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Agenda and Reports
for the meeting of
THE COUNTY COUNCIL
to be held on
13 DECEMBER 2022

Woodhatch Place
Reigate
Surrey

Friday, 2 December 2022

TO THE MEMBERS OF SURREY COUNTY COUNCIL

SUMMONS TO MEETING

You are hereby summoned to attend the meeting of the Council to be held at Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF, on Tuesday, 13 December 2022, beginning at 10.00 am, for the purpose of transacting the business specified in the Agenda set out overleaf.

JOANNA KILLIAN
Chief Executive

***Note 1:** For those Members wishing to participate, Prayers will be said at 9.50am. The Reverend Martin Colton, Vicar of St Mark's Church, Reigate, has kindly consented to officiate. If any Members wish to take time for reflection, meditation, alternative worship or other such practice prior to the start of the meeting, alternative space can be arranged on request by contacting Democratic Services.*

There will be a very short interval between the conclusion of Prayers and the start of the meeting to enable those Members and Officers who do not wish to take part in Prayers to enter the Council Chamber and join the meeting.

***Note 2:** This meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chair will confirm if all or part of the meeting is being filmed. The images and sound recording may be used for training purposes within the Council.*

Generally the public seating areas are not filmed. However by entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the representative of Legal and Democratic Services at the meeting.

If you would like a copy of this agenda or the attached papers in another format, e.g. large print or braille, or another language please either call Democratic Services on 020 8541 9122, or write to Democratic Services, Surrey County Council at Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF, Minicom 020 8541 9698, fax 020 8541 9009, or email amelia.christopher@surreycc.gov.uk

This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Amelia Christopher on 07929 725663 or via the email address above.

1 APOLOGIES FOR ABSENCE

The Chair to report apologies for absence.

2 MINUTES

To confirm the minutes of the meeting of the Council held on 11 October 2022.

(Pages
11 - 54)

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 CHAIR'S ANNOUNCEMENTS

Welcome

Welcome everyone to our last Council meeting of 2022!

I would like to thank you all for your dedication and hard work over the past twelve months to assist our residents and make Surrey an even better place in which to live and work. It has been a very challenging year for many of our residents and unfortunately, circumstances are likely to get even harder for some time yet.

I know, however, that together with our excellent officers in Surrey County Council (SCC), we will continue to do our very best and deliver for our residents.

Stars in Surrey Awards

Which leads me on nicely to the 'Stars in Surrey' Awards – SCC's inaugural awards to recognise and celebrate the efforts and successes of individuals and teams across the council, as well as our partners and heroes in our communities. I had the privilege of sitting on the judging panel which was both awe-inspiring and humbling.

There were a staggering 450 nominations across the length and breadth of the service and county; the commitment, passion and expertise of all those nominated was exceptional.

I would like to take this opportunity to say again a huge and heart-felt 'thank you' to all our winners and nominees. How lucky we are to have you.

Act of Remembrance

On 11 November it was my honour to hold a short Act of Remembrance in the memorial garden at Woodhatch Place. I was joined by Joanna Killian, Chief Executive, members of the Royal British Legion, serving military personnel, members of Surrey Fire and Rescue Service and Members and officers of SCC.

Along with millions of people throughout the country, we paused at 11 o'clock to remember all those who fought and gave their lives in two World Wars - and many other conflicts since - in the service of our country, its values and its freedoms. We paid tribute to the brave soldiers of Ukraine as they continue their fight for freedom. Our thoughts and prayers remain steadfast with the people of Ukraine.

Members Allocation

Over the past year, it has been my honour and privilege to visit a great number of charities throughout Surrey who do the most wonderful things to help and support our most vulnerable residents.

I have visited, supported and donated to many phenomenal charities this year – The Rainbow Trust, Surrey Search & Rescue, Transform Housing, Surplus for Supper, The Brain Tumour Trust, Surrey War Widows, What Next, LeatherHEAD Start, Dorking Men's Shed – to name but a few.

Many charities are struggling with fewer donations which, of course, now need to go a lot further.

With that in mind, this is a friendly reminder that the deadline for spending your Members' Allocation is fast approaching – 31 January next year. Any requests submitted after this time will not be met and any monies leftover will not be carried forward into the next financial year. There are so many deserving causes in your areas; please ensure that you spend your allocation on these worthwhile charities.

Merry Christmas!

On that note, Merry Christmas and a Happy New Year and I wish you all a well-deserved break over the festive period. I look forward to seeing you all in the New Year to continue our vital work for the people of Surrey.

5 LEADER'S STATEMENT

The Leader to make a statement.

There will be an opportunity for Members to ask questions and/or make comments.

6 ELECTION OF COUNTY COUNCILLOR

The Chief Executive formally to report the election of a new County Councillor:

Harry Boparai for the Sunbury Common and Ashford Common division at the by-election held on 30 November 2022.

7 CHANGES TO CABINET PORTFOLIOS AND APPOINTMENT OF COMMITTEES

(Pages
55 - 64)

Council is asked to note the Leader's changes to Cabinet Portfolios.

Council is asked to approve chairman and vice-chairman appointments and to note a number of further appointments to vacant committee seats.

8 REVIEW OF POLITICAL PROPORTIONALITY

For Council to review and adopt the revised scheme of proportionality for the remainder of the 2022/23 Council Year.

(Note: report to follow).

9 MEMBERS' QUESTION TIME

1. The Leader of the Council or the appropriate Member of the Cabinet or the Chairman of a Committee to answer any questions on any matter relating to the powers and duties of the County Council, or which affects the county.

(Note: Notice of questions in respect of the above item on the agenda must be given in writing, preferably by e-mail, to Democratic Services by 12 noon on Wednesday 7 December 2022).

2. Cabinet Member Briefings on their portfolios.

These will be circulated by email to all Members prior to the County Council meeting, together with the Members' questions and responses.

There will be an opportunity for Members to ask questions.

10 STATEMENTS BY MEMBERS

Any Member may make a statement at the meeting on a local issue of current or future concern.

(Note: Notice of statements must be given in writing, preferably by e-mail, to Democratic Services by 12 noon on Monday 12 December 2022).

11 ORIGINAL MOTIONS

Item 11 (i)

Robert Evans (Stanwell and Stanwell Moor) to move under standing order 11 as follows:

This Council notes that:

- The number of pupils entitled to free school meals in Surrey is rising steadily and that more families than ever are becoming reliant on food banks.
- The cost-of-living crisis will lead to a general deepening of health inequalities among children and 'being hungry' in the school day will have a detrimental impact on their education.
- Research by the Child Poverty Action Group has shown that the cohort most vulnerable to food poverty is families who are on very low incomes, but who do not qualify for free school meals because their annual household earnings (excluding benefits) exceed £7,400.
- The Government previously rejected the recommendation of its own independently commissioned National Food Strategy, published in 2021 that it should increase the threshold for free school meals up to £20,000, this being the minimum income required for people to afford to feed a family.
- The Government's Food Strategy (June 2022) states it "will continue to keep free school meal eligibility under review, to ensure that these meals are supporting those who most need them."

The Council further notes that:

- The Council has used £2.27m of its Household Support Grant to continue providing food vouchers to eligible children over October, December and February school holidays, as well as other measures to help the most vulnerable families.

This Council believes that:

- Free school meals should be a basic right for all children who need them and therefore supports the expansion of free school meals provision to every child whose family is in receipt of Universal Credit or equivalent, or with a low-income.
- Provision be made for food vouchers to cover school holidays for all families in receipt of Universal Credit or with low-income.

This Council resolves to call upon the Cabinet to:

- I. Look at every possible way in which the Council can do more to assist children in need and to extend the provision of free school meals.

- II. Write to the Chancellor the Exchequer, Rt Hon Jeremy Hunt MP, Surrey's ten other MPs and the Secretary of State for Education Rt Hon Gillian Keegan MP, seeking their support for this aim.

- 12 SELECT COMMITTEES' REPORT TO COUNCIL** (Pages 65 - 68)
- For Members to note the headline activity of the Council's overview and scrutiny function in the period September to November 2022 asking questions of Scrutiny Chairs as necessary.
- 13 SURREY COUNTY COUNCIL - ELECTORAL REVIEW COUNCIL SIZE SUBMISSION** (Pages 69 - 96)
- To approve Surrey County Council's (SCC) submission regarding future council size, as part of the Local Government Boundary Commission for England's (LGBCE) electoral review process.
- 14 FEEDBACK FROM THE RESOURCES AND PERFORMANCE SELECT COMMITTEE ON A REFERRAL FROM COUNCIL - 'MOTION ON PROCUREMENT POLICY, TAX AVOIDANCE AND THE FAIR TAX MARK'** (Pages 97 - 112)
- To provide feedback from the Resources and Performance Select Committee on the Council motion titled 'procurement policy, tax avoidance and the fair tax mark' as requested by the Council.
- 15 APPOINTMENT OF AN INDEPENDENT REMUNERATION PANEL** (Pages 113 - 114)
- To agree the arrangements for the appointment of an Independent Remuneration Panel (IRP) to review the existing Members' Allowances Scheme prior to 2024.
- 16 AMENDMENTS TO THE CONSTITUTION** (Pages 115 - 138)
- It is the Council's responsibility to approve changes to the Council's Constitution.
- This report sets out proposed changes to Part 4 of the Constitution – Standing Orders, and the Officer Code of Conduct, one of the Codes and Protocols included in Part 6 of the Constitution and these are brought to Council for formal approval in accordance with Articles 4.09, 5.02 and 11.02 of the Council's Constitution.
- 17 REPORT OF THE CABINET** (Pages 139 - 144)
- To receive the report of the meetings of the Cabinet held on 25 October 2022 and 29 November 2022.
- 18 MINUTES OF CABINET MEETINGS** (Pages 145 - 158)
- Any matters within the minutes of the Cabinet's meetings, and not otherwise brought to the Council's attention in the Cabinet's report, may be the subject of questions and statements by Members upon notice being given to Democratic Services by 12 noon on Monday 12 December 2022.

(Note: To follow: Minutes, Cabinet - 29 November 2022)

MOBILE TECHNOLOGY AND FILMING – ACCEPTABLE USE

Those attending for the purpose of reporting on the meeting may use social media or mobile devices in silent mode to send electronic messages about the progress of the public parts of the meeting. To support this, Woodhatch Place has wifi available for visitors – please ask at reception for details.

Anyone is permitted to film, record or take photographs at council meetings. Please liaise with the council officer listed in the agenda prior to the start of the meeting so that those attending the meeting can be made aware of any filming taking place.

Use of mobile devices, including for the purpose of recording or filming a meeting, is subject to no interruptions, distractions or interference being caused to the PA or Induction Loop systems, or any general disturbance to proceedings. The Chair may ask for mobile devices to be switched off in these circumstances.

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 COUNTY COUNCIL HELD AT
WOODHATCH PLACE, 11 COCKSHOT HILL, REIGATE, SURREY, RH2 8EF,
ON 11 OCTOBER 2022 COMMENCING AT 10.00 AM, THE COUNCIL BEING
CONSTITUTED AS FOLLOWS:**

Helyn Clack (Chair)
Saj Hussain (Vice-Chair)

| | |
|------------------------|------------------------------|
| Maureen Attewell | Rachael Lake |
| Ayesha Azad | Victor Lewanski |
| Catherine Baart | David Lewis (Cobham) |
| Steve Bax | David Lewis (Camberley West) |
| John Beckett | * Scott Lewis |
| Jordan Beech | Andy Lynch |
| Luke Bennett | Andy MacLeod |
| Amanda Boote | Ernest Mallett MBE |
| Liz Bowes | Michaela Martin |
| Natalie Bramhall | Jan Mason |
| Stephen Cooksey | Steven McCormick |
| * Colin Cross | Cameron McIntosh |
| Clare Curran | * Julia McShane |
| Nick Darby | Sinead Mooney |
| * Fiona Davidson | Carla Morson |
| Paul Deach | Bernie Muir |
| Kevin Deanus | Mark Nuti |
| Jonathan Essex | John O'Reilly |
| Robert Evans | Tim Oliver |
| Chris Farr | Rebecca Paul |
| * Paul Follows | George Potter |
| Will Forster | Catherine Powell |
| * John Furey | * Penny Rivers |
| Matt Furniss | * John Robini |
| Angela Goodwin | Becky Rush |
| Jeffrey Gray | Tony Samuels |
| Tim Hall | Joanne Sexton |
| David Harmer | Lance Spencer |
| Nick Harrison | Lesley Steeds |
| * Edward Hawkins | r Mark Sugden |
| Marisa Heath | Richard Tear |
| * Trefor Hogg | * Alison Todd |
| r Robert Hughes | Chris Townsend |
| Jonathan Hulley | Liz Townsend |
| Rebecca Jennings-Evans | Denise Turner-Stewart |
| Frank Kelly | * Hazel Watson |
| Riasat Khan | Jeremy Webster |
| Robert King | Buddhi Weerasinghe |
| Eber Kington | Fiona White |
| | Keith Witham |

*absent

r = Remote Attendance

61/22 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Colin Cross, Fiona Davidson, Paul Follows, John Furey, Trefor Hogg, Scott Lewis, Julia McShane, Penny Rivers, Hazel Watson.

Members who attended remotely and had no voting rights were Robert Hughes, Mark Sugden.

62/22 MINUTES [Item 2]

The minutes of the meeting of the County Council held on 12 July 2022 were submitted, confirmed and signed.

63/22 DECLARATIONS OF INTEREST [Item 3]

There were none.

64/22 CHAIR'S ANNOUNCEMENTS [Item 4]

The Chair:

- Led the Council in a minute's silence of respect and reflection regarding the death of Her Majesty Queen Elizabeth II.
- Led Members in announcing 'God Save the King!'
- Led the Council in moments of reflection for former Surrey County Councillors David Ivison and Rosemary Scott.
- Led the Council in a minute's silence in respect of Surrey County Councillor Alison Todd (née Griffiths) who recently passed.
- Noted that in a change to normal protocol, she had been asked by Surrey County Council's Chief Executive if she may speak in tribute to Alison on behalf of the Council's officers.

The Chief Executive spoke in tribute to Alison Todd, noting that she was an impressive, dedicated and ambitious councillor and brought a real insight and knowledge to her work with officers. She used her experiences to try and make the world a better place, focussing on improving mental health services, accessibility to good health care and tackling domestic violence and spoke of her ambitions for children and young people. She was an inspiration for all those who worked with her.

- Noted that may Alison Todd rest in peace and on behalf of Members, sent love and best wishes to her family.
- Noted that the rest of her announcements could be found in the Council agenda front sheet.

65/22 LEADER'S STATEMENT [Item 5]

The Leader of the Council made a detailed statement.

A copy of the statement is attached as Appendix A. Members raised the following topics:

- Noted that there remained problems concerning Home to School Transport assistance, including communications issues experienced by parents seeking

information on their applications for assistance; many unnecessary appeals as a result of the policy being too rigidly applied, and examples of parents experiencing delays and difficulties in arranging transport for their children.

- Stressed that lessons needed to be learned quickly to avoid any repetition, and that sufficient resources were needed as well as regular communication.
- The Leader's apology was welcomed, and support was offered to finding solutions to address the problems. Surrey Live, BBC Radio Surrey and BBC South Today were thanked for publicising the issues raised above.
- Clarified that there was no suggestion from the Residents' Association and Independents Group that Your Fund Surrey should be closed down - the motion asked for a pause.
- Noted the challenging economic situation for the country and county.
- Noted that Woking Borough Council held its cost-of-living summit a few weeks ago and contributions from the Council's staff were welcomed; an action plan was being developed to help people in Woking and disappointment was expressed that the Council had decided not to do the same thing across Surrey.
- Asked where the warm hubs would be located and when these would be available, in order to provide certainty to residents.
- Whilst the Council still referred to 'no one left behind', the support on offer was not enough for people to make ends meet, more people were being left behind nationally and in Surrey. An example was given of a family without a car who challenged the mileage allowance that they had been given for the whole winter term for their child.
- Queried why youth centres and thirty-five local childcare hubs had been closed whilst started investing in community centres elsewhere through the £100 million Your Fund Surrey programme.
- The Children, Families, Lifelong Learning and Culture Select Committee had reviewed the new targeted family centre model without evidence to compare to what was there before, and it was instead suggested that there could be initiatives in all communities to help with education.
- Asked whether all poorly heated and insulated homes within Surrey should be in an Investment Zone, as a result of the cost of living and climate crises. Asked where the proposed Investment Zone in Surrey would be located, and questioned whether the Government's rush for local authorities to decide their location by the end of the week was to exclude residents from being consulted.
- Asked the Leader to provide the Government with a plan and asked whether he agreed that the Council should be investing in better universal services and delivering a greener future for the whole county.
- Quoted from the recent review of the Greener Futures Climate Change Delivery Plan about the need for the Council to lessen its funding gap which prevents the alignment of projects with what needs to happen, and asked the Leader to call on the Government to enable the Council to invest in the jobs its needs to directly deliver against those priorities to make Surrey greener and fairer.
- Acknowledged that a lot had changed since the Council last met, noting the new monarch and new Prime Minister.
- Despite the Leader saying that 'we need to batten down the hatches and hold firm', asked whether the Leader was aware that every Government department had received a letter from the Chancellor of the Exchequer telling them that they needed to make more efficiency savings.
- Noted that in facing up to more cuts in the Council's budget, asked whether the Leader had any correspondence with the Government on the matter and what support Surrey's Members of Parliament were providing.
- Asked how the Council could accommodate more cuts to vital services, and how this would impact on services and residents.

- Asked whether the Leader was aware that in the coming months and year 600,000 fixed term rate mortgages would come to an end, asked what the Leader's plan was for those people who would no longer be able to afford their mortgage payments and may soon be homeless.
- Contrary to the Leader's comment, some Members felt that the administration was abandoning Surrey's communities, noting the issues around Home to School Transport, children in care, Adult Social Care, fire service coverage, the cost-of-living crisis and youth centres; they felt that it had failed to tackle the problems.
- Highlighted the upcoming difficult winter for many nationally with rising rents, mortgage rates and energy bills, the increased use of food banks and the new warm hubs and asked whether that was all there was to show for twelve years of Conservative Party Government.
- Thanked the Leader for recognising Members' role in the community and the importance of charities and for his offer to ensure that Members could work flexibly to ensure that Surrey's communities were supported.
- Referring to the Leader's comments about building a directory of support, asked whether that would be shared with Members before it was published so that they can add their invaluable local knowledge.
- Noted that warm hubs were already being established in many areas across Surrey before the notification from the Council was released, those warm hubs would also include free food; asked that the Council and the Leader reaches out to other organisations to see what they were already doing.

66/22 CHANGES TO CABINET PORTFOLIOS AND APPOINTMENT OF COMMITTEES [Item 6]

The Leader introduced the report and noted that the revised portfolios and portfolio holders were triggered by the resignation of Becky Rush as the Deputy Leader and Cabinet Member for Finance and Resources. He congratulated Becky Rush on her new job working with a multi-academy trust and thanked her for the detailed knowledge she provided during her time as a Cabinet Member. He welcomed Ayesha Azad as the new Cabinet Member for Finance and Resources, and reported the appointment of Denise Turner-Stewart as the new Deputy Leader and Cabinet Member for Communities and Community Safety. He thanked Steve Bax who stepped down as the Deputy Cabinet Member for Environment and welcomed Paul Deach into that role. He asked Members to familiarise themselves with the new portfolio holders.

Two Members made the following comments:

- Noted that the former Cabinet Member for Children and Families who presided over a series of failures had moved to the portfolio for Education and Learning, and the former Cabinet Member for Education and Learning who left a Home to School Transport service in disarray had been upgraded to become Deputy Leader. He asked whether those Members were really the Leader's first choice and who came second.
- Sought clarification on the correct portfolio title for the Cabinet Member for Children and Families, having recently received an email signed-off from the Cabinet Member for Children, Families and Housing.

The Leader responded noting that the Cabinet Member for Children and Families continued to have housing within her portfolio.

RESOLVED:

1. That the changes to Cabinet appointments and Portfolios set out in Annex 1 and 2 to this report be noted.
2. That Jonathan Hulley be appointed as a Select Committee Task Group Lead for the Communities, Environment and Highways Select Committee for the remainder of the 2022/23 Council Year.
3. That Robert Hughes be appointed as a Select Committee Task Group Lead for the Resources and Performance Select Committee for the remainder of the 2022/23 Council Year.
4. That the following committee appointments be noted:
 - Steve Bax to Resources and Performance Select Committee
 - Becky Rush to Communities, Environment and Highways Select Committee
 - Mark Sugden to Audit and Governance Committee

[In addition to the above:

- Tim Hall to the Children, Families, Lifelong Learning and Culture Select Committee
- Clare Curran to the People, Performance and Development Committee in place of Becky Rush]

67/22 MEMBERS' QUESTION TIME [Item 7]

Questions:

Notice of twenty-six questions had been received. The questions and replies were published in the second supplementary agenda (items 7 and 9) on 10 October 2022.

A number of supplementary questions were asked and a summary of the main points is set out below:

(Q2) Catherine Powell noted that on the response to part a) she asked the Cabinet Member to advise how many Education, Health and Care Plans (EHCPs) were actually performed within the twenty weeks and to advise whether children with social workers assigned were also included. Regarding part b) she queried whether the response noting 'to strengthen a systemic approach' entailed further paperwork as opposed to streamlining. Regarding c) she did not feel that the response answered her question, she sought a yes or no answer. Regarding part e) she asked what about previously Looked After Children and children with a social worker, those two issues had not been addressed.

In response, the Cabinet Member for Education and Learning noted that she did not have the details to hand to respond to the supplementary questions and would look to provide that information in writing. She was delighted to have received many questions relating to her portfolio and highlighted that there was a monthly drop-in session covering Children, Families and Learning which was open to all and she would be happy to cover detailed questions in that forum.

(Q3) Chris Townsend queried a sentence in the response which stated: 'Where high demand exists between residential areas and places of learning, local bus services

and coaches are already provided to meet the needs of entitled pupils.' He sought an explanation as he was not aware of any local bus services that were already provided.

Jonathan Essex sought clarification on what the 'exciting proposal' mentioned in the response was.

In response, the Cabinet Member for Transport, Infrastructure and Growth responded to Chris Townsend noting that the Council did subsidise and put several bus services on to get children to schools; he would ask the team to provide the list concerning the Member's area. Responding to Jonathan Essex, he noted that as stated further in the response the Council was providing a half fare bus scheme for everyone aged under twenty years old to encourage public transport use - irrelevant to whether they are in education or not - the Council from April 2023 would also be following the Government's £2.00 bus fare cap in January to March 2023.

(Q4) Michaela Martin requested more detail on the South East 19 and what it involved; she also asked what funding would there be to support schools that were struggling with high Special Educational Needs and Disabilities cross-border issues, low numbers and high costs which fall outside the remit.

Catherine Powell referred to the Leader's Statement that abandoning Surrey's communities was not something that the administration would ever do, however the response to the third paragraph seemed to indicate that the Council would be deliberately doing that, and she asked for the Cabinet Member to advise.

In response to Michaela Martin, the Cabinet Member for Education and Learning noted that she would provide more detail on the South East 19 to the Member.

Regarding the second supplementary question from Michaela Martin, and Catherine Powell's supplementary question, she noted that those questions required a detailed explanation which she had tried to encapsulate in her response. She noted that schools funding was based on the National Funding Formula (NFF), which was devolved funding through the Council direct to schools; it was set nationally and was agreed annually with all schools through their statutory Schools Forum. She reiterated paragraph two of her response and noted that there was no scope for the Council to offer additional funding to schools as schools were funded on a per capita pupil basis.

(Q6) Robert Evans noted that all Surrey first preference offers were below the national average - marginally in some cases - and asked the Cabinet Member what percentage of children in the county did not receive any of their preferences of schools. He also asked what how the Council could accommodate situations where parents were only offered a place at a religious school when they had expressly asked not to be placed at such a school.

In response, the Cabinet Member for Education and Learning noted that she did not have that detailed information to hand, she would liaise with the Admissions team and would circulate that information to the Member.

(Q7) Carla Morson noted that the Council held £22 million of Section 106 funding, she requested a breakdown of where that money came from and how much more the Council was likely to expect. Regarding the breakdown of funding for Education, Highways and Transport she asked which boroughs and divisions was covered and where the money come from.

George Potter noted that the Corporate Governance and Standards Committee at Guildford Borough Council (GBC) had recently conducted a review of Section 106 funding, and one of the findings was that of the Section 106 contributions received within the borough, about £8.25 million sat with Surrey County Council. GBC was undertaking an exercise to communicate with all ward councillors the allocations within their own wards, what had been received and what it was earmarked for and what was spent. He asked whether the County Council could undertake a similar exercise concerning Section 106 and Community Infrastructure Levy (CIL) contributions and to communicate that to all divisional Members.

In response, the Cabinet Member for Transport, Infrastructure and Growth noted that he would provide the information requested to both Members.

(Q9) Stephen Cooksey asked whether one of the reasons for the decrease in waste and recycling handled by those Community Recycling Centres (CRCs) listed was the reduction in access for residents due to the limited opening hours. He also asked how requiring residents to drive from Dorking to Leatherhead to deposit materials on four days a week aligned with the Council's climate change policies, which sought to reduce vehicle use.

In response, the Cabinet Member for Environment referred to Q22 which stated that there had not been an increase in fly-tipping so people were taking their recycling on the days that the CRCs were open, there had not been any complaints on the matter and she noted that she was happy to liaise with the Member on any particular concerns about his local CRC. Resourcing was the issue and the focus must be on increasing reuse as well as increasing recycling.

(Q10) Lance Spencer noted that the Independent Travel Allowance (ITA) option did make sense for some parents, and that it would save the Council money. He referred to the last paragraph of the response that said that 'No SEND Children have had their solo transport removed' which seemed positive. However, referring to the example in his question he asked whether it was the Council's policy that to secure that sort of transport, the parent must go through both stages of the Appeals Panel, as the parent in that case was traumatised by the experience.

Catherine Powell sought clarification from the Cabinet Member regarding 16+ transport, noting that her understanding was that the policy was changed to automatically provide a bursary rather than providing transport. This had caused huge problems within her division, and she asked whether the policy would be reviewed this year to look at whether there was a reason why it was not appropriate for a particular family; for example if they did not have access to a car or if their child used a wheelchair.

In response to Lance Spencer, the Cabinet Member for Education and Learning clarified that it was not the intention that any individual family would be forced through the appeals process in the circumstances that he outlined. She reinforced the Leader's apology to those families who had experienced anxiety and delays in the recent weeks relating to the Home to School Travel Assistance Policy.

Responding to Catherine Powell, she noted that the new Home to School Travel Assistance Policy was introduced in the spring term with effect from this year. The Council was currently in the process of conducting a 'lessons learned' review to see what had gone wrong this year. She noted that it was too soon to commit to a review of the Policy which was only in its very early weeks of operation.

(Q11) Catherine Baart asked the Cabinet Member to provide an idea of what the timescale was for that policy being reviewed by the Council.

In response, the Cabinet Member for Highways and Community Resilience noted that he did not have an exact date but would try and find that out and let the Member know.

(Q12) Jonathan Essex noted that he understood from the response that the actual increase in High Needs Block funding was £11.5 million a year less than in the table provided because there was an equivalent decrease in the money direct to schools, which made the increase in High Needs Block funding net of the amount poached 32.5% which was less than the percentage increase to special schools and less than the EHCPs. He asked what level of shortfall the Council was getting from the Government for providing like for like as it seemed as though the Council was being asked to support special needs children with less money per pupil going forward while the Council received the same money per pupil as previous years for other children.

In response, the Cabinet Member for Education and Learning noted that she did not entirely disagree with the Member's analysis of the situation. She noted that it was difficult to provide comparison on a like for like basis throughout the years because of issues such as teachers' pay and conditions, she would liaise with Finance colleagues to see whether that comparative information was available and if it was, she would provide it to the Member. She noted that the shortfall between the funding through the High Needs Block and the actual cost to the Council of providing the services that children with additional needs required had been a challenge for the Council and many other local authorities nationally. The disparity in funding was a large issue for local government, which many councils and the County Councils Network (CCN) had been lobbying about and which the Government was partially starting to address through the Safety Valve agreements with certain authorities.

(Q13) Mark Sugden noted that the reason for the change by the Royal Borough of Kingston upon Thames (RBK) was to restrict inappropriate use of the road by Heavy Goods Vehicles and particularly heavy plant machinery. The concern remained that because of how it would be laid out, vehicles that could only enter and exit through Chessington would now only be able to enter and exit those two industrial locations through Claygate. Referring to the traffic survey data undertaken by RBK which had been shared with the Council, he sought a detailed understanding of the Council's interpretation of that traffic survey data.

In response, the Cabinet Member for Highways and Community Resilience noted that as traffic survey data was complex, he would be happy to have a discussion with the Member outside of the meeting to discuss the implications.

(Q15) Catherine Powell noted that she was not entirely convinced by the response in terms of her understanding of what the process was in place, as more than 50% of the increase in pupils - equating to six - in schools in her division were from Hampshire and that number was increasing. She sought an explanation of how the Council's interface with Hampshire County Council worked in terms of planning for school places. She also asked the Cabinet Member to advise what the Edge-u-cate tool did and how it worked. The transport data from the Government in terms of forecasting ten years ahead only referred to the numbers of houses within the districts or boroughs, it did not take account of their localised concentration.

In response, the Cabinet Member for Education and Learning noted that to provide the level of detail that the Member requested, she offered the Member the opportunity to meet with the officers involved in school place planning for her area in order to explore the issue in greater depth.

(Q16) Robert Evans reiterated that the question asked what progress had been made and the response did not answer that, with the benefit of hindsight he asked the Cabinet Member whether he felt he could have done better with his answer, given more information and done more to excite the Council.

Denise Turner-Stewart asked the Cabinet Member to confirm how much involvement the communities had with the proposals, as the aspiration was that it was essential that the communities were working with officers to generate local solutions.

Responding to Denise Turner-Stewart the Cabinet Member for Transport, Infrastructure and Growth provided assurance that the communities were involved in the process, there had been a huge number of suggestions from the communities on where to put Active Travel improvements, including low traffic areas. He and officers were excited that the Department for Transport had fully funded the scheme in the Member's own area where a 'School Streets' pilot could be delivered, followed by further pilots and the delivery of low traffic 'Liveable Neighbourhoods'.

