

Cabinet

**Date & time**

Tuesday, 29 March
2022 at 2.00 pm

Place

Council Chamber,
Woodhatch Place, 11
Cockshot Hill, Reigate,
Surrey, RH2 8EF

Contact

Vicky Hibbert or Huma
Younis
Tel 020 8541 9229 or
07866899016

Chief Executive

Joanna Killian



We're on Twitter:
@SCCdemocracy

vicky.hibbert@surreycc.gov.uk or
huma.younis@surreycc.gov.uk

Cabinet Members: Natalie Bramhall, Clare Curran, Kevin Deanus, Matt Furniss, Marisa Heath, Sinead Mooney, Mark Nuti, Tim Oliver, Becky Rush and Denise Turner-Stewart

Deputy Cabinet Members: Maureen Attewell, Steve Bax, Jordan Beech and Rebecca Paul

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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Vicky Hibbert or Huma Younis on 020 8541 9229 or 07866899016.

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1 APOLOGIES FOR ABSENCE

2 MINUTES OF PREVIOUS MEETINGS: 22 FEBRUARY 2022 AND 07 MARCH 2022

(Pages 1
- 18)

To agree the minutes of the last Cabinet meetings as a correct record.

3 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter:

- (i) Any disclosable pecuniary interests and / or
- (ii) Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

4 PROCEDURAL MATTERS

a Member's Questions

The deadline for Member's questions is 12pm four working days before the meeting (23 March 2022).

b Public Questions

The deadline for public questions is seven days before the meeting (22 March 2022).

c Petitions

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

d Representations received on reports to be considered in private

To consider any representations received in relation why part of the meeting relating to a report circulated in Part 2 of the agenda should be open to the public.

- 5 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL**
- To consider any reports from Select Committees, Task Groups, Local Committees and any other Committees of the Council.
- 6 LEADER / DEPUTY LEADER / CABINET MEMBER/ STRATEGIC INVESTMENT BOARD/ COMMITTEES IN COMMON DECISIONS TAKEN SINCE THE LAST CABINET MEETING** (Pages 19 - 26)
- To note any delegated decisions taken by the Leader, Deputy Leader, Cabinet Members, Strategic Investment Board and Committees in Common Sub-Committee since the last meeting of the Cabinet.
- 7 CABINET MEMBER OF THE MONTH** (Pages 27 - 32)
- To receive an update from Becky Rush, Deputy Leader and Cabinet Member for Finance and Resources.
- 8 OUR RADICAL AGENDA FOR EQUALITY, DIVERSITY AND INCLUSION IN SURREY AND SURREY COUNTY COUNCIL - ONE YEAR ON** (Pages 33 - 46)
- This report asks the Cabinet to approve a proposed refreshed version of the equality, diversity and inclusion (EDI) action plan for 2022-23 that aims to continue important work started in the last year and refines its focus on the activities that will make the greatest impact for stakeholders.
- (This item can be called-in by the Resources and Performance Select Committee)*
- 9 ADOPTION OF MOVING TRAFFIC ENFORCEMENT POWERS** (Pages 47 - 62)
- This year, the Department for Transport (DfT) will allow councils in England and Wales to apply for new powers to carry out Moving Traffic Enforcement (MTE). This report sets out the background, benefits and issues associated with MTE and recommends that the council applies for these new powers following the process prescribed by the DfT. It also recommends that a procurement process to identify a supplier/enforcement contractor to operate and maintain the infrastructure required commences.
- (The decisions on this item can be called-in by the Communities, Environment and Highways Select Committee)*
- 10 RE-PROCUREMENT OF FACILITIES MANAGEMENT SERVICES** (Pages 63 - 68)
- The Annual Procurement Forward Plan (APFP) was approved by Cabinet on 21 December 2021. The APFP did not include the procurement of Facilities Management (FM), Forward Maintenance and the commissioning of a Life Cycle Assessment and Condition survey and therefore this report is seeking Cabinet approval to procure.
- (The decisions on this item can be called-in by the Resources and Performance Select Committee)*

N.B There is a Part 2 annex at Item 13.

11 2021/22 MONTH 10 (JANUARY) FINANCIAL REPORT

(Pages
69 - 80)

This report provides details of the County Council's 2021/22 financial position as at 31 January 2022 (M10) for revenue and capital budgets, and the expected outlook for the remainder of the financial year.

(The decisions on this item can be called-in by the Resources and Performance Select Committee)

12 EXCLUSION OF THE PUBLIC

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.

P A R T T W O - I N P R I V A T E

13 RE-PROCUREMENT OF FACILITIES MANAGEMENT SERVICES

(Pages
81 - 82)

This Part 2 report contains information which is exempt from Access to Information requirements by virtue of Paragraph 3: information relating to the financial or business affairs of any particular person (including the authority holding that information).

(The decisions on this item can be called-in by the Resources and Performance Select Committee)

14 PUBLICITY FOR PART 2 ITEMS

To consider whether the item considered under Part 2 of the agenda should be made available to the Press and public.

**Joanna Killian
Chief Executive**

Published: Monday 21 March, 2022

QUESTIONS, PETITIONS AND PROCEDURAL MATTERS

The Cabinet will consider questions submitted by Members of the Council, members of the public who are electors of the Surrey County Council area and petitions containing 100 or more signatures relating to a matter within its terms of reference, in line with the procedures set out in Surrey County Council's Constitution.

Please note:

1. Members of the public can submit one written question to the meeting. Questions should relate to general policy and not to detail. Questions are asked and answered in public and so cannot relate to "confidential" or "exempt" matters (for example, personal or financial details of an individual – for further advice please contact the committee manager listed on the front page of this agenda).
2. The number of public questions which can be asked at a meeting may not exceed six. Questions which are received after the first six will be held over to the following meeting or dealt with in writing at the Chairman's discretion.
3. Questions will be taken in the order in which they are received.
4. Questions will be asked and answered without discussion. The Chairman or Cabinet Members may decline to answer a question, provide a written reply or nominate another Member to answer the question.
5. Following the initial reply, one supplementary question may be asked by the questioner. The Chairman or Cabinet Members may decline to answer a supplementary question.

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It is requested that if you are not using your mobile device for any of the activities outlined above, it be switched off or placed in silent mode during the meeting to prevent interruptions and interference with PA and Induction Loop systems.

Thank you for your co-operation

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**MINUTES OF THE MEETING OF THE CABINET
HELD ON 22 FEBRUARY 2022 AT 2.00 PM
IN 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 (attended the meeting remotely)
*Matt Furniss
*Mark Nuti
*Denise Turner-Stewart
*Sinead Mooney
*Marisa Heath
*Becky Rush
*Kevin Deanus

Deputy Cabinet Members:

*Maureen Attewell
*Rebecca Paul
*Steve Bax
*Jordan Beech

Members in attendance:

John O'Reilly, Chairman of the Communities, Environment and Highways
Select Committee
Andy MacLeod, Vice-Chairman of the Communities, Environment and
Highways Select Committee
Jeffrey Gray, Local Member for Caterham Valley
Will Forster, Local Member for Woking South
Catherine Baart, Local Member for Earlswood and Reigate South

**PART ONE
IN PUBLIC**

23/22 APOLOGIES FOR ABSENCE [Item 1]

There were none.

24/22 MINUTES OF PREVIOUS MEETING: 25 JANUARY 2022 [Item 2]

The Minutes of the Cabinet meeting held on 27 January 2022 were approved as a correct record of the meeting.

25/22 DECLARATIONS OF INTEREST [Item 3]

There were none.

26/22 MEMBERS' QUESTIONS [Item 4a]

There were six members questions. The questions and response were published as a supplement to the agenda.

Jeffrey Gray asked a supplementary question and asked that the Cabinet Member for Adults and Health inform herself of the real world impact of unfair social care costs on disabled people and particularly on working age people, especially those with lifelong disabilities. He asked that the Cabinet Member intensify her lobbying of government on implementing recommendations from the Dilnot report and asked her to ensure that Surrey uses all the discretion at its disposal to minimise the impacts on disabled people of unfair social care charges. The Cabinet Member for Adults and Health offered to meet with Jeffrey Gray to consider the points that had been made.

Will Forster asked a supplementary question in relation to his second question and asked the Cabinet Member for Adults and Health to outline what extra pay and bonuses would be given to care work staff within the council and partner organisations. The Cabinet Member for Adults and Health explained that discussions would commence shortly and would feedback to the member on progress of these.

Catherine Baart asked a supplementary question in relation to her second member question asking if the shuttle bus to Woodhatch would be open to the public. The Leader responded explaining that he did not think the bus would be open to the public but just staff and members. The Leader would confirm the arrangements in due course.

27/22 PUBLIC QUESTIONS [Item 4b]

There were no public questions.

28/22 PETITIONS [Item 4c]

There were none.

29/22 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

There were none.

30/22 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

There was a discussion regarding the report on local and joint committee highways functions. The Chairman of the Community, Environment & Highways Select explained that the Select Committee had been divided on the report. The Chairman welcomed the response but raised some queries regarding recommendation four and specifically the ability to present petitions and ask questions at Local Committee which was valued by members and the public. If this was taken away, the Cabinet Member for Transport and Infrastructure was asked to explain how this would work in practice. The Cabinet Member for Transport and Infrastructure explained that the service would be aiming to take all highways, executive functions out of the local and joint committees so to leave the questions and petitions element here would

be odd. Petitions and questions could still be submitted but would be heard via a more appropriate committee or person. It was explained that 87% of the petitions received could have actually just been dealt with as a normal course of business, and it didn't require going through a whole committee cycle. The Leader agreed that the Cabinet Member for Transport and Infrastructure would send around a process note for how petitions and questions would be dealt with after being removed from Local and Joint Committee functions.

RESOLVED:

That the Select Committee reports and recommendations regarding the Economy and Growth: Programme for Growth and Local and Joint Committee Highway Function be noted. The response from the Cabinet was published as a supplement to the agenda.

31/22 LEADER / DEPUTY LEADER / CABINET MEMBER/ STRATEGIC INVESTMENT BOARD DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 6]

There were two decisions for noting.

32/22 COVID-19 DELEGATED AND URGENT DECISIONS TAKEN [Item 7]

There were two delegated decisions for noting.

33/22 CABINET MEMBER OF THE MONTH [Item 8]

The Leader introduced his Cabinet Member of the Month update and made the following points:

- On the 8th February the budget was agreed and passed by Council.
- There had been a council tax increase of 4.994%, 4% of this would go directly to frontline services and the delivery of adult social care. 1% will go to support mental health initiatives where there had been an exponential increase.
- There is a significant capital programme in place which would focus on building or creating independent living accommodations so people can live in their own homes for longer and also building specialist facilities for children with additional needs.
- Funding had been given to Citizens Advice and Surrey Crisis Fund totalling over £500,000.
- Ofsted had undertaken a full visit of the council in January 2022 and a full report would be available in March this year.
- A new piece of work on a refreshed 2050 community vision was being undertaken.
- The council would continue conversations on 'Levelling Up' with the government. The Leader was of the view that a county deal would be in the best interest for Surrey and would give greater autonomy over key areas.

RESOLVED:

That the Cabinet Member of the Month report be noted.

34/22 THE FUTURE OF RESIDENTIAL CARE HOMES FOR OLDER PEOPLE OWNED AND OPERATED BY SURREY COUNTY COUNCIL [Item 9]

The report was introduced by the Cabinet Member for Adults and Health who explained that the proposals being discussed impacted eight care homes managed and run by the County Council, following their transfer back from the Anchor Trust in 2019. The following key points were made:

- The homes provided good quality services, and the residents were supported by trained, dedicated and excellent staff who worked tirelessly and had been heroes throughout the pandemic.
- All eight care homes provide residential care and short-term respite care. Two homes also provide day services.
- The homes were built in the 1970s and 1980s and were initially run by the council until they were contracted out to Anchor Trust in 1999. In 2019 they returned to the council and it was only on their return that the council became aware of issues with the infrastructure including with the water systems, heating, drainage, roofs, lifts etc. It also became evident that the design of the buildings did not meet current expectations and that they were inappropriate for individuals with certain conditions, for example severe dementia, as six of the eight homes have open staircases and units on different levels. And vitally, there is a risk that infrastructure could fail at any time which could result in residents having to be relocated at short notice.
- Only 25 out of the 433 rooms have en-suite facilities. The council's aim is to provide an environment where people living in a care home live in comfort and in a home where the design of the building, with support from staff, ensures privacy and dignity is maintained. Shared facilities have proved to be challenging, in terms of infection control for illnesses such as norovirus, flu and Covid.
- A consultation took place between 11 October 2021 and 5 January 2022 and was a listening exercise. During the consultation one-to-one conversations with residents were conducted by staff in the care homes, residents were also invited to complete on-line or paper questionnaires. Meetings also took place both, virtually and face to face, on a one-to-one basis and for groups of residents, staff and relatives. Where relatives were unable to attend in person meetings were held on-line.
- Although most people indicated a preference for the council to modernise and refurbish the care homes. It seems that the homes will, unfortunately, no longer be fit for the future and it is uneconomic to make the changes that would be required in order to make them sustainable for the future.
- It was being recommended that the care home residents are supported to move to new homes and all eight care homes are closed, using a phased approach, before the end of 2024. There are currently 406 registered care and nursing homes in Surrey, offering a total of 11,599 registered beds so plenty of sufficient care choices for older people in Surrey.
- Dedicated support would be put in place for residents, their families, staff and all other relevant stakeholders.

Members commented that they felt reassured that staff and residents would be supported if the closures went ahead. Some members commented that they had some of the care homes due for closure in their respective wards. The care homes were well established and had become community hubs. The service provided by staff was exemplary but the buildings themselves were in disrepair. It was explained that if the buildings were to close they would undergo full asset reviews.

The Local Member for Woking South commented that he was concerned that the consultation responses had not been listened too and that residents would have to be moved multiple times if the buildings closed. The decision to close the homes would also be contrary to the councils position to invest in social care. The Cabinet Member for Adults and Health explained that a thorough consultation had been undertaken but the conditions of the buildings was a paramount factor to the decision being recommended. The intention was for residents to have one move to a home that's right for them. The Leader hoped people understood the rationale to close the homes and that it would be better for residents to live in more appropriate accommodation with modern facilities.

RESOLVED:

1. Cabinet agreed that the council continue to operate Abbeywood while options are explored regarding development of the site for alternative adult social care services or a joint development with NHS/partners, accept that the building may need to close if large scale essential maintenance or development is required, and if no alternative developments are identified, Option 3 – support residents to move to an alternative care home and close Abbeywood.
2. It was agreed by Cabinet that residents are supported to move to new care homes, Barnfield is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.
3. It was agreed by Cabinet that residents are supported to move to new care homes, Birchlands is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.
4. It was agreed by Cabinet that residents are supported to move to new care homes, Chalkmead is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.
5. It was agreed by Cabinet that residents are supported to move to new care homes, Heathside is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.
6. It was agreed by Cabinet that residents are supported to move to new care homes, Keswick is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care, community or NHS services.
7. It was agreed by Cabinet that residents are supported to move to new care homes, Meadowside is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.
8. It was agreed by Cabinet that residents are supported to move to an alternative care home and close Orchard Court and explore

opportunities for developing the site for alternative adult social care services or a joint development in partnership with the NHS or other organisations.

9. That the responsibility for implementing the decisions agreed are delegated to the Cabinet Member for Adult Social Care and Health in consultation with the Executive Director of Adult Social Care and Integrated Commissioning.
10. That after considering all aspects of each recommendation and if it is decided that more than one care home should close, a phased approach to care home closures will take place with a view for care home closures to be concluded by the end of 2024. Planning will recognise the need for a staff consultation and be supportive of resident and staff needs. Please note that the council will follow the good practice principles detailed below in the 'What Happens Next' section of this report and ensure comprehensive support is provided to residents, their families, advocates and staff.
11. That if the decision is taken to close any of the homes, the alternative use of any site will be prioritised in the context of Adult Social Care's Accommodation with Care & Support Strategy that has already been endorsed by Cabinet as a key priority. Should any of the sites be considered unsuitable for a new service as part of the Accommodation with Care & Support strategy, the options appraisal process (as set out in the Council's Asset and Place Strategy 2019) will be used to determine future use.
12. That Cabinet note that there may be a provider interested in vacant possession of one or more of the buildings and further discussion will take place regarding this which may necessitate an additional report coming back to cabinet in the future.

Reasons for Decisions:

- It is recognised that through the consultation process most people indicated a preference that the council modernise and refurbish the care homes. However when everything is taken into consideration; the challenges with the properties, best use of taxpayers money and the strategic aims of the council, we regret to say that we are recommending that care home residents are supported to move new homes and all eight care homes are closed before the end of 2024.
- The council's Health and Wellbeing Strategy is based on a community vision for Surrey that describes what residents of Surrey and partners think Surrey should look like by 2030: By 2030 we want Surrey to be a uniquely special place where everyone has a great start to life, people live healthy and fulfilling lives, are enabled to achieve their full potential and contribute to their community, and no one is left behind.
- The detail provided in this report provides evidence to suggest that the eight care homes are at the end of their natural life span and investing in the services will not provide environments that are fit for the future. Deciding to support care home residents to move to new care homes and then closing the care homes will enable the council to work with partners and invest in services, detailed in the next paragraph, that will empower older people in Surrey to lead physically and emotionally healthier lives and reach their potential.

