

MINUTES OF THE MEETINGS OF CABINET

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 the Democratic Services Lead Manager by 12 noon on Monday 15 July 2013.

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 28 MAY 2013 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 John Furey
*Mr Peter Martin (Vice-Chairman)	*Mr Michael Gosling
*Mrs Mary Angell	*Mrs Linda Kemeny
Mrs Helyn Clack	*Ms Denise Le Gal
*Mr Mel Few	*Mr Tony Samuels

Cabinet Associates:

*Mr Steve Cosser	Mrs Kay Hammond
*Mrs Clare Curran	Miss Marissa Heath

* = Present

PART ONE
IN PUBLIC

85/13 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Mrs Clack and Mrs Hammond.

86/13 MINUTES OF PREVIOUS MEETING: [Item 2]

The minutes of the meeting held on 23 April 2013 were confirmed and signed by the Chairman.

87/13 DECLARATIONS OF INTEREST [Item 3]

There were none.

88/13 PROCEDURAL MATTERS [Item 4]

(a) MEMBERS' QUESTIONS [Item 4a]

Three questions had been received from Mrs Watson, local Member for Dorking Hills. The questions and responses were tabled and are attached as Appendix 1.

Mrs Watson asked a supplementary question in relation to question (3), which was:

Had any Member of the Cabinet received a copy of the Police report detailing the findings of their investigation into the death of Gloria Foster. The Leader of the Council said that he was not aware that any Cabinet Member had received that report.

89/13 PUBLIC QUESTIONS [Item 4b]

Two questions had been received from members of the public. The questions and responses were tabled and are attached as Appendix 2.

90/13 PETITIONS [Item 4c]

No petitions were received.

91/13 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

No representations were received.

92/13 YEAR END FINANCIAL BUDGET OUTTURN 2012/13 [Item 5]

The Leader of the Council highlighted the following points from the year end financial budget outturn 2012/13, based upon the final accounts at the end of March 2013.

Revenue – That the council set this year's budget on the basis of rising demand for its services and the need to make significant reductions in its spending, totalling £71m. This was successfully achieved and the year ended with a small net underspending of £3.1m, or 0.2% of the budget.

He stressed the importance of getting the most out of every pound the council spent and cited procurement as a good example, as well as staffing spend where expenditure had been reduced through improved management of sickness and by reviewing the need to fill vacancies as they arose.

Looking into the future, he said that there was no let-up on the demands placed on the council to deliver more services with less resource and it was more important than ever that the council's finances were managed on a long-term and multi-year basis, and not just by managing one year at a time. Therefore, £5.2m of funding from the late notification of government grants and from commitments and liabilities that the council no longer has, would be used to increase the council's financial resilience in future years.

Capital – The council's capital programme invests in improving and maintaining service delivery and last year's capital budget had been fully spent. This had provided a welcome boost to the local economy in these difficult times and demonstrated the council's commitment to working with partners to achieve the best outcomes for our residents and businesses. Also, as a part of the investment in the local economy, the County Council had joined with Woking Borough Council in an innovative project to develop the town centre and investment had been provided in providing a presence in other town centres from which services can be delivered.

Finally, some projects and schemes which did not complete by the year-end deadline of 31 March 2013, would have funds carried forward, as detailed in Annex 1, Section E of the submitted report.

Other Cabinet Members made the following points:

- Delight that this was the third year running that the County Council had come in just below its estimated budget.
- That Members would not be complacent and would continue to work to identify other savings.
- Commended the S151 officer and the Finance team for effective management of the Capital Budget.
- Pleased with the delegation of more funding to local committees.
- Reference to the balance already returned to the Council from the failed Icelandic Banks and the possibility that the remaining balance would also be returned.
- Attention was also drawn to the annexe with details of Council travel expenses, Members' Allowances and expenses and that this information will form part of the County Council's annual report, which will be published at the end of June.

RESOLVED:

- (1) That the revenue budget underspending, as set out in Annex 1, Section A paragraph 4 of the submitted report, be noted.
- (2) That the transfer of £2.5m in respect of the write down of prior accruals to the Budget Equalisation Reserve, as set out in Annex 1, Section A paragraph 4 and 68 of the submitted report, be approved.
- (3) That the transfer of £2.7m of higher than expected government grants to the Budget Equalisation Reserve, as set out in Annex 1, Section A, paragraph 7 of the submitted report, be approved.
- (4) That the in-year capital budget outturn, as set out in Annex 1, Section B of the submitted report, be noted.
- (5) That grant and reserves movements changes be noted and that if approved they are allocated to the relevant services, as set out in Annex 1, Section C of the submitted report.
- (6) That the transfer of capital funding into future years, as set out in Annex 1, Section E of the submitted report, be approved.

Reason for Decisions

To review and manage the budget outturn for the 2012/13 financial year in the context of a multi-year approach to financial management.

To approve carry forwards to enable on-going projects to continue without delay.

93/13 SCHOOL EXPANSION AT ST MARTIN'S INFANT AND JUNIOR SCHOOLS, EPSOM [Item 6]

The Cabinet Member for Schools and Learning said that she was pleased to present this report. This project formed part of Surrey County Council's five

year 2013-18 Medium Term Financial Plan and would help to meet the need for additional school places over the next decade.

The capacity at St Martin's Infant and Junior Schools, Epsom would be increased by 210 places, providing a total of 630 places across both schools. Public consultation had been undertaken and she informed Members that she had already approved the expansion at her individual Cabinet Member Decision Making meeting in March 2013 and that this report sought approval for the business case for expansion. Financial details of the business case were set out in a part 2 report (item 11).

RESOLVED:

That the expansion and adaptation of St Martin's Infant and Junior School, as detailed in the submitted report, be agreed in principle subject to the consideration and approval of the detailed financial information as set out in Part 2 (item 11).

Reason for Decisions

The scheme delivers a value for money expansion and improvements to the school and its infrastructure, which supports the Authority's statutory obligation to provide additional school places and appropriate facilities for local children in Surrey. The project and building works are in accordance with the planned timetable required for delivery of the new accommodation at the school.

94/13 CONTRACT AWARD FOR SCHOOLS CLEANING SERVICES [Item 7]

The Cabinet Member for Business Services introduced this report and informed Members that the current contract for providing Schools Cleaning Services expired on 31 July 2013 and it was therefore necessary to award a new contract, commencing on 1 August 2013.

She referred to the part 2 annex (item 12) which set out the names and financial details of the recommended suppliers. She advised Cabinet that the recommended supplier for this contract would deliver a saving of nearly £3m (approximately 25% on the existing contract) for Surrey schools over the five year term.

The Cabinet Member for Schools and Learning was also pleased to endorse the recommendations and stressed the importance of good cleaning in schools. She considered that the award of this contract had been subject to a thorough evaluation process.

RESOLVED:

That a contract, in twelve separate 'lots' each covering a distinct geographical area, be awarded to the suppliers as described in the submitted confidential annex (item 12).

Reasons for Decisions

The existing contracts for Schools Cleaning Services will expire on 31 July 2013. A full tender process, in compliance with the EU Procurement

Legislation and Procurement Standing Orders has been completed, and the recommendations provide best value for money for the Council. In addition to delivering savings, the contract will also deliver an improved service with strengthened performance measures and robust contract management.

95/13 HIGHWAYS LOCALISM LEGAL AGREEMENT [Item 8]

Introducing the report, the Cabinet Member for Transport, Highways and Environment said that he supported the development of partnership agreements at local level. The introduction of a Grant Funding Agreement (GFA), which would replace the existing legal agreement, would broaden the scope to enable the Highways localism initiative to proceed positively with a wider number of partners and organisations in Surrey and see the delivery of responsive minor highway works at a local level.

Other Cabinet Members fully supported these proposals.

RESOLVED:

- (1) That the policy change from formal 'delegation of responsibility' to 'Grant Funding Agreement (GFA) for provision of services' for the Highways localism initiative be approved.
2. That the revised Highways Grant Annual Funding Agreement for the localism initiative (Annex 1 to the submitted report) be approved, with any further changes delegated to Assistant Director, Highways, in consultation with the Cabinet Member for Transport, Highways and Environment.

Reasons for Decisions

Under the Highways localism initiative, a GFA will be required where proposals from parish councils and other local organisations will require them carrying out minor highways tasks.

