

County Council Meeting – 8 October 2019

## REPORT OF THE CABINET

The Cabinet met on 16 July 2019 and 24 September 2019.

In accordance with the Constitution, Members can ask questions of the appropriate Cabinet Member, seek clarification or make a statement on any of these issues without giving notice.

The minutes containing the individual decisions for 16 July and 24 September meetings are included within the agenda at Item 15. Any Cabinet responses to Committee reports are included in or appended to the minutes. If any Member wishes to raise a question or make a statement on any of the matters in the minutes, notice must be given to Democratic Services by 12 noon on the last working day before the County Council meeting (Monday, 7 October 2019).

For members of the public all non-confidential reports are available on the web site ([www.surreycc.gov.uk](http://www.surreycc.gov.uk)) or on request from Democratic Services.

### REPORTS FOR DECISION

#### A. UPDATED STATEMENT OF COMMUNITY INVOLVEMENT

At its meeting on 24 September Cabinet discussed the amended Statement of Community Involvement (SCI) which was the Council's public statement of how it engaged with the public and consultees on planning applications and planning policy documents.

#### Cabinet RECOMMENDS that Council:

Adopt the revised Statement of Community Involvement (SCI). (Attached as annex A).

#### Reason for Decision:

It is a statutory requirement to produce the SCI and to keep it up to date. The current SCI was adopted in 2015 and this revision takes account of changes in legislation and policy.

### REPORTS FOR INFORMATION / DISCUSSION

At its meeting on 16 July, Cabinet considered the following:-

#### B. PROPOSAL TO CHARGE MAINTAINED SCHOOLS FOR THE COST OF CONVERSION TO BECOME AN ACADEMY SCHOOL

There are costs for the Department for Education (DfE), maintained schools and their maintaining authorities when a school converts to become an academy. Schools are given a grant to contribute to their costs but local authorities get no financial support. Local authorities must either bear the full cost of the work they undertake by law to facilitate transfers of status, or charge the converting school the costs, which they are entitled to do. The costs nationally of schools converting to become academy trusts (or becoming a part of an existing trust) are high. The

House of Commons committee of public accounts estimated in its report, published in July 2018 and entitled 'Converting schools to academies', that the cost to the government of conversions had been £745,000,000 since 2010.

**Cabinet AGREED:**

1. The charging of schools for the costs to the council on an 'averaged' basis was approved.
2. That charges of £6,000 for a community or voluntary controlled school, £5,000 for a voluntary aided school (which does not require HR service input); £4,000 for foundation or trust schools (which do not require human resource or property service input); and charges to be negotiated on a case by case basis for private finance initiative (PFI) schools was approved.
3. That annual consideration of charges, taking account of any inflation or deflation in the specific areas of work, be delegated to the Executive Director for Children, Families and Learning and that the Council's constitution be amended to allow the scheme of delegation to reflect this.
4. That charges be levied for any new school formally requesting to convert to academy status (upon receipt of approval from the Department for Education) from 1 September 2019 was agreed.

**C. CREATION OF A NEW SPECIALIST CENTRE AT WORPLESDON PRIMARY SCHOOL IN PARTNERSHIP WITH FREEMANTLES SCHOOL PROVIDING 21 PLACES FOR PUPILS WITH HIGH COMMUNICATION AND INTERACTION NEEDS**

Cabinet considered a report that sought agreement to the proposal for a new specialist centre to be developed at Worplesdon Primary School in partnership with Freemantles School. This would create places for primary pupils with an Education Health and Care Plan (EHCP) and who have Communication and Interaction Needs (COIN) in Surrey. The specialist centre will be based at Worplesdon Primary School and operated in partnership with Freemantles School.

**Cabinet AGREED:**

1. That the proposal to build a specialist centre at Worplesdon Primary School in partnership with Freemantles School, be agreed in principle, and the project to proceed subject to a full public consultation and statutory notices was approved.
2. That the funding for this project be allocated from the Special Education Needs & Disabilities Capital Grant of £10.7m and the scheme be added to the Capital programme, as detailed in the Part 2 annex of the submitted report.

**D. PROPOSAL TO ENTER INTO A LOCAL EDUCATION PARTNERSHIP WITH SCHOOLS ALLIANCE FOR EXCELLENCE**

Approval was sought for the council to be a partner in a new, not-for-profit company, which was to be called the Schools Alliance for Excellence (SAfE).

This was a partnership – between schools, both maintained schools and academies, the Surrey Teaching Schools Network (STSN) and Surrey County Council – to continue to improve the quality of education in Surrey.

Following the end of the Babcock 4S contract, it was proposed that the council should commission SAfE to provide a number of services previously provided by that company. In the first instance, these services were those relating explicitly to school improvement but as SAfE establishes itself, it is anticipated this commission may be extended to other areas.

