

**Minutes of a meeting of the Cabinet which took place in the Council Chamber at County Hall, Chelmsford at 10.15am on Tuesday 18 July 2023**

**Present:**

<b>Councillor</b>	<b>Cabinet Member Responsibility</b>
Cllr Tony Ball	Education Excellence, Lifelong Learning and Employability (Chairman)
Cllr Tom Cunningham	Planning a Growing Economy
Cllr Mark Durham	The Arts, Heritage and Culture
Cllr Beverley Egan	Children's Services and Early Years
Cllr Peter Schwier	Climate Czar, Environment, Waste Reduction and Recycling
Cllr Lee Scott	Highways Maintenance and Sustainable Transport
Cllr John Spence	Health, Adult Social Care and ICS Integration
Cllr Chris Whitbread	The Chancellor of Essex

Cllrs Susan Barker, Jane Fleming, Ivan Henderson, Mike Mackrory, Bob Massey, Mark Platt, Lee Scordis and Laureen Shaw were also present. Cllr David King attended remotely via Zoom.

**Emma Tombs, Democratic Services Manager, in the Chair**

**1. Election of Chairman for the Meeting**

In the absence of the Chairman and Vice-Chairman, and upon the motion of Cllr Lee Scott, seconded by Cllr Tom Cunningham and duly carried, it was:

**Resolved**

To elect Cllr Tony Ball, Cabinet Member for Education Excellence, Lifelong Learning and Employability as Chairman for the meeting.

**Cllr Tony Ball, Cabinet Member for Education Excellence, Lifelong Learning and Employability, in the Chair**

**2. Membership, Apologies, Substitutions and Declarations of Interest**

The report of Membership, Apologies and Declarations was received, and the following were noted:

1. Changes to Cabinet membership and portfolios had taken place since the last meeting and the current position was as set out in the report.
2. Apologies for absence had been received from Cllrs Kevin Bentley, Leader of the Council and Louise McKinlay, Deputy Leader and Cabinet Member for Levelling up and the Economy. The Chief Executive, Gavin Jones, had

also sent apologies and was being represented at the meeting by Nicole Wood, Executive Director for Corporate Services.

3. Cllr Mark Durham declared an interest in agenda items 7 and 8 (Care Market New Funding Allocations and Better Care Fund Plan 2023-25) in that he is a former director of Essex Partnership University Trust (EPUT). Minutes 9 and 10 below refer)

### **3. Minutes: 20 June 2023**

The Minutes of the previous meeting, held on 20 June 2023, were approved as a correct record and signed by the Chairman.

### **4. Variation in the Order of Business**

Upon the proposal of the Chairman, it was agreed to vary the order of the agenda to enable Agenda Item 12 (Option Agreement for Land at Warren and Parker's Farm, Little Canfield) to be considered as the next but one item of business.

### **5. Questions from the public**

Questions were asked as follows in relation to Agenda Item 12 (Option Agreement for Land at Warren and Parker's Farm, Little Canfield):

1. Cllr Patricia Barber, Takeley Parish Council, attending via Zoom

Cllr Barber presented the Parish Council's views regarding the proposed option agreement, requesting the removal from it of the land identified as Parcel 3 (as shown on the Plan appended to report 476/08/22) and the subsequent transfer of this land to the Parish Council. The Council's intention would be to use the land for the benefit of the community through retention in agricultural use of the land surrounding the working farmstead and creation of a community woodland.

It was agreed that the Parish Council's detailed statement would be circulated with these minutes.

2. Cllr Susan Barker, Essex County Councillor for Dunmow electoral division

Cllr Barker supported the Parish Council's statement, explaining that the rural location of Parcel 3 distinguished it from Parcels 1 and 2 which were near to existing housing developments. Takeley had accommodated high levels of housing development in recent years, and this was continuing at an unsustainable rate, particularly given the lack of infrastructure.

Cllr Barker requested that consideration of the proposed option agreement be deferred to allow Councillor Whitbread, as Cabinet Member, time to consider the issues set out in the Parish Council's statement.