- The council:
 - a. is committed to working with NHS and private care providers to develop specialist facilities to support people who need intensive support and as Surrey's population grows and ages, appropriate care is available to support people who have complex care needs
 - b. is investing in more preventative services to help people stay healthy and happy in their local communities for longer
 - c. is committed to providing 725 apartments by 2030 in extra care housing, offering people their own front door with care and support always on hand
- The council continues to help transform social care to enable people who do not need to be supported in a care home to lead independent lives and work with our partners to ensure that people with complex needs can receive care which is truly tailored to their needs.
- The council's commissioning strategy for older people 2021-2030, recently approved by the council's Cabinet, aims to champion greater choice, quality and control for older people through:
 - a. meeting the increasing demand for care home placements offering personalised care for high and complex needs
 - b. helping to ensure that people eligible for social care support are offered the same standard of care as those who can afford to pay privately, reducing health inequalities
- The eight care in-house homes run by the council are not best placed to meet the aspirations and commitments outlined above as they are operating towards the end of their economic life span and will require significant investment to maintain them over the coming years. Major investment is needed in all of the homes in some or all of the following areas:
 - replacement of boiler and heating distribution system
 - roof replacement
 - replacement of hot and cold-water systems
 - kitchen refurbishment
 - bathroom modernisation and updating
 - replacement of flooring
 - replacement of windows and doors
 - updating electrical systems
 - updating of lifts
 - remodelling of open staircases in 6 of the 8 homes (to support people living with dementia)
- Expectations of what a residential care service can provide have changed since the services were opened and the council's codesigned long-term commissioning intentions for services for older people focusses on supporting people to live in their own homes or extra care settings for as long as possible and access specialist residential care services if needed later in life.
- Ongoing significant investment will be required to maintain or to make changes to the structure of each care home to ensure that:

- a. a more dignified and safer environment, to live and work in, can be provided
 - b. each care home can continue to comply with building and other regulatory requirements.
- The council's 2030 Net-Zero Strategy focuses on reducing scope 1 emissions (Green House Gas) and scope 2 emissions (production of energy used by a building) from buildings. It is estimated that the care homes currently contribute 1,371 tonnes CO2-eq emissions annually and decisions on the future of the care homes has the potential to impact on meeting targets.
 - It is considered that investment would be better made in supporting the development and use of modern services that can meet the aspirations of Surrey residents and are in line with council strategies.

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

35/22 WORKING WITH THE BIG FOSTERING PARTNERSHIP [Item 10]

The report was introduced by the Cabinet Member for Children and Families who explained that the proposal was for the council to join the Big Fostering Partnership from April 2022. The model had support through the national life chances fund. This would enable more looked after children who are living in residential children's homes to move to living with foster families. This was known as 'stepping down'. The big Fostering partnership had been established in collaboration with Staffordshire County Council and enabled looked after children to move from residential homes to foster placements and sustain those placements for two years.

RESOLVED:

1. That Cabinet endorses Surrey County Council joining the Big Fostering Partnership from 1 April 2022, to work in collaboration with other Local Authorities to enable more looked after children who are living in residential children's homes to move to living with foster families.
2. That Cabinet authorises spend of up to £4 million via this partnership for the period from 1 April 2022 through to September 2024. This is a repurposing of budgeted funds within the existing Children's Services Placement budget envelope for placements.

Reasons for Decisions:

These recommendations will: enable better outcomes for looked after children; support more looked after children to live in or closer to Surrey; and improve value for money. Firstly, evidence shows that when looked after children live in families rather than children's homes this leads to better long-term outcomes, where this is done at an appropriate point in their care journey. Secondly, foster placements are more likely to be made in or closer to Surrey than residential placements, supporting Surrey County Council's ambitious Sufficiency Strategy and statutory duties as corporate parents. Thirdly, successful step-down placements offer improved value for money to

Surrey residents - for comparison, Surrey's average weekly cost of children's residential provision is more than 3 times the price of a supportive and high-quality step-down foster placement. Our modelling suggests that this approach could reduce the spend from our Children's Services placement budget by some £5 million between 2022/23 and 2025/26.

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

36/22 ACCELERATING THE INTRODUCTION OF ULTRA-LOW AND ZERO EMISSION VEHICLES - APPROVAL TO PROCURE 34 HYDROGEN FUEL CELL BUSES [Item 11]

The report was introduced by the Cabinet Member for Transport and Infrastructure who requested Cabinet to approve to Procure for 34 Hydrogen Fuel Cell buses enabling the council to proceed with the previously agreed introduction of ultra-low and zero emission vehicles. It was planned to place an order for the Hydrogen Fuel Cell buses in quarter one of 2022/23, with the buses coming into service during the fourth quarter of 2022/23 and the first quarter of 2023/24. Procurement costs are forecast at £16.4m, the Council investment compliments a £10m investment being made by Metrobus, UK Government and the EU Jive 2 Project that combined is purchasing a further 20 hydrogen fuel cell buses, plus fuelling infrastructure for use on the Fastway network of services operating in Surrey and Sussex. The Cabinet Member for Environment welcomed the report stating that this would support the greener futures delivery plan and provide a broader combination of travel.

RESOLVED:

1. That Cabinet grants Approval to Procure 34 hydrogen fuel cell buses as the next step in accelerating the introduction of ultra-low and zero emission vehicles into Surrey;
2. That Cabinet supports the drafting of an agreement to be entered into by the Council and bus operator Metrobus that confirms the ownership, leasing arrangements, use and maintenance of the 34 hydrogen fuel cell buses;
3. That decision(s) to procure any additional zero or ultra-low emission buses through new partnership schemes with the bus industry be delegated to the Executive Director for Environment, Transport & Infrastructure and the Executive Director of Resources in consultation with the Cabinet Member for Transport and Infrastructure, once approved by the Capital Programme Panel.

Reasons for Decisions:

Procuring the 34 hydrogen fuel cell buses enables the Council to accelerate the introduction of ultra-low and zero emission buses into Surrey, whilst retaining ownership of the capital asset, i.e. the buses. This will help create more carbon neutral transport options and assist in achieving climate change targets by providing residents with greener and more sustainable travel choices.

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

37/22 LOCAL AND JOINT COMMITTEE HIGHWAY FUNCTIONS [Item 12]

The report was introduced by the Cabinet Member for Transport and Infrastructure who explained that Cabinet were being asked to amend executive highway functions, transferring them away from local and joint committees and delegating them down so that officers can make the decisions in direct consultation with the relevant divisional councillor. The proposed changes would come into force from April 2022 and would sit alongside new engagement methods which were being developed. The proposals would empower divisional councillors by giving them the delegated highways functions that currently sit with local and joint committees. The budget allocation for each county councillor will be raised from £23,000 capital up to £50,000 capital and the revenue will remain at £7,500.

The Vice Chairman of the Communities, Environment and Highways Select Committee spoke on the item and was of the view that the local and joint committees worked well and gave residents the opportunity to voice concerns they had. The changes being made were unclear and nobody wanted to travel to Reigate to ask a question or present a petition. There had been no consultation with the leaders group and the local and joint committees would fade away as highways decisions was a core part of the work they covered. The Leader explained that the matter had been raised with the Surrey leaders group but the budget being discussed sat within the county councils remit and therefore the county council was responsible for accounting how this was spent. The Cabinet Member for Transport and Infrastructure would set out how the questions and petitions process would work and would provide support to members. He added that since 2018, 87% of the petitions received were requests or items that members of the public could just log online or towards their county councillor rather than having to go through the committee cycle.

Some Members commented that the public did not engage fully with the local and joint committees and the number of residents attending the meetings were low. The way the committees functioned needed to be reformed.

RESOLVED:

1. That Cabinet agree to the transfer of all executive highway functions from Local and Joint Committees with effect from the 1st of April 2022.
2. That Cabinet agree that all executive functions previously delegated to Local and Joint Committees relating to highways are delegated to Officers in consultation with the relevant Divisional Member with effect from the 1st of April 2022.
3. That Cabinet agree the proposed changes to the Integrated Transport Scheme (ITS) within the Local Highway Schemes budget and the Individual Member Highways Allocations (Capital and Revenue budgets) from April 2022 as set out in this report.
4. That Cabinet note the proposed involvement of the Communities, Environment & Highways Select Committee in the development of the criteria that will be used to assess projects coming forward for funding from the countywide ITS budget, ahead of the Cabinet Member agreeing such criteria.
5. That Cabinet agree to delegate authority to the Executive Director of Environment, Transport and Infrastructure and the Director for Highways

and Transport in consultation with the Cabinet Member for Transport and Infrastructure to make all necessary changes to existing highway budgets, criteria, and relevant policies to support the effective transition to these new arrangements.

6. That Cabinet agree that the Director of Legal and Governance works in conjunction with democratic service officers from Guildford, Runnymede, Woking, and Spelthorne Borough Councils to update their respective Joint Committee constitutions which are in place with the County Council.
7. That Cabinet agree the Director of Legal and Governance in consultation with the Leader of the Council makes the relevant changes to the Council's Executive and Officer Scheme of delegation as set out within this report.

Reasons for Decisions:

The recommendations within this report will support more efficient local decision making, whilst ensuring that there is transparency and proper scrutiny. These proposals will enable more people to be heard and participate in decision making, leading to better outcomes for our residents.

This is a joint initiative coming from Communities and ETI Directorates consistent with residents' expressed desires to be more involved in what the Council is doing but through events and conversations and not through boards and meetings. This proposal directly supports the commitment the Council made in 2020 to Empowering Communities:

'Reinvigorate our relationship with residents, empowering communities to tackle local issues and support one another, whilst making it easier for everyone to play an active role in the decisions that will shape Surrey's future.'

Research in the past year has shown that far more residents have been able to communicate with the Council through a wider range of mechanisms than has been the case historically using traditional local and joint committee processes. For instance, in 2021/22, 11 online engagement sessions reached over 50,000 members of the public, whilst in comparison only 650 residents attended LC/JCs between 2019 and 2021 which included councillors from Parish, Districts and Boroughs if they attended to hear proceedings.

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

38/22 HARNESSING THE POWER OF DATA [Item 13]

The report was introduced by the Leader who explained that the report provided an overview of the Surrey County Council Data Strategy, its ambition and purpose, and the progress made to date. The report set out the governance around how data would be collected, how it will be stored and how it would be used to make sure interventions are both effective and measurable. Delivering the Data Strategy and building a sustainable data capability will enable the council to fill the gap and tackle the root causes of the issues highlighted by the data review. The report was welcomed by the Deputy Cabinet Member for Levelling Up who commented that quality data underpinned everything we did so by ensuring we have access to the right data at the right time, better decisions could be made more effectively.

Reliable data was the bedrock of effective decision making and helped ensure fact and evidence based policymaking.

RESOLVED:

1. That Cabinet support the overall ambition outlined within the Surrey County Council (SCC) Data Strategy.
2. That Cabinet support the recommended activities outlined in the strategy.
3. That Cabinet agree to encourage the services within their portfolios to support and engage with the SCC Data Strategy.
4. That Cabinet note the work with partners to develop a Surrey-wide strategy which improves data sharing to deliver better services to Surrey residents.
5. That Cabinet note that the Data Strategy is currently funded through SCC's Transformation Fund and funding for the ongoing permanent costs of the strategy still need to be identified.

Reasons for Decisions:

Data is recognised in the Government's National Data Strategy as a strategic asset and the 'great opportunity of our time, offering the possibility of a more informed and better-connected future.' Surrey County Council also fully recognise the potential data brings and have big ambitions for how data is managed, governed, and used in the future. The Council aspires to be truly data-enabled; using data to not just understand the performance of services and monitor what has happened, but also to help plan and prepare for the future, predicting issues before they arise.

To meet this ambition and harness the power of data for the Council, its partners and residents, the organisation needs to address the 'gap' in capabilities, skills and behaviours highlighted by a data review undertaken last year.

Delivering the SCC Data Strategy and building a sustainable data capability will enable the Council to fill the gap and tackle the root causes of the issues highlighted by the data review. It will build a data literate and data empowered workforce. Focusing on this work will be essential to enabling the Council to contribute fully to a wider partnership data and insight ecosystem, that the Surrey-wide Data Strategy is aiming to define and establish.

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

39/22 2021/22 MONTH 9 (DECEMBER) FINANCIAL REPORT [Item 14]

The report was introduced by the Deputy Leader and Cabinet Member for Finance and Resources who explained that the report provided details of the County Council's 2021/22 financial position as at 31st December 2021 (M9) for revenue and capital budgets, and the expected outlook for the remainder of the financial year. At month 9 the Council was forecasting a £4m deficit which is a £4m improvement for month 8. This was due to the release of £6.2m of

centrally held COVID-19 funding to offset further COVID related costs and pressures incurred by services. The release of £6.2m for COVID-19 is offset by £2.2m, being a deterioration in children's in high needs block offset by under spends elsewhere. Directorates continue to work hard to bring their forecasts back in line with budget by the year end. The capital budget is reporting a total slippage of £31.5m against a budget of £202m. The slippage from the key schemes has been reprofiled into 2022-2023.

RESOLVED:

1. That Cabinet note the Council's forecast revenue and capital budget positions.
2. That Cabinet approve the use of £6.2m Covid-19 reserve to offset the forecast impact of Covid-19 on the budget (paragraph 5 to 7).
3. That Cabinet approve that M9 Capital forecasts be used as a baseline to reset the Capital Programme for 2021/22 to provide a stable and deliverable budget for the remainder of the year.

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)

40/22 EXCLUSION OF THE PUBLIC [Item 15]

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.

41/22 THE FUTURE OF RESIDENTIAL CARE HOMES FOR OLDER PEOPLE OWNED AND OPERATED BY SURREY COUNTY COUNCIL [Item 16]

The Cabinet Member for Adults and Health introduced the Part 2 report which contained 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 the authority holding that information).

RESOLVED:

1. That Cabinet note the information provided in this report when considering recommendations made in the Part 1 report entitled Future of the Eight Residential Care Homes for Older People Run by Surrey County Council.

Reasons for Decisions:

See Minute 34/22.

42/22 WORKING WITH THE BIG FOSTERING PARTNERSHIP [Item 17]

The Cabinet Member for Children and Families introduced the Part 2 report which contained 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 the authority holding that information). The Cabinet Member for Children and Families provided some information regarding the finances underpinning the decision.

RESOLVED:

See Minute 35/22.

Reasons for Decisions:

See Minute 35/22.

43/22 ST ANDREW'S CATHOLIC SCHOOL, ASHTEAD [Item 18]

The Cabinet Member for Property and Waste introduced the Part 2 report which contained 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 the authority holding that information).

RESOLVED:

See Exempt Minute [E-05-22]

Reasons for Decisions:

See Exempt Minute [E-05-22]

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

44/22 DEPARTMENT FOR EDUCATION SAFETY VALVE AGREEMENT [Item 19]

The Cabinet Member for Education and Learning explained that discussions were on going between the DfE and council. The meeting would need to be adjourned for financial information to be obtained so a decision could be made.

RESOLVED:

1. That Cabinet adjourn the meeting and reconvene the meeting on 7 March 2022 to decide whether to enter a Safety Valve agreement when the value of any financial contributions (from the Department for Education, the Dedicated Schools Grant and Surrey County Council General Fund) and terms of agreement are known.

Reasons for Decisions:

See Exempt Minute [E-06-22]

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

45/22 PUBLICITY FOR PART 2 ITEMS [Item 20]

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

Meeting closed at 16:02.

Chairman

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**MINUTES OF THE RECONVENED CABINET MEETING
HELD ON 7 MARCH 2022 AT 10.30 AM
IN 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 (attended the meeting remotely)
- *Becky Rush
- *Kevin Deanus

Deputy Cabinet Members:

- Maureen Attewell
- *Rebecca Paul
- Steve Bax (attended the meeting remotely)
- *Jordan Beech

Members in attendance:

Will Forster, Local Member for Woking South

PART ONE
IN PUBLIC

The Leader explained that this meeting had been reconvened from the 22 February 2022 Cabinet meeting. One item regarding the DfE Safety Valve would be considered in private. The meeting would not be webcast.

46/22 EXCLUSION OF THE PUBLIC [Item 1]

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.

47/22 DEPARTMENT FOR EDUCATION SAFETY VALVE AGREEMENT [Item 2]

The report was introduced by the Cabinet Member for Education and Learning who explained that significant deficits on local authorities high needs block had become a national issue in recent years, with substantial deficits occurring which impacted on long term financial sustainability. Safety valve agreements had been introduced for authorities with the largest deficits to receive additional funding on the commitment to bring their in-year DSG (dedicated schools grant) into balance.

Surrey was approached in December 2021 to discuss an agreement. The Council submitted its final proposal on the 22nd of February 2022 and following further meetings and clarification in March, the Council received a first draft of a proposed safety valve agreement from the DfE. The Leader welcomed the report and thanked the Cabinet Member and officers for undertaking robust conversations with the DfE. He added that this was a very important step forward in progressing SEND transformation plans over the next five years.

RESOLVED:

1. That Cabinet approve the proposed Safety Valve Agreement, including the proposed contribution of [See Exempt Minute E-07-22] from the General Fund reserve provided for in the Council's budget and other transfers [See Exempt Minute E-07-22]
2. That Cabinet delegate final agreement and the signing of the Safety Valve Agreement to the Chief Executive, Deputy Chief Executive and S151 Officer and the Executive Director for Children, Families and Lifelong Learning in consultation with the Leader of the Council.

Reasons for Decisions:

The Department for Education (DfE) has invited Surrey County Council to participate in its Safety Valve intervention programme, which seeks to develop proposals with targeted local authorities to address historic deficits within the Dedicated Schools Grant (DSG) High Needs Block (HNB) and reach an in-year balance to ensure ongoing sustainability.

A recommendation has been made for Cabinet to approve the proposed Safety Valve Agreement because the assessment (based on net present value) is that the proposals are deliverable and the financial analysis indicates that over both the MTFS and 20-year timelines, the financial benefits of the Safety Valve proposed financial contributions is greater than not securing the proposed Safety Valve agreement.

A recommendation has been made for Cabinet to delegate authority for final approval and to sign the proposed Safety Valve Agreement to the Chief Executive, Deputy Chief Executive and S151 Officer and the Executive Director for Children, Families and Lifelong Learning in consultation with the leader of the Council so that this can be done within the timescales set out by DfE.