(Q18) Stephen Cooksey noted that given the increased messages from Government ministers indicating that it was a key policy of the Government to remove planning and environmental controls and due to the limited information available regarding Investment Zone policies, he asked the Leader what guarantee he had that the removal of planning and environmental controls in Investment Zones would be acceptable to the Council and would not undermine climate change policies.

In response, the Leader of the Council noted that the Member was picking up on some national noise in anticipation of what the Investment Zones would look like. There was no detail at present, and he noted that the Investment Zones in Surrey and nationally would only go ahead with the agreement of the planning authority.

(Q20) Jonathan Essex noted that the response towards the end outlined what the Government was doing going forward about the early years support for social workers, however his understanding from the exit interviews from those leaving Surrey was due to the issues of pay and workload. He asked whether the Cabinet Member thought that what the Government was doing was enough and if it was not, could she tell Members what she was doing to lobby the Government on the matter.

In response, the Cabinet Member for Children and Families noted that the point had been reiterated frequently at Council, in Select Committees and various settings, that a great deal of lobbying goes on and would continue to go on. She noted that having heard the supplementary question, the numerous questions to the Cabinet Member for Education and Learning and the Leader's apology, she reminded Members that it was a vital moment for community leadership on behalf of Surrey's children, young people and their families. The Council earlier in the year united behind a motion that committed Members to support the continuous improvement of the Council's Children's Services; all had a collective responsibility in such matters.

(Q21) Nick Darby asked the Cabinet Member when the chasing letter from the Council was sent to HM Revenue and Customs and what were its contents. He requested a copy of the letter.

In response, the Cabinet Member for Finance and Resources noted that she would provide a copy of the chasing letter to the Member.

(Q22) Robert Evans noted that the response was puzzling that the amount of fly-tipping had decreased because many Members were concerned that fly-tipping remained prevalent. He asked the Cabinet Member what more could be done in conjunction with the district and borough councils to address the issue of fly-tipping, and whether she, or the Council was likely to support the Local Government Association (LGA) in their call on the Government to increase the levels of fines for people found guilty of fly-tipping. An average fine was £335, which was likely not enough to deter those people who make an industry out of fly-tipping.

In response, the Cabinet Member for Environment noted that the figures provided showed the fly-tipping that had occurred on council-owned lands. Where the Council and the district and borough councils could help each other and work with partners was to try and get an overall picture of where fly-tipping was happening on private land. In her view that average fine was insufficient, fly-tipping was horrendous and should have a very high penalty to it; she would look into the LGA's lobbying on the issue and would discuss it with the Cabinet.

(Q23) Will Forster noted that the response was heartbreaking, effectively stating that 10% of the Council's staff had used a food bank in the last two years. He welcomed some of the steps that the Council was taking but noted that the first sentence in the response was troubling as it stated that the Council did not collect that information. He asked the Leader whether he would agree that the Council should be asking staff if they use a food bank and what the Council could do as the employer to help them in the future.

In response, the Leader disagreed that the Council should ask that question as it was a private matter for staff. He noted that the Council was giving support to its staff in terms of looking at salary levels, and the response outlined what the Council did to address that for those in the lower pay brackets. He was sure that the Council would do the same next year. He also noted that if the Trade Unions or staff wanted to provide the Council with that information voluntarily then they could do so.

(Q26) Catherine Baart noted that the response was faint-hearted regarding the tackling of Surrey's car habit which the figures established was strong and embedded into the Surrey way of life; it caused many problems and it was not just a highways issue. She asked whether the Cabinet Member could request each of his colleagues to look in their own areas to see what could be done to address car use.

The Chair commented that in her view, car use had helped women to become more independent, and that it was a safe and reliable form of transport which was not all bad.

Catherine Powell referred to the Zero Emission Fleet by 2030 and asked the Cabinet Member whether the zero emissions included ensuring that all hydrogen was green hydrogen produced entirely from renewable energy. The quantity of green hydrogen that was available in the UK today would not power the fleet that the Council had already purchased.

In response, the Cabinet Member for Transport, Infrastructure and Growth agreed with the Chair's comments. Responding to Catherine Baart he noted that the key points of the Surrey Local Transport Plan 4 was to provide sustainable alternatives to residents. The Council was investing £49 million in zero emission buses, Metrobus

was expecting their first 2,000 buses shortly and the Council was funding an additional thirty-five; the east of the county within the next few years would be completely net zero on the bus network. The Council was working with its other operators around electric buses. He noted that the Council's walking and cycling awards from the Department of Transport of £13 million and the fact that every district and borough would have a Local Cycling and Walking Infrastructure Plan (LCWIP) would accelerate the shift away from private car use. He stressed that it would not be a one-size-fits-all solution for every resident in Surrey, car use would still be needed. Responding to Catherine Powell, he explained that the Council would be looking at using only electric or green or blue hydrogen - there would be no grey hydrogen - and the Council's bus operators confirmed that they would be using only green hydrogen.

The Chair noted that the Council had recently held a wonderful open day at Woodhatch Place exhibiting a collection of sustainable vehicles. She wished that more Members had been able to attend as it was very informative, and she hoped that if a similar event took place in future, attendance would be greater.

Cabinet Member Briefings:

These were also published in the second supplementary agenda (items 7 and 9) on 10 October 2022.

Members made the following comments:

Deputy Cabinet Member for Levelling Up: on the local area coordination function, **Nick Harrison** noted that three local area coordinators had been appointed and he asked what they did, how many more were planned to be appointed, how were they funded and what was the criteria for selecting them.

In response, the Deputy Cabinet Member explained that there were currently three local area coordinators in place and the Council was in the process of recruiting another local area coordinator for the Old Dean area. She explained that their role was to work directly with families and communities on the ground, working on a one-to-one basis supporting families and residents. That was in line with achieving the Council's ambition that 'no one is left behind'; the Council needed to get closer to its communities and the local area coordinators fulfilled that aim. The Council had funded these roles and would review the progress and the value provided.

Cabinet Member for Adults and Health: on delivery of the Accommodation with Care and Support Strategy; in the Inner Circle Consulting report that was shared following the recent Member Development Session on Housing, there was a graphic on page 43 concerning the supported housing stock which seemed to indicate that some areas had relatively high current provision versus others. **Catherine Powell** asked the Cabinet Member to explain why the provision was in those areas that already had the highest levels of provision.

In response, the Cabinet Member noted that he did not have the details to hand and would respond to the Member outside of the meeting.

Deputy Cabinet Member for Highways: on parking enforcement, **Nick Harrison** asked which moving traffic violations would also be included in the contract. Noting that the degree of enforcement that would be possible depended on the resources inputted, he asked whether there was an intention to increase or decrease the level of enforcement and asked whether the aim was to withdraw those projects and services from the districts and boroughs.

In response, regarding moving traffic enforcement violations, the Deputy Cabinet Member noted that examples included stopping on yellow boxes or non-permitted right- or left-hand turns. He noted that the Council had completed its first consultation on the Dennis Roundabout, Guildford, and the Council would look to put cameras to control stopping on the yellow box junction. He noted that there were plans for other junctions where safety risks had been identified, such plans would be consulted on fully with Members and residents before implementation. Regarding parking enforcement, the Council was bringing this in-house so that it could offer a fair and consistent service across Surrey, as there were currently different approaches in every district and borough. He noted that the intention was to increase the service, including out of hours provision, rather than reduce enforcement in response to concerns raised by residents. Regarding environmental maintenance, this had been brought back in-house in order to offer a fair and consistent service; many district and borough councils had decided to hand the service back to the County Council He noted that the new contracts would allow the Council to increase biodiversity gains, and the Council was working closely with the Surrey Wildlife Trust. He noted that the topics raised had been covered at the Communities, Environment and Highways Select Committee.

Cabinet Member for Property and Waste: on making savings on energy consumption and buildings through the establishment of an Energy Management Task Force, **Jonathan Essex** asked when the task force was established, what its targets were to reduce energy consumption in the Council's buildings and when it planned to achieve that target by.

In response, the Cabinet Member noted that the Energy Management Task Force was discussed at the recent meeting of the Resources and Performance Select Committee, officers were setting up the Energy Management Task Force to look at buildings such as Woodhatch Place and their lighting and heating. At present it was an officer group which she expected to also sit on as the Cabinet Member, she would provide the Member with the timescales once established.

68/22 STATEMENTS BY MEMBERS [Item 8]

There were none.

69/22 ORIGINAL MOTIONS [Item 9]

Under Standing Order 11.5 using her discretion the Chair took motion 9 (ii) first.

Item 9 (ii)

Under Standing Order 12.3 the Council agreed to debate this motion.

Under Standing Order 12.1 John O'Reilly moved:

This Council notes:

- That the Local Government Boundary Commission for England is currently undertaking a boundary review of Surrey, the recommendations of which will be implemented for the 2025 election.

This Council further notes:

- This Council's strong support for the retention of single member electoral divisions, as a way of maintaining clear democratic accountability and community connectiveness, in a county where many divisions already cover large geographical areas.

This Council resolves to:

- I. Write to the Local Government Boundary Commission for England to state its request to retain single member divisions in the forthcoming boundary review.

John O'Reilly made the following points:

- Noted that the Council had begun the boundary review process which was being steered by a cross-party working group, the Council was considering whether to retain single Member divisions or to adopt multi-Member divisions.
- Noted that the working group did not favour the introduction of multi-Member divisions. The first option of keeping the current divisions and adding a Member would double the total Members which would be preposterous, and the second option of keeping the number of Members to eighty-one but to widen the divisions to contain two or three Members would detract from the communities that Members individually represent.
- Noted that on the basis that the above multi-Member options would not work, the Council was back to the system of single Member divisions that the Council had adopted for many years. It had its flaws but worked well and provided accountability and respected Members' communities.

The motion was formally seconded by Nick Harrison, who made the following comments:

- Noted that currently some of the Council's divisions were quite large, and making them even broader with multiple Members would create additional issues and conflicts between individual councillors.
- He was unaware of any other upper tier authorities that had adopted the multi-Member arrangement and noted that the Council should not change the current single Member divisions.

No comments were made by Members.

The proposer of the motion, John O'Reilly, made no further comments to conclude the debate.

The motion was put to the vote and received unanimous support.

Therefore, it was **RESOLVED** that:

This Council notes:

- That the Local Government Boundary Commission for England is currently undertaking a boundary review of Surrey, the recommendations of which will be implemented for the 2025 election.

This Council further notes:

- This Council's strong support for the retention of single member electoral divisions, as a way of maintaining clear democratic accountability and community connectiveness, in a county where many divisions already cover large geographical areas.

This Council resolves to:

- I. Write to the Local Government Boundary Commission for England to state its request to retain single member divisions in the forthcoming boundary review.

Item 9 (i)

Under Standing Order 12.3 the Council agreed to debate this motion.

Under Standing Order 12.1 Bernie Muir moved:

This Council notes:

- This Government's long-term vision for transforming social care through reforms which include a cap on care costs of £86,000, a more generous means-test, a shift towards a 'fair' cost of care, and the ability for residents who arrange and fund their own care to ask their local authority to do it on their behalf.
- The consensus amongst local authorities and commentators, including the work undertaken by Newton Europe on behalf of the County Councils Network (CCN), that the £3.6bn allocated for Charging Reforms & Fair Cost of Care is substantially below the true likely cost of implementing such reforms.
- With uncertainty on whether the three-year Spending Review will proceed, financial planning in Surrey, as well as other councils up and down the country is taking place in the dark.
- The scale of additional cost impact represents a very real threat to the sustainability of the Council's finances if sufficient new funding is not provided by the Government to cover the cost of the new burdens on Surrey County Council.

This Council further notes:

- That 60% of Older People receiving Adult Social Care (ASC) services in Surrey currently privately fund their own care and will often purchase additional or enhanced services that are above meeting a person's Care Act eligible needs.
- That the Council will need to fund care for more people due to the increases to the capital threshold limits and as people reach the care cap. The changes apply to all people but will primarily impact older people.

This Council resolves to:

- I. Re-affirm its continued commitment to working with central government to seek sufficient resources and a fair distribution for Surrey, in order to meet current system pressures and fully fund reforms across the decade.
- II. Continue to push for the delay and phased implementation of charging reforms beyond 2023 to provide Surrey County Council with sufficient time to transform its operating models and prepare for effective implementation.
- III. Help ensure the development of Integrated Care Systems leads to a meaningful integration of health and social care.
- IV. Support the continued investment in public health to maximise the role councils can play in reducing health inequalities.
- V. Reinforce our commitment of tackling health inequalities across Surrey, ensuring no one is left behind.

Bernie Muir made the following points:

- Noted that with the rapidly ageing population and the increase in those with complex needs, a way needed to be found to pay for social care needs.
- The Council supported the Government's desire to tackle the long-term issue, but for Surrey the current proposals appeared to be untenable; more work needed to be done to assess the issue, and the Government timeline extended to put in place the appropriate resourcing and to discuss funding.
- Noted that the Government's long-term vision for charging reforms included a new £86,000 cap for personal care costs from October 2023, monitored by means of a care account, extension of means tested support for anyone with less than £100,000 in chargeable assets which currently sat at £23,250, and an increase in the lower capital threshold from £14,250 to £20,000.
- Noted that from October 2023, self-funders would be entitled to ask councils to arrange care on their behalf when seeking residential and nursing care placements for new people, and the phased introduction for existing self-funders would become available to all by April 2025 at the latest.
- Noted that with 60% of the Council's older people who received adult social care being self-funders, the proposed reforms would result in a significant proportion of them now qualifying for public funding.
- Noted that without Government funding, that would not be financially tenable and would require an increase in the workforce needed to manage that care equivalent to between 85-300 social workers, a rise would be required in the rates local authorities pay as part of the Government's fair cost of care policies and there would be a rapid increase in assessments.
- Noted that the Council was working hard to model the financial impacts, it was estimated that the additional cost to the Council would range from £1.2 billion to £3.2 billion over the next twelve years; it was a threat to the Council's financial sustainability and therefore sufficient funding would be required.
- Noted that the motion sought a pause in the planned October 2023 implementation date to allow the Council to gather more information, to review the policies and to give sufficient time to conduct an effective rollout.

- Reiterated that the Council would need to fund care for more people due to the increase in the capital threshold limits as people reach the care cap, the changes apply to all people, but would primarily impact older people.
- Asked Members for support for the motion which sought to work towards a workable solution to transform social care funding.

The motion was formally seconded by Riasat Khan, who made the following comments:

- Reiterated the Council's situation in which it was estimated that 60% of those receiving adult social care were self-funders due to the combination of issues surrounding the unequitable national funding formula whereby it was estimated that the Council would face a funding gap of between £8 to £20 million in 2023-24, rising to between £25 to £40 million in 2024-25.
- The Council required increased funding as a result of the loss of National Insurance contributions, inflation and the energy crisis; the funding gap would lead to an increase in Council Tax and would require an increase in trained social workers needed to conduct the means tested personal assessments.
- Noted that the consensus amongst local authorities and commentators, including the work undertaken by Newton Europe on behalf of the County Councils Network (CCN) was that the £3.6 billion allocated for charging reforms and the fair cost of care was substantially below the true likely cost of implementing such reforms.
- Noted that the Council should push for a delay and phased implementation to provide the Council with time to transform its operating models and prepare for the effective implementation.

Four Members made the following comments:

- Welcomed the opportunity that the reforms would bring for Surrey's residents but noted that there were concerns over the rushed implementation and the increased costs which would have a detrimental effect on existing recipients of packages and the Council as a whole.
- Noted that the Council was likely to have one, if not the biggest number of self-funded populations across the country, around 10,000-12,000 self-funders.
- Noted that the Government's fair cost of care review had recently been completed and Surrey's response rate of 41% care of homes and 50% of the home care providers was poor but better than most councils.
- Noted that the Care Quality Commission review of Adult Social Care would start in April 2023.
- Noted that the Council was working hard towards the reforms being implemented in October 2023 but it was challenging; around 90 new staff were being employed to undertake the assessments. The Council was also designing a new online offer which would aid the assessment process and residents would be able to monitor their care package.
- Noted that the Council was actively working to increase skills and encourage work in areas such as social care with partners such as the North East Surrey College of Technology (NESCOT). The Council was also lobbying Surrey's MPs and the Government via the South East Strategic Leaders group.
- Noted that it was the time to stabilise Adult Social Care and urged Members to support the motion to delay the implementation to at least until 2024, to have a staggered approach and increase investment across the sector.

- Noted that the Council had a bad deal from the Government, Surrey was ill-funded and was being taken for granted by asking the Council to do so much on the social care front so quickly.
- Highlighted that the Government's funding to Surrey was only £2.7 million for the current year for the Adult Social Care Grant, that was gravely insufficient to prepare Surrey for the reforms.
- Highlighted that the cumulative sum to the Council by 2033 could be as high as £3.2 billion, which would bankrupt the Council.
- Noted that the Council needed to work on three things on the social care front, workforce, funding and integration. On workforce the Council needed to properly pay and value its current social care staff, recruitment and retention were key. On funding the Government needed to properly fund social care and elderly people's retirement. On integration proper health and social care integration was needed, people should not be passed from pillar to post.
- Recommended that Members who were unable to attend the Member Development Session on Adult Social Care should watch the recording on the Member Portal.
- Noted that there were two big problems which were not being addressed: firstly, where were the people going to come from as there was a shortage of people with the appropriate skills and that needed to be solved nationally; secondly, expecting local authorities to provide all the funding was unsustainable and so the Government would need to fund a critical portion of running costs.
- Noted concern about resolution II, as it called for further delay which was unacceptable and the length of that delay was unspecified; the proposer was asked if she wished to remove this.
- Noted that the Council had never been able to keep up with assessments, yet the reforms were heavy on assessments; the original idea appeared twelve years ago and was now being discussed again.
- Recognised the difficulties in implementing the charging reforms and fair cost of care but noted that such changes were needed for the country and county.

The Chair asked Bernie Muir, as proposer of the motion to conclude the debate; she made the following comments:

- Noted that she did not wish to remove resolution II because the Council needed a workable solution, and going ahead with the charging reforms and fair cost of care that would bankrupt the Council was not a solution.
- Highlighted the Leader's comment that the Council was lobbying for the best outcomes for the people of Surrey, funding Adult Social Care was a key issue.
- Reiterated that Surrey was an outlier due to its high proportion of residents who were self-funders and the timescale was not practical in the sense that the Council would need to means test an additional 9,500 -12,000 people via detailed assessments on top of the resourcing challenges in social care.
- Emphasised that the Council was committed to finding a solution and would continue to discuss the matter with the Government and the CCN to find a solution that works for counties across the country and particularly outliers.

A Member asked whether there would be a separate vote on resolution II. The Chair clarified that the proposer had indicated that she wanted Members to vote on the entirety of the motion.

The motion was put to the vote with 65 Members voting For, 0 voting Against and 2 Abstentions.

Therefore, it was **RESOLVED** that:

This Council notes:

- This Government's long-term vision for transforming social care through reforms which include a cap on care costs of £86,000, a more generous means-test, a shift towards a 'fair' cost of care, and the ability for residents who arrange and fund their own care to ask their local authority to do it on their behalf.
- The consensus amongst local authorities and commentators, including the work undertaken by Newton Europe on behalf of the County Councils Network (CCN), that the £3.6bn allocated for Charging Reforms & Fair Cost of Care is substantially below the true likely cost of implementing such reforms.
- With uncertainty on whether the three-year Spending Review will proceed, financial planning in Surrey, as well as other councils up and down the country is taking place in the dark.
- The scale of additional cost impact represents a very real threat to the sustainability of the Council's finances if sufficient new funding is not provided by the Government to cover the cost of the new burdens on Surrey County Council.

This Council further notes:

- That 60% of Older People receiving Adult Social Care (ASC) services in Surrey currently privately fund their own care and will often purchase additional or enhanced services that are above meeting a person's Care Act eligible needs.
- That the Council will need to fund care for more people due to the increases to the capital threshold limits and as people reach the care cap. The changes apply to all people but will primarily impact older people.

This Council resolves to:

- I. Re-affirm its continued commitment to working with central government to seek sufficient resources and a fair distribution for Surrey, in order to meet current system pressures and fully fund reforms across the decade.
- II. Continue to push for the delay and phased implementation of charging reforms beyond 2023 to provide Surrey County Council with sufficient time to transform its operating models and prepare for effective implementation.
- III. Help ensure the development of Integrated Care Systems leads to a meaningful integration of health and social care.
- IV. Support the continued investment in public health to maximise the role councils can play in reducing health inequalities.
- V. Reinforce our commitment of tackling health inequalities across Surrey, ensuring no one is left behind.

Item 9 (iii)

Under Standing Order 12.3 the Council agreed to debate this motion.

Under Standing Order 12.1 Nick Darby moved:

This Council notes that:

- Surrey's current Draft Capital Programme is oversubscribed against the affordability criteria.
- When Your Fund Surrey (YFS) was set up, the financial landscape of the United Kingdom was very different.
- YFS does not rely on funds that the Council already has, but instead, the council borrows the money at rapidly increasing interest rates which will impact on Revenue going forward.
- The value of the applications received for YFS already exceeds £100million.
- Residents have said in the budget survey that they support shifting investment to early intervention and prevention. This is in line with the current leadership motto of "no one left behind".
- There have been very few applications from the most deprived areas of Surrey, and none have yet been successful. In contrast there have been a significant number of applications from the most affluent areas (the top 20% in terms of affluence).
- As of the end of June successful bids have all come from the top 30% of areas in Surrey.

This Council resolves to call upon the Cabinet:

- I. Once the total amount of YFS grants approved reaches £20m, or such lower figure as Cabinet may decide by no later than 31 December 2022, to pause further YFS approvals.
- II. During that period of pause to refocus YFS to better align with the Council's priorities, the current financial challenges and the feedback from the residents in the budget survey.

Nick Darby made the following points:

- Reiterated that the Residents' Association and Independents Group by the motion had not suggested that Your Fund Surrey should be closed down.
- Noted that several months ago the Leader and the former Deputy Leader and Cabinet Member for Finance and Resources suggested openly that any questions on next year's budget should be raised early and the motion was doing exactly that; it was a proposal and the Residents' Association and Independents Group would look to form a consensus working with the Cabinet.
- Noted that through the series of briefings, the Finance team had highlighted the significant challenge around the Council's budget due to many economic pressures, crises, insufficient funding from the Government, Home to School

Transport costs heading for £56 million and borrowing costs heading for £80 million; the financial climate differed from when Your Fund Surrey was set up.

- Highlighted the comments that morning from the Institute for Fiscal Studies about the need for significant Government cuts, furthermore employment figures referenced a loss of 50,000 social care staff across the sector; the local authority sector would bear the brunt.
- Noted that the capital programme was oversubscribed, and officers had indicated that there was a need to reprioritise the projects which to be progressed must have a real rate of return.
- Noted that the value of applications was more than £100 million; preserving extra services, particularly in Adult Social Care and Children's Services, was what residents wanted and he was unconvinced that it would all be affordable.
- Did not suggest that the Council should abandon those organisations with near-complete Your Fund Surrey applications; however, a figure needed to be set at which Your Fund Surrey could be paused, such as £20 million based on the small number of approvals already given.
- Noted that the motion called for a pause and refocus, not to abandon Your Fund Surrey; time was needed to evaluate the successes and what could be done differently. Such details, together with the new fund for Members, could be discussed by the Communities, Environment and Highways Select Committee.

The motion was formally seconded by Robert Evans, who reserved the right to speak.

Fourteen Members made the following comments:

- Noted that Your Fund Surrey was a central tenet of the Council's Empowering Communities priority, enabling residents across Surrey to make lasting and positive differences in their neighbourhoods.
- Noted that Your Fund Surrey was cross-cutting across the Council's and partner organisations' strategic objectives.
- Stressed that applications to Your Fund Surrey focused on priorities identified by residents, and by supporting those community-led projects, the Council was investing in accordance with what residents have identified as being important.
- The Council's records indicated that communities were positively engaged with Your Fund Surrey with over 250 applications received to date requesting £117 million. There were currently 116 live applications equating to £65 million; 14 projects for £4.5 million had been funded and there were potentially 7 applications of over £3.75 million to follow by the end of the year.
- Noted that many of the projects funded had focused on early intervention and prevention by promoting the health and wellbeing of residents and had also provided residents with a safe space to exercise, socialise and learn new skills, bringing communities together helping to reduce social isolation, there had been the development of work and apprenticeship opportunities and the referral of patients to specific projects by GP surgeries.
- Noted that the latest analysis of the data showed that more applications were coming from the most deprived areas of Surrey as a percentage of the total, the five lowest deprivation deciles in Surrey accounted for 62% of applications to date and over 50% of projects funded; projects would often provide benefits more widely outside of the immediate location.
- Noted that while data showed that all communities were submitting applications to Your Fund Surrey, the neighbourhoods with the most extreme deprivation might benefit from additional support to progress ideas through to funding.

- Announced the new Your Fund Surrey Member fund to simplify the process, whereby each Member would be allocated £50,000 from the Your Fund Surrey budget from early 2023 until the end of their current term to allocate to community-led capital projects in their individual divisions, the process would be more in line with the current Member Community Allocation process.
- Your Fund Surrey was residents' money to enhance, empower and invest in their communities in accordance with their aspirations and needs; the projects were life enhancing and ensured that 'no one is left behind', harnessing the creative energy developed during the Covid-19 pandemic.
- Noted that Your Fund Surrey aligned with the Council's priorities, and the projects were fantastic such as the Normandy Community Café.
- Implored Members to get more involved in their local areas to bring projects to light which could make a difference, sustaining and empowering communities.
- Welcomed the renewed energy brought by the Deputy Leader and Cabinet Member for Communities and Community Safety and the introduction of the new fund; urged Members to use their allocation.
- Noted that officers would look to identify and understand why projects had not been coming forward in certain areas and why residents were not engaging.
- Welcomed the input into the budget setting process but would have liked to have had a discussion within that process around Your Fund Surrey concerns.
- Noted that the Council would look at the capital programme during the budget setting process to ensure that the priority capital projects would be funded first.
- Highlighted the short-sightedness of the motion, noting that Your Fund Surrey was designed to ensure funding was available to fulfil residents' priorities and to empower communities.
- Highlighted an example in Woking where Your Fund Surrey allocated £900,000 to refurbish the Old Woking Community Centre, a deprived area in receipt of little external funding; that funding was a lifeline to the centre which was a community hub for many residents. The project demonstrated the partnership working.
- Praised the benefits of Your Fund Surrey and noted that the Liberal Democrat Group believed in investing in communities and valued volunteers.
- Noted the need to acknowledge that the world had moved on economically since Your Fund Surrey was first announced, borrowing costs had risen and there was a risk of the Council not being able to fund whole services.
- Noted that prior to the meeting the Liberal Democrat Group had suggested the referral of the motion to the Communities, Environment and Highways Select Committee; however, the proposer wanted it debated at Council. The Council needed to review and scrutinise how it supported community groups, and to review the data around the newly announced £50,000 Member allocation for Your Fund Surrey.
- Quoted from the motion that 'There have been very few applications from the most deprived areas of Surrey, and none have yet been successful.'; this statement was incorrect in the case of the Thorpe Green Community Fitness Project, for example, as the community facility was located adjacent to significant areas of higher deprivation outputs.
- The motion referenced the budget survey of Surrey residents who supported the shifting of investment to early intervention and prevention; it was noted that Your Fund Surrey was designed to achieve that, and outlined the Fund's mission statements about providing investment in schemes that encourage community interaction, reduce social isolation and promote social wellbeing.
- Noted that there were other worthy community projects in the pipeline that deserved to be considered by the Your Fund Surrey Advisory Panel.

- Welcomed Your Fund Surrey when it was first announced; however, since then there had been three problems: the inability to control the development of the bureaucracy around submitting applications; Your Fund Surrey acted on an unfair divisional basis with some areas in Surrey receiving most of the money, and the challenging financial situation whereby Your Fund Surrey was unfunded as it involved borrowing money totalling around £189 million which was unsustainable.
- Highlighted the positive Community Safety Partnership Grant scheme which had been running for nearly two decades whereby Members in each division had an allowance of £5,000, and suggested that rather than Your Fund Surrey Members could be allocated £10,000 annually to provide real community improvement.
- Noted a local example of their division which contained two of the most deprived estates in the county, Longmead Estate and Watersedge Estate and there was no land, money or expertise for a Your Fund Surrey project; it was patronising when the administration told Members that they needed to work with their communities, as they were already doing this.
- Noted that in twenty years much could have been done to support the local residents, there was not a community centre and the youth service had been taken away. It was people on low budgets who were in need of services, the area noted above had one of the lowest car ownerships in the county and residents could not access services further afield. Residents in low income areas had not been consulted that their money would be taken to fund projects in more affluent areas; Your Fund Surrey money had been wasted.
- Confirmed that a report would be taken to Cabinet setting out the plans for the newly announced Your Fund Surrey £50,000 Member allocation and a briefing note would be sent to Members following the meeting.
- Welcomed the newly announced Your Fund Surrey £50,000 Member allocation and noted that it was depressing to hear the opposition constantly focusing on the negative aspects of what the Council was doing; more positivity was needed to recognise the great work underway including Your Fund Surrey.
- Noted a local example of the Cobham and Downside Residents' Association which was developing a project to rejuvenate both the skatepark and Cobham Football Club's facilities on the Leg O'Mutton Field and anticipated bidding for funds via Your Fund Surrey having been working with the team for the past eighteen months. The Cobham Village Partnership had been created, working alongside Elmbridge Borough Council to drive forward the application.
- Recognised what had been achieved by Your Fund Surrey however it was funded through borrowed money and the borrowing costs had increased to just under 5% and would likely increase.
- Noted that the most deprived communities often struggled to have the community instruction necessary to bid successfully, through Council Tax those communities subsidised projects which were benefiting wealthy communities; welcomed assurance that action would be taken to assist those communities better and to make the bidding process simpler.
- Questioned why the announcement of the Your Fund Surrey £50,000 Member allocation was made in the middle of the debate with no forewarning and noted that it was convenient that the 2023 launch of the £50,000 new Member allocation coincided with the next round of local elections.
- Clarified that the Council was not making any cuts and its finances were well-run. Queried the motion calling for a pause on Your Fund Surrey as the £100 million was being spent in the local communities.
- Disagreed with the argument that the funding was going to wealthy communities, noting that their division was not wealthy and was working hard

with their community to deliver the projects that were applying for Your Fund Surrey; it was Members' responsibility to work with their local communities.

