

Notice of Meeting

Cabinet- Supplementary Agenda



<u>Date and Time</u>	<u>Place</u>	<u>Contact</u>	<u>Web:</u>
Tuesday, 26 March 2024 2.00 pm	Council Chamber, Woodhatch Place, 11 Cockshot Hill, Reigate, Surrey, RH2 8EF	Huma Younis or Sarah Quinn huma.younis@surreycc.gov.uk or sarah.quinn@surreycc.gov.uk	Council and democracy Surreycc.gov.uk  @SCCdemocracy

AGENDA

4 PROCEDURAL MATTERS

a MEMBERS' QUESTIONS

(Pages
1 - 2)

There are three Member questions. A response from Cabinet is attached.

b PUBLIC QUESTIONS

(Pages
3 - 4)

There is one public question. A response from Cabinet is attached.

5 REPORTS FROM SELECT COMMITTEES, TASK GROUPS AND OTHER COMMITTEES OF THE COUNCIL

(Pages
5 - 18)

For Cabinet to consider the following reports:

- A. Referred Council Motion 'Advertising & Sponsorship Policy' (Communities Environment and Highways Select Committee)- A response from Cabinet is attached.
- B. Surrey Utilities – Water and Wastewater Services (Communities Environment and Highways Select Committee)- A response from Cabinet is attached.

Leigh Whitehouse
Interim Chief Executive
Published: Monday, 25 March 2024

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QUESTIONS AND PETITIONS

Cabinet and most committees will consider questions by elected Surrey County Council Members and questions and petitions from members of the public who are electors in the Surrey County Council area.

Please note the following regarding questions from the public:

1. Members of the public can submit one written question to a meeting by the deadline stated in the agenda. Questions should relate to general policy and not to detail. Questions are asked and answered in public and cannot relate to “confidential” or “exempt” matters (for example, personal or financial details of an individual); for further advice please contact the committee manager listed on the front page of an agenda.
2. The number of public questions which can be asked at a meeting may not exceed six. Questions which are received after the first six will be held over to the following meeting or dealt with in writing at the Chairman’s discretion.
3. Questions will be taken in the order in which they are received.
4. Questions will be asked and answered without discussion. The Chairman or Cabinet members may decline to answer a question, provide a written reply or nominate another Member to answer the question.
5. Following the initial reply, one supplementary question may be asked by the questioner. The Chairman or Cabinet members may decline to answer a supplementary question.

CABINET – 26 MARCH 2024**PROCEDURAL MATTERS****Members Questions:****Question (1) Catherine Baart**

Consultants from the advertising industry have told officers there is a significant risk that a too strict and prescriptive approach to content will result in a greatly diluted commercial offer or media owners not bidding at all. Please share what Surrey County Council has established with regards to the actual experience of councils which have already banned high carbon products in their advertising policy? Using this evidence, what is the likely impact on future advertising fee income for Surrey County Council with the restrictions proposed in the motion, compared to what is currently in the budget?

Reply:

We are unaware of any authority that has an established ban focusing on high carbon products which has been in operation long enough to provide any credible data. It is understood that Sheffield City Council have very recently agreed to prevent advertising of a range of products, from hybrid cars to alcohol. Their ban is due to come into effect in the coming months and Officers will seek to gain an understanding as to the impact of that decision and data from any other authorities who are in the early stages of having made similar changes.

A vast amount of products have a significant carbon footprint these days (including fruit and vegetables flown in from overseas) and it would require considerable work to establish a logical set of rules to legislate for what could and could not be displayed. It is reasonable to presume that the range of prohibited content could be significant and even if we were to be selective on what we would allow to be advertised, it would send a concerning message to the industry, as they would perceive that the list could very easily be expanded in the future impacting on their ability to be confident in income streams.

It is therefore not possible to give a precise figure on the impact of such a ban currently, but professional advice sought from the industry continues to indicate that it would be substantial and may undermine the business case for proceeding with advertising on the highway.

Matt Furniss**Cabinet Member for Highways, Transport and Economic Growth****26 March 2024****Question (2) Catherine Baart**

What is the county council's view of the opportunities to positively promote Surrey's green economy on the new advertising spaces due to be created?

Reply:

Community advertising has been considered as part of contract specification for the small and large format advertising. Details from the contract are in italics below;

The Licensee shall be required to make space available on the digital screens in times of emergency for such public messaging as required in order to maintain public safety. Unsold display space will be made available to the Council for public messaging and non-commercial promotional use, subject to availability and mutually appropriate notification/access procedure.

While no contract has yet been awarded for the small format advertising, all tenders have also committed, as part of their social value, to “offer free advertising space to support social, environmental and wellbeing messaging”. Officers will work with the successful advertising tender to ensure this is fully utilised. The contract could generate a substantial income source that can be used to help support providing valuable services to our residents, including the wider greener futures agenda.

