

**MINUTES OF THE MEETING OF THE CABINET
HELD ON 24 APRIL 2018 AT 2.00 PM
AT ASHCOMBE SUITE, COUNTY HALL, KINGSTON UPON THAMES,
SURREY KT1 2DN.**

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

Members:

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

Associate Member:

* Ms Charlotte Morley

* = Present

Members in attendance:

Mrs Hazel Watson, Member for Woking South
Mr Jonathan Essex, Member for Redhill East

PART ONE
IN PUBLIC

61/18 APOLOGIES FOR ABSENCE [Item 1]

There were no apologies.

62/18 MINUTES OF PREVIOUS MEETING: 27 MARCH 2018 [Item 2]

The Minutes of the meeting held on 27 March 2018 were agreed.

63/18 DECLARATIONS OF INTEREST [Item 3]

There were none.

64/18 PROCEDURAL MATTERS [Item 4]

1 MEMBERS' QUESTIONS [Item 4a]

There were two questions received from two Members. The questions and responses were published as a supplement to the agenda.

Supplementary questions were as follows:

Q1. Mrs Watson asked how Members could be assured that lessons had been learned and that effective action had been taken. When would Members be able to undertake challenge and feedback to the report? She requested names of the individuals who undertook the learning review and

asked who at the Home Office (HO) was considering the report and when was the report sent to HO and by whom?

The Leader responded that he was happy with the response given to her original question. As for the Home Office, he was not accountable to them, but would try to find out but could not guarantee a response on that.

Q2. Mr Essex requested a breakdown of how the restructure hours of youth service was to be divided across the 11 boroughs and would there continue to be a service from the Redbridge site.

Mrs Clare Curran responded that a response would be provided, and that she would liaise with Mr Essex following the meeting to discuss these issues.

65/18 PUBLIC QUESTIONS [Item 4b]

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

The following supplementary question was asked:

Q2. Cllr Paul Fellows stated that there was confusion about the status of the school as places were still being offered but there was no alternative given.

The Cabinet Member for Education explained that the school had accepted applications for September 2018 but where parents had also put down schools where they could get in then these were offered in parallel. Those that had applied for schools where they would not be able to get in were not given any other offer. However, she reiterated that it was statutory duty for the provision of sufficient school places and parents would be given another quality option when the consultation was finished and the result was for closure.

66/18 PETITIONS [Item 4c]

There were no petitions.

67/18 REPRESENTATIONS RECEIVED ON REPORTS TO BE CONSIDERED IN PRIVATE [Item 4d]

There were none.

68/18 REPORTS FROM SCRUTINY BOARDS, TASK GROUPS, LOCAL COMMITTEES AND OTHER COMMITTEES OF THE COUNCIL [Item 5]

A report was received from the Communities Select Committee relating to the Surrey Performing Arts Library. A response to this was published as a supplement to the agenda.

69/18 LEADER / DEPUTY LEADER / CABINET MEMBER DECISIONS/ INVESTMENT BOARD TAKEN SINCE THE LAST CABINET MEETING [Item 6]

The Leader explained the rationale behind his decision to approve the appointment of a consultant. The appointed firm came highly recommended

by leaders of other councils and the money saved, from savings identified by the contractor would be worth the cost.

RESOLVED:

That the decisions taken by the Leader of the Council and the Investment Board, under delegated authority, be noted.

Reason for Decision:

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

70/18 FUTURE COMMISSIONING OF SCHOOL SUPPORT SERVICES [Item 7]

The Cabinet Member for Education introduced this report that described how schools were providing high quality inclusive education to support Surrey County Council's Corporate Strategy 2018-21, particularly in relation to Wellbeing and Economic Prosperity. It was explained that schools were a critical part of the whole education system which drives improved outcomes for children, particularly children from vulnerable and disadvantaged groups, and helped future growth of the Surrey economy.

She explained how Surrey County Council (SCC) had formed a successful joint venture in 2004 for the delivery of school support, both for the local authority and to trade directly with schools. The joint venture, now with Babcock, worked under the operating title of Babcock 4S (B4S) and provided services under contract to SCC as well as trading directly with Surrey schools and beyond Surrey. At that time, this was an innovative development, anticipating increasing school autonomy and a shift in purchasing power for school support from the Local Authority to schools.