The revised annual funding agreement in Annex 1 of the submitted report, drafted by Legal Services with input from Surrey Association of Local Councils (SALC), alters the focus from the 'delegating of responsibility' under S19 of the Local Government Act 2000 to a GFA for provision of minor highway works at a local level. This new GFA will enable the Highways localism work to proceed positively with a wider range of organisations. A previous legal document which was in the form of a contract has proved unacceptable or inappropriate to many partners. Funding and delivery for the initial tranche of successful bids from local organisations can be progressed once this agreement has been formally confirmed by Surrey County Council.

96/13 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE LAST CABINET MEETING [Item 9]

RESOLVED:

That the decisions taken by the Leader, Deputy Leader and Cabinet Members since the last meeting as set out in Appendix 3 be noted.

Reasons for Decisions

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

97/13 EXCLUSION OF THE PUBLIC [Item 10]

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 paragraph 3 of Part 1 of Schedule 12A of the Act.

PART TWO – IN PRIVATE

THE FOLLOWING ITEMS OF BUSINESS WERE CONSIDERED IN PRIVATE BY THE CABINET. SET OUT BELOW IS A PUBLIC SUMMARY OF THE DECISIONS TAKEN.

98/13 ST MARTIN'S INFANT AND JUNIOR SCHOOL, EPSOM - EXPANSION BY ONE FORM OF ENTRY FROM SEPTEMBER 2014 [Item 11]

The Cabinet Member for Assets and Regeneration Programmes informed Cabinet that this report contained confidential information relating to the business case for the expansion of St Martin's Infant and Junior Schools (item 6). He confirmed that the project was included in the County Council's school basic need capital programme.

RESOLVED:

- (1) That the business case for the project to expand St Martin's Infant and Junior Schools up to a maximum cost, as set out in the submitted report, be approved.
- (2) That the arrangements by which a variation of up to 10% of the total value may be agreed by the Strategic Director for Business Services and the Cabinet Member for Assets and Regeneration Programmes, in consultation with the Leader of the Council, be approved.
3. That the award of the contract to carry out the works to provide the additional pupil places be approved.

Reasons for Decisions

The proposal delivers and supports the Authority's statutory obligation to provide sufficient school places to meet the needs of the population in the Epsom area.

99/13 CONTRACT AWARD FOR SCHOOLS CLEANING SERVICES [Item 12]

The Cabinet Member for Business Services said that this item contained the exempt information relating to item 7, the contract award for school cleaning services. It provided details of the evaluation process and the recommended suppliers for each Borough and District.

100/13 PUBLICITY FOR PART 2 ITEMS [Item 13]

RESOLVED:

That no publicity be agreed for the items considered in Part 2 of the meeting due to the likely disclosure of exempt information.

[Meeting closed at 2.27pm]

Chairman

ITEM 4 - PROCEDURAL MATTERS

Members' Questions

Question (1) from Mrs Hazel Watson (Dorking Hills)

I would like to thank the Leader of the Council for recognising from the outset the importance of the involvement of the Opposition in the recent Peer Challenge on Innovation.

This fits with LGA best practice advice that opposition Members should be involved. A number of other Peer Challenges have taken place at Surrey County Council where opposition members have not been involved. Will the Leader give an undertaking to ensure that opposition members are involved in all Peer Challenges in the future so that a cross section of views can be obtained in helping the future development of services?

Reply:

We adopted a completely open approach to the Local Government Association peer challenge from the very start and we encouraged the peer challenge team to speak to whoever they felt necessary to gain a true picture of the progress that has been made. This included Members of all political groups, staff from all levels of the organisation, a wide range of partners and service users. In the event of any future cross-council peer challenges we would do the same.

**David Hodge
Leader of the Council
28 May 2013**

Question (2) from Mrs Hazel Watson (Dorking Hills)

At the Cabinet meeting on 23 April in response to a question from me, the Leader of the Council said that he had asked officers to review the existing process for accepting cycling events on closed roads and a robust new procedure is to be prepared for consideration by the Cabinet in the summer.

When will the review take place and how will local county councillors have an input into the review?

Reply:

The review of the process for closing roads for sporting, charity and community events has started. Obtaining the views of County Councillors is an integral part of this work, and Councillors can expect to be approached for their views in the near future. I am confident that the result will be a robust and fit-for-purpose process which will put the needs of our residents and businesses first.

**David Hodge
Leader of the Council
28 May 2013**

Question (3) from Mrs Hazel Watson (Dorking Hills)

Press reports state that Surrey Police have announced that an investigation into the death of Gloria Foster will not lead to criminal charges and that the police have since handed over the findings of the investigation to Surrey County Council to ensure the tragic circumstances in Ms Foster's death are not repeated.

This is now being investigated by the Safeguarding Adults Board.

When will the findings of the Surrey Police investigation be made available to county councillors?

When will the findings of the Safeguarding Adults Board be made available to county councillors?

Reply:

The Independent Chairman of the Safeguarding Adults Board will take a decision about publication once the report is completed.

Mel Few
Cabinet Member for Adult Social Care
28 May 2013

ITEM 4(b) - PROCEDURAL MATTERS

Public Questions

Question (1) from Mr David Beaman, Independent Member for Upper Hale, Farnham Town Council

The election leaflet distributed by the Conservative candidate for Farnham South during the recent elections for Surrey County Council stated that his continued pressure for road improvements had been “rewarded with a forthcoming multi-million pound project to improve the bypass at Hickley’s Corner” which implies that this particular road improvement scheme is one of the 16 schemes listed in Surrey Future to be delivered between 2015 and 2019 that will go ahead. I would, however, be grateful if you could please formally confirm that the proposed improvements at Hickley’s Corner will be one of the schemes that will definitely proceed given that the report presented to the meeting of the Cabinet held on 27 November stated that informal discussions with the Department of Transport had indicated that Surrey could expect funding that would allow 10 or 11 of the 16 proposed schemes to be constructed.

Reply:

The County Council maintains a major scheme programme to identify which transport schemes should be developed to the point where they could be built. An important first step for any scheme is to be accepted onto this programme. This means that the scheme can be considered as a project rather than a proposal, and that officer time will be devoted to developing the detailed design and a business case.

I can confirm that the County Council’s major transport scheme programme was formally approved by the Cabinet at its meeting on 27 November 2012. A scheme to improve traffic movements at Hickley’s Corner was included in this programme and is now being taken forward as a project.

As with all major local transport schemes, the ultimate decision on whether to award funding will rest with a new body, called a Local Transport Body. In the case of this scheme, this will be the Enterprise M3 Local Transport Body.

John Furey
Cabinet Member for Transport, Highways and Environment
28 May 2013

Question (2) from Mr Mike Bryan, Chairman, Non-partisan Petition Group for Farnham as a District Authority

The Surrey County Council ‘Election Purdah Rules’ for the recent SCC Elections state that:

‘Nothing can be publicised by officers on behalf of Members standing for election that gives publicity to controversial issues or which reports views or

policies in a way that identifies them with individual members or groups of members.'

An election flyer of sitting County Councillor Pat Frost included, under the banner heading of 'SURREY COUNTY COUNCIL **CONSERVATIVES**' and above a banner footnote of 'A RECORD OF ACTION, A PROMISE OF MORE', the statement: '**We signed a £33M deal to bring superfast broadband to nearly every household and business.**'

Research has revealed that the contract Agreement was executed by the County Council as a deed with an authorised signatory witnessing the application of the seal, pursuant to Authority given at the Cabinet meeting on the 24 July 2012. Authorised signatories for the purposes of witnessing the application of the seal are solicitors within the Chief Executive's office as laid down in the Council's constitution. It would reportedly have been unconstitutional for a councillor to have signed the deal. No heads of terms agreement was signed. Observation on Minutes of the SCC Cabinet Meeting dated 24 July 2012: Mrs Frost is not recorded as being either a member of the Cabinet or present at its meeting where the executive decision to pursue the Broadband Agreement was made. Observation on Minutes of the SCC Overview & Scrutiny Committee Meeting dated 11 July 2012: Mrs Frost is not recorded as being either a member of the O&S Committee or present at its meeting where the Superfast Broadband project background and two bids were considered.

Noting that Members of Surrey County Council are bound by the Surrey County Council Constitution, Article 2, that: 'All councillors will maintain the highest standards of ... ethics':

- Does the Surrey County Council Cabinet support Mrs Frost's apparently factually incorrect statement (as above) in her election campaign flyer?
- Does the Surrey County Council Cabinet think that Mrs Frost's statement (as above) might appear to foster a perception that the Conservative Group of Councillors at Surrey County Council embody Surrey County Council in its entirety, and – interchangeably – that Surrey County Council is embodied in its entirety by the Conservative Group of Councillors?
- Does the Surrey County Council Cabinet think that Mrs Frost's statement (as above) might appear to convey an impression that Surrey County Council Conservatives are exclusively endowed with and inextricably embedded in the power of Surrey County Council?

