

## **MINUTES OF A MEETING OF THE CABINET HELD AT COUNTY HALL, CHELMSFORD, AT 10.00AM ON 24 APRIL 2012**

Present:

<b>Councillors</b>	<b>Cabinet Member responsibility</b>
P J Martin	Leader of the Council (Chairman)
D M Finch	Deputy Leader, Cabinet Member for Finance and Transformation Programme (Vice Chairman)
K Bentley	Economic Development, Waste and Recycling
S Candy	Children's Services
Mrs T M Chapman	Highways and Transportation
J G Jowers	Communities and Planning
D J Louis	Procurement, Property and Major Projects
J R Lucas	Environment and Culture

Councillors M Mackrory and Mrs T M A Higgins were also present as Cabinet Observers.

Councillors J Aldridge, S C Castle, Mrs P Channer, W J C Dick, R C Howard, G W McEwen, D Madden, M Page, C Riley, S Walsh and B Wood also attended.

**Apologies for absence** were received on behalf of Councillors S C Castle and A Naylor.

### **1. Councillor Tom Smith-Hughes**

The Chairman referred with sadness to the recent death of Councillor Tom Smith-Hughes. He paid tribute to Councillor Smith-Hughes' significant contribution to the work of the Cabinet, highlighting the fairness of his comments and questions. A book of condolence was available in the Liberal Democrat Group Office and the opportunity for a fuller tribute would be provided at the Annual Council meeting on 8 May.

Councillor M Mackrory thanked the Chairman for his comments and echoed his remarks, paying particular tribute to Councillor Smith-Hughes' hard working nature and his exceptional knowledge of local government finance. He advised that a memorial service would be held at Chelmsford Cathedral on the afternoon of Tuesday 8 May and that Councillor Smith-Hughes' family had suggested that those wishing to make a donation in his memory may wish to consider Tearfund, The J's Hospice or Cancer Research UK.

All present stood for a minute in silence in memory of Councillor Smith-Hughes.

## **2. Minutes**

The minutes of the meeting held on 20 March 2012 were agreed as a correct record and signed by the Chairman.

## **3. Declarations of Interest**

There were no declarations of interest.

## **4. Review of Governance Arrangements – Audit 2010/11**

The Cabinet considered report (FP/811/04/12) by the Leader of the Council which accompanied, contextualised and summarised the Audit Commission's Review of Governance Arrangements in Essex County Council 2010-2011.

In presenting the report, the Leader commented that he was pleased with the progress that had been made and that, although improvement was a continuous process, the monitoring, maintenance and improvement of the Council's corporate governance would now be undertaken as part of 'business as usual'.

The Leader of the Council responded to questions by Councillor M Mackrory on the recommendations contained within the report and the Audit Commission review, undertaking to provide further information in connection with the issue of further guidance to staff regarding expenses claims and the actions taken in response to findings on gifts and hospitality.

### **Resolved:**

That the Cabinet note:

- (1) The progress reported by the Audit Commission, together with their recommendations for further improvement;
- (2) That the further progress made by the Council since the report was published, including actions in response to these recommendations, will be tracked by the Corporate Governance Steering Board (with the Audit Committee also playing a key role); and
- (3) The ongoing monitoring of the Audit Commission recommendations by the cross-party Corporate Governance Steering Board.

## **5. The LEP and the Growing Places Fund**

The Cabinet considered a report (FP/809/03/12) by the Leader of the Council which set out the background to the creation of the South East Local Enterprise Partnership (SELEP or LEP), its legal structure and overall objective. The report described the Government's Growing Places Fund and what the Government's aspirations were for that Fund. The report then sought approval for the Council to assume responsibility as the Accountable

Body for the Growing Places Fund which has been transferred to the LEP by central government. The report described the grant making process which has been adopted by the LEP and sought authority for the Council, as Accountable Body, to enter into various legal agreements with the recipients of the grant funding once they are approved by the LEP board.

In response to questions by Councillor Mackrory, the Leader of the Council undertook to provide information to him concerning the total value of the 12 'preferred' projects referred to in paragraph 1.8 of the report and also regarding the guarantees and securities to be put in place when entering into Primary Loan Agreements with lower tier authorities (paragraph 1.10).

**Resolved:**

- (1) That the legal structure and objective of the LEP as set out in the report, be noted, together with the grant-making process that has been adopted by the Board of the LEP.
- (2) That ECC assume responsibility as the Accountable Body for the Growing Places Fund which has been transferred to the LEP.
- (3) That the Assistant Chief Executive be authorised formally to approve loan applications recommended by the Board of the LEP and to enter into appropriate legal agreements on behalf of ECC with the recipients of the grant funding once are approved by the LEP Board.