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

Meeting closed at 10:39

Chairman

SURREY COUNTY COUNCIL**CABINET****DATE:** 29 MARCH 2022**REPORT OF:** N/A**LEAD OFFICER:** JOANNA KILLIAN, CHIEF EXECUTIVE**SUBJECT:** LEADER/DEPUTY LEADER/CABINET MEMBER/ STRATEGIC INVESTMENT BOARD AND COMMITTEE-IN-COMMON DECISIONS TAKEN SINCE THE LAST CABINET MEETING**SUMMARY OF ISSUE:**

To note the delegated decisions taken since the last meeting of the Cabinet.

RECOMMENDATIONS:

It is recommended that the Cabinet note the decisions taken by Cabinet Members since the last meeting as set out in Annex 1.

REASON FOR RECOMMENDATIONS:

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

DETAILS:

1. The Leader has delegated responsibility for certain executive functions to the Deputy Leader and individual Cabinet Members and reserved some functions to himself. These are set out in Table 2 in the Council's Scheme of Delegation.
2. The Leader has also delegated authority to the Strategic Investment Board to approve property investment acquisitions, property investment management expenditure, property investment disposals and the provision of finance to its wholly owned property company, Halsey Garton Property Ltd.
3. Delegated decisions are scheduled to be taken on a monthly basis and will be reported to the next available Cabinet meeting for information.
4. **Annex 1** lists the details of decisions taken since the last Cabinet meeting.

Contact Officer:

Huma Younis, Committee Manager, huma.younis@surreycc.gov.uk

Annexes:

Annex 1 – Delegated Decisions taken

Sources/background papers:

None

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Annex 1

STRATEGIC INVESTMENT BOARD 15 FEBRUARY 2022

HALSEY GARTON PROPERTY INVESTMENTS LIMITED - 12-15 HIGH STREET, WINCHESTER

RESOLVED:

This Part 2 report contains information which is 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).

HALSEY GARTON PROPERTY INVESTMENTS LIMITED - COMPANY PURPOSE, STRATEGY AND STRUCTURE, REVIEW AND RECOMMENDATIONS

RESOLVED:

This Part 2 report contains information which is 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).

A separate confidential Part 2 minute was done for both items.

CABINET MEMBER DECISIONS 22 FEBRUARY 2022

FUNDING AGREEMENT FOR SURREY COUNTY COUNCIL CONTRIBUTION TO THE BYFLEET-SANWAY, GUILDFORD AND CHAMBER MEAD FLOOD ALLEVIATION SCHEMES

(i) Details of decision

1. That Surrey County Council enters into a legal agreement with the Environment Agency to enable a contribution of £180k towards the development of an outline business case for the Byfleet-Sanway flood alleviation scheme.
2. That Surrey County Council enters into a legal agreement with the Environment Agency to enable a contribution of £50k towards the development of an outline business case for the Guildford flood alleviation scheme.
3. That Surrey County Council enters into a memorandum of understanding with South East Rivers Trust to enable a contribution of £250k towards the delivery of the Chamber Mead Wetlands project
4. That all future legal agreements for schemes in the Surrey Flood Alleviation Programme are delegated to the Executive Director for Environment, Transport and Infrastructure in consultation with the Executive Director for Resources and the Cabinet Member for Flooding.

(ii) Reasons for decision

In October 2019, Surrey County Council (SCC) Cabinet approved the investment of £270M to deliver the objectives of Surrey's Local Flood Risk Management Strategy. £237M of this is a financial contribution to the River Thames Scheme. The remaining £33M is to invest in activities in priority flooding areas across the County as part of the Surrey Flood Alleviation Programme. A number of these schemes are in partnership with other flood risk management authorities and as such need a separate legal agreement to enable these contributions to be made.

Approving contributions to joint partnership schemes with other flood risk management authorities and partners unlocks significant additional partner investment which increases the protection of residents in flood risk areas and supports delivery of the Surrey Local Flood Risk Management Strategy.

Legal agreements are required for these contributions to ensure Surrey County Council is not exposed to undue financial risks. Agreeing to delegate approval of future legal agreements will support quicker delivery of schemes with funding that has already been approved as part of the Council's capital programme.

(Decision taken by the Cabinet Member for Community Protection- 22 February 2022)

STRATEGIC INVESTMENT BOARD 15 MARCH 2022

PROPERTY DISPOSAL IN EPSOM

RESOLVED:

1. That the Strategic Investment Board approves the sale of the asset at the agreed price of [E-08-22] to take place by 1 April 2022.
2. That the Strategic Investment Board notes that the price reflects a premium return to Surrey County Council due to the Purchasers not fulfilling all the obligations required under the Option Agreement.

CABINET MEMBER DECISIONS 16 MARCH 2022

CABINET MEMBER FOR COMMUNITIES

Decision:

YOUR FUND SURREY APPLICATION - LORD PIRBRIGHT'S HALL AND RECREATION GROUND CHARITY

(i) Details of decision

1. That funding from Your Fund Surrey for project CF114 for the full amount requested of £300,000 be approved. This is composed of:
 - £278,000 capital funding towards provision of a new pavilion providing welfare facilities, changing, meeting and activity space, café/catering, health and safety and support services to improve social cohesion;
 - £22,000 to be held by SCC as contingency funding, for release only upon an evidenced request.
2. That the inclusion of the following conditions within the funding agreement as a requirement of this funding be approved:
 - completion of a long lease with Pirbright Parish Council;
 - completion of all planning conditions prior to release of YFS funding;
 - final evidence of all funding to bring the project to a successful conclusion is secured;
 - final evidence of competitive tender and selection process of preferred contractor costs;
 - to develop a policy to be adopted by the Management Advisory Committee and Lord Pirbright's Hall and Recreation Ground Charity for the life of the facility which ensures the widest access to the community, to include a booking policy and schedule of fees maintaining affordable rates;
 - the applicant uses all possible measures identified to increase sustainability and reduce environmental impact during construction and operation of the facility, noting the project is proposing to install air source heat pumps, solar panels and LED lighting, alongside other measures.
3. That the applicant be required to consider the wider social value aspects of the community café element of the project, including supported employment opportunities, apprenticeships and the use of local suppliers was agreed.
4. That the applicant be requested to work with local health providers including the GP surgery to identify and promote measures to tackle health inequalities through the use of the new facility, including via social prescribing and the provision of relevant classes, events or trial sessions be agreed.
5. That the applicant must consider all reasonable measures which could be undertaken to extend the reach of and use of the facility to harder to reach groups within the local community be agreed.

(ii) Reasons for decision

This application has been the subject of a rigorous assessment process by officers, as set out in the body of this report. Officers consider the project to meet the aims and published criteria of the fund and to satisfy the requirements to award funding.

(Decision taken by the Cabinet Member for Communities – 16 March 2022)

Decision:

CLAYGATE COMMUNITY POOL

(i) Details of decision

1. That funding from Your Fund Surrey for project CF102 Claygate Community Pool for the full amount requested of £363,500 be approved. This was composed of:

- £351,000 capital funding towards Phase 2 project works including fit-out, ground source heat pump, solar panels and external landscaping;
 - £12,500 held by SCC (Surrey County Council) as contingency funding, for release only upon an evidenced request.
2. That the inclusion of the following conditions in the funding agreement as a requirement of this funding be approved:
 - That the applicant provide assurance that the cost of sessions, facility hire and membership fees are maintained at rates affordable to all residents for the life of the facility;
 - that the applicant used all possible measures identified to increase sustainability and reduce environmental impact during construction and operation of the facility including the installation of a ground source heat pump and solar panels;
 - the applicant having all relevant insurances and safeguarding policies in place for the life of the facility.
 3. That the applicant Claygate Community Pool Management Group (CCPMG) be requested to continue to work with Capelfield GP Surgery, local health providers and partners to identify and promote measures to tackle health inequalities including via social prescribing and through the provision of relevant swim, exercise, or trial sessions be agreed.
 4. That the applicant Claygate Community Pool Management Group (CCPMG) be required consider all reasonable measures which could be undertaken to extend the reach of and use of the facility to harder to reach groups within the local community be agreed.
 5. That the regulations in place regarding the type of school projects admissible under YFS and that this project has been recommended by Officers for funding approval on the basis the project benefits the wider community and meets the aims and published criteria of the fund be noted.

(ii) Reasons for decision

This application has been the subject of a rigorous assessment process by officers, as set out in the body of this report. Officers consider the project to meet the aims and published criteria of the fund and to satisfy the requirements to award funding.

(Decision taken by the Cabinet Member for Communities – 16 March 2022)

Decision:

SOUTH PARK COMMUNITY 3G PITCH

(i) Details of decision

1. That funding from Your Fund Surrey for project CF251 South Park Community 3G Pitch for the full amount requested of £150,000 with no contingency due to the fixed price contract be approved.
2. That the inclusion of the following conditions in the funding agreement as a requirement of this funding be approved:
 - For the applicant to develop a usage policy to be adopted by the Steering Committee and South Park Sports Association for the life of the facility which ensures the widest

access to the community, to include a booking policy and schedule of fees maintaining affordable rates;

- completion of all planning conditions prior to release of YFS funding;
 - final evidence of all funding to bring the project to a successful conclusion is secured;
 - the applicant uses all possible measures identified to increase sustainability and reduce environmental impact during construction and operation of the facility;
 - the applicant having all relevant insurances and safeguarding policies in place.
3. That the applicant be required to consider all viable options to extend the reach of and use of the new facility to all groups within the local community as part of the development plan, noting the offer for women & girls and people living with disabilities. To request that monitoring of the development plan is shared with YFS Team Officers as part of the YFS monitoring of the project be agreed.
 4. That the applicant be required to work with partners to identify and promote measures to tackle health inequalities through the use of the new facility via the development of a usage policy, including consideration being given to social prescribing and provision of relevant sessions, or trial events be agreed
 5. That the applicant be required to consider all reasonable measures which could be undertaken to extend the reach of and use of the facility to harder to reach groups within the local community be agreed.
 6. That the YFS funding (£150,000) will specifically contribute toward item of expenditure for the pitch base and foundations (210,574), which equates to 71% of this item be agreed.
 7. That if the project costs for the item being funded by YFS come in under budget, then the applicant be required to return the relevant proportion (71%) of those savings to YFS under the Guaranteed Maximum Price contract be agreed.

(ii) Reasons for decision

This application has been the subject of a rigorous assessment process by officers, as set out in the body of this report. Officers consider the project to meet the aims and published criteria of the fund and to satisfy the requirements to award funding.

(Decision taken by the Cabinet Member for Communities – 16 March 2022)

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CABINET MEMBER OF THE MONTH: Becky Rush, Deputy Leader and Cabinet Member for Finance and Resources

Overview

The Finance and Resources portfolio at the Council comprises: Finance (including all Financial Management, Financial Reporting, Budget setting, oversight of the capital programme, Internal Audit), Risk Management, Legal and Governance, all aspects of HR and people management, IT and Digital. Whilst these are all “back office” functions for the Council in reality it is the careful and efficient management of these processes and operations that enables the Council to deliver value for money services for our residents.

I am pleased to have the opportunity through this report to shine a spotlight on the thorough, professional and collaborative work carried out by our officers within Finance and Resources and on the positives they bring to residents in Surrey. Residents are the direct beneficiaries of having a Council that is financially resilient, enabling us to invest in quality services that meet the demands of residents today and in the future.

Finance

On February 9th 2022 the County Council approved a balanced budget for 2023/2024; the fourth successive balanced budget set (with no use of our reserves) since the commencement of our Finance Improvement Programme in 2018. Later in this Cabinet meeting I will present the Financial Report for Month 10 including the forecast to the year end, and we are on track to deliver the balanced budget set in 2021, as we have done for the preceding three years. Living within our means is vital as a Council and we must make sure through our decision making processes that we secure value for money and deliver our Statutory duties along side our Council priority objectives to ensure *no one is left behind*.

Implementing a strong ethos of Financial Management and Accountability across all levels of the Council has been key to improving our financial resilience. We operate a “Finance Business Partners” model whereby Finance officers sit alongside Service delivery officers to ensure Financial impact is a key criteria in every decision taken. As recognition of our work on the Finance Academy in 2021 Surrey County Council won the award for Finance Learning and Development Initiative at the Public Finance Awards.

As part of the finance transformation Surrey County Council has undertaken a wholesale Transformation Programme over the past 5 years. This was a ground up review of how our services could be delivered more effectively and efficiently, resulting in budget efficiencies annually of c£80m. This is what residents in Surrey would expect of us, as they would of any large business, it is vital that we continue to evolve as a Council, continuously reviewing and improving the way we interact with residents and the way we deliver our services. We have a further far-reaching programme to be delivered over the next 5 years as we continue to look to the future, at digital solutions and new ways of working. As we move forward and the expectations and needs of residents change it is right that we continue to reflect, learn and adapt our services and delivery mechanisms.

Over the past 5 years we have grown our reserves position in order to improve our financial resilience. Our “useable” reserves now stand at c£150m within the guidelines of 10-15% of the revenue budget. As a Council we not permitted to allow spend to exceed available resources and as such are required to maintain an adequate level of reserves to deal with future unexpected pressures. We have a strong set of principles that set out the circumstances in which reserves can be utilised, and it is the establishment of a good reserves position, and these rules around its use, that set us in such good financial stead when weathering the Covid pandemic. We were able to respond swiftly to the pandemic, maintain our business as usual services, and not put the Council in financial jeopardy.

Why is such a robust financial position so important to residents?

Financial stability is of huge benefit to residents of Surrey:

- We have been able to set a balanced budget for 2022/2023 that has **no service cuts** for residents. Our budget for the next financial year to spend on services is £1,042m which is an increase of £37m from the previous year, with 92% of the budget being spent on delivery of front line services. There

has been no reduction of service budget; within the budget Adult Social Care budget has increased by £25m (7%), Children's Social Services by £5m (2.5%), and Special Education Needs and Disabilities budget by £3m (10% of the Council's contribution to the Direct Schools Grant).

- Through our very large and ambitious Capital Programme of £1.9bn over 5 years we are **investing in our future services**. £200m for highways maintenance, £139m in School Places, £124m in Special Education Need and Disability places, £34m on Looked After Children, £51m on Bridge and Structures maintenance, £105m on our infrastructure, £80m on Extra Care facilities for the elderly, £34m on libraries transformation, £46m on Independent living for people with learning disabilities or autism, £65m on Greener Futures. Through our financial stability we have access to low-cost Government borrowing and are spending it at a level that is affordable for the Council.
- We have put money aside into reserves to grow our financial resilience that **enables us to manage future uncertainties** such as a pandemic, changes to government funding etc – you never know what is around the corner but importantly we will retain the ability to continue to deliver our services and support our vulnerable residents.
- We were able to **manage the pressures of Covid-19**; at a time of great uncertainty we were able to support our care market, access PPE, establish helplines, lead on the county wide support for vulnerable residents, support the District and Boroughs, and keep all our services running. It's been a challenging time for everyone and some Local Councils have not been able to deliver.

IT and Digital

As I mentioned above IT and Digital is a business critical operation within the Council with a key role to play in readying ourselves for the future.

At the advent of the Covid-19 pandemic the IT team at Surrey County Council worked tirelessly to enable the workforce of c7,000 staff to seamlessly adapt to online working that has since become the Business As Usual approach to life. With Covid-19 as the catalyst we have seized this new online way of working and made sure we have the hardware, connectivity, and necessary cyber protections to enable our workforce to carry out their roles wherever they are. The use of Teams meetings has revolutionised even a simple highways site meeting, and we are now truly connected across our work force.

The Digital team has the most business critical role to play in the ongoing evolution of how we connect to and deliver services to residents and our "Digital Business Partner" model (expansion of the successful Finance Business Partner model) is embedding itself within the services to take a central role in the solving of challenges.

HR and people management

The key workstream in this area is the Workforce of the Future; a business critical programme looking at the establishment of Surrey County Council as an employer of choice and the levers to deliver this ambition that range far beyond simply pay.

Recruitment and retention of talented staff, that reflects the enormously talented pool of residents we have within our County, remains increasingly challenging. We must make sure, as a substantial employer in the local area, that our pay and reward is competitive, but also that our development and promotional route map is clearly set out so all employees can see how they can strive to reach their career goals within our organisation.

Equality, diversity and inclusion remains a top focus, with appropriate importance of this business critical agenda being clearly driven at all levels of the organisation.

This report

The rest of this report includes more detail about the specific activities Finance and Resources have been involved in within the Council, and I've pulled out areas that I thought residents would find interesting, including some initial detail on the financial challenges we are facing in the future. Before reading on I'd like to thank all of the officers in Finance and Resources for their never failing support, commitment and

professionalism in enabling the Council to deliver on its strategic objectives and work towards the 2030 vision that *no one is left behind* – your contribution is invaluable.

Financial Challenges of the Future

The Council faces a number of sector-wide financial challenges over the coming years, particularly:

- **Funding reform:** The Government plans to overhaul the system of funding for local authorities with an expectation that, over time, councils like Surrey will become more reliant on locally raised income (predominantly Council Tax) with a consequent reduction in Central Government funding. Our Medium-Term Financial Strategy anticipates a reduction in Government funding in the region of £160m over 5 years, however the timing and impact is far from certain. This uncertainty in itself represents a key challenge to accurate financial planning.
- **Demand Growth and inflation:** The demand for and cost of delivering services to our residents grows considerably each year as a result of social and economic factors including inflation, an ageing population and the ongoing impact of Covid-19. This puts a significant pressure on our services and, particularly in light of reduced national funding, means that we must identify new and innovative ways of delivering our priorities in a financially sustainable way. We expect cost pressures of over £200m over the next five years, equivalent to a 20% increase in our budget requirement.
- **Adult Social Care reform:** The Council will incur additional costs from the Government's social care reform proposals in two ways:
 - o Firstly, the implementation of a cap of £86,000, which is the maximum that individuals will pay towards their care (excluding accommodation costs). Capital limits will also increase from £23,250 to £100,000. The net effect is that Councils will need to fund a greater share of the care costs that are currently paid for by self-funders; and
 - o Secondly, in the form of market equalisation on care costs. Self-funders in future will be able to "ask their local authority to arrange their care for them so that they can find better value care." At the moment self-funders usually pay higher rates than their local authority and so there could be market equalisation of costs, whereby care costs in general rise to meet the change.
- **Greener Futures:** Significant investment will be needed in order to deliver the commitment to a being a carbon-neutral county by 2050. The Council will work with partners, residents and businesses to leverage the funding and enable the behavioural change needed in order to achieve its targets. Attracting an appropriate level of external investment will represent a key part of the overall Greener Futures finance strategy.

