

MINUTES OF A MEETING OF THE CABINET HELD AT COUNTY HALL, CHELMSFORD, AT 10.00AM ON 19 JUNE 2012

Present:

| Councillors | Cabinet Member responsibility |
|--------------------|--|
| P J Martin | Leader of the Council (Chairman) |
| D M Finch | Deputy Leader, Cabinet Member for Finance and Transformation Programme (Vice Chairman) |
| J Aldridge | Adults Social Care |
| K Bentley | Economic Growth, Waste and Recycling |
| S C Castle | Education, Lifelong Learning and the 2012 Games |
| R Gooding | Children's Services |
| J G Jowers | Communities and Planning |
| D J Louis | Highways and Transportation |
| A Naylor | Health and Wellbeing |

Councillors Mrs T Higgins and D Kendall were present as Opposition Observers.

Councillors, Mrs P Channer, W J C Dick, R C Howard, M Lager, M Page, C Riley and K Twitchen also attended.

1. Apologies for Absence

Apologies for absence were received on behalf of Councillors J R Lucas and M Mackrory.

2. Minutes

The minutes of the meeting held on 24 April 2012 were agreed as a correct record and signed by the Chairman.

3. Appointment of Opposition Observers (Constitution Article 7, paragraph 7.8)

The Cabinet noted the appointment of Opposition Observers as follows, in accordance with paragraph 7.8 of Article 7 of the Constitution:

| | |
|--------------------------|---|
| Cllr Mike Mackrory | Leader of the Liberal Democrat Group |
| Cllr Mrs Theresa Higgins | Deputy Leader of the Liberal Democrat Group |
| Cllr David Kendall | Liberal Democrat Group (named substitute) |

4. Declarations of Interest

There were no declarations of interest.

5. Outcome of Youth Offending Service Inspection

The Cabinet considered report FP/806/03/12 by the Cabinet Member for Children's Services which detailed the outcome of the recent Her Majesty's Inspectorate of Probation (HMIP) inspection of Essex Youth Offending Service and actions being taken to implement the recommendations contained in the report. The inspection had taken place in February 2012 and the report was

published on 23 May. The inspection, known as Core Case Inspection (CCI) was the final cycle of a national inspection programme that commenced in 2009. A new risk-led inspection programme would be introduced with effect from Summer 2012.

Essex had received a score of 73% for safeguarding work, 68% for risk of harm to others work and 73% for likelihood of reoffending work. In each category the Council's score was higher than both the national average and the family comparator Youth Offending Teams. Only five recommendations had been made and actions to address these had been incorporated in the service improvement plan (attached to the report as Appendix 1).

In presenting the report, the Cabinet Member for Children's Services commented that the outcome represented a positive achievement for the Youth Offending Service and he congratulated those involved. These comments were echoed by the Leader of the Council.

In response to comments and questions by Councillor Mrs Higgins the importance of learning from best practice was acknowledged.

Resolved:

That the Essex Youth Offending Service post-inspection Improvement Plan, which will be overseen by the Youth Justice Board for England and Wales, be approved.

6. 2011/12 Provisional Outturn Report

The Cabinet considered a report FP/694/11/11 by the Cabinet Member for Finance and Transformation Programme which presented and provided commentary on the provisional outturn position for 2011/12 prior to the formal closure of the accounts. It was noted that the Audit Commission, the Council's external auditor, would carry out the annual audit of the accounts during the summer and it was possible that changes may be made to the accounts during that period. The results of the external audit review would be reported to the Audit Committee in September 2012, at which stage the Committee would also approve and authorise the Accounts for issue.

In considering the report, the Cabinet congratulated the Chief Executive, the Executive Director for Finance, their respective teams and officers across the Council on their performance in achieving a favourable outcome in challenging economic circumstances whilst maintaining quality of service.

The Cabinet Member for Highways and Transportation welcomed the proposal to allocate some £11 million to highways maintenance (especially pot hole repairs), acknowledging the importance of well-maintained highways to residents and businesses across the County. He also referred to the introduction of a system later in 2012 which would allow the electronic reporting and progress-tracking of highways maintenance issues.

Cabinet Members responded to questions and comments by Councillors Mrs T Higgins and D Kendall. The Leader of the Council undertook to provide to Councillor Kendall details of the approved budget for consultancy in the 2011/12 Financial Year, confirming the continued emphasis on reducing costs in this area by making the most effective use of in-house expertise.