### **Response by Cllr Chris Whitbread, Chancellor of Essex**

Cllr Whitbread thanked Cllrs Barber and Barker for their questions. He stated that the report before the Cabinet reflected the outcome of discussions and a site visit during which he had met with parish councillors and other interested parties. He believed that the proposal being presented was the best available option and would allow both local parish councils to participate in production of a masterplan setting out the different land uses over the entire site.

For these reasons, and given that the report had been postponed previously, Cllr Whitbread did not support the request for deferral.

### **6. Option Agreement for Land at Warren and Parker's Farm, Little Canfield (FP/476/08/22)**

This report was considered in conjunction with a confidential appendix – minute 20 below refers.

Cabinet's approval was sought for the Council to enter into an option agreement with Hill Residential Ltd for the disposal of its interest in the land at Little Canfield outlined red on the plan appended to the report.

The Chancellor of Essex responded to questions by Cllr Mike Mackrory, stating that the sites within the option agreement would be promoted for inclusion within the new Uttlesford Local Plan when the relevant stage of the Plan process was reached.

### **Resolved:**

1. Agreed that the Council enter into an option agreement with Hill Residential Ltd for the disposal of its interest in the land at Little Canfield outlined red on the plan at Appendix 1 to report FP/476/08/22.
2. Agreed that the Head of Property is authorised to agree the terms of the option agreement after taking advice from the Council's property advisor and the Monitoring Officer.

### **7. Variation in the Order of Business**

Upon the proposal of the Chairman, it was agreed to vary the order of the agenda to enable the following agenda items to be considered as the next items of business:

<b>Item</b>	<b>Title</b>
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| 6. | Southend, Essex and Thurrock Mental Health Strategy |
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7. Care Market New Funding Allocations 2023-24
8. Better Care Fund Plan (FP/2023-25
9. Recommissioning of Sensory Services

**8. Southend, Essex and Thurrock Mental Health Strategy (FP/106/04/23)**

The Cabinet received a report seeking endorsement for the draft Southend, Essex and Thurrock Mental Health Strategy, together with the establishment of a Strategy Implementation Group to support and co-ordinate collaborative working across partners to implement the Strategy.

In presenting the report, the Cabinet Member for Health, Adult Social Care and ICS Integration highlighted a minor amendment to the report's recommendations to reflect that the Strategy document had been circulated separately from the agenda pack for the meeting.

The Cabinet Member provided the following information in response to questions by Cllr Mike Mackrory.

- All partners agreed on the importance of collaboration, as indicated in the Strategy, and it would be for them to ensure that this translated into practice. Cllr Spence was content with the level of engagement from partners he had seen to date.
- Approval of the Strategy would be followed by a process to procure and award contracts ensuring that all the identified needs, including those of young people, could be addressed. The long-term aim was to move away from treating illness to a focus on prevention.

**Resolved:**

1. Agreed to adopt the draft Southend, Essex and Thurrock Mental Health Strategy as published with the agenda papers, which has been developed collaboratively with partners and is consistent with the NHS Integrated Care Partnership Strategy and Joint Forward Plans.
2. Agreed that the Council will support the establishment of a Strategy Implementation Group to support and co-ordinate collaborative working across partners to implement the Strategy.

**9. Care Market New Funding Allocations 2023-24 (FP112/05/23)**

Cllr Mark Durham, Cabinet Member for the Arts, Heritage and Culture, declared an interest in this item, minute 2 above refers.

The Cabinet received a report setting out how the Council would deploy further Social Care Grant funding made available by the Government to support the care sector for improving capacity and resilience. This was

consistent with the direction set out in the Essex Market Shaping Strategy and Market Sustainability Plans approved by the Cabinet on 21 March 2023.

The Cabinet Member for Adult Social Care, Health and ICS Integration responded as follows to questions by Cllr Ivan Henderson:

- The mechanisms for assessing whether additional funding made available to care providers was reaching the workforce were set out in the report. Cllr Spence would be pleased to provide further detail outside the meeting if required.
- Reliance on spot-purchasing had been reduced, partly for financial reasons but also due to the impact of longer-term relationships on attracting and retaining high-quality providers and staff. The preference was to make greater use of existing framework agreements, although further work was needed to improve their level of attractiveness to care providers.