The Council is proactively addressing these challenges through its approach to Medium-Term Financial Planning, particularly in new and cross-cutting initiatives to deliver priorities within available funding, maximising opportunities to work with partners for sector-wide solutions. We will engage wherever possible with the Government's developing plans for funding and reform, to ensure that the impact on Surrey residents and business is clearly represented and well understood. We also chair a group of County Council finance officers, collaborating on ASC reforms and other key issues to share intelligence and prepare information for lobbying.

In order to continue delivering ambitious transformation programmes and to keep us on a sustainable footing to meet these challenges, we must retain a resilient level of reserves. Over the last four years, we have recovered from a perilously low level of reserves to one that complies with external audit guidance and leaves us confident to deliver the changes needed. Maintaining this resilience is key to our financial stability.

Treasury Management and Interest Rates

In short, Treasury Management refers to the activities required to sustainably fund our £1.9bn capital programme and maintain adequate cash balances to meet the Council's daily operations. Council

approved the 2022/23 Treasury Management Strategy on the 8th February 2022, which sets out our approach. Our overall strategy is one of prudence – we minimise our external borrowing and ensure that any short-term cash surpluses are invested with financially sustainable counterparties, reviewed on a continual basis.

A key factor in the strategy is the extent to which our borrowing requirement of c.£1.1bn over 5 years is funded by long-term fixed rate borrowing or short-term variable rate borrowing. Fixed rate borrowing tends to be more expensive (at c.2%) than short-term borrowing (at c.0.5%), but does offer certainty over the longer term. We aim to maintain a balanced portfolio which offers value for money and holds risk at an acceptable level.

We liaise regularly with our expert Treasury Management Advisors, Arlingclose, who update us on a daily basis if our approach needs to be amended. To illustrate this, we have recently added £50m to our long-term portfolio to lock-in rates which briefly fell below 2%, reacting to a market which often changes throughout the day. Our medium-term financial plans factor in resilience against interest rate rises, and we hold a reserve of £1.6m to manage fluctuations, if needed.

Our Treasury Management Strategy also serves to ensure that we make prudent arrangements to repay our existing debt, through minimum revenue provision. We have developed our approach to this over the past two years to protect the long-term financial sustainability of the Council. This year, we have adopted recommendations in a recent Government consultation, a year ahead of the proposed implementation.

Internal Audit

Delivery of the remainder of the annual audit plan continues as year-end approaches. Advice and support is ongoing for the DB&I Programme. Three Partial Assurance opinions have been issued in respect of a follow-up review of Officer Code of Conduct, Public Accessibility, and a review of consultant use and contract management in Land & Property. Significant time has been spent in consultation with senior management and members of the Audit & Governance Committee to develop the 2022-23 Strategy and Annual Plan, due at Committee for approval on 28 March.

Procurement

The central policy team is developing material to ensure that third party spend goes beyond the core council operations, ensuring the Authority procures in an ethical and responsible way. The draft Environmentally Responsible Procurement Policy and Modern Slavery Statements are due to be approved and launched in Q2 FY 2022/23. We now have a baseline of SCC's scope 3 emissions, from which we are exploring carbon accounting methodology and developing category specific approaches. We are on track to meet Modern Slavery Act changes requirements coming into force this year, are rolling out supply chain specific Modern Slavery Training, and are developing networks across Sussex and Surrey. The Social Value (SV) Policy is in place, and SV champions and tailored SV Charter is supporting the delivery of SV specific to the needs of Surrey residents, which will be enhanced by the SV Marketplace refresh currently underway. In reviewing tender materials in respect of policy risks and opportunities we are also seeking to enhance consideration of Equality, Diversity and Inclusion factors when procuring from third parties.

Risk Management

A number of improvements have taken place around Risk Management in the past year, including work on:

- Standardise Risks & Promote Risk thinking
- Risk Management Strategy/Framework
- Corporate Risk Register established
- Directorate Risk Registers

We are monitoring the Ukraine situation closely, liaising with both central government and local partners. Risk Management processes and up-to-date Business Continuity Plans take particular account of

eventualities arising from cyber-attack or power outage. We are also reviewing the impact on the cost of living from price increases, particularly around fuel, and will respond to the unfolding situation on refugees.

Governance

A twelve month review has been concluded of the Council's new Code of Conduct and its first 12 months of operation.

The Council adopted a refreshed Code of Conduct issued by the LGA following the County Council elections in May 2021. The Code expanded on the previous principles-based Code and introduced specific obligations on councillors to treat others with respect, to not bully or harass or discriminate against any person, to not disclose confidential information, to not use their position inappropriately and to not bring their office in to disrepute.

The Council also introduced a new procedure for considering complaints made against councillors. It emphasised informal resolution as the preferred approach and introduced a criteria-based assessment for the Council's Independent Person and Monitoring officer to consider when determining what action was appropriate to either resolve a complaint or formally investigate. The criteria include any suitable alternative course of action, whether the issue touched on a member's democratic role, the timing of alleged conduct, whether there was a malicious or political motive to a complaint and the overarching public interest in any action being proportionate to the complaint.

A full member induction program was completed before members signed up to the Code on its obligations including the registration and declaration of interests.

Ongoing development and support for all members is planned for the coming year including regular reminders to consider if declaration of interest registers are up to date and social media training refreshers.

The Council's Internal Audit team have recently concluded a report on a sample of corporate governance policies which included the Code of Conduct. It included a small sample survey of members and found that 100% of respondents were aware of the Code of Conduct, understood the policy and it was considered fit for purpose.

IT and Digital

Digital Programme - The main focus for Digital has been the successful day to day delivery of the programme. Working collaboratively with services to deliver a suite of digital capabilities and process optimisations that support their service delivery ambitions. Over the last few months this includes: the delivery of the new death registration chatbot; the live Single View of Transition Data (now live); the delivery of the 'discovery digithon' workshops for ASC, Your Fund Surrey and SFRS. The discovery digithon technique helps to frames opportunities and challenges using a digital lens and enables a cross-organisational approach to service and process re-design coupled with targeted technology enablement. The Digital programme has also been focussed on the planning, engagement and pipeline for Digital 22/23. This includes work to support the CRM initiative lead by Marie Snelling, initiating a project that will utilise Dell Boomi (the enterprise data management and integration platform) to replace our VPRS system and to support delivery of the Data Strategy. All of the above is providing learning and insight that is informing the planning for the transition of Digital from a programme to a business-as-usual capability within the IT and Digital service.

Cyber Security – IT and Digital continue monitor the national cyber threat level (which is currently at 'Substantial'; this means that an attack is likely) and continue to monitor, and act upon the advice from National Cyber Security Centre (NCSC). It can be confirmed that the council's approach to managing the risk of cyber-attack adheres to the NCSC recommendations. The council's security posture and preparedness for a potential cyber-attack has been further enhanced through collaboration with the emergency management team.

HR

The People & Change team are continuing to maintain important services to ensure that we recruit, retain and grow our talent and ensure we have a thriving workforce. We are progressing projects and initiatives

which are part of our workforce of the future programme including a programme of reward reform (the initial delivery of this is a simplified approach to out of hours working payments), workforce design to boost resilience and retention and improve employee experience. We continue to focus our energy on EDI across every aspect of our people agenda.

SURREY COUNTY COUNCIL**CABINET****DATE: 29 MARCH 2022****REPORT OF CABINET MEMBER: SINEAD MOONEY, CABINET MEMBER FOR ADULTS AND HEALTH****LEAD OFFICER: MICHAEL COUGHLIN, EXECUTIVE DIRECTOR FOR PARTNERSHIPS, PROSPERITY AND GROWTH****SUBJECT: OUR AGENDA FOR EQUALITY, DIVERSITY AND INCLUSION IN SURREY AND SURREY COUNTY COUNCIL – ONE YEAR ON****ORGANISATION STRATEGY PRIORITY AREA: GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/ TACKLING HEALTH INEQUALITY/ENABLING A GREENER FUTURE/ EMPOWERING COMMUNITIES****Purpose of the Report:**

In February 2021, the Cabinet agreed a new commitment to equality, diversity and inclusion (EDI) as well as an action plan for strengthening EDI at Surrey County Council, and across the whole county of Surrey. This was a key building block to the central mission of the council's Organisation Strategy 2021-26 – tackling inequality to ensure no-one is left behind.

Just over a year since this was agreed, the council has taken steps towards its aspiration to becoming a fairer, more compassionate and inclusive council. The progress made in 2021-22 provides a solid foundation for our EDI journey, as there is still much to do to support all residents, Members, staff and partners feel respected, safe to speak up on issues of concern, valued and included.

This paper asks the Cabinet to approve a proposed refreshed version of the EDI action plan for 2022-23 that aims to continue important work started in the last year and refines its focus on the activities that will make the greatest impact for stakeholders.

Recommendations:

It is recommended that Cabinet:

1. Notes the progress that has been made over the past year towards the Council's ambitions to tackle inequality and ensure that no-one is left behind.
2. Endorses the refreshed Surrey County Council Equality, Diversity and Inclusion Action Plan 2022-23.

Reason for Recommendations:

The EDI action plan is key to delivering the equality objectives in the Organisation Strategy 2021-26 and plays a pivotal role in supporting the council's wider aim to tackle inequality to ensure no-one is left behind. Moving to a fairer, more compassionate and inclusive culture will inform how we develop policy, take decisions and serve all stakeholders so everyone who lives, works and studies in Surrey is supported to thrive.

The updated action plan aims to build on the progress made through the action plan for 2021-22. The focus of the updated plan has been refined to support residents and our workforce with protected characteristics¹, and those who experience other inequalities (such as socio-economic inequality), to have more opportunities to have improved outcomes.

Executive Summary:

Background

1. In February 2021, the Cabinet set out its ambitions for equality, diversity and inclusion (EDI) at Surrey County Council and for the wider county of Surrey. They agreed a [new commitment to EDI](#) with an aspiration for the Council to be a fairer, more compassionate and inclusive organisation. This was a key element in supporting the Council's guiding principle to tackle inequality so no-one is left behind.
2. For residents, this means spreading opportunity to help them fulfil their potential and enjoy positive life outcomes. Importantly, we want all residents to feel a sense of belonging in their communities, so this means championing Surrey's most vulnerable residents, including those who suffer prejudice and discrimination. This is also central to how we work with our partners.
3. For Members and staff, we want them all to feel that they belong at the Council and have opportunities to succeed, working with them to identify and remove barriers getting in the way of our EDI ambitions.
4. In addition to this commitment, Cabinet also agreed a new corporate EDI action plan focused on five themes:
 - a. Employee experience
 - b. Leadership
 - c. Knowing and engaging our communities
 - d. Communications and engagement
 - e. Delivering inclusive services.
5. The commitment and action plan were designed to embed EDI into everything we do at the council. This report sets out the progress made against the action plan over the past year, but we recognise that there is still much to do and are still in the early stages of our more ambitious EDI journey. It also supports our pledge to be transparent and open with staff and residents about our intentions and how we would take responsibility to achieve them.

¹ Protected characteristics under the Equality Act 2010 are Age, including older and younger people, Disability, Gender reassignment, Pregnancy and maternity, Race, including ethnic or national origins, colour or nationality, Religion or belief, including lack of belief, Sex, Sexual orientation and Marriage and civil partnership.

6. A proposed refresh of the action plan for 2022-23 is appended to this report. The plan recognises the need to continue building on the foundations put in place and refines the focus of our EDI work based on discussions with key internal and external stakeholders.

Progress in 2021-22

7. We have made significant progress since the original action plan was agreed in February 2021. Some notable achievements include:
 - a. **Collaborations with partners to make it easier for protected groups to engage with the council and other public services.** For example, working with the Lord Lieutenant of Surrey, the High Sherriff and Surrey Faith Links to establish the Surrey Interfaith Forum, and we have worked with the Surrey Minority Ethnic Forum (SMEF) to set up a new black and minority ethnic (BAME) reference group. We are also working closely with partners to strengthen EDI capability and capacity across the Surrey system, such as shared training with voluntary, community and faith sector (VCFS) organisations and investment in a VCFS EDI Lead role, hosted by The Children's Trust in Tadworth.
 - b. **Championed the causes of vulnerable residents.** In partnership with the charity, Binti International, we became the first county council in the UK to start eradicating period stigma by providing free period products to women, girls and residents who need them in council offices and some libraries.
 - c. **Allocated nearly £1m of funding to support projects specifically designed to tackle inequality, particularly residents the hardest hit by the Covid-19 pandemic.** Projects included funding (from our Contain Outbreak Management Fund) to help set up a domestic abuse refuge for LGBTQI+ victims, developing an online employment portal for disabled people and taking forward recommendations made by SMEF to provide training for faith leaders and marketing to minority ethnic residents to support their mental health.
 - d. **Developed a better understanding of the inequalities that residents face.** The launch of the [Surrey Index](#) was key to helping us identify disparities and inequalities down to neighbourhood level. We are also working directly with residents, such as those from Gypsy, Roma and Traveller communities, on issues that contribute to reducing inequality such as literacy programmes, Covid vaccine roll-out and stopping sites across Surrey.
 - e. **Continued to tackle inequalities faced by our workforce.** For example, we carried out a workforce training needs analysis on EDI awareness and developed a centralised reasonable adjustments service, launching in April 2022, to make it easier for Members and staff to procure the right equipment, software or training to meet specific needs. Employee Reference Groups (ERGs)² have also been set up by staff and are championed by the Corporate

² Employee Reference Groups (ERGs) are staff networks set up to shape and inform the way the council works to develop a more inclusive environment for our workforce. There are eight ERGs including the Disabled Employees Network in Surrey, LGBTQI+ Network, Minority Ethnic Group and Allies Network, Women's Network, Early Careers Network, Parents Network, Carers Network and Deaf/British Sign Language Network.

Leadership Team and Cabinet.

- f. **Increased resources and capability to support our ambitions.** Two new permanent officer posts are being recruited to – a Head of EDI and EDI Programme Manager – to increase our capacity, capability and expertise to enhance our ability to deliver and maximise the chances of delivering the priorities set out in the refreshed action plan.

8. These are tangible examples of the council's commitment to EDI in action. They mark a positive start to our journey, and we need to build on this progress to maintain, and increase, momentum around our EDI journey. Some of the issues in this plan are sensitive and complex; progress will take time as we work through these challenges with stakeholders.

Proposed action plan for 2022-23

9. Focusing on EDI is a crucial enabler for the council's wider policy agenda so we can prioritise our limited resources on supporting improved outcomes for some of Surrey's most vulnerable residents.
10. The progress we have made over the last year is set against an ongoing challenging national backdrop including health disparities experienced by black and minoritised ethnic communities, low trust in public institutions, the rising cost of living impacting disproportionately on disadvantaged communities, and a national 'levelling up' narrative (as set out in the Government's recent White Paper).
11. Following extensive engagement with stakeholders (see paragraphs 17 - 18), a proposed refresh of the action plan is attached as Appendix A. This plan represents both a continuation of work started in 2021, coupled with a sharper focus on activities that we hope will make the greatest impact for residents and our workforce.
12. This plan is designed to improve the experiences of residents and staff from all protected characteristic groups, as well as those experiencing inequalities that fall outside those defined by the Equality Act. It also balances the needs of different protected characteristic groups, as well the role intersectionality plays, where different types of discrimination, such as sex and race, overlap resulting in different people experiencing it in unique ways.
13. The plan over the next year will focus on:
 - a. Enhancing our understanding of inequalities faced by our workforce and taking action to respond to them – including enhancing quality and visibility of workforce data, introduction of ethnicity and disability pay gap reporting and preparing more people from protected groups, such as women and minority ethnic staff, to equip them with the tools to prepare for leadership roles and progress their careers.
 - b. Using our position as a major purchaser of goods and services to ensure social value is measured and maximised to support our EDI goals.
 - c. Continuing to invest resource and capacity in supporting our workforce, such as comprehensive training for staff based on the training needs analysis (and

an offer for Members) and support for our ERGs.

- d. Working closely with our partners to enhance EDI across the county, aligning our activities to support Surrey's residents to live in a fair, compassionate and inclusive county.
- e. Continue to improve accessibility and inclusivity of communications and engagement.
- f. Securing support from outside the council to validate our progress and enable continued improvement, such as through the Local Government Association EDI Peer Review Assessment process.

14. Focusing on these issues will help structure our approach to EDI activity. At the same time, we will work to address and embed behaviours, attitudes and a culture that support our EDI ambitions that will wrap around these activities to help create conditions for success.

Next steps

- 15. Should Cabinet approve this action plan, implementation will start immediately to March 2023, and a refreshed plan for 2023 to 2024 will be presented to Cabinet to consider next year.
- 16. The Council's website will also be updated with the new plan so we are clear, transparent and visible on our priorities with stakeholders.

Consultation:

- 17. In shaping the refreshed priorities in this plan, a range of stakeholders have been engaged. This includes:
 - a. Five staff focus groups in early 2022
 - b. Meetings with all Employee Reference Groups
 - c. Reviewing progress through the cross-council EDI Change Group – an officer-led group responsible for oversight of the action plan's delivery, chaired by the Corporate Leadership Team EDI sponsor, Michael Coughlin
 - d. Engaging partners, such as voluntary, community and faith groups.
 - e. A survey with residents on their awareness of the council's EDI agenda and their priorities for EDI in the county – this is ongoing and we will use the results to refine the focus of our activities.
- 18. Key to the action plan's success will be continuous, ongoing engagement with residents, staff and partners about the work we are doing and working with them to identify and shape EDI priorities going forward.

