

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 27 NOVEMBER 2018 AT 2.00 PM
AT ASHCOMBE SUITE, COUNTY HALL, KINGSTON UPON THAMES,
SURREY KT1 2DN.**

These minutes are subject to confirmation by the Cabinet at its next meeting.

Members:

*Mr David Hodge (Chairman)	*Mr Mike Goodman
*Mr John Furey (Vice-Chairman)	*Mrs Mary Lewis
*Mrs Helyn Clack	*Mr Colin Kemp
Mrs Clare Curran	*Mr Tim Oliver
*Mr Mel Few	*Ms Denise Turner-Stewart

Deputy Cabinet Members:

*Mr Charlotte Morley	*Mr Jeff Harris
*Mr Cameron McIntosh	*Miss Alison Griffiths

* = Present

Members in attendance:

Cllr Rachael I Lake, Chairman Environment Select Committee

PART ONE
IN PUBLIC

180/18 APOLOGIES FOR ABSENCE [Item 1]

An apology was received from Mrs Clare Curran.

181/18 MINUTES OF PREVIOUS MEETING: 30 OCTOBER 2018 [Item 2]

The Minutes of the meeting held on 30 October 2018 were approved as a correct record.

Further to Minute 172/18 – Surrey Schools and Early Years Funding – the Cabinet Member for All-Age Learning reported that the Leader had written to the Secretary of State and had received a response regarding clawback of excessive school balances. The Secretary of State had responded that this was not possible and would require new primary legislation and that even his department had no power to clawback excesses.

182/18 DECLARATIONS OF INTEREST [Item 3]

There were none.

183/18 PROCEDURAL MATTERS [Item 4]

1 MEMBERS' QUESTIONS [Item 4a]

There were no questions from Members.

184/18 PUBLIC QUESTIONS [Item 4b]

There were two questions from members of the public. These and the responses are attached as Annex A.

In response to a supplementary question from Mr Welling the Cabinet Member for Community Services explained that consultation would start in early December and was to last for four to six weeks. The choices as to what NewSPAL had proposed would be laid out clearly in the consultation as well as the status quo option. She went on to explain that the need to consult again had been a real concern for the Cabinet. The Leader thanked NewSPAL for all the work they had done.

In reply to a statement from Ms Thornton that the written response did not address her questions the Cabinet Member for Environment & Transport explained that much of what she raised was outside of the control of this Council. He stated that her questions would be passed onto the Government Minister.

185/18 PETITIONS [Item 4c]

There were none.

186/18 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

There were none.

187/18 REPORTS FROM SELECT COMMITTEES , TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

There was one report from the Environment Select Committee. This and the Cabinet response is attached as Annex B.

188/18 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS/ INVESTMENT BOARD TAKEN SINCE THE LAST CABINET MEETING [Item 6]

RESOLVED:

That the decisions taken by Cabinet Members / Investment Board since the last meeting as set out in Annex 1 to the submitted report be noted.

Reason for Decision:

To inform the Cabinet of decisions taken by Cabinet Members / Investment Board under delegated authority.

189/18 APPROVAL TO AWARD A CONTRACT FOR THE PROVISION OF A STOP SMOKING SERVICE [Item 7]

The Cabinet Lead Member for People introduced a report that set out data to show that effective stop smoking services have a positive effect on the health and wellbeing of Surrey residents and prevented the need for more intensive

and costly interventions from health, social care and the wider public service sector. The provision of an effective stop smoking service had an active role in supporting the Council's Vision for Surrey in 2030 and was also a key priority within the NHS 10 Year Plan that focused on prevention.

He went on to explain how tobacco control and the provision of stop smoking services were key to improving health and wellbeing and focus on the most vulnerable communities which was strongly reflected in the Community Vision for Surrey in 2030. Providing a stop smoking service supported residents to make good choices about their wellbeing. The targeted, prioritised service model would help to reduce the health inequalities caused by smoking, ensuring that no one was left behind. This service was a core component of the Surrey Health and Wellbeing Strategy, currently being refreshed as part of the work being done to deliver the Surrey 10 year plan.

The Cabinet Member went on to say that this would be funded via the ring fenced Public Health Grant, the budget for this service has been reduced following the reduction in the overall grant distributed by the Department of Health. The Council was aiming to maintain a quality service that targets those residents most in need of support within the financial resource available. However, the service was still open to anyone wishing to quit. The financial details were contained in a Part 2 annex to the report.