**Resolved:**

1. Agreed to draw down £6.8m in 2023/24 from the ASC Transformation Reserve to fund a Care Workforce Retention Claims Fund for ECC contracted care providers and agree that it may be spent on claims meeting the criteria set out in paragraphs 3.4-3.6 of report FP/112/05/23).
2. Agreed to draw down £3.8m om 2023/24, and £5.4m from the ASC Transformation Reserve to fund a new Direct Payment guide rate of £15.08 per hour for Personal Assistants and £22.32 per hour for Direct Payments used to purchase support from Domiciliary Care agencies.
3. Agreed to implement the support initiatives in Appendix C to report FP/112/05/23 and to fund this via a drawdown of £1.1m in 2023/24 from the ASC Transformation Reserve.
4. Agreed to undertake an engagement exercise with care providers and operation staff on the content, implementation and potential impacts of an Essex Care Workers Charter, and to develop and test a dependency tool for Older People's IRN (Integrated residential and nursing / care home sector) care home provision to aid in determining when care is considered complex and thus attracting a higher payment under the framework agreement and agree to the drawdown of £245,000 in 2023/24 from the ASC Transformation Reserve to fund this work.
5. Agreed to delegate to the Executive Director for Adult Social Care, in consultation with the Cabinet Member for Health, Adult Social Care and ICS Integration and the Monitoring Officer, approval of any contractual mechanisms required for distribution of these funds.

**10. Better Care Fund Plan 2023-25 (FP/140/06/23)**

Cllr Mark Durham, Cabinet Member for the Arts, Heritage and Culture, declared an interest in this item, minute 2 above refers.

The Cabinet received a report seeking approval for the Better Care Fund Plan for Essex 2023-25.

The Cabinet Member responded as follows to questions by Cllrs Ivan Henderson and David King:

- A response would be published after the meeting regarding numbers of people, having been discharged from hospital too early, were subsequently readmitted.
- Targets which appeared unambitious were often more challenging than they seemed, and in any case, the aim was always for actual performance to exceed the target set.
- While longer-term funding would be welcome, the current emphasis on short-term arrangements was mitigated by sufficient confidence in the system that funding would be provided in some form.

**Resolved:**

1. To agree the Better Care Fund for Essex 2023-25 in the form appended to report FP/140/06/23.
2. Agreed to enter into a new Section 75 agreement with all three Integrated Care Boards (ICBs) in Essex (Mid and South Essex (MSE), Hertfordshire and West Essex (HWE), Suffolk and North East Essex (SNEE)) and simultaneously terminate the current Section 75 county-wide BCF agreements.
3. Agree to authorise the Executive Director for Adult social Care to vary the section 75 agreement to reflect the agreed Plan.
4. Noted that although the plan covers the period to 31 March 2025, it does not include funding or targets after 31 March 2024. It will therefore be necessary for the Cabinet or Cabinet Member to make a decision relating to these in Spring 2024.

**11. Recommissioning of Sensory Services (FP/143/06/23)**

The Cabinet received a report seeking agreement for the new sensory support service to be delivered, as before, by ECL, but also with a greater role for voluntary and community organisations, and with a new, up-to-date focus on addressing the issues of importance to those who will use the service.

In presenting the report, the Cabinet Member for Adult Social Care, Health and ICS Integration referred to an error in the report's second recommendation, which should refer to 30 September 2028 rather than 2029.

Responding to a question by Cllr Mackrory, the Cabinet Member advised that the report concerned the services offered by the Council to those with sensory impairment and did not include those provided by the NHS. The Council's aim was to liaise with the NHS to ensure that the service received by those in need was seamless.

**Resolved:**

1. Agreed to commission a new Sensory Support Service commencing on 1 October 2023 at a total value of £8.7m as detailed in Resolutions 2-6 below.
2. Agreed to earmark £2.5m within the Adults Transformation Reserve to fund part of the £8.7m and to draw down £1.6m to part fund the service over the period to 30 September 2028. The balance of £900,000 to be held within the Adults Transformation Reserve whilst demand is assessed and to be drawn down at the discretion of the commissioners.
3. Agreed to award a contract to ECL for a period of five years commencing on 1 October 2023 for delivery of sensory reablement and rehabilitation and triage elements of the sensory pathway as reference in paragraph 3.9 of report FP/143/06/23.
4. Agreed that the Executive Director, Adult Social Care, is authorised to agree the final terms of the ECL contract including utilising a break clause to enable the termination of the triage elements of this service as referenced in paragraph 3.17 of report FP/143/06/23.
5. Agreed to award six contracts to the Voluntary and Community Sector (VCS) organisations listed in paragraph 3.10 to report FP/143/06/23 for a period of three years commencing on 1 October 2023 to undertake low level sensory provision and provision of an Information, Advice and Guidance Service.
6. Agreed that the Executive Director, Adult Social Care, is authorised to agree the final terms of the contracts with the VCS organisations listed in paragraph 3.10 of report FP/143/06/23.

