

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 27 FEBRUARY 2024 AT 2.00 PM
IN THE COUNCIL CHAMBER, WOODHATCH PLACE, 11 COCKSHOT
HILL, REIGATE, SURREY, RH2 8EF.**

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

Members: (*present)

*Tim Oliver (Chairman)
*Natalie Bramhall
*Clare Curran
*Matt Furniss
*David Lewis
*Mark Nuti
*Denise Turner-Stewart
*Sinead Mooney
*Marisa Heath
*Kevin Deanus

Deputy Cabinet Members:

Maureen Attewell
*Paul Deach
Jordan Beech
*Steve Bax

Members in attendance:

Catherine Powell, Residents' Association and Independent Group Leader
Fiona Davidson, Chairman of the Children, Families, Lifelong Learning and
Culture Select Committee

**PART ONE
IN PUBLIC**

18/24 APOLOGIES FOR ABSENCE [Item 1]

Apologies were received from Maureen Attewell and Jordan Beech.

19/24 MINUTES OF PREVIOUS MEETING: 30 JANUARY 2024 [Item 2]

These were agreed as a correct record of the meeting.

20/24 DECLARATIONS OF INTEREST [Item 3]

There were none.

21/24 PROCEDURAL MATTERS [Item 4]

21/241 MEMBERS' QUESTIONS [Item 4a]

There were six member questions. The questions and responses were published in a supplement to the agenda.

With regards to her first question, Catherine Powell asked if the Cabinet Member could confirm if Members could be informed along with the District and Borough leadership of when the process to broaden the number of businesses represented at the Surrey Business Leaders Forum would begin. The Cabinet Member for Highways, Transport and Economic Growth agreed to this explaining that he wanted as many small and medium businesses involved with the Surrey Business Leaders Forum. With regards to her second question, the Member asked if the Surrey Growth Hub would be in a physical location or entirely online. The Cabinet Member for Highways, Transport and Economic Growth stated that the team would probably be based in Reigate with majority of meetings online. That nature of their work meant the team would be flexible and would go out to meet businesses. With regards to her third question, the Member asked if the Leader would also contact the Chancellor regarding the extension of the Household Support Grant. The Leader stated that he was reasonably confident that the grant would be extended and had lobbied both the Chancellor and the Secretary of State for Levelling Up, Housing and Communities. With regards to her final question, the Member stated that the charities who are delivering the affected services were already raising concerns locally and looking for alternative funding streams. She asked if the Cabinet Member would keep this issue under consideration. The Cabinet Member for Children, Families and Lifelong Learning agreed to this.

With regards to her first question, Fiona Davidson asked what the authority was doing to make sure that more disadvantaged 2 year old children were taking up nurse provision. The Cabinet Member for Children, Families and Lifelong Learning explained that targeted publicity was used along with social media campaigns to encourage take up. Take up was also publicised via partners such as health visitors and community practitioners. With regards to her second question, Fiona Davidson stated that the level at which government had set the rates for the introduction of the new early age funding would not encourage as many high quality providers. She asked if the Cabinet Member had any concerns around this. The Cabinet Member stated that at this stage this had not been highlighted as a concern but would continue to work with the early years commissioning team to keep an eye on this.

22/24 PETITIONS [Item 4c]

There were none.

23/24 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

There were none.

24/24 REPORTS FROM SELECT COMMITTEES, TASK GROUPS AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

There were none.

25/24 LEADER / DEPUTY LEADER / CABINET MEMBER/ STRATEGIC INVESTMENT BOARD DECISIONS TAKEN SINCE THE LAST CABINET MEETING [Item 6]

There were no decisions to note.

26/24 PROVISION OF PRIMARY SCHOOL PLACES IN THE PLANNING AREA OF REIGATE [Item 10]

The Leader explained that Item 10 and Item 4b on the agenda would be considered together. The issues surrounding Reigate Priory Junior School had been long standing and a way forward was needed.

