

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 26 APRIL 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
*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:

Catherine Baart, Local Member for Earlswood and Reigate South
Jonathan Essex, Local Member for Redhill East and Green Party Group
Leader
Lance Spencer, Local Member for Goldsworth East and Horsell Village
Nick Darby, Local Member for The Dittons, Residents' Association and
Independent Group Leader
Chris Townsend, Local Member for Ashtead and Vice Chairman of the
Children, Families, Lifelong Learning & Culture Select Committee

**PART ONE
IN PUBLIC**

65/22 APOLOGIES FOR ABSENCE [Item 1]

There were none.

66/22 MINUTES OF PREVIOUS MEETING: 29 MARCH 2022 [Item 2]

These were agreed as a correct record of the meeting.

67/22 DECLARATIONS OF INTEREST [Item 3]

There were none.

PROCEDURAL MATTERS [Item 4]

68/22 MEMBERS' QUESTIONS [Item 4a]

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

Jonathan Essex asked what the council was planning to do in light of the government planning to take away charging for recycling and if the council had received any government funding for pilot schemes to deal with fly tipping. The Cabinet Member for Environment confirmed that the council had not received any funding for improvements to fly tipping. To take construction waste would also require a change in legislation and this waste was very different from DIY waste. The council's aim is to increase recycling where it can.

With regards to her first question Catherine Baart stated that large expanses of verges and particularly rural verges were not suitable for the Blue Hearts campaign. Within the extension period, it was queried what the council was doing differently in comparison to last year with district and boroughs in regards to verge cutting. The Cabinet Member for Transport and Infrastructure explained that the amount of cutting with district and boroughs had been reduced with the district and boroughs being encouraged to mow after the wildflower season. Whether the district and boroughs comply with the cutting is their choice but the council was looking at options to extend the contract for one year.

With regards to her third question, Catherine Baart queried if there was an opportunity to put on a commercial bus to Woodhatch which non staff could use. The Leader explained that the priority was to establish transport for those that wanted it from the two stations but if there is an option to make this a commercial service then that would be explored. With regards to her final question, it was queried when the service would expect to hit the statutory target with Education Health and Care Plans. The Cabinet Member for Education and Learning stated that improving the outcomes and experiences for children and families was one of our highest priorities and strategies around increasing inclusiveness of mainstream education had helped to meet the needs of the majority of children and had improved the experiences of EHCP assessments. There was a programme to build capacity and capability within the service and with our partners.

With regards to his first question, Lance Spencer queried what the average time for a school appeal to take place was and whether the panel could just consist of members. The Cabinet Member for Education and Learning said that since the beginning of the year eight panels had been organised. Three had been cancelled and five had taken place. The cancellations were due to member availability and the new proposals for a panel including officers would make the panel process more efficient and fluid. The proposals were about ensuring that delays are minimised and the impact on families is reduced because it clearly caused distress and frustration. Changing the panels would also enable remote meetings whereby more members could attend.

With regards to his second question, Lance Spencer asked if there were any plans to get greater engagement with residents on the overall Surrey Transport plan over the next 12 months as engagement seemed to be low. The Cabinet Member for Transport and Infrastructure explained that a representative sample had been taken but that other consultations such as the greener futures consultation, which referenced transport elements would be transferred across. Further engagement and consultation would be taking

place as we go through with the communities where specific initiatives are progressed. With regards to his final question, Lance Spencer queried if there were still plans in place to have a parallel carbon budget in place for 2023-2024. The Cabinet Member for Environment confirmed that this was the intention and would be managed by the Director for Environment and Carbon Economics Programme Manager. The Cabinet Member would provide the member with an update via email.

69/22 PUBLIC QUESTIONS [Item 4b]

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

Malcom Robertson thanked the Cabinet Member for the original response to his question. He went onto ask how much gas oil had been used by the anaerobic digester and incinerator since they first commenced operation and how much waste has been handled by each plant since the beginning. The Cabinet Member for Property and Waste explained that she would have to find out how much gas oil had been used with the anaerobic digester and gasifier and how much waste has gone through both. The Cabinet Member would contact the questioner with a written response.