The Cabinet Member went on to explain how, since 2004, the Local Authority's direct purchasing has declined significantly; the value of the first service delivery agreement was £9.1m, this rose to its highest value of £12.4m in 2008/9 and it is now £2.54m in 2018/19. Trading with schools now accounts for over 80% of the joint venture's Surrey based turnover. The direct trading with schools will continue but the Local Authority's contract cannot be extended beyond 31 March 2019 (the end date specified within the original procurement process.) Schools were now much more diverse with 30% being academies or free schools.

She explained the rationale behind the three charts A-C which gave details of services provided and how they were to be provided. It was thought that there would not be a great saving to be had from these proposals. There would also be a slight negative impact on some staff but none for residents.

In response to Member queries the Cabinet Member for Education confirmed that support would still be available for school governors and that the providers would be qualified to provide the same type of training. She also confirmed that if a school was no longer managed by the local authority, they could buy back the tree safety/assessment service.

The recommendations were unanimously agreed.

RESOLVED:

That the future commissioning approach for the LA/school support services funded by the Council and set out in paragraphs 14 a-c (financial details in part 2) of the submitted report be agreed.

Reason for decision:

The recommended approach best fitted the County Council's strategic direction, financial position and enabled the Council to meet its legal responsibilities. The recommendations for statutory and strategic school support services for SCC, alongside the development of schools led support and challenge for school effectiveness, would help drive improvement to achieve a high quality education for all children in Surrey. An analysis of each statutory or key strategic activity had been undertaken and an assessment of all possible future delivery mechanisms had been made.

71/18 ECONOMIC GROWTH THROUGH INVESTMENT IN INFRASTRUCTURE - EM3 AREA [Item 8]

The Cabinet Member for Highways introduced this report that described how the Local Enterprise Partnerships (LEPs) were responsible for setting the strategic framework for economic growth, through the development of Strategic Economic Plans. Delivery of plans was supported through the Local Growth Fund (LGF), a competitive fund managed by the LEPs.

An important element of this was investment in transport infrastructure in order to tackle congestion and unlock economic growth. In Surrey, the County Council had worked with the 2 LEPs (Coast to Capital (C2C) and Enterprise M3 (EM3)), Elmbridge Borough Council, Guildford Borough Council and the bus companies in the Guildford area to develop these plans and to develop and deliver schemes that supported delivery of economic growth objectives. These partner organisations had been critical in enabling the County Council to develop a fully funded programme.

For the funding period 2018/19 – 2020/21, EM3 LEP had agreed 10 Expression of Interest projects in Surrey as described in Annex A to the report. Approval was now sought to submit Business Cases to the EM3 LEP for capital funding for three of these projects as described in Annex B to the report. The LEP required a minimum of 25% match funding for LGF bids. The match funding for the first two schemes listed above had come from other sources, including Elmbridge Borough Council and the bus operators within Guildford.

However, to support delivery of the transport investment programme, Surrey County Council (SCC) was required to contribute £1.312m of capital funding, to provide match funding for the A31 Resilience project (between the County Boundary with Hampshire and the A331 Blackwater Valley Road junction). SCC had already spent £0.7m on capital repairs to the A31 following failure of the road in extreme heat in 2017. This means that some of the Resilience project has already been completed, and the LEP have indicated that they might be willing to use this as part of the contribution. If this was the case, then SCC would need to make an additional contribution of £0.612m. The EM3 LEP would not make that decision until the business case has been

submitted (planned 30 April 2018), and the project had been assessed through the Independent Assurance and reported to the EM3 LEP at a planned meeting towards the end of June 2018.

In response to Member queries the Cabinet Member for Highways confirmed that other boroughs and districts would be invited to future discussions around partnership working.

The Cabinet Member for Highways thanked officers for the work put in so far.