The report was introduced by the Cabinet Member for Children, Families and Lifelong Learning who explained that the council desired the best outcome for children attending Reigate Priory Junior School which required a safe and productive teaching environment. The future of the school had been a complex issue. The council initially wanted the school to remain on the current site but there were a number of issues including health and safety which meant this option was not reasonably feasible or deliverable. The report explains why the school cannot remain in the current building. The Department for Education agrees that the current school building is not in line with modern learning requirements and that any re-provision or redevelopment of a like-for-like school on the same site is restricted. Although the current school building is rich in heritage and in an idyllic location, there are a number of restrictions with the building including accessibility issues, a public right of way which runs through the current site, issues with classroom heating, not enough toilets and roofing issues. As the building is a Grade I listed building there are restrictions on the building.

The report recommends establishing an education working group to explore reorganisation for the Reigate Primary Planning Area. Alongside this, it is also recommended that the live planning application (Reference RE22/01796CON) is pursued to fully understand if building a school on a new site at Woodhatch Place is viable. The recommendations from the working group would be shared with Cabinet in the summer.

There were three public questions. Kate Gray stated that the Cabinet should be aware that the Department of Education and Reigate and Banstead council have stated that reprovision of the school on the existing site was achievable. She asked if the council would remove the exclusion on full reprovision on the existing site from the working group scope and focus the working group on properly evaluating this option. The Cabinet Member for Children, Families and Lifelong Learning stated that the decision that the current site was not suitable for redevelopment was reached through extensive feasibility work conducted by the Department for Education in consultation with Reigate and Banstead Borough Council's planning and conservation teams, as well as Historic England representatives.

Chris Morris stated that he did not believe that public consultation regarding the future of the school was fair and open, and therefore did not adhere to the principles of a lawful consultation. He was concerned as to why the option for the school to remain on the current site had been removed from the scope of the working group and asked if the council could review this.

Richard Oldham attended the meeting on behalf of Justin Gibson and asked if Cabinet would reverse the exclusion of the current site in the scope of the working group, remove Woodhatch place from options A and B in the report recommendations and if Cabinet Members could then tender their resignations.

The Leader stated that the report clearly set out why the current site was not a feasible option for the future of the school. Woodhatch Place would not be removed as an option as a possible school site and would be considered by the working group. The Leader clarified that Reigate and Banstead Borough Council was not responsible for providing school places. In terms of resignations of Cabinet Members, this would ultimately be decided at the ballot box in May 2025. The issue at hand was difficult but ultimately the current school building was unsafe and a decision needed to be progressed on the future of the school. This would be considered by the working group who would start their work imminently with a decision coming back to Cabinet in either June or July 2024.

RESOLVED:

1. That Cabinet pursue option 2, establishing a working group to explore reorganisation for the Reigate Primary Planning Area.
2. That Cabinet agree the timescales and scope for the working group as outlined in **Annex 1**.
3. That Cabinet agree to delegate authority to the Director of Land & Property in conjunction with the Executive Director of Children Families and Lifelong Learning to commission initial desk-based viability studies up to £0.6m.
4. That Cabinet pursue the determination of the live planning application (Reference RE22/01796CON) for option 1, to establish if this is a viable option.

Reasons for Decisions:

As the majority of respondents to the consultation selected option 2, the recommendations are to continue to look for alternative solutions and pursue option 2 by establishing a working group to explore re-organisation options as set out in recommendation 1.

It has not been possible to identify any potentially viable sites other than Woodhatch Place, or to identify a solution for Reigate Priory Junior School (RPJS) to remain a 600-place junior school on the current site for the reasons set out in **Annex 2 of this report**. The working group will look at re-organisation options to provide sufficient school places in the area. Possibilities could include the Woodhatch site and the existing school sites, including the potential for a smaller school at Priority Park and other potential sites. The evaluation criteria are set out at Annex 1, this includes the need for any solution under Option 2 to be comparable in cost to Option 1. Cabinet Agreement for the timescales and scope of the working Group is sought under recommendation 2. More information about the role, functions and scope of the working group and timescales is available in **Annex 1: Working Group Terms of Reference**.