Reply:

I am aware you have already been in correspondence with Democratic Services on this matter and I have nothing to add to the detailed reply that you have already had from them. The County Council has no powers to deal with complaints regarding election leaflets.

David Hodge
Leader of the Council
28 May 2013

**CABINET MEMBER DECISIONS
MAY 2013**

**(i) FLOATING SUPPORT FOR PEOPLE WITH LEARNING
DISABILITIES: APPROVAL TO AWARD A CONTRACT**

- (1) That the information relating to the procurement process, as set out in the submitted report, be noted.
- (2) That the award of contracts, to commence on 1 July 2013, to Dimensions Ltd and Keyring for two years, plus potential for a further two years extension be approved.

Reasons for decision

The existing contracts will expire on 30 June 2013. A full tender process, in compliance with the requirement of EU Procurement Legislation and Procurement Standing Orders has been completed, and the recommendations demonstrate that best value for money for the Council will be delivered following a detailed evaluation process.

(Decision of Cabinet Member for Adult Social Care and Health – 17 May 2013)

**(ii) PROPOSED STOPPING UP OF WEY ROAD AND ROUND OAK
ROAD, WEYBRIDGE**

Details of decision

- (1) That an application be made to the Magistrates' Court for an order stopping up Wey Road and Round Oak Road as highways, in accordance with the provisions of Section 116 and 117 of the Highways Act 1980 and subject to the conditions of the County Council's approved policy on stopping up applications.
- (2) Prior to an application being made to the magistrates' court by the County Council, that the County Council require the applicant to produce a legally-binding indemnity to the effect that those owners that do not wish to contribute to the upkeep of the road (including utilities) shall not be required to do so.

Reasons for decision

The results of the consultation exercise carried out in November 2012 show that a significant majority of the owners of the properties fronting Wey Road and Round Oak Road wish them to be stopped up as highways.

(Decision of the Cabinet Member for Transport and Environment – 17 May 2013)

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 25 JUNE 2013 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 John Furey
*Mr Peter Martin (Vice-Chairman)	*Mr Michael Gosling
Mrs Mary Angell	*Mrs Linda Kemeny
*Mrs Helyn Clack	*Ms Denise Le Gal
*Mr Mel Few	*Mr Tony Samuels

Cabinet Associates:

*Mr Steve Cosser	*Mrs Kay Hammond
*Mrs Clare Curran	*Miss Marissa Heath

* = Present

PART ONE
IN PUBLIC

101/13 APOLOGIES FOR ABSENCE [Item 1]

Apologies for absence were received from Mrs Angell.

102/13 MINUTES OF PREVIOUS MEETING: 28 MAY 2013 [Item 2]

The minutes of the meeting held on 28 May 2013 were confirmed and signed by the Chairman.

103/13 DECLARATIONS OF INTEREST [Item 3]

There were none.

104/13 PROCEDURAL MATTERS [Item 4]

(a) MEMBERS' QUESTIONS [Item 4a]

Five questions had been received from Members. The questions and responses were tabled and are attached as Appendix 1.

The following supplementary questions were asked:

- **Mr Evans** asked a supplementary question in relation to the waste infrastructure and whether there was still the possibility that DEFRA could still request payment if the county council did not proceed with the Ecopark at Charlton Lane and had to find an alternative site in order to protect the grant. The Cabinet Member for Transport,

Highways and Environment confirmed that DEFRA had indicated that they did not wish to withdraw the grant and had given permission for the county council to proceed.

- **Mr Walsh** referred to point (2) of the Cabinet Member for Transport, Highways and Environment's response to his question which stated: 'SITA had conducted a robust due diligence assessment to ensure that the gasification process technology proposed by Outotec was appropriate for the Eco Park'. He expressed concern about the word 'robust', stating that a desk assessment was carried out over a two week period – in his opinion, a short time. He asked whether Cabinet would consider conducting a further assessment over a longer timespan. The Cabinet Member said that all processes at the Eco Park were operating elsewhere and that the County Council would not use them or be allowed to operate them if safety was an issue.
- Mrs Watson asked the Cabinet Member for Assets and Regeneration Programmes to explain the difference between 'peak utilisation' and 'office occupancy' and also asked which offices had not yet submitted their occupancy data. The Cabinet Member explained that the occupancy studies were a repeated review, on a rolling basis for each building.

The Leader of the Council also informed her that Surrey County Council had been invited by the Coalition Government to join a Government initiative on property rationalisation.

105/13 PUBLIC QUESTIONS [Item 4b]

Six questions had been received from members of the public. The questions and responses were tabled and are attached as Appendix 2.

The following supplementary questions were asked:

- **Mr Beaman** said that he hoped the County Council would submit a bid for funding from the Government's Clean Bus Technology Fund and confirmed that he would be willing to assist with the submission, if required.
- **Mr Robertson** made a detailed statement concerning the Eco Park. The Leader of the Council requested a copy of it so that an answer could be provided to Mr Robertson outside the meeting.
- **Mr Telford** considered that the response had not said what action that Surrey County Council would take to protect the Green Belt in the Runnymede area. The Cabinet Member for Transport, Highways and Environment said that his response had stated the county position and re-affirmed that the need to protect the Green Belt was a matter decided at local level (the Runnymede Local Plan). However, the County Council was a consultee in the process and would respond to the consultation.

- **Mr Eastment** expressed concern in relation to a small airport trying to obtain planning permission to build and encroach onto Green belt land. He referred to the Article 4 direction and acknowledged that they would know Surrey Heath Borough Council's position after the meeting with Chobham Parish Council. However, he asked if Surrey County Council's legal team could advise Surrey Heath Borough Council in relation to this matter.

The Cabinet Member for Transport, Highways and Environment said that the county council was unable to impose their views on the borough council and referred to the last sentence of his response, which stated that there was no requirement for the borough council to consult third parties. However, he referred to the meeting with Chobham Parish Council and said this was the forum to raise it and ensure that Surrey Heath Borough Council was aware of their concerns.

- **Ms Desoutter** asked the Cabinet Member for Community Services whether, in future, the County Council would consult more widely with the general public before committing to events that involved road closures. She also asked whether there would be compensation for those residents whose holiday plans had been affected by the forthcoming road closures on 4 August 2013.

The Cabinet Member for Community Services said that information had been sent to those residents affected and more details would be sent out in July. She drew attention to the dedicated number included in her response that residents could use if they had specific concerns. She hoped that roads would re-open as soon as possible. She also informed Cabinet that a protocol detailing the process for organising future events involving road closures was being drawn up and would be subject to consultation over the summer months. With regard to compensation, she confirmed that none was available from Surrey County Council.

- **Mr Catt** asked the Cabinet Member for Transport, Highways and Environment whether there were any restrictions within the contract with SITA that would prevent the County Council from taking the Best Value and safest solution to this problem and was advised that there was none.

106/13 PETITIONS [Item 4c]

No petitions were received.

107/13 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

No representations were received.

108/13 CONFIDENT IN OUR FUTURE: CORPORATE STRATEGY 2013 -18 AND SUPPORTING STRATEGIES [Item 5]

The Leader of the Council drew Members' attention to the following amendments to the Directorate Strategies (set out below) and requested that the Cabinet endorsed - *Confident in our future*, the Council's Corporate Strategy 2013-2018, and approve the supporting Directorate Strategies and Communications and Engagement Strategy.

Amendments:

- (i) **Annex 2a – Adult Social Care** - the right hand side pie chart has 'other expd' missing - which would make the total agree to the £404m once adjusted
- (ii) **Annex 2b – Children, Schools and Families** – chart – 'rest of Council figure' should be £840m and not £1,361m
- (ii) **Annex 2c – Environment & Infrastructure** – Priorities for 2013/14 - 1st bullet point to be amended to state 'Repair road defects and deliver maintenance schemes including the five year programme to renew **500 kms** of the worst roads in the county within **specified** timescales and budgets'
- (iv) **Annex 2f - Chief Executive's Office** - the left hand total table had CXO in twice - total should be £1,685m (currently (£1,698m), including public health

The Leader of the Council confirmed the Council's strategy was to focus on working in the long term interests of Surrey and to ensure that residents remained healthy, safe and confident about their future. He also said that he was determined to continue to deliver excellent value for money to taxpayers and an increased focus on innovation would help to achieve this.

