
Minutes of the meeting of the Cabinet, held in Committee Room 1 County Hall, Chelmsford, Essex on Tuesday, 18 October 2016

Present:

Councillors

Councillor David Finch
Councillor Graham Butland
Councillor Stephen Canning
Councillor Ray Gooding
Councillor John Spence
Councillor Simon Walsh

Cabinet Member responsibility

Leader of the Council (Chairman)
Health
Digital Innovation, IT and Customer Services
Education and Lifelong Learning
Finance, Housing and Planning
Environment and Waste

Councillors J Aldridge, A Hedley, I Henderson, R Howard and M Mackrory also attended.

1 Chairman's Opening Remarks

The Chairman welcomed Councillor Stephen Canning to his first meeting since his appointment as Cabinet Member for Digital Innovation, IT and Customer Services at Council on 11 October 2016.

2 Apologies for Absence

Apologies for absence were received from the following members:

- Councillor K Bentley, Deputy Leader and Cabinet Member for Economic Growth, Infrastructure and Partnerships
- Councillor A Brown, Cabinet Member for Corporate and Communities
- Councillor E Johnson, Cabinet Member for Highways and Transport
- Councillor D Madden, Cabinet Member for Adults and Children
- Councillor M Maddocks, Deputy to the Cabinet Member for Adults and Children

3 Minutes

The minutes of the meeting held on 20 September 2016 were agreed as a correct record and signed by the Chairman.

4 Declarations of Interest

The Chairman reminded Members to declare any interests now or at the point during the meeting at which they arose.

5 Questions from the Public

No members of the public had registered an interest in asking a question or making a statement on any of the items to be considered at the meeting.

6 Negotiation of Concessionary Fare Scheme for 2017/18

The Cabinet considered report FP/577/08/16 by the Cabinet Member for Highways and Transport (presented by the Leader of the Council) concerning the English National Concessionary Travel Scheme. Under the Scheme legislation,

each Concessionary Travel Authority is required to have a concessionary bus pass scheme in place by 1 March before the start of each financial year. Given the scale and scope of the concessionary fare agreement, Cabinet's authority is required to negotiate and agree a scheme with bus operators.

The report outlined the options for a scheme of reimbursement, including any legal challenges that may arise, and requested that authority to negotiate and agree the final scheme be delegated to the Cabinet Member for Highways and Transport in association with the Director for Commissioning: Connectivity.

An appendix to the report had been included in the confidential part of the agenda for the meeting, and the information contained therein was taken into account by the Cabinet in reaching its decision.

The following issues arose from Members' questions and comments on the report:

- The Leader of the Council expressed his support for comments by Councillors Henderson and Mackrory concerning issues of bus service reliability and the importance of this both for rural service users and in inspiring confidence in bus usage generally. With reference to a specific point, he invited Councillor Mackrory to attend a meeting which he had arranged with the Director for Commissioning: Connectivity.
- Councillor Henderson welcomed the decision to retain the discretionary provision of free travel from 9.00am.
- The Leader of the Council advised that the Cabinet would give serious consideration to the content of the Bus Services Bill, with a view to identifying measures that could potentially be adopted in Essex.

Referring to paragraph 3.25, and to a point raised by Councillor Mackrory, the Leader of the Council proposed that the wording of the first sentence be amended to refer to 'fluctuating' rather than 'falling' fuel costs. He also proposed that the Council look to secure a multi-year agreement with bus operators, rather than one for 2017/18 only. This was accepted by the Cabinet.

Resolved:

1. That the Director for Commissioning: Connectivity be authorised to negotiate on behalf of Essex County Council over the 2017/18 English National Concessionary Travel Scheme within the parameters laid out in the confidential appendix to report FP/577/08/16, seeking a multi-year, rather than a single-year, agreement with bus operators.
2. That the Cabinet Member for Highways and Transport be authorised to approve the final scheme, provided any settlement falls within the upper limit as set out in the confidential appendix to report FP/577/08/16.
3. That the Director for Commissioning: Connectivity be authorised to publish a default scheme on or before 1 December 2016.

4. That the reference to 'falling' fuel costs in the first sentence of paragraph 3.25 of report FP/577/08/16 be removed and replaced with a reference to 'fluctuating' fuel costs.

7 The Organisation's Proposed New Structure

The Cabinet considered report FP/596/09/16 by the Leader of the Council seeking endorsement for the proposed new organisational structure prepared by the Chief Executive.

Responding to a point raised by Councillor Mackrory, the Leader of the Council agreed that the issue should be referred for consideration by the Corporate Scrutiny Committee, and confirmed that both he and the Chief Executive were willing to attend meetings of the Committee as appropriate.

Councillor Henderson commented that he appreciated the briefings on the proposals provided by the Chief Executive to the Labour Group, and welcomed his open, transparent approach. In particular, he expressed support for the decision to retain the Scrutiny function as part of Democratic Services.

Resolved:

1. That the proposed structure appended to report FP/596/09/16 be endorsed.
2. That, following the close of the consultation period, the Chief Executive may make changes to the proposed structure in consultation with the Leader of the Council.
3. That the draw down of £530,000 from the Transformation Reserve to fund the one-off costs of the reorganisation be approved .