Surrey County Council would not ordinarily recommend a closure of a school that provides quality education and continues to meet the needs of local pupils, however, school closure or school closure as part of an amalgamation may be considered by the working group, if an alternative cannot be found, or if a school no longer meets the needs of children.

Recommendation 3 ensures relevant delegated authority to ensure sufficient feasibility is completed for any solution identified by the working group. There may be feasibility studies across multiple schools as part of the agreed option. The original site search for a 5FE (5 Form Entry) Junior school may be refreshed alongside any additional site search as part of option 2.

There is no guarantee of finding viable options and this process will further delay a secure future for RPJS. To ensure a continuity of sufficient school places for children and young people in Reigate, it would be sensible and reasonable that, as set out in Recommendation 4, Surrey County Council pursues determination of the live planning application to relocate Reigate Priory Junior School to Woodhatch Place, (Ref RE22/01796CON), by submitting additional information to address the issues identified by the Planning and Regulatory Committee when referring it back to the applicants. This is in order to fully understand if this option is a viable solution.

Recommendation 4 relates only to proceeding to determination of the planning permission. This is to keep all possible options open for consideration at this time and as a back-up if an alternative cannot be identified or if a more urgent need arises to re-locate RPJS from the current site. This is because of the uncertainties in making all the changes which may be necessary under option 2 and doing so within a reasonable time frame.

A further decision will be required by Cabinet later in 2024 to determine how to proceed, taking into consideration the recommendations of the working group and the outcome of the planning application.

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

27/24 PUBLIC QUESTIONS [Item 4b]

This item was considered alongside Item 10. There were three public questions. The questions and responses were published in a supplement to the agenda.

28/24 CABINET MEMBER OF THE MONTH [Item 7]

The report was introduced by the Deputy Leader and Cabinet Member for Customer and Communities who made the following points:

- Your Fund Surrey (YFS) has recently had its third anniversary with 35 large projects having been funded to-date, equating to a total of £17m in value. As a consequence, tangible, meaningful benefits had been realised for local communities, which support the County Council's priorities, particularly ensuring no one is left behind.

- Through Your Councillor Community Fund (YCCF) had now closed for the year with almost 400 funded projects across all areas of the County, with £1.3m having been allocated to projects to support local communities. Subject to the final applications being approved, it was anticipated that only £2-3k would be unallocated meaning Members had spent 99% of their allocation.
- The Council had invested £100k into the Community Foundation for Surrey 'Strategic Transformation Fund' - which with match-funding created a total of up to £230k. The fund was available to VCFS organisations to build their capacity and develop new sustainable business models enabling them to become more resilient and better placed to face the challenges and opportunities that may arise. In addition, the council would also be providing the VCFS Infrastructure organisations with the second tranche of one off "Sparks Funding" (£160k) which would enable them to offer direct easy access small grants for community led activity across the 21 key neighbourhoods.
- It was explained that plans were underway for the delivery of a new Domestic Abuse Offer in libraries – including additional training for staff, new and revised webpages detailing support available and specific events planned around the 16 Days of Action Against Domestic Violence.
- The Cultural Services team had recently submitted a bid to Arts Council England for £400k to support the development of the cultural hub in the new Staines library with a focus on youth leadership and a programme to support progression into the creative industries sectors.
- The Cabinet Member explained that a Customer Transformation Programme had been initiated and would review how the council organises its customer structures, systems and processes so that customers are better able to access what they need in more efficient and effective ways.

RESOLVED:

That the Cabinet Member of the Month update be noted.

29/24 SECURING A COUNTY DEAL FOR SURREY [Item 8]

The report was introduced by the Leader who explained that an agreement had been reached with DLUHC around a Level 2 county deal. An initial discussion between DLUHC officials and Surrey County Council senior officers in January 2024, set out the powers expected to be included in a level 2 deal, the requirements for securing a deal with government, and an indicative sequence of events necessary to secure a County Deal for Surrey. The Leader stated that a Level 2 deal would not lead to a local government reorganisation. Paragraph 7 of the report lists devolved powers available to the county council with a Level 2 deal. District and Boroughs had been supportive of the deal and supportive of greater devolution.