The report set out the proposed outcomes for the three-year period of the initial commission (1 September 2019 to 31 August 2022). As indicated in Surrey County Council's Joint Strategic Needs Assessment (2019), most children in Surrey succeed without intervention from the council. Consequently, in line with Surrey's community vision for 2030, these commissioning intentions should have a particular focus on the progress and outcomes of the most vulnerable children and young people with the aim of increasing their educational engagement and achievements and in closing the gap in attainment levels. Independent schools can benefit from SAfE services but cannot be part of the partnership.

**Cabinet AGREED:**

1. That the establishment of the new school-led partnership for improvement in Surrey known as the Schools Alliance for Excellence (SAfE) be approved.
2. That the Council's participation as a member of SAfE with two officers of the Council to be appointed to the board of directors of the company be endorsed.
3. That the commission SAfE lead and manage Surrey's school improvement strategy for an initial three years, from September 2019 to 2022 was agreed.
4. That delegated authority be given to the Executive Director for Children, Families, Lifelong Learning and Culture, in consultation with the Cabinet Member for All-Age Learning, to agree, as appropriate, to SAfE being contracted for further council commissions over the next three years was agreed.
5. That the Council act as the 'supervising authority' for SAfE was agreed.

**E. CHILDREN'S IMPROVEMENT UPDATE**

Cabinet considered an update on the delivery of Surrey's Children's Improvement Plan, the findings from the Commissioner's interim review and the recent Ofsted Monitoring Visit and Annual Conversation. A progress update was provided on the service restructure and transformation work to implement and embed the new model for Surrey's Children's Services.

The report showed the huge amount of progress made to improve children's services and was supported by the recent external scrutiny. The Commissioner stated that "the authority had made rapid and solid progress since submitting his original report [to the Department for Education]" and Ofsted inspector's fed back that we have "achieved a fundamental aim of the remodelling" and have "made substantial progress...through the newly implemented 'front door' arrangements".

**Cabinet AGREED:**

1. The progress made delivering the Children's Improvement Plan and the findings from the recent Children's Commissioner Re-Visit, Ofsted Monitoring Visit 03 and Ofsted Annual Conversation was noted.
2. That Cabinet review progress in December 2019 on the delivery of the Children's Improvement Plan and the findings from subsequent inspections was agreed. (The Children's Commissioner will be conducting a further review of our improvement work in October 2019 and Ofsted will next conduct a Monitoring Visit in October-November 2019.)

**F. PROVIDING COUNCIL TAX RELIEF FOR SURREY'S CARE LEAVERS**

Care Leavers experience a range of challenges in their lives and, by the nature of having the legal status of a care leaver, it means they have spent time in the care system as a 'looked after child/young person'. This included unaccompanied asylum seeking children.

One of the challenges that Care Leavers face was finding and paying for accommodation as a young adult, which included living on their own. Surrey is an expensive place to live including paying for accommodation. Currently in the local authority area of Surrey a small number of district and borough areas were providing council tax relief for care leavers, however this was not a consistent offer or a consistent geographical offer resulting in unfairness.

The Cabinet was asked to agree in principle to support care leavers by paying the Surrey County Council proportion of Council Tax (around 75% of the total amount of Council Tax), for those care leavers living by themselves (independent living) or sharing with others with some support (semi-independent living).

**Cabinet AGREED:**

1. That Council Tax Relief be provided, for the Surrey County Council proportion of Council Tax, for Care Leavers (living in and out of the county) in independent and semi-independent living arrangements from 1 April 2020 from the ages of 18-25 years old (up to their 25th birthday) was agreed in principle.
2. That for Care Leavers from the ages of 18-25 years old (up to their 25th birthday), living in independent and semi-independent living arrangements outside of Surrey County Council local authority area; that 75% of their Council Tax is paid for Surrey County Council was agreed.
3. That Cabinet review this each political cycle (i.e. every 4 years), including understanding the impact this has made for Care Leavers, with the first review taking place in 2021 following the County Council elections was agreed.

At its meeting on 24 September, Cabinet considered the following:-

**G. MAKING SURREY SAFER - OUR PLAN 2020 – 2023**

The Leader opened the discussion on this item by expressing gratitude to the fire service for the vital work they do and for their courage and commitment. He had

spoken to firefighters prior to the meeting and was aware of the passion and strength of feeling amongst them. He went on to explain that the intention of the Plan was to modernise the service for the next 20 years, that there was no intention to cut funding or cut the number of firefighters, in fact both would increase. Whilst understanding concerns of residents he hoped that they would place confidence in the experts of the fire service who had formed the Plan.

**Cabinet AGREED:**

That the “Making Surrey Safer – Our Plan 2020-2023”, be approved for publication and implementation.

