of her children attended a school mentioned in item 13.

- **PROCEDURAL MATTERS** (Item 4)

Members' Questions (Item 4a)

There were no Member questions.

Public Questions (Item 4b)

There was one public question. The question and response was 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)

RESOLVED:

That the Scrutiny of 2022/23 Draft Budget and Medium-Term Financial Strategy to 2026/27 report and recommendations were considered. The response from the Cabinet was published as a supplement to the agenda.

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

There were no delegated decisions to note.

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

There were no delegated decisions to note.

- **CABINET MEMBER OF THE MONTH** (Item 8)

RESOLVED:

That the Cabinet Member of the Month report be noted.

- **2022/23 FINAL BUDGET AND MEDIUM-TERM FINANCIAL STRATEGY TO 2026/27** (Item 9)

RESOLVED:

That Cabinet makes the following recommendations to Council on 8 February 2022.

Cabinet recommends that Council:

1. Approves the net revenue budget requirement be set at **£1,042.0 million** (net cost of services after service specific government grants) for 2022/23 (Annex B), subject to confirmation of the Final Local Government Financial Settlement.
2. Subject to finalisation of the tax base, approves the total Council Tax Funding Requirement be set at **£831.0 million** for 2022/23, subject to final confirmation of District and Borough tax base. This is based on a council tax increase of 4.99%, made up of an increase in the level of core council tax of 1.99% to cover core Council services, including 1% for mental health, and an increase of 3% in the precept proposed by Central Government to cover the growing cost of Adult Social Care (Annex E).
3. Notes that for the purpose of section 52ZB of the Local Government Finance Act 1992, the Council formally determines that the increase in core council tax is not such as to trigger a referendum (i.e., not greater than 2%).
4. Sets the Surrey County Council precept for Band D Council Tax at £1,626.39, which represents a 4.99% uplift. This is a rise of £1.48 a week from the 2021/22 precept of £1,549.08. This includes £185.48 for the Adult Social Care precept, which has increased by £46.47. A full list of bands is as follows:

Valuation Band	Core Precept	ASC Precept	Overall Precept
A	£960.60	£123.66	£1,084.26
B	£1,120.70	£144.27	£1,264.97
C	£1,280.80	£164.88	£1,445.68
D	£1,440.91	£185.48	£1,626.39
E	£1,761.11	£226.70	£1,987.81
F	£2,081.31	£267.92	£2,349.23
G	£2,401.51	£309.14	£2,710.65
H	£2,881.82	£370.96	£3,252.78

5. Notes that the 4.99% increase in Council Tax will be deployed as follows:

- 0.99% increase to fund the increased cost of delivering services
- 3.00% increase to fund additional spend in adult and children's social care
- 1.00% increase to fund additional investment in mental health.

Across this investment, the 3% increase in Adult Social Care Precept will be directed entirely to Adult Social Care.

6. Notes that underlying General Fund Balances are projected to remain at £28.0 million as of 1 April 2022.
7. Approves the Total Schools Budget of £575.2 million to meet the Council's statutory requirement on schools funding (as set out in Section 9 of the 2022/23 Final Budget and Medium-Term Financial Strategy to 2026/27).
8. Approves the overall indicative Budget Envelopes for Executive Directorates and individual services for the 2022/23 budget (Annex B).
9. Approves the total £1,909.6 million proposed five-year Capital Programme (comprising £1,031.2m of budget and £878.4.9m pipeline) and approves the £212.1 million Capital Budget in 2022/23 (Annex C).
10. Approves the Capital and Investment Strategy (Sections 1 to 3), which provides an overview of how risks associated with capital expenditure, financing and treasury will be managed as well as how they contribute towards the delivery of services.
11. Approves the policy for making a prudent level of revenue provision for the repayment of debt (the Minimum Revenue Provision (MRP) Policy) (Annex G).
12. Agrees the Council's refreshed Transformation Programme (as set out in section 3 of 2022/23 Final Budget Report and Medium-Term Financial Strategy to 2026/27)
13. Note that the investment in Transformation required to deliver improved outcomes and financial benefits is built into the proposed Medium-Term Financial Strategy (as set out in section 3 of 2022/23 Final Budget Report and Medium-Term Financial Strategy to 2026/27).
14. That Cabinet approves the £15m transfer from the Budget Equalisation Reserve to the Transformation Reserve set out in paragraph 10.

15. That Cabinet notes that the Audit & Governance Committee has approved the Treasury Management Strategy and Prudential Indicators (Annex F – Section 4) which set a framework for the Council’s treasury function to manage risks, source borrowing and invest surplus cash on 24 January 2022.