RESOLVED:

1. That Cabinet note the County Deal Draft Framework Agreement proposed by DLUHC as summarised in the Annex 1 of the report.
2. That Cabinet endorse officers progressing discussions and negotiations with Government to agree a draft agreement with DLUHC based on this offer.
3. That Cabinet approve the proposals to continue to engage stakeholders as part of agreeing a Draft Agreement and ahead of securing a final County Deal with government.
4. That Cabinet delegate authority to the Executive Director for Customers, Digital and Transformation, in consultation with the Leader and Interim Chief Executive, to finalise the Draft Agreement with DLUHC.
5. That Cabinet approve the proposal to bring a full report on the County Deal, including details of the secondary legislation required to devolve and confer functions to the Council, to a full Council meeting, at the earliest opportunity.

Reasons or Decisions:

The government's Levelling Up white paper and subsequent Levelling Up and Regeneration Act present an opportunity for the council to pursue a County Deal for Surrey that will bring new powers, freedoms and flexibilities, better enabling the council to deliver for residents against the 2030 Community Vision, the council's four strategic priorities set out in the Organisation Strategy 2023 - 2028 (Growing a Sustainable Economy; Tackling Health Inequality; Enabling a Greener Future; and Empowering Communities), and work towards the overarching ambition of No One Left Behind.

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

30/24 PROMOTING AND SUPPORTING SUSTAINABLE ECONOMIC GROWTH IN SURREY (LEP INTEGRATION) [Item 9]

The Cabinet Member for Transport, Infrastructure and Growth introduced the report explaining that the Government had announced changes to how economic growth functions would be delivered in local areas in August 2023. From April 2024, the Government would cease providing funding to Local Enterprise Partnerships (LEPs) and the functions previously held by LEPs will transfer to Upper Tier Local Authorities (UTLAs). In Surrey, this meant that most economic growth functions previously delivered by Coast to Capital LEP and Enterprise M3 LEP would transfer to the County Council and delivery of economic activity would be undertaken on a single Surrey footprint. The report highlights the key progress that had been made with the other UTLAs and LEPs on the disaggregation of programmes, funding, liabilities, and assets, outlines any outstanding issues, and provides more specific details on the implications of the latest government guidance and funding. The Cabinet Member listed the key functions and activity currently being delivered by LEPs

which would be transferred across to UTLAs as part of the LEP transition. These include the Growth Hub and Careers Hub. A full list could be found at paragraph 4. A strong governance structure would be put in place with a strong focus on business representation.

RESOLVED:

1. That Cabinet approves the council becoming an “Accountable Body” from 1 April 2024 for the purposes of collaborating with government on an integration plan and assurance for delivery of core LEP functions and government programmes across Surrey.
2. That Cabinet notes that from 1st April 2024 SCC will be recognised by Government as the lead for strategic economic planning and the delivery of economic growth functions in Surrey that were previously undertaken by LEPs. The new functions and responsibilities will be integrated within SCC’s existing economic growth function.
3. That Cabinet notes the progress made in transitioning LEP functions to the County Council from April 2024, through engagement with stakeholders, including relevant upper tier local authorities, Enterprise M3 LEP and Coast to Capital LEP.
4. That Cabinet delegates authority for concluding the work of transitioning LEP functions to the County Council from April 2024 to the Interim Executive Director for Customers and Communities and the council's Section 151 Officer, in conjunction with the Executive Director for Environment, Infrastructure and Growth, and in consultation with the Cabinet member for Environment, Infrastructure and Growth.

Reasons for Decisions:

To bring the significant strategic decision of the government and its consequent implications and opportunities to the attention of Cabinet and to ensure a smooth and effective approach to the transfer and integration of LEP functions for Surrey into the County Council.