Resolved:

- (1) That the provisional outturn positions for revenue and capital as set out below, together with the explanatory comments provided in the report, be noted:
 - i. An underlying net underspend for the year of £7.179m on the Revenue Budget (*i.e. after taking account of the proposals within this report for appropriating funds into,*

and from, earmarked revenue reserves and for carrying unspent budget forward for use in 2012/13); and

- ii. An underlying underspend of £3.861m against approved capital payment guidelines (*i.e. after taking account of proposals for re-profiling and revising capital payment approvals*).
- (2) That the allocation of underspends between portfolios (as summarised within the 'reallocation of underspends' column of Appendix B to the report) be approved.
- (3) That the following amounts be appropriated into earmarked revenue reserves:
 - Schools Reserve - £2.940m;
 - Building Schools for the Future PFI equalisation reserve - £2.185m;
 - Reserve for Future Capital Funding - £2.231m; and
 - Waste Reserve - £60,000
- (4) That the following amounts be appropriated from earmarked revenue reserves:
 - Debden PFI reserve - £645,000;
 - Clacton Secondary Schools PFI reserve - £865,000.
- (5) That £17.342m is returned to the General Balance, of which £10.163m relates to revenue 'carry forward requests'.
- (6) That the release of funds from the General Balance in 2012/13, in respect of the 'carry forward' requests referred to in recommendation 5 above, be determined by the Deputy Leader and Cabinet Member for Finance and Transformation Programme in discussion with other Cabinet Members.
- (7) That capital payments guideline, and associated capital financing, of £19.694m be re-profiled into subsequent financial years, in respect of slippage schemes.
- (8) That capital payments guideline, and associated capital financing, of £1.997m be brought forward from 2012/13 in respect of schemes that have progressed ahead of schedule.
- (9) That Portfolios' 2011/12 capital payment guidelines be reduced by £10.778m in respect of schemes that have been completed for less than the budgeted amount, and that part of this underspend (£6.917) be applied to increase retrospectively payment guidelines for other projects.
- (10) That the financing of capital payments in 2011/12 be approved on the basis set out within Appendix D to the report.
- (11) That supplementary funding be allocated in 2012/13 as follows:
 - £2.850m to support ongoing programmes of work, such as community budgets and the systematic review, to be financed by a withdrawal from the General Balance
 - £3m for highways maintenance, to be financed by a withdrawal of £2m from the Highways Maintenance Reserve and a withdrawal of £1m from the General Balance.
- (12) That the Capital Programme starts approval and payment guidelines for highways

maintenance be increased by £8m in 2012/13, to be financed from unsupported borrowing.

7. Principles of the Pan Essex Local Council Tax Support Schemes

The Cabinet considered report FP/835/05/12 by the Cabinet Member for Finance and Transformation Programme regarding the principles of the pan Essex Local Council Tax Support Schemes (LCTSS) being proposed by local billing authorities to replace the current national Council Tax Benefit (CTB) scheme, and seeking approval for officer to proceed with further consultation on the design of their schemes on the basis of these proposals.

In response to comments and questions by Councillors D Kendall and Mrs T Higgins, the Cabinet Member confirmed the intention to support customers who had difficulty in accessing electronic systems and to carry out an Equality Impact Assessment once proposals had reached a more advanced stage. He advised that further reports on the LCTSS would be brought to the Cabinet in due course.

Resolved:

- (1) That the close joint working between the Council and billing authority officers through the Essex Benefits Managers group continue to be supported;
- (2) That the proposed framework and associated components of the pan Essex Local Council Tax Support Schemes as set out in sections 5.1 and 5.3 of the report be approved;
- (3) That, subject to further discussion with billing authorities and no commitments being entered into without further Cabinet approval, approval be given to the principle of the Council exploring with billing authorities how they can jointly manage the risk of legal challenge on the principles of billing authorities' scheme designs and the resourcing of any additional collection and fraud management commitments.
- (4) That billing authorities be requested to undertake further consultation on scheme designs in advance of the required public consultation period.

8. Decisions taken by or in consultation with Cabinet Members

The Cabinet received report FP/832/05/12 by the Secretary to the Cabinet listing the decisions taken since the last meeting.

9. Dates of Future Meetings

Resolved:

That dates of future meetings of the Cabinet be noted, as set out below:

2013

Tuesday 15 January
Tuesday 19 February
Tuesday 19 March
Tuesday 21 May

The meeting closed at 10.45am.

Chairman
17 July 2012