Reason for decision:

Council will meet on 8 February 2022 to agree a budget and to set the Council Tax Precept for 2022/23. Cabinet is required to recommend a budget to Council for consideration at this meeting. The budget directs available resources to support the achievement of the Council’s ambitions and priorities in the 2030 Vision and the Refreshed Organisation Strategy.

The budget will also support the delivery of the continuing transformational changes that are required to ensure that the Council can improve priority outcomes for residents, while managing growing demand for services and ensuring future financial sustainability.

- **CHANGES TO SURREY’S COMMUNITY RECYCLING CENTRE POLICIES**
(Item 10)

RESOLVED:

1. That Cabinet approve allowing users of pickups, trailers or vans registered on the SCC permit scheme to bring chargeable construction waste to the nine CRCs that currently accept it.
2. That Cabinet approve restricting the use of all Surrey CRCs to Surrey residents only, requiring proof of identity to gain entry, to ensure Surrey are only paying for waste we have a legal duty to dispose of.
3. That Cabinet approve temporary COVID measures allowing residual waste to be accepted at the four ‘Recycling Only’ CRCs be made permanent.

Reasons for Decisions:

There is currently an anomaly in the CRC operating policy that allows a resident with a car to bring in chargeable construction or DIY waste to CRC sites but does not allow residents who have a permit for a van, pickup, or trailer to bring in the same waste.

Construction and DIY wastes are not considered household waste. Residents are allowed to bring certain construction and DIY waste into nine CRCs by car and dispose of it for a charge. The original rationale for not allowing vans, pickups, and trailers to be used was to reduce the risk of trade waste abuse through limiting capacity of vehicles permitted. Changing the policy to allow users of permitted vans, trailers, and pick-ups to bring chargeable construction and DIY waste to the nine CRCs that operate the chargeable waste scheme will make the policy simpler for residents and more consistent. Trade waste will still be banned from CRCs.

Secondly, most waste disposal authorities that border Surrey have now introduced resident only policies at their CRC sites preventing Surrey residents from using them. To ensure that that SCC are only paying for waste they have a legal duty to dispose of it is recommended that a Surrey resident only policy is

also implemented at Surrey CRCs.

Finally, during the Covid pandemic residual waste containers were reintroduced at the four 'recycling only' Surrey CRCs as a means of reducing congestion at other CRCs caused by social distancing measures. Tonnages of residual waste across Surrey have not increased because of this measure, therefore it is recommended that SCC retains these temporary arrangements mainly as a means of reducing car travel undertaken by residents who currently have to travel longer distances to CRC sites that do accept residual waste.

(The decisions on this item can be called-in by the Communities, Environment and Highways Select Committee)

- **SURREY PUBLIC ELECTRIC VEHICLE CHARGEPOINT PROCUREMENT PLAN** (Item 11)

RESOLVED:

1. Agree that SCC undertake a procurement exercise with the aim of appointing a supplier(s) to work in partnership with the Council and its Key Delivery Partners to deliver public EV chargepoints at a large scale across Surrey.
2. Agree to the establishment of a reference group through the CEH Select Committee which will be engaged to provide scrutiny support to the procurement exercise, including in helping to define the outcomes to be specified in the procurement and the network plan.
3. Agree to delegate authority to the Executive Director for Environment Transport and Infrastructure in consultation with the Cabinet Member for Transport and Infrastructure following further engagement to determine the procurement model of a single supplier or suppliers.
4. Agree to receive a further report to Cabinet (in Q3 of 2022) to ask for a decision to proceed once the outcome of the procurement exercise is known.

Reasons for Decisions:

The recommendations will enable the development and delivery of the vital EV public charging infrastructure necessary to support the transition away from petrol and diesel cars to electric for those without access to other means of charging. The long-term sole supplier proposal will enable the Council to work in partnership with District and Boroughs and the opportunities to offer access to other public sector and community partners including the NHS. This would offer increasingly consistent and interoperable chargepoints for EV users in Surrey. This arrangement would target on-street locations and off-street car park locations. The contract would be fully funded in most locations by the supplier in return for the supplier retaining the majority of the revenue. In some cases more profitable sites would cross-subsidise less commercial locations. Additionally, some sites may be supported by government and where justified SCC funding to achieve a geographically and socially equitable chargepoint network.

(The decisions on this item can be called-in by the Communities, Environment and Highways Select Committee)

- **NO ONE LEFT BEHIND: CHILD POVERTY IN SURREY** (Item 12)

RESOLVED:

That Cabinet RECOMMENDS that the County Council:

1. Notes the data research review on poverty, with emphasis on children, in Surrey as requested in a previous Council motion.
2. Endorses and adopts the proposed framework, approach and themes as the basis for the Council's strategic response to child poverty in the county.