**6. Essex Adoption Agency Ofsted Inspection 2012**

The Cabinet received and noted a report (FP/805/03/12) by the Cabinet Member for Children's Services concerning the outcome of the recent Ofsted inspection of the Council's Adoption Service and the resultant action plan designed to address the three practice recommendations. A copy of the Ofsted report was attached to the report as an appendix.

In introducing the report the Cabinet Member thanked staff and Members involved in adoption through the Adoption Team, adoption panels and the Corporate Parenting Panel. The Leader of the Council echoed these sentiments.

In response to a question by Councillor Mrs Higgins, the Cabinet Member confirmed that procedures were in place for when adoptions did not work. She also advised that, although the intention was to comply fully with the Government's Action Plan for Adoption, care would be needed to ensure that the requirement to meet certain targets did not detract from the excellent work already being done with hard to place children.

**7. Essex Children's Services Plan for Sustained Improvement 2012/13**

The Cabinet considered report (FP/749/01/12) by the Cabinet for Children's Services which introduced the Essex Children's Services Plan for Sustained Improvement 2012/13 and provided a review of progress.

The Plan was attached as Appendix A to the report and had been produced to put together recommendations arising from the recent Ofsted inspection, the previous Statutory Improvement Plan, key Munro Review recommendations and service development activity within Children's Social Care.

Key partners from Health and the Police had been engaged in developing the plan and reviewing progress, and would continue to meet on a bi-monthly basis.

The Cabinet noted that the plan would be submitted to the Children and Young People's Policy and Scrutiny in April 2012. The current version incorporated amendments and clarifications fed back by that Committee when considering an earlier draft.

In response to a comment by Cllr Mrs Higgins, the Cabinet Member agreed to amend the Plan where appropriate to include links to documents and websites referred to therein.

**Resolved:**

That the activity contained within the Essex Children's Services Plan for Sustained Improvement 2012/13 be endorsed and the progress made noted.

**8. Troubled Families Programme**

The Cabinet considered a report (FP/817/04/12) by the Cabinet Member for Children's Services concerning the requirements of the Government's Troubled Families Programme for Essex County Council and its partners and outlined options for local implementation.

In response to comments by Councillor Mrs Higgins, the Cabinet Member highlighted the complexities of identifying families falling within the definition of 'troubled families' for the purposes of the Programme but gave assurance that information concerning the numbers of such families in Essex to be included as part of the Programme during its first year would be provided to the Department of Communities and Local Government (DCLG) by the deadline of 30 April. She also confirmed that the Children's Centres identified in the report were well-placed to undertake the work required to deliver the Programme.

**Resolved:**

That the requirements of the Troubled Families Programme and the options outlined for implementation in Essex be noted.

**9. Establishment of the Essex Police and Crime Panel**

The Cabinet considered a report (FP/795/03/12) by the Cabinet Member for Communities and Planning which invited Members to recommend that Council

approve the establishment of the Essex Police and Crime Panel and confirm that the County Council will act as host authority.

**Recommended:**

- (1) That, with the agreement of the other relevant local authorities, Essex County Council agrees to act as host authority for the Essex Police and Crime Panel.
- (2) That the Council approve the establishment of the Essex Police and Crime Panel with the terms of reference as set out in the Annex to the report, together with any associated amendments to the Constitution.
- (3) That the Council appoint its representative on the Essex Police and Crime Panel at its Annual Meeting on 8 May 2012.

**10. Essex Countywide Traveller Unit**

The Cabinet considered a report (FP/727/12/11) by the Cabinet Member for Communities and Planning which updated Members on the development of the Essex Countywide Traveller Unit (ECTU), to reaffirm commitment by Essex County Council (ECC) to form the ECTU with partners, and to enable an early decision regarding the realignment of ECC resources.

A copy of the Essex County Council Equality Impact Assessment (EIA) Form Section 2 was attached as Appendix A to the report. Councillor Mrs T M A Higgins congratulated those responsible for completion of the EIA, commenting that it was the most effective one she had seen accompanying a decision.

In presenting the report, the Cabinet Member thanked Roy Leavitt (Head of Environmental Planning) and Gwyn Owen (Senior Policy and Strategy Officer: Children) for their work in bringing the matter to a successful conclusion.