Other Members comments were:

- That the County Council had made significant improvements in the last four years and could be 'Confident in our Future'.
- A strong focus on quality, developing Surrey County Council staff and safeguarding vulnerable children and adults.
- Proactive management of highways plus increased funding for its infrastructure.
- Better engagement with local residents
- The launch of a campaign to reduce litter in the county.
- The Health and Wellbeing Board would be working with partners to examine the provision for mental health in Surrey.

RESOLVED:

1. That '*Confident in our future*, Corporate Strategy 2013-2018' be endorsed and that it be recommended to the County Council meeting on 16 July 2013 for approval.
2. That the Directorate Strategies 2013–2018, as amended, and the Communications and Engagement Strategy which will support delivery of the Corporate Strategy be approved.

Reason for Decisions

The Council reviews and refreshes its Corporate Strategy each year. By confirming a long term vision for the county and setting priorities for the next year the Corporate Strategy provides a clear sense of direction for Council staff and signposts the Council's approach for residents, businesses and partner organisations. As part of the Council's Policy Framework (as set out in the Council's Constitution) the Corporate Strategy must be approved by the County Council.

The Directorate Strategies and the Communications and Engagement Strategy will support delivery of the priorities set out in the Corporate Strategy, ensuring the Council delivers great value to Surrey residents.

109/13 BUDGET MONITORING FORECAST 2013/14 (PERIOD ENDING MAY 2013) [Item 6]

The Leader of the Council presented the first budget monitoring report for the new financial year 2013/14 and stated that the Council continued to face growth in demand for services and reductions in funding as austerity continues.

On the Revenue Budget, he highlighted the following points:

- That the forecast end of year position was for a small overspend of +£0.7m, although if none of the risk contingency (set up to mitigate against non delivery of some service efficiencies) was required, this would become an underspend of -£12.3m.
- That the revenue budget reflected total efficiencies required of £68m and although it was early in the year, the report showed that services were making good progress in delivery of these plans: £11m had already been achieved and there was an increased confidence in many other areas. However, there was still a long way to go and there remained considerable risks and therefore, it was essential that progress was monitored closely throughout the year.

On the Capital Budget, he highlighted the following points:

- That the council's capital programme not only improved and maintained the Council's service delivery, but it provided a welcome boost to the local economy in these times and it was therefore

important that the authority aimed to achieve the capital budget spend, and where some schemes were delayed, others were brought forward.

- At the beginning of the year the 2013/14 programme was reviewed and as a result a small number of schemes were reprofiled. However, forecasting was currently being reviewed to fully spend the council's capital budget.

Other Cabinet Members made the following points:

- The Cabinet Member for Business Services drew attention to the change in format of Annex 1, which she considered more 'user friendly and succinct' and with more detailed explanation in the Appendix to the Annex.
- The Cabinet Member for Adult Social Care highlighted the 'red' risk relating to £15.5m of the savings within his portfolio, which were reliant on the success of the new policy to maximise the use of social capital.
- The Cabinet Member for Schools and Learning drew attention to pressures in the Children, Schools and Families Budget and said that the financial position would become clearer at the start of the new academic year in September.
- The Cabinet Associate for Fire and Police Services referred to the Fire Capital Grant (paragraph 52, Annex 1) and was pleased that it would be used towards funding of the Fire Vehicle and Equipment Replacement programme.

RESOLVED:

1. That the forecast revenue budget underspend for 2013/14, as set out in Annex 1, page 2 of the submitted report be noted.
2. That the forecast ongoing efficiencies and service reductions achieved by year end, as set out in Annex 1, page 12 of the submitted report be noted.
3. That the forecast capital budget position for 2013/14, as set out in Annex 1, page 13 of the submitted report be noted.
4. That management actions to mitigate overspends, as set out throughout Annex 1 of the submitted report be noted.
5. That the in year virement of £757,661 from the Central HR Training Budget to most services that have service specific training budget allocations for 2013/14 as set out in Annex 1, page 3 of the submitted report be approved.
6. That the re-profiling of -£2.5m capital budget carry forwards to 2013/14 as set out in Annex 1, page 13 of the submitted report be confirmed.
7. That the use of Fire Capital Grant to fund vehicle and equipment replacement as set out in Annex 1, page 13 of the submitted report be approved.

Reason for Decisions

To comply with the agreed strategy of providing a monthly budget monitoring report to Cabinet for approval and action as necessary.

110/13 LEGAL FEES FOR ARRANGING ADULT SOCIAL CARE DEFERRED PAYMENT AGREEMENTS AND THE DISCHARGE OF LEGAL CHARGES [Item 7]

The Cabinet Member for Adult Social Care referred to a previous report to Cabinet (8 September 2009) detailing the operation of the Deferred Payment Scheme in relation to adults in residential care in Surrey. That report envisaged that the Council may in the future wish to recover the cost of the work it undertakes in relation to Deferred Payment Agreements. After a thorough review of the matter, a charging regime is proposed. Authorisation is also sought to increase the legal fees for discharging Legal Charges (mortgages) placed on properties as security for payment of deferred care costs. He commended the recommendations to Cabinet.

The Leader requested that the annual review of the level of charges be undertaken by the Council's Overview and Scrutiny Committee.

RESOLVED:

1. That the Council charges £250 for any Deferred Payment Agreement, whether or not the matter proceeds to completion, plus the costs of any Land Registry fees it incurs on each transaction.
2. That the Council recovers legal fees of £125 whenever it discharges a Legal Charge.
3. That the level of these charges be reviewed annually and adjusted appropriately in line with general financial planning and budget setting.

Reason for Decisions

To ensure that the increased cost of servicing the continuing and growing demand for Deferred Payment Agreements is primarily met by those taking advantage of the scheme.

111/13 AWARD OF CONTRACTS FOR THE DELIVERY OF POST 16 FURTHER EDUCATION SERVICES FOR YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) [Item 8]

The Cabinet Member for Schools and Learning introduced the report and said that the Children and Families Bill was proposing a more integrated approach to provision for children and young people with Special Educational Needs and Disabilities (SEND) across the 0-25 age range and that this report set out the changes.

Funding of education and training for young people aged 16-25 was changing. Previously this funding was allocated to providers by a national

body, The Education Funding Agency (part of the Department for Education – EFA). From 1 September 2013, an element of the funding would be passed to Local Authorities to fund the commissioning of provision for young people resident in their area. The commissioning duty passed to Local Authorities in April 2010 and the change in the funding would now complete the shift to local commissioning arrangements.

The report outlined these changes and seeks agreement to new contracts for the education and training provision for young people in 63 Independent Specialist Colleges (ISCs) for 2 years from 1 September 2013, details of which were set out in agenda item 12, the confidential annex pertaining to this report.

The Cabinet Member for Business Services said that it was essential to agree the recommendations today, in order that there was a seamless process in place for these young people's educational needs.

The Cabinet Associate for Children, Schools and Families referred to the positive comments from the recent Peer Review, relating to young people with SEND, as detailed in paragraph 13 of the report.

RESOLVED:

1. That the Council enter into contracts for 2 years from 1 September 2013 with 63 providers as named in agenda item 12, the confidential annex to the report, all of which are existing Independent Specialist College providers providing post-16 further educational services to young people with Special Educational Needs and Disabilities, on terms to be agreed with Legal Services for both existing and new placements with these providers.
2. That the estimated value of these contracts over a two year period will not exceed £18.1m.

Reasons for Decisions

To ensure continuity of provision for young people already in placements that will continue into the academic year 2013-14 and provide a contractual basis for new placements starting in September 2013.

The new contracts will ensure 2 academic years are contracted with providers and this encompasses the variations in provider college holiday periods. No service will be required from the providers in the period from 31 July 2013 to 30 August 2013.

The current value of these contracts is £9,048,947 for a full academic year.

112/13 AMENDMENT TO WASTE CONTRACT BETWEEN SURREY COUNTY COUNCIL AND SITA SURREY [Item 9]

The Cabinet Member for Transport, Highways and Environment advised that the purpose of the report was for Members to receive updated information regarding the technologies, to consider value for money and affordability

factors, to approve technology, to ask officers to continue to progress work to amend the Waste Contract with SITA Surrey and to prepare a detailed report to present at the 23 July 2013 Cabinet meeting, which will include legal, financial, procurement and risk assessments.