**H. SCHOOL PLACE PLANNING: STRATEGY FOR SPECIALIST PLACEMENTS**

As part of the SEND transformation plan, approved by cabinet on 29 January 2019 a recommendation was made to provide more specialist school places in Surrey– in specialist provision in mainstream schools and in special schools – so that children with special educational needs and / or disabilities (SEND) could be placed closer to home. This would reduce travel time and enable children with SEND to be more a part of their local community, and, crucially, help to increase their progress, attainment and outcomes.

At present, there were insufficient places in mainstream (resourced places) and special schools in Surrey. This means the council is reliant on non-maintained independent schools (NMIs) to meet the demand. On average, these schools were much more expensive, not local to the child’s home, and rarely more effective than state-funded schools. Surrey currently has approximately 12 per cent of pupils with education, health and care plans (EHCPs) in NMIs. This is nearly double that of English local authorities (LAs), which have approximately six per cent of pupils with EHCPs in such provision, leading to significantly higher costs in the high needs block (HNB), which was the council budget used to fund SEN.

Officers had drafted a ten year place planning strategy, the aim of which was to provide a greatly improved environment for children with the highest level of specialist needs and increase their outcomes through more newly-built or refurbished state-funded, local provision. This strategy was in two parts:

- a four year plan, which is intended to provide an extra 883 specialist places, including 77 ‘bulge’ places, over that period. Each of these types of place provision will be reported to cabinet where appropriate as they are identified and require approval; and
- a broader 10 year plan, which is less specific and will be developed depending on whether improved practice reduces the need for specialist provision compared with current forecasts through more places within mainstream schools, but which currently projects the need for 1,693 additional specialist places in the period.

**Cabinet AGREED:**

1. That the SEND place-planning strategic approach for a ten-year period (2019 to 2029) be approved, in principle.
2. That the 77 bulge places for September 2019 be approved.
3. That future projects identified as part of the place planning strategy are, where appropriate, reported to cabinet or cabinet member for approval.

## **I. SURREY COUNTY COUNCIL'S RESPONSE TO STATUTORY CONSULTATION ON HEATHROW AIRPORT EXPANSION**

The statutory consultation on Heathrow Airport's Preferred Masterplan for the future expansion of the airport ran between 18 June 2019 and 13 September 2019. This was scheduled to be the last public consultation in advance of Heathrow Airport Limited (HAL) submitting an application for a Development Consent Order (DCO) to the Planning Inspectorate (PINS) for examination under the provisions of the Planning Act 2008 for determining Nationally Significant Infrastructure Projects (NSIPs). The scale and complexity of the expansion plans is considerable and the consultation material substantial; as well as a third runway and new terminal facilities, Heathrow's expansion will include modification of the M25 between junctions 14-15, replacement and re-routing of local roads, river diversions and flood storage, parking, environmental mitigation and a range of airport supporting facilities.

The draft consultation response attached at Annex A has been produced in consultation with Surrey County Council services impacted by the scheme and provides commentary on the specific issues that are likely to significantly affect Surrey residents, businesses and county council service interests.

As agreed with the Leader and relevant Cabinet portfolio holders, the draft response was submitted in time to meet the consultation deadline, but HAL is aware that this response is subject to political sign off following the end of the consultation period and has accepted that further comments may be provided before the end of September.

### **Cabinet AGREED:**

That the consultation response submitted to Heathrow Airport Ltd (HAL) and attached at Annex B be agreed.

## **J. QUARTERLY REPORT ON DECISIONS TAKEN UNDER SPECIAL URGENCY ARRANGEMENTS: 29 JUNE to 27 SEPTEMBER 2019**

The Cabinet is required under the Constitution to report to Council on a quarterly basis the details of decisions taken by the Cabinet and Cabinet Members under the general exception arrangements set out in Standing Order 55 of the Constitution. This occurs where a decision is required on a matter that is not contained within the Leader's Forward Plan (Notice of Decisions). Where a decision on such matters could not reasonably be delayed, the Chairman of the appropriate Scrutiny Board must be notified.

1. Two Part 2 items were dealt with at the 24 September meeting of the Cabinet. One item was a key decision and therefore dealt with under General Exception – Disposal of Waterman House and the Former Youth Centre, Woking. Details are included in the Minutes of the Cabinet at agenda item 20.

*[In accordance with Standing Order 56 (General Exception), the Chairman of the Resources & Performance Select Committee agreed that the decisions on this item could not be reasonably deferred so this item was not subject to call in]*

2. The second Part 2 item dealt with at the 24 September meeting of the Cabinet was an update report - Commercial Programme (Waste) Update. Details are included in the Minutes of the Cabinet at agenda item 19.

*[The Chairman of the Communities, Environment & Highways Select Committee was notified as this did not appear on the Leader's Forward Plan]*

***The Cabinet RECOMMENDS that the County Council notes that there has been two urgent decision in this quarter.***

**Mr Tim Oliver, Leader of the Council  
27 September 2019**

This page is intentionally left blank