There were several Members speaking in favour of the recommendations.

RESOLVED:

That a contract be awarded for the provision of a stop smoking service to Thrive Tribe. (The contract will be for three years from 1 April 2019 with an option to extend for an additional three years in one year intervals.)

Reasons for Decision:

The existing stop smoking contract expired on 31 March 2019 and an extension was not possible. A full tender process, in compliance with the requirement of Public Contract Regulations and Procurement Standing Orders, had been completed and the recommendations provided best value for money for the Council following a thorough evaluation process.

Helping smokers to quit now reduced the cost of care in the future. The Care Act 2014 required councils with social care responsibilities to put in place preventive measures designed to reduce the need for care and support in the future. Helping smokers quit now meant that they were less likely to require paid for care in the future.

190/18 UPDATE TO THE SURREY TRANSPORT PLAN: STRATEGIES AND ASSOCIATED DEVELOPER GUIDANCE REGARDING EMISSIONS REDUCTION [Item 8]

The Cabinet Member for Environment & Transport introduced this report that outlined the Council's approach to reducing transport-related air pollution and greenhouse gas emissions through the addition of two new strategies to the Surrey Transport Plan, the Low Emissions Transport Strategy and Electric Vehicle Strategy. These strategies supported the Council's 2030 vision that residents live in clean, safe and green communities, where people and

organisations embrace their environmental responsibilities. Supplementary advice documents on car clubs and travel planning for new developments which supported sustainable development were also presented.

He explained how transport was key to supporting the Surrey economy and residents' ability to travel where and when needed. However, vehicle emissions were a key cause of environmental and public health concerns. Tackling these problems involved a variety of stakeholders, including the Council, borough and district councils, Government, businesses and residents.

He went on to thank the Environment Select Committee for their recommendations which had been included in the report.

The Chairman of the Environment Select Committee stated that she was pleased that all recommendations put forward had been accepted. She also requested that a business champion be appointed to take a lead on the quality of electric charging installations.

There was some discussion around electric charging points with regards to numbers, cost of charging, locations, the national grid capacity, the variety of charging points and whether the Council's website could host an interactive map showing where and what was available in the county. The Cabinet Member for Environment responded that Government grants were available for residents wanting their own charging point. He also said that all borough and district councils in Surrey now have a policy on charging points for new properties.

RESOLVED:

1. That the proposed,
 - Low Emissions Transport Strategy,
 - Electric Vehicle Strategy,
 - Travel Plan Good Practice Guide and
 - Car Club Guidebe adopted and become part of the Surrey Transport Plan.

2. That authority be delegated to the Executive Director of Highways, Transport & Environment to agree future revisions to the Low Emissions Transport Strategy, Electric Vehicle Strategy, Travel Plan Good Practice Guide and Car Club Guide in consultation with the Cabinet Member for Environment and Transport.

Reason for Decision:

To ensure the Council's transport policies and activities support a sustainable economy and environment and improves the health of Surrey residents.

191/18 REVISED FINANCIAL REGULATIONS [Item 9]

The Cabinet Member for Corporate Support introduced this report that presented new Financial Regulations for the Council, providing a framework

within which Members and officers could carry out their responsibilities in an open and consistent manner.

The report also recommended that approval of the Council's annual Treasury Management Strategy Statement be delegated to the Audit and Governance Committee, and the Constitution be amended accordingly. It was noted that the Financial Regulations did not make this clear and it was requested that it be made so before being presented to full Council.

RESOLVED:

That the Financial Regulations be amended before it goes to full Council, to reflect that the Audit and Governance Committee will sign off the Treasury Management Strategy Statement.

To **RECOMMEND** that Council:

1. Approves the new Financial Regulations.
2. Approves the annual Treasury Management Strategy Statement to the Audit and Governance Committee. (Members of the Audit and Governance Committee will receive appropriate training.)
3. Approves the necessary amendments to the Council's Constitution.

Reasons for Decision:

The Council's Annual Governance Statement for 2017/18 identified that actions were required to strengthen governance, including the need to revise and reinforce the Financial Regulations. As the Council was facing unprecedented financial pressures, a comprehensive review was required to reflect the new financial environment.