He highlighted key points from the report:

- The Environmental Permit issued by the Environment Agency on 8 October 2012
- The Drivers for Change and the increasing cost of landfill
- The proposed amendments to the Waste Contract, their effect on the Council and the Assessment Process
- The Footpath diversion which was currently awaiting a decision

He also referred to the Sustainability Assessment of the proposal to create the Eco Park, which had been carried out by the Council's Waste and Sustainability teams and said that there would be significant reduction in the number of HGVs and miles travelled by these vehicles, associated with the Eco Park.

He also drew attention to Risk Management, Value for Money and Legal Implications and the S151 officer commentary detailed in the report, and in particular the Equalities Impact Assessment which had been reviewed and remained valid.

Finally, he said that he was aware of the concerns of some local residents and informed Cabinet that there had been extensive consultation, as set out in paragraph 96 of the report. Details of the responses to the main questions asked during the recent public engagement process were circulated at the meeting and are attached as Appendix 3 to these minutes.

The Leader of the Council referred to paragraph 112 and requested that recommendation (2) be amended to include 'evidence of DEFRA's approval'.

RESOLVED:

1. That, having received an update on technology and been notified of the proposed contractors, the technology changes be approved.
2. That officers continue to progress work to vary the Waste Contract between Surrey County Council and SITA Surrey to reflect the changes necessary to deliver the proposed waste solutions. A further detailed report for final approval (including value for money, affordability considerations and evidence of DEFRA's approval) to be presented to the Cabinet meeting on 23 July 2013.
3. That the release of a Voluntary Transparency Notice announcing the Council's intention to enter into a contract variation be approved.

Reasons for Decisions

To provide proper authority to:

1. Deliver the Eco Park which represents a corporate priority for the Council.
2. Provide assurance to contractual and funding partners to the Council.
3. Demonstrate commitment to use of best available, most appropriate technologies in terms of efficiency and environmental impact.

113/13 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS TAKEN SINCE LAST CABINET MEETING [Item 10]

RESOLVED:

That the decisions taken by the Leader, Deputy Leader and Cabinet Members since the last meeting, as set out in Annex 1 of the submitted report, be noted.

Reasons for Decisions

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

114/13 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 paragraph 3 of Part 1 of Schedule 12A of the Act.

PART TWO – IN PRIVATE

THE FOLLOWING ITEMS OF BUSINESS WERE CONSIDERED IN PRIVATE BY THE CABINET. SET OUT BELOW IS A PUBLIC SUMMARY OF THE DECISIONS TAKEN.

115/13 AWARDS OF CONTRACTS FOR THE DELIVERY OF POST 16 FURTHER EDUCATION SERVICES TO YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) [Item 12]

This item is the confidential annex to item 8 on the agenda and the recommendation is set out in the main (part 1) report.

116/13 SALFORDS FIRE STATION AND SECONDARY CONTROL FACILITY [Item 13]

The Cabinet Member for Assets and Regeneration Programmes presented this report and said that he was delighted that two freehold units were

available, which could be utilised for a new fire station and a secondary control facility, at the iO centre in Salfords.

The Cabinet Associate for Fire and Police Services said that local residents were supportive of the proposals for a new fire station in Salfords and requested that this decision was publicised.

RESOLVED:

1. That the freehold acquisition of units 14/15 iO Centre, Salfords, Surrey be approved, at a cost set out in the submitted report.
2. That the requirement for a fit out of the premises in relation to the fire station be noted and once these costs have been confirmed, a further report be presented in accordance with recommendation (4).
3. That the requirement for a fit out of the premises in relation to the secondary control facility be noted and once these costs have been confirmed, a further report be presented in accordance with recommendation (4).
4. That the approval of the fit out costs of the units in relation to their use as a Fire Station and Secondary Control Room be delegated to the Strategic Director of Adult Social Care, in consultation with the Leader, the Cabinet Member for Assets and Regeneration Programmes and the Cabinet Member for Community Services.
5. That the Service will seek to develop plans for alternative savings (£0.9m) which are then reflected in the review of the Medium Term Financial Plan (2013-18) taking place in quarter 1 2013/14.

Reason for Decisions

To allow Surrey Fire & Rescue Service to provide fire cover in the area and improve efficiency and operational response of cover.

117/13 PUBLICITY FOR PART 2 ITEMS [Item 14]

RESOLVED:

That non-exempt information relating to items considered in part 2 of the meeting may be made available to the press and the public, as appropriate, in relation to Salfords Fire Station.

[Meeting closed at 3.15pm]

Chairman

Members' Questions

Question (1) from Mr Tim Evans (Lower Sunbury and Halliford) to ask:

The Cabinet Member for Transport, Highways and Environment will be aware of the strength of feeling of many residents of Shepperton, Halliford and Sunbury regarding the location and safety of the proposed Eco Park on the Waste transfer site in Charlton Lane, which lies in my division of Lower Sunbury and Halliford. Since the preparation of the papers for this meeting he has attended two meetings with residents at which their concerns were very forcibly expressed.

The Member for Laleham and Shepperton has also laid questions which relate particularly to the location of the site and the safety concerns related to the technology. Whilst strongly sharing those concerns I shall not repeat them here.

Noting also that I am the Cabinet Member for Finance on the Spelthorne Borough Council I wish instead to turn to a different concern, namely that this project is being forced through purely for financial reasons without due regard for the safety of neighbouring residents.

In particular, I would ask the Cabinet to clarify the nature of the Value for Money test that the Council must undertake to justify its investment in the new plant. How is this test undertaken by whom and how independent is it of the Council's desire to press ahead with the project.

Moreover, some residents are aware of the Central Government PFI grant available to the Council for waste disposal and are suspicious that the possible loss of this grant if the project does not go ahead is being taken into account as part of the Value for Money calculations. I seek both explanation and reassurance from the Cabinet on this point.

Reply:

The development of the Eco Park is an essential component of the Council's Waste Strategy to increase recycling and divert all waste from environmentally damaging landfill using modern technology to deal with waste that cannot be recycled. The project is not proceeding purely for financial reasons or without due regard for the safety of neighbouring residents.

My first consideration is the safety of residents, which I have addressed in my answer to the question from Councillor Walsh.

Regarding value for money, the assessment will consider the cost to the UK Taxpayer and be subject to rigorous external scrutiny. This means that the value of the Waste Infrastructure Grant (formerly known as PFI grant) cannot be taken into account when making this assessment and all options will be considered on the same basis i.e. without the effect of the grant.

The value for money assessment will be undertaken by the council's Chief Finance Officer advised by external advisors (Deloitte) with involvement from the council's finance officers and waste officers. The value for money

assessment will be subject to rigorous scrutiny including by the Council's external auditor. In addition, the business case relating to the development of the Eco Park will be subject to scrutiny and approval by Defra. All assessments will be required to comply with HM Treasury best practice guidance.

Landfill costs the council £1 million per month in tax alone and the cost of landfill is likely to rise further as a result of tighter regulation and the scarcity of available sites. It is therefore imperative that we find alternatives to landfilling waste that cannot be recycled.

John Furey
Cabinet Member for Transport, Highways and Environment
25 June 2013

Question (2) from Mr Alan Young (Cranleigh and Ewhurst) to ask:

The county council's Pay Policy Statement 2013-14 states that "The Chief Executive is on a contract which is like Chief Officers i.e. he is on an all-inclusive single status Surrey Pay contract and there is no variable pay or bonuses made."

Would the Leader agree that any decision to award the chief executive any additional future payment over his all-inclusive single status Surrey Pay contract would be a departure from the council's Pay Policy Statement?

Does the Leader further agree that, notwithstanding the role of the PPD Committee, any significant departure from the Council's agreed pay policy in respect of senior officers should be subject to ratification by the Council?

Reply:

What Mr Young is asking is already encapsulated in law within the Localism Act of 2011.

The County Council's Pay Policy is agreed annually by the Council for all County Council employees, including the Chief Executive. Any variations regarding the pay terms and conditions of the Chief Executive would be reflected in the annual pay policy statement in accordance with the requirements of the Localism Act 2011. Council agreed its 2013/14 Pay Policy Statement at its meeting on 19 March 2013.