- Noted that when Your Fund Surrey was established in 2019, it was warmly welcomed and considered innovative. The Covid-19 pandemic in 2020 had hampered the implementation of Your Fund Surrey, and it had only recently resumed operation as intended.
- Noted a local example of the huge amount of volunteer effort to enable projects such as the Normandy Community Shop and Café, and the Pirbright Community Amateur Sports Pavilion in a position to submit a Your Fund Surrey application; dozens of projects across the county have been supported, with many more expected to follow.
- Noted that whilst some communities might be unable to submit Your Fund Surrey applications due to a lack of support or suitable community groups, this did not mean that the rest of Surrey should not be able to take advantage of the fund where support and suitable organisations existed.
- Noted that it was not a surprise that some of the opposition groups were using the motion to their advantage.
- Appealed to the motion's proposer that on reflection it would be best to withdraw the motion for the following reasons: there was common ground amongst Members that empowering Surrey's communities to get things done by working together and supported by the Council was the right thing to do irrespective of political affiliation, and that the value of progressing Your Fund Surrey was expressed by the announcement of the Your Fund Surrey £50,000 Member allocation, which should address some of the current deficiencies.
- Recognised that the volume of applications received at the launch of Your Fund Surrey had reduced, largely due to Covid-19 which affected the ability of community groups to submit bids. It was also noted that the number of approvals had not met Members' expectations, as discussed at the Communities, Environment and Highways Select Committee meeting in March.
- Noted that it was unnecessary to refer the motion to the Communities, Environment and Highways Select Committee as it would receive another detailed report on Your Fund Surrey in December.
- Praised the initial work done by the former Cabinet Member for Communities on Your Fund Surrey and the project to empower communities, with many councils nationally seeking to adopt Surrey's model.
- Noted difficulties in their community trying to get projects off the ground because of a lack of expertise, money and resource; the pause provided an opportunity to reconsider where the money could be targeted best to help the poorest in the community and where the best value for money can be gained.

Robert Evans, the seconder of the motion, made the following comments:

- Noted that having sat on the Your Fund Surrey Advisory Panel that had been discussing the applications over the last few months, most of them were worthy projects but the Council could not fund them all.
- Whilst the Council spoke about levelling up, all the successful bids so far had come from the more prosperous areas in Surrey. Many communities submitting applications for Your Fund Surrey were using professional agencies with paid lawyers and solicitors, which not every area could afford to do.
- Agreed with the comment made on the need to work with partners, and regarding levelling up noted that schools in the more prosperous areas did much better because they obtain more money from parent-teacher associations and voluntary funding than schools in the more deprived areas.

- Reiterated that the motion was not asking to end Your Fund Surrey, but to pause it in order to refocus during the uncertain national economic situation.
- Referring to the Your Fund Surrey £50,000 Member allocation, the sum of the Your Fund Surrey scheme would be £1 million for every division if funded equally; that would not happen.
- Referring to motion 9 (i) on having properly funded Adult Social Care services, suggested that rather than borrowing £100 million for Your Fund Surrey the money could be used to fund an innovative Adult Social Care system.

The Chair asked Nick Darby, as proposer of the motion to conclude the debate; he made the following comments:

- Repeated that the motion did not seek to close down Your Fund Surrey, it sought to pause it. The issue was its affordability, noting the Council's borrowing of £100 million if all the funding was to be used; it was not a question of not wanting to support the communities.
- Noted that the motion did not suggest how long that pause would be as there needed to be a complete review.
- Disagreed with the call to withdraw the motion.
- Welcomed the further review of Your Fund Surrey by the Communities, Environment and Highways Select Committee, in which he hoped to participate.
- Noted that the Your Fund Surrey £50,000 Member allocation needed to be reviewed to understand what the circumstances were, as it would total £4 million a year for two years and that sum of £8 million was not far off from the £20 million at which he believed Your Fund Surrey should be paused at.

Under Standing Order 28.1, ten Members demanded a recorded vote, the motion was put to the vote with 17 Members voting For, 41 voting Against and 9 Abstentions.

The following Members voted For it:

John Beckett, Amanda Boote, Nick Darby, Jonathan Essex, Robert Evans, Chris Farr, Nick Harrison, Robert King, Eber Kington, Andy MacLeod, Ernest Mallett MBE, Michaela Martin, Jan Mason, Steven McCormick, Catherine Powell, Joanne Sexton, Chris Townsend.

The following Members voted Against it:

Maureen Attewell, Ayesha Azad, *Catherine Baart, Steve Bax, Jordan Beech, Luke Bennett, Liz Bowes, Natalie Bramhall, Helyn Clack, Clare Curran, Paul Deach, Kevin Deanus, Matt Furniss, Tim Hall, David Harmer, Marisa Heath, Jonathan Hulley, Saj Hussain, Rebecca Jennings-Evans, Frank Kelly, Riasat Khan, Rachael Lake, Victor Lewanski, David Lewis (Cobham), David Lewis (Camberley West), Andy Lynch, Cameron McIntosh, Sinead Mooney, Bernie Muir, Mark Nuti, John O'Reilly, Tim Oliver, Rebecca Paul, Becky Rush, Tony Samuels, Lesley Steeds, Richard Tear, Denise Turner-Stewart, Jeremy Webster, Buddhi Weerasinghe, Keith Witham.

The following Members Abstained:

Stephen Cooksey, Will Forster, Angela Goodwin, Jeffrey Gray, Carla Morson, George Potter, Lance Spencer, Liz Townsend, Fiona White.

[*Subsequent to the recording of the vote, Catherine Baart noted that she had mistakenly voted Against when she intended to vote For. The Chair agreed that this would be noted in the minutes.]

Therefore, it was **RESOLVED** that:

The motion was lost.

John Beckett left the meeting at 13.02 pm.

Item 9 (iv)

Under Standing Order 12.3 the Cabinet Member for Environment, Marisa Heath, moved a proposal. The proposal was as follows:

That the motion below by Jonathan Essex be referred to the Greener Futures Reference Group - a Task Group of the Communities, Environment and Highways Select Committee - for consideration.

This Council notes that:

- Advertising is successful in encouraging demand for the products advertised. For example, research by Purpose Disruptors showed that the UK advertising sector, through increased product sales had the impact of increasing UK carbon emissions by 28% (186 MtCO₂) in 2019. Similarly, research by the New Weather Institute indicates that the carbon emissions resulting from the increased demand, for cars in the EU, generated by advertising, are more than Belgium's total greenhouse gas emissions.
- The [2022](#) Climate Mitigation Report published by the Intergovernmental Panel on Climate Change (IPCC) highlighted the potential for behaviour change to support carbon emission reductions. It lists regulation of advertising as an example of a policy measure that can have a "*major influence on mitigative capacity*".
- In an Attitudes to Advertising poll in the UK by Opinium Research in 2022 of 2000 people, 68% of UK adults said they would support restrictions on advertising of environmentally harmful products.
- Advertising prohibitions and restrictions already exist; these include prohibition on advertising all tobacco products and e-cigarettes, guns and offensive weapons, 'obscene material'. Rules also affect marketing aimed at children; high fat sugar and salt products; medical and health claims.

This Council believes that:

- Banning advertising does not ban the products themselves; people are still free to buy the products.
- Surrey County Council has committed to work in partnership to reduce carbon emissions across Surrey. A baseline report by Surrey University on behalf of the Surrey Climate Commission showed the extent of scope 3 emissions (in what we buy and import from outside of Surrey). One area where these can be reduced in Surrey is through the impact of advertising in public spaces.

- Some advertising content undermines the Council's objectives. For example, petrol and diesel car adverts, especially for Sports Utility Vehicles, undermine air quality objectives. Airline advertising undermines carbon emission targets.

This Council resolves to call upon the Cabinet:

- I. To amend its Advertising and Sponsorship Policy to ban advertisements specifically for fossil fuel companies, flights, petrol and diesel vehicles, and wording the amendment to ban other as yet unidentified high carbon products.
- II. To implement this revised Advertising and Sponsorship Policy internally and wherever possible promote its adoption by other partners committed to Surrey's Climate Change Strategy. This should include restricting advertising of high carbon products on bus stops, billboards and advertising spaces, plus all publications by Surrey County Council.

Jonathan Essex made the following points:

- Noted that it would be useful to clarify what happens to the motion once it has been considered by the Greener Futures Reference Group.
- Noted that there was a gap in policy in that area and the Advertising and Sponsorship Policy simply stated that it adopted the Council's policy; the Council recently published a procurement strategy in the areas of environment and sustainability which clarified more strongly the Council's position in terms of procurement.
- Noted that the referral was a good idea in principle as the motion could be considered with the technical support of officers in a cross-party way which would be beneficial.
- Noted that whilst the motion had an explicit focus on high carbon consumption, which fell outside of the scope of the Council's emissions reduction targets, it was an area that the Council had an influence over, and having spoken to the Cabinet Member for Environment beforehand, there was a possibility to widen the motion slightly to look at wider environmental and climate aspects.

In speaking to her proposal, the Cabinet Member for Environment:

- Recommended that the motion be referred to the Greener Futures Reference Group to enable detailed scrutiny of the Advertising and Sponsorship Policy.
- Clarified that the motion would follow due process; the Greener Futures Reference Group was owned by the Communities, Environment and Highways Select Committee which could provide the approval to come to Cabinet to consider.

Jonathan Essex confirmed that he was in support of the referral of the motion to the Greener Futures Reference Group.

The proposal to refer the motion was put to the vote and received unanimous support.

Therefore, it was **RESOLVED** that:

The motion be referred to the Greener Futures Reference Group for consideration.

The Chair informed Members that there was seven minutes left of the time limit of one and a half hours for the total debate on original motions and would allow some extra time to debate the last motion.

Item 9 (v)

Under Standing Order 12.3 the Council agreed to debate this motion.

Under Standing Order 12.1 Liz Townsend moved:

This Council acknowledges that:

The Cabinet is scheduled to agree 'A County Wide Strategic Approach To Accommodation, Homes And Housing Needs In Surrey'.

This Council notes that:

Housing is not a core responsibility of the County Council.

This Council requests that:

The Cabinet's forthcoming strategy prioritises bringing forward key worker and affordable housing on its own land as a matter of priority and to suspend activities that are already under the statutory control of district and borough councils.

Catherine Powell moved an amendment which had been published in the supplementary agenda (items 7 and 9) on 10 October 2022, which was formally seconded by Nick Darby.

The amendment was as follows (with additional words in bold/underlined and deletions crossed through):

This Council acknowledges that:

The Cabinet is scheduled to agree 'A County Wide Strategic Approach To Accommodation, Homes And Housing Needs In Surrey'.

This Council notes that:

Housing is not a core responsibility of the County Council.

Its statutory duties include the maintaining and highways and infrastructure network as well as Public Health and Education functions.

This Council requests that:

The Cabinet's forthcoming strategy prioritises bringing forward key worker and affordable housing on its own land **and ensures that its core responsibilities of highways infrastructure, transport, education and health are aligned with the local planning authorities' development plans whilst cooperating with neighbouring counties** as a matter of priority and to suspend activities that are already under the statutory control of district and borough councils.

Liz Townsend accepted the amendment and therefore it became the substantive motion.

Liz Townsend made the following points:

- Noted that it was critical at the present time of extreme pressures on the Council's finances when it was gearing up for a renewed period of crippling austerity, with the widening gap between rich and poor and increasing rates of child poverty; that the Council concentrates its funds and efforts on its statutory services.
- Noted that residents were anxious about spiralling inflation and the cost-of-living crisis and wanted to see Members running their core services well, resolving the Home to School Transport crisis, fixing roads, providing better bus services, providing more resources targeted at education and Adult Social Care; putting political projects like the County Deal on the back burner.
- Noted that areas of responsibility across councils were defined and the housing market was complex and one in which the Government heavily intervened in.
- Noted that there was already a statutory duty for planning authorities to openly cooperate with other councils on development plans and on supplementary planning documents covering areas such as master plans and affordable housing all of which should be done in the open with formal public consultation.
- Due to current economic uncertainty, it was expected that the delivery of top-down housing numbers by planning authorities granting planning permissions within a strategic framework was expected to slow and even halt.
- Noted that when developers do not build, local plans and decision-making were overruled, a Surrey housing strategy would provide no assistance in such circumstances; it would be a talking shop.
- Emphasised that what Surrey could do was to help to lobby the Government to tackle the root causes and to remove the incentive for developers not to build, developers knew that low delivery meant that planning authorities would be forced to grant even more planning permissions.
- Noted that the Local Government Association (LGA) had repeatedly highlighted the one million plus properties across the country with planning permission yet to be completed, the trickle feed of housing onto the market kept house prices high and affordability out of reach.
- Agreed with the Leader that Surrey needed to be more cautious about new initiatives, ensuring that its own house was in order first.
- Stressed that the Council must demonstrate to residents that it was fulfilling its own key statutory roles such as to plan for and relieve the pressure on the crumbling local infrastructure due to new housing development; as well as to deliver housing through Surrey's redundant and underused assets such as brownfield sites, delivering affordable housing allocated for key workers.
- Noted that residents saw few examples of the issues being aligned with plans for development and county border communities felt that the impact of neighbouring county development went unaddressed.
- Urged the Cabinet Member for Children and Families to reconsider, rather than embarking on a quasi-planning housing strategy which had no weight and no mandate and relied on overstretched resources to deliver.

The motion was formally seconded by Will Forster, who made the following comments:

- Noted that if the Council wanted to show leadership on housing, it should use its own land and property and work with housing associations to bring forward

affordable and key worker housing, that was a practical suggestion that the housing strategy should prioritise.

- Noted that the Council did not do enough with its land, provided three examples of sites in Woking that the Council could use to provide affordable and key worker housing.

Three Members made the following comments:

- Noted surprise at the motion, recalling a past meeting with the motion's proposer in her division where the possibility of extra care housing was discussed with enthusiasm, acknowledging that the Council was taking a lead and wanted the best for its vulnerable residents.
- Noted that it was a misjudged motion telling the Council to keep its hands off the district and borough councils' statutory housing functions and to stick to its core responsibilities.
- Noted that the Council was ambitious for Surrey and had identified four priority objectives and good quality sustainable housing made a significant contribution to all four, a person's housing circumstances had a profound effect on many aspects of their life including their health, wealth and happiness.
- Recognised that housing played a critical role in the economy and its potential to grow Surrey's labour market.
- Noted that a significant number of Surrey residents, businesses and organisations faced serious challenges around accommodation and housing, yet there was not an evidenced and joined up county-wide strategy or ambition that directed focus and alignment across the whole housing system; the baseline assessment and the Surrey housing strategy intended to address that.
- Noted that the work to date had been endorsed by the Surrey Delivery Board, the Surrey Chief Housing Officers Association, Surrey Business Leaders Forum and One Surrey Growth Board.
- Noted that alongside the district and borough councils, landlords, developers, investors and national regional agencies; the Council had a clear role and responsibilities in many aspects of housing.
- Noted excitement at being touring the districts and boroughs with the officer team to discuss the housing strategy in more detail, responses so far had been positive and there was good engagement.
- Clarified that the Lakers Youth Centre site in Goldsworth Park was out for resident consultation and there had been a response to a Member question at Cabinet on the matter.

A Member noted that the above was an incorrect statement from the Cabinet Member for Property and Waste concerning the Lakers Youth Centre site, the Chair noted that the Member could liaise with the Cabinet Member outside of the meeting.

- Noted that the Council was having to do the work of delivering housing as the district and borough councils were not doing so; at the Leader's request the Land and Property team had identified several suitable Council sites for development, including sites for key worker housing and one was in Redhill.
- Noted that at present the Land and Property team had 128 capital projects underway which showed it was now a well-functioning service and the Council was delivering more: children's homes, SEND places, schools and supported independent living, than the Council had ever done.

- Noted that the Council had a coordinating role with the district and borough councils, for example the Council fulfilled that role well through the Farnham Infrastructure Programme.
- Disagreed with the way the Council was undertaking that coordinating role through the housing strategy and noted that it was remarkable that the motion's proposer as the portfolio holder for planning at Waverley Borough Council had heard about the housing strategy at a Member briefing.
- Noted that an external consultancy was providing an analysis of the housing strategy and was unsure about what the outcome would be, a great deal of work was going into the housing strategy but it appeared as though it would not result in much.
- Noted that the main problem with housing and planning was the planning system, and that the Council could play a role in coordinating with the district and borough councils to approach the Government to sort out the planning system.

The Chair asked Liz Townsend, as proposer of the motion to conclude the debate; she made the following comments:

- Disagreed with the comment that the district and borough councils were not delivering housing, they were delivering the planning permissions which was the only area within their control, they could not force developers to build.
- Reiterated that housing was a country-wide issue, Government policy needed to change to stop housing being trickle fed onto the market and local-decision making being overruled.
- Understood why the Council wished to be seen to have a coordinating role, however it would just be a talking shop.
- Noted that the fundamental planning issues needed to be tackled by the Government, which were that district and borough councils provided planning permission but were tested against houses being built and they had no control over that.
- Urged that in the present time of extreme budget pressures and upcoming cuts to services, that the Council should concentrate on delivering its statutory services for its residents.

The motion was put to the vote with 26 Members voting For, 41 voting Against and no Abstentions.

Therefore, it was **RESOLVED** that:

The motion was lost.

70/22 SELECT COMMITTEES' REPORT TO COUNCIL [Item 10]

The Chair of the Select Committee Chairs and Vice-Chairs' Group introduced the report and noted his thanks to the Vice-Chair of that Group and the Scrutiny Business Manager for their support. The report outlined what the Select Committees and the Budget Task Group had been up to between April and September 2022 and the key ask of the Council would be for Members to direct any questions to the four relevant Select Committee Chairs.

RESOLVED:

1. That Council reviewed the work summarised in the report providing feedback to Scrutiny Chairs as appropriate.
2. That the Select Committees report to Council once more this calendar year.

71/22 GOVERNANCE CHANGES - LOCAL AND JOINT COMMITTEES [Item 11]

The Deputy Leader introduced the report and recommendations. She noted that the proposed changes supported the Council's priority objective for empowering communities and were consistent with residents' desires to be more involved in what the Council was doing through events and conversations rather than through boards and meetings. The proposed changes were borne out of evidence as in the past year far higher numbers of residents, over 50,000, had engaged with the Council online. The Council was committed to continue to work with its partners to ensure that local engagement and partnership arrangements enabling the Council to listen to local priorities and to deliver effectively for Surrey's residents; exploring the use of a multi-agency approach to local delivery. The Council's intention was to give divisional Members more accountability, responsibility and visibility, engaging with residents and officers to resolve local issues. The report also included detail on the Petitions Scheme, the chairmanship and the extensive consultation which had taken place.

The recommendations were not agreed by general assent therefore a vote was taken, with 39 Members voting For, 27 voting Against and no Abstentions.

Therefore, it was **RESOLVED** that:

That County Council:

1. Agreed that Local Committees will cease, with effect from 31 October 2022.
2. Agreed to serve six months' notice of the Council's intention to withdraw from the Joint Committee in each appropriate borough, to expire on or before 30 April 2023.
3. Agreed to the transfer of all Public Rights of Way (PRoW) functions from Local and Joint Committees with effect from 11 October 2022. Non-contentious, non-executive decisions which affect PRoW will be delegated to officers in consultation with the relevant local Divisional Member/s. All contentious issues such as decisions for Traffic Regulation Orders or PRoW on County Council owned land or land relating to a planning application will be referred to the Planning and Regulatory Committee (PRC) to be heard and a decision made.
4. Agreed that where the local Divisional Member(s) or Officer(s) do not agree, or where they feel a determination should be made by committee, the case can be referred to the PRC. In cases where one or more divisions are involved, then the delegated officer will work in consultation with all relevant Members.
5. Noted that a list of proposed changes to PRoW or modifications to the definitive map received by the Council will be maintained and accessible to all Members.
6. Agreed that the Director of Law and Governance makes the relevant changes to the Council's Constitution to reflect the new arrangements.

7. Noted that the Director of Law and Governance will work in conjunction with democratic service officers from Guildford, Runnymede, Woking, and Spelthorne Borough Councils to update their respective constitutions.
8. Agreed the consequential amendments to the Council's petition scheme as described above.
9. Noted that appointments of Chairs and Vice Chairs to Joint Committees will lapse on 31 October 2022 and Joint Committees will appoint a Chair as required if meeting in the six-month notice period.

72/22 AMENDMENTS TO THE CONSTITUTION [Item 12]

The Leader introduced the report which outlined the changes approved by him on 27 September 2022 as set out in Annex 1.

A Member referred to Standing Order 30 of the Constitution that 'Members will sign a register of attendance', he noted that he was not aware of such a register and since the move to Woodhatch Place Members had not been signing in. He asked whether such a register had been deleted, or whether every meeting held at Woodhatch Place had been invalid.

The Chair noted that she had been advised that Democratic Services record the attendance of all those present and any apologies given. She noted that the Council meetings for example were recorded and streamed, there was not a method of signing in at Woodhatch Place and she would liaise further with Democratic Services.

RESOLVED:

That the executive function changes approved by the Leader on 27 September 2022 be noted.

73/22 REPORT OF THE CABINET [Item 13]

The Leader presented the report of the Cabinet meetings held on 26 July 2022 and 27 September 2022.

Recommendations on Policy Framework Documents:

There were no reports with recommendations for Council.

Reports for Information/Discussion:

26 July 2022:

- A. Increasing Access to Library Buildings
- B. Sunbury Hub
- C. Outline Business Case for the Re-Procurement of Waste Treatment and Disposal Services

27 September 2022:

- D. Environmentally Sustainable Procurement Policy
- E. Revision to Procurement and Contract Standing Orders

F. Quarterly Report on Decisions Taken Under Special Urgency Arrangements: 2 July 2022 – 30 September 2022

RESOLVED:

1. That Council noted that there had been no urgent decisions in the last three months.
2. That the report of the meetings of the Cabinet held on 26 July 2022 and 27 September 2022 be adopted.

74/22 MINUTES OF CABINET MEETINGS [Item 14]

No notification had been received by the deadline from Members wishing to raise a question or make a statement on any matters in the minutes.

The Chair informed Members that the Peacock Room in the Lodge had officially been designated as the Members' Room and for Members to feel free to start using the room and to note that it was a work in progress - furniture and decorations to follow.

[Meeting ended at: 13.35 pm]

Chair

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Leader's Statement – County Council, 11 October 2022

Madam Chair, Members, a lot has changed since the last time we met here almost three months ago.

We have a new Prime Minister, with a fresh agenda for the country.

We have a new Monarch.

The temperature has dropped, and winter is coming.

As an organisation we have achieved a great deal over the last few weeks, but we have also been faced with crises and challenges that have tested our services to the limit.

We haven't always got it right, but we will always hold up our hands and look to help people as quickly as possible when things go wrong.

I will touch on that more a bit later on, and I'm sure other Members will want to discuss in more detail later in the meeting.

One very sad moment in recent weeks has been the death of our dear friend and colleague Alison Todd, formally Griffiths.

Alison was a valued member of our team, and universally popular across the Council and with Members. She always wore her heart on her sleeve; she was fiercely passionate about where she came from and the people she represented in Sunbury and Ashford Common.

She will be a huge loss to the Council, and to everyone who knew her.

My thoughts remain with her husband Phil, her four children, and her five grandchildren, who all loved Alison dearly.

Madam Chair, this is also our first full Council meeting since the death of Her Majesty Queen Elizabeth II.

It was a moment that perhaps shifted our collective sense of stability and identity more than we expected it would.

It was something that we had all prepared for, that was in many ways expected, but one that still felt like it took us by surprise.

Queen Elizabeth II had been a constant, consistent, and reassuring figure in all of our lives and someone that we maybe took for granted at times.

Her death, while a sad moment in itself, brought about a sense of togetherness as a nation that we haven't felt for some time.

The images and stories from 'The Queue' were heart-warming. The pomp and ceremony felt uplifting, provoking a renewed sense of pride in our country.

And the dedication and sense of duty demonstrated by all those who had important roles to play in the period of mourning, the proclamation, and the funeral – including very many people here in Surrey and in this Council – was inspirational.

Our staff – particularly people like Ian Good, Alan Morris, and the Emergency Planning team who guided the county through – yet again stood up and were counted.

Council Officers, from Traffic Management to Communications, worked 24/7 to ensure that all plans went smoothly, that the Queen's funeral cortege passed through Surrey safely, and that the public were kept safe and informed.

They didn't put a foot wrong, and for that we should thank them.

Another seismic change to the country happened just before the Queen's death – a change that all of us have seen before, more than once - and that was the confirmation of a new Prime Minister.

And she quickly appointed a new Chancellor – someone we know well here in Surrey – and a new Cabinet.

It's been a challenging start for them.

As we have done with many governments before, we will monitor policy changes and implications closely, and we will lobby hard to try and get the best outcomes for the people of Surrey.

We continue our conversations with government, and the Civil Service, around a good County Deal for Surrey and the forthcoming Adult Social Care reforms that will potentially have a huge impact on us as a Council, and therefore our residents.

The Prime Minister's in-tray will be dominated by the cost of living crisis facing the country – like many of our inboxes, full of residents understandably concerned by increasing costs, and colder weather on the horizon.

Members, as many of you will be aware, the Council has established a priority workstream to coordinate our response to the cost of living crisis – to ensure that we are able to support our residents, especially those most in need.

We are working hand in hand with partners across the public and voluntary sector in Surrey, with the Local Resilience Forum coordinating welfare efforts and ensuring we're able to react and step-up support in areas where it is most needed.

The Surrey Crisis Fund is continuing to support people in a very practical sense, day in day out, with grants for emergency items such as white goods, fuel, and clothing for those that need that financial lifeline at times of real hardship.

We are in the process of establishing a series of 'warm hubs' across the county, using libraries and other public buildings as places for people to spend time in, meet and work, where they don't need to worry about the heating bill to keep warm and well.

There is specific support for carers, for Veterans, for young families, for lower earners, for small business owners, and real practical advice for all of us about how to reduce our bills.

We must make sure that people are aware of the help available and can access it – help from the Council, from Government, and from the charity sector.

To that end, residents will soon receive a directory of support, delivered through their door, outlining many of the support services and advice available to help.

This will be supported by a wider communications campaign, with a strong focus on promoting our contact centre helpline and welfare hub online.

We are also mindful of the impact of this crisis on people's mental health, and the knock-on effect on general well-being.

This is going to be a hugely stressful time for a great many people across Surrey, and that pressure can manifest itself in many different ways.

There is help available – tips and steps people can take to help their mental wellbeing, people to talk to and crisis support.

But we all have a role to play out in our communities, rallying around, encouraging those networks of support that came to the fore through the covid pandemic, in particular to help the more vulnerable members of society.

We have wonderful community groups, charities, and local associations across Surrey, and they are vital at times like this. We will support them in whatever way we can, and we as Members are an important part in that link between the Council and the communities we serve.

To that end, we are establishing more flexible ways for Members to fund community initiatives where they are needed – big and small, and the Cabinet Member for Communities will set out more detail this morning, but be assured this administration will always put our residents' interests first.

Ultimately, we all want to unlock that perennial problem of funding, to enable our communities to flourish and thrive.

We have listened, and residents should know that where there is a positive initiative, an opportunity to improve a public space, a willing community group wanting to make a difference, then we will make it happen.

Madam Chair, the cost of living crisis, and the global economic turmoil largely brought about by Putin's senseless war in Ukraine, is also having a big impact on the Council as an organisation.

Demand on services is increasing, costs in our supply chains are going up, our energy costs, our infrastructure costs, and the costs of borrowing are all rising.

But our finances are in a solid and stable state, thanks to the hard work of the organisation over the last five years.

Having reached that secure position, we were anticipating now being the time we could push our ambition forward and implement innovative change across the Council and across the county.

However, the current economic climate means we will be facing challenges to our financial position.

Thankfully, our stable finances as well as our improved services, put us in the best possible position to weather these storms.

But it does mean that we will almost certainly have to slow down some of our more ambitious agendas and projects and focus on protecting our critical services – to ensure our objective that no one in Surrey is left behind, can be fulfilled.

We must focus on the basics, to protect our most vulnerable residents through this time.

That being said, we remain an ambitious and forward-looking organisation.

A Council that never shirks a challenge and will always strive to be better.

The things that we may need to pause or scale back in the short term are not being abandoned; we just have to be more cautious, staying realistic and practical about how we spend the money we do have. However, the residents group motion later in this meeting to close down Your Fund Surrey, a knee jerk reaction just at the time when we need to be supporting our communities more than ever, is not the way to approach the situation. Of course we need to continue to be prudent in our budgeting, prioritising services to the most vulnerable children and families, but abandoning our residents and communities is not something this Conservative Group or this administration will ever do.

Madam Chair, we should be optimistic in our ability to overcome these challenges. We have a track record of facing up to issues and finding solutions.

As well as improvements in our services over the past few years - like Children's Services and Surrey Fire and Rescue Service - we also have a great deal of experience to call upon in facing adversity in a positive and proactive way, adapting, and overcoming for the benefit of the people who call Surrey their home.

We are not complacent, nor do we have our heads in the sand - we know there is much to do - but we are determined, and we are focused.

We have overcome severe, albeit different, financial challenges before, when we took a lead in protecting Surrey's residents through the Covid Pandemic.

As we stated last year when setting our budget, we've done the hard yards to base camp, ready to scale the mountain.

But the storms ahead have intensified, and we have no choice but to batten down the hatches, hold firm and ride out the coming challenges in the safest, most prudent, way.

Madam Chair, a very real challenge we've faced over the last month or so has been the issue of Home to School Transport assistance.