**12. Essex Climate Action Plan 2023-2025 (FP/144/06/23)**

The Cabinet received a report seeking agreement to a revised Climate Action Plan, updated to bring it into line with the current budgetary position.

The Climate Czar and Cabinet Member for Environment, Waste Reduction and Recycling, assisted by the Cabinet Members for Highways Maintenance and Sustainable Transport and for Education Excellence, Lifelong Learning and Employability, responded as follows to questions by Cllrs Ivan Henderson, Mike Mackrory and Lee Scordis,

- Cllr Schwier encouraged members of the public to support the provision of clear and well-maintained public rights of way by reporting any problems online, thereby contributing to the promotion of walking and cycling.
- In addition to the provision of grants towards the cost of tackling domestic flooding, the issue of Property Flood Resilience (PFR) would in due course be addressed through developments in the planning regime. At present, consideration was being given to promoting the availability of the grants, bearing in mind that reaching the right person was essential, especially in the case of private rented properties where responsibility for flood resilience lay with the landlord.
- An evaluation of recent school building projects was in progress to assess whether they were delivering on their net zero commitments and provision of financial benefits to the schools concerned. The outcome would be communicated in due course.
- Guidance contained within the Council's Tree Management Plan, adopted earlier in 2023, was expected to result in improved survival rates for newly planted trees, with an aim of 90%. Advice would be taken on the desirability of introducing performance measures relating to this issue bearing in the mind the resources required.
- It was agreed to amend the 'Transport' session of the Climate Action Plan to reflect ongoing developments in aviation technology.
- The scheme to provide additional bus shelters was due to progress next month with procurement of the shelters.

Cllr Schwier also undertook to provide written responses on the following:

- the geographical distribution and impact of the grants mentioned in paragraph 3.12 of the report;
- progress regarding the establishment of community energy groups; and
- an overview of the take up of solar panels, including by low-income families.

**Resolved:**

1. Agreed to adopt the revised Climate Action Plan as appended to report FP/144/06/23.



2. Noted that the Plan includes investments by the Council funded from the existing Medium Term Resource Strategy (MTRS).

### **13. Consideration of Annual Governance Statement (FP145/06/23)**

The Cabinet received a report which presented the Annual Governance Statement 2022/23 for information. In introducing the report on behalf of the Leader of the Council, the Chancellor of Essex advised that the issues identified in the Statement were either already the subject of extensive consideration or were being addressed as far as possible. He proposed therefore that the recommendation at point 2., below was moved in place of that listed at 2.2 of the agenda report in order to reflect this position.

In presenting the report the Chancellor of Essex highlighted an error in paragraph 3.6, in which the words 'do not' should be inserted between 'ECC' and 'represent'. The paragraph would then read, "With respect to the findings of maladministration, the cases at ECC **do not** represent a disproportionate number compared to other local authorities."

Responding to a question by Councillor Mackrory, Cllr Whitbread undertook to provide a written response on the existence of data to show how the number of complaints in which the Ombudsman had found fault compared with that in other similar authorities.

#### **Resolved:**

1. To note the Annual Governance Statement 2022/23, previously considered by the Audit, Governance and Standards Committee.
2. Agreed that matters identified are already being sufficiently addressed.

### **14. 2023/24 Financial Overview as at the First Quarter Stage (FP/035/02/23)**

The Cabinet received a report setting out the current forecast financial position of Essex County Council's revenue and capital budgets as at the first quarter stage of the 2023/24 financial year.

Cllr Chris Whitbread, Chancellor of Essex, provided the following information in response to questions by Cllrs David King and Ivan Henderson.