Risk Management and Implications:

- 19. There is a risk that resources and officer time required to support response activities for Covid-19 leads to lack of capacity to support delivery of the actions in the EDI Action Plan and slippage against timescales. To mitigate this risk, the council is recruiting for two new permanent EDI posts (see paragraph 7f), and the CLT EDI sponsor will be involved in identifying those activities that are critical to the plan's success and need to continue, and those where the pace of delivery can be slowed

or stopped.

20. If stakeholders who are supportive of this work feel the council is not making sufficient progress, there is a risk of disillusionment amongst the community and stakeholders, leading to reputational damage for the council in the form of distrust among some residents and staff, which may in turn, hinder our ability to attract talented staff from diverse backgrounds. To mitigate this risk, the Council will drive forward our communications and engagement activities to demonstrate our commitment to EDI and report progress on our critical activities on a regular basis through communications channels for residents and staff.
21. Some stakeholders may question the council focusing resources on EDI in a time of increasing financial constraints, however we believe that, in the long-term, tackling inequalities will ultimately yield more value to the Council and Surrey as a whole by tapping into the diversity of talent and know-how across our residents and workforce and delivering stronger, more cohesive communities. We will continue to demonstrate our commitment to this agenda so all stakeholders connected with the council feel they are treated fairly and are made to feel welcome and belong in Surrey and at the council. We will not accept any discrimination, bullying and harassment of any kind against our staff, and we will deal with any instances of this decisively.

Section 151 Officer Commentary:

22. Although significant progress has been made to improve the Council's financial position, the medium-term financial outlook beyond 2022/23 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.
23. The Section 151 Officer supports the progress made over the past year and the refreshed EDI Action Plan. Costs relating to additional specific posts to deliver the Action Plan and further costs relating to reasonable adjustments, advice and communication resources to support accessibility have been built into the Medium-Term Financial Strategy from 2022/23.

Legal Implications – Monitoring Officer:

24. The Council's statutory obligations under the Equality Act are already firmly embedded in its decision-making processes and working practices. Accordingly, the Council is fully committed to ensuring that everyone with a protected characteristic is protected from discrimination and unfair treatment in line with current law. This report seeks Cabinet approval of an action plan that will see the Council adopt an approach to equality and inclusion that will put the Council on a firm basis to achieve its equality objectives and deliver on its "no-one left behind" vision.

Equalities and Diversity:

25. The EDI Action Plan will have specific benefits to staff and residents, particularly those with protected characteristics, as the outcomes in the plan are specifically

designed for this purpose.

26. We will continue to engage stakeholders as the plan is implemented to ensure we are maximising the positive impacts of this plan and involving them as the plan continues to be iterated and developed.

Report Author: Nicola Kilvington, Director of Corporate Strategy and Policy, 07812 370810

Consulted:

Cabinet Members

Corporate Leadership Team

Trade unions

Select Committee Chairs

Employee Reference Groups

Voluntary, community and faith sector partners

Annexes:

Annex A – Equality, Diversity and Inclusion Action Plan 2022-23

Sources/background papers:

Setting a radical agenda for equality, diversity and inclusion in Surrey and Surrey County Council, Report to Cabinet 23 February 2021

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Surrey County Council Equality, Diversity and Inclusion Action Plan 2022-23

Surrey County Council's core mission is to ensure no-one is left behind. This means tackling inequality should guide everything we do, and Equality, Diversity and Inclusion (EDI) needs to be integral to the council's culture.

The council's leadership has stretching ambitions for EDI, reflected in this action plan. We are committed to be **open** and **transparent** with staff and residents about our intentions and how we will take **responsibility** for achieving them. The Chief Executive and Executive Directors will be proactive and directly involved in driving this agenda, through sponsorship of staff networks, championing EDI across all council services and participation in reverse mentoring schemes. We will also support staff to have frank, open conversations about EDI, both to discuss where things are going well and where things still need to change.

If we get this right and we all play our part, Surrey's residents and our staff should see the council as a fair, compassionate and inclusive organisation that genuinely values difference and makes everyone feel respected, safe to speak up on issues of concern, valued and included.

Our staff tell us we need to do more to support them to belong so we can retain top talent and make the council a more attractive proposition to a more diverse range of prospective employees. They also want the council's leadership to be active champions for EDI so residents, Members, partners and staff understand why this agenda is important to the council.

This is something we must focus on if we want to be one of the leading councils in England and the most effective council for Surrey residents. It is:

- **Essential for residents** – local democratic arrangements and council services will be designed to be open, inclusive and accessible for all.
- **Essential for staff** – all staff should feel supported and included at the council and are enabled to use their diverse experiences and skills to improve performance and create innovative solutions to make residents' lives better.
- **Essential for the council** – developing a diverse workforce and a better understanding of residents who are being left behind means we can design more responsive services by focusing resources where they're most needed, improving both value for money and outcomes.

Doing this will also help the council to comply with its legal obligations under the Public Sector Equality Duty of the Equality Act 2010.

Annex A – Surrey County Council Equality, Diversity and Inclusion Action Plan 2022 - 2023

This plan does not capture everything the council is doing to tackle inequality, but it will play a key part in ensuring it is an inclusive and diverse organisation for staff and how we work with residents. These are reflected by the following five themes:

- Employee experience
- Leadership
- Knowing and engaging our communities
- Communications and engagement
- Delivering inclusive services

Key actions for 2022-2023

Objective 1 - Employee Experience: Strengthen the diversity of our workforce and move to an inclusive culture that values difference, where all staff feel they belong and have opportunities to succeed

1. Develop fairer recruitment and selection processes, including accessible advertising and documentation, fair shortlisting and interview processes
2. Enable our whole workforce to fully participate and be supported with agile working
3. Working with our Employee Reference Groups (ERGs), commission reviews on experiences of LGBTQI+, disabled and minority ethnic staff who work for the Council
4. Finalise development of a Trans at Work Policy that supports the trans community and balances the need of all other protected characteristic groups
5. Agree EDI training priorities, including any mandatory training, based on a training needs analysis
6. Continue development of ERGs, including formation of new groups
7. Enhance our workforce data on protected groups by encouraging staff to report this data on the new My Surrey Enterprise Resource Planning system to inform our priorities for creating a fairer, more compassionate and inclusive workplace
8. Introduce pay gap reporting for ethnicity and disability

Objective 2 - Leadership: Members and senior officers are champions of equality, diversity and inclusion, acting as role models and demonstrating their commitment to tackling inequality.

1. Ensure representation and inclusivity is a key factor in succession planning for leadership positions
2. Make EDI central to talent development to enable diverse, representative organisational leadership
3. Design and launch a programme in June 2022 aimed at developing and supporting staff with protected characteristics to enter leadership roles

Objective 3 - Knowing and Engaging Our Communities: Using the best information available and fostering good relations with and within our communities, to work with them to address their needs and maximise local participation

1. Continue to deliver a research programme to further the council's understanding of the experiences of residents from protected groups and those experiencing other forms of inequality, such as poverty
2. Work with residents and representative groups, such as the Surrey Black and Minority Ethnic (BAME) Reference Group, to identify priorities for improving outcomes and services and increasing local community participation
3. Recruit Engagement Link Workers, skilled in inclusive practice, to work with communities who are less able, or willing, to participate in life in their local neighbourhoods.
4. Support a project to increase the number of young people taking part in volunteering opportunities to improve their health and wellbeing, confidence and employability prospects

Objective 4 - Communication and Engagement: to clearly communicate a radical approach to equality, diversity and inclusion across the organisation especially to our residents.

1. Continue our work to make our websites accessible for all residents, staff, partners and businesses
2. Raise awareness with residents, partners and staff of the council's EDI agenda through our Communications and Engagement service
3. Develop messaging in formats, media, language and imagery that is accessible and inclusive
4. Use resident insight, data and feedback to ensure no-one is left behind when delivering messages about council services and organisational objectives
5. Provide communications and engagement support for stakeholder organisations that further evidence our commitment to EDI

Objective 5 - Delivering Inclusive Services: our services are responsive to individual needs so all residents can access services easily and have opportunities to improve their outcomes.

1. Relaunch tools, support and guidance on Equality Impact Assessments for services
2. Continue supporting the voluntary, community and faith sector to deliver inclusive services
3. Support procurement and commissioning activity to ensure social value in contracts is measured and maximised
4. Support a pilot to provide domestic abuse refuge provision for LGBTQI+, adult male, traveller and any other victims not currently well served
5. Enable development of a digital employment portal for to support disabled people to access employment opportunities across Surrey
6. Invest in services to support the mental health and wellbeing needs of groups disproportionately impacted by the Covid-19 pandemic, such as minority ethnic groups.

How we'll know this is making an impact

We will seek to measure the impact of our work using the following outcomes and supporting performance measures:

Outcome 1 – Staff from protected characteristic groups are supported to feel included and valued, they belong at the organisation and have the same opportunities to succeed:

- Relative likelihood of staff being appointed from shortlisting across all posts
- Relative likelihood of staff entering the formal disciplinary process
- Staff completing unconscious bias training
- Staff completing active bystander training
- Proportion of colleagues at the council who say:
 - They personally experienced discrimination at work in the last 12 months
 - They feel fairly treated by the council
 - Career progression at the council is fair
 - They feel happy at work
 - They feel able to be themselves at work
 - They believe council is committed to creating a diverse and inclusive environment

Outcome 2 – The council's officer leadership better represents the community it serves

- Proportion of staff from protected characteristic groups in leadership pay grades
- Proportion of staff from protected characteristic groups completing leadership training

Outcome 3 – Residents feel they have good relations within their communities and feel fully able to participate in public life

- Residents who feel strong sense of belonging in their local area
- Measures of diversity among friendship groups, wider social networks and acquaintances
- Residents who feel their local area is a place where people from different backgrounds get on well together
- Residents who participated in civic activity in last 12 months (e.g. registered to vote, formal volunteering, informal volunteering, formal culture and events)
- Residents treated unfairly in the last 12 months because of one or several protected characteristics or their socio-economic status

Outcome 4 – All residents are able to access services easily

- Service satisfaction measures, broken down by protected groups
- Complaints data on accessibility and discrimination

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SURREY COUNTY COUNCIL**CABINET****DATE: 29 MARCH 2022**

REPORT OF CABINET MEMBER: **MATT FURNISS, CABINET MEMBER FOR TRANSPORT AND INFRASTRUCTURE**

LEAD OFFICER: **KATIE STEWART – EXECUTIVE DIRECTOR FOR ENVIRONMENT, TRANSPORT AND INFRASTRUCTURE**

SUBJECT: **ADOPTION OF MOVING TRAFFIC ENFORCEMENT POWERS**

ORGANISATION STRATEGY PRIORITY AREA: **GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT, ENABLING A GREENER FUTURE AND EMPOWERING COMMUNITIES**

Purpose of the Report:

This year, the Department for Transport (DfT) will allow councils in England and Wales to apply for new powers to carry out Moving Traffic Enforcement (MTE).

This means traffic enforcement cameras could be used to enforce a variety of highway restrictions on Surrey roads to help improve safety and reduce congestion. They could also be a key tool in the development of our new transport strategies (LTP4) aimed at improving infrastructure for buses, cycles and pedestrians.

This report sets out the background, benefits and issues associated with MTE and recommends that the Council applies for these new powers following the process prescribed by the DfT. It also recommends that we begin a procurement process to identify a supplier/enforcement contractor to operate and maintain the infrastructure required.

Recommendations:

It is recommended that Cabinet agree:

1. To make an application to the DfT for powers to enforce moving traffic contraventions in accordance with Part 6 of the Traffic Management Act 2004;
2. To delegate the management of operational policy regarding camera site selection and operation to the Director for Highways and Transport in consultation with the Cabinet Member for Transport and Infrastructure and the divisional member;
3. To delegate the authority to approve future camera enforcement sites to the Director for Highways and Transport in consultation with the Cabinet Member for Transport and Infrastructure and the divisional member ensuring there is a cost neutral financial case, or if not other identified funding.
4. To approve the setting of PCNs to be issued with MTE at the higher level (£70) for moving traffic contraventions.

5. To agree to receive annual reports on the effectiveness of MTE by the Cabinet Member for Transport and Infrastructure.
6. To delegate authority to make decisions about the use of any surplus income to the Director for Highways and Transport in consultation with the Cabinet Member for Transport and Infrastructure.
7. To begin a procurement process to appoint a supplier for 'Civil Enforcement services' with the outcome being reported back to the Cabinet for approval prior to award.

Reason For Recommendations:

The recommendations above will enable the council to help achieve some of its Community Vision 2030 objectives, including that:

- Residents live in clean, safe and green communities, where people and organisations embrace their environmental responsibilities; and
- Journeys across the county are easier, more predictable and safer.

Specifically, traffic enforcement cameras provide an option to make travel and transportation schemes more effective and could be a key tool in helping deliver transportation and environmental objectives to reduce congestion and improve facilities for buses, cycles and pedestrians, particularly vulnerable road users.

Executive Summary:

Background

1. This year, the Department for Transport (DfT) will allow local highway authorities in England and Wales to apply for new powers to carry out Moving Traffic Enforcement (MTE).
2. The Government sees the new powers as a key tool in reducing congestion and improving air quality, while promoting the attractiveness of active travel, e.g. by keeping vehicles out of cycle lanes and other parts of the road where vehicles are prohibited. In addition, by enabling authorities to use such powers to keep junctions clear, the policy also aims to improve punctuality of bus services contributing to making sustainable travel a more attractive choice. Increasing compliance through targeted enforcement at problem locations, will also bring benefits to the experience of pedestrians including people with sensory impairments, older people, children, those looking after children, as well as carers.
3. This means that traffic enforcement cameras could be used to enforce a variety of highway restrictions on Surrey roads thereby increasing the effectiveness of measures developed in the new Surrey Transport Plan (STP) aimed at improving safety, reducing congestion and upgrading infrastructure for buses, cycles and pedestrians.

4. This report sets out the background, benefits and issues associated with MTE and recommends that we apply for these new powers following the process prescribed by the DfT.

Background

5. The Traffic Management Act 2004 (TMA) introduced civil enforcement of traffic offences in England and Wales (as opposed to enforcement by the police under criminal law). Part 6 of the Act allows local authorities (who are the Traffic Authority) to apply for powers to enforce contraventions such as parking and moving traffic offences. Following its introduction, Surrey County Council decided to adopt Civil Parking Enforcement (CPE) powers which then transferred the responsibility for parking enforcement to us from the police in a phased transition between 2005 and 2008.
6. However, when it was introduced, Part 6 was not fully enacted by Parliament, and local authorities outside London have not been allowed to use cameras to enforce moving traffic offences (e.g. enforcement of banned turning movements, no entry restrictions, stopping in yellow box junctions etc), this responsibility remaining with the police.
7. The DfT have now announced that they will make new regulations during 2022 that would enable local highway authorities outside of London to use these powers. The process is subject to the Parliamentary timetable; however, the current expectation is that statutory operational guidance will be issued in March, followed by the new regulations coming into force in June. To be given these powers, authorities will need to apply to the DfT demonstrating they have selected potential enforcement sites following the prescribed process.
8. Local highway authorities were able to apply for these new powers from February 2022 onwards, and the DfT is aiming to start making Designation Orders providing the Part 6 powers to successful applicants in the second half of this year.
9. The DfT have issued preliminary guidance about these new powers, which can be used to enforce a range of highway restrictions (including yellow box markings, banned turning movements, parking in cycle lanes etc). A full list of restrictions covered by the new powers are set out in **Annex 1**. The rationale for providing these powers is that they are seen as a key tool in helping deliver transportation and environmental objectives to reduce congestion and improve facilities for buses, cycles and pedestrians, particularly vulnerable road users.
10. Only council areas already designated as civil enforcement areas for parking contraventions (such as Surrey) may be designated as areas for moving traffic enforcement.
11. The DfT are also taking this opportunity to rationalise existing bus lane enforcement legislation and bring it into line with the new MTE processes described in the report.

How could it work in practice?

12. It is expected that the process will be very similar to moving traffic enforcement already being operated by London authorities and Cardiff City Council, and the DfT's early guidance has been based on experience in these areas. The method of enforcement is also similar to that of CPE which operates in Surrey and widely across the UK.
13. There are a wide range of offences that could be enforced under these powers (as shown in **Annex 1**), and potential locations could be anywhere on the highway network within the county (excluding motorways, trunk roads and private roads). In practice, only the video evidence provided by a type-approved camera (i.e. static or mobile in a vehicle) will be sufficient for enforcement purposes.
14. It is anticipated that the benefits of camera enforcement could be utilised for a number of purposes including:
 - **Road Safety Schemes** – in some cases it is not possible to use engineering measures alone to reduce casualties at specific locations and traffic enforcement cameras could be used to reinforce restrictions and prohibitions (e.g. banned turns etc)
 - **Environmental protection** – traffic cameras could be used to enforce HGV restrictions or other traffic prohibitions.
 - **Congestion reduction** – cameras could help make yellow box markings and some clearways more effective.
 - **Active travel schemes/cycle lanes** – in some cases camera enforcement maybe required to prevent parking and driving on cycle routes or in pedestrian areas.
 - **Liveable Streets and school zones** – enforcement cameras could be used to enforce new initiatives such as these but still facilitate legitimate access where required.
15. It is anticipated that there will be requests for enforcement cameras at a range of locations from SCC Highways and Transport Teams, Surrey Police, Members, residents, accessibility and cycle groups, amongst other stakeholders. In due course, the Council will be able to set out more detail about the criteria and methods by which a traffic enforcement camera could be requested as the policy is developed (and when the draft Statutory Guidance is published by the DfT from March).
16. In all circumstances, traffic cameras would only be used to enforce existing or new highway restrictions (and only those listed in **Annex 1**) on the highway that were backed up by a Traffic Regulation Order (TRO) where required. It should be noted the new enforcement powers do not include most parking offences or pavement parking.
17. The DfT have so far set out guidelines that local authorities must follow when deciding where to use traffic enforcement cameras. This is likely to become part of the statutory guidance for the use of MTE powers later in the year. Key requirements include:
 - A survey of the existing road layout particularly road signs and markings to determine if they are visible or potentially confusing to motorists. This should also determine whether the restriction can be readily adhered to.