8 2016/17 Financial Overview as at the Half Year Stage

The Cabinet considered report FP/421/02/16 by the Cabinet Member for Finance, Commercial, Traded Services, Housing and Planning which set out the forecast financial position of the Council's revenue and capital budgets as at the half year stage of the 2016/17 financial year. The full year forecast was for an overspend on revenue of £7.1m against a net budget of £937.7m and an underspend of £3.5m on capital against the current budget, to be reduced to £323,000 after adjustments had been made.

The Leader of the Council and Cabinet Members provided the following information in response to questions by Councillors Mackrory and Henderson:

- The new post of Director of Greater Essex Devolution would be a permanent appointment. The post holder's responsibilities would relate to devolution in its widest sense, from Central Government to Essex and also from the County Council to Borough, City, District, Parish and Town Councils, with the aim of delivering improved partnership working and connectivity.

- With reference to paragraph 3.1 of the report, it was noted that, due to high levels of demand, it would not be possible to mitigate the over spend on the Transitions element of the Adult Social Care budget by year end.
- Although action had already been taken to address the overspend of £8.7m within Adult Social Care, additional work was needed due to challenges linked to unexpectedly high levels of demand. This had taken all agencies by surprise. It was worth bearing in mind that the sum concerned represented in the region of 2% of the total budget for Adult Social Care. It was agreed to refer the issue for consideration by the People and Families Scrutiny Committee.
- Dialogue was ongoing between the Council and the NHS to address the issue of delayed discharge from hospital. This was a particular challenge at present due to much higher than predicted levels of demand. An assurance was given that meeting the needs of service users would take priority over budgetary concerns.
- Proposals would be issued in the near future regarding enhancements to the Registration Service's offer. Research would also be undertaken to identify any potential link between recent changes to the venues used by the Service and the decline in the number of wedding ceremonies booked.
- Efforts were in hand to recruit to the vacant posts within Customer Services and Member Enquiries, and also within Economic Growth and Partnerships. The vacancies were evidence that Council staff were in demand amongst other employers, and the Council's proximity to London led to particular challenges in attracting replacements.
- Activity was continuing to identify suitable locations for Traveller Transit sites and explore planning options, in accordance with the Essex Gypsy and Traveller Accommodation Needs Assessment carried out in 2014. There was no intention to curtail this area of work.
- The Cabinet Member for Health confirmed that under spends within Adult Mental Health were not impacting on service delivery. He emphasised his commitment to mental health issues, particularly in relation to young

people transitioning from Children's to Adults' services, and advised that a report on the Mental Health Strategy was due to be considered by the Cabinet at its December meeting.

- The Leader of the Council undertook to arrange for responses outside the meeting to be provided as follows:
 - To Councillor Mackrory from the Cabinet Member for Highways and Transport to explain the lower than expected income from bus fares.
 - To Councillor Henderson from the Cabinet Member for Adults and Children to explain the under spend of £613,000 within Children and Families.

Resolved:

That the following actions be approved (references in brackets are to paragraph numbers in report FP/421/02/16):

1. To draw down funds from reserves as follows:

1. £732,000 from the Community Initiative Reserve to the Environment and Waste portfolio to support the Community Initiative capital scheme (see 7.8.II)
2. £530,000 from the Transformation reserve to the Corporate, Communities and Customers Recharged Support Services portfolio to support delivery of the Organisational Design project
3. £500,000 from Slough Libraries reserve to Essex Education Services (EES) to mitigate the increase in EES contribution this financial year as a result of the transfer of a Traded Development saving, for which, there are no immediate plans in place to mitigate. (see 6.1)
4. £157,000 from the Schools Sickness Insurance Scheme to Finance, Housing and Planning portfolio to mitigate in year pressures (see 6.1)
5. £25,000 from the Transformation reserve to Adult Social Care portfolio in relation to prepaid cards within the Self Directed Support Transformation project.

2. To appropriate funds to reserves as follows:

1. £232,000 to the PFI Equalisation reserves from Education and Lifelong Learning portfolio in relation to Building Schools for the Future (£146,000), Clacton Secondary Schools (£65,000) and Debden (£21,000) (see 5.1.7.II)
2. £59,000 to the Transformation reserve from Corporate, Communities and

Customers Recharged Support Services portfolio relating to the Property Transformation project.

3. To approve the following adjustments:

1. To vire £137,000 from the Finance, Housing and Planning portfolio to the Finance, Housing and Planning Recharged Support Services portfolio to fund the Director of Greater Essex Devolution post
2. To amend the capital budget as shown in Appendices C(i) and C(ii) which allows for capital slippage of £6.1m, capital budget additions of £9.4m, capital budget reductions of £7.3m and advanced works of £853,000. (see section 7).

9 Cabinet Decisions Report

The Cabinet received report FP/592/09/16 setting out the decisions taken by or in consultation with Cabinet Members since the last meeting.

10 Date of Next Meeting

Members noted that the next meeting of the Cabinet would take place on **Thursday** 24 November 2016 at 10.00am.

11 Negotiation of Concessionary Fares Scheme for 2017/18

- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

Chairman