Reasons for Decisions:

A strategic response to child poverty will ensure that SCC stays true to its principle of 'no one left behind' and deliver a number of benefits to Surrey residents. A more aligned strategy around support services will ensure cross-cutting understanding of personal circumstances; more tailored advice and support, more effective signposting between services and community offerings, effective targeting of hardship funds for families, and new projects to mitigate and impact the root causes of poverty in the county.

- **ADMISSION ARRANGEMENTS FOR SURREY'S COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR SEPTEMBER 2023** (Item 13)

RESOLVED:

That Cabinet RECOMMENDS that County Council agree:

1. That priority for children who have the school as their 'nearest school' is removed from the admission criteria for Hurst Park Primary School, Langshott Primary School, Meath Green Infant School, Tillingbourne Junior School and Wallace Fields Junior School for 2023 admission, as indicated in Enclosure 1.
2. That a catchment area is introduced for Walton on the Hill Primary School for 2023 admission to replace 'nearest school', as set out in Enclosure 1 and Appendix 5.
3. That a nodal point to measure home to school distance is introduced for Reigate Priory School for 2023 admission, as set out in Section 8 of Enclosure 1.
4. That the Published Admission Number for Year 3 at West Ashted Primary School is reduced from 30 to 2 for 2023 admission, as set out in Appendix 1 of Enclosure 1.
5. That a Published Admission Number of 4 is introduced for admission to Year 3 at Leatherhead Trinity Primary School for 2023 admission, as set out in Appendix 1 of Enclosure 1.
6. That a Published Admission Number of 2 is introduced for admission to Year 3 at Felbridge Primary School for 2023 admission, as set out in Appendix 1 of Enclosure 1.
7. That priority is given to children of a member of staff for entry to a nursery school for 2023 admission as set out in Section 20 of Enclosure 1.
8. That a supplementary information form is introduced for families applying on the basis of exceptional social/medical need for 2023 admission, as set out in Appendix 6 of Enclosure 1.

9. That the Published Admission Numbers (PANs) for September 2023 for all other community and voluntary controlled schools are determined as they are set out in Appendix 1 to Enclosure 1.
10. That the aspects of Surrey's admission arrangements for community and voluntary controlled schools for September 2023 for which no change has been consulted on, are agreed as set out in Enclosure 1 and its appendices.

Reasons for decisions:

Recommendation 1:

- It will bring the admission criteria into line with the majority of other community and voluntary controlled schools
- It will ensure that the admission arrangements for these schools comply with the School Admissions Code
- It will simplify the admission arrangements
- It will enable parents to better understand how their application will be considered
- Analysis would indicate that this change will have no or minimal impact on the intake to each of these schools
- Where children might be displaced, a place at an alternative local school will be available
- It will enable school specific criteria to remain for Wallace Fields Junior School which exists to accommodate a feeder link from Wallace Fields Infant School
- The final distance criterion will still exist which will enable remaining applicants to be prioritised based on the distance they live from the school, ensuring children who live closer to the school are allocated ahead of children who live further away
- 86% of academies, foundation, trust and voluntary aided schools do not give priority on the basis of 'nearest school'
- The change is supported by the Headteacher and Governing Body of Hurst Park Primary School, Langshott Primary School, Meath Green Infant School and Wallace Fields Junior School
- The change is not supported by the Headteacher and Governing Body of Tillingbourne Junior School which is concerned at maintaining pupil numbers and serving the areas of Gomshall and Shere. However, with a projected deficit of Year 3 places across Tillingbourne Valley until 2026/27 and the projected forecasts for Godalming showing a surplus of Year 3 places for the foreseeable future, the local authority does not anticipate that the school will face a shortage of pupils nor that children from Godalming will displace children from Gomshall and Shere.

Recommendation 2:

- It will ensure that the admission arrangements for these schools comply with the School Admissions Code
- It will simplify the admission arrangements
- It will enable parents to better understand how their application will be considered
- The introduction of a catchment is not anticipated to affect the pattern of admission to the school as it has been based on the catchment created by use of 'nearest school'
- The final distance criterion will still exist which will enable remaining applicants to be prioritised based on the distance they live from the school, ensuring children who live outside catchment but closer to the school are allocated ahead of children who live further away
- It is supported by the Headteacher and Governing Body of the school

Recommendation 3:

- It will ensure the pattern of admission does not change if the school moves site
- It will ensure that families to the north of Reigate will still be served by the school if the school moves site
- Use of a nodal point to measure home to school distance is permitted by the School Admissions Code
- It is supported by Surrey's Education Place Planning team
- It is supported by the Headteacher and Governing Body of the school

Recommendation 4:

- It is supported by the Headteacher and Governing Body of the school, having been requested by them
- It is supported by Surrey's Education Place Planning team
- There will still be sufficient places for local children if the PAN is decreased
- It will help the school maintain financial viability as they will be able to operate with just one class in KS2
- It will have no impact on children who are currently on roll at the school