RESOLVED:

1. That three business cases for transport infrastructure projects to the EM3 LEP be submitted, in order to bid for capital funding from the Local Growth Fund, namely:
 - Brooklands Accessibility (Elmbridge)
 - Quality Bus Corridor improvements (Guildford)
 - A31 Resilience (Guildford)
2. That Surrey County Council's share of required remaining local contribution [matched funding], up to a maximum of £0.612m towards the A31 Resilience scheme be approved.

Reason for decisions:

Inadequate transport infrastructure was identified as the biggest barrier to economic growth in the county. If the bids were successful, the EM3 LEP would contribute up to 75% of the capital scheme cost, with the remainder to be provided as match funding. In terms of match funding, working with Elmbridge Borough Council together with bus operators within Guildford, a significant amount of match funding had been identified for two of these projects as follows;

- Brooklands Accessibility (Elmbridge) - the match funding had been fully funded through Elmbridge Borough Council Community Infrastructure Levy (CIL).
- Quality Bus Corridor improvements (Guildford) - the match funding had been fully funded through the bus operators.
- A31 Resilience (Guildford) - the proposed match funding is a mixture of £0.7m that had already been spent on emergency repairs during the summer of 2017, subject to LEP approval that this spend could be counted as match, and additional capital contribution from SCC.
- If the £0.7m of match funding was not accepted by the EM3 LEP the A31 Resilience project may become a smaller project based on the funding available.

72/18 CAMBERLEY, THE MEADOWS GYRATORY MAJOR IMPROVEMENT SCHEME [Item 9]

The Cabinet Member for Highways introduced this report and highlighted the following details from it. The Meadows was a major gyratory providing connectivity between the M3 with the A30 and a key access route into Camberley town centre. High levels of congestion on this strategic highway network led to significant and regular queuing on the A30, A331 and A321

approaches. Improvements to the Meadows Gyratory aimed to reduce delays and reduce congestion. The proposed scheme addressed the constraints and capacity issues, improving access to Camberley town centre for all modes of transport. The improvements were an important component to ensure the future well-being of Camberley and resilience on the A30.

Following assessment of tenders received from contractors under the GEN3-2 Civil Engineering, Highways and Infrastructure Works Framework, a competitive tender process was complete. The project was at a stage where Cabinet's approval was sought to approve the award of the contract for the works to the recommended tenderer.

As a result of decisions to minimise disruption on the network, namely to deliver the scheme at night and to delay implementation until completion of the M3 Smart Motorway, the final cost of the scheme exceeded the approved budget, by £646,000. It was reported that residents and businesses had expressed support for the night time delivery work.

The Business Case has reported that the scheme would contribute to an increase of 1,675 jobs worth £86m Gross Value Added (GVA) to the local area. Additionally this investment in road building, new retail floorspace and housing development would generate a total of £288m of new investment for the area.

Consultation with local businesses and residents was held in 2016 and 2017 with the support of the Yorktown and Watchmoor Business Association. The public were consulted on the scheme at the A30/Camberley Town Centre Highway Improvements Public Consultation held in 2017. Surrey County Council (SCC) had demonstrated that it actively acted on feedback from the public as SCC had introduced changes to the traffic management plans for the A331 Orange Cycle Route and Stanhope Road Junction construction to further reduce the inconvenience caused by the construction work.

The business case has been produced in partnership and with the support of Surrey Heath Borough Council who were providing significant matched funding for the scheme.

Cabinet Members expressed their support for night working as this would cause the least upheaval for residents.

The Cabinet unanimously agreed the recommendations.

RESOLVED:

1. That the award of contract for the works for the Meadows Gyratory Improvement Scheme to the recommended contractor, as detailed in the Part 2 report, be approved.
2. That the allocation of up to £646,000 from the Place Development capital budget to meet the funding shortfall be approved.

Reasons for decisions:

The aim of this project was to improve the transport network in Surrey Heath to deliver journey time reliability, increased accessibility, reduced journey time and encourage shift in modes of transport.