Matt Furniss

Cabinet Member for Highways, Transport and Economic Growth

26 March 2024

Question (3) Catherine Baart

What stage has been reached for the commercial contracts being negotiated for Countywide small format advertising and for large format digital advertising scheme for Guildford?

Reply:

For the small format advertising, the market tender closed at the end of January 2024 and evaluation and moderation took place in February. Once the necessary procurement process has been completed, we will be in a position to announce the successful bidder by May 2024.

For the large format advertising, I can advise that three separate companies were successful in bidding for three different sites in Guildford. We have been addressing the necessary legal requirements and engaging with Land and Property for leases/licenses and should soon be in a position to proceed.

Matt Furniss

Cabinet Member for Highways, Transport and Economic Growth

26 March 2024

CABINET – 26 MARCH 2024**PROCEDURAL MATTERS****Public Questions:****Question (1): Ben Measures**

- Has Eastfield Road, on the Royal Hill Park development been brought to adoptable standards by the developers?

Context: The Road is a private road, part of the Royal Hill Park development just outside Redhill. The site was developed by Countryside Properties (now Vistry Group) to be maintained by First Port. The salesman told us the road would be resurfaced to the standard of adjacent Hawthorn Way. When this was not done we challenged it and after many years of trying to pressure the developers they have patched a few of the worst potholes a couple of months ago.

Residents are concerned that whilst the road is passable now, it is already deteriorating with new potholes forming. The lower concrete section was not addressed at all. First Port will not have budgeted for this, as the expectation is that new estate roads be surfaced to last 20 years. This will mean the regular patching that will be required to maintain this road will increase maintenance charges borne by residents.

I am aware that there is currently dispute on Princes Road nearby, also a private Road maintained by First Port. I fear that Eastfield Road could, in a few years, be in similar disputed status. This could be avoided now by holding Countryside/Vistry to account to resurface the road to the same standard as the rest of the roads on the new Royal Hill Park estate.

Reply:

As described in the question, Eastfield Road is a private road and therefore not maintainable by Surrey County Council. There is no agreement in place between the County Council and developer in relation to the developer maintaining this road to adoptable standards. On this basis, we cannot comment further on the existing condition of the road or future maintenance arrangements. These questions would need to be answered by the developer or the appointed maintenance company themselves.

Matt Furniss**Cabinet Member for Highways, Transport and Economic Growth****26 March 2024**

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CABINET- 26 MARCH 2024**CABINET RESPONSE TO THE REPORT OF THE COMMUNITIES,
ENVIRONMENT & HIGHWAY SELECT COMMITTEE****Item under consideration: Referred Council Motion ‘Advertising & Sponsorship
Policy’****RESOLVED:**

That the Communities Environment and Highways Select Committee’s Greener Futures Reference Group:

- a. did not endorse the recommendation of officers. The GFRG rejected the proposition that the current advertising and sponsorship policy remain in its current form and that no steps are taken to restrict advertising of fossil fuel related or high carbon products.
- b. noted its support for the Motion and suggested that the issue be looked at further by Cabinet Members, including the Cabinet Member for Environment and the Cabinet Member for Highways (with responsibility for the current advertising and sponsorship policy) to ensure that environmental as well as commercial concerns are taken into account in future decision-making. Cabinet members might invite officers to review and test their initial proposition.
- c. recommended that the issue be considered by the Cabinet prior to award of contract for small format advertising in 2024.

Cabinet Response:

1. The Cabinet is grateful to the Select Committee and the Greener Futures Reference Group for considering this motion.
2. Cabinet takes our commitment to a greener futures and net zero very seriously and much work is focused by the County to support these important aims.
3. Cabinet has carefully considered the original presentation to the Greener Futures reference group (contained in Annex 1) and the representations from the Select Committee.
4. In the UK the established “Advertising Standards Authority (ASA)”, is the independent regulator of all advertising across all media. Their remit is to enforce and review the various codes controlling this industry.
5. Industry expert advice has confirmed that if we were to impose restrictions over and above those of the ASA, the advertising market would most likely not be interested in tendering for any contracts we may have now or in the future. This

will not result in adverts being removed or unseen, they will just be shown by other competitors. The consequence is a reduction in an income stream which may be used to continue providing valuable services to our residents, including supporting the wider greener futures agenda.

6. Having carefully considered all of the evidence presented, on balance the Cabinet supports the original recommendations from Officers and the motion is dismissed.
 - a) The Cabinet will write to the ASA asking them to consider whether guidance could be formed around the advertising of fossil fuel related or high carbon products and net zero targets.