Paul Kennedy queried what was being done to make the EHCP review less stressful for parents and schools. The Cabinet Member for Education and Learning stated that the council was prioritising and focusing on the EHCP process. Capacity and capability was being built into the system and work was being undertaken with partners to make sure that assessments are made in a timely fashion and in an appropriate way. The council was working with Family Voice Surrey on improving interactions with parents and communications and engagement.

70/22 PETITIONS [Item 4c]

There were none.

71/22 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

There were none.

72/22 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

The report was introduced by the Vice-Chairman of the Children, Families, Lifelong Learning & Culture Select Committee who explained that the recommendations of the Select Committee had cross party support. The Vice-Chairman was concerned that recommendation 1d, 'that there be no change to the appeals panel membership' had been ignored by the Cabinet. Results from the public consultation were also in support for keeping the panel membership with members. The Cabinet Member for Education and Learning explained that the panel process would include officers going forward as there had been delays in holding panel meetings due to member availability. The priority of the appeals process was to ensure efficiency for families and including officers would ensure this. The Leader explained that there was no expectation that the second stage of the appeals panel would be filled with

just officers. The aim was to speed up the appeals process and intention was to ensure that councillors remain a key component of appeal hearings and this change was not proposing to withdraw councillors from the appeals process.

RESOLVED:

That the report from the Select Committee regarding the Home to School travel assistance policy be noted. The response from the Cabinet was published as a supplement to the agenda.

73/22 LEADER / DEPUTY LEADER / CABINET MEMBER/ STRATEGIC INVESTMENT BOARD/COMMITTEES IN COMMON SUB-COMMITTEE DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 6]

There were seven decisions for noting.

RESOLVED:

That the decisions taken since the last Cabinet meeting be noted.

74/22 CABINET MEMBER OF THE MONTH [Item 7]

The report was introduced by the Cabinet Member for Children and Families. The following key points were made:

- Explained that she had political responsibility for the leadership, strategy and effectiveness of the local authorities children's services and was responsible for ensuring that the council addresses the needs of all children and young people, including the most disadvantaged and vulnerable.
- An inspection took place of the Youth Offending Service (YOS) by HM Inspectorate of Probation (HMIP) in November. The final report resulted in a "good" grading and the service has gone from "inadequate" to "good" since the previous inspection in 2019.
- Ofsted inspectors rated the council as good in their recent report. This means that the Council was now out of a statutory intervention. This means that oversight by the Department for Education and by Ofsted had changed to reflect this, and a letter from the Minister of State to confirm that status has been received. The government now had confidence in Surrey that the council can continue on its own improvement journey. In their report Ofsted mentioned the strong and effective and productive multi agency and multidisciplinary work being undertaken.
- There were six key recommendations for priority areas of improvement in Ofsted's report. The council must continue unrelented focus on the quality of frontline social work practice.
- Recruitment and retention of staff was a real challenge, not just for Surrey but for all authorities across the country.
- The Mindworks Surrey Alliance is just finishing its first year of operation. This has focussed on managing the competing demands of mobilising a new service, reducing legacy waiting lists, dealing with the impact of the pandemic and developing the partnership to realise the ambitions set out in the Surrey Children and Young People's

Emotional Wellbeing and Mental Health (EWMH) Strategy. While some progress has definitely been made and things are in a better place, it was recognised there is still more to be done to deliver a timely and effective service to all those children and young people who need it.

- Thanks was given to all the staff who work with children and young people in Surrey including those who work in the wider children's systems, be that in schools and nurseries, health, police, youth work and foster care.

Concerns were raised by the Residents' Association and Independent Group Leader and Green Party Group Leader that a Surrey children's care home had been closed following emergency intervention and members had not been briefed on this. The Leader explained that this was an operational matter which was important but that this was not the forum for this matter to be discussed. The Vice-Chairman of the Select Committee explained that a session on the matter had been organised with the Select Committee.

RESOLVED:

That the Cabinet Member of the Month report be noted.

75/22 A DEVOLUTION DEAL FOR SURREY [Item 8]

The report was introduced by the Deputy Cabinet Member for Levelling up who explained that in February a levelling up paper was welcomed from government. A deal would devolve more powers to local government in Surrey from Whitehall so that we could better deliver on our no one left behind ambition. Securing devolution of additional powers through a county deal for Surrey not only brings greater powers, but also opportunities for flexibility to both the council and partners. Since publication of the levelling up white paper, the council has continued to engage with local partners to explore the opportunities that a devolution deal presents for Surrey. A Surrey Delivery Board has been established as a key stakeholder group of all tiers of local government which will be used in the development and delivery of a county deal. Following the meeting the council would be writing to ministers and department officials requesting they engage with the council at the earliest opportunity so that Surrey can benefit from the right county deal as soon as possible.