David Hodge
Leader of the Council
25 June 2013

Question (3) from Mrs Hazel Watson (Dorking Hills) to ask:

There have been a number of failures of webcasts and recordings of webcasts of Surrey County Council meetings. For example:

The last meeting of Cabinet in May was live webcast without audio, and there was also no recording made which included audio of the meeting.

There is no recording of the February meeting of Planning and Regulatory Committee.

To ensure openness and transparency, will the Leader undertake:

1. To examine the webcast provision to ensure that future failures are reduced?
2. To examine the possibility of local recording of webcasts at County Hall to be made so that if there are future failures by the service provider downstream of County Hall a recording of meetings can still be provided on the Surrey County Council website?
Webcasts prior to January 2013 are no longer available on the Surrey County Council website. Will the Leader undertake to ensure that a complete archive of webcasts is maintained permanently in the future?

Reply:

It is extremely regrettable that there was no audio record of the Cabinet meeting in May. The lack of sound in the Ashcombe suite for web streaming the Cabinet meeting was due to a technical problem resulting from the re-fit of the audio equipment. Tests that had taken place before the meeting had not identified an audio problem. Since that meeting, diagnostic checks have been carried out and the system is up and running, with contingency arrangements in place. Two meetings have been webcast from the Ashcombe since the May Cabinet meeting and no further problems have been experienced.

The morning session of the February Planning and Regulatory Committee is available as a webcast. The meeting unexpectedly continued into the afternoon and had to move to another committee room for that session, where webcasting equipment was not available.

In order that we can swiftly solve any problems that may arise in future, the audio engineers are arranging with the Facilities Manager for a maintenance contract to be put in place as soon as possible. The IMT service is also liaising with the webcast provider, Public-i, to ensure the suitability of our equipment. In relation to local recording, whilst we do have the option of "backing up" the live stream of a webcast onto a DVD using our webcasting equipment, in this instance, because of the break in the chain which supplies the power and handles the audio feed from the microphones, we would still have had a situation where we had a visual recording of the meeting, but with no audio captured. However, we will look into the possibility of other ways of locally recording webcasts with our provider.

Webcasts are normally archived and uploaded by our webcast provider within one to two days of the meeting date and are available to watch for six months from the live date, in line with the terms of our contract. This is standard practice for all Public-i clients. The provider retains a complete archive of our webcasts, and these are accessible at a cost, in line with the provisions of the contract. Currently any backed up copies of the webcast are deleted unless needed to resolve technical issues arising in a live stream but it would be possible to look at retaining the back-up copies for a longer period if there was an identified need.

David Hodge
Leader of the Council
25 June 2013

Question (4) from Mr Richard Walsh (Laleham and Shepperton) to ask:

After the public meeting in Spelthorne regarding the Eco-Park at Charlton Lane the residents within the surrounding villages of Charlton Village, Shepperton, Halliford & Sunbury have strong concerns regarding the following items.

1. Residents are concerned about emissions and the proximity of homes to the Eco-Park. They feel that insufficient information has been provided and they seek assurances that due diligence has been done to ensure that every possible safety measure has been taken to minimize any risks to the quality of their lives.
2. The lack of a similar gasifier, processing similar product in the world, is of further concern to residents as it is co-located on site with other waste processing plants, administration offices, and educational facilities for children and although technology risks can be mitigated and then regulated by the Environment Agency what assurance can residents be given that due consideration has been done to ensure that the risk to both workers and visitors is minute and that Charlton Lane is an appropriate site for this type of technology surrounded by residual properties and people.

Reply:

1. Both the anaerobic digestion plant and the gasification plant will have to meet stringent emission standards set by the Environmental Permit, required by the Environment Agency. The emissions standards are designed to ensure that there is no risk to human health or the environment from the operation of the plant and will take into account the location of the plant in terms of its proximity to homes.

The council's technical adviser has confirmed that they are confident that the plant will meet the requirements of the Waste Incineration Directive, which sets the relevant emissions standard.

The plant will be designed to ensure that levels of emissions are minimised. This will be achieved primarily by ensuring well managed combustion and by maintaining optimal combustion conditions; with further removal of pollutants by a gas-cleaning system. All thermal waste-treatment plant have to be operated in accordance with a permit from the Environment Agency and this will only be granted if the operator can show that they are using the Best Available Techniques (BAT) to control emissions. The permit would require the cleaned exhaust gases to be monitored continuously for a wide range of compounds (typically CO, NOx, PM, HCl, SO₂, total VOCs), and this provides a continuous indication of the combustion conditions (and potential for dioxins formation), which are to be maintained below stringent emissions limits. Further monitoring is carried out periodically (usually several times per year) for pollutants including those such as dioxins that are present at too small a concentration to be able to be monitored continuously. The cleaned process exhaust is then released to air from a chimney stack of a height designed to ensure appropriate

dispersion. The results of the continuous emissions monitoring have to be submitted to the Environment Agency; and, additionally, the Environment Agency sends in its own monitoring teams to make periodic unannounced spot checks on emissions.

The Health Protection Agency (HPA) is the government body responsible for protection of public health.

The HPA's position is that well run and regulated modern municipal waste incinerators are not a significant risk to public health. This view is based on detailed assessments of the effects of air pollutants on health and on the fact that modern and well managed municipal waste incinerators make only a very small contribution to local concentrations of air pollutants.

2. Waste gasification is a relatively new technology in the UK and therefore SITA have conducted a robust due diligence assessment to ensure that the gasification process technology proposed by Outotec is appropriate for the Eco Park. The county council has also commissioned its technical consultants to undertake a review of the technology and of SITA's proposal.

The fluidised bed technology proposed by Outotec is proven, although its use to date has largely been in combustion rather than gasification, as proposed for Charlton Lane. Outotec has supplied over 100 plants that use a variety of fuels, however only a small number of these operate in gasification configuration with the majority being combustion plants. Whilst there are a number of Outotec combustion plants that process refuse derived fuel, there are currently no gasification plants that have been built to use this fuel. The three Outotec gasification facilities similar to that proposed for Charlton Lane, are in operation in the USA and Canada although operating on different types of fuel.

The chemistry of the gasification of refuse derived fuel and combustion of the subsequent synthesis gas (syngas) is well understood. The gas clean up systems, that are proposed for the Eco Park are robust and proven on many thermal treatment plants throughout the UK and overseas.

In the answer to your first question, I highlighted the fact that emissions from the Eco Park would be controlled through the Environmental Permit to ensure that there is no harm to the environment or to human health, this would include the impact on users of the community recycling centre and workers on site.

In addition, general hazards associated with the operation of the site will be managed through health and safety legislation and will be informed by a hazard and operability (HAZOP) study, which will be completed at the detailed design stage.

Both SITA and the council's technical advisors consider that Outotec has a good level of understanding of the complexity of waste gasification and the requirements of the UK regulatory system, and has the ability to design a plant to operate using residual waste from Surrey households for fuel.

John Furey
Cabinet Member for Transport, Highways and Environment
25 June 2013

Question (5) from Mrs Hazel Watson (Dorking Hills) to ask:

In an answer to a written question from me to the Cabinet meeting of 5 February 2013, the Cabinet Member for Assets and Regeneration Programmes stated: "An occupancy study was carried out in 2010 for our major offices which showed an average desk occupancy of 47%". He went on to state: "A programme of revised desk occupancy surveys are of being carried [sic] at present to measure the impact of these changes. We will provide the update information when we have completed the occupancy studies."

Please could the Cabinet Member provide an update on the desktop occupancy surveys, and an explanation of why it is taking so long to count the number of staff and number of desks?

Reply:

Update on occupancy studies

Desktop occupancy studies have been carried out at the following buildings since the completion of the Making a Difference Programme, County Hall, Fairmount House, Consort House, Esher Local Office and we are currently at Quadrant Court and Runnymede.

The peak utilisation in these buildings is as follows.

County Hall 62.5%
Fairmount House 76%
Consort House 62.5%
Esher Local Office 68.5%

Which is an average of 67.3% compared to 47% previously, a movement of 20.3% and an increase of 30%.

Results for Quadrant Court and Runnymede will be back by the end of July, further studies are being undertaken at our Borough and District locations and will be completed before the school summer holidays.

Method

The programme of utilisation studies is undertaken on a phased basis. Each building is carried out at independent times with slots selected to avoid school holidays, we also allow time for the buildings to settle down following the

recent moves. The reason this is done is to get a true picture of how the portfolio is being utilised so informed decisions can be made.