Matthew Furniss
Cabinet Member Highways, Transport and Economic Growth
26 March 2024

Marisa Heath
Cabinet Member for Environment
26 March 2024



Surrey's Greener Future

Sponsorship policy

Motion from Councillor Jonathan Essex

This Council resolves to call upon the Cabinet:

- I. To amend its Advertising and Sponsorship Policy to ban advertisements specifically for fossil fuel companies, flights, petrol and diesel vehicles, and wording the amendment to ban other as yet unidentified high carbon products.
- II. To implement this revised Advertising and Sponsorship Policy internally and wherever possible promote its adoption by other partners committed to Surrey's Climate Change Strategy. This should include restricting advertising of high carbon products on bus stops, billboards and advertising spaces, plus all publications by Surrey County Council.

Advertising

- The motion is directed at advertising for the whole County
- Highways are providing information for the motion, as the service is the most advanced in progressing advertising opportunities
- Any recommendations from the Group would apply to all of the County Council functions and not be restricted to just Highways
- Some advertising is managed by others and whilst in maybe on the public highway it is beyond the County Council's direct control. Examples include some Bus shelter contracts (managed by Districts & Boroughs) and telecommunication hubs with advertising, permitted through their rights as a utility operator

History of Highway Advertising

- Approximately 5 years ago, we identified advertising as a possible revenue stream which had so far not been investigated.
- In 2019, the advertising and sponsorship policy was taken to Cabinet with the recommendations being:
 - The proposed advertising and sponsorship policy is agreed
 - A number of trial advertising projects are progressed across the county on Surrey County Council (SCC) infrastructure to assess the potential future opportunities
 - Future changes to the policy are delegated to the Head of Highways & Transport in conjunction with the Cabinet Member for Highways
- In June 2022, we went out to tender for 5 large scale digital advertising sites in Guildford with 3 sites won by 3 separate bidders (worth £52,100pa- total £365k over 7 year term of contract).
- We are currently out to tender for a County-wide small format package with award hopefully taking place in March 2024 (worth approximately £500k pa- total £5 million over the 10 year term of contract)

Considerations

- If the content restrictions imposed by the Council effectively remove too great a proportion of potential advertisers, then either costs will need to be lowered (via a reduction of income to the Council) or in some cases the project abandoned altogether.
- If restrictions are imposed mid-term this will have legal consequences as they will effectively undermine commercial terms and the assessments that informed them.
- If the restrictions render a site unviable, unless central government were to legislate against the advertising category in question (as they did in the case of tobacco) a media owner will simply fulfil its needs via the development of an alternative site.
- Not only will the Council have lost both a potential income and control of the site (which would be greater as landlord than that afforded by the statutory process) but the content will simply be displayed elsewhere, so rendering the exercise largely ineffective.

Considerations

- Most car companies still producing diesel/petrol cars have their own Carbon targets which will be mirrored in the adverts they produce
- The energy and media industry are self-regulating and acutely aware of sensitivity around the promotion of fossil fuel products. Often organisations that engage in fossil fuel extraction and supply of associated products, choose only to promote their other forms of green and renewable energy products to encourage the market/behaviour shift that is required to make these sustainable”.
- The advertising policy already stipulates that all advertising must comply with the following:
 - Guidelines laid out by the Advertising Standards Authority (ASA)
 - The rules laid out in the [UK Code of Non-broadcast Advertising](#)
 - Follow the [Code of recommended practice on Local Authority publicity](#)

Considerations

- There are many examples of fossil fuel based products with a high environmental impact such as some plastics.
- Consideration must also be given to the huge carbon impact of importing certain foods (additional information sent with slides gives examples of this) foods.
- There is a risk that a too strict and prescriptive approach to content will result in a greatly diluted commercial offer or media owners not bidding at all.
- The Council needs to take a pragmatic approach and balance the financial advantages with being mindful of advertising content. If we deviate from national policy as detailed by the ASA, media companies will likely choose not to bid and the project will fail.

Recommendations

- The Council recommends that the policy remains in its current form. The policy states that all advertising has to comply with Guidelines laid out by the Advertising Standards Authority (ASA), the rules laid out in the UK Code of Non-broadcast Advertising and follow the Code of recommended practice on Local Authority publicity
- Any further products that are added (such as vapes in recent times) to the list of prohibited products to advertise would subsequently also be banned by the media owners.
- There is the option of utilising the income gained by advertising to progress and implement projects that improve or expediate the attainment of our Greener Futures objectives

**CABINET RESPONSE TO THE REPORT OF THE COMMUNITIES,
ENVIRONMENT & HIGHWAY SELECT COMMITTEE**

Item under consideration: Surrey Utilities – Water and Wastewater Services

Committee Conclusions and Recommendations:

That the Communities Environment and Highways Select Committee concludes that:

- I. There is a strong appetite for collaboration with the Council on the part of Water companies and the representative body for the south east region (WRSE).
- II. There are opportunities for water companies to work collaboratively with local authorities on the delivery of demand management and demand reduction activity and to share learnings and best practice in customer education and behaviour change.
- III. There is scope for greater collaboration at a strategic level and an opportunity for the Council to collaborate with the regional body (WRSE) on development of the next regional water plan and on other strategic issues such as the Nature Recovery Strategy and how to increase biodiversity and the resilience of water sources. The Council should seek a seat on the WRSE Strategic Advisory Board to influence development of the next regional plan and better integrate the needs of Surrey both in terms of water users and the environment.
- IV. The Council should approach the national regulator to explore options to develop (or revise existing) KPIs on water company performance to take account of community impact and collaboration with Local Authorities, as part of the next round of five-year plans.
- V. There are opportunities to work better together to plan and coordinate operational works to reduce traffic disruption and environmental impact and to explore the use of IT systems to enable this. Surrey Council should look at replicating the best practice that exists in the form of the Infrastructure Mapping Application used in London.

- VI. There is room to improve the quality and availability of information to residents on planned works and on-site signage and an appetite to work closer in partnership to develop and implement best practice.
- VII. The Council should collaborate more closely with Thames Water on the development of the next Drainage and Wastewater Management Plan (DWMP) given shared responsibilities and mutual interest in drainage, flooding and environmental protection. The next DWMP cycle is about to start.
- VIII. As the lead planning authority, the Council has an important role to play working strategically with utility companies to highlight new developments so that network capacity implications can be effectively managed and green infrastructure and sustainable drainage solutions promoted in any new developments. The Council should enhance its role in this regard and work with utility stakeholders to act on the government review of building regulations.
- IX. As the Local Lead Flood Authority there should be closer working between the Council's Flood Risk Management Team and Thames Water to map flood risk hotspots, to address flooding issues and to deliver environmental priorities. Ofwat's anticipated response to draft business plans 2025-30 should provide clarity on levels of investment and is a good starting point for discussions on delivering future priorities in flooding, drainage and wastewater management.
- X. A task force should be established to take these opportunities forward and to deliver the specific actions and outcomes agreed at the session (Annex B). This should involve Council officers and water company representatives and in broad terms should aim to deliver:
- Better coordination and communication around operational works on the road network
 - Better coordination between the local authority and water companies on flooding, drainage, sustainable solutions and environmental objectives.
 - Better coordination on planning, new developments and strategic network issues.
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Cabinet Response:

Cabinet is grateful to the Chair, Vice Chair and Members of the Communities, Environment and Highways Select Committee for facilitating engagement with the water utility providers in Surrey and seeking ways to deliver improvements for Surrey residents and build better Strategic relationships between Surrey County Council and these utilities. Cabinet is particularly grateful for the Committee's involvement in developing robust Key Lines of Enquiry which helped to support the agenda and steer the conversation.

Cabinet accepts the recommendations made by the committee and work has begun by officers to address the recommendations through:

1. **Lobbying:** Including communicating with OfWat, the national regulatory body for water utilities regarding the development of some Local Key Performance Indicators which allow Surrey to monitor disruption to or impact on:

- the road network including forward planning and coordination of streetworks, and timeliness of the completion of water infrastructure works. This will allow both utilities and Surrey to identify where improvements can be made to enable better coordination and management, maximising opportunities for collaboration and reducing disruption to our network;
- our natural environment, and in particular impacts from sewage outflows as a result of flooding and implementation of Drainage Waste Management Plans; and
- supply and response in the event emergency situations. Indicators being proposed include measures as to how long disruption to supply lasts, demonstrating collaboration with local resilience forum and reporting on measures taken to reinstate supply or provide alternative provision, with particular importance given to our vulnerable residents.

Additional contact has been made with the office of Baroness Scott following her recent visit to the River Thames Statutory Consultation event requesting her support for future lobbying on the above issues.

2. **Time Limited Task Forces:** Setting up two time-limited task forces to take forward recommendations. These are a:

- Street works Task Force, meeting in mid March, which had a focus on Streetworks and looked at how Surrey County Council and the utilities can work together operationally to engender better coordination and communication around works on the road network.
- Environmental Improvements Task Force with a focus on better coordination between the local authority and water companies on flooding, drainage, sustainable solutions and environmental objectives. Liaison between Surrey and utilities is underway to coordinate this session, ensuring the right representatives are present.

3. **Establishing longer term strategic relationships:** Forming partnerships to work on key joint initiatives, the first being with SES Water who provide 40% of water and waste water to residents in Surrey. Currently a Memorandum of Understanding is being developed.

Marisa Heath
Cabinet Member for Environment
26 March 2024