The Meadows Gyratory Improvement scheme would deliver the following outcomes:

- Reduced delays and reduced congestion on this busy gyratory.
- Improved access to Camberley town centre for all modes of transport.
- Improved signal crossings and traffic islands to protect pedestrians and cyclists.
- A positive impact on employment resulting from improved accessibility to make the area more attractive for businesses to invest and help improve the attractiveness of retail and leisure in the area.
- The scheme would help to enable to generate approximately 540 full time employment (FTE) jobs by helping to fill Camberley's vacant employment space and contribute to securing around 210 Full Time Equivalent ('FTE') at the London Road Revitalisation Area site. In addition, approximately 1,000 transport and storage jobs in the area could be secured as a result of the scheme.
- The provision of improved pedestrian and cycling facilities would be of benefit to those living in areas of relative deprivation and provide good quality alternative options to the car, using walking, cycling, bus/rail to access areas of employment, retail and educational establishments.
- The reduction in travel time through Meadows would help improve business and staff productivity caused by less work commuting and driver stress. This would contribute to the increase in efficiency of logistics to local business parks.

The biggest benefits were for movements approaching the roundabout on the A30 to the West of the junction and, in particular, those turning right as those vehicles would no longer need to traverse the roundabout. There was also generally benefit for traffic approaching from the A321 as these movements were no longer opposed by the large flow from West to South traversing the roundabout.

A competitive tender for the works for Meadows Gyratory Improvement Scheme was complete. The offer from the recommended Tenderer named in Annex 1 provided best value for money.

The Meadows Gyratory was a key location in the highway network and a critical concern was the impact on the local network during the construction period. As a result, a decision was taken to delay the works until the completion of the M3 Smart Motorway and to undertake the works at night. These factors had resulted in cost increases from the original estimates.

73/18 LEADERSHIP RISK REGISTER [Item 10]

The Cabinet Member for Property and Business Services introduced the Leadership risk register which was presented to Cabinet each quarter, and highlighted L1 on the register whilst explaining that the new Chief Executive was to put in place a transformation programme.

The Cabinet Member for Environment and Transport explained, for the benefit of residents, that underneath this register lay detailed operational risk registers for service areas.

RESOLVED:

The Surrey County Council Leadership risk register (Annex 1 to the submitted report) was noted and the control actions put in place by the Corporate Leadership Team were endorsed.

Reason for decision:

To enable the Cabinet to keep Surrey County Council's strategic risks under review and to ensure that appropriate action was being taken to mitigate risks to a tolerable level in the most effective way.

74/18 FINANCIAL BUDGET OUTTURN 2017/18 [Item 11]

The Leader of the Council explained that the budget outturn report for 2017/18 showed that Surrey County Council achieved an underspend of £1.3m – the eighth year in a row that the Council had managed to achieve a balanced budget or underspend, despite reductions in Government grant and growing demand for services.

He further explained that the Council had delivered savings of £80m in 2017/18 – the highest ever figure in a single year, and annual costs had been reduced by £540m since 2010. However, the Council was very aware that a great deal more needed to be done in future to continue to balance the books and provide services that residents expected. He stated that it was expected that the challenge was going to get harder. It was important that everyone worked together as one team because the Council needed to save a further £250m from the annual budget within the next three years and that this would require a great deal of change in how services were provided to residents.

This challenge was an opportunity to transform how the Council served its residents and an opportunity to transform how the Council worked with its partners, the voluntary sector and businesses. It was recognised that it would be difficult and some of the changes controversial, but that it would provide lasting improvement for communities.

The Leader thanked the Director of Finance and her team for the hard work in putting this report together early, which was a major achievement. He explained that the Cabinet would not normally see the outturn report until the September.

Each Cabinet Member was given the opportunity to highlight key points and issues from their portfolios.

The Cabinet Member for Adults thanked staff in Social Services for all their hard work which was reiterated by the Leader who explained that staff had worked very well with the NHS in order to get people back to their homes in a timely manner.

The Cabinet Member for Children explained some of the causal factors for the overspend in her service area. With regard to Unaccompanied Asylum Seeking Children (UASC) the Leader reported that he had put it to the Government that some of the overseas budget should be used to help fund looking after these children. He would continue to argue for this.

The Cabinet Member for Highways explained that the service had come in on budget.

The Cabinet Member for Environment and Transport reported a £3.8m overspend on the waste budget. Due to the delays in the Ecopark savings had been made against that so overall had come in on budget and was able to donate to the sinking fund.