Future

Once the other results are returned, we will then develop an action plan to further enhance the flexible working principles that Making a Difference implemented and look at further opportunities to identify efficiencies that could become income generation opportunities.

Tony Samuels

Cabinet Member for Assets and Regeneration Programmes

25 June 2013

Public Questions

Question (1) from Mr David Beaman, Independent Member for Upper Hale, Farnham Town Council

Given the known problems of air quality in Central Farnham will Surrey County Council be making any bid for funding from the recently announced Clean Bus Technology Fund to fit equipment to older diesel engine buses?

Reply:

As a general rule, the county council will try to bid for external funds, provided that the cost of bidding is justified by the likelihood of winning funds. The Department for Transport recently issued guidance to local authorities on the Clean Bus Technology Fund (CBTF) pilot programme. The Government has made £5 million available to support local authorities with the costs of upgrading buses with appropriate technologies to reduce emissions of nitrogen oxides (NOx) from older buses operated in congested urban areas. This is an initial bidding phase which will inform the DfT on whether a national programme could be developed. To be successful, a bid to the CBT Fund would need to be agreed between the county council and one or more bus operators. Officers are currently in discussion with a number of bus operators, together with colleagues in the boroughs and districts, to assess whether there is scope for a successful bid. This initial scoping work includes assessing opportunities for Farnham. The deadline for bids is 19 July.

John Furey
Cabinet Member for Transport, Highways and Environment
25 June 2013

Question (2) from Mr Malcolm Robertson, Charlton Lane Community Liaison Group Member

I wish to ask a question about the County Council's Waste Strategy, and your waste contractor's proposals for a gasifier/incinerator at Charlton Lane, Shepperton.

Taking into account the fact that the gasifier/incinerator will be a prototype situated in a densely populated area, do you consider that you have been provided with sufficient information to both authorise further expenditure on this project, and guarantee the safety of the surrounding community?

Reply:

The previous supplier of gasification technology, Ascot Environmental went into administration for reasons that are unknown to Surrey County Council and SITA UK, but we remain confident that with SITA UK's and SUEZ ENVIRONNEMENT's financial and technical support, this technology would have worked at Charlton Lane. However, as this batch oxidation system

gasification technology is no longer available SITA has chosen an alternative in order to move forward with the Eco Park.

Outotec and its technology have been rigorously scrutinised by technical and commercial experts in SITA UK and its parent company, SUEZ ENVIRONNEMENT. This included visiting operational plants, detailed technical discussions and financial evaluations. The technology has also been assessed by Surrey County Council's own technical advisors.

Surrey County Council and SITA UK are satisfied that Outotec is the most suitable company to provide the gasification process at Charlton Lane.

The fluidised bed technology proposed by Outotec is proven, although its use to date has largely been in combustion rather than gasification plant, as proposed for Charlton Lane. Outotec has supplied over 100 plants that use a variety of fuels, however only a small number of these operate in gasification configuration with the majority being combustion plants. Whilst there are a number of Outotec combustion plants that process refuse derived fuel, there are currently no gasification plants built to use this fuel. The three Outotec gasification facilities similar to that proposed for Charlton Lane, are in operation in the USA and Canada although operating on different types of fuel.

Both SITA and the council's technical advisors consider that Outotec has a good level of understanding of the complexity of waste gasification and the requirements of the UK regulatory system, and has the ability to design a plant to operate using residual waste from Surrey households for fuel.

The chemistry of the gasification of refuse derived fuel and combustion of the subsequent synthesis gas (syngas) is well understood. The gas clean up systems, that are proposed for the Eco Park are robust and proven on many thermal treatment plants throughout the UK and overseas.

Waste gasification is a relatively new technology in the UK and therefore the number of plants that are operational is limited, however a number of gasification plants using a range of technologies have planning consent and a plant using both pyrolysis and gasification technology has recently opened and is in operation at Avonmouth.

Both the anaerobic digestion plant and the gasification plant will have to meet stringent emission standards set by the Environmental Permit, required by the Environment Agency. The emissions standards are designed to ensure that there is no risk to human health or the environment from the operation of the plant and will take into account the location of the plant in terms of its proximity to homes.

The council's technical adviser has confirmed that they are confident that the plant will meet the requirements of the Waste Incineration Directive, which sets the relevant emissions standard.

Levels of emissions will be minimised primarily by well managed combustion, achieved by the plant design and by maintaining optimal combustion conditions; with further removal of pollutants by a gas-cleaning system. All thermal waste-treatment plants have to be operated in accordance with an Environmental Permit and this will only be granted by the Environment

Agency if the operator can show that they are using the Best Available Techniques (BAT) to control emissions. The permit would require the cleaned exhaust gases to be monitored continuously for a wide range of compounds (typically CO, NOx, PM, HCl, SO₂, total VOCs), and this provides a continuous indication of the combustion conditions (and potential for dioxins formation), which are to be maintained below stringent emissions limits. Further monitoring is carried out periodically (usually several times per year) for pollutants including those such as dioxins that are present at too small a concentration to be able to be monitored continuously. The cleaned process exhaust is then released to air from a chimney stack of a height designed to ensure appropriate dispersion. The results of the continuous emissions monitoring have to be submitted to the Environment Agency; and, additionally, the Environment Agency sends in its own monitoring teams to make periodic unannounced spot checks on emissions.

The Health Protection Agency (HPA) is the government body responsible for protection of public health.

The HPA's position is that well run and regulated modern municipal waste incinerators are not a significant risk to public health. This view is based on detailed assessments of the effects of air pollutants on health and on the fact that modern and well managed municipal waste incinerators make only a very small contribution to local concentrations of air pollutants.

In conclusion I am satisfied that I have received the necessary assurances from both SITA and our own technical advisors that the that the proposed plant will not pose a risk to the health or safety of site staff, users of the site or residents who live in the surrounding area.

John Furey
Cabinet Member for Transport, Highways and Environment
25 June 2013

Question (3) from Mr Andrew Telford, Chairman CPRE Surrey Runnymede District

Whereas:

1. Surrey County Council (SCC) unanimously resolved on 19/3/13 "To use its power to protect Surrey's Green Belt".
2. CPRE Surrey wholly endorses this resolution.
3. Runnymede Borough Council's draft Local Plan is inconsistent with the resolved position of SCC as it does not protect Surrey's Green Belt, removing, as it does, several hundred acres from the Green Belt at the DERA site to facilitate development.
4. There is strong popular support for SCC's landmark resolution as demonstrated by CPRE Surrey's e-petition regarding this matter, administered by MySociety through the RBC website, which has comfortably passed the threshold number of signatures required to ensure a debate in Full Council at RBC regarding removing any of the DERA site from the Green Belt.

What action does SCC propose taking in prosecuting its resolved policy of using its power to protect this part of Surrey's Green Belt, and will this include making a timely representation to Runnymede Borough Council raising a 'strong objection' to removing the land at the DERA site from the Green Belt?

Reply:

At its meeting on 19 March 2013, the County Council unanimously resolved to use its power to protect Surrey's Green Belt, support the National Planning Policy Framework (section 9 – paragraphs 79 to 92) and the Government's policy of protecting the Green Belt, to make Surrey's MPs and the County's Districts and Boroughs aware of this resolution and for any Green Belt development in the County to be in line with the needs and wishes of Surrey residents.

Under the National Planning Policy Framework, it is for the Districts and Boroughs to set Green Belt boundaries in their Local Plans with local consultation and independent examination of any proposed changes.

Runnymede Borough Council is currently preparing its new Local Plan and recently consulted on a draft Pre-Submission version of its Core Strategy. Balancing the need for housing and employment growth and the need to protect the Green Belt is a matter to be decided at the local level through the Runnymede Local Plan.

John Furey
Cabinet Member for Transport, Highways and Environment
25 June 2013

Question (4) from Mr Nigel Eastment, Chobham Society Fairoaks Representative

The Fairoaks Operation Ltd 'Consultation and Notice of Development' is not a planning application, but a required step under the General Permitted Development Order. Our question is about protecting the Green Belt not a planning application.

1. Surrey County Council unanimously resolved on 19/3/13 "To use its power to protect Surrey's Green Belt", and their stated position in limb 4 of the resolution is that any Green Belt development in the County should be "in line with the needs and wishes of Surrey residents".
2. Fairoaks Operations Ltd has a proposal for a hangar at Fairoaks Airport, which encroaches on the Green Belt.

