
Minutes of a meeting of the Cabinet held in The Council Chamber, County Hall, Chelmsford, CM1 1QH on Tuesday 17 September 2019

Present:

Councillor	Cabinet Member Responsibility
D Finch	Leader of the Council (Chairman)
K Bentley	Deputy Leader and Cabinet Member for Infrastructure
T Ball	Economic Development
S Barker	Customer, Communities, Culture and Corporate
R Gooding	Education and Skills
L McKinlay	Children and Families
D Madden	Performance, Business Planning and Partnerships
G Mohindra	Finance, Property and Housing
J Spence	Health and Adult Social Care
S Walsh	Environment and Waste

Councillors Turrell, Pond, Chandler and Goggin 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. There had been no changes in membership since the last meeting.
2. There were no apologies for absence.
3. There were no declarations of interest.

2. Minutes: 23 July 2019

The minutes of the meeting held on 23 July 2019 were agreed as a correct record and signed by the Chairman.

3. Questions from the public

There were no public questions.

4. To approve the Procurement of the Council's Microsoft Enterprise Licensing Agreement (FP/481/07/19)

A report was received seeking to re-procure the Essex County Council (ECC) Microsoft Enterprise Licensing Agreement for a period of 3 years.

Councillor Susan Barker, Cabinet Member for Customer, Communities,

Culture and Corporate provided answers to questions from Councillors Turrell and Pond in respect of the onward decision making process, and the possibility of moving away from a Microsoft based solution in the future.

Resolved:

1. To agree to call-off from the Crown Commercial Services RM3733 Technology Products 2 Framework Agreement for Microsoft Enterprise Licensing Agreements for a contract of three years.
2. To delegate the decision to award a contract to the winning bidder following a mini competition to Councillor Barker, Cabinet Member for Customer, Communities, Culture and Corporate.

5. Withdrawal from Schools Broadband provision post 31 March 2020 (FP/473/07/19)

A report was received seeking approval for Essex County Council ("ECC") to withdraw from the school broadband element of the Next Generation Network ("NGN") Services agreement with Daisy Udata Communications Limited ("DUCL") (the "Contract") and to cease the provision of broadband services to schools (the "Service") within the County of Essex from 1st April 2020.

Councillor Ray Gooding, Cabinet Member for Education and Skills, referred to and read from a statement from a representative of the Essex Primary Headteachers' Association in support of the proposals. The statement would be circulated for information. Councillor Gooding further elaborated on this position in response to a question from Councillor Turrell.

Resolved:

1. Agree that ECC will cease the provision of the Service to ECC maintained schools and academies within Essex from 1 April 2020.
2. Agree to terminate all contracts between ECC and Academy Schools for the Service.
3. Agree to vary the Contract to remove the requirement to provide broadband services to ECC maintained and academy schools within Essex from 1 April 2020.

6. Day Opportunities - Contract Changes (FP/489/07/19)

A report was received advising that in order to meet its duties under the Care Act 2014, Essex County Council (ECC) currently opts to commission a range of services known as 'day opportunities'. These services provided a chance for adults with disabilities and older people to take part in activities outside their home, as well as enabling a break for informal carers. They were currently commissioned in a number of ways. The Cabinet was asked to:

- Extend the current contract with Essex Cares Ltd by six months pending consideration of a longer term solution.
- Amend the framework agreement under which other Day Opportunities services are procured to improve processes and align with the future commissioning intent.

Councillor John Spence, Cabinet Member for Health and Adult Social Care, agreed to provide a written response to questions from Councillor Turrell, relating to a site in Brentwood and the care provided there, and the position with regard to the S.75 agreement.

Resolved:

1. Agree to extend the current Essex Cares Ltd (ECL) Day Opportunities contract for six months until 31 March 2020 on the same terms while ECC scopes the future provision of these services.
2. Agree that the Executive Director, Adult Social Care is authorised to change the current framework agreement under which day opportunities are procured as set out in paragraphs 3.9 and 3.10.
3. Note that future decisions about the framework will be taken by the Cabinet Member for Adult Social Care and Health.

7. Better Care Fund Plan 2019/20 (FP/493/08/19)

A report was received by the Cabinet advising that the Essex health and care system would receive a total of £154m (£98m from NHS and £56m from the Ministry for Housing, Communities and Local Government) to be spent in accordance with the Better Care Fund programme. In order to comply with the terms of funding it was necessary for Essex County Council and partners to submit a plan showing how the money would be spent to NHS England by 27 September 2019.

The report set out the BCF Partnership's spending plans which the Council had developed with health partners and asked the Cabinet to endorse this plan and to agree to delegate to Nick Presmeg, Executive Director for Adult Social Care, any additional changes for ECC in finalising the BCF plan ('the Plan') before its submission by 27 September 2019.

In response to a question from Councillor Pond, Councillor John Spence, Cabinet Member for Health and Adult Social Care, advised that no concerns had been raised to him with regard to cross boundary discharge arrangements.

Resolved:

1. Approve the Plan circulated to the Cabinet and authorise Executive Director for Adult Social Care to amend the plan to reflect any suggestions made by the Health and Well-being Board at its meeting on 18 September.
2. Authorise the Executive Director for Adult Social Care to vary the section 75 agreements to reflect the Plan agreed with NHS England.

8. Decisions taken by or in consultation with Cabinet Members (FP/476/07/19)

The report of decisions taken by or in consultation with Cabinet Members since the last meeting of the Cabinet was noted.

9. Urgent Business

There was no urgent business for consideration.

10. Date of Next Meeting

It was noted that the next meeting of the Cabinet would take place on Tuesday 22 October 2019 at 10.00am in Committee Room 1 at County Hall, Chelmsford.

11. Dates of Future Meetings, 2019-21

The dates of the Cabinet meetings to take place through to 25 May 2021 were noted.

12. Exclusion of the Press and Public

Resolved:

That the press and public be excluded from the meeting during consideration of the remaining item of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraph 3 of Schedule 12A of the Local Government Act 1972 – information relating to the financial or business affairs of any particular person).

13. To approve the Procurement of the Council's Microsoft Enterprise Licensing Agreement – CONFIDENTIAL APPENDIX
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/481/07/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 4 above refers).

14. Withdrawal from Schools Broadband provision post 31 March 2020 – CONFIDENTIAL APPENDIX
(Press and public excluded)

The Cabinet considered the two Confidential Appendixes to report FP/473/07/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 5 above refers).

15. Urgent Exempt Business

There was no urgent exempt business.

There being no further business, the meeting closed at 10.21pm.