

**Minutes of a meeting of the Cabinet which took place in the Council Chamber at County Hall, Chelmsford at 10.15am on Tuesday 12 September 2023**

**Present:**

| <b>Councillor</b>    | <b>Cabinet Member Responsibility</b>                      |
|----------------------|-----------------------------------------------------------|
| Cllr Kevin Bentley   | Leader of the Council                                     |
| Cllr Tony Ball       | Education Excellence, Lifelong Learning and Employability |
| Cllr Tom Cunningham  | Planning a Growing Economy                                |
| Cllr Mark Durham     | The Arts, Heritage and Culture                            |
| Cllr Beverley Egan   | Children's Services and Early Years                       |
| Cllr Peter Schwier   | Climate Czar, Environment, Waste Reduction and Recycling  |
| Cllr Lee Scott       | Highways Maintenance and Sustainable Transport            |
| Cllr Chris Whitbread | The Chancellor of Essex                                   |

Cllrs Lynette Bowers-Flint, Malcolm Buckley, Alan Goggin, Carlo Guglielmi, Ivan Henderson, Mike Mackrory, Bob Massey, Richard Moore, Mark Platt, and Laureen Shaw were also present.

**1. Membership, Apologies, Substitutions and Declarations of Interest**

The report of Membership, Apologies and Declarations was received, and the following were noted:

1. Membership of the Cabinet was as set out in the report.
2. Apologies for absence had been received from Cllrs Louise McKinlay, Deputy Leader and Cabinet Member for Levelling up and the Economy and John Spence, Cabinet Member for Health and Adult Social Care, and also from Cllr David King, Deputy Leader of the Liberal Democrat Group.
3. There were no declarations of interest.

**2. Minutes: 18 July 2023**

The Minutes of the previous meeting, held on 18 July 2023, were approved as a correct record and signed by the Chairman.

**3. Questions from the public**

None.

The agenda items recorded at minutes 4 and 5 below were considered together, with the recommendations moved separately.

**4. Procurement of Block Contract for Residential Places (FP/146/06/23)**  
(Considered in conjunction with the item recorded at minute 5 below.)

Cabinet's approval was sought for the procurement of up to nine block bookings of places in accommodation registered with Ofsted suitable for children and young people currently in unregistered placements, who may not be able to live in larger groups. The places would be for an initial period of one year, with the possibility of extension for a further two years and the Council and the provider able to terminate on six months' notice.

The Cabinet Member for Children's Services and Early Years responded to questions by Cllrs Mike Mackrory and Ivan Henderson concerning the use of unregulated placements and the reasons for the proposed application of a 70:30 price/quality ratio to the procurement.

Cllrs Henderson and Mackrory placed on record their thanks to the Cabinet Member, Executive Director and staff for their hard work leading to an 'Excellent' Ofsted rating for Children's Services in Essex.

**Resolved:**

1. Agreed to undertake a single stage open procurement to secure block contracts of up to nine places in Ofsted registered children's homes for those children and young people in unregistered placements, who may not be able to reside in multi-occupancy homes.
2. Agreed that each contract will be for an initial period of one year, but with the possibility of extension for up to three years in total with a potential cost of £20.6m.
3. Agreed that each contract will contain a clause entitling the Council and provider to terminate on 6 months' notice clause to reduce the financial liability and risk to the Council and to providers entering the arrangement.
4. Agreed that the Executive Director, Children and Families, in consultation with the Monitoring Officer, is authorised to:
  - (a) Determine the procurement procedure to be followed including lots, geography and ranges of needs; and
  - (b) Award the contracts to successful bidders.

**5. Block Contracts for Mainstream Residential Placements for Children and Young People (FP/155/06/23)**  
(Considered in conjunction with the item recorded at minute 4 above.)

Cabinet's approval was sought to invite tenders for block contracts for provision of residential places. The purpose was to ensure availability of a range of accommodation which can meet different needs, and which is

located across the County so that young people can be accommodated as close as possible to home.

The Cabinet Member for Children's Services and Early Years responded to questions by Cllrs Mike Mackrory and Ivan Henderson concerning efforts being made within ECC to understand and respond to changes in the care market, including increased demand and a need for different types of placements. It was noted that the current challenges in the care market were being experienced nationally, and ECC senior members and staff took every opportunity to raise them during high-level forums and discussions.

**Resolved:**

1. Agreed to invite tenders for block contracts for service providers across Essex for purchasing between six and 18 residential places for children in care which:
  - Is procured using a competitive single stage process.
  - Is for an initial period of one year but is capable of being extended for a total period of three years (1+1+1).
  - Is procured using evaluation criteria based on a price: quality ratio of 70:30.
  - Seeks to book no more than five places in any setting.
  - Covers a range of needs.
2. Agreed to authorise the Cabinet Member for Children and Families to award the block contracts.

**6. Launch of Public Consultation on Draft Waste Strategy for Essex (FP194/08/23)**

Cabinet's approval was sought to undertake a public consultation on the draft joint Waste Strategy for Essex on behalf of the Essex Waste Partnership. The updated Strategy had been developed by Essex councils to reset and reinvigorate Essex's waste ambition, priorities and targets for the next 30 years.

The Climate Czar and Cabinet Member for Environment, Waste Reduction and Recycling responded to questions by Cllrs Malcolm Buckley, Ivan Henderson and Mike Mackrory. He referred to a likely future emphasis on reducing levels of recycling and explained the publicity arrangements for the public consultation.

The Cabinet Member also undertook to provide a written response to Cllr Henderson, with a copy to all members, concerning performance on the targets included within the current Waste Strategy (adopted in 2009) and clarifying statements in the report regarding future percentages of waste to be sent to landfill.

Finally, the Cabinet Member undertook to ensure that an error on page 47 of the Strategic Environmental Assessment (SEA) Scoping Report (page 150 of the Agenda Pack) was corrected.

**Resolved:**

1. Agreed to launch a 10-week public consultation commencing in September 2023 on the draft Waste Strategy for Essex on behalf of the Essex Waste Partnership. ECC will facilitate the consultation asking for views and feedback from Essex residents, communities, businesses and councils that use waste services or are affected by the proposals in the draft strategy.
2. Noted that an independent organisation will be appointed to collate and analyse consultation responses and produce a report for publication on Citizen space.
3. Noted that a revised version of the draft strategy will be prepared by the Essex Waste Partnership following the consultation process which will then be considered for adoption by ECC. The adoption of a Waste Strategy for Essex will be subject to a separate formal decision which will be taken independently by each Essex Waste Partnership member authority.

**7. Decisions taken by or in consultation with Cabinet Members (FP/181/07/23)**

The report was noted.

**8. Date of next meeting**

Noted that the next meeting of the Cabinet would take place at 10.15am on Tuesday 10 October 2023 in the Council Chamber at County Hall, Chelmsford, CM1 1QH.

**9. Urgent business**

There was no urgent business.

There being no further business, the meeting closed at 10.58am.

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**Chairman**  
**10 October 2023**