The Cabinet Member for Education reported that there was a £9.3m overspend to go forward to next year and explained how she was working with schools to ensure that children with SEND were kept as close to the county as possible.

The Cabinet Member for Health reported that the Council has received repayment from the East Surrey Clinical Commissioning Group. The Leader explained that he and the Chief Executive were awaiting a date to meet with the Secretary of State for Health to discuss funding for public health.

The Cabinet Member for Communities expressed thanks to the fire service for their commitment, discipline and looking after the service.

RESOLVED:

To note that:

1. The Council achieved £1.3m overall revenue underspend for 2017/18 (Annex 1, paragraph 1 of the submitted report). This was the eighth successive year the Council had achieved a small underspend or balanced outturn. The £1.3m underspend was less than 0.08% of the Council's £1,672m gross expenditure budget for 2017/18.
2. Services achieved £80m total savings against £95m agreed savings plans and £104m target (Annex 1, paragraph 52 of the submitted report).
3. The Council planned to transfer £11.8m from reserves to balance 2017/18. After transferring the net underspend for 2017/18 and other movements in the year, the closing balance for earmarked reserves as at 31 March 2018 was £81.4m. After deducting planned use of £20.9m earmarked reserves to balance 2018/19, this left £60.5m earmarked reserves and £21.3m general balances, which the Director of Finance considered to be the minimum safe levels.
4. The underspend did not include £1.0m revenue carry forward requests for spending on planned service commitments that continue beyond 2017/18 (Annex 1, paragraphs 49 to 51 and Annex 3 of the submitted report). If Cabinet agreed to fund all carry forward requests, earmarked reserves brought forward as at 1 April 2018 would fall to £59.5m.

5. The Council invested £212m through its capital programme in 2017/18, comprising £109m service capital programme (59% of the original service capital programme) and £103m long term investments (Annex 1, paragraph 65 of the submitted report). Services had requested to carry forward and reprofile £35m capital expenditure.
6. The Council's year end earmarked reserves and balances, debt analysis and treasury management report (Annex 1, paragraphs App 7 to App 23 of the submitted report).
7. All services must continue to take all appropriate action to keep costs down and optimise income (e.g. minimising spending, managing vacancies wherever possible).
8. The Section 151 Officer's commentary and the Monitoring Officer's Legal Implications commentary in paragraphs 16 to 19 of the main budget monitoring report to Cabinet state that the Council had a duty to ensure its expenditure did not exceed resources available and move towards a sustainable budget for future years.

That the following be approved:

9. £1.3m transfer of net 2017/18 underspend to the Budget Equalisation Reserve.
10. £1.0m revenue carry forward requests to be funded from the Budget Equalisation Reserve (Annex 1, paragraph 50 and Annex 3 of the submitted report).
11. £2.1m capital virement requests within Highways & Transport (Annex 1, paragraph 67 of the submitted report).
12. As in 2017/18, that Cabinet approves services' draw down of amounts carried forward, as and when they are needed, as part of the monthly budget monitoring process (Annex 1 of the submitted report, paragraph 51 for revenue and paragraph 69 for capital).
13. £3.9m transfer of Revolving Infrastructure & Investment Fund net income to the Budget Equalisation Reserve (Annex 1, paragraph 71 of the submitted report).

That the following be carried forward:

14. That the £34.9m capital programme reprofiling and carry forward requests as in (Annex 1, paragraphs 68 to 70 and Annex 3 of the submitted report) be subject to further discussions involving the Leader, Chief Executive and Director of Finance before coming back to the next meeting of Cabinet for a decision.

Reasons for decisions:

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

75/18 FORMATION OF RUNNYMEDE JOINT COMMITTEE [Item 12]

The Cabinet Member for Communities introduced this report which described the positive partnership working between Surrey County Council (SCC) and Runnymede Borough Council (RBC) and the proposal to create a Joint Committee in place of the current SCC Runnymede Local Committee.