The Leader explained that the expectation was that the white paper becomes a bill announced in the Queens speech. Speaking on the item, the Residents' Association and Independent Group Leader stated that it was important that the proposals are carefully considered with members.

RESOLVED:

1. That Cabinet supports the approach set out to develop a Devolution Deal for Surrey, to accelerate and better enable work to tackle inequalities in Surrey.

2. That Cabinet reaffirms the Council's commitment to ensuring No One is Left Behind and note the strong alignment to the Government's Levelling Up agenda.
3. That Cabinet endorses the approach and plan for further engagement with local partners and key stakeholders to support development of a devolution proposal for Surrey.
4. That Cabinet supports the intention to engage with the Surrey Delivery Board as a key stakeholder group in developing and shaping a comprehensive devolution deal for the benefit of Surrey's residents, communities, and businesses.
5. That Cabinet delegates authority to the Executive Director for Partnerships, Prosperity, and Growth to lead engagement with the Department for Levelling Up, Housing and Communities on the devolution proposal following consideration by Cabinet, and to take other necessary steps in consultation with the Leader of the Council and the Deputy Cabinet Member for Levelling Up.

Reasons for Decisions:

The Government's Levelling Up White Paper presents a rare opportunity for the council to pursue a devolution deal for Surrey that will bring new powers, freedoms and flexibilities, better enabling the council to deliver for residents against its organisational priorities and work towards its ambition of No One Left Behind.

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

76/22 SURREY'S GREENER FUTURES GRANT PROGRAMMES [Item9]

The report was introduced by the Cabinet Member for Environment who explained that the report was asking Cabinet to approve the receipt of funding into the Council's capital pipeline from Government net zero carbon grant funding programmes, specifically the Public Sector Decarbonisation Scheme (PSDS3) and the Sustainable Warmth Programme (which includes the Green Homes Grant Local Authority Delivery (GHGLAD3) and Home Upgrade Grant (HUG1)). Cabinet was also asked to note the use of match funding of up to £1.367m, in relation to the PSDS3 grant to replace fossil fuel boilers with heat pumps. Referring to Annex 2 and specifically Keswick care home, the Cabinet Member stated that all the listed buildings would be assessed to ensure teams were not working in silo. The member reference group and Select Committee would be kept updated on progress on this work.

RESOLVED:

1. That Cabinet approves the receipt of funding into the Council's capital pipeline from Government net zero carbon grant funding programmes, specifically the Public Sector Decarbonisation Scheme (PSDS3) and the Sustainable Warmth Programme (which includes the Green

Homes Grant Local Authority Delivery (GHGLAD3) and Home Upgrade Grant (HUG1))

2. That Cabinet notes the use of match funding from the approved Corporate Capital Maintenance Programme, subject to the Capital Programme Panel (CPP) approving business cases for individual sites.
3. That Cabinet approves the request to competitively procure the Sustainable Warmth Programme and PSDS3 services under separate contracts, in accordance with the Council's Procurement and Contracting Standing Orders.
4. That Cabinet approves the receipt of future funding schemes for the purposes of delivery of the Greener Futures ambition, including future tranches of the PSDS schemes and Sustainable Warmth programmes as well as, but not limited to, the schemes included in Annex 1. Receipt of funding will be subject to Capital Programme Panel approval.

Reasons for Decisions:

The recommendations in this report will enable the Council to:

- Draw down Government funding of £13.15m. This includes £2.652m from PSDS3 to decarbonise buildings in the SCC estate and schools and £10.5m from the Sustainable Warmth Programme, which includes £8.3m for GHLAD3 and £2.2m for HUG1, which will be used to decarbonise homes of residents on low incomes.
- Be as agile as possible to maximise the attraction of future external grant funding sources.