As many Members here will be all too aware, we faced a tricky combination of increased demand, shortages of drivers, alongside a well overdue change in policy, which led to a backlog affecting some families who were faced with real stress and anxiety in getting their children to school.

This has been a very complex, and difficult situation, and we have to hold our hands up on occasions like this to say that we have let some people down.

However, I know that the Home to School Transport Team have been working day and night alongside our Customer Services Team. to help as many families as they can.

Specific reimbursement has been offered where parents have had to make their own arrangements and applications have been fast tracked and resolved as quickly as possible.

Members, I know – as does our Cabinet Member in this area, and our staff – just how much this worry can affect families, some of whom are already facing challenges every single day.

I commit to you that we will learn lessons from the start of term, we have put mitigations in place, and we are doing everything that we should be doing now to get every child in Surrey to school on time.

Our new policy is the right one – I'm confident in that – as we work to ensure we support those who need us most.

And as we welcome more people into the county, for a variety of reasons, we will put the infrastructure and support in place so that our communities and our services can cope with increased demand and expectation.

Madam Chair, while challenges of varying scale and longevity come our way, Surrey County Council does not and will not shy away.

We don't put our heads in the sand or look to someone else to sort it out.

We are an organisation that puts in the hard yards, takes responsibility, and stands tall. We share a clear determination to make the lives of Surrey residents better.

When we get it wrong, we'll put it right.

When we get it right, we'll keep looking to get better.

Our staff, our leadership, our Members, and our partners, will keep working as one.

We're in this together, with shared values and a sense of duty that has been more evident than ever in recent weeks.

We have a serious job to do over the coming months to protect and support our residents so lets get our heads down and get on with it.

Now is not the time for the feint hearted; we are living through a significant global economic crisis that shows no sign of easing up any time soon.

Madam Chair, Members as Civic Leaders we should and must now more than ever, stand in front of our communities, beside our communities, and right behind our communities.

Thank you.

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CHANGES TO CABINET PORTFOLIOS AND APPOINTMENT OF COMMITTEES

1. Article 6.02 of the Council's Constitution requires that the Leader of the Council will report any changes to Cabinet appointments to Council.
2. Article 6.03 and Article 6.04 of the Council's Constitution authorises the Leader to appoint Cabinet Members and Deputy Cabinet Members respectively.
3. On 27 October 2022, the Leader made changes to the membership of Cabinet. The new membership is listed in **Annex 1**. The updated Cabinet Portfolios are listed in **Annex 2**.
4. As a consequence of these changes, vacancies have been created for the Chairman and Vice-Chairman of the Audit & Governance Committee. Under Standing Order 6.10, these roles must be appointed by Council.
5. Council is also asked to note a number of further appointments to vacant committee seats.

RECOMMENDATIONS:

1. That the changes to Cabinet appointments and portfolios set out in Annex 1 and 2 to this report be noted.
2. That Victor Lewanski be appointed as Chairman of the Audit & Governance Committee for the remainder of the 2022/23 Council Year.
3. That Richard Tear be appointed as Vice-Chairman of the Audit & Governance Committee for the remainder of the 2022/23 Council Year.
4. That the following committee appointments be noted:
 - Saj Hussain to the Audit & Governance Committee
 - Edward Hawkins to the Planning & Regulatory Committee
 - Robert Hughes to the Children, Families, Lifelong Learning and Culture Select Committee

Lead/Contact Officers:

Sarah Quinn, Senior Manager – Regulatory & Appeals,
sarah.quinn@surreycc.gov.uk

Sources/background papers:

County Council's Constitution

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Cabinet Member and Deputy Cabinet Member Portfolios

| Cabinet Member | Portfolio |
|-----------------------|---|
| Denise Turner-Stewart | Deputy Leader and Cabinet Member for Communities and Community Safety |
| David Lewis (Cobham) | Cabinet Member for Finance and Resources |
| Matt Furniss | Cabinet Member for Transport, Infrastructure and Growth |
| Kevin Deanus | Cabinet Member for Highways and Community Resilience |
| Marisa Heath | Cabinet Member for Environment |
| Natalie Bramhall | Cabinet Member for Property and Waste |
| Mark Nuti | Cabinet Member for Adults and Health |
| Clare Curran | Cabinet Member for Education and Learning |
| Sinead Mooney | Cabinet Member for Children and Families |

*Leader not included in the above

| Deputy Cabinet Member | Portfolio |
|-----------------------|---|
| Rebecca Paul | Deputy Cabinet Member for Levelling Up |
| Maureen Attewell | Deputy Cabinet Member for Children and Families |
| Paul Deach | Deputy Cabinet Member for Environment |
| Jordan Beech | Deputy Cabinet Member for Highways |

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CABINET PORTFOLIO UPDATES – 27 October 2022

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|---|---------------------|---|---|--|
| Leader of the Council | Tim Oliver | <ul style="list-style-type: none"> • Overall vision and strategic direction • Major Government and National Representation • District and Borough partnerships • Regional and Strategic partnerships • Communications • Engagement and Consultation • Business Relationships • Corporate governance • Place-based work e.g. Thinking place work • HR and OD • Health and Wellbeing including Mental Health • Major projects • Transformation Programme • Integrated Business Planning & Performance | <ul style="list-style-type: none"> • Chief Executive • Deputy Chief Executive/Resources • Executive Director for Partnerships, Prosperity and Growth • Executive Director for Customer and Communities • Joint Executive Director for Public Service Reform • Chief of Staff to Chief Executive • Strategic Director, Communications and Engagement • Strategic Director of People and Change | <ul style="list-style-type: none"> • Resources and Performance Select Committee • Communities, Environment and Highways Select Committee |
| Deputy Cabinet Member for Levelling Up | Rebecca Paul | <ul style="list-style-type: none"> • Levelling up Fund Opportunities • Communications strategy for levelling up agenda (cross-portfolio) • Strengthening Families (e.g. family hub) • Infrastructure for opportunity • Social infrastructure development (e.g. youth centres) • Data and SODA • EDI (joint) | <ul style="list-style-type: none"> • Executive Director for Partnerships, Prosperity and Growth • Executive Director for Public Service Reform | <ul style="list-style-type: none"> • Children, Families, Lifelong Learning and Culture Select Committee • Adults and Health Select Committee • Communities, Environment and Highways Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|---|------------------|--|---|--|
| Cabinet Member for Adults and Health | Mark Nuti | <ul style="list-style-type: none"> • Adult Social Care • Adult Safeguarding • Accommodation for vulnerable and elderly adults • Learning Disabilities • Transitions • Local Outbreak Engagement Board • Health and Social Care Integration • Public Health • Integrated commissioning | <ul style="list-style-type: none"> • Executive Director for Adult Social Care and Health Integration • Executive Director for Public Service Reform | <ul style="list-style-type: none"> • Adults and Health Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|--|-------------------------|--|--|--|
| Cabinet Member for Children and Families | Sinead Mooney | <ul style="list-style-type: none"> • Children's Services • Children's Integrated Commissioning • Corporate Parenting (including fostering and adoption) • Children with Disabilities (CwD) • Children's Safeguarding • Accommodation for vulnerable children • EDI (joint) • Housing | <ul style="list-style-type: none"> • Executive Director for Children, Families and Lifelong Learning • Executive Director for Partnerships, Prosperity and Growth • Chief of Staff to Chief Executive | <ul style="list-style-type: none"> • Children, Families, Lifelong Learning and Culture Select Committee • Resources and Performance Select Committee • Communities, Environment and Highways Select Committee |
| Deputy Cabinet Member for Children and Families | Maureen Attewell | <ul style="list-style-type: none"> • Youth Services • Children's Mental Health (Mindworks) • Domestic Abuse • Violence Against Women & Girls • Family Resilience • Other Children's Commissioning | <ul style="list-style-type: none"> • Executive Director for Children, Families and Lifelong Learning | <ul style="list-style-type: none"> • Children, Families, Lifelong Learning and Culture Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|--|---------------------|---|---|--|
| Cabinet Member for Education and Learning | Clare Curran | <ul style="list-style-type: none"> • Education • Special Education Needs and/or Disabilities (SEND), including Transport • Schools - relationships • Place planning • Admissions • Adult learning | <ul style="list-style-type: none"> • Executive Director for Children, Families and Lifelong Learning | <ul style="list-style-type: none"> • Children, Families, Lifelong Learning and Culture Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|--|------------------------------|---|--|---|
| Cabinet Member for Communities and Community Safety DEPUTY LEADER | Denise Turner-Stewart | <ul style="list-style-type: none"> Local Democracy and Engagement Design Local & Joint Committees Community Foundation Surrey relationship Customer Services Libraries, Arts and Culture Registration Services Your Fund Surrey VCFS Town and Parishes Corporate Health and Safety Trading Standards Fire and Rescue (SFRS) Community Safety | <ul style="list-style-type: none"> Executive Director for Customer & Communities Executive Director for Children, Families and Lifelong Learning Executive Director for Partnerships, Prosperity and Growth Chief Fire Officer | <ul style="list-style-type: none"> Resources and Performance Select Committee Children's, Families and Lifelong Learning Select Committee Communities, Environment and Highways Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|---|---------------------|--|--|--|
| Cabinet Member for Highways and Community Resilience | Kevin Deanus | <ul style="list-style-type: none"> Highways and operational delivery including procurement Road Safety Parking Flooding Coroners Emergency Planning Military Covenant Community Resilience | <ul style="list-style-type: none"> Executive Director for Environment, Transport and Infrastructure Executive Director for Customer & Communities Strategic Director, Communications and Engagement | <ul style="list-style-type: none"> Communities, Environment and Highways Select Committee |
| Deputy Cabinet Member for Highways | Jordan Beech | <ul style="list-style-type: none"> Highways and Operational Delivery Street Works Asset Planning Road Safety Parking and Enforcement | <ul style="list-style-type: none"> Executive Director for Environment, Transport and Infrastructure | <ul style="list-style-type: none"> Communities, Environment and Highways Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|--|---------------------|--|--|--|
| Cabinet Member for Transport, Infrastructure and Growth | Matt Furniss | <ul style="list-style-type: none"> • Transport • Air and Rail • Infrastructure • Planning • 5G Rollout • Economic Growth • Skills and Apprenticeships | <ul style="list-style-type: none"> • Executive Director for Environment, Transport and Infrastructure • Executive Director for Partnerships, Prosperity and Growth | <ul style="list-style-type: none"> • Communities, Environment and Highways Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|--|---------------------|---|--|--|
| Cabinet Member for Environment | Marisa Heath | <ul style="list-style-type: none"> • Greener Futures Programme • Climate Change • Air Quality • Countryside • Waste (Greener Futures Oversight) • Trees | <ul style="list-style-type: none"> • Executive Director for Environment, Transport and Infrastructure | <ul style="list-style-type: none"> • Communities, Environment and Highways Select Committee |
| Deputy Cabinet Member for Environment | Paul Deach | <ul style="list-style-type: none"> • Greener Futures Communication • Norbury Park - resident liaison and general overview • Greener Futures Steering Group support for MH and developing connections with D&B political members • Attendance at meetings alongside MH | <ul style="list-style-type: none"> • Executive Director for Environment, Transport and Infrastructure | <ul style="list-style-type: none"> • Communities, Environment and Highways Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|--|-------------------------|--|--|--|
| Cabinet Member for Property and Waste | Natalie Bramhall | <ul style="list-style-type: none"> • Property portfolio • Waste contract • Capital Programme Delivery • Local Enterprise Partnership (LEP) relationships | <ul style="list-style-type: none"> • Executive Director for Resources • Executive Director for Environment, Transport and Infrastructure • Executive Director for Partnerships, Prosperity and Growth | <ul style="list-style-type: none"> • Resources and Performance Select Committee • Communities, Environment and Highways Select Committee |

| CABINET MEMBER POSITION | NAME | RESPONSIBILITIES | KEY OFFICER(S) | SELECT COMMITTEE(S) |
|--|----------------------|--|--|--|
| Cabinet Member for Finance and Resources | David Lewis (Cobham) | <ul style="list-style-type: none"> • Finance – Revenue & Capital • Digital, Business and Insights Programme • Capital Programme • Internal Control/Audit • Commercial Investment and Capital Programme Oversight • Procurement • Orbis • Legal and Democratic • IT • Digital • Contract Management • SCC Companies • Performance and Management Reporting | <ul style="list-style-type: none"> • Executive Director for Resources | <ul style="list-style-type: none"> • Resources and Performance Select Committee |

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OFFICER REPORT TO COUNCIL

SELECT COMMITTEES' REPORT TO COUNCIL

KEY ISSUE/DECISION:

For Members to note the headline activity of the Council's overview and scrutiny function in the period September to November 2022 asking questions of Scrutiny Chairs as necessary.

BACKGROUND:

As part of the ongoing process to raise standards in the Council's overview and scrutiny function and to raise the profile of the work of Select Committees more generally, Chairs agreed to regularly report activity to Council.

SUMMARY OF ACTIVITY:

Adults & Health Select Committee

During its 5 October 2022 public meeting, the Committee reviewed the Surrey's Integrated Care Systems preparations for the *pressures of the Winter Months* ahead, the timing of which was crucial given both the cost-of-living as well as the energy crisis. The Committee recommended the rollout of Cloud-Based Telephony Systems throughout Surrey's GP practices to enhance patient access, and recommended improvements to *Discharge-to-Asses* processes and to address the funding issues therewithin. The Committee also reviewed progress made in delivering the *Mental Health Improvement Plan* and made recommendations for greater data utilisation to swiftly to determine the priorities of the Plan and the sources and amounts of funding required. The *Enabling You with Technology Programme* was also reviewed, and the Committee recommended that more sustainable funding is secured for the programme.

The Committee convened an extraordinary meeting in November to coincide with the launch of the *Mental Health Investment Fund*, which is being implemented as part of the Council's No One Left Behind agenda and being financed by Council Tax increases. The Committee reviewed the amount of funding available and the scope of this fund, making recommendations for

clear decision-making, and for greater coordination and shared priorities between the *Mental Health Improvement Plan* and the *Investment Fund*.

The Committee also reviewed the *Accommodation with Care and Support Strategy* recommending that the programme's accommodation facilities are affordable in line with welfare benefits.

The Committee held three informal meetings in this period: progress made on delivering the *Weybetter Weybridge Programme*; on the formation of the *Adult's Mental Health Alliance*, during which the committee recommended a fair distribution of influence amongst alliance members to improve partnership working and co-production in mental health services; and on a Budget Briefing from the Council's Adult Social Care and Public Services Reform Directorates.

The Committee's *Health Inequalities Task Group* has agreed to three areas of focus for the final phase of its review: Black and Minority Ethnic Groups and Gypsy, Roma, Traveller communities; those experiencing Homelessness, Drug and Alcohol Abuse; and those suffering Domestic Abuse using the Surrey Health and Wellbeing Strategy as a framework for scrutiny. The task group has conducted several witness sessions thus far.

The Committee also held site visits as part of two scrutiny items including; visits to GP practices as part of the *Access to Primary Care* item to examine measures taken to improve patient access; and visits to Farnham Road Hospital to assess improvements to mental health services as part of the *Mental Health Improvement Plan* item. Further site visits to Extra Care and Supported Independent Living Accommodation sites are being planned as part of the *Accommodation with Care and Support Strategy* item to assess the nature of these accommodation facilities and the extent of the delivery of this programme.

The Committee has also been involved in the reconvened *South West London and Surrey Joint Health and Overview Select Committee* in November, during which it participated in two items; the *Future Hospitals Programme* which outlined the redesigning of the St George's, Epsom, and St Helier Hospital Sites, and the *Renal Services Update* which outlined plans for the closure and transfer of renal services units. The Committee made recommendations to address patient transportation and access issues generated by the transfer of renal services.

The Committee has also remained in contact with key stakeholders and organisations having several meetings with the Chief Executives of Surrey Heartlands and Frimley Integrated Care Systems and key associated NHS providers, with Healthwatch Surrey, as well as with Voluntary Sector Organisations commissioned by or affiliated with the Council.

Children, Families, Lifelong Learning Select Committee

The Committee met formally once in October. The Committee reviewed and endorsed the Council's strategic approach to growing capacity in children's homes with the aim that 80 per cent of Surrey's Looked After Children live in the county.

Following a request by the Committee, in recognition of the challenge of recruiting social care staff, Members met with service managers in order to better understand the issues they face. It has also arranged to meet social workers to give them an opportunity to talk frankly about their work pressures and what would encourage staff retention. These visits will form the basis of future recommendations.

The Committee is taking part in a pilot training offer from the Local Government Association to help improve the effectiveness of its scrutiny. It has embarked on this journey by conducting a self-evaluation in order to identify its needs.

Members have had briefings in the *Opportunity For All* white paper on schools, Dedicated Schools Grant and Surrey's School Organisation Plan.

Communities, Environment & Highways Select Committee

The Communities, Environment & Highways Select Committee and its Greener Futures Reference Group met four times during this period: 7 September; 20 September; 6 October and 13 October 2022.

A special informal meeting of the Select Committee took place on 7 September to receive updates on draft Integrated Transport Scheme (ITS) prioritisation; parking enforcement and waste contract, building on the work undertaken by the Select Committee previously.

On 6 October, the Select Committee held its formal public meeting that considered five important topics: A Skills Plan for Surrey; A County Deal Update; Assessment of the Greener Futures Climate Change Delivery Plan; Public Right of Way and Healthy Streets making recommendations on each item. Following the meeting, an informal budget scrutiny briefing took place for the areas under the Select Committee's remit.

The Select Committee's Greener Future Reference Group met on 20 September and 13 October to review the Climate Change Delivery Plan (whole programme assessment) following the recommendations made by the Select Committee and the role of Greener Future Member Reference Group in the forward delivery. The Group also discussed the Environment Action Committees and the Council's response to cost-of-living crisis: warm hubs; digital energy tool; energy tips campaign; and sustainable warmth programme.

Resources and Performance Select Committee

There were six meetings held by the Resources and Performance Select Committee and Budget Task Group since September. These were held on 8 September, 7 October, 12 October, 14 October, 3 November, and 7 November 2022.

The Select Committee's formal public meeting took place on 7 October considering reports on People and Change Workforce; Agile Office; and Responsible Tax Conduct motion referred by the full to the Select Committee. After careful consideration, the Committee made recommendations on each report, including a formal feedback report to the full council on responsible tax conduct.

The Select Committee also held a performance monitoring session on 14 October to monitor the services under its remit.

The Budget Task Group meetings and briefings took place on 8 September, 12 October, 3 November, and 7 November reviewing the financial positions of all directorates and receiving updates on diagnostic the process as well as the Special Educational Needs and Disability Safety Valve.

RECOMMENDATIONS:

1. That Council review the work summarised in this report providing feedback to Scrutiny Chairs as appropriate.
2. That the Select Committees will report to Council three times again next calendar year.

Lead/Contact Officers: Ross Pike, Scrutiny Business Manager,
ross.pike@surreycc.gov.uk

Sources/background papers:

Select Committee Agenda and Minutes:
[Committee structure - Surrey County Council \(surreycc.gov.uk\)](#)



OFFICER REPORT TO COUNCIL

SURREY COUNTY COUNCIL – ELECTORAL REVIEW COUNCIL SIZE SUBMISSION

KEY ISSUE/DECISION:

To approve Surrey County Council's (SCC) submission regarding future council size, as part of the Local Government Boundary Commission for England's (LGBCE) electoral review process.

BACKGROUND:

1. An electoral review is an examination of a council's electoral arrangements. This means:
 - the total number of councillors elected to the local authority;
 - the number and boundaries of wards or divisions for the purposes of the election of councillors;
 - the number of councillors for any ward or division of a local authority; and
 - the name of any ward or division.
2. The LGBCE conducts an electoral review of a council for four reasons:
 - At the request of the local authority; or
 - If the local authority meets the Commission's intervention criteria:
 - a) If one ward has an electorate of +/-30% from the average electorate for the authority
 - b) If 30% of all wards have an electorate of +/-10% from the average electorate for the authority.
 - If sufficient time since the last review (periodic review)
 - As a result of significant structural change
3. SCC is being reviewed as it has been 12 years since the last review in 2010.

PHASES OF THE ELECTORAL REVIEW:

4. The electoral review has two distinct phases;
 - *Council size*: before they re-draw division boundaries, the Commission will come to a view on the total number of councillors to

be elected to the council in future. The commission will come to a conclusion on council size after hearing the council's (and/or councillors') views during the preliminary phase.

- *Division boundaries*: this is the second phase of the review where the commission will re-draw division boundaries so that they meet certain statutory criteria. The council will have an opportunity to put forward its suggestions for division boundaries as part of the review's consultation process.

DEVELOPING SURREY'S COUNCIL SIZE SUBMISSION:

5. A cross-party Member task group has been established to lead SCC's response to the Electoral Review. The task group consists of the following Members:
 - John O'Reilly (Conservative) – Chair
 - Amanda Boote (Residents' Association/Independents)
 - Jonathan Essex (The Green Party)
 - Will Forster (Liberal Democrats)
 - Tim Hall (Conservative)
 - Nick Harrison (Residents' Association/Independents)
 - Robert King (Labour)
 - Hazel Watson (Liberal Democrats)
6. In order to assist the group in formulating a submission, a Member survey was conducted. The purpose of the survey was to gather information on the time commitment required of the councillor role and factors that affect casework, workload and community engagement. The survey was distributed on 25/7/22 and closed on 11/9/22 (7 weeks). 38 Members (47%) responded.

THE SUBMISSION:

7. The LGBCE provide a template for councils to use when making their submission. The LGBCE asks councils to demonstrate that they have considered different council sizes as part of their submission.
8. SCC's draft submission (as developed by the task group) is attached as **Appendix A**.

SUBMISSION CONCLUSION:

9. The submission comes to conclusion that the council size should remain at 81 Members. It states:
10. *To conclude, the council has considered the following council size options:*

Increase number of councillors

11. The task group noted that compared to the council's CIPFA 'nearest neighbours' comparable local authorities, SCC has one of the smaller councillor per population ratios. This, combined with the recent trend towards reducing numbers of councillors at other councils and the financial implications of increasing the number of Members, meant that the council did not explore this option in detail.

| County | Population size | Councillors | Population ratio | Percentage of population |
|--|------------------------|--------------------|-------------------------|---------------------------------|
| Cambridgeshire | 678,600 | 61 | 11,125 | 1.64% |
| East Sussex | 562,750 | 50 | 11,255 | 2% |
| Essex (not including Southend and Thurrock) | 1,500,000 | 75 | 20,000 | 1.33% |
| Hampshire (not including Portsmouth and Southampton) | 1,400,000 | 78 | 17,949 | 1.28% |
| Hertfordshire | 1,200,000 | 78 | 15,385 | 1.28% |
| Kent | 1,600,000 | 81 | 19,753 | 1.23% |
| Oxfordshire | 725,300 | 63 | 11,513 | 1.59% |
| Surrey | 1,200,000 | 81 | 14,815 | 1.23% |
| West Sussex | 858,852 | 70 | 12,269 | 1.43% |

Reduce number of councillors

12. Reducing the number of councillors at a time when the electorate is projected to grow would result in a much larger councillor to resident ratio, which could have a detrimental impact on effective democratic representation. It would also increase the workload of councillors, potentially making it more difficult to attract people from diverse backgrounds to stand for election.

13. It is also felt that reducing the number of councillors is not in line with the council's strategic objective to empower communities. Councillors are integral to the delivery of this ambition, and the council is working with Members to strengthen their roles as community connectors and facilitators.

14. The council also recognises the national trend towards devolution to local authorities. Reducing the number of councillors could impact effective governance at SCC if Members did not have the capacity to take on potentially complex new responsibilities.

Number of councillors stays the same

15. The council therefore recommends to the LGBCE that the council size should be maintained at 81 councillors. This enables the current model of local governance to function effectively while allowing Members enough time to fulfil the range of representational and community leadership roles. It also helps mitigate against the impact of electorate growth whilst ensuring that the council is sufficiently resourced to take on additional responsibilities that could be secured through future devolution opportunities.

RECOMMENDATIONS:

That the Council approves the Electoral Review Council Size Submission, ahead of it being sent to the Local Government Boundary Commission for England (LGBCE).

Lead/Contact Officers: Rachel Basham, Member Services Manager, Surrey County Council
rachel.basham@surreycc.gov.uk

Sources/background papers:
None

[Submission on behalf of Surrey County Council]

Council Size Submission: Template

[Surrey County Council]

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How to Make a Submission

It is recommended that submissions on future governance arrangements and council size follow the guidance provided and use the format below as a template. Submissions should be treated as an opportunity to focus on the future needs of the council and not simply describe the current arrangements. **Submissions should also demonstrate that alternative council sizes have been considered in drawing up the proposal and why you have discounted them.**

The template allows respondents to enter comments directly under each heading. It is not recommended that responses be unduly long; as a guide, it is anticipated that a 15 to 20-page document using this template should suffice. Individual section length may vary depending on the issues to be explained. Where internal documents are referred to URLs should be provided, rather than the document itself. It is also recommended that a table is included that highlights the key paragraphs for the Commission's attention.

'Good' submissions, i.e. those that are considered to be most robust and persuasive, combine the following *key success components* (as set out in the guidance that accompanies this template):

- Clarity on objectives
- A straightforward and evidence-led style
- An understanding of local place and communities
- An understanding of councillors' roles and responsibilities

About You

The respondent should use this space to provide the Commission with a little detail about who is making the submission, whether it is the full Council, Officers on behalf of the Council, a political party or group, a resident group, or an individual.

1. This submission has been produced by a cross-party Member task group at Surrey County Council (SCC), with support from officers. **The report was approved by County Council at its meeting on 13 December 2022 [TBC].**

Reason for Review (Request Reviews Only)

Please explain the authority's reasons for requesting this electoral review; it is useful for the Commission to have context. *NB/ If the Commission has identified the authority for review under one of its published criteria, then you are not required to answer this question.*

This review has been identified to take place by the Local Government Boundary Commission of England (LGBCE) on account of it being 12 years since the council was last reviewed.

The Context for your proposal

Your submission gives you the opportunity to examine how you wish to organise and run the council for the next 15 - 20 years. **The consideration of future governance arrangements and council size should be set in the wider local and national policy context.** The Commission expects you to challenge your current arrangements and determine the most appropriate arrangements going forward. In providing context for your submission below, please demonstrate that you have considered the following issues.

- When did your Council last change/reorganise its internal governance arrangements and what impact on effectiveness did that activity have?
 - To what extent has transference of strategic and/or service functions impacted on the effectiveness of service delivery and the ability of the Council to focus on its remaining functions?
 - Have any governance or capacity issues been raised by any Inspectorate or similar?
 - What influence will local and national policy trends likely have on the Council as an institution?
 - What impact on the Council's effectiveness will your council size proposal have?
2. Prior to the Local Government Act 2000, SCC had operated a standard committee system with each committee having its own terms of reference and decision-making powers within a particular service area of the council. The 2000 Act changed the way in which local councils were managed politically, separating executive from non-executive functions, with SCC adopting a Leader and Cabinet model. The Localism Act of 2011 enabled councils to once again adopt a committee system of governance, however, SCC has continued to operate a Leader and Cabinet model. Although some changes have been made to the scrutiny model (explained in detail later in the submission), overall, governance arrangements at SCC have remained consistent and stable.
 3. One of the reasons for this stability is that governance arrangements at SCC are seen to be fit for purpose. The Governance Panel, chaired by the council's Monitoring Officer, has a responsibility for reporting on the council's governance arrangements and drafting the Annual Governance Statement, evaluating assurances and supporting evidence. Recent Annual Governance Statements have been independently reviewed by the Council's Audit and Governance Committee, who have confirmed that they are satisfied with the governance arrangements at the council.
 4. There are several policy trends that will have an impact on how the council (and the role of the councillor) operates in the future. These include local policy drivers, such as the council's strategic objective to empower communities. SCC wants to reinvigorate its relationship with residents, characterised by more people participating, engaging and having a role in how things are done where they live. The council is aiming to be more community led, for example, through increased funding for local projects. There are also legislative expectations for increased citizen involvement (e.g. in health and care) and clear expectations from our residents that we improve our approach to community engagement.
 5. To deliver on these ambitions, the council needs new methods and approaches to working with communities. Members will play a key role in this new engagement

model – acting as community connectors and empowering local people. The council believes that this work should be an important consideration when determining future council size. Further details are provided in the *Community Leadership* section of this submission.

6. The council has also made a strong and clear commitment around Equality, Diversity and Inclusion. This includes ensuring that the council better reflects and understands the communities it represents. Currently, the political make-up of SCC is not as diverse as the county itself. For example, there are more male councillors (63%) than there are female councillors (37%), whilst the average age of a councillor is 58. A Member 'Councillor Diversity and Inclusion' Task Group has looked at this issue and identified the time commitment required to be a councillor as a significant barrier to greater inclusion - particularly at county level where many meetings take place during the daytime. Changes to the size of the council that increases demands on councillors (e.g. a significant reduction in the number of councillors) could have a detrimental impact on the council's ability to make progress in achieving greater diversity in the council's membership.
7. There are also key national policy trends that are likely to have an impact on how the Council operates, such as devolution. Successive governments have made commitments around enabling greater devolution, giving local areas more control of powers and functions. This trend is continuing with the recent Levelling Up White Paper and Devolution Framework that has established a clear model and direction for local areas to pursue devolution deals that make sense for their areas. The government is committed to offering all parts of England a devolution deal by 2030, and the council is seeking to be one of the earlier areas to secure a deal. Given the intention to seek greater levels of powers and functions from Government, this is likely to have an impact on how the council operates in terms of responsibilities and delivery. Although it is not expected to lead to substantial changes in the current expectations of councillors, it could be argued that the general trend towards greater devolution is a reason for not reducing the number of councillors.
8. Alongside devolution, The Health & Care Act and Health Integration White Paper have signalled the government's ambition for greater health integration, and more recently guidance has been published on the preparation of integrated care strategies. The Integrated Care Partnership (ICP) is statutory committee jointly formed between the NHS Integrated Care Board (ICB) and all upper-tier local authorities that fall within the ICS area. The ICP will bring together a broad alliance of partners concerned with improving the care, health and wellbeing of the population, with membership determined locally but likely to include council Members. Again, the move towards greater health integration and councillor involvement in joint partnerships such as the ICP could be seen as a reason not to reduce the number of councillors.