- A determination of compliance levels observed or recorded at the location. This could come from a number of sources including accident data, police records or surveys. It would not be necessary or cost effective to install a potentially expensive camera in a location if compliance levels were already generally good.
 - A minimum six week public consultation about the placement and use of each proposed enforcement camera will also be required in advance. This could also pick up feedback and observations from the public/highway users about traffic behaviour at the location and might indicate alternative solutions would be preferable.
18. For new schemes, it is quite possible that an enforcement camera could be installed because it may be integral to making a restriction effective. For example, a new pedestrian zone that had exceptions for loading and deliveries could be regulated by a camera at the entry point. The use of a camera would be part of the initial scheme consultation process, along with the TROs.
 19. When an enforcement camera is installed, camera warning signs would also be placed alongside the regulatory restriction signing to improve compliance. Publicity and awareness campaigns should also be planned to suit the circumstances of the situation.
 20. This public engagement is intended to communicate the rationale for, and benefits of, moving traffic enforcement to residents and businesses to promote understanding, acceptance and compliance.
 21. In addition, it is expected that the DfT will stipulate that warning notices must be sent for a period of six months from the installation of a camera, when motorists commit an offence for the first time. Subsequent offences by the same vehicle/keeper would receive a Penalty Charge Notice (PCN).
 22. All camera equipment will need to be type-approved and comply with standards set by the Vehicle Certification Agency. There will also be some practical limitations with their placement, particularly in rural areas because of the need for a mains power supply.

The application process

23. In order to allow local highway authorities outside London to take on Part 6 powers the DfT will pass new legislation through Parliament, and as mentioned previously, this is likely to happen between March and June 2022. Guidance about the application process for local authorities has been published by the DfT and is as follows:

Application for Part 6 power will be made in the form of an application letter to the DfT confirming it has the authority of the council. The letter will also confirm the authority has:

a) Consulted the appropriate Chief Officer of Police;

- b) Carried out a minimum six-week public consultation on the detail of planned civil enforcement of moving traffic contraventions. Consultations should include the types of restrictions to be enforced and the location(s) in question;*
- c) Considered all objections raised and has taken such steps the Council considers reasonable to resolve any disputes;*
- d) Carried out effective public communication and engagement as the Council considers appropriate, for example using local press and social media, and that this will continue up to the start of enforcement and for a reasonable period thereafter;*
- e) Ensured all moving traffic restrictions to be enforced will be underpinned by accurate Traffic Regulation Orders, and indicated by lawful traffic signs and road markings;*
- f) Ensured all the relevant equipment has been certified by the Vehicle Certification Agency specifically for moving traffic contraventions.*
- g) As part of ensuring that TROs and traffic signs are accurate and lawful, applicant local authorities are encouraged to take the opportunity to identify and remove any signs that are either obsolete or no longer necessary, whether or not relating directly to the restriction being enforced.*

24. It will only be possible to submit our application when the Council has completed the steps outlined above. The DfT have confirmed that our application would only need to relate to one or two sites where we initially propose to place enforcement cameras. They will review our application and, if approved, will make a Designation Order that will provide the Council with Part 6 powers. Once the Designation Order has been made, it will be possible to install additional enforcement cameras without further reference to the DfT subject to following steps a) to g) above for each location.

Site Selection

25. An officer working group has been set up to evaluate the Council's priorities for the deployment of traffic enforcement cameras. Members of the group cover a range of areas including road safety, traffic management & streetworks, local highways, transport planning, passenger transport and parking. The group will be expanded to include officers from the environment team.
26. Considering the variety of potential restrictions that could be enforced with cameras, the highest immediate priority is likely to be those related to road safety or congestion alleviation.
27. An initial evaluation of 'Road Safety Working Group' accident cluster sites across the county indicated that there are not currently any of these locations that would benefit from a traffic enforcement camera, although this could change over time as accident data is analysed and remedial schemes developed. Going forward, traffic enforcement cameras could be considered as part of a range of options that are available to improve road safety. (There is a distinction between traffic enforcement cameras and safety cameras which are used for speed enforcement and at traffic signals to improve red light compliance, both widely used as casualty reduction devices)
28. In terms of congestion alleviation, one of the main benefits of traffic enforcement cameras is that they can be used in conjunction with yellow box markings to help keep

junctions clear and prevent blocking and so holding up traffic flows. Consequently, we are in the process of evaluating the effectiveness of yellow box junctions at the busiest and most congested parts of the highway network in Surrey.

29. In April 2021, we introduced a lane rental scheme which operates by imposing a financial penalty for carrying out roadworks on the busiest parts of the highway network at the busiest times of day. Further information [is available here](#). The extent of the lane rental scheme (and the roads where it applies) is clearly defined and was therefore used as the basis for a search area. Junctions with yellow box markings in the area were identified and then, using CCTV coverage where possible, surveys will be undertaken to determine the effectiveness of yellow box markings. These compliance surveys will help indicate where to focus further investigation into the possible use of enforcement cameras.
30. The survey and investigation work is likely to be completed in March, after which time officers will start preparations for a 6 week public engagement and consultation process about any proposed sites.
31. In terms of the public engagement campaign, this will involve as a minimum, SCC web pages, social media and press releases. This will be developed with our Communications and Engagement Team.
32. It is recommended that the Director for Highways and Transport is delegated the authority in consultation with the Cabinet Member for Transport and Infrastructure, and Local Members to agree the sites that are selected by the investigation and put forward in the Council's camera enforcement application.
33. Subject to a successful application to the DfT in May and approval later this year, the Council will then be able to evaluate further sites following the process set out above. These would be put forward from a range of sources as described above, and the Council's policy on MTE will develop over the coming year and beyond as experience grows.

Procurement Route

34. It is proposed to deliver MTE with the assistance of a contractor who will supply, maintain and operate the majority of the enforcement functions. The Council will, however, need to set up a back office to deal with appeals and representations as well as other responsibilities set out in the statutory guidance.

Consultation:

35. The development of the proposals in the report has involved internal stakeholders and teams involved with managing the highway network.
36. Surrey Police have been fully briefed and support the Council's application for Part 6 powers. They consider that from a road safety perspective, increased enforcement of offences should be beneficial and when supported by a credible process, could act as a further deterrent to poor driving behaviour. The police are keen to ensure we work

cooperatively together maintaining effective communications with each other and the public about these new responsibilities.

37. Going forward, Surrey Police will be a key consultee in the identification and placement of enforcement cameras as well as in the communications and publicity arrangements associated with their use.
38. The specific consultation process for the placement and use of traffic enforcement cameras outlined above will be carried prior to any installation as defined by the statutory guidance.
39. The Communities, Environment and Highways Select Committee have considered the proposals on the 8 March 2022 and resolved to:
 - Support the draft recommendations to Cabinet outlined in the report.
 - Asks the Cabinet Member/Service to consider arranging an all Member Seminar on this topic (Adoption of Moving Traffic Enforcement Powers) covering the changes, practical implications, selected sites, associated process and Members' role.
 - Requests Cabinet Member to write to the relevant Government Minister for further details about pavement parking.

Risk Management and Implications:
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40. There is a significant risk of reputational damage if enforcement cameras are not used proportionately and in the right circumstances to help improve road safety and reduce congestion. Public perception of the Council could suffer if cameras are seen as revenue raising devices.
41. It will therefore be critical to ensure each camera is deployed in appropriate circumstances following the Council's own procedures and the statutory guidance prescribed by the DfT covering usage. Key steps in the camera placement decision making process outlined above will help achieve this. As part of this process, the Council will need to:
 - Ensure there is a case for and sufficient data to justify a camera in terms of improving safety or poor compliance with an existing restriction.
 - Audit the existing road layout to ensure existing signing and lining is clear and road users are not confused by conflicting information
 - Check any existing or new traffic orders to make sure they are up to date and sensible exemptions are allowed (eg access arrangements), and take reasonable steps to notify SatNav companies of the restrictions.
 - Carry out a minimum 6-week public consultation, along with an awareness and engagement exercise about the specific siting of a proposed camera and the problem it is intended to fix.
 - Evaluate the feedback from such consultation to identify issues with the usage of the road space that may be contributing to the problem and Rectify If Possible And Evaluate Again.

Financial and Value For Money Implications

42. The DfT has determined two bands for the level of penalty charge payable for moving traffic contraventions, in the same way that there are two bands for parking contraventions. Band 1 would see the charge at £60 (reduced to £30 if paid within 21 days) and band 2 at £70 (reduced to £35 if paid within 21 days). In Surrey, parking charges are set according to band 2 and so it is recommended that we adopt the same band (£70) for moving traffic contraventions, as it would send out the wrong message to suggest that a moving traffic contravention, such as driving the wrong way along a one way street, is less serious than, for example, parking on a single yellow line. Representations can be made against a PCN to the enforcing council and there will be an adjudication service to arbitrate when there is a dispute in a very similar way that CPE operates.
43. Depending on the location and type of restriction to be enforced, traffic enforcement cameras can cost between £15,000 and £25,000 and up to £700 per month to operate and maintain. There are additional costs associated with dealing with representations against PCNs and adjudication. Some types of restriction might also require more than one camera for effective enforcement.
44. Ideally, traffic enforcement cameras will be self-financing (i.e. the fines will cover the costs associated with operating them), but this will not always be the case. The Council will therefore need to ensure that our site selection policy also considers the business case for the installation and particularly, the financial implications involved.
45. For example, at a site with very poor compliance levels, a camera could potentially be justified and is likely to cover its costs from the fines issued. In time, if compliance improved, the cameras could be moved elsewhere or rotated between different sites as necessary thereby reducing overall costs. In other cases, where a camera is considered necessary but unlikely to be self-financing, alternate funding will need to be secured.
46. It is proposed that the Council carries out a procurement process to obtain a supplier of civil enforcement services, this would include supply and maintenance of cameras as well as some back office functions. The council will need to employ additional staff to deal with other functions that cannot be delegated to a contractor, such as considering appeals and participating in the adjudication process.
47. Overall, the Council would aim to manage this new function on a cost neutral basis with the income from penalties covering all costs. Any surplus income generated as a result of MTE will, by law, need to be allocated towards transport or environmental improvement schemes, in a similar way to parking enforcement surplus.

Section 151 Officer Commentary

48. Although significant progress has been made to improve the Council's financial position, the medium term financial outlook beyond 2022/23 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past

decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.

49. The exact cost of the moving traffic enforcement scheme will depend on several factors including the outcome of the procurement process and the scale and location of enforcement measures, however at this stage the cost of implementing and operating the scheme is expected to be met through penalty income and from existing approved budgets. A full financial assessment of the scheme will be undertaken alongside development of the Council's MTE policy and the procurement process, and performance will be monitored through the life of the scheme. Enforcement measures will only be introduced where across the scheme there is a positive financial business case, or alternative funding has been identified. Although the purpose of the scheme is not to generate a surplus, should one arise it would be used in accordance with relevant legislation. As such, the Section 151 Officer supports the recommendations.

Legal Implications – Monitoring Officer

50. Part 6 of the Traffic Management Act 2004 ("TMA") provides for civil penalties for road traffic contraventions. Section 72 of the TMA allows regulations to be made for or in connection with the imposition of penalty charges for road traffic contraventions subject to civil enforcement. New regulations will come into force on 31st May 2022 which, together with additional new representations and appeals regulations provide for the civil enforcement of, inter alia, bus lane contraventions and moving traffic contraventions in England but outside Greater London.

Equalities and Diversity

51. A full Equality Impact Assessment is not considered necessary for this policy because it does not impact any protected characteristic groups.

Other Implications:

52. The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report
Environmental sustainability	See below.
Compliance against net-zero emissions target and future climate compatibility/resilience	No significant implications arising from this report but see below identification of environmental benefits arising from the opportunity to enforce restrictions that could improve air quality - See below.
Public Health	No significant implications arising from this report.

Environmental Sustainability Implications

53. The new powers are a key tool in reducing congestion and improving air quality, while promoting the attractiveness of active travel e.g. by keeping vehicles out of cycle lanes and other parts of the road where vehicles are prohibited. Having the powers to keep junctions clear will improve punctuality of bus services contributing to making sustainable travel a more attractive choice. Increasing compliance through targeted enforcement at problem locations, will also bring benefits to the experience of pedestrians including people with sensory impairments, older people, children, those looking after children, as well as carers.

What Happens Next:

54. Subject to Cabinet agreement, officers will continue with the preparation to make an application to the DfT for MTE powers as set out above at the earliest opportunity. A procurement process will also begin that will need further Cabinet approval prior to award of contract.
55. The Council's policy regarding MTE will be developed in line with the statutory guidance to be published this year as well as feedback from Members.

Contact Officer:

David Curl, Parking and Traffic Enforcement Team Manager, david.curl@surreycc.gov.uk, 0300 200 300

Consulted:

Surrey Police

Annexes:

Annex 1: List of Traffic Signs Subject to Moving Traffic Enforcement

Sources/background papers:

Traffic Management Act 2004









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Annex 1: List of Traffic Signs Subject to Moving Traffic Enforcement









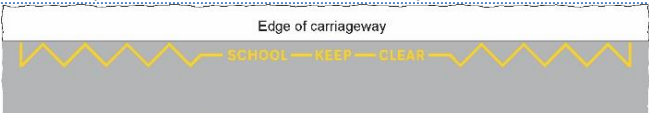

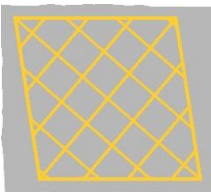
Under Schedule 7 to the Traffic Management Act 2004 (“the 2004 Act”), restrictions indicated by the traffic signs in the table below, as prescribed in the Traffic Signs Regulations and General Directions 2016 (as amended: ‘TSRGD’) are civilly enforceable as moving traffic contraventions. This applies to any permitted variant under TSRGD; for example, diagram 606 when varied to point ahead or to the right.

The 2004 Act does not provide for the list of traffic signs on a selective basis, so all the contraventions will be available to local authorities taking on moving traffic enforcement. However, in line with the general principles of good regulation, any enforcement should be carried out in a way which is transparent, accountable, proportionate and consistent; and should be targeted **only where action is needed**.

Moreover, it should be noted that Ministers have only agreed to implement the Part 6 powers in respect of this existing list of traffic signs, with the exception of the additional diagram 1027.1, to create parity with London.

Description	TSRGD diagram number & location	
Vehicular traffic must proceed in the direction indicated by the arrow	606 (Schedule 3, Part 2, item 1 and Schedule 14, Part 2, item 42)	
Vehicular traffic must turn ahead in the direction indicated by the arrow	609 (Schedule 3, Part 2, item 2)	
Vehicular traffic must keep to the left/right of the sign indicated by the arrow	610 (Schedule 3, Part 2, item 3)	
No right turn for vehicular traffic	612 (Schedule 3, Part 2, item 7 and Schedule 14, Part 2, item 43)	
No left turn for vehicular traffic	613 (Schedule 3, Part 2, item 8 and Schedule 14, Part 2, item 43)	
No U-turns for vehicular traffic	614 (Schedule 3, Part 2, item 6 and Schedule 14, Part 2, item 43)	
Priority must be given to vehicles from the opposite direction	615 (Schedule 3, Part 2, item 9)	
No entry for vehicular traffic (when the restriction or prohibition is one that may be indicated by another traffic sign subject to civil enforcement)	616 (Schedule 3, Part 2, item 10 and Schedule 14, Part 2, item 44)	

Description	TSRGD diagram number & location	
All vehicles prohibited except non-mechanically propelled vehicles being pushed by pedestrians	617 (Schedule 3, Part 2, item 11)	
Entry to and waiting in a pedestrian zone restricted	618.3B (Schedule 8, Part 2, item 1)	
Entry to and waiting in a pedestrian and cycle zone restricted	618.3C (Schedule 8, Part 2, item 2)	
Motor vehicles prohibited	619 (Schedule 3, Part 2, item 12)	
Motor vehicles except solo motor cycles prohibited	619.1 (Schedule 3, Part 2, item 18)	
Solo motorcycles prohibited	619.2 (Schedule 3, Part 2, item 20)	
Goods vehicles exceeding the maximum gross weight indicated on the goods vehicle symbol prohibited	622.1A (Schedule 3, Part 2, item 13)	
One-way traffic	652 (Schedule 9, Part 4, item 5)	

Description	TSRGD diagram number & location	
Buses prohibited	952 (Schedule 3, Part 2, item 17)	
Route for use by buses, pedal cycles and taxis only	953 (Schedule 3, Part 2, item 33)	
Route for use by tramcars only	953.1 (Schedule 3, Part 2, item 36)	
Route for use by pedal cycles only	955 (Schedule 3, Part 2, item 28)	
Route for use by pedal cycles and by pedestrians only	956 (Schedule 3, Part 2, item 29)	
Route comprising two ways, for use by pedal cycles only and by pedestrians only	957 (Schedule 3, Part 2, item 32)	
With-flow cycle lane	959.1 (Schedule 9, Part 4, item 9)	
Contra-flow cycle lane	960.1 (Schedule 9, Part 4, item 6)	
Part of the carriageway outside an entrance where vehicles must not stop when the marking is placed in conjunction with the prescribed upright sign which includes the symbol at Schedule 4, Part 3, item 10	1027.1 (Schedule 7, Part 4, item 10)	
		
Box junction markings	1043 (Schedule 9, Part 6, item 25)	

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SURREY COUNTY COUNCIL**CABINET****DATE: 29 MARCH 2022****REPORT OF CABINET MEMBER NATALIE BRAMHALL, CABINET MEMBER FOR PROPERTY AND WASTE****LEAD OFFICER: LEIGH WHITEHOUSE, DEPUTY CHIEF EXECUTIVE AND EXECUTIVE DIRECTOR OF RESOURCES****SUBJECT: RE-PROCUREMENT OF FACILITIES MANAGEMENT SERVICES****ORGANISATION STRATEGY PRIORITY AREA: GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/ENABLING A GREENER FUTURE****Purpose of the Report:**

The Annual Procurement Forward Plan (APFP) was approved by Cabinet on 21 December 2021. The APFP did not include the procurement of Facilities Management (FM), Forward Maintenance and the commissioning of a Life Cycle Assessment and Condition survey and therefore this report is seeking Cabinet approval to procure.