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

31/24 EARLY YEARS EXPANSION OF ENTITLEMENTS AND SCHOOLS WRAPAROUND PROVISION [Item 11]

The item was introduced by the Cabinet Member for Children, Families and Lifelong Learning who explained that the report provided a description of the new Early Years Entitlements and Schools wraparound provision announced by Government in March 2023 to be implemented over the next 2 years with the first new entitlement starting in April 2024. The expanded early entitlement would support working families and would be fully funded through the Dedicated Schools Grant (DSG) and an additional Section 31 grant. The new entitlements offer exciting new opportunities to support our youngest residents at the earliest opportunity and to work closer with the early years sector. It was estimated that over the next three years the early years sector would need to expand by up to 12,000 places. The council would be working with the sector to help deliver these places.

RESOLVED:

1. That Cabinet notes the new funded entitlements for parents and the LA statutory duty to ensure a sufficiency of Early Years and Wraparound provision and the intended response to meet that obligation.
2. That Cabinet notes the expansion of teams within Children, Families and Lifelong Learning required in order to manage the implementation of the new entitlements and the strategic approach adopted to assure alignment with council priorities.
3. That Cabinet notes the intended grants and funding distribution process designed to effectively support schools and settings to deliver the entitlement.

Reasons for Decisions:

This is a new statutory duty that we are required to deliver and is fully funded by the Department for Education (DfE).

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

32/24 LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN PUBLIC REPORT REGARDING CONCERNS ABOUT THE DELIVERY OF EDUCATION FOR CHILDREN WITH ADDITIONAL NEEDS AND DISABILITIES (SEND) [Item 12]

The Cabinet Member for Children, Families and Lifelong Learning brought to Members' attention a public report which had been issued by the Ombudsman. In this report, the Ombudsman had found the Council to be at fault. The Cabinet Member gave specific details of the case explaining that the Council had failed to meet the statutory 20-week deadline for the education, health and care (EHC) needs assessment. This has been mainly due to a delay in obtaining advice from its educational psychology service. The Council accepted the Ombudsman's recommendations and an apology letter and financial remedy had now been actioned.

RESOLVED:

1. That Cabinet considers the Ombudsman's report and the steps that have been taken by the Service to address the findings;
2. That Cabinet considers whether any other action should be taken; and
3. That Cabinet notes that the Monitoring Officer will be bringing this report to the attention of all Members of the Council.

Reasons for Decisions:

There is a statutory requirement for the Monitoring Office to bring to Members' attention any public report issued by the Ombudsman about the Council which identifies it is at fault and has caused injustice as a result.

33/24 SURREY FIRE AND RESCUE SERVICE FIRE HOUSE AND TRAINING FACILITY [Item 13]

The report was introduced by the Cabinet Member for Fire, Rescue and Resilience who requested Cabinet approval for capital expenditure to redevelop the SFRS fire house and training provision and deliver a new facility which will be capable of providing crucial training for new staff and will facilitate the ongoing training of the existing operational personnel. The current facilities were not fit for purpose and the existing fire house and drill towers at this facility were reaching the end of their useful life. Parts for the ventilation system were no longer readily available due to this type of system being obsolete, requiring replacement parts to be refurbished or remade from second hand items. This had resulted in significant periods when the facility was non-operational. Redeveloping the site would also help reduce the Council's carbon footprint in a facility that is currently the highest carbon emitting asset within the council's estate. It was estimated that emissions would reduce by over 90% from the current levels. The Cabinet Member for Property and Waste stated that the planning application for this facility would be submitted in June with construction commencing in April 2025. Cabinet Members welcomed the redevelopment and recognised the positive impacts it would have on staff training and skills.