Local Authority Profile

Please provide a short description of the authority and its setting, in particular the local geography, demographics and community characteristics. This should set the scene for the Commission and give it a greater understanding of any current issues. The description should cover all of the following:

- Brief outline of area - are there any notable geographic constraints for example that may affect the review?
- Rural or urban - what are the characteristics of the authority?
- Demographic pressures - such as distinctive age profiles, migrant or transient populations, is there any large growth anticipated?
- Community characteristics – is there presence of “hidden” or otherwise complex deprivation?
- Are there any other constraints, challenges, issues or changes ahead?

Further to providing a description, the Commission will be looking for a submission that demonstrates an understanding of place and communities by putting forth arguments on council size based upon local evidence and insight. For example, how does local geography, demographics and community characteristics impact on councillor casework, workload and community engagement?

9. Surrey is considered an attractive place to live and work with a range of natural and cultural assets, including its proximity to London. More than 80% of the county is countryside, and green belt status is applied to around 70%. A quarter of Surrey is classified as an Area of Outstanding Natural Beauty and a further 8% as Areas of Great Landscape Value.
10. The county consists of eleven boroughs and districts ranging from the smallest, Epsom and Ewell borough, covering 3,407 hectares, to Waverley borough, covering 34,527 hectares. The boroughs and districts with the largest population in the county are Guildford and Reigate and Banstead (around 150,000). Most population centres in Surrey are a mix of urban, suburban and rural conurbations. 55% of councillors that responded to a Member survey (August 2022) said that Surrey’s geography impacted their workload and increased the time commitment of being a councillor. A range of factors were highlighted, such as urban and rural variances, travel time and natural or manmade boundaries/infrastructure (such as rivers, or major roads A3/M25/M3).
11. Surrey’s combination of accessibility and very high-quality natural environment make it a prime location for London professionals wanting a less urban way of life. More than 40% of residents work outside the county with nearly a quarter working in London, although recently there has been a positive net flow of workers due to increased homeworking since the COVID-19 pandemic. Surrey has one of the busiest road networks in the country, carrying double the national average traffic flow and make it the slowest county to drive around.
12. Around 70% of residents believe there is a strong sense of community in their local area. Over 93.5% of people in Surrey recorded that they were satisfied with their neighbourhood as a place to live. This is reflected in the county’s vibrant voluntary, community and faith sector, with approximately 6,000 organisations, and thousands of residents volunteering each year.
13. Surrey has a population of 1.2 million residents, this is a 6.2% increase since the 2011 Census, which is a slightly lower growth rate than England as a whole (6.6%). The population is projected to increase by around 10%, reaching 1.31 million by 2041. Eighty-seven per cent of inhabitants live in urban areas and yet 73% of land in Surrey is green belt. This complex geography is significant as access to services and transport are important concerns in the rural parts of Surrey.

14. More than half of Surrey's population is over 50 years of age, and the number of people over 85 is increasing by 1,000 people a year. Surrey has a lower proportion of people aged 20-34 compared with the national average and is a net exporter of university-aged people. The proportion of the population in all age groups under 65 is projected to fall over the next 20 years, while the number of residents aged over 65 will increase.
15. Social and economic deprivation in Surrey is often masked by proximity to areas of affluence and dispersed communities. There are significant micro-clusters of deprivation where education and skills deprivation are in the top 20% nationally. There is a 10-year delta in life-expectancy in adjoining parts of the county, exposing generational inequalities that exist within parts of Surrey.
16. The impact of deprivation has been noted by councillors in terms of their workload and case work. 54% of respondents to the Member survey said that demographics impacted their workload, and the most common cited factor was areas of deprivation. Conversely, respondents also said that deprived communities were less represented and not as engaged as other more affluent communities in their ward. Councillors in affluent areas fed back that they have highly engaged and motivated residents that have high expectations of their local councillors.

Council Size

The Commission believes that councillors have three broad aspects to their role. These are categorised as: **Strategic Leadership, Accountability (Scrutiny, Regulatory and Partnerships), and Community Leadership**. Submissions should address each of these in turn and provide supporting evidence. Prompts in the boxes below should help shape responses.

Strategic Leadership

Respondents should provide the Commission with details as to how elected members will provide strategic leadership for the authority. Responses should also indicate how many members will be required for this role and why this is justified. **Responses should demonstrate that alternative council sizes have been explored.**

| Topic | | |
|-------------------------|---------------------------------|--|
| Governance Model | <i>Key lines of explanation</i> | <ul style="list-style-type: none"> ➤ <i>What governance model will your authority operate? e.g. Committee System, Executive or other?</i> ➤ <i>The Cabinet model, for example, usually requires 6 to 10 members. How many members will you require?</i> ➤ <i>If the authority runs a Committee system, we want to understand why the number and size of the committees you propose represents the most appropriate for the authority.</i> ➤ <i>By what process does the council aim to formulate strategic and operational policies? How will members in executive, executive support and/or scrutiny positions be involved? What particular demands will this make of them?</i> |

| | | |
|--|-----------------|--|
| | | <p>➤ <i>Whichever governance model you currently operate, a simple assertion that you want to keep the current structure does not in itself, provide an explanation of why that structure best meets the needs of the council and your communities.</i></p> |
| | <p>Analysis</p> | <p>17. Prior to the Local Government Act 2000, Surrey County Council operated a standard committee system with each committee having its own terms of reference and decision-making powers within a particular service area of the council. The 2000 Act changed the way in which local councils are managed politically, separating executive from non-executive functions. Since then, the council has operated a strong leader executive model. There are currently ten Cabinet Members and four Deputy Cabinet Members.</p> <p>18. Executive decisions are either taken collectively by the full Cabinet, or by individual Cabinet Members as determined by the Leader and set out in the council's Scheme of Delegation. Cabinet meets monthly. Individual Cabinet Member Decision meetings are also held monthly in public. The Cabinet leads the preparation of the council's policies and budget and makes recommendations to the County Council on the major policy plans and the budget at Council Tax.</p> <p>19. The County Council as a collective body continues to have an important role in setting the broad budget and policy framework. As of December 2022, the political make up of Surrey County Council is as follows: Conservative – 45, Residents' Associations/Independents – 16; Liberal Democrats – 15; Labour – 2; Green – 2 Independent - 1 There are 81 county councillors in total.</p> <p>20. Non-executive decisions are taken either by the County Council, or by the following: Planning & Regulatory Committee; Appeals & Representation Panel; Audit & Governance Committee; People, Performance & Development Committee; Appointments Sub-Committee; Member Conduct Panel; Surrey Pension Fund Committee.</p> <p>21. The council's Overview and Scrutiny function is exercised by four Select Committees (Adults & Health; Children, Families, Lifelong Learning & Culture; Communities, Environment & Highways; Resources & Performance). These committees</p> |

| | | |
|--------------------------|--|--|
| | | <p>influence the development of policy and undertake pre-decision scrutiny.</p> <p>22. Member role profiles, including a generic role profile for all county councillors as well as specific role profiles for the Leader, Deputy Leader, Cabinet Members, Chair and Vice-Chair of Council have been developed and form an appendix to the Member-Officer Protocol (part of the Constitution).</p> <p>23. Governance processes at SCC generally work well. There are few urgent decisions; call-ins are infrequent due to pre-decision scrutiny, and the general feedback received from Members is good. There are currently no plans for widescale changes to the governance system at SCC.</p> |
| <p>Portfolios</p> | <p><i>Key lines of explanation</i></p> | <p><i>How many portfolios will there be? What will the role of a portfolio holder be? Will this be a full-time position? Will decisions be delegated to portfolio holders? Or will the executive/mayor take decisions?</i></p> |
| | <p>Analysis</p> | <p>24. There are currently 10 Cabinet Portfolios. The role profiles for the Leader, Cabinet Members and Deputy Cabinet Members are available as part of an annex to the Member-Officer Protocol.</p> <p>25. The Cabinet meets as a whole 11 times a year, with meetings lasting approximately 2-3 hours each (although each also involves an agenda planning and callover meeting, which can take an additional 2-3 hours each). To support Cabinet in developing their thinking prior to decisions being made, the Cabinet meets informally once a month.</p> <p>26. There are also 11 individual Cabinet Member decision-making days during the year, which include slots for each portfolio holder. Cabinet Members are also expected to contribute to the council's scrutiny process by attending Select Committee meetings on request.</p> <p>27. Part 3 – Section 2 – Table 2 in the Constitution sets out the responsibility for executive functions exercised by Cabinet members, as listed by the Leader and outlined in Article 5.02 of the Constitution. Delegations are also made to Cabinet Members as a result of recommendations within Cabinet papers. The majority of decisions are taken collectively by the full Cabinet and it is anticipated that this will continue.</p> |

| | | <p>28. The role of a Cabinet Member at SCC represents a significant time commitment. In the Member Survey conducted during August 2022, the average time commitment for Cabinet Members was 77 hours per month (in addition to their role as a local Member).</p> <p>29. Overall Executive arrangements at SCC have remained fairly consistent since they were introduced in 2000. The structure is in line with many other County Councils, and it is not anticipated that any widescale changes are likely to be introduced.</p> | | | | | | | | |
|--|--|---|---------|-------|---------------|---------|----|---|---------|----|
| <p>Delegated Responsibilities</p> | <p><i>Key lines of explanation</i></p> | <ul style="list-style-type: none"> ➤ <i>What responsibilities will be delegated to officers or committees?</i> ➤ <i>How many councillors will be involved in taking major decisions?</i> | | | | | | | | |
| | <p>Analysis</p> | <p>30. The council's Scheme of Delegation sets out details of who is responsible for which functions in the Authority and the extent to which any functions have been delegated:</p> <p>31. <u>Part 3 – Section 2 – Table 2 in the Constitution</u> sets out the responsibility for executive functions exercised by Cabinet members, as listed by the Leader and outlined in Article 5.02 of the Constitution.</p> <p><u>Part 3 – Section 3 Part 1 in the Constitution sets out the overall scheme of delegation to officers.</u></p> <p><u>Part 3 – Section 3 Part 2 sets out the General Delegation to Officers.</u></p> <p><u>Part 3 – Section 3 Part 3A sets out the Specific Delegation to Officers.</u></p> <p>32. Delegations are also made to officers as a result of recommendations within reports (often in consultation with Members).</p> <p>33. Councillors sit on a number of decision-making and scrutiny committees at Surrey County Council.</p> <table border="1" data-bbox="639 1787 1445 1973"> <thead> <tr> <th>Meeting</th> <th>Seats</th> <th>Meetings p.a.</th> </tr> </thead> <tbody> <tr> <td>Council</td> <td>81</td> <td>6</td> </tr> <tr> <td>Cabinet</td> <td>10</td> <td>11</td> </tr> </tbody> </table> | Meeting | Seats | Meetings p.a. | Council | 81 | 6 | Cabinet | 10 |
| Meeting | Seats | Meetings p.a. | | | | | | | | |
| Council | 81 | 6 | | | | | | | | |
| Cabinet | 10 | 11 | | | | | | | | |

| | | | |
|--|--|----|----|
| | Adults and Health Select Committee | 13 | 5 |
| | Children, Families, Lifelong Learning and Culture Select Committee | 13 | 5 |
| | Communities, Environment and Highways Select Committee | 13 | 5 |
| | Resources and Performance Select Committee | 13 | 5 |
| | Surrey Police and Crime Panel | 1 | 6 |
| | Strategic Investment Board | 4 | 11 |
| | Health and Wellbeing Board | 4 | 8 |
| | Audit & Governance Committee | 6 | 6 |
| | Joint Trading Standards Committee | 2 | 2 |
| | Local Pension Board | 2 | 4 |
| | Surrey Pension Fund Committee | 6 | 4 |
| | Planning and Regulatory Committee | 11 | 11 |
| | People, Performance and Development Committee | 6 | 5 |
| | Basingstoke Canal Joint Management Committee | 4 | 2 |

| | | |
|---|------------|------------|
| Local Firefighter's Pension Board | 1 | 4 |
| Area of Outstanding Natural Beauty Board | 1 | 4 |
| Select Committee Chairmen and Vice-Chairmen's Group | 12 | 4 |
| Corporate Parenting Board | 10 | 6 |
| South West London and Surrey Joint Health Overview and Scrutiny Committee | 2 | 2 |
| Member Conduct Panel | 10 | Adhoc |
| Committees in Common | 3 | 5 |
| TOTAL | 228 | 121 |

The table does not take account of any additional meetings that may be organised in-year, nor any task groups or sub committees.

34. With the current council size of 81 Members, excluding Cabinet and County Council meetings, there are 137 committee seats. This translates to an average of 1.9 seats on committees available for non-Cabinet Members.

35. Surrey is a large county, and many councillors spend significant time travelling to and from meetings. For example, Members travelling from Farnham (in the south-east of the county) to the council's HQ in Reigate are likely to face a two hour round trip.

36. During the Covid-pandemic, council meetings took place remotely and Members quickly adapted to using online meeting technology. Now that public health restrictions have lifted, formal council meetings have returned to taking place in person. However, many informal meetings have continued to take place online. A reduction in Member's

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| | | expenses claims suggests that councillors are continuing to travel less for council business than before the pandemic. |
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Accountability

Give the Commission details as to how the authority and its decision makers and partners will be held to account. The Commission is interested in both the internal and external dimensions of this role. **Responses should demonstrate that alternative council sizes have been explored.**

| Topic | |
|--------------------------|---|
| Internal Scrutiny | The scrutiny function of authorities has changed considerably. Some use theme or task-and-finish groups, for example, and others have a committee system. Scrutiny arrangements may also be affected by the officer support available. |
| Key lines of explanation | <ul style="list-style-type: none"> ➤ <i>How will decision makers be held to account?</i> ➤ <i>How many committees will be required? And what will their functions be?</i> ➤ <i>How many task and finish groups will there be? And what will their functions be? What time commitment will be involved for members? And how often will meetings take place?</i> ➤ <i>How many members will be required to fulfil these positions?</i> ➤ <i>Explain why you have increased, decreased, or not changed the number of scrutiny committees in the authority.</i> ➤ <i>Explain the reasoning behind the number of members per committee in terms of adding value.</i> |
| Analysis | 37. The Council operates a Leader and Cabinet model of governance which necessitates at least one scrutiny panel. Surrey County Council reviewed and made changes to its scrutiny setup in May 2019 reducing the number of Select Committees (scrutiny committees) at the Council from six to four. This was to simplify the structure and bring the Council in line with similar neighbouring Local Authorities as well as to bring focus to the work of the function as a whole by aligning their remits more closely to the Council's internal service directorates. |



Diagram 1: Surrey County Council Scrutiny Structure 2019 onwards.

38. The reduction of Select Committees saw a complementary increase in the size of the membership to compensate for the overall reduction in the number of seats. Each Select Committee, excluding external or co-opted Members, has 12-13 County Councillors in a politically proportionate distribution.
39. A further change saw an increase in leadership capacity as Select Committees now have a Chairman and two Vice-Chairmen, one of whom would be drawn from one of the opposition groups. The Vice-Chairmen's role was enhanced to give them responsibility for the running of the Committee's task & finish groups.
40. An informal, i.e. non-constituted group, of Select Committee Chairmen and Vice-Chairmen was created to provide leadership for the function by reviewing work, sharing information and coordinating work programmes.
41. The Council's Constitution defines the role of its Select Committees as – scrutiny; overview, policy review and development; and performance management. Each Select Committee meets a minimum of five times a year in public to conduct committee business. This includes dedicated budget scrutiny sessions in July, October and December on the draft budget each year. Committees aim to keep the number of items on agenda low so that the requisite time and effort can be dedicated to effective scrutiny.
42. Each Select Committee is supported by a Scrutiny Officer and a Democratic Services Assistant augmented by further support when needed from officers drawn across the Council.
43. Task & finish groups are routinely used to investigate topics in more depth and make recommendations to the

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| | <p>Cabinet as this is considered good practice. Each Select Committee is resourced to run two such groups concurrently at any one time. Since 2019, 10 task & finish groups have been set up and concluded including reviews of SEND provision and the Council's preparations to become carbon net zero. At present, there are three groups underway covering health inequalities, adult learning and the economy and scrutiny of the council's budget performance.</p> <p>44. County Council considered the Scrutiny Annual Report in February 2022. During the debate on this item, councillors commented that the current system of scrutiny was working effectively and that the quality of work undertaken by Select Committees had improved in recent years. There are currently no plans to change the scrutiny set up at Surrey.</p> | | | | |
| <p>Statutory Function</p> | <p>This includes planning, licencing and any other regulatory responsibilities. Consider under each of the headings the extent to which decisions will be delegated to officers. How many members will be required to fulfil the statutory requirements of the council?</p> | | | | |
| <p>Planning</p> | <table border="1"> <tr> <td data-bbox="354 1014 544 1384"> <p><i>Key lines of explanation</i></p> </td> <td data-bbox="544 1014 1465 1384"> <ul style="list-style-type: none"> ➤ <i>What proportion of planning applications will be determined by members?</i> ➤ <i>Has this changed in the last few years? And are further changes anticipated?</i> ➤ <i>Will there be area planning committees? Or a single council-wide committee?</i> ➤ <i>Will executive members serve on the planning committees?</i> ➤ <i>What will be the time commitment to the planning committee for members?</i> </td> </tr> <tr> <td data-bbox="354 1384 544 2054"> <p>Analysis</p> </td> <td data-bbox="544 1384 1465 2054"> <p>45. The vast majority of planning applications are dealt with by officers under delegated powers. Over the past 12 months (August 2021 to July 2022), 87% of cases were dealt with by officers under delegated powers, and 13% of cases were determined by Members at Planning & Regulatory Committee.</p> <p>46. The Constitution requires that all applications with five or more objections, or those that are called in by the Local Member or a committee member, are determined by Planning & Regulatory Committee. This arrangement has been in place since 2013 and there are currently no proposals to amend this.</p> <p>47. No Executive Members sit on Planning & Regulatory Committee; however, the Leader and Deputy Leader of the Council may attend and speak at meetings of the committee on an ex-officio basis (they have no voting</p> </td> </tr> </table> | <p><i>Key lines of explanation</i></p> | <ul style="list-style-type: none"> ➤ <i>What proportion of planning applications will be determined by members?</i> ➤ <i>Has this changed in the last few years? And are further changes anticipated?</i> ➤ <i>Will there be area planning committees? Or a single council-wide committee?</i> ➤ <i>Will executive members serve on the planning committees?</i> ➤ <i>What will be the time commitment to the planning committee for members?</i> | <p>Analysis</p> | <p>45. The vast majority of planning applications are dealt with by officers under delegated powers. Over the past 12 months (August 2021 to July 2022), 87% of cases were dealt with by officers under delegated powers, and 13% of cases were determined by Members at Planning & Regulatory Committee.</p> <p>46. The Constitution requires that all applications with five or more objections, or those that are called in by the Local Member or a committee member, are determined by Planning & Regulatory Committee. This arrangement has been in place since 2013 and there are currently no proposals to amend this.</p> <p>47. No Executive Members sit on Planning & Regulatory Committee; however, the Leader and Deputy Leader of the Council may attend and speak at meetings of the committee on an ex-officio basis (they have no voting</p> |
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| | | <p>rights and may not move or second motions or amendments).</p> <p>48. The Planning & Regulatory Committee meets in public once a month, plus monthly site visits. Committee Members are also expected to attend regular training sessions.</p> |
| Licensing | Key lines of explanation | <ul style="list-style-type: none"> ➤ <i>How many licencing panels will the council have in the average year?</i> ➤ <i>And what will be the time commitment for members?</i> ➤ <i>Will there be standing licencing panels, or will they be ad-hoc?</i> ➤ <i>Will there be core members and regular attendees, or will different members serve on them?</i> |
| | Analysis | <p>49. The remit of the Planning & Regulatory Committee (see above) covers Licensing and Registration Functions and Births, Deaths & Marriages; however, many of these decisions are delegated to officers.</p> |
| Other Regulatory Bodies | Key lines of explanation | <ul style="list-style-type: none"> ➤ <i>What will they be, and how many members will they require?</i> ➤ <i>Explain the number and membership of your Regulatory Committees with respect to greater delegation to officers?</i> |
| | Analysis | <p>50. In addition to the Planning and Regulatory Committee, the council appoints to the following regulatory committees:</p> <ul style="list-style-type: none"> • Audit and Governance Committee (6 Members, meets 6 times a year) • Member Conduct Panel (10 Members, meets on an ad-hoc basis) • People, Performance and Development Committee (6 Members, 5 meetings a year) • Surrey Pension Fund Committee (6 meetings, 4 meetings a year) <p>51. In terms of the regulatory functions, the council is not aware of any proposed changes in legislation which might affect these responsibilities and therefore it considers that there is no need to review the regulatory committee structure at this time.</p> |
| External Partnerships | | <p>Service delivery has changed for councils over time, and many authorities now have a range of delivery partners to work with and hold to account.</p> |
| Key lines of explanation | | <ul style="list-style-type: none"> ➤ <i>Will council members serve on decision-making partnerships, sub-regional, regional or national bodies? In doing so, are they able to take decisions/make commitments on behalf of the council?</i> ➤ <i>How many councillors will be involved in this activity? And what is their expected workload? What proportion of this work is undertaken by portfolio holders?</i> |

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| | <p>➤ <i>What other external bodies will members be involved in? And what is the anticipated workload?</i></p> |
| <p>Analysis</p> | <p>52. Councillors serve on a number of decision-making partnerships at a county-wide level:</p> <ul style="list-style-type: none"> • Surrey Health & Wellbeing Board – this is a partnership between the NHS, public health, social care, SCC, borough/district councils and user representatives. The Leader of the Council chairs the Board, and the Cabinet portfolio holders for Adults & Health, Children & Families, Communities, and Community Protection are also Members. The Board is responsible for producing the Joint Health and Wellbeing Strategy for Surrey. The Board meets on a monthly basis. • Surrey Policy and Crime Panel – the Panel holds to account the performance of the Surrey Police and Crime Commissioner and consists of one councillor from SCC (not a member of the Cabinet) and one councillor from each of the 11 borough/district councils (plus two co-opted independent members). The Panel meets six times a year. <p>53. Work is ongoing to establish the Surrey Heartlands Integrated Care Board and Surrey Heartlands Integrated Care Partnership and it is anticipated that elected Members will be involved in these bodies.</p> <p>54. The Leader of the Council also chairs the following partnership boards, although these do not have decision making powers:</p> <ul style="list-style-type: none"> • Workforce & Culture Board • Surrey Growth Board • Strategic Investment Board • Transformation Board • Major Projects Board <p>55. Councillors are appointed to a range of Outside Bodies across the county. These are categorised as either local or Surrey-wide/strategic bodies. A full list can be viewed on the council's website. The council currently appoints to 62 vacancies on 54 outside bodies. The workload of Outside Bodies varies but the Member survey indicates that councillors spend an average of 7 hours per month on these duties.</p> <p>56. Alongside formal Outside Bodies appointments made by the council, many Members hold positions with other external bodies - for example, community groups or</p> |

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| | charities in their areas. 47 of the current councillor cohort are 'twin-hatted', meaning that they sit on both the County and their District or Borough Council [Update following by-election]. Several Members are also school governors. |
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Community Leadership

The Commission understands that there is no single approach to community leadership and that members represent, and provide leadership to, their communities in different ways. The Commission wants to know how members are required to provide effective community leadership and what support the council offers them in this role. For example, does the authority have a defined role and performance system for its elected members? And what support networks are available within the council to help members in their duties? The Commission also wants to see a consideration of **how the use of technology and social media by the council as a whole, and by councillors individually, will affect casework, community engagement and local democratic representation. Responses should demonstrate that alternative council sizes have been explored.**

| Topic | | Description |
|----------------------|--------------------------|---|
| Community Leadership | Key lines of explanation | <ul style="list-style-type: none"> ➤ <i>In general terms how do councillors carry out their representational role with electors?</i> ➤ <i>Does the council have area committees and what are their powers?</i> ➤ <i>How do councillors seek to engage with their constituents? Do they hold surgeries, send newsletters, hold public meetings or maintain blogs?</i> ➤ <i>Are there any mechanisms in place that help councillors interact with young people, those not on the electoral register, and/or other minority groups and their representative bodies?</i> ➤ <i>Are councillors expected to attend community meetings, such as parish or resident's association meetings? If so, what is their level of involvement and what roles do they play?</i> ➤ <i>Explain your approach to the Area Governance structure. Is your Area Governance a decision-making forum or an advisory board? What is their relationship with locally elected members and Community bodies such as Town and Parish Councils? Looking forward how could they be improved to enhance decision-making?</i> |
| | Analysis | 57. The role of the county councillor is not restricted to formal committee meetings and representation on other public, voluntary, community or faith sector bodies. As outlined in the council's role profile for the Surrey County Councillor, Members are first and foremost community leaders, elected to represent the needs and interests of the division for which the councillor was elected. |

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| | | <p>58. According to the Member survey, councillors in Surrey spend on average 27 hours per month on their local division work. Every Member approaches this differently but it may include:</p> <ul style="list-style-type: none"> - dealing with enquiries and casework on behalf of residents - representing residents' interests or enabling them to take action themselves as appropriate - liaising with council officers and partner organisations to ensure that the needs of the local communities are identified, understood and supported, and agreed local actions are carried out. - being actively involved with local organisations in order to keep up-to-date with local concerns. - holding surgeries or similar public meetings to gather views of residents (either virtually or face-to-face) - meeting residents 'on site' in order to engage with the issues facing residents. <p>59. The geographical size of the county and disparities in physical size between divisions can impact on the amount of time some county councillors spend on travelling, either to and from the council's main headquarters, which is based at Reigate, or travelling to meetings or events within their own division. The disparity in travel distances also impacts on some residents' ability to access representation. In a compact area, one surgery could be accessible to several geographically close communities. However, in a larger area, one Member may have to arrange a greater number of surgeries to be accessible to their residents.</p> <p>60. Surrey has 85 parish & town councils, 81 of which are paying members of the Surrey Association of Local Councils (SALC). About half of Surrey is parished. Political representation for the other half is through district and county councillors, residents' associations and community groups. Most parish councils meet monthly.</p> <p>61. The extent to which the workload of Members is affected by the presence of town or parish councils in their division will vary depending on the number of such councils. However, there is an expectation from many parish councils that their county councillor will regularly attend their meetings. In some cases, county councillors are asked to make a report to each</p> |
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| | | <p>meeting on matters that may concern the parish. As most of the larger parishes meet every month, this can impose a significant time commitment on individual county councillors.</p> <p>62. In the more urban parts of the county, Members do not have this additional parish commitment, although there are a large number of residents' associations that can draw on Members' time. An average county division would include approximately two ward/village residents' association and the level of commitment expected from the county councillor in attending their meetings and working with them is similar to liaising with a parish council. Of course, the number of residents' associations varies from area to area.</p> <p>63. Local Committees ('area committees') were introduced in Surrey's Districts and Boroughs from 2002 to promote the involvement of local people in the democratic process and to bring decision making closer to local people.</p> <p>64. In February 2022, the Cabinet agreed to move the Highways Executive Functions away from Local and Joint Committees, instead delegating them to officers in consultation with Divisional members. In October 2022, Council agreed to remove the remaining executive, non-executive and advisory functions of Local and Joint Committees. In their place an enhanced engagement model is being developed. This new model recognises that the way residents communicate and interact with the County Council, and the way in which they wish to be involved in local initiatives, has changed. In this model, SCC is moving away from its traditional approach of 'doing to' and is embracing a more accessible and inclusive 'doing with' approach. The objective is to ensure that residents' voices are heard and the Council acts as an enabler, helping local individuals, groups and stakeholders identify and prioritise their key issues and access appropriate support and funding to address them.</p> <p>65. As part of this new approach, the council has restructured its Community Partnership and Engagement Team, including the introduction of a new Community Link Officer (CLO) role. The CLO will work closely with Members, supporting them to proactively engage with residents, seeking their views and better engaging communities in the council's decision making.</p> |
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66. The council recognises the important role that the internet and social media can play in connecting communities and is aiming to make it easier for residents to engage with the council via digital tools. As part of this drive, the council is offering training to Members in online platforms such as Facebook and NextDoor – enabling councillors to develop their presence in places where the community converses.
67. Each county councillor has funding to help residents, voluntary and community organisations deliver activities that benefit local people in their neighbourhoods. This funding is known as Members' Community Allocation (MCA). This is a small member-led funding stream where each councillor has £5,000 to support local projects. Applicants contact and speak to their local county councillor about their project. If the Member is happy to support a project they will send the applicant the link to the application form.
68. Your Fund Surrey (YFS) is a £100m capital fund that launched in March 2021 and will run for five years. Local communities are able to apply to the fund to support projects in their areas.
69. Members have a large role in the YFS process. For example, applicants are asked to speak about their project idea with their local County Councillor before submitting an application form. Members are also asked for specific comments about projects within their divisions, which are then included in a report that is taken to the advisory panel meeting. The panel is made up of nine cross-party County Councillors who look at YFS full submission applications and decide on whether they should be recommended to fund. The local Member is also invited to attend the panel meeting to provide a supporting statement about the project. #
70. In October 2022, it was announced that all Members would receive £50,000 from YFS to allocate to projects in their area.
71. Overall, although Members no longer sit on a Local Committee, it is not anticipated that this will reduce the time councillors spend working on matters relating to their local community. The council's new approach to community engagement requires Members to work differently and engage with residents proactively in a number of different ways. It is important that the future

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| | | council size continues to enable Members to engage with their residents in this way. |
| Casework | Key lines of explanation | <ul style="list-style-type: none"> ➤ <i>How do councillors deal with their casework? Do they pass it on to council officers? Or do they take a more in-depth approach to resolving issues?</i> ➤ <i>What support do members receive?</i> ➤ <i>How has technology influenced the way in which councillors work? And interact with their electorate?</i> ➤ <i>In what ways does the council promote service users' engagement/dispute resolution with service providers and managers rather than through councillors?</i> |
| | Analysis | <p>72. The approach taken to casework varies between councillors, however, the council is keen to encourage Members to adopt a signposting post approach to online self-serve options for first time reports wherever possible (and appropriate). Where casework is more complex and residents have asked councillors to advocate on their behalf, the council has a number of dedicated e-mail addresses which Members can use to assist them in getting a response.</p> <p>73. The council provides a detailed induction programme, weekly member seminars and regular skills training opportunities, in order to support Members to understand the services that the council provides and feel able to respond to casework effectively.</p> <p>74. Throughout 2022, Democratic Services conducted 1-1 conversations with 42 Members. During these conversations, handling casework was cited as the top issue that councillors wanted further support for. This points to the scale and complexity of casework that councillors receive. Enhanced guidance and training is being arranged for Members in response.</p> <p>75. Members rely heavily on technology to communicate with their residents, with 94% of respondents to the Member survey saying that technology influenced the way that they worked and that it increased avenues for communicating with residents through social media, e-newsletters, virtual meetings and emails. It also supported casework, specifically through the Councillors@ email address and being able to video call officers, rather than travel for physical meetings. Although many respondents acknowledged the positive contribution that technology offered to their roles, it was also said that it contributes to increasing resident caseload and raises expectations for faster response times.</p> |

Other Issues

Respondent may use this space to bring any other issues of relevance to the attention of the Commission.