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

77/22 SUPPORTED INDEPENDENT LIVING PROGRAMME - BATCH 1 DEVELOPMENT [Item 10]

The report was introduced by the Cabinet Member for Adults and Health who explained that Cabinet were being asked to approve £24m of capital funding for the design and construction of three purpose-built Supported Independent Living (SIL) schemes in Byfleet, Horley and Cobham. The schemes will deliver high-quality, specialist residential accommodation for working age adults with learning disabilities and/or autism to enable these residents to lead more independent lives. Since July 2019 there were 1075 people with a learning disability and/ or autism living in residential care but this has reduced to 922 due to the councils transformative agenda. A reduction of 14%.

The Cabinet Member for Property and Waste commented that all accommodation had been designed to be adapted for residents with 60% of the new homes being delivered ready for immediate or future occupation by wheelchair users or residents with complex care needs. A fabric first approach had been applied to the buildings. The designers were orientating the

buildings to make the most of natural daylight, maximise energy generated from solar panels and minimise artificial lighting. These schemes would be designed to deliver energy efficient buildings which will result in lower fuel bills for the residents and meet the Council's operational net zero carbon target.

RESOLVED:

1. That Cabinet approves capital funding of £24m for the design and construction of the SIL Batch 1 accommodation schemes at the former Manor School (Byfleet), the former Horley Library (Horley) and Coveham Hostel (Cobham). The recommended funding of £24m includes £2.1m premium, being a result of achieving Net-Zero Carbon in respect of the specification for Operational Net-Zero Carbon.
2. That Cabinet approves procurement of an appropriate construction contractor partner for the delivery of all associated services required, in accordance with the Council's Procurement and Contract Standing Orders.
3. That Cabinet agrees that in regards to the procurement of the construction contractor, the Executive Director of Resources and the Director of Land and Property are authorised to award such contracts, within the +/- 5% budgetary tolerance level.

Reasons for Decisions:

Approving the recommendations in this report will:

- a) Support the Council to achieve its strategic ambition of reducing the number of people with a learning disability and/or autism requiring support in a traditional residential care home funded by the Council from 1,075 by 40-50%.
- b) Enable residents with learning disabilities and/or autism, who meet the Council's eligibility criteria for adult social care funding, to have their own accommodation and improve their independence and wellbeing.
- c) Support Surrey residents with more complex needs to remain in county, rather than in specialist placements outside of the county.
- d) Make an essential contribution towards the Council's strategic objective to tackle health inequality, in line with the 2030 Community Vision.
- e) Provide purpose-built accommodation at a level of cost proportionate to other delivery options such as buying and converting (or commissioning conversion) stock from the market, therefore demonstrating value for money.
- f) Support the Council's Greener Futures agenda and Net-Zero Carbon ambitions by using innovative technologies and smart build in the schemes design.
- g) Address fuel poverty issues, energy efficient homes will reduce heating costs for vulnerable tenants who pay their own utility bills.

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

78/22 HOME TO SCHOOL/COLLEGE TRAVEL ASSISTANCE POLICY REFRESH [Item 11]

The report was introduced by the Cabinet Member for Education and Learning who explained that Cabinet were being asked for approval to implement a refreshed Surrey County Council Home to School/College Travel Assistance Policy following the conclusion of a 28 working day public consultation between February and March 2022. All Councils were required periodically to review and consult on their home to school travel arrangements. Proactive public engagement and consultation had taken place with parents, carers, schools and colleges and other stakeholders. A copy of the consultation document was mailed to all current home to school travel assistance service users inviting them to respond and four virtual public engagement events were held as well as a FaceBook Live session with Family Voice Surrey. The Children, Families, Lifelong Learning and Culture Select Committee heard in public evidence from expert witnesses in the Council on the proposals and the consultation responses. The Cabinet Member talked through in detail each of the decisions Cabinet was being asked to take.

The Leader explained that the proposals had been considered by Cabinet a number of times and thanked the Cabinet Member and officers for a fair and balanced policy. The Vice-Chairman of the Children, Families, Lifelong Learning and Culture Select Committee stressed the need for the policy changes to be communicated well with parents and schools. There was a short discussion around the change to appeals panels. The Leader confirmed that members would not be removed from the appeals process.

RESOLVED:

1. That Cabinet notes the impacts and mitigations set out in the Equality Impact Assessment (Annex B)
2. That Cabinet notes the outcomes of the engagement with residents and the 28 working day public consultation (Annex C)
3. That Cabinet approves changes to the Home to School/College Travel Assistance policy having considered the above documents (set out in paragraphs 11-51)
4. That Cabinet approves the revised Home to School/College Travel Assistance policy (Annex D)
5. That Cabinet agrees the proposal to produce an enhanced Post 16 Policy Statement and agrees that the Cabinet Member has delegated authority to approve the statement.