RESOLVED:

1. That Cabinet approves capital funding from the pipeline to redevelop the Surrey Fire and Rescue Service (SFRS) fire house and training facility and design and construct a new fire house and training facility on the existing site. The capital funding required to develop the new facilities is commercially sensitive at this time and is set out in the Part 2 report.
2. That Cabinet approves procurement of appropriate supply chain partners to deliver the design, build and fit out of the new structures in accordance with the Council's Procurement and Contract Standing Orders.
3. That Cabinet notes that, regarding the procurement of supply chain partners, the Executive Director for Environment, Infrastructure and Growth and the Director of Land and Property are authorised to award such contracts, up to +5% of the budgetary tolerance level and any other legal documentation required to facilitate the approvals within this report.

Reasons for Decisions:

- Essential capital investment is required to enable the redevelopment of one of the SFRS critical assets – SFRS live fire training facility.
- The existing fire house and drill towers at this facility are reaching the end of their useful life. Parts for the ventilation system are no longer readily available due to this type of system being obsolete, requiring replacement parts to be refurbished or remade from second hand items. This has resulted in significant periods when the facility is non-

operational.

- There are several significant Health and Safety (H&S) concerns including internal linings falling from the ceiling, insufficient smoke extraction and ventilation which demonstrate that the facility is no longer fit for purpose.

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

34/24 MONTHLY BUDGET MONITORING- 2023/24 MONTH 09 [Item 14]

The Cabinet Member for Finance and Resources introduced the report providing details of the council's 2023/24 financial position, for revenue and capital budgets, as at 31st December 2023 (M9) and the expected outlook for the remainder of the financial year. At Month 9, the council was forecasting an overspend of £3.3m against the 2023/24 revenue budget, after the application of the contingency budget. This was a £1.5m deterioration since Month 8. The Cabinet Member stated that the council was in a robust financial position and its finances were separate to those of the district and boroughs who were experiencing some financial issues. The council's reserves were healthy and a decision had been taken to introduce spending control measures. There was a slight overspend with the Capital budget which was associated with the agile programme and the purchase of Victoria Gate.

The Leader highlighted that the overspend should be viewed against the council's overall budget of £1b.

RESOLVED:

1. That Cabinet notes the Council's forecast revenue budget (after the application of the full contingency budget) and capital budget positions for the year.
2. That Cabinet notes the implementation of spending controls in order to reduce the forecast overspend position and contain costs within the available budget.
3. That Cabinet notes the quarter end Balance Sheet Indicators as set out in Annex 2.

Reasons for Decisions:

This report is to comply with the agreed policy of providing a monthly budget monitoring report to Cabinet for approval of any necessary actions.

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

The Leader thanked the Chief Executive for all her efforts to improve the lives of Surrey residents since joining the council 6 years ago. The council had transformed under her leadership and guidance and was now in a solid position. Members wished the Chief Executive all the best in her new post at the LGA.

35/24 EXCLUSION OF THE PUBLIC [Item 15]

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.

36/24 SFRS FIRE HOUSE AND TRAINING FACILITY [Item 16]

The Cabinet Member for Fire, Rescue and Resilience introduced a Part 2 annex which contained information which was exempt from Access to Information requirements by virtue of Paragraph 3: information relating to the financial or business affairs of any particular person (including the authority holding that information).

The Cabinet discussed the capital expenditure involved with this work.

RESOLVED:

1. That Cabinet approves capital funding of [E-02-24] from the pipeline to redevelop the Surrey Fire and Rescue Service (SFRS) fire house and training facility and design and construct a new fire house and training facility on the existing site.
2. Approves procurement of appropriate supply chain partners to deliver the design, build and fit out of the new structures in accordance with Surrey County Council's (the Council) Procurement and Contract Standing Orders.
3. Notes that, regarding the procurement of supply chain partners, the Executive Director for Environment, Infrastructure and Growth and the Director of Land and Property are authorised to award such contracts, up to +5% of the budgetary tolerance level and any other legal documentation required to facilitate the approvals within this report.

Reasons for Decisions:

See Minute 33/24

37/24 PUBLICITY FOR PART 2 ITEMS [Item 17]

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

Meeting closed at 15:39

Chairman