Electorate Number

76. The electorate in Surrey is estimated to increase by just over 100,000 in the next 10 years. The table below considers how increasing or decreasing the number of Members would impact the numbers of residents per councillor.

| | 2022 | 2029 | 2029 % change against current |
|------------------------------------|---------|---------|-------------------------------|
| Overall electorate | 874,932 | 975,970 | 11.5% |
| Current Electorate per Member (81) | 10,802 | 12,049 | 11.5% |
| Electorate per Member (78) | | 12,512 | 15.8% |
| Electorate per Member (84) | | 11,619 | 7.6% |

77. It could be argued that, given the projected increase in the electorate, that the number of councillors at SCC *should not* be reduced in order to mitigate this increase and continue to enable effective democratic representation.

Summary

In following this template respondents should have been able to provide the Commission with a robust and well-evidenced case for their proposed council size; one which gives a clear explanation as to the governance arrangements and number of councillors required to represent the authority in the future.

Use this space to summarise the proposals and indicate other options considered. Explain why these alternatives were not appropriate in terms of their ability to deliver effective Strategic Leadership, Accountability (Scrutiny, Regulation and Partnerships), and Community Leadership.

78. To conclude, the council has considered the following council size options:

Increase number of councillors

79. The task group noted that compared to the council's CIPFA 'nearest neighbours' comparable local authorities, SCC has one of the smaller councillor per population ratios. This, combined with the recent trend towards reducing numbers of councillors at other councils and the financial implications of increasing the number of Members, meant that the council did not explore this option in detail.

| County | Population size | Councillors | Population ratio | Percentage of population |
|---|-----------------|-------------|------------------|--------------------------|
| Cambridgeshire | 678,600 | 61 | 11,125 | 1.64% |
| East Sussex | 562,750 | 50 | 11,255 | 2% |
| Essex (not including Southend and Thurrock) | 1,500,000 | 75 | 20,000 | 1.33% |

| | | | | |
|--|------------------|-----------|---------------|--------------|
| Hampshire (not including Portsmouth and Southampton) | 1,400,000 | 78 | 17,949 | 1.28% |
| Hertfordshire | 1,200,000 | 78 | 15,385 | 1.28% |
| Kent | 1,600,000 | 81 | 19,753 | 1.23% |
| Oxfordshire | 725,300 | 63 | 11,513 | 1.59% |
| Surrey | 1,200,000 | 81 | 14,815 | 1.23% |
| West Sussex | 858,852 | 70 | 12,269 | 1.43% |

Reduce number of councillors

80. Reducing the number of councillors at a time when the electorate is projected to grow would result in a much larger councillor to resident ratio, which could have a detrimental impact on effective democratic representation. It would also increase the workload of councillors, potentially making it more difficult to attract people from diverse backgrounds to stand for election.

81. It is also felt that reducing the number of councillors is not in line with the council's strategic objective to empower communities. Councillors are integral to the delivery of this ambition, and the council is working with Members to strengthen their roles as community connectors and facilitators.

82. The council also recognises the national trend towards devolution to local authorities. Reducing the number of councillors could impact effective governance at SCC if Members did not have the capacity to take on potentially complex new responsibilities.

Number of councillors stays the same

83. The council therefore recommends to the LGBCE that the council size should be maintained at 81 councillors. This enables the current model of local governance to function effectively while allowing Members enough time to fulfil the range of representational and community leadership roles. It also helps mitigate against the impact of electorate growth whilst ensuring that the council is sufficiently resourced to take on additional responsibilities that could be secured through future devolution opportunities.



OFFICER REPORT TO COUNCIL

**FEEDBACK FROM THE RESOURCES AND PERFORMANCE
SELECT COMMITTEE ON A REFERRAL FROM COUNCIL –
'MOTION ON PROCUREMENT POLICY, TAX AVOIDANCE AND
THE FAIR TAX MARK'**

KEY ISSUE / DECISION:

To provide feedback from the Resources and Performance Select Committee on the Council motion titled 'procurement policy, tax avoidance and the fair tax mark' as requested by the Council.

This report sets the recommendations agreed by the Select Committee – in collaboration with key stakeholders – asking the Council to sign up to the Fair Tax Declaration with the exceptions listed under the recommendations heading.

BACKGROUND:

On Tuesday 12 July 2022, at the meeting of Council held at Woodhatch, Members of Surrey County Council under item 8 voted to refer motion (iv) on 'procurement policy, tax avoidance and exemplary tax conduct' to the Resources and Performance Select Committee for their feedback and input.

Focussing on leading by example and the fair tax mark accreditation, the motion asked the Council to take active steps in order to promote exemplary tax conduct – including ensuring contractors pay their proper share of tax; deterring potential corporate tax avoidance; and inviting the Council to

approve the “[Councils for Fair Tax Declaration](#)”. Full text of the motion presented to the Council meeting on 12 July is as follows:

Jonathan Essex (Redhill East) to move under Standing Order 11 as follows:

This Council notes that:

- Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
- 66 per cent of people believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts.
- 17.5 per cent of UK public contracts have been won by companies with links to tax havens. Lost corporation tax revenues from multinational profit-shifting (just one form of tax avoidance) have been estimated to be costing the UK some £17 billion per annum.
- The Fair Tax Mark offers a means to demonstrate good tax conduct and has been secured by a wide range of UK businesses, including The Financial Times Stock Exchange (FTSE) -listed Public Limited Companies (PLCs).

This Council believes that:

- As recipient of significant public funding, Surrey County Council should promote exemplary tax conduct, including ensuring contractors pay their proper share of tax, and refusing to condone offshore tax arrangements when buying land and property.
- This should apply equally to trading companies partially or fully owned by Surrey County Council.
- Current UK procurement law imposes restrictions on councils’ ability to both penalise poor tax conduct and reward responsible tax conduct.
- Due diligence into tax arrangements of suppliers will help identify the Council’s exposure to Russia and other international bad actors. Information on the beneficial ownership of companies will help Surrey County Council ensure its procurement maximises benefit to Surrey’s economy.

This Council resolves to:

- I. Approve the “Councils for Fair Tax Declaration.”
- II. Lead by example and demonstrate good practice in its tax conduct of both Surrey County Council and its trading companies.
- III. Ensure IR35 is implemented robustly such that contract workers pay a fair share of employment taxes.

- IV. Avoid offshore vehicles for the purchase of land and property.
- V. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers to reduce the payment of tax and business rates.
- VI. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
- VII. Include tax conduct in social value scoring for assessing contracts.
- VIII. Support Fair Tax Week events in Surrey and celebrate the tax contribution made by businesses who pay their fair share of corporation tax.
- IX. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

THE PROCESS:

According to the Surrey County Council constitution, Part 1 of the Standing Orders states that:

- When an original motion is referred to the Cabinet or appropriate committee under Standing Order 12.3, the Member of the Council who has moved the original motion and his/her seconder shall be notified of the meeting at which the Cabinet or committee will consider it. They shall have the right to attend the meeting and speak to the motion.
- Where an original motion is referred to the Cabinet or a committee, it will report upon the motion to the following ordinary meeting of the Council and Standing Order 8.8(b) shall not apply to such report.

The motion was referred to the Resources and Performance Select Committee at the Council meeting on 12 July 2022 and considered by the Select Committee at its meeting on 7 October 2022.

KEY ACTIVITIES AND ANALYSIS:

Following the referral, the Resources and Performance Select Committee leadership:

- a. engaged with relevant stakeholders – a range of informal discussions and meetings were held with the service representative, proposer of the motion, Chair and Vice Chair of the Select Committee and Fair Tax Campaign Group.
- b. requested an updated service briefing report on this topic (Annex 1) and invited the proposer and seconder of the motion to present their case at its next public meeting.

- c. arranged a full committee pre-meeting to consider the referral and feedback, along with other items of interest.
- d. agreed that the Select Committee will take this item to its October public meeting. On 7 October 2022, the Select Committee heard from the proposer of the motion, service representatives and considered the briefing report, prepared by procurement team with input from finance analysing the motion in detail.

In considering the matter, the Select Committee, inter alia, noted that:

- i. The Public Contracts Regulations 2015 (PCR 2015, regulation 57) provide for contracting authorities to exclude a supplier if they are aware it is in breach of its obligations relating to the payment of taxes or social security contributions, and where the breach has been established “by a judicial or administrative decision having final and binding effect”.
- ii. The PCRs do not make provision for discretionary exclusion based on concerns about matters such as tax arrangements or beneficial ownership.
- iii. Legal opinion (including that obtain by the Fair Tax Foundation themselves) notes excluding bidders due to perceived tax avoidance would be against the PCRs and thus open to legal challenge.
- iv. In the broadest sense it seems reasonable to state that fair tax conduct has value for society. However, it would be hard to argue that conducting tax affairs to a higher moral standard could reasonably be awarded additional points in the evaluation of a tender against an entity whose affairs remained legal but were considered by some measure to be sub-optimal.
- v. Furthermore, it is doubtful doing so could be deemed to constitute social value as per the Public Services Act (Social Value) 2012. That act requires the public sector to ensure that the money it spends on services creates the greatest economic, social and environmental value for local communities.
- vi. Government has defined social value through a series of priority themes and policy outcomes which are important to deliver through the public sector’s commercial activities. Nowhere in that definition are tax arrangements highlighted as potential social value.

- vii. It is felt that it would not be possible to objectively rule that it was and apply this in a fair and transparent manner that was legal under the PCRs.
- viii. The new regulations, which the original motion calls for, under the heading 'Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies' are likely to make greater provision for discretionary exclusions; more variable evaluation criteria; a greater scope – to a degree – by including environmental and social value selection criteria, but the principle that criteria must go to the heart of the contract remains.
- ix. The requirement to comply with World Trade Organisation rules will continue to limit the scope here. It is also noted that such a resolution would require a fundamental reconsideration of the application of social value to the Council tenders, and members would have to be aware that doing so might be at the expense of the additional social value commitments the Authority is currently obtaining during the tendering process.
- x. Moreover, it would be a very imperfect mechanism, and one in which the outcome of a tender evaluation could conceivably be the highest scoring bidder securing a contract despite having declared what could be deemed to be suboptimal tax arrangements as part of their tender response; such an outcome would present moral and reputational risk to the Authority.
- xi. Discussions with the Fair Tax Foundation identified that this element of the motion (include tax conduct in social value scoring for assessing contracts) is not included in the wording they propose for this fair tax declaration pledge, and they agree that it would not be possible to include tax conduct in social value scoring for assessing contracts.

Based on the above information and analysis, the Select Committee was therefore not able to recommend adopting this specific element of the original motion, i.e. to include tax conduct in social value scoring for assessing contracts which is reflected in its recommendation. However, working collaboratively with the service, proposer of the motion and others, the Select Committee agreed a set of broadly supportive recommendations listed below.

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| RECOMMENDATIONS: |
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The Resources and Performance Select Committee recommends that Council accepts Jonathan Essex's motion to accept the Fair Tax Declaration with the following exceptions:

1. Agree to alternative wording with the Fair Tax Foundation regarding the following items:
 - a. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers to reduce the payment of tax and business rates.
 - b. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position.
 2. Remove the following item:
 - a. Include tax conduct in social value scoring for assessing contracts.
-

Lead/Contact Officer:

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Sources/background papers:

Council Agenda - 12 July 2022:

[\(Public Pack\)Agenda Document for Council, 12/07/2022 10:00 \(surreycc.gov.uk\)](#)

Resources and Performance Select Committee Agenda and Minutes - 7 October 2022

[Agenda for Resources and Performance Select Committee on Friday, 7 October 2022, 10.00 am - Surrey County Council \(surreycc.gov.uk\)](#)

Annexes:

Annex 1 - Procurement Service Briefing on Responsible Tax Conduct Motion

FRIDAY 7 OCTOBER 2022



PROCUREMENT SERVICE BRIEFING ON RESPONSIBLE TAX CONDUCT MOTION

Purpose of report: To brief members of the Resources and Performance Select Committee on the Original Motion regarding the responsible tax conduct of suppliers to Surrey County Council (SCC), originally submitted for the Council Meeting on 12 July 2022.

Introduction:

1. On 12 July 2022 an Original Motion regarding the responsible tax conduct of suppliers to SCC was submitted for the Council Meeting.
2. Procurement has spent time considering the motion, and Finance have been consulted where specific resolutions related to SCC activity that falls within their domain.

Approve the “Councils for Fair Tax Declaration”

3. Procurement has reviewed the declaration put forward by The Fair Tax Foundation and notes that by signing up to the Councils for Fair Tax Declaration, councils can demonstrate alignment to their values and encourage responsible tax practice through:
 - 3.1. Leading by example on their own tax conduct;
 - 3.2. Demanding to know who owns and profits from businesses the Council buys from – United Kingdom (UK) and overseas – and their full financial reports; and
 - 3.3. Joining calls for UK public procurement rules to change so that councils can do more to tackle tax avoidance and award points to suppliers that demonstrate responsible tax conduct.
4. 3.1 and 3.3 above seem simple and overall, as a political declaration, the declaration is seemingly uncontroversial.

5. However, some of the details regarding the specific resolutions covered by 3.2 are worthy of further exploration.
6. This paper therefore takes each of the specific resolutions as included in the Original Motion and discusses each in turn.

Lead by example and demonstrate good practice in its tax conduct of both Surrey County Council and its trading companies

7. The wholly-owned trading companies of SCC have limited expenditure outside of interest on loans (to SCC) and staff costs (including recharges from SCC). Finance have confirmed that there is nil or at worst negligible revenue expenditure that could fall into the categories outlined.
8. Neither Finance nor Procurement have concerns with SCC passing this resolution.

Ensure IR35 is implemented robustly such that contract workers pay a fair share of employment taxes

9. There are robust IR35 procedures in place. At the point of requisition via Connect2Surrey or a business case for off contract engagement which suggests the appointment might sit outside IR35, the matter is referred to the Human Resources (HR) Governance & Contracts team.
10. This team carry out the IR35 checks via the governments online checking process, delivering a verdict which is then documented as part of the request. S-net contains information to support staff in this process.
11. Neither Finance nor Procurement have concerns with SCC passing this resolution.

Avoid offshore vehicles for the purchase of land and property

12. The utilisation of offshore holding companies is common amongst property owners but SCC has not acquired any new properties into Halsey Garton Property Investments since 2018 and has no intention to do so in the short-term. Property acquired by Halsey Garton (HG) Residential has all been done on long leases from SCC.
13. Neither Finance nor Procurement have concerns with SCC passing this resolution.

Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers to reduce the payment of tax and business rates

and

Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position

14. Currently, financial appraisals of prospective suppliers focus purely on an organisation's financial viability and do not take an ethical view. It would be extremely challenging to investigate tax affairs in the manner suggested as part of this appraisal, given there is no readily available information on how companies pay their taxes, other than in the financial press.
15. For the avoidance of doubt, it is worth making clear that the Public Contracts Regulations 2015 (PCR 2015, regulation 57) provide for contracting authorities to exclude a supplier if they are aware it is in breach of its obligations relating to the payment of taxes or social security contributions, and where the breach has been established "*by a judicial or administrative decision having final and binding effect*".
16. Issues concerning tax avoidance, defined by the Government as bending the rules of the tax system to try to gain a tax advantage that Parliament never intended are, however, significantly more complex.
17. The PCRs do not make provision for discretionary exclusion based on concerns about matters such as tax arrangements or beneficial ownership. Current (and indeed likely future) procurement legislation only allow exclusion in very limited circumstances – that is if a mandatory exclusion is triggered around a breach of obligations relating to the payment of taxes or social security contributions that has been established by a judicial or administrative decision. Offshoring or other legal (but morally dubious) grounds to minimise tax are not legitimate grounds to exclude a company from a procurement and would rightly result in a legal challenge as companies have the right to organise their tax affairs how they like, provided they are lawful.
18. Barring suppliers on this basis would therefore expose the Authority to the risk of legal challenges and, accordingly, risk financial compensation being awarded to the very companies we wished to exclude from being in receipt of funds.
19. It is also relevant to consider the Regulations provision for "self-cleaning". In such an event, a supplier who has been excluded from a procurement process using the type of grounds proposed could challenge the decision and provide evidence

it is not exclusion is not appropriate. This will add significant additional time and risk to the process.

20. It is also worthy of note that to undertake the level of due diligence and compliance checking that would be required to evaluate bidders and manage suppliers based on their tax arrangements would necessitate a level of skill and capacity not currently available. Therefore, even if there were a legal route available to achieve this, the direct costs of doing so would be substantial.
21. Further, challenges surround potential risks to delivery of core services in sectors where there is the most potential for the existence of complex beneficial ownership structures and sub-optimal tax arrangements. Examples of such sectors include (but may not be limited to):
 - 21.1. The care sectors, including Adult Social Care and Children's Services, where private equity funding arrangements are increasingly impacting on suppliers in the sector, and complex ownerships structures are becoming more common even for smaller, locally owned operations who are restructuring businesses in order to mitigate costs and maintain profit margins; and
 - 21.2. Sectors serviced by large multinational corporations with complex tax arrangements, such as Microsoft or Amazon, who are known to have non-UK based headquarters to benefit from alternative taxation regimes and complex beneficial ownership and offshore activities.
22. These are just two examples highlighting how adoption of a complex motion could have significant unintended consequences, and where the decisions to examine suppliers would be fraught with subjective decisions.
23. Useful input into this debate can be seen in the Her Majesty's Revenue and Customs (HMRC) Corporate Report "Tax Compliance of HMRC Suppliers", published in May 2022¹. It is noted that HMRC has adopted a *"strengthened approach to tax compliance for its own procurements in circumstances where the Public Contracts Regulations allow for HMRC to take a tougher line than the cross-government position and as such permit HMRC to apply discretion in decisions to exclude a supplier from the procurement process or terminate an existing contract"*. Critically, *"exclusion is based on the grounds of tax non-compliance as determined by 'any appropriate means', which means HMRC has the advantage of being able to use any information it holds"*.
24. SCC does not have such information available to use for such means, and so it is unclear how the Authority would be able to implement tougher restrictions on its supplier base than is seen as standard across Central Government. It is also

¹ [Tax compliance of HMRC suppliers - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/108422/tax-compliance-of-hmrc-suppliers-2022.pdf)

important to note that such a level of due diligence, if even possible, would take substantial investment in resources and skills development.

25. Further, a discussion has been held with the Fair Tax Foundation, focusing on this point. The Foundation provided details of the legal advice they received regarding the compatibility of taking tax behaviour into account during procurement processes, as suggested in this resolution, which can be summed as follows:
 - 25.1. It is difficult to argue that 'poor tax conduct' can be taken into consideration as a factor during the stages of the procurement decision making process, i.e. the technical specification stage, the award stage, or as a contract performance condition.
 - 25.2. This is because a company's tax conduct is not 'linked to the subject matter of the contract', but it instead constitutes general commercial policy. It is therefore not possible to construct a convincing way in which authorities could devise criteria that could satisfy the relevant legal test that the criteria 'linked to the subject matter'.
 - 25.3. That the mandatory and discretionary grounds of exclusion that relate specifically to non-payment of tax are only available in limited circumstances.
 - 25.4. That a better approach may be to argue that 'poor tax conduct' provides public authorities with a discretionary ground for exclusion at the selection stage of a procurement as it constitutes "grave professional misconduct". However, this approach heavily depends on an inadequate European Union (EU) Commission "Blacklist" of tax havens in order to work. It is also a novel argument and is therefore subject to significant legal risk.
26. Continued discussions with the Fair Tax Foundation on this element of the motion highlighted that, whilst it appears many councils have signed the Councils for Fair Tax Declaration, in doing so they have made adjustments to the wording of this element of the Declaration. The Foundation has stated they could work with SCC to agree to some alternative wording that would allow the authority to sign the Declaration.
27. There are however opportunities to evolve in this area along the ethos of the proposed resolutions:
 - 27.1. The new regulations and supporting infrastructure proposed by Central Government will enhance access to relevant supplier data, which may allow contracting authorities to employ this data to make more informed

decisions regarding which suppliers to contract with. Current assessment of what data this central platform will hold includes:

- central debarment list
- central register of complaints
- register of legal challenges

27.2. We could review the supplier questionnaire and consider including enhanced self-declaration/self-assessment as part of the financial checks (on a pass/fail basis), shifting the burden to the suppliers to prove that their tax conduct is in accordance with UK legislation.

27.3. Going further, we could consider the appropriateness of incorporating the Fair Tax Mark into tenders, or ask for proof that suppliers are working towards it (noting it would be advisable to offer an “or equivalent” type option, and/or give the Fair Tax Mark as simply an indication of how good tax conduct could be evidenced, rather than favour a sole indication which carries a cost for the supplier). Note that extensive consultation should be undertaken with potentially impacted Services, and consideration given to what we would do should suppliers refuse to complete this. Also note that proportionality would have to be considered here, with the proposal that such measures were only taken with respect of contracts above certain threshold(s).

27.4. The above points 2 & 3 should be considered in tandem with a review of the Orbis Supplier Code of Conduct and implementation of the new Contract Management Advisory Service.

28. Procurement is therefore not able to recommend passing these resolutions as currently drafted. There remains the possibility of agreeing alternative wording with the Fair Tax Foundation, allowing SCC to sign an amended declaration and therefore publicly support the objectives of the Foundation.

| |
|--|
| Include tax conduct in social value scoring for assessing contracts |
|--|

29. In the broadest sense it seems reasonable to state that fair tax conduct has value for society. However, it would be hard to argue that conducting tax affairs to a higher moral standard could reasonably be awarded additional points in the evaluation of a tender against an entity whose affairs remained legal but were considered by some measure to be sub-optimal.

30. Further, it is doubtful doing so could be deemed to constitute social value as per the Public Services Act (Social Value) 2012. That act requires the public sector to ensure that the money it spends on services creates the greatest economic, social and environmental value for local communities

31. Government has defined social value through a series of priority themes and policy outcomes which are important to deliver through the public sector's commercial activities. Nowhere in that definition are tax arrangements highlighted as potential social value.
32. It is felt that it would not be possible to objectively rule that it was and apply this in a fair and transparent manner that was legal under the PCRs.
33. The new regulations will provide a greater scope - to a degree - to include environmental and social value selection criteria, but the principle that criteria must go to the heart of the contract remains. The requirement to comply with World Trade Organisation rules will continue to limit the scope here.
34. It is also noted that such a resolution would require a fundamental reconsideration of the application of social value to SCC tenders, and members would have to be aware that doing so might be at the expense of the additional social value commitments the Authority is currently obtaining during the tendering process.
35. Additionally, it would be a very imperfect mechanism, and one in which the outcome of a tender evaluation could conceivably be the highest scoring bidder securing a contract despite having declared what could be deemed to be sub-optimal tax arrangements as part of their tender response; such an outcome would present moral and reputational risk to the Authority.
36. Discussions with the Fair Tax Foundation identified that this element of the motion is not included in the wording they propose for this fair tax declaration pledge, and they agree that it would not be possible to include tax conduct in social value scoring for assessing contracts.
37. Procurement is therefore not able to recommend passing this resolution..

Support Fair Tax Week events in Surrey and celebrate the tax contribution made by businesses who pay their fair share of corporation tax.

38. The Fair Tax Foundation's website describes Fair Tax week as:

"A UK-wide recognition of the companies and organisations that are proud to promote responsible tax conduct and pay their fair share of corporation tax. Using #CelebratingFair, the week will highlight digital events and provide a platform to explore the positive contribution corporation tax makes to society."

39. Procurement could consider what activities planned for Fair Tax week 2023 it would be acceptable to support when they are published next year.
40. Procurement does not have concerns with SCC passing this resolution.

Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

- 41. The government recently ran a consultation regarding the impending changes to procurement regulations, and procurement collaborated with the Local Government Association (LGA) in terms of making submissions to this consultation. That consultation is now closed, so it is unclear what route could currently be employed to achieve this resolution in an efficient manner, prior to the implementation of the new regime.
- 42. The new regulations are likely to make greater provision for discretionary exclusions and more variable evaluation criteria.
- 43. It is therefore suggested any activity against this proposed resolution would have more success once the application of the new regulations have been fully implemented and tax conduct could be better considered against them.
- 44. However, there is nothing to prevent SCC supporting calls for reform of procurement law in the manner suggested.
- 45. Procurement does not have concerns with SCC passing this resolution, on the understanding that SCC utilises existing channels such as our membership of the Local Government Association and County Council Network.

Conclusions:

- 46. In summary, whilst SCC could pass the overall motion as a political gesture to influence government, it is not clear how much impact it would have or how much action SCC could take in respect of it. Additionally, there are serious concerns with passing some resolutions as currently drafted.
- 47. Specifically, the detailed discussion of each resolution highlighted questions regarding SCC's ability to impact which suppliers the authority does business with based on an assessment of their tax affairs.

Recommendations:

48. A summary of the recommendation for each resolution contained in the motion is detailed in the table below:

| Resolution | Procurement's Recommendation |
|---|--|
| i. Approve the "Councils for Fair Tax Declaration". | As a political declaration, the declaration is seemingly |

| | |
|---|---|
| | uncontroversial, and Procurement is not concerned with the proposal that SCC signs it, provided revised wording could be agreed for some of the declaration. |
| ii. Lead by example and demonstrate good practice in its tax conduct of both Surrey County Council and its trading companies. | Neither Finance nor Procurement have concerns with SCC passing this resolution. |
| iii. Ensure IR35 is implemented robustly such that contract workers pay a fair share of employment taxes. | Neither Finance nor Procurement have concerns with SCC passing this resolution. |
| iv. Avoid offshore vehicles for the purchase of land and property. | Neither Finance nor Procurement have concerns with SCC passing this resolution. |
| v. Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers to reduce the payment of tax and business rates. | Procurement is not able to recommend passing these resolutions as currently drafted. It is however possible alternative wording could be agreed with the Fair Tax Foundation, allowing SCC to sign an amended declaration and therefore publicly support the objectives of the Foundation. |
| vi. Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position. | |
| vii. Include tax conduct in social value scoring for assessing contracts. | Procurement does not recommend using social value evaluation to achieve the objectives stated. The Fair Tax Foundation does not believe it is possible to use social value evaluation in this manner. |
| viii. Support Fair Tax Week events in Surrey and celebrate the tax contribution made by businesses who pay their fair share of corporation tax. | Procurement does not have concerns with SCC passing this resolution. |
| ix. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies. | Procurement does not have concerns with SCC passing this resolution, on the understanding that SCC utilises existing channels such as our membership of the Local Government Association and County Council Network. |

| |
|-------------------------------------|
| Select Committee Recommends: |
|-------------------------------------|

49. The Resources and Performance Select Committee recommends that Surrey County Council signs up to the Fair Tax Declaration with the following exceptions:

49.1. Agree to alternative wording with the Fair Tax Foundation regarding the following items:

- Undertake due diligence to ensure that not-for-profit structures are not being used inappropriately by suppliers to reduce the payment of tax and business rates
- Demand clarity on the ultimate beneficial ownership of suppliers and their consolidated profit & loss position

49.2. Remove the following item:

- Include tax conduct in social value scoring for assessing contracts.

Report contact

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Sources/background papers

Finance has been consulted in the development of this paper.

[Agenda item - ORIGINAL MOTIONS - SCC Info \(surreycc.gov.uk\)](#)

[Tax compliance of HMRC suppliers - GOV.UK \(www.gov.uk\)](#)



OFFICER REPORT TO COUNCIL

APPOINTMENT OF AN INDEPENDENT REMUNERATION PANEL

KEY ISSUE/DECISION:

To agree the arrangements for the appointment of an Independent Remuneration Panel (IRP) to review the existing Members' Allowances Scheme prior to 2024.

BACKGROUND:

1. In accordance with regulation 19 of The Local Authorities (Members' Allowances) (England) Regulations 2003, local authorities have a duty to have regard to recommendations from an IRP before a scheme can be amended. On 31 October 2022, the three year term of the IRP came to an end. A panel must consist of at least three members and two of the three appointees have chosen not to seek reappointment. Consequently, a new IRP must be appointed prior to any further review or changes to the scheme.
2. A comprehensive IRP review was undertaken in 2020, with a smaller [review](#) taking place in 2021. There is no immediate requirement to convene the IRP until the next review which is due to be published by March 2024.
3. The Local Authorities (Members' Allowances) (England) Regulations 2003 requires a panel to consist of at least three members. Given that an IRP Review is not required until 2024 then the recruitment and induction timeline can be tailored to lead into a review starting in summer 2023.
4. The proposed timeline for the appointment of a new IRP and its subsequent review is as follows:
 - February 2023 – advertise for members of the IRP
 - April – Appointments Panel conducts interviews
 - May – Council ratifies appointments
 - June – IRP induction
 - July – IRP review commences

- Dec 2023/Feb 2024 – IRP presents its report and recommendations to Council
5. The Appointments Panel to consist of the following membership:
- Chairman or Vice-Chairman of the Council
 - Conservative Group Leader
 - Residents' Association/Independent Group Leader
 - Liberal Democrat Group Leader
 - Monitoring Officer present for governance (ensuring that it is a fair, consistent and transparent process) and to record the panels scoring and decision.

| |
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| <u>RECOMMENDATIONS:</u> |
|--------------------------------|

It is recommended that the County Council:

1. Approves the proposed timetable for the appointment of an IRP and the completion of its subsequent review of Allowances Scheme as set out in paragraph 4 above.
2. Approves an Appointments Panel consisting of the membership set out in paragraph 5 above.