Recommendation 5:

- It is supported by the Headteacher and Governing Body of the school
- It is supported by Surrey's Education Place Planning team
- It will help to offset the reduction in PAN at West Ashted Primary School
- It will help to alleviate any pressure on places in Fetcham and Bookham
- It will have no impact on children who are currently on roll at the school

Recommendation 6:

- It is supported by the Headteacher and Governing Body of the school, having been requested by them
- It is supported by Surrey's Education Place Planning team
- It reflects what is currently being operated within the school
- It will ensure parents know that they can formally apply for a place in Year 3
- It will have no impact on children who are currently on roll at the school

Recommendation 7:

- It will align the criteria for entry to a nursery to that for Reception
- Priority for children of staff is permitted under the School Admissions Code
- The definition of children of staff is compliant with the Code
- It will help nurseries with staff recruitment and retention
- It will put community and voluntary controlled nurseries on an equal footing with those academies, foundation, free, trust and voluntary aided nurseries which already give priority for children of staff

Recommendation 8:

- It will ensure applicants can be guided through the process for applying on the basis of social/medical need
- It will enable applicants to understand what they need to provide to support their application
- It will enable applicants to declare details of their case in more detail than is allowed on the application form

Recommendation 9:

- Most other PANs remain as they were determined for 2022 which enables parents to have some historical benchmark by which to make informed

decisions about their school preferences for 2023 admission

- The PAN for Oakwood School has been increased from 300 to 330 to provide additional capacity in Horley
- The Education Place Planning team supports the PANs

Recommendation 10:

- The admission arrangements are working well
- The local authority has undertaken to review the admission arrangements for the remaining two schools which will still use 'nearest school' ahead of any consultation on the arrangements for 2024
- The arrangements enable the majority of pupils to attend a local school and in doing so reduce travel and support Surrey's sustainability policies
- The changes highlighted in bold in Section 7, Section 11, Section 12 and Section 16 of Enclosure 1 have been made to add clarity to the arrangements and reflect existing practice

- **DEVELOPING LOCAL SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) PROVISION IN SURREY TO MEET DEMAND FROM 2023/24 ONWARDS** (Item 14)

RESOLVED:

1. That Cabinet approves in principle the use of SEND Capital funding against the programme of adaptation and refurbishment of Surrey County Council (SCC) owned assets and state maintained schools for Phase 4 of the programme. This is in order to deliver up to 872 additional Specialist School Places in Surrey from September 2023 onwards.
2. That Cabinet delegates the decision to transfer the £60m SEND Capital funding from pipeline to budget to the Capital Programme Panel, based on approval of individual business cases once schemes, locations and costs are confirmed.
3. That Cabinet approves the delegation of authority to allocate resources from the approved £60m budget required for individual projects to the Cabinet Members for Education & Learning, Resources and Land & Property, following Capital Programme Panel approval.

Reasons for Decisions:

Following national legislative changes brought about by the 2014 Children & Families Act and revised Special Educational Needs and Disabilities (SEND) Code of Practice, 2015, Surrey has seen the number of Education, Health and Care Plans (EHCPs) as a percentage of the 4-19 general school age population increase from 3.4% to 4.1% between 2018-2021. This figure is projected to increase to over 5% of the 4-19 general population by 2024, resulting in the projected demand for up to 6,000 maintained specialist school places. (Annex 3)

The sustained increase in demand for specialist provision has resulted in over-reliance on the independent school sector and out of county placements, which frequently also involves excessive home to school travel distances for EHCP pupils outside of resident districts and boroughs.

The Department for Education expects Local Authorities (LA) to manage their specialist estates efficiently to avoid detriment to schools' educational offers, creating disadvantage to children and young people who have SEND or to the LA's financial position. This means ensuring the availability of maintained specialist school places that are appropriately matched to SEN need-type, phases

of education and geographic location so that all of Surrey's statutory school age children with an EHCP that require a full-time specialist setting in either a mainstream SEN Unit or Special School have a named placement, ready for the beginning of each academic year.

The recommended Phase 4 SEND Capital investment completes the planning for sufficiency of specialist school places from September 2023 to 2031.

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

- **MONTHLY BUDGET MONITORING- 2021/22 MONTH 8** (Item 15)

RESOLVED:

1. That Cabinet note the Council's forecast revenue and capital budget positions.

Reasons 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)

- **EXCLUSION OF THE PUBLIC** (Item 16)

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.

- **DEPARTMENT FOR EDUCATION SAFETY VALVE AGREEMENT** (Item 17)

RESOLVED:

See Exempt Minute [E-01-22]

Reasons for Decisions:

See Exempt Minute [E-01-22]

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

- **PUBLICITY FOR PART 2 ITEMS** (Item 18)

RESOLVED:

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

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