

CABINET DECISION RECORD

The following decisions were taken by the Cabinet on Tuesday, 29 November 2022 and will take effect on 08/12/2022 unless the call-in procedure has been triggered. **CALL-IN DEADLINE: 07/12/2022.**

The following represents a summary of the decisions taken by the Cabinet. It is intended to represent the formal record of the decisions taken and to facilitate the call-in process. The minutes will be published in due course to site alongside this decision sheet.

Members wishing to request a call-in on any of these matters, should contact the Regulatory Business Manager or relevant Committee Manager.

The Cabinet at its meeting on Tuesday, 29 November 2022 considered the following matters and resolved:

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

There were no apologies.

- **MINUTES OF PREVIOUS MEETING: 25 OCTOBER 2022** (Item 2)

These were agreed as a correct record of the meeting.

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

There were none.

- **PROCEDURAL MATTERS** (Item 4)

- **Members' Questions** (Item 4a)

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

- **PUBLIC QUESTIONS** (Item 4b)

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

- **PETITIONS** (Item 4c)

There were none.

- **REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE** (Item 4d)

There were none.

- **REPORTS FROM SELECT COMMITTEES, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL** (Item 5)

There were none.

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

RESOLVED:

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

- **CABINET MEMBER OF THE MONTH** (Item 7)

RESOLVED:

That the Cabinet Member of the Month update be noted.

- **2023/24 DRAFT BUDGET AND MEDIUM-TERM FINANCIAL STRATEGY TO 2027/28** (Item 8)

RESOLVED:

1. That Cabinet note the 2023/24 Draft Budget and Medium-Term Financial Strategy to 2027/28, including progress to date in setting out spending pressures and efficiencies, as set out in Annex A.
2. That Cabinet note the provisional budget gap of £14.4m for 2023/24 and the next steps required to close the gap.
3. That Cabinet note the proposed Capital Programme for 2023/24 to 2027/28 of £1.9bn set out in Section 6 and Annex B.
4. That Cabinet note the Executive Summary of Resident Engagement and next steps set out in Section 9.

Reasons for Decisions:

In January 2023, Cabinet will be asked to recommend a Final Budget for 2023/24 to full Council for approval in February. The draft budget sets out proposals to direct available resources to support the achievement of the Council's corporate priorities, balanced against a challenging financial environment, giving Cabinet the opportunity to comment on the proposals and next steps.

The draft budget also provides an update on the continuing transformational programme, including identified cross cutting opportunities which are required to ensure that the Council can continue prioritising outcomes for residents, while managing growing demand for services and safeguarding future financial resilience and sustainability.

(The decisions on this item can be called-in by the Resources and

Performance Select Committee)

- **2022/23 MONTH 6 (SEPTEMBER) FINANCIAL REPORT** (Item 9)

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 the use of the Council's 2022/23 Adult Social Care Fair Cost of Care and Market Sustainability funding (see paragraphs 12-16).
3. That Cabinet approve the extension of the empty homes initiative for three years to 2024/25, with a change that the baseline over which Districts and Boroughs (D&Bs) receive funding is moved from 2019 to 2021 (see paragraphs 17-19).
4. That Cabinet approve the creation of an inflation hardship contingency, to manage the risk of construction and other inflation levels in Your Fund Surrey projects and delegate to the Executive Director of Customer & Communities and the Deputy Chief Executive & Executive Director of Resources, in consultation with the Cabinet Member for Communities & Community Safety and the Cabinet Member for Finance & Resources the ability to, in exceptional circumstances, award up to 10% of the bid value when presented with robust evidence that the variance is caused by the movement in the construction market, or inflation increases, since the original bids were submitted. The contingency will be met from the existing overall Your Fund Surrey programme allocation (see paragraphs 23-25).

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)

- **RESPONDING TO THE RISING COST OF LIVING IN SURREY** (Item 10)

RESOLVED:

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.