The new partnership arrangement would speed up decision making, improve outcomes for residents and strengthen local democracy. This embryonic approach is intended to enable closer working and to provide the ability to jointly respond to local issues for the benefit of residents. The change would also enable a more integrated approach to service delivery, planning and would support the County Council's vision for services shaped around places and communities.

The Joint Committee would have an extended remit over and above that of the current Local Committee and would operate under an agreed framework for an initial 12 month pilot, with the scope to delegate additional functions after this time in a structured format.

The Cabinet Member reported that Runnymede Borough Council had agreed the recommendations. She also explained that this would be the third such joint committee and thanked the Community Partnerships Team for their work.

Several Members spoke in support of the recommendations and for the use of joint committees which sped up decision making and were welcomed by residents.

RESOLVED:

That Cabinet makes the following recommendations to the Full County Council on 22 May 2018:

Cabinet recommendations to Full Council:

1. That Council agrees to the establishment of the Runnymede Joint Committee.
2. That Council agrees to the delegation of the non-executive functions to the Runnymede Joint Committee.
3. That Council appoint a Chairman of the newly formed Runnymede Joint Committee from 18 June 2018, when the Joint Committee would hold its first meeting.
4. That authority be delegated to the Director of Legal, Democratic and Cultural Services, in consultation with the Leader of the Council, and the SCC-appointed Chairman or Vice-Chairman of the Runnymede Joint Committee, to agree to any minor amendments to the Constitution, which may be required.

Reasons for decisions:

Cabinet and full Council agreement was required to establish a Runnymede Joint Committee, to replace the current Local Committee arrangements; to

delegate recommended executive functions to the newly formed Runnymede Joint Committee; and to agree the Constitution and Standing Orders under which the newly formed committee would operate.

Joint Committees were an innovative two tier response to central government policy initiatives. Positive conversations were being held with other Surrey Borough and District Councils on the formation of further Joint Committees with SCC.

The creation of the Runnymede Joint Committee builds on a strong track record of joint and collaborative working between the two authorities and provided a platform on which future joint arrangements would be co-ordinated.

This approach has already proved successful in Woking and Spelthorne, where Joint Committees had been operating since June 2014 and January 2017 respectively and had been shown to improve partnership working.

The new Joint Committee would simplify and speed-up local decision making processes, enabling for the first time, all functions and budgets delegated to it to be jointly decided upon.

Cabinet (and full Council) approval was sought at the current time in order for a Runnymede Joint Committee to be established from the beginning of the new municipal year in May 2018.

The Runnymede Joint Committee proposal was complementary to the work and remit of the current cross-party Local/ Joint Committee Review Group. The review aims “to set out the council’s vision for local governance and engagement including the future role of local/ joint committees in supporting members in their role as community leaders”, an aim reflected in the ambition of the proposed Joint Committee. The Chairman of the Review Group Councillor Mary Angell is the current Chairman of the Runnymede Local Committee and very supportive of the Joint Committee proposal.

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76/18 EXCLUSION OF THE PUBLIC [Item 13]

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.

77/18 FUTURE COMMISSIONING OF SCHOOL SUPPORT SERVICES [Item 14]

The Cabinet Member for Highways introduced this Part 2 annex report that contained information which was exempt from Access to Information requirements by virtue of paragraph 3 – Information relating to the financial or business affairs of any particular person (including commercially sensitive information to the bidding companies).

The information contained in this report may not be published or circulated beyond this report and would remain sensitive for the duration of the contract.

RESOLVED:

The indicative costings for in house provision of specific services to be transferred from B4S was noted and, subject to agreement of the future commissioning approach in Part 1, that detailed work could commence to fully identify and assess all potential future commitments and liabilities was agreed.

Reason for decisions:

To clarify those services for which the Council would support future in house delivery and thereby enable more detailed discussions, including those related to staffing and TUPE arrangements with B4S.

78/18 CAMBERLEY, THE MEADOWS GYRATORY MAJOR IMPROVEMENT SCHEME [Item 15]

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RESOLVED:

See Minute 72/18

Reason for decisions:

See Minute 72/18

79/18 PUBLICITY FOR PART 2 ITEMS [Item 16]

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

Meeting closed at 3.54 pm

Chairman