Lead/Contact Officers:

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Sources/background papers:

Report of the IRP into the Special Responsibility Allowance for Select Committee Task Group Leads, March 2021

The Local Authorities (Members' Allowances) (England) Regulations 2003
legislation.gov.uk



OFFICER REPORT TO COUNCIL

AMENDMENTS TO THE CONSTITUTION

KEY ISSUE/DECISION:

It is the Council's responsibility to approve changes to the Council's Constitution.

This report sets out proposed changes to Part 4 of the Constitution – Standing Orders, and the Officer Code of Conduct, one of the Codes and Protocols included in Part 6 of the Constitution and these are brought to Council for formal approval in accordance with Articles 4.09, 5.02 and 11.02 of the Council's Constitution.

BACKGROUND:

1. At its meeting on 26 October 2022, the Planning & Regulatory Committee received a report setting out proposed changes to the Standing Orders in relation to public speaking at the committee in order to allow for different arrangements to be made when the committee considers applications made to the Council in its role as Commons Registration Authority (CRA) (common land or town and village greens applications).
2. At its meeting on 14 November 2022, the People, Performance & Development Committee (PPDC) received a report setting out a number of proposed changes to the Council's Officer Code of Conduct, which was last updated in September 2017.

FUNCTIONS FOR APPROVAL BY COUNCIL

Changes to Standing Orders in relation to public speaking at Planning & Regulatory Committee

3. The Planning & Regulatory Committee agreed to support the proposed changes to Standing Orders as set out in **Annex 1** to this report for Council's approval.
4. The current Standing Orders do not make specific reference to applications made to the Council in its function as CRA. Standing Order 86.7 currently only allows an applicant to speak if a member of the

public or their representative speaks objecting to the application; in order to meet the requirements of the Commons Act 2006 and the Commons Registration (England) Regulations 2014/3038 (“the 2014 Regulations”), it is necessary to offer the applicant or other party an opportunity to speak prior to the determination of certain CRA applications.

5. Standing Orders form part of the Council’s Constitution, and therefore Council is asked to agree the revisions.

Revised Officer Code of Conduct

6. The Code of Conduct is published on SCC Info and also available on the [Surrey County Council website](#) as part of the constitution of the Council. The current published Code of Conduct is dated September 2017.
7. The Officer Code of Conduct is part of the Constitution of the Council. The Code forms part of the Codes and Protocols (Part 6) and includes links to the following related information:
 - Equalities information
 - Drug & Alcohol policy
 - Smokefree policy
 - Conflict of interest guidance
 - Gifts and hospitality policy and guidance
 - Information governance including Data Protection
 - Health & Safety
 - IMT policies
 - Whistle blowing
 - Financial governance
 - Procurement guidelines
 - Disciplinary Policy
 - Personal use of social media guidelines
8. The custodian of the policy is the Strategic Director of People and Change. All policies and inter-relationships are centrally reviewed by the HR Policy and Reward Board and Surrey County Council Trade Unions Group (SCCTU), whose role it is to act as one body and represent the interests of its constituent bodies and their members in response to SCC proposals.
9. An internal audit (report published in February 2022) into key governance processes (Whistleblowing & Conflicts of Interest) highlighted the requirement to update the Code of Conduct for Officers to align with policy amendments and reflect current working practices.
10. The Code of Conduct has been amended in consultation with Internal Audit, Health & Safety, IT& D and Legal Services.

11. The Officer Code of Conduct was approved by People, Performance and Development Committee on 23 November 2022. The agreement comes following the request made during the 14 November 2022 meeting to quantify the wording in section 7.7, Equality, Diversity and Inclusion.
12. The specific amendments to the document are set out in Annex 2 below.
13. The Officer Code of Conduct forms part of the Constitution and therefore Council is asked to agree the revised document (Annex 3)

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|-------------------------|
| RECOMMENDATIONS: |
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- A. That the amendments to Standing Orders set out in Annex 1 be approved.
- B. That the revised Officer Code of Conduct set out in Annex 3 be approved.

Lead/Contact Officers:

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Annexes:

Annex 1 – Proposed Amendments to Standing Orders
Annex 2 – Officer Code of Conduct – Detailed Document Amendments
Annex 3 – Revised Officer Code of Conduct

Sources/background papers:

Constitution of the Council
Report to Planning & Regulatory Committee, 26 October 2022
Report to PPDC, 14 November 2022

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PROPOSED CHANGES TO STANDING ORDERS

Proposed amendments are in bold and underlined.

86.1

Members of the public and their representatives may address the Planning and Regulatory Committee on any planning applications, **applications made to the council as Commons Registration Authority (CRA)** and all applications relating to public rights of way (PROW) being considered by that Committee.

86.3

Only those people who have previously made written representations in response to a planning application / **application to the CRA** will be entitled to speak **or in the case of an application to the CRA if 86.11 applies.**

86.7

Subject to 86.11, only if a member of the public or their representative speaks objecting will the applicant/agent be allowed to speak and then only to respond to the points raised by the objectors, and will be limited to 3 minutes for each objector who has spoken.

86.11

In relation to applications made to the council as CRA:

- a) **the applicant and any other person may speak where this is a requirement under the regulations relating to the particular type of application being considered by the committee;**
- b) **the provisions of Standing Order 86 otherwise apply to these applications.**

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Details of specific amendments to the Officer Code of Conduct

1. Introduction

The wording was amended to not limit the potential to discipline to cases where the only issue is a risk to the Council's reputation or position. Examples are provided of situations outside of work which may be handled in line with the disciplinary policy (for example, any criminal offence or sanctions from a professional body).

2. Declaring Personal Interests and outside commitments

A new section has been added to the code to take into account the requirements of the Working Time Directive (WTD) in relation to agency workers who wish to be employed by other organisations at the same time as working for the Council. In these circumstances agency workers should ensure that their agency is made aware of the situation and that they are not working over the limits stated in WTD.

3. The Press and Media

A new paragraph has been added to the code to stipulate employees should not make endorsements, in their work capacity, on a public platform regarding an external organisation which may infer a corporate endorsement.

4. Political Neutrality

Newly added content details which roles are subject to restrictions around political activity. The section makes clear that any breaches to statutory rules is a breach of contract and may render the individual liable for investigation and possible disciplinary action under the Council's Disciplinary procedure.

5. Equality, Diversity and Inclusion

The title of this section has amended to be more reflective of current terminology. The newly added sentence recognises the importance of a diverse workforce and how the council is committed to providing a culture where everyone is valued and respected and there are equal opportunities promoted to all employees.

6. Gifts and Hospitality

Where gifts and hospitality are provided by a business partner or associate of the Council, more explicit wording has been added to make clear that the requirements of the policy extend to the employee's spouse, partner and immediate family.

7. Property and Resources

A new paragraph has been added to highlight the associated risks around the use of satnavs whilst driving. The paragraph reflects the advice found in the Health & Safety Manual.

8. Intellectual Property

A paragraph on Copyright law has been added to ensure employees do not breach the copyright held by others which may have the potential of exposing the Council to the risk of claims.

9. Glossary of policies

A hyperlinked list of the relevant policies has been detailed for the reader.

Surrey County Council

Officer Code of Conduct

Part 6 (03)

| This Issue | Last Issue | Review Date |
|-------------------|------------|-------------|
| Draft Aug 2021 | Sept 2017 | Sept 2023 |

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| 1. Policy Scope and Purpose | |
|---|---|
| Scope and Purpose: | The purpose of this Code is to support the Council's aim to provide high quality services fairly and efficiently in line with its values. There is a Code of conduct for members and there is also protocol which outlines how members and officers work together. All these documents are part of the Council's constitution and are published on the Council's website. |
| Who uses this Policy: | The Officer Code of Conduct applies to all employees of the Council, including school based employees, agency workers, contractors and their staff whilst working for, or on behalf of, the Council. In this document the term "employee" covers all these groups. |
| Roles and Responsibilities: | <ul style="list-style-type: none"> • Line Managers are responsible for ensuring the Code is followed • All employees will be responsible for engaging with and adhering to the Code and related guidance and procedures • Trade Unions will be consulted in regard to the content of the Code • The Human Resources team will be responsible for the Code and providing guidance and direction • The People, Performance and Development Committee is required to approve the Code and onward recommendation to Full Council for inclusion in the constitution |
| Is there further information available? | <p>The Code refers to a number of supporting policies which are published on SCC Info.</p> <p>Those which are statutory policies will also be published on the Surrey Education Services Hub</p> |

2. Introduction

The public is entitled to expect the highest standards of Conduct from all local government employees. To the public you represent the Council. You are expected to maintain the highest standards of professional competence, knowledge, integrity, confidentiality, financial propriety and personal conduct.

Employees are expected to apply the Code of Conduct and other Council policies to the performance of their duties. The Code should be read alongside your services requirements, legislation and the professional standards which apply to your role.

Where an employee identifies themselves or can be identified as a Surrey County Council employee, the same rules that apply to actions in general apply to conduct online, including on work related, and personal, social media sites.

Employees need to be aware of the standards of behaviour outlined in the Code of Conduct in relation to their conduct outside of work. Any conduct by employees that takes place outside of work, including situations which may affect the Council's reputation or position, will be considered as a disciplinary matter which may involve formal action being taken. For example: you are required to inform your manager of any cautions, arrests or convictions, in respect of any criminal offence as soon as possible, this includes offences under the Road Traffic Act and sanctions from a professional body for misconduct eg. Social Workers, Accountants, Lawyers.

Breaches will be considered as a disciplinary matter which may involve formal action being taken. The code may be taken into account in performance management.

Throughout this policy there are references to a number of Council employment policies. All of these can be found on the SCC Info. Where they are policies required by statute they are available on the Surrey Education Services Hub. If you need any further assistance or clarification, please contact myhelpdesk@surreycc.gov.uk or 020 8541 9000.

3. Organisational ethics and personal conduct

The Council needs to ensure its decisions and operations are open, accountable and in line with recognised ethical standards. Officers of the Council are therefore required to act in accordance with [The Seven Principles of Public Life](#), which are:

Selflessness – Employees are expected to act solely in terms of the public interest;

Integrity – Employees are expected to avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work;

Objectivity – Employees are expected to act and take decisions impartially, fairly and on merit using the best evidence and without discrimination or bias;

Accountability – Employees are accountable to the public for their decisions and actions and required to submit themselves to scrutiny as appropriate;

Openness – Employees are expected to act and take decisions in an open and transparent manner. Information should only be withheld from the public if there are clear and lawful reasons to do so;

Honesty – Employees are expected to be truthful. This includes declaring any conflicts of interests and taking steps to resolve such conflicts; and

Leadership – Employees are expected to actively promote and support these principles by applying them to their own behaviour and challenging poor behaviour.

This code is based, and builds, on these seven principles published by [the Committee on Standards in Public Life](#).

The Council expects all employees to behave ethically and maintain high standards of personal conduct to sustain the good reputation of the Council and its services. In doing so employees are expected to be aware of and act in accordance with the Council's values as set out on SCC Info.

4. Compliance with instructions

The Council expects all employees to comply with lawful written and oral instructions.

This will ensure that we take a consistent approach across the Council in relation to how we procure services and goods, carry out people management activities and how we approach financial management.

The relevant procedures and instructions are published on SCC Info. Schools are expected to comply with locally adopted policies and procedures.

5. Health, safety and wellbeing

All employees must take reasonable steps to protect their own health and safety and that of other people who may be affected by their work. Some employees, particularly managers, have specific responsibilities and these are detailed in the Council's safety policies and procedures. The Council's [Health and Safety Policy](#) and [Manual](#) is published on SCC Info.

Employees are expected to report for work in a fit and safe state to carry out their duties. You must not drink alcohol or take drugs at any time whilst at work, including during rest or meal breaks spent at or away from Council premises. Incidents outside working hours that involve intoxicating substances may be considered a disciplinary offence if the incident breaches the Code of Conduct. For further detail about the Council's expectations regarding drugs and alcohol employees should refer to the [Drug and alcohol workplace policy](#) on SCC Info or Surrey Education Services hub for schools.

The Council is committed to providing a smoke free environment for staff and employees are expected to comply with the Council's [Smoke free workplace policy](#) on SCC Info.

6. Governance

6.1 Handling and treatment of information relating to the County Council

All employees should be aware as to what information should be made available to Members, government departments, service users and the public; and which information should remain confidential. Any information made available should be provided in a clear and concise way.

Employees should not use any information gained in the course of their employment for personal gain or pass it on to others who might use it in such a way. Information concerning a service user, resident, employee's or Member's personal affairs should not be divulged without prior approval, except where that disclosure is required or sanctioned by law.

It is important that employees take all relevant steps to comply with data protection requirements and ensure that confidential information is kept secure.

Whilst the organisation is working hard to align strategies to evidence-based findings in terms of relevant data sets to inform strategic activities, it is worth noting that some data may not be available to be shared, if this would mean that individuals and their characteristics, or personal data could be identified. This would contravene UK GDPR regulations.

For further information you should read the Information Governance guidance, available on SCC Info: [Managing information – your responsibilities](#).

6.2 Declaring personal interests and outside commitments

The Council expects that employees will ensure:

- their private interests or beliefs do not conflict with their professional duties
- their position within the Council is not used to confer an advantage or disadvantage on any person
- they are not involved in, nor influence, any decision or allocation of Council services or resources from which they, their family or friends might benefit.

Employees must declare personal interests where there is, or could be perceived to be, a conflict of interest between their duties as an employee and their membership of any organisation.

Employees should declare their conflict of interest on the SAP or My Surrey logging system, which ensures the line manager is aware and has to approve the conflict and reassess the situation every 12 months.

Actual or potential conflicts of interest are recorded and reviewed annually

All employees must declare:

- i. Any financial or non-financial interest which could be considered in any way to bring about a conflict with the Council's interests. This includes

- discussions or correspondence over any private interest with organisations that may have a business connection with the Council
- ii. Membership of any organisation that is not open to the public; requires commitment of allegiance to the organisation to be a member; and which has secrecy about its rules, membership, or conduct
 - iii. Membership of any groups, clubs and societies, (including online groups – please see Section 11 regarding Social Media), that an employee believes could be relevant to declare in particular circumstances, especially where a conflict of interest may occur.
 - iv. If a relative, partner or close personal friend holds a senior managerial position in an organisation with which the Council does, or seeks to do, business.

If employees have any doubt about whether they need to declare a personal interest or outside commitment, they must discuss the situation with their manager. Their manager will decide what controls should be put in place to mitigate any associated risks and confirm these in writing.

Employees are required to seek written permission from their Assistant Director/Headteacher before engaging in any other work or business which might relate to or impact your duties for the Council. This includes paid or unpaid work. It is important not to take paid or unpaid work which conflicts with the Council's interests. In addition, some employees have contractual restrictions on taking outside employment.

Agency workers who wish to be employed by other organisations at the same time as working for the Council should ensure this is checked by their agency, and that they are not working over the Working Time Directive limits and are having regular breaks to ensure they are fit and well to work.

For further guidance see the [Working Time Policy](#) and [Conflict of Interest](#) guidance on SCC Info.

6.3 Declaring related party transactions

The Council is required to disclose material transactions with related parties. The requirement aims to provide assurance to readers of financial statements that any material transactions entered into between the organisation and those in a position of power to influence its decisions are disclosed and above board.

Employees must declare annually:

- i. Positions of influence they hold within partnerships, companies, trusts or any entities providing services to the Council/School
- ii. Positions of influence they hold (in a personal capacity) within organisations receiving grant funding from the Council/School

Declarations extend to a relative or partner of the employee if they have an interest in any such organisation.

6.4 Declaring bankruptcy

Bankruptcy may impact on the duties of employees who have a financial responsibility. Such employees must inform the relevant Assistant Director/Headteacher if they are declared bankrupt or are involved as a Director of a company which is wound up or put into voluntary liquidation, if it may potentially impact upon your role and duties. The purpose of the declaration is to ensure that a proper framework of support for the employee is in place.

6.5 Whistleblowing

The Council is committed to the highest possible standards of honesty, openness, probity and accountability. We seek to conduct our affairs in a responsible manner, ensure that our activities are openly and effectively managed, and maintain our integrity and principles of public interest disclosure.

In line with this commitment, where you become aware of activities which that you believes to be illegal, improper, unethical or otherwise inconsistent with this code you are encouraged to report the matter in line with the Council's confidential reporting procedure – see the [Whistleblowing policy](#) on SCC Info or Surrey Education Services hub via School Business Manager.

Employees who raise matters of concern in this way have specific protections afforded them under the Public Interest Disclosure Act 1998.

6.6 Fraud and corruption

Employees have an important role in the Council's strategy against fraud and corruption. All employees need to understand their responsibilities and duties in regard to the prevention and reporting of suspected fraud and corruption as outlined in the [Council's Strategy Against Fraud and Corruption](#), which is published on the Council's website.

7. Working relationships

Relationships with colleagues, service users and contractors should be conducted in a professional, courteous and respectful manner. Employees are expected to treat others with fairness and dignity at all times and to work to resolve differences where these exist.

The Council will not tolerate any form of harassment, bullying, victimisation or discrimination against service users, residents, colleagues, other employees or job applicants.

7.1 Working with members

Mutual respect between employees and members is essential to good local government. Close personal familiarity between employees and individual members can damage the relationship and should therefore be avoided.

For further information about working relationships between officers and members please see the Members/Officers protocol published on the Council's website.

7.2 Working with colleagues

Employees are expected to treat colleagues and those with whom they come into contact in the course of their work with fairness and respect.

In order to avoid any accusation of bias, employees should not be involved in an appointment, nor any decision relating to discipline, promotion or any pay adjustments or conditions of another employee, or prospective employee to whom they are related or have a close personal relationship.

7.3 Working with the local community and service users

Employees should ensure professional, courteous, efficient and impartial service delivery to all. Employees should be especially sensitive in dealing with vulnerable children and adults.

7.4 Positions of trust

Employees should ensure they maintain professional standards and do not abuse, or appear to abuse, their position of trust in the way they conduct their relationships with service users/pupils/contractors, their families or carers.

Specific examples of conduct which should be avoided include, but are not limited to:

- meeting socially with pupils or service users (or their carers or families); and/or
- exchanging personal contact details or connecting using social media; or
- engaging in activity or associating with people outside work whose current or past conduct could raise doubts or concerns about your integrity or ability to be in a 'position of trust' with regard to children or vulnerable adults.

7.5 The Press and Media

Employees must not deal directly with the press or the media in relation to anything related to Council business unless it is part of their role, or they have been expressly authorised by your Assistant Director/ Headteacher.

If an employee speaks as a private individual directly to the press or at a public meeting or other situation where their remarks may be reported to the press, they must take reasonable steps to ensure nothing said might lead the public to think they are acting in their capacity as a Council employee.

An employee should not make an endorsement in their work capacity, through press channels, or on social media, regarding an external organisation which might infer a corporate endorsement on behalf of Surrey County Council.

Trade Unions and their elected and accredited representatives may be approached by the media for comments or interviews on a particular issue. In such cases the representative must make it clear that they are doing so in their capacity as a representative of that union and not as a Surrey County Council employee and that their comments may not represent the views/policy of the council

7.6 Political neutrality

- i. Members are elected to direct the policies and activities of Surrey County Council. Employees should ensure they serve all members, not just those of the controlling group, and respect their individual rights.
- ii. Employees should ensure that their own personal or political opinions should not interfere with any policy of the authority. Where employees advise political groups, they are expected to be politically neutral.
- iii. Employees may not, by law be an elected member of the authority in which they are employed.

(Political assistants appointed on fixed term contracts in accordance with the Local Government and Housing Act 1989 are exempt from political neutrality).

Certain posts are designated as politically restricted by the Local Government and Housing Act 1989. An employees contract of employment will tell them whether they hold one of these posts and, if they do, they will be required by law to observe certain restrictions regarding their out of work activities

The political activities which are restricted for these posts include:

- standing as a Member of Parliament, Member of the European Parliament or a Councillor in any local authority (other than a Parish Council)
- holding office in a political party at any level, (except in limited roles concerned only with the internal membership of the party)
- canvassing at elections
- speaking in public or publishing any written or artistic work which appears to be intended to influence public support for a political party.

Employees need to be aware of their position in terms of political activity. If they are not sure whether an activity is subject to 'political activity restrictions', they should seek advice from their line manager, who will consult the Executive Director or Monitoring Officer if necessary.

Violation of the statutory rules is a breach of contract and will render them liable for investigation and possible disciplinary action under the Council's Disciplinary Procedure.

For further information see the [politically restricted posts positions](#) on SCC Info.

7.7 Equality, Diversity & Inclusion

The Council recognises the importance of a diverse workforce and is committed to providing a culture where everyone is valued and respected. People should feel comfortable carrying out their roles and the council is committed to equality of opportunity being practised and promoted to all.

8. Contractors and competitive tendering

Contractors may include individuals who are temporarily working alongside Council employees, or employees of an external firm that has been awarded a contract to provide services on behalf of the Council. All contractors should be treated with courtesy and respect.

8.1 Contractors

Orders and contracts must be awarded by fair and open competition against other tenders. No special favour should be shown to businesses with particular connections to employees.

Employees should declare any relationship with a particular contractor, or any potential contractors, to the Assistant Director /Headteacher and should not participate in any buying activity where these Conflicts of Interest could arise. See the [Procurement standing orders](#) for further information.

If employees wish to tender for a contract from the Council, they must declare such an intention to the appropriate Assistant Director / Headteacher, at the earliest possible opportunity.

8.2 Separation of roles during competitive tendering

- i. Employees should be clear on the separation of client and contractor roles. Senior employees who have both a client/contractor responsibility must be aware of the need for accountability and openness.
- ii. Employees privy to confidential information on tenders of costs relating to contractors should not disclose the information to any unauthorised party or organisation.
- iii. Employees should ensure no special favour is shown to current or recent former employees, or associates, in awarding contracts.

9. Gifts & Hospitality

It is essential that the public can be confident that decisions are made for proper reasons and are not influenced by the interests of individual employees, their relatives or friends.

The Council expects employees, including those seconded to other organisations, to refuse offers of gifts and hospitality. Such offers should only be accepted in exceptional circumstances, where there is a clear justification for doing so and where this has been formally approved in advance.

For reasons of integrity and transparency, the gifts and hospitality requirements extend to the spouse, partner and immediate family of employees, where the provider is a business partner or associate of the Council.

Gifts & hospitality that have been offered, whether accepted, declined or accepted and passed on to charity, must be registered on the My Surrey system or the school's local register.

For further detail and information about what needs to be recorded see [Gifts and hospitality policy](#) on the SCC Info or Surrey Education Service hub.

10. Use of the Council's materials or resources

Employees are expected to use public funds entrusted to them in a responsible manner and should not make personal use of any Council resources unless authorised to do so.

10.1 Property and resources

Council property, materials and resources should be used solely in respect of its work. No improper use should be made of any facility such as vehicles, equipment, stationery or other services which the Council provides for its own business.

The Council recognises that there are times when calls must be made during working hours, for emergencies or to utility companies, for example. Reasonable usage of the telephone in these cases is permissible, but employees are expected to keep the length of call to the minimum possible.

Use of mobile phones is permitted for users who have been issued with a SCC mobile, for making work calls and logging of expenses, annual leave, sickness absence and any other work-related affairs.

Mobile phones must not be used whilst driving, unless the appropriate hands-free equipment is used, and it is essential and safe to do so.

A satnav can distract a driver physically through the manual entry of their destination details, visually, by looking at the electronic map or cognitively when the driver focuses their attention on listening to, or carrying out the instructions, or entering their destination into the system whilst driving.

It is important that drivers understand how best to use their satnav and learn not to use it when it may be dangerous to do so. Drivers should always input their destination details or update the sat nav system whilst stationary and not whilst driving.

For further information please see [Section D of the Health & Safety Manual](#)

10.2 Information Technology (IT) systems

The Council has an obligation and legal responsibility to ensure that the IT system is used appropriately and is not misused. We monitor use to ensure that misuse or abuse of the facility is identified. All employees are required to comply with the [IT and Information Security policies](#), procedures and published guidance on SCC Info and locally in schools.

Whilst SCC fully supports agile working and recognises that more employees are not working full time from SCC premises, it is essential that SCC laptops are only used for SCC work and that they are not used for private or other external use, school staff should follow local guidance.

10.3 Intellectual property

Employees should be aware that "intellectual property" such as ideas, documents, software, etc. created during their employment belong to the Council. Any invention, improvement or design made or conceived by them while they are engaged to work for the Council which is in the existing, or contemplated, scope of the business of the Council shall become and remain the exclusive property of the Council.

Employees must also make sure that they do not breach the copyright held by others and thereby expose the Council to the risk of claims. If they wish to copy the work of others they should ensure that they comply with copyright law, seeking advice from their manager if they are unsure.

11. Use of social media

Employees need to be aware that posting information or views about local government or politics in general may not be isolated from your working life, if you have identified yourself as an officer of the Council.

If they have a personal account they are advised to abide by its terms and conditions and read the advice it offers on using their social site.

The image they project on social media may adversely reflect on the image of the Council. We recommend that when they use social media that they remember our values.

If they identify themselves as an officer of the Council, or if they can be identified as an officer of the Council, ensure any communication that they make will not:

- bring the organisation into disrepute or seriously affect public confidence in its ability to deliver effective services, for example by
 - criticising the Council's decisions and/or activities connected with their own work
- breach confidentiality, for example by:
 - revealing confidential information owned by the organisation;

- be considered discriminatory against, or bullying or harassment of, any individual, for example by:
 - making offensive or derogatory comments
- breach the Council's Code of Conduct, its policies, its procedures and political neutrality.

Trade Unions and their elected and accredited representatives may be approached through social media for comments on a particular issue. In such cases the representative must make it clear that they are doing so in their capacity as a representative of that union and not as a Surrey County Council employee and that their comments may not represent the views/policy of the council.

12. Approvals

Where Assistant Directors, Directors, and Executive Directors require approval or notification under the Code then this shall respectively be obtained from the appropriate Directors, Executive Directors, or the Chief Executive. The Chief Executive will obtain approval from either the Monitoring Officer, or the Section 151 Officer.

Where a Head teacher requires approval under the code then this will be obtained from the Chair of Governors.

13. If in doubt

It is not possible to cover every situation an employee of the Council may face. If they are in any doubt about anything contained within this code, or are concerned about anything relating to their personal position, they should speak to their line manager.

GLOSSARY OF POLICIES

The Seven Principles of Public Life

Health and Safety Policy

Health and Safety Manual

Drug and alcohol workplace

Smoke free workplace policy

Managing information – your responsibilities

Working Time Policy

Conflict of Interest

Whistleblowing policy

Council's Strategy Against Fraud and Corruption

politically restricted posts positions

Procurement standing orders

Gifts and hospitality policy

Section D of the Health & Safety Manual

IT and Information Security policies

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County Council Meeting – 13 December 2022

REPORT OF THE CABINET

The Cabinet met on 25 October 2022 and 29 November 2022.

In accordance with the Constitution, Members can ask questions of the appropriate Cabinet Member, seek clarification or make a statement on any of these issues without giving notice.

The minutes containing the individual decisions for the meetings above have been included within the original agenda at Item 18. If any Member wishes to raise a question or make a statement on any of the matters in the minutes, notice must be given to Democratic Services by 12 noon on the last working day before the County Council meeting (Monday 12 December 2022).

For members of the public all non-confidential reports are available on the web site (www.surreycc.gov.uk) or on request from Democratic Services.

RECOMMENDATIONS ON POLICY FRAMEWORK DOCUMENTS

A. COORDINATED ADMISSIONS SCHEME FOR SEPTEMBER 2024

That Cabinet *recommends* that the County Council approve that the coordinated admissions scheme that will apply to all schools for 2024 (as set out in the Cabinet report from 29 November 2022)

Reasons for Decisions:

- The coordinated admissions scheme for 2024 is essentially the same as 2023 with dates updated
- The coordinated admissions scheme will enable the County Council to meet its statutory duties regarding school admissions
- The coordinated admissions scheme is working well
- The Local Authority has a statutory duty to publish its coordinated admissions scheme for 2024 by 1 January 2023
- The proposed scheme meets the statutory requirements of the School Admissions (Admission Arrangements and Coordination of Admission Arrangements) (England) Regulations 2012 and the School Admissions Code

REPORTS FOR INFORMATION / DISCUSSION

At its meeting on 25 October 2022 Cabinet considered:

B. COUNTY DEAL FOR SURREY

This report provided an update on the progress made since April 2022 on a county deal for Surrey. It outlines how partners and key stakeholders had actively engaged in the development stage of the County Deal and goes into further detail about the core set of proposals being recommended for inclusion in the County Deal for Surrey. In addition, it outlines the intentions to take these proposals

forward for negotiation with Government subject to when the council is formally asked to begin discussions with government.

It was AGREED:

1. That Cabinet note the leading role the council has taken to engage with partners and key stakeholders to develop initial draft proposals for negotiation with Government on a County Deal for Surrey.
2. That Cabinet approve the initial draft core set of proposals for negotiation with Government for inclusion in a County Deal for Surrey, that have been developed in line with Level 2 of the Government's Levelling Up Devolution Framework.
3. That Cabinet endorse the approach to begin preparations for the integration of Surrey-wide LEP functions into a County Deal, subject to the outcome of negotiations with Government
4. That Cabinet endorse the approach to begin exploring appropriate governance arrangements for each of the "core" proposals in collaboration with the relevant Surrey's strategic partnership boards and other relevant key stakeholders.
5. That Cabinet approve the approach to negotiations with Government, noting that the initial draft proposals are likely to be subject to change during negotiations and that any final County Deal for Surrey deal will be brought to Cabinet and Full Council for approval.

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 the 2030 Community Vision, the council's four strategic priorities (Growing a sustainable economy; Tackling health inequality; Enabling a greener future; and Empowering communities), and work towards the overarching ambition of No One Left Behind.

