
Summary of decisions taken at a meeting of the Cabinet, held in Committee Room 1 County Hall, Chelmsford, CM1 1QH on Thursday, 23 November 2017

Published with effect from Thursday 23 November 2017. Provided that a decision is not called-in by close of business on Tuesday 28 November, it can then be implemented.

Please note that this is a summary of decisions taken at the meeting only. A full account of proceedings will appear in the minutes of the meeting, which will be published on the Council's website by Monday 11 December 2017.

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Present:

Councillor	Cabinet Member Responsibility
Kevin Bentley	Deputy Leader and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy (Chairman)
Susan Barker	Culture, Communities and Customer
Ray Gooding	Education
Ian Grundy	Highways
Dick Madden	Children and Families
John Spence	Health and Adult Social Care
Simon Walsh	Environment and Waste

Councillors T Ball, M Durham, R Gadsby, M Mackrory, C Pond and J Young were also present.

1 Apologies for Absence

Apologies for absence were received from Councillors David Finch, Leader of the Council, Louise McKinlay, Cabinet Member for Resources and Sue Lissimore, Cabinet Member for Housing, Property and Planning.

2 Minutes: 17 October 2017

The minutes of the meeting held on 17 October 2017 were agreed as a correct record and signed by the Chairman.

3 Declarations of Interest

None.

4 Questions from the Public

The Cabinet welcomed Mr Barry Nee, Ms Katharine Bright and Ms Sharon Brayley who had registered to speak on agenda item 5 (A120 Braintree to A12: report on option selection and consultation (FP/830/05/17)). Full details of the questions asked and responses given are set out in the minutes of the meeting.

5 A120 Braintree to A12: report on option selection and consultation (FP/830/05/17)

The Cabinet received an update on the A120 route options following public consultation for a new dual carriageway road between Braintree and the A12, to outline and assess the choices open to Essex County Council (ECC) for their post-public consultation announcement and to recommend the way forward.

Resolved:

1. That of the initial 68 route options assessed and the five options taken to consultation, only two broad options, corresponding to the central (routes B and C) and southern corridors (routes D and E), will now be pursued in greater detail to determine the best overall performing route;
2. That Option A (northern corridor) is the worst performing option and would appear unlikely to emerge as a candidate for preferred route status through further study;
3. That work continue to present a full set of route option appraisals to Government in accordance with Highways England processes; and
4. That a final decision on Essex County Council's preferred route option be delegated to the Deputy Leader and Cabinet Member for Economic Growth, Skills, Infrastructure, and the Digital Economy in consultation with the Executive Director for Infrastructure and Environment.

6 M11 J7A - Decision to acquire land by Compulsory Purchase and the publication of Compulsory Purchase Orders and associated documents (FP/968/10/17)

Information contained within a confidential appendix was taken into account in reaching a decision on this issue (minute 11 below refers).

The Cabinet considered a report which provided information on the current status of the M11 J7A project and sought authority for ECC to exercise its own highways construction etc powers and those of Highways England Company Limited to compulsorily purchase the land identified on the land plots drawing in Appendix A and detailed in Schedule 1 to Appendix B for the purpose of constructing the scheme. The report requested authorisation for the publication of the necessary Compulsory Purchase Orders (CPOs) to avoid potential delays and excessive costs should land negotiations, which are ongoing, prove unsuccessful. Acquisition was required for both temporary and permanent situations (as denoted by the colour of the land plots on the CPO plan attached as Appendix B to the report).

The report also requested authority to proceed with the project through the Main

Works tender process up to the decision to award the contract and to delegate authority to award the Enabling Works contract to the Director for Capital Delivery, Paul Crick.

In presenting the report, the Deputy Leader and Cabinet Member for Economic Growth, Skills, Infrastructure and the Digital Economy highlighted an amendment to recommendation 2.3, such that the words 'to the schedule and' be inserted after 'minor changes'. This is reflected in resolution 3 below.

Resolved:

1. That the Director, Capital Delivery be authorised to enter into agreements with Highways England and the Secretary of State for Transport, under which the Council will deliver the M11 Junction 7A scheme at the expense of Highways England / the Secretary of State for Transport.
2. That, if the Director, Capital Delivery is unable to acquire the land by agreement on reasonable terms he may, after consulting the Leader of the Council, authorise the making of Compulsory Purchase Orders to acquire the land shown at Appendix A to report FP/968/10/17 for the construction of the M11 J7A scheme and the improvement of the B183 and other roads and to pursue the Orders to confirmation as well as any additional legal processes required as a result of the arrangements with Highways England Company Limited.
3. That the Director, Capital Delivery, be authorised to agree minor changes to the schedule and to the boundaries of the land to be acquired after consulting the Leader of the Council.
4. That the Director, Capital Delivery may progress enabling works to facilitate construction of the scheme.
5. That the tender process for the enabling works be progressed using the Eastern Highways Framework procurement process.
6. That authority be delegated to the Director, Capital Delivery to award the enabling works contract to the tenderer who submits the bid which is evaluated as the highest scoring, subject to a maximum value of £3m. That the Director, Capital Delivery be authorised to approve the illustrative design and undertake procurement of a contractor using a design and build contract using the restricted procedure in the Public Contracts Regulations 2015. This will include the determination of the price/quality split of the contract by the Director, Capital Delivery. A further report will be submitted to the Cabinet on the award of the contract to the successful tenderer.

7 Award of Service Orders under 0538 Residual Waste Disposal Framework (FP/947/09/17)

Information contained within a confidential appendix was taken into account in reaching a decision on this issue (minute 12 below refers).

The Cabinet was asked to approve the award of a number of Service Orders to various waste disposal providers following a mini-competition conducted pursuant to the 0538 Residual Waste Disposal Framework set up by Essex County Council (ECC) in October 2017.

Resolved:

1. That 13 Service Orders totalling £19.7m be awarded to the relevant providers for the period February 2018 - 31 March 2019 as set out in paragraph 3.4 of report FP/947/09/17, following a mini-competition conducted in accordance with the Residual Waste Disposal Framework (reference 0538), with the breakdown of the individual order values as set out in the confidential appendix to report FP/947/09/17.
2. That the actual spend under each order be determined by officers using delegated powers, as set out in paragraphs 3.5 - 3.7 of report FP/947/09/17.

8 Decisions taken by or in consultation with Cabinet Members (FP/957/10/17)

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

9 Date of Next Meeting

It was noted that the next meeting of the Cabinet would take place on Tuesday 19 December 2017 at 10.00am at County Hall, Chelmsford, CM1 1QH.

10 Exclusion of the Press and Public**Resolved:**

That the press and public be excluded from the meeting during consideration of the remaining items of business on the grounds that they involve the likely disclosure of exempt information as specified in paragraph 3 of Schedule 12A of the Local Government Act 1972.

11 M11 J7A - Decision to acquire land by Compulsory Purchase and the publication of Compulsory Purchase Orders and associated documents (FP/968/10/17) - Confidential Appendix F
(Public and press excluded)

The Cabinet noted Confidential Appendix F to report FP/968/10/17, which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 6 above refers).

12 Award of Service Orders under 0538 Residual Waste Disposal Framework (FP/947/09/17) - Confidential Appendix
(Public and press excluded)

The Cabinet noted the confidential appendix to report FP/947/09/17, which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 7 above refers).