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

- **SURREY HOMES FOR SURREY CHILDREN: A STRATEGIC APPROACH TO GROWING CAPACITY IN CHILDREN'S HOMES IN SURREY** (Item 11)

RESOLVED:

1. That Cabinet endorse the long-term strategic ambition for SCC that every looked after child has a choice to remain in Surrey, where this is appropriate to their needs – as previously endorsed by the Surrey Corporate Parenting Board.
2. In support of the above ambition and delivery of SCC's Looked After Children and Care Leaver Sufficiency Strategy 2020-25:
 - a. That Cabinet endorse an overall plan to create up to 30 additional beds in Children's Homes across a number of sites in Surrey (noting this may be revised by decision of the Executive Director for Children, Families and Lifelong Learning in consultation with the Cabinet Member for Children, Young People and Families), with care to be delivered either directly by SCC in-house and/or in partnership with trusted external providers
 - b. That Cabinet approve the allocation of up to £18 million capital funding towards the creation of up to 24 of these beds in new

Children's Homes, reallocated from £30 million previously allocated for the delivery of 150 beds of Care Leaver Accommodation by Cabinet on 23 February 2021.

- i. That Cabinet approve the allocation of £3.5 million from this £18 million to provide a second children's home in the Woking area (as detailed in this report). This will deliver not only a much-needed increase in local capacity, but also provide decant for residents of another SCC children's home (SC040633), so that essential improvement works can be undertaken to secure the home's long-term future for Surrey's looked after children.
- c. In addition, Cabinet approve allocation of up to £5 million from the overall £30 million for additional costs associated with five capital projects that are already in development in Surrey (as set out in the main body of the report).
- d. That Cabinet note that a bid has been submitted to DfE for £839k funding to support a further Surrey children's home which is in the early stages of development.
- e. That Cabinet confirm that (in line with the recommendation previously agreed by Cabinet on 23 February 2021) the Executive Director – Children, Young People and Families is given delegated authority to approve individual schemes within overall budget constraints in consultation with:
 - Cabinet Member for Children and Families
 - Cabinet Member for Education and Learning
 - Deputy Chief Executive
 - Cabinet Member for Finance and Resources

In addition, all specific proposals will be reviewed by Corporate Programme Panel.

Reasons for Decisions:

SCC, as corporate parent, is committed to enabling the best possible outcomes for Surrey's looked after children, within the resources it has available. Alongside this moral imperative, we also have a clear statutory duty to ensure, as far as reasonably practicable, that there is sufficient accommodation for looked after children that meets their needs and is within their local authority (LA) area (Children Act 1989, Section 22G). Whilst SCC is already taking concrete steps to deliver this duty and enable positive outcomes, these proposals are an important part of how we plan to take forward the delivery of our statutory Looked After Children and Care Leaver Sufficiency Strategy 2020-25, which includes the ambition to create Surrey homes for Surrey Children.

These proposals also have wider benefits in support of Surrey's four Organisation Strategy priorities, as set out above: growing a sustainable economy so everyone can benefit; tackling health inequality; enabling a greener future; and empowering communities.

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

- **COORDINATED ADMISSIONS SCHEME FOR SEPTEMBER 2024** (Item 12)

RESOLVED:

That Cabinet recommends that the County Council approve that the coordinated admissions scheme that will apply to all schools for 2024.

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

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

- **SURREY SCHOOLS & EARLY YEARS FUNDING 2023-24** (Item 13)

RESOLVED:

1. That Cabinet agree that the Council implement the Department for Education's (DfE) recommended Minimum Per Pupil Level in full;
2. That Cabinet agree that the Schools Forum's formula recommendations for schools and early years funding as set out in Annex 3, be approved; and the decisions in Annex 4 implemented
3. That Cabinet agree that the transfer of 1.0% (estimated at £7.8m) from the Schools' block DSG to the High Needs DSG (subject to approval by Secretary of State).
4. That Cabinet agree that authority is delegated to the Director of Education and Lifelong Learning in consultation with the Executive Director of Children, Families and Lifelong Learning and the Cabinet Member for Education and Learning to:

- a. approve amendments to the funding rates in the schools and early years formulae as appropriate following receipt of the DSG settlement and DfE pupil data in December 2022. This is to ensure that total allocations to schools under this formula remain affordable within the council's DSG settlement.
- b. determine the use of the former "combined services" funding, estimated at £445,000 for 2023/24, following consultation with Schools Forum where appropriate.
- c. approve changes to funding arrangements for pupils with Education Health and Care Plans (EHCPs) placed in mainstream schools. Work is underway to design a new framework to be implemented for the academic year 2023/2024, subject to consultation.
- d. agree 2022/23 one-off exceptional funding allocations for Special Schools

Reasons for Decisions:

To comply with DfE regulations requiring formal council approval of the local funding formula for Surrey's early years settings, primary and secondary schools.

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

- **ADULT SOCIAL CARE STRATEGY FOR PEOPLE WITH PHYSICAL DISABILITY AND SENSORY IMPAIRMENT 2022 - 2027** (Item 14)

RESOLVED:

1. That Cabinet endorse the new strategy for people with physical disability and/or sensory impairment.
2. That Cabinet agree 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.

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

- **PROGRESS REPORT OF THE GREENER FUTURES CLIMATE CHANGE DELIVERY PLAN** (Item 15)

RESOLVED:

1. That Cabinet note the progress and findings of the Greener Futures Climate Change Delivery Plan Progress Reports (Annex 1 and 2).
2. That Cabinet agree the suggested programme amendments which lie within the scope of the current *Greener Futures Climate Change Delivery Plan 2021-2025* and have been developed with the Greener Futures Member Reference Group and other partners.

Reasons for Decisions:

There has been some good progress and some notable partnership successes, especially in collaboration with districts and boroughs, in the first year of the Plan which should be noted. However, there are also some significant challenges to current and future delivery, which, while the current Plan is still sound, do require some amendments to how Surrey County Council and partners deliver over the remaining years to 2025/26, and these are set out in paragraph 12.

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

- **TRAFFIC REGULATION ORDER POLICY** (Item 16)

RESOLVED:

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.

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

- **SURREY INFRASTRUCTURE PLAN - PHASE 3 SCHEMES** (Item 17)

RESOLVED:

1. That Cabinet agree the implementation of the Surrey Infrastructure Plan

Phase 3 projects identified in the report and set out in Appendix 1, within the approved budget envelope, subject to the final business case for each scheme being approved by the Capital Programme Panel.

2. That Cabinet agree to delegate the development and delivery of the schemes to the Executive Director of Environment, Transport and Infrastructure, in consultation with the Cabinet Member for Transport, Infrastructure and Growth.
3. That Cabinet agree that the Cabinet Member for Transport, Infrastructure and Growth will determine the prioritisation of SCC bids to District and Borough Councils for the Community Infrastructure Levy and any successor levies.

Reasons for Decisions:

The recommendations will enable the continued development and delivery of infrastructure schemes that meet a wide range of outcomes and demonstrate deliverability and affordability. They enable the implementation of the third phase of schemes and the development of a continuous pipeline of projects that require further feasibility work. The process is intended to remain dynamic with new schemes added to the long list as they are identified. A continuous programme of schemes will be developed taking them from concept through to delivery identifying suitable funding opportunities as they progress.

The recommendation for the Cabinet Member for Transport, Infrastructure and Growth to lead on corporate and strategic prioritisation of SCC bids to the Community Infrastructure (CIL) Levy will ensure a co-ordinated response to the County Council's CIL bidding process.

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

• SURREY PUBLIC ELECTRIC VEHICLE CHARGEPOINT ROLL OUT PLAN (Item 18)

RESOLVED:

1. That Cabinet agree the appointment of the preferred supplier following a competitive tender process as named in Part 2 of this report.
2. That Cabinet agree to approve the allocation of £2m from the capital pipeline to develop and establish ongoing service provision of public EV chargepoints for financial years 23/24 and 24/25, subject to approval of a detailed business case by the Capital Programme Panel.
3. That Cabinet agree to delegate the approval of the initial Network Location Plan for chargepoint installations to the Executive Director of Environment, Transport and Infrastructure in consultation with the Cabinet Member for Transport, Infrastructure and Growth and feedback from the Member Reference Group.