What action does Surrey County Council propose taking in applying its resolved policy of using its power to protect this part of Surrey's Green Belt and ensuring that any Green Belt development in the County is in line with the needs and wishes of Surrey residents, and will this include making a timely representation to Surrey Heath Borough Council raising an objection to this proposal?

Reply:

At its meeting on 19 March 2013, the County Council unanimously resolved to use its power to protect Surrey's Green Belt, support the National Planning Policy Framework (section 9 – paragraphs 79 to 92) and the Government's policy of protecting the Green Belt, to make Surrey's MPs and the County's Districts and Boroughs aware of this resolution and for any Green Belt development in the County to be in line with the needs and wishes of Surrey residents.

The current proposals on Fairoaks Airport, a major developed site in the Green Belt, fall to be considered under Part 18 A.2 of the General Permitted Development Order. This allows a relevant airport operator to carry out development in connection with the provision of services and facilities on operational land, subject to the operator consulting the local planning authority before carrying out any development. The airport operator, Fairoaks Operation Ltd, has consulted Surrey Heath Borough Council in order to confirm that the proposal is permitted development. There is no requirement for the Borough Council to consult third parties, although a meeting with Chobham Parish Council has been arranged.

John Furey

Cabinet Member for Transport, Highways and Environment

25 June 2013

Question (5) from Ms Jenny Desoutter

Cycle Race Road Closures

My question refers to the closures of 4 August 2013.

The right of way over public roads and highways, together with freedom of movement, is one of the most inalienable and fundamental civil human rights. Indeed it is essential to daily living, and the network of public roads in rural Surrey is used seven days a week, 365 days in a year, in order that residents can fulfil the obligations and meet the needs of daily life.

Many of these uses are essential, for example:

- Getting to and from work
- Keeping in touch with friends and family
- Visiting those in hospital
- Delivering care and support to less able or dependant family members and others
- Being able to access emergency treatment centres without involving emergency services
- Being able to access shops including pharmacies in case of unexpected incidents
- In August, school holidays, many families may need to travel to begin, or to return home from holidays

- Attending to welfare of livestock in pastures and premises not adjacent to domicile
- Emergency services to wild life such as Wildlife Aid
- Accessing veterinary care in case of need
- Pursuing voluntary activities as part of community life
- Accessing recreational, sporting and leisure facilities for training and fitness

Apart from the fact that these journeys are an integral and essential part of life, many people have commitments which limit flexibility, and many are already under pressure from busy schedules. Freedom of choice enables people to manage their own lives and priorities effectively, and enables society to function through complex interactions which are not simple to adjust.

Surrey County Council is the elected body responsible for the highways, and it has chosen to close a large number of roads to the public for a whole day on 4 August, in order that the roads may be used exclusively as a race track by a select group of fit, able-bodied people enjoying a leisure activity of their choice. Because of this decision, a large proportion of Surrey residents will be unable to pursue their normal, chosen, or essential activities. Many, including myself, have so far not even been officially informed of this fact, in order that advance planning may be considered. At the date of submitting this question (18th June) the race organisers, Ride London, and SCC Highways are still unable to state exactly which roads surrounding the route they will decide to close.

I would ask the following:

- (1) Can the Council state how many residents will have their lives disrupted and their freedom of movement curtailed by the closure of highways for this non-essential leisure event, and by what process of consultation they have carried out an assessment of the impact of this event on residents' lives?
- (2) By what powers do Surrey County Council rescind the historic right of all people other than racing cyclists to use the highways for legitimate purposes on this day, and can SCC explain the principles which guided their decision to give priority on this day to the wish of a powerful special-interest group to use our communal roads as a private race track for pleasure, rather than safeguarding and protecting the individual freedom and civil liberties which are the pride of citizens of this country, and which enable millions of people to meet their own essential daily needs, and to live their lives independently and with dignity?

Reply:

- (1) This type of road closure is not unprecedented in Surrey, and the learning from the extremely successful Olympic cycling events is being applied to ensure that the public are aware and disruption is kept to an absolute minimum. The event organiser has completed an assessment of the community impacts which will form the basis of the

ongoing consultation process. Tens of thousands of households and businesses on the route and within 100m of the route, are being provided with essential information to help them plan ahead. This includes the sharing of impacts through newsletters to homes on the route, drop-in sessions for residents and appointments with those on the route with specific concerns.

- (2) The Event is a joint venture between the Surrey County Council and the Mayor of London, and was approved by the Surrey County Council Cabinet in December 2011.

For the purpose of holding this sporting event on the highway, Surrey County Council as the Highway Authority, will allow road closures under a Special Events Order, as per section 16A of the Road Traffic Regulation Act 1984, this allows for the sporting events to take place on the public highway.

We fully understand that there is an impact on residents and communities, which is why many have already received assistance. Anyone with specific travel needs is being encouraged to refer to **www.gosurrey.info** or to contact the event organiser on **0845 894 9773** or residents will be able to discuss and plan access on the 4th August 2013 at one of the following drop-in sessions,

- Dorking Halls, Dorking – 4 July, 15:00-19:00
- Heart Shopping Centre, Walton-on-Thames – 5 July, 11:00-15:00
- Box Hill Village Hall, Box Hill – 8 July, 16:00-20:00
- Forest Green Village Hall, Leith Hill – 9 July, 16:00-20:00
- Park House, Leatherhead – 10 July, 16:00-20:00

Surrey County Council feels strongly that a charity fun ride and an elite cycling race, that will attract thousands of spectators and millions of worldwide television viewers, is an important Olympic legacy, providing many benefits in the following ways:

- Fostering greater links and economic benefits through closer relations with London Partners,
- Promoting and inspiring healthy lifestyles and activities
- Promoting Surrey as a welcoming destination for tourism and a premier venue for sporting events,

Helyn Clack
Cabinet Member for Community Services
25 June 2013

Question (6) from Mr Brian Catt

I wish to question Councillor Furey's report on specifics regarding the claims made for the gasifier design and its appropriateness within the revised waste plan, as follows:

Given the very limited and universally unsatisfactory results of waste gasification experiences elsewhere, would it not now be more prudent on the

grounds of value for money, fiscal risk and health and safety risk to the visiting and surrounding public, in a very populous area, to instead use Charlton Lane as an RDF plant, to feed the best possible EfW incineration in safer locations based on the lowest possible cost and maximum energy recovery, as this market develops in the face of over capacity and massive reductions in fuel through better recycling? Some European countries are already importing dry waste for this reason, including the Netherlands importing Surrey's.

Reply:

Long term markets for Refuse Derived Fuel (RDF) supply to merchant plants are uncertain in the same way as long-term markets for supply of waste into conventional merchant energy from waste plants.

In addition there is a risk that the required quality specification for RDF will change over time, and that the RDF manufacturing plant would become outdated. That is why it is preferable to design an RDF plant to work with a specific combustion or gasification plant.

The value for money analysis will consider various alternatives to building the Eco Park within the SITA contract. One of these options will be to use merchant energy from waste facilities for Surrey's waste.

John Furey
Cabinet Member for Transport, Highways and Environment
25 June 2013

Eco Park: Responses to the main questions asked during the public engagement process

Why are you changing the gasifier?

- It is because of a change of supplier as the company originally chosen, Ascot Environmental, is no longer trading.
- The proposed system has many similarities, and several advantages. It pre-treats waste, increasing recycling, is more efficient in operation and generates lower emissions.

Is the new supplier's technology untested? Is it unproven technology?

- All the processes at the Eco Park are operating elsewhere but not in one location.
- More than 100 facilities are safely operating the fluidised bed technology selected for the Eco Park (using a range of waste including municipal waste).
- We wouldn't use the technology and it would not be allowed to operate if it wasn't safe.
- The emissions controls systems are proven and in extensive use in the UK and internationally.
- The gasification process is in operation in USA and Canada, on other types of waste.

Is this an industrial development which is dangerous?

- The Eco Park is safe and will deal with waste in an environmentally friendly way.
- All aspects of safety are rigorously scrutinised by external government agencies.
- We wouldn't be allowed to build it or operate it if that was not the case.

Is it an incinerator by another name with dangerous emissions?

- It is an advanced thermal treatment facility. Waste is heated to produce a gas which can then be burned to generate steam which produces electricity.
- The level of emissions are very small compared to standards set for the protection of human health, and in the case Nitrogen Oxides the levels are half that permitted.

Why should Shepperton have to deal with Surrey's waste?

- The Eco Park will deal with about a third of Surrey's waste in an area with about a third of the county's population (in north of county).