The Chartered Institute of Public Finance and Accountancy's (CIPFA) Prudential Code and Treasury Management Code of Practice (2017) required local authorities to prepare a Capital and Investment Strategy from April 2019. The introduction of this new strategy meant that approval of the annual Treasury Management Strategy Statement may be delegated to a sub-committee. Delegation of this function to the Audit and Governance Committee should facilitate more active discussion of the strategy by Members who have received specific training in this area.

192/18 MONTHLY BUDGET MONITORING REPORT [Item 10]

The Leader introduced the report that set out the Council's financial position as at 30 September 2018, the end of period six. The forecast revenue position was for an underspend against the budget of £4m, which would reduce the need to use reserves to support this year's budget to £17m. This was substantially due to the success of management actions to reduce expenditure by £24m this year as part of the Council's £40m in-year cost reduction programme. He also reported that the capital programme was on track, with a small forecast in-year underspend.

The Leader went on to say that the council was still facing some significant spending pressures, especially in the area of Special Educational Needs &

Disabilities. Continued exceptional demand for these services was leading to an overspend of £15m against this budget. However, through the success of the in-year management actions the Council had achieved enough to off-set these pressures. This was not to be complacent as many of these savings would not continue into future years and the Council remained focused on ensuring that it had a sustainable budget. This would enhance the financial resilience and put the Council in a better position to face the challenges and deal with the funding uncertainties and service pressures of future years and ensure Surrey's residents have sustainable local services.

Other Cabinet Members were given the opportunity to highlight key points and issues from their portfolios.

There was some discussion around Schools planning and leadership projecting a +£0.5m pressure for two sponsored academy conversions that were likely to have deficits. The Cabinet Member for All-Age Learning explained that where a school was forced to convert was when the Council had to pick up the deficit and not for schools that converted of their own accord. The Leader offered to write a letter to the Secretary of State for Education, Damian Hinds, setting out how unhappy the Council was with having to hand over public assets to academies as well as any excess funds. On top of this the Council retained the deficits for those forced into conversion and the question as to why this should continue would be put. A copy of this letter would also be sent to Lord Porter of the Local Government Association.

RESOLVED:

1. That the Council's overall revenue and capital budget positions as at 30 September 2018 be noted.
2. That the changes to the structure of the Children, Families & Learning directorate be noted.
3. That Farnham Road rail bridge be added to the capital programme.
4. That the £1.8m capital virements to transfer funds to Local Enterprise Partnerships budgets be approved.
5. That the Leader writes a letter to the Secretary of State for Education, Damian Hinds, setting out how unhappy the Council was with having to hand over public assets to academies as well as any excess funds. On top of this the Council retained the deficits for those forced into conversion and the question as to why this should continue would be put. A copy of this letter would also be sent to Lord Porter of the Local Government Association.

Reason for Decision:

This report is presented to comply with the agreed policy of providing a monthly budget monitoring report to Cabinet for approval and action as necessary.

Mr Colin Kemp left the room for less than a minute during discussion of this item.

193/18 VOTE OF THANKS [Item]

The Cabinet Lead Member for People led a vote of thanks for the Leader as this would be his last Cabinet meeting as Leader. The Leader had served residents with distinction and had put residents first in everything he did and said. He would be an impossible act to follow and the Cabinet thanked the Leader for all that he had done for Surrey and wished him all the best for the future.

194/18 EXCLUSION OF THE PUBLIC [Item 11]

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.

195/18 APPROVAL TO AWARD A CONTRACT FOR THE PROVISION OF A STOP SMOKING SERVICE [Item 12]

Members considered a Part 2 report that 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 commercially sensitive information to the bidding companies).

RESOLVED:

That a contract be awarded to Thrive Tribe, at the value set out in the Part 2 annex report for the provision of a Stop Smoking service to commence on 1 April 2019. [Exempt Minute E-25-18]

Reason for Decision:

As per the Part 1 reason for decision.

196/18 INVESTMENT DISPOSAL [Item 13]

The Leader introduced this Part 2 report that 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 commercially sensitive information to the bidding companies). The report was also subject to a non-disclosure agreement.

RESOLVED:

See [Exempt Minute E-24-18].

Reason for Decision:

See [Exempt Minute E-24-18].