Reasons for Decisions:

Following the report to Cabinet in January 2022, a Communities, Environment and Highways Select Committee EV Reference Group was formed to note and review progress on the options for procurement of public chargepoint infrastructure in Surrey. Following a review by the EV Reference Group of the essential contract principles, the Group endorsed the proposed model of a single supplier.

A procurement process was then conducted via a mini-competition under the Crown Commercial Services (CCS) Framework RM6213, 'Vehicle Charging Infrastructure Dynamic Purchasing System Agreement' (the DPS) for the Supply, Installation Operating and Maintenance of the EV Charging Points.

The outcome of the evaluation process has identified a successful single supplier who is recommended for award.

The Contract has been written in a way that obligates the successful supplier to put up the capital investment; however, to support the achievement of geographic and social equity in the provision of this infrastructure across Surrey, and also to initiate and accelerate this programme, £2m is requested from the capital pipeline, to support project set up and subsidise selected chargepoint installations. Officers will seek to reduce the sum required from the council through external funding by continuing to apply for Government and other funding opportunities.

Finally, the development of a network plan for identifying and prioritising installations will be a key first objective of the new contract which will require a formal decision, hence the recommended delegation of authority for agreeing this plan.

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

- **SURREY PUBLIC ELECTRIC VEHICLE CHARGEPOINT ROLL OUT PLAN** (Item 20)

RESOLVED:

See Exempt Minute [E-29-22]

Reasons for Decisions:

Following the report to Cabinet in January 2022, a Communities, Environment and Highways Select Committee EV Reference Group was formed to note and review progress on the options for procurement of public chargepoint infrastructure in Surrey. Following a review by the EV Reference Group of the essential contract principles, the Group endorsed the proposed model of a single supplier.

A procurement process was then conducted via a mini-competition under

the Crown Commercial Services (CCS) Framework RM6213, 'Vehicle Charging Infrastructure Dynamic Purchasing System Agreement' (the DPS) for the Supply, Installation Operating and Maintenance of the EV Charging Points.

The outcome of the evaluation process has identified a successful single supplier who is recommended for award.

The contract has been written in a way that obligates the successful supplier to put up the capital investment; however, to support the achievement of geographic and social equity in the provision of this infrastructure across Surrey, and also to initiate and accelerate this programme, £2m is requested from the capital pipeline, to support project set up and subsidise selected chargepoint installations. Officers will seek to reduce the sum required from the Council through external funding by continuing to apply for Government and other funding opportunities.

Finally, the development of a network plan for identifying and prioritising installations will be a key first objective of the new contract which will require a formal decision, hence the recommended delegation of authority for agreeing this plan.

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

DEMOCRATIC SERVICES – CONTACT LIST	
Senior Manager – Regulatory & Appeals Sarah Quinn – 07581 337391 sarah.quinn@surreycc.gov.uk	
Regulatory Business Manager Andre Ferreira – 07816096705 andre.ferreira@surreycc.gov.uk	Scrutiny Business Manager Ross Pike – x417368 ross.pike@surreycc.gov.uk
Committee Manager Angela Guest – x419075 angela.guest@surreycc.gov.uk	Scrutiny Officer Kunwar Khan kunwar.khan@surreycc.gov.uk
Committee Manager Huma Younis – 07866899016 huma.younis@surreycc.gov.uk	Scrutiny Officer Omid Nouri omid.nouri@surreycc.gov.uk
Committee Manager Amelia Christopher – 07929725663 amelia.christopher@surreycc.gov.uk	Scrutiny Officer Julie Armstrong julie.armstrong@surreycc.gov.uk
Committee Manager Joss Butler – x419702 joss.butler@surreycc.gov.uk	