Councillor Mrs T M A Higgins

**Resolved:**

- (1) That the formation of the Essex Countywide Traveller Unit (ECTU) be agreed on a staged basis, the first stage being the aligning of existing ECC resources
- (2) That the following budget transfers be made in order to facilitate the aligning of resources:
  - i. £85,215 from the Education and 2012 Games Portfolio to the Communities and Planning Portfolio
  - ii. £14,203 from the Adults, Health and Community Wellbeing (AHCW) Portfolio to the Communities and Planning Portfolio

**11. Community Infrastructure Levy (CIL): Draft Charging Schedule and Governance Proposals with Chelmsford Council**

The Cabinet considered a report (FP/818/04/12) by the Cabinet Member for Communities and Planning seeking approval for the Preliminary Draft Charging Schedule (PDCS) proposed by Chelmsford City Council for the Community Infrastructure Levy (CIL) and the outline proposals for the governance mechanisms to oversee CIL discussions and decisions. A copy of the PDCS and supporting documents were attached as Appendix A to the report.

The Cabinet noted that should it approve the PDCS, the Schedule would be submitted by Chelmsford City Council to an examination in public (EIP) after a final further consultation period. This period was likely to take place towards the end of this calendar year, with CIL to be introduced early in 2013.

Members noted that although the PDCS would be of special interest to Members representing Chelmsford Divisions, it would also be of interest to all Members as it would be the second Draft Charging Schedule to be adopted in Essex.

In introducing both this report and the other report on the agenda concerning the CIL (minute 13 below refers) the Cabinet Member thanked the other authorities involved, in particular Colchester Borough Council, Chelmsford City Council and Thurrock Council, together with the Essex Planning Officers Association, for their respective contributions.

**Resolved:**

- (1) That the activity contained within the Preliminary Draft Charging Schedule (PDCS) be endorsed and the suggested comments forwarded to Chelmsford City Council
- (2) That the outline proposal included within the PDCS concerning the governance of CIL in Chelmsford be approved.

**12. Community Infrastructure Levy (CIL): Draft Charging Schedule with Thurrock Council**

The Cabinet considered a report (FP/819/04/12) by the Cabinet Member for Communities and Planning seeking approval for proposed comments in response to the Preliminary Draft Charging Schedule (PDCS) proposed by Thurrock Council for the Community Infrastructure Levy (CIL). A copy of the PDCS and supporting documents were attached as Appendix A to the report.

Thurrock Council had issued the PDCS for a first round of consultation which was due to end on 27<sup>th</sup> April 2012. Once the period had expired, Thurrock Council would review the feedback received and consider whether the Draft Charging Schedule should be amended before undertaking a second round of consultation.

Members noted that although the PDCS would be of special interest to Members representing Divisions in Brentwood, Basildon and Castle Point whose borders adjoin Thurrock, it would also be of interest to all Members as

it would be one of the first Draft Charging Schedule to be adopted in Greater Essex.

In introducing both this report and the other report on the agenda concerning the CIL (minute 12 above refers) the Cabinet Member thanked the other authorities involved, in particular Colchester Borough Council, Chelmsford City Council and Thurrock Council, together with the Essex Planning Officers Association, for their respective contributions.

**Resolved:**

That the proposed comments on Thurrock's Preliminary Draft Charging Schedule (PDCS), as set out in the report, be endorsed.

**13. Essex County Council's Emissions Strategy**

The Cabinet considered a report (FP/635/09/11) by the Cabinet Member for Environment and Culture which recommended adoption of the Corporate Emissions Strategy which outlined the Council's ambition to reduce the Greenhouse Gas (GHG) emissions produced by its own operations. The strategy will ensure the Council complies with Carbon Reduction Commitment (CRC) Energy Efficiency Scheme and GHG emissions reporting (new NI 185).

In introducing the report the Cabinet Member advised that a report on carbon emissions would be submitted to the Cabinet annually.

In response to a point raised by Councillor Mackrory regarding the proposed installation of solar panels on a school building, the Cabinet Member asked him to forward details of the case to himself and the Cabinet Member for Education and the 2012 Games. There was also a discussion concerning the possibility of improving the energy efficiency of the metal windows in certain parts of County Hall, and the need to balance all the relevant issues, including cost.

**Resolved:**

That the Corporate Emissions Strategy be approved and adopted as a corporate document for regular review.

**14. Decisions taken by or in consultation with Cabinet Members**

The Cabinet received report (FP/815/04/12) by the Secretary to the Cabinet listing the decisions taken since the last meeting.

**15. Closing Remarks**

The Chairman informed those present that Councillor Sarah Candy and Councillor Tracey Chapman had both indicated their intention to resign from

the Cabinet with effect from the Annual Meeting of the Council on 8 May. He placed on record his thanks to Mrs Candy and Mrs Chapman for their valuable contribution to the Cabinet's work.

The meeting closed at 10.50am.

Councillor Peter Martin  
Chairman  
22 May 2012