197/18 PUBLICITY FOR PART 2 ITEMS [Item 14]

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

Meeting closed at 3.25 pm

Chairman

CABINET – 27 November 2018

PROCEDURAL MATTERS

Public Questions

Question 1: Mark Welling, Chair, NewSPAL

At its June 2018 meeting Cabinet invited NewSPAL to produce a detailed and robust business plan for consideration by Cabinet in Autumn 2018. Surrey Libraries management provided guidance on what the plan should contain and gave comments on an early draft (submitted to them in early October). NewSPAL employed a highly experienced consultant to help ensure that the plan was credible, robust and comprehensive. In consultation with Surrey Libraries officers, on 7 November NewSPAL's plan was delivered to your officers with a view to it being considered by Cabinet on 27 November. On 8 November NewSPAL was informed that officers considered that NewSPAL's proposal would need to be the subject of a public consultation before being submitted to Cabinet. Having regard to the time required to conduct the public consultation, at which Cabinet meeting is it now envisaged NewSPAL's proposal and business plan will be considered by Cabinet?

Reply:

The Cabinet Member for Community Services is very pleased to receive proposals from NewSPAL in respect of the Surrey Performing Arts Library and acknowledges the significant progress made in moving towards robust new arrangements. We are committed to making a decision about the new arrangements at the earliest opportunity and in order to achieve this will undertake a final consultation over the coming weeks. It is planned to take the proposals to Cabinet in February 2019 for decision following the consultation.

Ms Denise Turner-Stewart
Cabinet Member for Community Services
27 November 2018

Question 2: Diane Thornton, Local resident

In the light of the new guidelines issued by the UN that we have 12 years to respond effectively to climate change and the recommendation of 100 leading academics* that anything less than zero emissions by 2025 is not sufficient to avert a climate catastrophe will the council:

- a) Seek to meet these new deadlines and quotas and adopt a timetable and action plan to do so; and
- b) follow the example of Bristol City Council in declaring a climate emergency to push through radical measures?

*Letter to The Guardian 26 October 2018

Reply:

The whole issue of air quality, including climate change, impact on the environment, and the effect on human health is one that this Council takes seriously and have taken a number of steps to improve the air we breathe. They also work closely with the Surrey Energy and Sustainability Partnership and the Surrey Air Alliance.

The Government's clean air policy is due to be launched later this year and this will give further guidance to local authorities, business and residents how they can work to improve the air we breathe.

Throughout the summer SCC have been working on low emission and EV policy strategies to reduce transport-related air pollution and greenhouse gas emissions. This item is on the agenda (item 8) for this Cabinet meeting when a report will be presented for discussion:
<https://mycouncil.surreycc.gov.uk/documents/g5821/Public%20reports%20pack%20Tuesday%2027-Nov-2018%2014.00%20Cabinet.pdf?T=10>

Mr Mike Goodman
Cabinet Member for Environment & Transport
27 November 2018

CABINET RESPONSE TO ENVIRONMENT SELECT COMMITTEE

UPDATE TO THE SURREY TRANSPORT PLAN: STRATEGIES AND ASSOCIATED DEVELOPER GUIDANCE REGARDING EMISSIONS REDUCTION

COMMITTEE RECOMMENDATIONS:

1. For the inclusion of a specific indicator in the low emissions transport strategy which measures travel behaviour.
2. For both air quality and carbon emissions data and indicators within the Low Emissions Transport Strategy to be developed and reported back to the Committee in the next 12 month as part of ongoing performance monitoring.
3. The Cabinet Member for Environment and Transport to lobby the DfT for funding (where appropriate) to support the objectives of the Electric Vehicle Strategy and Low Emissions Transport Strategy.
4. The Low Emissions Transport Strategy and Electric Vehicle Strategy to be shared with partners including the County Councils approved transport providers after Cabinet approval.
5. For SCC fleet vehicles to be reviewed and replaced with low emission vehicles, electric vehicles and charging infrastructure as appropriate.

RESPONSE:

1. Travel behaviour has been included as an indicator on page 29 of the Low Emissions Transport Strategy.
2. This will be carried out over the next 12 months.
3. Lobbying will be undertaken for funding when the appropriate opportunities arise.
4. This will be carried out once the strategies are approved by Cabinet and will be made available to the public via the Surrey County Council web site.
5. To be undertaken as and when appropriate.

Mike Goodman
Cabinet Member for Environment & Transport
27 November 2018

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