Recommendations:

It is recommended that Cabinet:

1. Approves the request to competitively procure the following services under separate contracts, in accordance with the Council's Procurement and Contracting Standing Orders, as follows:
 - i. A Soft Facilities Management contract (including all cleaning, security, waste and recycling, confidential waste removal, window cleaning, pest control, water cooler services, salting/gritting, removals, grounds maintenance and arboriculture services, provision of cleaning consumables, and other services).
 - ii. A Hard Facilities Management contract (including all planned and reactive maintenance of mechanical, electrical, plant, equipment (M&E) and fabric, project management and other services).
 - iii. A framework of suppliers for delivery of the Forward Maintenance Plan (minor capital works).
 - iv. A one-off Life Cycle Assessment and Condition Survey of all the major M&E and fabric across the estate.
2. Notes that, following approval of the procurement strategy by the Procurement Department, the Executive Director of Resources, Director of Procurement and the Director of Land and Property are authorised to award the contracts to suppliers, within the +/-5% budgetary tolerance level.
3. Notes that the procurement strategy will require prospective suppliers to include Social Value commitments in their responses; provisions for contributing to the Council's 2030 Carbon Reduction targets; and inclusion of Surrey-based companies in the selection process, subject to achievement of best value.

Reason for Recommendations:

The proposals will:

- i. Enable the delivery of Soft FM and Hard FM; the delivery of the Forward Maintenance Plan; and an assessment of the life cycle and condition of all major M&E and fabric across the Council's property estate.
- ii. Deliver on the needs of Service Directorates and its services users through improved customer experience.
- iii. Deliver on the Climate Change agenda and supports Agile Transformation.
- iv. Support the local economy, thereby benefiting the residents of Surrey.

Executive Summary:

1. The Soft and Hard FM services are currently supplied under multiple soft services contracts, with additional suppliers delivering services under purchase orders.
2. The re-procurement of these services will establish a new soft and a new hard facilities management contract - planned commencement dates June/July 2023, following mobilisation.
3. The current Forward Maintenance Framework, originally procured under Orbis for the joint use by Surrey CC, East Sussex CC and Brighton & Hove Council, include multiple suppliers in various lots and are used to deliver the Forward Maintenance capital plan of minor works.
4. Re-procurement of the Framework will modernise the delivery of the Forward Maintenance plan, focusing contractors on the SCC's property portfolio, rather than the three Councils' estates under the current arrangements - planned Framework commencement date June/July 2023.
5. A separate one-off Life Cycle Assessment and Condition survey is required to establish the future strategy and budget for the Capital replacement of major M&E and fabric across the estate - planned commencement date February 2023.
6. Responses by the prospective suppliers to the tender documents will be evaluated on the commitments they make against the Council's Social Value objectives, support for the Council's 2030 Carbon Reduction targets, and the inclusion of Surrey-based companies or Small and Medium sized Enterprises (SMEs) in their sub-contracting strategy.
7. Once appointed, achievement of the proposals will be measured as part of the contract performance mechanisms, with yearly targets agreed to drive continual improvement through the terms of the contracts, focussing on:

A. Developing a strong and competitive local economy

- Development of local supply chains for any sub-contracted or specialist services to increase spend with local suppliers and SMEs. The plans will require the suppliers to encourage and develop local suppliers and SMEs to help grow their businesses.
- Addressing the skills shortages by creating local employment and skills development opportunities, including minimum thresholds for employment retention and career development for Black, Asian and Minority Ethnic (BAME) members of staff, female staff, and disabled staff throughout the term of the contract across all operational and management pay grades.

- Encourage the employment of Surrey-based residents in their operational teams to support growth and sustainability.

B. Social – supporting the health, wellbeing and independence of local residents

- Collaboration with local voluntary and community groups to help build capacity and support sustainability.
- Creation of employment, work experience, apprenticeship, training, mentoring and befriending opportunities for priority groups.

C. Environment

- Utilise environmentally friendly products/services and ethical sourcing processes in line with a strong sustainability requirement in the tender specification, including locally sourced products, avoidance of single-use plastics, use of electric vehicles.
- Reduction of the carbon footprint by driving Climate Change objectives through the things that the supplier undertakes, including reducing carbon emissions of the M&E across the Council's property portfolio, advising how the Council should strategically replace M&E with green technology (such as air source/ground source heat pumps, installation of additional insulation/double-glazing). The supplier will also be required to monitor utilities consumption to reduce carbon emissions through proactive management.
- Raise awareness of local environmental and sustainability requirements, including the development of additional biodiversity plans, holding sustainability awareness days for Council staff and suppliers, enhancing separation of waste to increase recycling, and avoiding, wherever possible, the disposal of waste to landfill.

Consultation:

8. The following have been consulted:

- Cllr Natalie Bramhall, Cabinet Member for Property and Waste
- Leigh Whitehouse, Deputy Chief Executive and Executive Director of Resources
- Surrey County Council Land and Property SLT, Procurement, HR, Finance and Legal teams

Risk Management and Implications:

9. If the Council does not manage the procurement of the four contracts requested efficiently it could lead to a detrimental impact on value for money, required outcomes and benefits from the contracted services. Good forward planning will enable adequate resources and sufficient time dedicated to ensuring appropriate procurement strategies and commercial negotiations to take place.

Financial and Value for Money Implications:

10. Re-procurement and rationalisation of these contracts optimises the opportunity to realise revenue and capital efficiencies and therefore contribute to anticipated efficiencies built into the Medium Term Financial Strategy. Further financial and value for money implications will be considered through the detailed procurement approval report, once market engagement has taken place.

Section 151 Officer Commentary:

11. Although significant progress has been made to improve the Council's financial position, the medium-term financial outlook beyond 2022/23 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.
12. The Section 151 Officer supports the re-procurement of these contracts. Further financial implications will be set out in the detailed procurement reports, once market engagement has taken place. It is anticipated that revenue and capital efficiencies can be realised by taking this approach to re-procurement and rationalisation of the facilities management and forward maintenance contracts. Efficiencies will contribute to targets already factored into the Medium Term Financial Strategy. It remains the responsibility of the Interim Director of Land and Property to ensure that any expenditure committed to within these re-procurements remain within the approved budget envelope.

Legal Implications – Monitoring Officer:

13. This report seeks approval to re-procure two Facilities Management Contracts, the Forward Maintenance Frameworks and a Life Cycle and Condition Survey. It is expected the changes will result in financial efficiencies for the Council and improved service for its Directorates. Cabinet is asked to delegate the award of the contracts to the Executive Director of Resources and the Interim Director of Land and Property, following approval by the Procurement Department. This is permitted under Article 6 of Part 2 of the Constitution.
14. Due to the value of the contracts and as the contracts were not included in the Annual Procurement Forward Plan, Cabinet approval is required to procure the new contracts. Full application of the Public Contract Regulations (PCR) 2015 is applicable, and the procurement process shall be in accordance with its requirements as well as the Council's Standing Orders and meet the Council's duty to secure best value as provided under the Local Government Act 1999. A compliant process is proposed in accordance with the Council's Procurement and Contracting Standing Orders.
15. If there is a requirement to vary existing contracts then as they were originally procured under PCR 2015, any variation must comply with Regulation 72 of the Public Contracts Regulations 2015 and order 6.4 of the Procurement and Contract Standing Orders.
16. An external firm of legal advisors will be instructed to act on behalf of the Council to advise upon the most appropriate form of new contracts, draft the new contracts and advise on contract negotiations, during the procurement process.
17. SCC's Legal Services Team shall be facilitating meetings and monitoring the external firm to ensure that internal governance procedures are followed.

Other Implications:

18. The procurement strategies will be approved by the Council's Procurement Department for each of the contracts requested. Due consideration will be given to potential implications for the Council priorities and policy areas, such as Equalities and Diversity, Social Value, Environmental Sustainability as well as opportunities to contribute to the net-zero emissions target.

What Happens Next:

19. The approved plans will be delivered during the financial year 2021/22 to 2023/24, following detailed approval by the Procurement Department.

Report Author:

David Fettes, FM Transformation Lead – Land & Property, david.fettes@surreycc.gov.uk

Annexes:

Part 2 Report

Consulted:

Cllr Natalie Bramhall, Cabinet Member for Property and Waste
Leigh Whitehouse, Deputy Chief Executive and Executive Director of Resources
Surrey County Council Land and Property SLT, Procurement, HR, Finance and Legal teams

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SURREY COUNTY COUNCIL

CABINET

DATE: 29 MARCH 2022



REPORT OF: BECKY RUSH, DEPUTY LEADER AND CABINET MEMBER FOR FINANCE AND RESOURCES

LEAD OFFICER: LEIGH WHITEHOUSE, DEPUTY CHIEF EXECUTIVE AND EXECUTIVE DIRECTOR FOR RESOURCES (\$151 OFFICER)

SUBJECT: 2021/22 MONTH 10 (JANUARY) FINANCIAL REPORT

ORGANISATION STRATEGY: GROWING A SUSTAINABLE ECONOMY SO EVERYONE CAN BENEFIT/TACKLING HEALTH INEQUALITY/ENABLING A
 PRIORITY AREA: GREENER FUTURE/EMPOWERING COMMUNITIES

Purpose of the Report:

This report provides details of the County Council's 2021/22 financial position as at 31st January 2022 (M10) for revenue and capital budgets, and the expected outlook for the remainder of the financial year.

Key Messages – Revenue

- **At M10, the Council is forecasting a full year £0.6m forecast surplus** against the revenue budget, an improvement of £4.6m from M9.
- The improvement mainly relates to improvements in ASC of £4.2m and in CFL of £0.5m.

The details are shown in Annex 1 and summarised in Table 1.

- Despite the forecast of a balanced outturn, it is still the expectation that Directorates continue to make efforts to manage spends within their budget envelopes, particularly where actions will impact on the deliverability of the 2022/23 budget.

Key Messages – Capital

- The M10 position shows a forecast spend of £169.1m against a budget of £170.6m, £1.5m less than the budget.
- Details are set out in paragraphs 11 to 14 and Table 3.

Recommendations:

It is recommended that Cabinet:

1. Note the Council's forecast revenue and capital budget positions.
2. Approve the Empty Homes funding request from Guildford Borough Council of £696,298, as outlined in paragraphs 15-19.
3. Approve £2.8m of revenue expenditure on the Changing Futures programme in Public Health which is fully grant funded by the Department of Levelling Up, Housing and

Communities (DLUHC), and the Lottery Fund as outlined in paragraphs 20-26 of this report.

4. Approve the transfer of the revenue surplus of Busbridge Infant School to the successor sponsored academy as outlined in paragraphs 27-28 of this report.
5. Approve the transfer of the closing surpluses of the two closed schools named in para 29 to the newly opened St Jude's CE Infant School, in order that the funds might continue to benefit the children and locality to which they were originally allocated.

Reason for Recommendations:

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

Revenue Budget:

1. **At M10, the Council is forecasting a full year £0.6m surplus against budget.**
2. Table 1 below shows the forecast revenue budget outturn for the year by service.

Table 1 - Summary revenue budget forecast variances as of 31st January 2022

Directorate	2021/22 YTD M10 - Budget	2021/22 YTD M10 - Actual £m	21/22 Outturn Forecast at M10 £m	Annual Budget £m	Forecast Variance £m	Change in forecast since last month £m
Adult Social Care	317.6	324.6	378.8	380.3	(1.5)	(4.2)
Public Service Reform & Public Health	26.5	26.0	34.1	34.1	0.0	0.0
Children, Families and Lifelong Learning	201.6	203.7	229.3	220.0	9.2	(0.5)
Comms, Public Affairs & Engagement	1.4	1.4	1.7	1.7	0.0	0.0
Community Protection Group	31.5	34.7	38.9	37.7	1.1	0.4
Customer & Communities	9.7	8.6	11.2	11.6	(0.4)	(0.0)
Environment, Transport & Infrastructure	112.5	106.2	129.4	135.0	(5.6)	0.0
People & Change	5.5	5.1	6.6	6.6	(0.0)	(0.1)
Prosperity Partnerships & Growth	1.1	1.0	1.3	1.3	0.0	0.0
Resources	58.8	62.2	71.2	70.8	0.4	(0.3)
Central Income & Expenditure	46.3	14.9	76.8	76.8	0.0	0.0
Total before DSG High Needs Block Offset	812.5	788.3	979.3	976.0	3.4	(4.6)
DSG High Needs Block Offset	0.0	0.0	35.0	32.8	2.2	0.0
Total Budget Envelopes	812.5	788.3	1,014.4	1,008.8	5.6	(4.6)
Central Funding	(815.4)	(817.2)	(1,015.0)	(1,008.8)	(6.2)	0.0
Overall after central funding	(2.9)	(28.9)	(0.6)	0.0	(0.6)	(4.6)

Note: Numbers have been rounded which might cause a difference.

3. The **forecast Directorate underspend of £0.6m** predominantly consists of:
 - **Adult Social Care (ASC)** : Forecasting an underspend of £1.5m in 2021/22, an improvement of £4.2m from M9. The £1.5m underspend is due to care package expenditure pressures driven primarily by the pandemic which are being offset by £10.6m of one-off or temporary net financial benefits. The £4.2m improvement is due largely to increased income from the NHS related to disputed Continuing Health Care cases, £4m of which is one-off.
 - **Children, Families and Lifelong Learning (CFL) Non DSG** – The £9.2m forecast overspend (£0.5m improvement from M9) mainly consists of £3.2m forecast overspend within Area and CWD staffing budgets, £2.3m increase in

Special Educational Needs and Disabilities (SEND) home to school transport due to numbers of pupils and inflationary increases since September (SEND home to school transport is a non-DSG cost), 2.3m forecast overspend on external residential placements and £1.7m overspend in CWD care due to levels of demand. A CFL Finance Action Plan has been developed and a number of actions are either underway or being investigated to mitigate, as far as possible, the pressures within CFL outside of SEND. The focus is on staffing pressures and placement costs. Other mitigations being undertaken include the application of Troubled Families grant (£0.6m).

Risks were previously quantified and captured within monthly monitoring to give as early warning as possible around variations. Both the DSG High Needs block overspend (below), and Transport variances declared in Month 9 were previously identified as risks.

- **Community Protection Group (CPG):** The £1.1m overspend (£0.4m increase from M9) is primarily due to an unfunded national firefighters pay award and other Fire service pressures £0.6m, and historic and special inquest costs in the Coroner's service £0.6m.
- **Environment, Transport & Infrastructure (ETI):** The £5.6m forecast underspend (no change from M9) mainly relates to: £4.2m due to improved recycling prices, £2.5m Highways income and savings, offset by smaller pressures including bus service support and costs in the Environment service.
- **Resources :** The £0.4m forecast overspend (£0.3m improvement from M9) is due mainly to the non-achievement of efficiencies in Business Operations (part of the Orbis Joint Operating Budget) and ongoing pressures in Legal Services due to high external legal fees. These are partially offset by increased income in Finance, a projected underspend in IT&D and vacancies in the Transformation & Strategic Commissioning team.
- **DSG High Needs Block (HNB) –** The £2.2m forecast overspend (no change from M9) is mainly due to revised estimates of cost containment and in-year mitigations but also includes an additional £0.5m of costs linked to change in provision - mainly alternative provision with schools finding it difficult to settle children after absences, plus new placements likely to occur before year end.

Further details on the in-year position are set out below.

DSG update

The table below shows the projected forecast year end outturn for the HNB. The forecast has not moved from month 9. The forecast remains in excess of the budgeted contingency so there is a variance in the Directorate.

Table 2 - DSG HNB Summary

2021/22 DSG HNB Summary	
	£'m
DSG High Needs Block Grant (exc Academies)	156.5
Forecast outturn	191.5
Deficit/(surplus)	35.0
Budgeted overspend	(23.8)
Deficit/(surplus)	11.2
High Needs Block contingency budget	9.0
Overspend after release of contingency budget	2.2

4. As well as the forecast variance, there remains a further risk of £1.4m for this financial year. That consists of £1.1m of mitigations and cost containment which may not be delivered and £0.3m linked to potential additional growth. The reason for the in-year overspend:
- £5.4m of cost containment is unlikely to be delivered, mainly the coming home project which has resulted in a reduction in social care rather than high needs costs, a team has been set up to develop plans for 2022/23 and this is reflected in the MTFS;
 - Partly offset by £3.3m of in year mitigations identified to offset reduced cost containment;
 - In year placement change and tribunal, which were contained to £4.8m compared to the estimated £7m to £9m;
 - Full Year effect of 2021/22 placements after budget setting of £4m

Covid-19 update

5. For M10 the Directorates forecast a **gross impact from Covid-19 of £107.9m** (which is a £0.7m increase from M9)
6. This is offset by **£80.2m of specific grants** (a £0.9m increase from M9). The majority of the increase from M9 was due to a £0.8m increase in the Practical Support Payment grant.
7. Directorates can absorb £21.8m within existing budgets (unchanged from M9).
8. **A balance of £5.9m is therefore currently flagged as the net impact of Covid-19 on the budget** (a £0.2m decrease from M9). This will be absorbed within the Covid-19 funding released into Central Funding at M9.
9. The Covid-19 funding released from reserve will be held centrally to avoid changing Directorate budget envelopes in the closing stages of the year, and whilst the final Covid-19 outturn position is determined
10. The reset at M9 leaves £4.9m in reserve for future Covid-19 risks.