Reasons for Decisions:

The H2S TA policy sets out the way in which the Council discharges its statutory and discretionary powers and responsibilities in relation to school and college transport assistance available for pupils aged up to 25 years of age, both with and without additional needs. While Surrey County Council will continue to support those who most need help, the Council must manage increasing costs and demand within the overall resources available. The recommendations set out in this report will increase the options for children and young people who qualify for H2S TA, encourage people to use

environmentally friendly travel and support independent travel as a means of preparing young people for adulthood.

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

79/22 2021/22 MONTH 11 (FEBRUARY) FINANCIAL REPORT [Item 12]

The Deputy Leader and Cabinet Member for Finance and Resources introduced the report explaining that at Month 11 the Council was forecasting a full year £0.6m forecast surplus against the revenue budget. Despite the forecast of a balanced outturn, it was 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. It was explained that the council was receiving £13m of funding from Surrey Heartlands CCG which would be transferred to reserves. £9m of this funding is a contribution towards the c.£12m of additional Adult Social Care care package expenditure that the Council has incurred in 2021/22 driven by the Covid-19 pandemic. The Leader explained that this money was owed to the council from the CCG. The remaining £4m from Surrey Heartlands CCG is part-match funding for the Council's £8m increased investment in Mental Health services for 2022/23.

RESOLVED:

1. That Cabinet notes the Council's forecast revenue and capital budget positions.
2. That Cabinet approves that £13m of funding from Surrey Heartlands Clinical Commissioning Group is transferred to reserves as set out in paragraphs 15 to 17.

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)

80/22 EXCLUSION OF THE PUBLIC [Item 13]

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.

81/22 SUPPORTED INDEPENDENT LIVING PROGRAMME - BATCH 1 DEVELOPMENT [Item 14]

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-13-22]

Reasons for Decisions:

See Exempt Minute [E-13-22]

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

82/22 PUBLICITY FOR PART 2 ITEMS [Item 15]

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

Meeting closed at 15:41

Chairman

Supplementary question: How much gas oil has been used by the anaerobic digester and incinerator since they first commenced operation and how much waste has been handled by each plant since the beginning?

Response: The anaerobic digestion (AD) and gasification facilities at the Surrey Eco Park do not use conventional gas oil as a support fuel. Both facilities use a type of fuel called Multiburn Max which has similar properties to conventional gas oil but produces 3% less greenhouse gas when compared to conventional gas oil. SUEZ state the lower emissions benefit and burning performance of Multiburn Max makes it an ideal fuel for start-up and shut-down of the gasifier and for use in the commercial standby boilers fitted to the AD plant.

Anaerobic Digestion facility

Parts of the AD process need to be maintained at a certain temperature in order to support the bacteria which break down the food waste. SUEZ have indicated that in order to do this, the AD facility at the Surrey Eco Park optimises efficiency of the process by using waste heat from two on site Combined Heat and Power (CHP) biogas engines.

The AD plant has two standby boilers which run on Multiburn Max and provide heat for the process on occasions when the biogas engines are not available, for example during routine planned maintenance, ensuring that the process is not interrupted.

From 16 May 2019 through 30 April 2022, the facility used 94,396 litres of fuel oil. During this same period, the facility processed 67,426 tonnes of food waste.

Gasification facility

Up until the end of March 2022, SUEZ have confirmed that 34,965 tonnes of refuse derived fuel had been processed in the gasifier since it commenced operation. No fuel oil usage figures have been provided by SUEZ for this period for the gasifier as this is not a contractual requirement; however, Suez have stated that fuel use will be measured as part of further performance testing which will take place at 4,000 hours and 8,000 hours. The specification requires that the maximum fuel consumption for one cold start-up of one furnace (LHV of gas oil of 42.65 MJ/kg) is 9,000 kg” and the maximum fuel consumption for one normal stop of one furnace (LHV of gas oil of 42.65 MJ/kg) is 3,000 kg”.

Natalie Bramhall
Cabinet Member for Property and Waste
16 May 2022