C. A SKILLS PLAN FOR SURREY

This report introduced the Skills Plan for Surrey, which is being produced with a focus on the role that skills development has in securing economic and inclusion outcomes across the county. Within 'Surrey's Economic Future,' the Economic Strategy approved by Cabinet in December 2020, several strategic priorities are reliant on both a skilled workforce and on the role skills play in enabling an inclusive economy. The 'Skills Plan for Surrey' builds out from these priorities and sets out Surrey's skills and recruitment related objectives.

It was AGREED:

1. That Cabinet endorse the emerging outcomes and priorities of the Skills Plan for Surrey and recognise its role in relation to the forthcoming 'Lifetime of Learning' strategy.

Reasons for decisions:

The Skills Plan for Surrey sets out the challenges and opportunities facing the Surrey economy in terms of recruitment and skills. Due to the combination of factors impacting the Surrey labour market which have seen substantial increases in demand for people and skills against a decreasing level of supply, action is required by both Surrey County Council and a wide range of partners, including businesses and training providers, to positively impact this agenda. Through doing so, we can help to support economic growth and provide greater opportunities for Surrey's residents, supporting the principle of leaving no one behind.

D. HEALTHY STREETS FOR SURREY DESIGN GUIDE

This report provided Cabinet with an update on the development of the Healthy Streets for Surrey design guide and sought Cabinet's endorsement of the guidance and its adoption as County Council policy. The refreshed approach to street design will support active travel and movement, seek to enrich the County's biodiversity and to support happy, healthy and sustainable lives. In doing so, this work will help to deliver the 'tackling health inequality' and 'enabling a greener future' dial up areas.

It was AGREED:

1. That Cabinet endorse the Healthy Streets for Surrey guide.
2. That Cabinet agree adoption of the guide as County Council policy for the design of streets in all new developments in the County.
3. That Cabinet agree to apply the approach to all County Council public realm schemes.
4. That Cabinet strongly recommends the guidance to the Boroughs and Districts.
5. That Cabinet delegates any amendments to the policy to the Cabinet Member for Transport, Infrastructure and Growth and the Executive Director for Environment, Transport and Infrastructure.

Reasons for decisions:

Surrey County Council has a significant role in the design and implementation of new development, particularly in respect of streets specifically and transportation in general. As such, the County Council as the local Highway Authority advises the county's Boroughs and Districts on the transportation implications of applications for planning permission. The Surrey Street Design Guide, 'Healthy Streets for Surrey,' is being produced in order to assist developers, the Boroughs and Districts and the community to understand what standards the County Council will be seeking when considering proposals. The aim is to deliver high quality, attractive, safe, accessible and sustainable development and well-designed places.

At its meeting on 29 November 2022 Cabinet considered:

E. RESPONDING TO THE RISING COST OF LIVING IN SURREY

The report provided an update on the rising cost of living situation nationally, as well as a review of local data showing the emerging picture across Surrey. It outlined work by Surrey County Council, along with partners and key stakeholders, that is already underway to support households facing financial hardship. The report also set out the proposed strategic approach to the rising cost of living over the short to medium term, including initiatives that have been identified to provide additional support to the most vulnerable.

It was AGREED:

1. That Cabinet note the emerging insights around the rising cost of living in Surrey, and the rapidly evolving national context.
2. That Cabinet note the potential severity of the evolving situation and the possible impact for local communities, staff and business continuity.
3. That Cabinet note the financial investment made to date and the council's intention to continue to support residents, communities and partners through further financial investment where possible, whilst being mindful of the increasing financial pressures on the council.
4. That Cabinet endorse the developing response to the rising cost of living, both internally and with partners, and the planned mitigations to manage risks to resident welfare, staff wellbeing, and service capacity and continuity.
5. That Cabinet agree that the council will work with other councils and national organisations such as the LGA and the County Council's Network to engage with Government on matters of importance relating to cost of living, including to further support provision targeted at vulnerable households to improve thermal insulation and reduce fuel poverty.

Reasons for decisions:

The rising cost of living has the potential to affect many of Surrey's residents including, but not limited to, those already experiencing financial hardship. The council's response to the situation has been designed to support residents and staff, whilst being mindful of the council's own financial situation.

F. ADULT SOCIAL CARE STRATEGY FOR PEOPLE WITH PHYSICAL DISABILITY AND SENSORY IMPAIRMENT 2022 - 2027

The report set out Surrey County Council's new strategy for people with physical disabilities and/or sensory impairments 2022 – 2027. It develops and articulates a shared understanding, vision, and action plan of how we will respond to the needs of people with a physical disability and/or sensory impairment. The strategy will enable people to access the right health and social care at the right time in the right place that helps them to remain independent, achieve their potential and ensures nobody is left behind.

It was AGREED:

1. That Cabinet endorse the new strategy for people with physical disability and/or sensory impairment.
2. That Cabinet agrees to establishing a Disability Partnership Board which will be co-led by people with lived experience of physical disabilities and sensory impairments and will oversee the development of the different work streams needed to achieve the strategy and strategy action plan.

Reasons for decisions:

The recommendations have been made to ensure that together with our system partners we improve outcomes, services, and support for people in Surrey with a wide range of physical disabilities and/or sensory impairments.

G. TRAFFIC REGULATION ORDER POLICY

Cabinet was asked to approve a new Byways Open to All Traffic (BOATs) policy which set out how the Council will manage BOATs in the future including the use of Traffic Regulation Order (TROs).

It was AGREED:

1. That Cabinet agree to remove the SCC Traffic Regulation Order (TRO) Policy for byways open to all traffic (BOATs) on Public Rights of Way.
2. That Cabinet agree the new policy which sets out how the Council will manage BOATs in the future including the use of TROs.

Reasons for Decisions:

Surrey County Councils current Traffic Regulation Order (TRO) Policy for Byways Open to All Traffic (“BOATs”) on Public Rights of Way is under review. The current policy does not make reference to all the grounds on which a TRO can be made. Therefore, the current policy is being removed and a new policy has been drafted for agreement by Cabinet.

H. QUARTERLY REPORT ON DECISIONS TAKEN UNDER SPECIAL URGENCY ARRANGEMENTS: 1 October 2022 – 2 December 2022

The Cabinet is required under the Constitution to report to Council on a quarterly basis the details of decisions taken by the Cabinet and Cabinet Members under the special urgency arrangements set out in Standing Order 57 of the Constitution. This occurs where a decision is required on a matter that is not contained within the Leader’s Forward Plan (Notice of Decisions), nor available 5 clear days before the meeting. Where a decision on such matters could not reasonably be delayed, the agreement of the Chairman of the appropriate Select Committee, or in his/her

absence the Chairman of the Council, must be sought to enable the decision to be made.

The Cabinet RECOMMENDS that the County Council notes that there have been NO urgent decisions in the last three months.

**Tim Oliver, Leader of the Council
2 December 2022**

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 25 OCTOBER 2022 AT 2.00 PM
COUNCIL CHAMBER, SURREY COUNTY COUNCIL, 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
*Kevin Deanus

Deputy Cabinet Members:

*Maureen Attewell
*Rebecca Paul
*Paul Deach
Jordan Beech

Members in attendance:

Andy MacLeod, Vice Chairman of the Communities, Environment and Highways Select Committee and Local Member for Farnham Central
Jonathan Essex, Green Party Group Leader and Local Member for Redhill East
Will Forster, Liberal Democrats Group Leader and Local Member for Woking South

**PART ONE
IN PUBLIC**

145/22 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Jordan Beech.

146/22 MINUTES OF PREVIOUS MEETING: 27 SEPTEMBER 2022 [Item 2]

These were agreed as a correct record of the meeting.

147/22 DECLARATIONS OF INTEREST [Item 3]

There were none.

PROCEDURAL MATTERS [Item 4]

148/22 MEMBERS' QUESTIONS [Item 4a]

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

149/22 PUBLIC QUESTIONS [Item 4b]

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

Jenny Desoutter queried if the countryside estate would commit to a low intervention minimal felling approach and whether Surrey would commit to seeking input from local experts and specialists who have very important knowledge about species and habitat. The Cabinet Member for Environment explained that Surrey's new policy was about only removing trees when there was a danger. The Cabinet Member for Environment stated that there was a lot of work going on around nature recovery within the authority and the council was considering how it manages the whole estate in regards to habitat and biodiversity. Engagement was welcomed across the board with local groups.

150/22 PETITIONS [Item 4c]

There were none.

151/22 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

There were none.

152/22 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

The Vice-Chairman of the Select Committee introduced the committees response to the Surrey skills plan stating that this was an appropriate role for the council to be playing and the councils role would be of a co-ordinating body between the private sector and other partners. The Vice-Chairman felt the adult education budget in Surrey could be better used to help with the Surrey skills plan. The Cabinet Member for Transport, Infrastructure and Growth agreed that the adult education budget could be used to support the skills plan and its delivery.

The Vice-Chairman thanked the Cabinet Member for Environment for the response to the Select Committees recommendations on the Greener Futures Climate Change Delivery Plan. The Committee were pleased to see its recommendations had been accepted and stated that the councils work on climate change had progressed well with cross party support. The Vice-Chairman encouraged the Cabinet and Leader to continue their work with government to ensure their full support for climate change. The Cabinet Member for Environment commented that the task group had worked well with the service to ensure the right outcomes could be achieved and staff and members had worked collaboratively.

RESOLVED:

That the two reports from the Communities, Environment and Highways Select Committee be noted.

153/22 LEADER / DEPUTY LEADER / CABINET MEMBER/ STRATEGIC INVESTMENT BOARD DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 6]

There were eight decisions for noting.

RESOLVED:

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

154/22 CABINET MEMBER OF THE MONTH [Item 7]

The Cabinet Member for Property and Waste introduced the report and highlighted some key points. Within the land and property service children's homes at Epsom, Walton and the Shaw Family Contact Centre in Woking were under construction. In Dorking, the Children's Home and Care Leavers Accommodation had been submitted for planning. 273 new pupil places had been delivered in September 2022 from a range of projects, work continued on the next phase which would deliver an additional 190 pupil places by September 2023. A number of high profile planning applications covering schools, supported independent living, extra care, Gypsy, Roma and Traveller sites would be due at the planning committee imminently. It was explained that an emergency task force had been formed to look at reducing energy consumption within all our operational buildings. The Eco-Park anaerobic digester was now processing all of Surrey's food waste, the gasifier had been awarded an Acceptance Certificate by the Independent Certifier in March 2022. The Deputy Leader and Cabinet Member for Communities and Community Safety commented on the high levels of specification that had been applied within the design standards for the new fire provision.

RESOLVED:

That the Cabinet Member of the Month update be noted.

155/22 A COUNTY DEAL FOR SURREY [Item 8]

The report was introduced by the Leader who stated that the new Prime Minister had already made an ongoing commitment to continue with the levelling up programme. The Leader provided the Cabinet with someone background into the county deal programme explaining that there were three levels of the deal an authority could apply for. Discussions had taken place with partners and presentations had been given to each of the district and boroughs with a request for them to put forward any requests they would like to see in the submission to government. No comments had been received yet but the Leader encouraged the district and boroughs to submit feedback. Both the Levelling Up White Paper and LEP integration guidance letter signalled a new direction and set out the steps the council would need to follow in order to take on LEP functions and roles, ensuring a strong business voice remains at the heart of decision making. The county had put forward a request to be appointed as the climate change lead authority.

The Deputy Cabinet Member for Levelling-Up welcomed the progress made on the Council's plans to secure a county deal for Surrey explaining that securing such additional powers would better enable us and our partners to deliver on our ultimate ambition that no one is left behind. She further added that it was positive to see the level of engagement that had already happened across the county with key local partners on the opportunities a deal could bring. The Executive Director for Partnerships, Prosperity and Growth and his team were thanked for all the work they had done around the county deal proposals. This was endorsed by the Leader.

The Deputy Leader and Cabinet Member for Communities and Community Safety recognised the structures that had been put in place in anticipation of the powers coming through. Will Forster urged the county council to work with the district and boroughs to submit a joint county deal proposal. The Leader restated that he had visited all the district and boroughs and welcomed the input from each. There had been an understanding that a paper would be taken to Cabinet in October and the Cabinet welcomed feedback on proposals from each of the district and boroughs. There was a short discussion around the possibility of using the UK prosperity fund alongside Section 106 funding which was welcomed by the Leader.

RESOLVED:

1. That Cabinet note the leading role the council has taken to engage with partners and key stakeholders to develop initial draft proposals for negotiation with Government on a County Deal for Surrey.
2. That Cabinet approve the initial draft core set of proposals for negotiation with Government for inclusion in a County Deal for Surrey, that have been developed in line with Level 2 of the Government's Levelling Up Devolution Framework.
3. That Cabinet endorse the approach to begin preparations for the integration of Surrey-wide LEP functions into a County Deal, subject to the outcome of negotiations with Government
4. That Cabinet endorse the approach to begin exploring appropriate governance arrangements for each of the "core" proposals in collaboration with the relevant Surrey's strategic partnership boards and other relevant key stakeholders.
5. That Cabinet approve the approach to negotiations with Government, noting that the initial draft proposals are likely to be subject to change during negotiations and that any final County Deal for Surrey deal will be brought to Cabinet and Full Council for approval.

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 the 2030 Community Vision, the council's four strategic priorities (Growing a sustainable economy; Tackling health inequality; Enabling a

greener future; and Empowering communities), and work towards the overarching ambition of No One Left Behind.

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

156/22 A COUNTY STRATEGY FOR HOUSING, ACCOMMODATION AND HOMES: BASELINE ASSESSMENT [Item 9]

The Cabinet Member for Children and Families introduced the report explaining that the report outlines the background to and drivers for the initiation of a county-wide housing, accommodation and homes strategy and sets out the initial findings of a baseline assessment exercise, upon which key priorities and action will be derived, through a partnership-based, collaborative deliberation programme. Quality sustainable housing would contribute to the councils community vision priority areas and would play a critical role in Surrey's economy. The Cabinet Member explained that she would be launching a housing strategy roadshow alongside the Executive Director of Prosperity, Partnerships and Growth and would be meeting all the Leaders across the district and boroughs and the planning and housing portfolio holders to start discussions around housing in Surrey. Will Forster asked for some details around the funding for this work. The Cabinet Member stated that she would find out this information and provide the member with a written response.

RESOLVED:

1. That Cabinet endorse the consultative research work undertaken in partnership, to establish a strategic baseline assessment of accommodation and housing across the county
2. That Cabinet approve the proposed deliberative engagement approach to secure the views and buy-in of partner bodies to the identification of strategic priorities for accommodation and housing in Surrey
3. That Cabinet agree to a further report, confirming the Accommodation and Housing Strategic needs and priorities, coming to the Cabinet meeting in January 2023.

Reasons for Decisions:

1. The housing circumstances and conditions in which one lives have a profound effect on many aspects of our lives. Housing, accommodation, and homes across Surrey reflect a complex mix of tenures, provision, quality, quantity and affordability and accessibility and in a number of these respects presents serious challenges. Housing also has a distinct impact on the economy and its potential to grow.
2. In considering these issues, it is apparent that an evidenced, joined-up, county-wide partnership strategic approach to housing, accommodation and homes would be beneficial in providing ambition, focus, direction, and alignment across the whole Surrey housing system.
3. Acknowledging the complexity and potential sensitivity, the recommendations seek to secure endorsement at this stage of the

engagement, assessment and analysis of the current position and proposed next steps, to provide a common platform of awareness and understanding of the key issues, in order to drive strategic priorities for action and improved delivery and outcomes, over time, in pursuit of ensuring more residents in Surrey live in secure, affordable, and sustainable housing, are able to fulfil their full potential and make their best contribution to economic, civic and community life.

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

157/22 A SKILLS PLAN FOR SURREY [Item 10]

The Cabinet Member for Transport, Infrastructure and Growth started by saying that a Surrey Skills Summit would be taking place on 10 November at Sandown Racecourse and would be open to businesses and education providers. The report introduces the Skills Plan for Surrey, which is being produced with a focus on the role that skills development has in securing economic and inclusion outcomes across the county. The Government had set out its intent that every area would have a Local Skills Improvement Plan (LSIP) agreed with Government by Summer 2023. The primary purpose of the LSIPs is to put the voice of employers' front and centre of the development of skills provision, using an evidence led approach to make sure that the LSIP is capable of underpinning future funding decisions and directly influencing future provision. However, it solely focused on post-16 formal education, rather than a 'lifetime of learning' approach.

The Cabinet Member explained that overall, the UK's skills system was complex and largely fragmented and Surrey was no exception to this. Activity generally takes place on an institution-by-institution basis with no coherent Surrey-wide perspective on what good practice is being delivered and where opportunities to operate at scale and make improvements might be implemented. Work was being done with the Surrey Business Leadership Forum to engage on recruitment challenges. A key part of the plan would be to drive various career pathways at a very early stage. The skills plan will help to support economic growth and provide greater opportunities for Surrey's residents, supporting the principle of leaving no one behind. There was full support from the Cabinet on this report.

RESOLVED:

1. That Cabinet endorse the emerging outcomes and priorities of the Skills Plan for Surrey and recognise its role in relation to the forthcoming 'Lifetime of Learning' strategy.

Reasons for Decisions:

The Skills Plan for Surrey sets out the challenges and opportunities facing the Surrey economy in terms of recruitment and skills. Due to the combination of factors impacting the Surrey labour market which have seen substantial increases in demand for people and skills against a decreasing level of supply, action is required by both Surrey County Council and a wide range of partners, including businesses and training providers, to positively impact this agenda. Through doing so, we can help to support economic growth and

provide greater opportunities for Surrey's residents, supporting the principle of leaving no one behind.

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

158/22 HEALTHY STREETS FOR SURREY DESIGN GUIDE [Item 11]

The Cabinet Member for Transport, Infrastructure and Growth introduced the report explaining that Cabinet were being asked to endorse the new guidance and adopt it as county council policy. The refreshed approach to the street design will support active travel and movement to enrich the counties biodiversity and to support happy, healthy and sustainable lives. Following a two-year review of the County Council's design standards for new streets, new guidance had been produced. The Guide had been produced to assist developers; Borough and District officers and councillors; and local communities understand what the County Council would be seeking when considering the highways and transportation elements of proposals for development. The aim would be to deliver high quality, attractive, safe, accessible and sustainable developments. All development schemes will be assessed against the Guides' principles and design elements. The overarching principles of the guide were highlighted by the Cabinet Member. Surrey had been chosen as a Design Pathfinder which aims at developing new ways to empower communities to have their say on the development of new homes, buildings and amenities, such as shops and workspace, in their area and help restore people's pride in the places they live.

RESOLVED:

1. That Cabinet endorse the Healthy Streets for Surrey guide.
2. That Cabinet agree adoption of the guide as County Council policy for the design of streets in all new developments in the County.
3. That Cabinet agree to apply the approach to all County Council public realm schemes.
4. That Cabinet strongly recommends the guidance to the Boroughs and Districts.
5. That Cabinet delegates any amendments to the policy to the Cabinet Member for Transport, Infrastructure and Growth and the Executive Director for Environment, Transport and Infrastructure.

Reasons for Decisions:

Surrey County Council has a significant role in the design and implementation of new development, particularly in respect of streets specifically and transportation in general. As such, the County Council as the local Highway Authority advises the county's Boroughs and Districts on the transportation implications of applications for planning permission. The Surrey Street Design Guide, 'Healthy Streets for Surrey,' is being produced in order to assist developers, the Boroughs and Districts and the community to understand what standards the County Council will be seeking when considering

proposals. The aim is to deliver high quality, attractive, safe, accessible and sustainable development and well-designed places.

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

159/22 DE-REGISTRATION OF LAND AT STRINGERS COMMON AND DESIGNATION OF REPLACEMENT LAND TO FACILITATE JUNCTION IMPROVEMENT WORKS FOR WEYSIDE URBAN VILLAGE [Item 12]

The Cabinet Member for Transport, Infrastructure and Growth introduced the report explaining that the development of Weyside Urban Village requires widening of the Moorfield Road / Woking Road junction onto a part of Stringers Common. The proposed junction improvements include the widening of Woking Road and associated works on its west side which is on County Council land and outside of the existing highway. Some widening was also required on the east side of Woking Road owned by Guildford Borough Council. The consent of the Secretary of State under section 38 of the Commons Act 2006 was required for works which impede access to or over common land or involve its resurfacing. Suitable replacement common land is also required, which has been identified off Jacobs Well Road, which will be considered as part of the application process.

RESOLVED:

Subject to the agreement of the matters arising in paragraph 57 of the report with GBC, it was agreed that Cabinet delegate authority to the Executive Director of Environment, Transport and Infrastructure, in consultation with the Cabinet Member for Transport, Infrastructure and Growth and Cabinet Member for Environment, to:

1. Undertake a public consultation exercise into the proposed de-registration of land at Stringers Common and related works.
2. Finalise the exact plot boundaries for the Commons Act applications in light of matters arising from public consultation, completion of the junction design and agreement of suitable mitigation measures.
3. Further to such consultation and subject to consideration of responses, prepare and submit a joint application with GBC under section 16 of the Commons Act to the Secretary of State seeking to:
 - de-register land at Stringers Common to facilitate junction improvement works at Moorfield Rd / Woking Rd – shown on the indicative accompanying plan (Annex A); and
 - register suitable replacement common land at Jacobs Well Road - shown on the indicative accompanying plan (Annex A).

Reasons for Decisions:

Planning permission was issued by GBC in March 2022 for the Housing Infrastructure Fund-enabled Weyside Urban Village (WUV), a major mixed

used scheme including the construction of 1,550 dwellings, a local centre, employment uses, replacement Council depot and replacement traveller's site at Slyfield Green.

In order to facilitate that scheme, road and junction improvement works will be required at the Woking Rd junction with Moorfield Rd, for which Surrey are the highway authority. These improvement works are proposed to be undertaken on land which is currently registered common land at Stringers Common, where SCC is the landowner.

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

160/22 NATIONAL BUS STRATEGY - BUS BACK BETTER - AN ENHANCED PARTNERSHIP FOR SURREY [Item 13]

The Cabinet Member for Transport, Infrastructure and Growth introduced the report explaining that the report was the latest step in the Council's response to the challenges set by Government through the National Bus Strategy (Bus Back Better). The report seeks agreement for the Council to enter into an Enhanced Partnership with local bus operators in Surrey, which aims to improve bus services for residents. This report explains how the Enhanced Partnership will work and the responsibilities of the Council as the Local Transport Authority and bus operators as service providers. Establishing an Enhanced Partnership was the next step in the Council's response to Bus Back Better. The report sought agreement to consult residents and stakeholders on proposals for a future financially sustainable bus network that will be fit for the future and more responsive to transformed travel patterns following the Covid 19 pandemic. The results of the consultation would be reported to Cabinet in early 2023 for consideration.

A Member queried how the public consultation would be taking place and if there were opportunities for face to face engagement. The Cabinet Member for Transport, Infrastructure and Growth stated that the consultation would run from 3 November to the 6 January. It would be available for residents and stakeholders via online and hard copy surveys. There would be an easy read version of the consultation made available as well as it being provided in Braille or audio or other languages on request. A Member commented on the success of the on demand bus service in Mole Valley. It was commented that on demand bus service would be introduced into Guildford/Waverley next year.

RESOLVED:

1. That Cabinet agree the Enhanced Partnership Plan for Surrey, inclusive of proposed governance arrangements to start on 3 November 2022.
2. That Cabinet confirm support for the delivery priorities set out in the draft Enhanced Partnership Scheme, which will be formally agreed by the Enhanced Partnership Board for implementation, with progress and performance updates to be presented to the Cabinet Member for Transport, Infrastructure and Growth, who is also chair of the Enhanced Partnership Governance Board.

3. That Cabinet agree that a public consultation be carried out to obtain the views of residents and stakeholders on the future bus network in Surrey, with the findings and proposed next steps to be presented to a meeting of Cabinet in early 2023.
4. That Cabinet agree that the public consultation material be approved by the Director for Highways and Transport in consultation with the Cabinet Member for Transport, Infrastructure and Growth prior to the consultation launch.

Reasons for Decisions:

The National Bus Strategy aligns with several key themes in our recently adopted Surrey Transport Plan 4, in particular the hierarchy of modes and the ambition to shift journeys from the private car to other more sustainable modes. In our response to Bus Back Better, the Council has consistently highlighted the strong linkages to the aims and ambitions of the Council's Greener Futures programme and delivery of the Council's 2030 Community Vision.

With regard to future local bus provision, a public and stakeholder consultation is proposed to help us shape the future bus network and respond to the challenge of new travel patterns and bus use post Covid19. Furthermore, as part of the extension of Government's Bus Recovery Grant (revenue funding provided to LTAs to support bus services where patronage remains depressed post Covid19), the DfT requires all LTAs to undertake a bus network review. This aims to ensure the local bus network in each LTA is financially sustainable once Government recovery funding ends at the end of the current financial year.

Our proposed approach will meet Government's timeline of an EP being agreed by the autumn. It will also meet Government's requirement to assess the financial sustainable of the bus network, which is being supported by the proposed public and stakeholder consultation that will help shape the future bus network in Surrey.

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

161/22 SURREY SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2021/22 [Item 14]

The Cabinet Member for Adults and Health introduced the Independent Chairman of the Surrey Safeguarding Adults Board explaining that Simon Turpitt would be leaving the role and publicly thanked him for his work with the Board. The Independent Chairman introduced the annual report explaining that the Board continues to see a large increase in concerns at 23%. More work was being done to engage with the public and safeguarding was now being made more personal. Highlights and concerns were described and closer working practices were being undertaken with the Children's Safeguarding Partnership. Staffing, financial environment, recruitment and retention would cause difficult times ahead. The Cabinet Member for Children and Families thanked the Chairman for all his work and dedication to the board. The Chairman stated that mental health issues was a key underlying issue when it came to safeguarding issues which had been exacerbated by Covid 19. It was explained that there had been no adult safeguarding issues

with refugees in Surrey. The Leader thanked the Independent Chairman for all his hard work and dedication to the Board over the last ten years.

RESOLVED:

1. That Cabinet notes the Surrey Safeguarding Adults Annual Report for 2021/22.

Reasons for Decisions:

This recommendation demonstrates that the Council is fulfilling its statutory requirement under the Care Act 2014 in having established a Safeguarding Adults Board in its area.

It will support the SSAB to be transparent by providing information to the public on the performance of the Board and its strategic plan.

162/22 ALTERNATIVE PROVISION CAPITAL PROGRAMME [Item 15]

The report was introduced by the Cabinet Member for Education and Learning who explained that the report would seek to improve the quality and capacity of alternative provision in Surrey. Alternative Provision (AP) is statutory education outside of school, arranged by local authorities or schools. This report sought approval of £43.2m capital investment that enables delivery of Surrey's AP Capital Programme in full. This was in order to provide a total of 240 state-maintained alternative provision school places for children who cannot attend mainstream educational settings because of permanent exclusion, health, emotional or mental health needs from September 2024 onwards. The Cabinet Member provided the Cabinet with an update of the proposals being brought forward including renovating, rebuilding and relocating units. It was explained that the units would be fit for purpose units that would provide for outdoor space and indoor learning.

RESOLVED:

1. That Cabinet approve delivery of the £43.2m Alternative Provision programme in full and the movement of £22.7m Alternative Provision Capital funding from pipeline to budget, and notes the proposed use of £14.7m grant funding and expected £5.77m capital receipts which can be used to fund the overall capital programme. This is in order to provide a total of 240 state-maintained alternative provision school places for children with who cannot attend mainstream educational settings because of permanent exclusion, health, emotional or mental health needs from September 2024 onwards.
2. That Cabinet approve the delegation of authority to allocate resources from the approved £43.2m budget required for individual projects to Cabinet Members for Education and Learning, Finance and Resources, and Property and Waste, following Capital Programme Panel approval.

Reasons for Decisions:

Delivery of a Fit for Purpose state-maintained AP Education Estate that is aligned with DfE (Department for Education) accommodation guidelines that

provides a full and high-quality education offer and meets the needs of vulnerable learners who cannot attend mainstream school for a variety of reasons including exclusion, or mental or physical health difficulties.

The provision of the full availability of 240 places for Surrey resident children to access on a short-stay basis across the county which supports the county-wide inclusion plan and adopted Alternative Provision Strategy.

Reduction in the sustained commissioning of high-cost independent AP places and more equitable deployment of resources, which enables SCC to provide for more local children on a stable financial footing.

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

163/22 2022/23 MONTH 5 (AUGUST) FINANCIAL REPORT [Item 16]

The report was introduced by the Leader who explained that at Month 5, the Council was forecasting a full year deficit of £33.2m, against the approved revenue budget but was committed to delivering a balanced budget. Departments had been tasked with coming up with a budget recovery plan and ways of addressing the overspend. The Leader said real progress would be made within six months but challenges would be significant. The council would continue to lobby government for additional funding and called for a delay to the adult social care reforms even though the council was committed to these. Although frontline services would not be cut some other projects which were not 'core' would need to be paused due to the current global economic crisis.

RESOLVED:

1. That Cabinet note the Council's forecast revenue and capital budget positions for the year and the commitment to develop a budget recovery plan.
2. That Cabinet approve distribution of £2.4m of corporately held budget to uplift Directorates' pay budgets to align with the approved 2022/23 pay award (Para 12).
3. That Cabinet approve the transfer of c. £1m of the Council's £6.5m Transformation Investment for mental health interventions to the Public Service Reform directorate budget; transfer of the remaining £5.5m to the Council's reserves to sit alongside the £4m of funding received from Surrey Heartlands Integrated Care Board; and delegation of approval of future drawdowns of Mental Health Investment Fund monies to the Joint Executive Director for Public Service Reform (Paras 22-24).

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)

164/22 EXCLUSION OF THE PUBLIC [Item 17]

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.

165/22 ALTERNATIVE PROVISION CAPITAL PROGRAMME [Item 18]

The Cabinet Member for Education and Learning 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 Minute 162/22.

Reasons for Decisions:

See Minute 162/22.

166/22 PUBLICITY FOR PART 2 ITEMS [Item 19]

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

Meeting closed at 16:28

Chairman

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