Capital Budget

11. Forecast of £169.1m; £1.5m less than the reset budget of £170.6m. The net position at M10 mainly relates to slippage and reprofiling of £1.2m and an underspend of £0.3m

12. M9 forecasts were used to reset the budget for 2021/22 to provide a stable and deliverable budget for the remainder of the year after Strategic Capital Groups carried out detailed analysis of deliverability.
13. Table 3 below provides a summary of the forecast full-year outturn at M10.

Table 3 - Summary Capital Budget

Strategic Capital Groups	M10 Outturn Forecast £m	Budget Reset £m	Forecast Variance £m
Property			
Property Schemes	54.9	54.9	0.0
ASC Schemes	1.5	1.5	(0.0)
CFLC Schemes	0.5	0.5	0.0
Property Total	56.9	57.0	(0.0)
Infrastructure			
Highways and Transport	86.4	86.9	(0.5)
Infrastructure and Major Projects	5.1	5.7	(0.6)
Environment	5.0	5.4	(0.4)
Community Protection	1.9	1.9	0.0
Infrastructure Total	98.5	99.9	(1.5)
IT			
IT Total	13.7	13.7	0.0
Total	169.1	170.6	(1.5)

14. The variance of £1.5m from the Budget Reset / M9 mainly relates to:
- Infrastructure & Major Projects - £0.6 slippage on Farnham improvement schemes. The installation of traffic and HGV signs has been delayed pending investigation of lower cost alternatives, which are expected to be implemented in 2022/23.
 - Highways and Transport - £0.5m slippage, primarily schemes deferred pending a change in highway contractor.
 - Environment - £0.4m of which £0.3m slippage, mainly due to delayed commons consent for flood alleviation works.

Empty Homes Proposal

15. On the 24 November 2020 Cabinet approved the Empty Homes proposal, which is aimed at reducing the number of empty properties across the county. It allows District and Borough Councils who change their empty homes policies to qualify for reimbursement of SCC's share of the additional council tax raised. We have received applications relating to 2019,2020 and 2021 from Guildford Borough Council with a total value of **£696,298**. In-line with the internal process "approval will be granted by SCC's S151 officer in consultation with the Executive Director and Cabinet Member responsible for the service that the proposal aligns with. In addition, applications in excess of £500k will be taken to Cabinet for formal ratification before being approved".

16. The proposals (covering the 3 years) consist of 2 elements:

a. **£480,000** for flood alleviation modelling

This is to progress flood modelling work with the Environment Agency (EA) and Surrey County Council (SCC) centred on Guildford Town. It involves considering design options for Flood Defences for the town centre, then moving onto options appraisals. This process results in a recommendation for an option(s) to be delivered. The EA will then develop the project in sufficient detail to allow a planning application to be made, to secure funding and to allow the award of a construction contract for works that will enable homes to be protected and the sites for new homes to be enabled.

The total budget for this work is £840,000 and will cover activities to summer 2023. The Environment Agency have asked the local authorities for a 50% contribution. SCC have agreed to contribute £50,000 given the role as Lead Local Flood Authority and Guildford Borough Council would like to contribute £480,000, which they would like to be funded through this empty properties bid.

b. **£216,298** for 3 smaller climate change projects which cover -

- i. Electric vehicle infrastructure at the Council depot to provide power points and cabling to help with fleet decarbonisation
- ii. Supporting a 2-year fixed term contract climate change officer
- iii. Development of a sustainability strategy to sit alongside the emerging Guildford Town Centre Masterplan. The need to progress this relates to the breach in air quality standards that means the town centre has been declared an Air Quality Management Area (AQMA).

17. All of the above are under the climate change priority and as such have been reviewed by staff including the Environment Group Commissioning Manager, the Executive Director for Environment Transport and Infrastructure and approved by the Cabinet Member for Environment.

18. Additional Council Tax was raised through these measures and the redistribution has been assumed within the budget for council tax income.

19. The application has also been approved from a Finance perspective by the Section 151 Officer and the Deputy Leader and Cabinet Member for Finance and Resources.

Changing Futures grant funded programme

20. In reply to a national Expression of Interest (EOI) for a Changing Futures Programme issued by (DLUHC) and the Lottery Fund and the submission of Delivery Plan, Surrey and its system-wide partners were chosen from ninety-seven national proposals as one of fifteen areas to be awarded a Changing Futures grant. Surrey has been awarded £2.8m of funding to be spent by 31 March 2024.

21. The Changing Futures programme focuses on supporting people with multiple disadvantages who have three or more of the following adversities:

- substance misuse.

- mental health.
 - homeless or at risk of homelessness.
 - contact with criminal justice system.
 - victim or perpetrator of domestic abuse.
22. The programme is being co-ordinated by the Health and Wellbeing Team in SCC's Public Health service. The team will put in place local initiatives to monitor and evaluate progress towards improved outcomes for individuals with multiple disadvantages, as well as more broadly improve the services and systems to support them.
23. The Changing Futures programme directly supports Priority One of Surrey's Health and Wellbeing Strategy to improve health outcomes for those experiencing multiple disadvantages, and as such contributes to the overarching ambition of the council's strategy to reduce health inequalities so that "no-one is left behind".
24. The formulation of the programme has involved extensive consultation and engagement with the full range of partners and stakeholders involved with the areas of multiple disadvantages outlined above. This has included people with lived experience of multiple disadvantages, the voluntary, community and faith sector, NHS partners, Surrey's District and Borough councils, specialist support service providers, housing providers, the police and government institutions. Key areas of planned expenditure drawn up through this engagement include:
- Voluntary and Community Sector Workforce co-development regarding the introduction of a Trauma Informed Culture addressing stigma and including the appointment of a Clinical Psychologist and delivery of Trauma Informed Training Programme.
 - Co-developing a service specification, risk stratification and an Alliance Partnership Framework for the delivery of an innovative person-centred Trauma Informed Outreach Support Service ("Bridge the Gap") to be provided to an estimated 300 beneficiaries per annum through established homeless, mental health and domestic abuse charities (This element of the Changing Futures Delivery Plan will represent approx. 50% of the total funding).
 - Appointing an independent co-ordinator to provide leadership and develop a Changing Futures Outcomes Delivery Board with the voluntary and community alliance partners.
 - Resourcing to allow Surrey's wider system the opportunity to implement strategies for people including those with co-occurring mental health and substance misuse issues.
 - Using the local and national monitoring, reporting and evaluation of outcomes from the Changing Futures programme to inform sustainable local and national initiatives to reducing the numbers experiencing multiple deprivation who end up in crisis.
25. There are robust governance arrangements in place for the Changing Futures Programme, with regular reporting to:
- Surrey Adults Matters (SAM/ MEAM) Steering Group.

- Multi Agency Group for the Prevention of Homelessness and Rough Sleeping (MAG).
- Housing Needs Teams of the eleven Districts and Boroughs.
- Highlight reports are provided quarterly to the Prevention and Wider Determinants of Health Board and the Health and Wellbeing Board.
- National Changing Futures Programme Board.

26. Based on the Changing Futures Delivery Plan it is currently estimated that £1.5m of grant funds will be spent in the 2022/23 financial year and the remaining £1.3m in the 2023/24 financial year, although the timing of spending will vary to some extent as the programme continues to develop. The grant conditions dictate that all funds should be spent by 31 March 2024, although SCC's PH service will apply to funders for an extension beyond this date if this is considered necessary to ensure funding is utilised most effectively.

Busbridge Infant academy conversion and approval of surplus balance transfer

27. Busbridge Infant School is scheduled to convert to a sponsored academy on 1 April 2022, following an OFSTED judgement of Inadequate in October 2021. When a school converts to a sponsored academy in this way, the LA may, but is not automatically required to, transfer any revenue and capital surplus to the successor academy trust (whereas the transfer is mandatory where a school converts to an academy by choice). The school's estimated revenue surplus at the end of March 2022 is £78k and the estimated capital surplus is currently nil. Any surplus balances would have been retained and carried forward by the school had it not converted to a sponsored academy.
28. Cabinet is requested to approve the transfer of these surpluses to the successor academy. This will allow them to continue to be used for the benefit of the same school and community for which the funding was originally allocated and to support the school improvement activity required.

Allocation of surplus of two closed schools to the newly opened St Jude's CE Infant School

29. At the end of July 2021 two Surrey maintained schools were closed (Englefield Green Infant School and Christ Church CE Infant School) and a new Aided maintained school (St Judes CE Infant School) was opened on the site of the former Englefield Green Infant School. The estimated closing revenue surpluses of the two closing schools totalled £208k and the school finance regulations allow the LA to transfer the surpluses of closed schools to a new successor school, but do not compel the LA to do this. However, by transferring the surpluses to the successor school, the surpluses can be spent on the same children and community for which the funding was intended. The merger was intended to provide more sustainable local provision in an area where there was (and indeed remains) a significant number of unfilled places. Furthermore, there were costs involved with the merger and with the integration of the two former schools into one, which the schools have had to absorb.

30. It is recommended that the surplus of the two closed schools is allocated to the newly opened St Jude's CE Infant School, in order that they might continue to benefit the children and locality to which they were originally allocated.

Consultation:

31. Executive Directors and Cabinet Members have confirmed the forecast outturns for their revenue and capital budgets.

Risk Management and Implications:

32. Risk implications are stated throughout the report and each relevant director or head of service has updated their strategic and or service risk registers accordingly. In addition, the Corporate Risk Register continues to reflect the increasing uncertainty of future funding likely to be allocated to the Council and the sustainability of the Medium-Term Financial Strategy. In the light of the financial risks faced by the Council, the Leadership Risk Register will be reviewed to increase confidence in Directorate plans to mitigate the risks and issues.

Financial and Value for Money Implications:

33. The report considers financial and value for money implications throughout and future budget monitoring reports will continue this focus.

Section 151 Officer Commentary:

34. Although significant progress has been made to improve the Council's financial position, the medium term financial outlook beyond 2022/23 remains uncertain. With no clarity on central government funding in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the Council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.
35. The Council has a duty to ensure its expenditure does not exceed the resources available. The Section 151 Officer confirms the financial information presented in this report is consistent with the Council's general accounting ledger and that forecasts have been based on reasonable assumptions, taking into account all material, financial and business issues and risks.

Legal Implications – Monitoring Officer:

36. The Council is under a duty to set a balanced and sustainable budget. The Local Government Finance Act requires the Council to take steps to ensure that the Council's expenditure (that is expenditure incurred already in year and anticipated to be incurred) does not exceed the resources available whilst continuing to meet its statutory duties.
37. Cabinet should be aware that if the Section 151 Officer, at any time, is not satisfied that appropriate strategies and controls are in place to manage expenditure within the in-year budget they must formally draw this to the attention of the Cabinet and Council and they must take immediate steps to ensure a balanced in-year budget, whilst complying with its statutory and common law duties.

Equalities and Diversity:

38. Any impacts of the budget monitoring actions will be evaluated by the individual services as they implement the management actions necessary. In implementing individual management actions, the Council must comply with the Public Sector Equality Duty in section 149 of the Equality Act 2010 which requires it to have due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
39. Services will continue to monitor the impact of these actions and will take appropriate action to mitigate additional negative impacts that may emerge as part of this ongoing analysis.

What Happens Next:

The relevant adjustments from the recommendations will be made to the Council's accounts.

Report Author:

Leigh Whitehouse, Executive Director of Resources, leigh.whitehouse@surreycc.gov.uk

Consulted:

Cabinet, Executive Directors, Heads of Service

Annex:

Annex 1 – Forecast revenue budget as at 31st January 2022

Forecast revenue budget as of 31st January 2022

Service	Cabinet Member	Year to date Budget £m	Year to date Actual £m	Year to date variance £m	Full Year Gross budget £m	Full year net budget £m	Full Year net forecast £m	Full year net forecast variance £m
Education and Lifelong Learning	D Turner-Stewart	38.5	42.3	3.8	199.7	21.9	22.0	0.0
Family Resilience	C Curran	28.3	25.6	(2.7)	36.2	33.3	35.7	2.4
Corporate Parenting	C Curran	85.0	84.3	(0.6)	116.6	103.7	108.0	4.3
Quality and Performance	C Curran	7.8	7.5	(0.3)	11.1	9.4	9.5	0.1
Commissioning	C Curran / D Turner-Stewart	42.1	44.3	2.2	132.4	51.9	54.3	2.4
CFLC Exec Director	C Curran	(0.1)	(0.3)	(0.2)	(0.2)	(0.2)	(0.3)	(0.1)
Children, Families and Lifelong Learning		201.6	203.7	2.1	495.9	220.0	229.3	9.2
Public Health	S Mooney	25.9	25.4	(0.5)	33.4	33.4	33.4	0.0
Insight & Analytics	S Mooney	0.6	0.6	0.0	0.8	0.7	0.7	0.0
Public Health and PSR		26.5	26.0	(0.5)	34.2	34.1	34.1	0.0
Adult Social Care	S Mooney	317.6	324.6	6.9	517.6	380.3	378.8	(1.5)
Highways & Transport	M Furniss	48.6	43.7	(4.9)	71.3	58.3	56.1	(2.2)
Environment	M Heath/ N Bramhall	61.3	58.0	(3.2)	75.9	73.5	69.8	(3.7)
Infrastructure, Planning & Major Projects	M Furniss	2.3	2.3	0.0	5.2	2.8	2.7	(0.1)
Leadership Team	M Furniss	0.3	0.6	0.3	0.4	0.4	0.8	0.4
Environment, Transport & Infrastructure		112.5	104.7	(7.8)	152.8	135.0	129.4	(5.6)
Fire and Rescue	K Deanus	26.5	29.0	2.6	36.1	31.7	32.4	0.6
Trading Standards	K Deanus	1.7	1.6	(0.1)	3.9	2.0	1.9	(0.1)
Emergency Management	K Deanus	0.4	0.4	(0.1)	0.5	0.5	0.5	(0.0)
Health & Safety	K Deanus	0.2	0.3	0.1	0.7	0.3	0.3	(0.0)
Armed Forces & Resilience	K Deanus	0.1	0.1	0.0	0.1	0.1	0.1	0.0
Coroners	K Deanus	2.6	3.4	0.8	3.4	3.1	3.8	0.7
Community Protection		31.5	34.7	3.2	44.6	37.7	38.9	1.1
People & Change	T Oliver	5.5	5.1	(0.4)	6.7	6.6	6.6	(0.0)
Communications, Public Affairs and Engag	T Oliver	1.4	1.4	(0.0)	1.7	1.7	1.7	0.0
PPG Leadership	T Oliver	0.2	0.2	0.0	0.3	0.3	0.3	0.0
Economic Growth	T Oliver	0.9	0.7	(0.1)	1.1	1.1	1.1	(0.0)
Prosperity, Partnerships and Growth		1.1	1.0	(0.1)	1.3	1.3	1.3	0.0
Community Partnerships	M Nuti	1.2	1.1	(0.1)	1.5	1.5	1.4	(0.1)
Customer Services	M Nuti	2.3	2.1	(0.2)	2.9	2.7	2.6	(0.2)
AD Culture & Active Surrey	M Nuti	6.1	5.3	(0.7)	17.2	7.2	7.1	(0.1)
Surrey Arts	M Nuti	0.1	0.1	0.0	0.1	0.1	0.1	0.0
Customers and Communities		9.7	8.6	(1.0)	21.7	11.6	11.2	(0.4)
Land and Property	N Bramhall	20.1	20.4	0.3	34.4	24.4	24.4	0.0
Information Technology & Digital	B Rush	8.9	8.8	(0.1)	11.4	10.7	10.5	(0.3)
Business Operations	B Rush	(0.1)	(0.4)	(0.3)	(0.1)	(0.1)	(0.2)	(0.1)
Joint Orbis	B Rush	14.0	16.5	2.4	16.9	16.9	17.6	0.8
Finance	B Rush	4.9	3.6	(1.3)	11.7	5.9	5.8	(0.2)
Legal Services	B Rush	4.1	4.5	0.5	5.3	4.9	5.3	0.5
Democratic Services	B Rush	3.0	3.0	0.0	3.8	3.6	3.6	(0.0)
Executive Director Resources	B Rush	2.1	4.5	2.4	2.6	2.5	2.5	0.0
Twelve15	B Rush	(1.7)	(1.9)	(0.2)	19.6	(1.9)	(2.1)	(0.1)
Corporate Strategy and Policy	B Rush	1.8	1.8	(0.1)	2.4	1.9	1.8	(0.1)
Transformation and Strategic Commissioning	B Rush	1.2	0.9	(0.3)	1.4	1.4	1.3	(0.1)
Performance Management	B Rush	0.2	0.1	(0.0)	0.2	0.2	0.2	(0.0)
PPE	B Rush	0.3	0.3	(0.0)	0.4	0.4	0.4	0.0
Resources		58.8	62.2	3.3	109.9	70.8	71.2	0.4
Corporate Expenditure	B Rush	46.3	14.9	(31.5)	113.5	76.8	76.8	0.0
Total before DSG High Needs Block Offset		812.5	788.3	(24.2)	1,499.9	976.0	979.3	3.4
DSG High Needs Block Offset		0.0	0.0	0.0	32.8	32.8	35.0	2.2
Total Budget Envelopes		812.5	788.3	(24.2)	1,532.8	1,008.8	1,014.4	5.6
Central funding		(815.4)	(817.2)	(1.8)		(1,008.8)	(1,015.0)	(6.2)
Total Net revenue expenditure including DSG HNB		(2.9)	(28.9)	(26.0)	1,532.8	0.0	(0.6)	(0.6)

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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