- The ECC-wide staffing review would cover all service areas. Extending the deadline for full delivery of the £5m saving into 2024/25 was an acknowledgement of what could realistically be achieved in the current year.

- In Cllr Whitbread's view, the Council's track record on effective delivery of capital projects demonstrated that care was taken to ensure that the correct resources, including staffing, were in place.

Cllr Mark Durham, Cabinet Member for the Arts, Heritage and Culture, commented that work was in hand to address ongoing challenges in the Youth Service regarding staff recruitment and retention. He expected these issues to be the subject of discussion as part of the scrutiny process.

**Resolved:**

1. To draw down funds from reserves as follows:

- i. **£1.4m** from the Waste Reserve to the Climate Czar, Environment, Waste Reduction and Recycling portfolio relating to project expenditure previously approved in Cabinet Member Actions which have now time lapsed. Further detail can be found in section 5 (section 5.2.iii)
- ii. **£1.2m** from the Essex Climate Change Commission Reserve to the Climate Czar, Environment, Waste Reduction and Recycling portfolio relating to project expenditure previously approved in Cabinet Member Actions which have now time lapsed. Further detail can be found in section 5 (section 5.2.iii)
- iii. **£1.2m** from the Adults Investment Reserve to the Health, Adult Social Care and ICS Integration portfolio relating to the Cabinet Member Action **FP/421/05/22** Health and Care Act 2022 – Adult Social Care Reforms, previously approved, but has now time lapsed (section 5.5.v)
- iv. **£943,000** from the Private Finance Initiatives (PFI) Equalisation Reserves to the Education Excellence, Life Long Learning and Employability **portfolio** in relation to Clacton secondary schools PFI **£452,000**, and Debden Park PFI **£491,000** (section 5.4.ii)
- v. **£792,000** from the Childrens Transformation Reserve to the Children's Services and Early Years portfolio to: offset placement cost pressures, **£500,000**, towards Divisional Based Intervention Team (DBIT) solution focused practice centre of excellence, **£222,000** and an Anti Racism Practitioner, **£70,000** (section 5.1.iii)
- vi. **£695,000** from the Private Finance Initiatives (PFI) Equalisation Reserves to the Highways Maintenance and Sustainable Transport portfolio in relation to the A130 PFI (section 5.6.ii)
- vii. **£362,000** from the Technology and Digitisation Reserve to the Chancellor of Essex RSSS portfolio relating to various Technology projects (section 5.16.ii)
- viii. **£350,000** from the Everyone's Essex Reserve to the Highways Maintenance and Sustainable Transport portfolio, relating to the

Transport Strategy, previously approved by a Cabinet Member Action but now time lapsed (section 5.6.ii)

- ix. **£307,000** from the Ambition Fund Reserve. £161,000 to the Levelling Up and the Economy RSSS portfolio relating to the Just About Managing project, and £146,000 to the Education Excellence, Life Long Learning and Employability portfolio relating to the Education Recovery Taskforce, both previously approved in Cabinet Member Actions but have since time lapsed (sections 5.14.ii & 5.4.ii)
  - x. **£146,000** from the Community Initiatives Fund Reserve to the Levelling Up and the Economy portfolio to fund payments to community groups that have been awarded small grants (section 5.8.ii)
  - xi. **£25,000** from the Waste Reserve to the Climate Czar, Environment, Waste Reduction and Recycling portfolio towards the Mechanical and Biological Treatment facility (MBT) ongoing legal costs and other associated costs (section 5.2.iii)
  - xii. **£16,000** from the Waste Reserve to the Climate Czar, Environment, Waste Reduction and Recycling portfolio following the settlement of the rent review at Courtauld Road (section 5.2.iii)
  - xiii. **£12,000** from the Covid Equalisation Reserve to the Chancellor of Essex RSSS portfolio relating to the disposal of out-of-date PPE (section 5.16.ii)
  - xiv. **£9,000** from the Emergency Reserve to the Highways Maintenance and Sustainable Transport portfolio towards fuel support for Local Bus operators (section 5.6.ii)
2. To appropriate funds to reserves as follows:
- i. **£1.1m** to the Essex Technology and Digitisation Reserve from the Chancellor of Essex RSSS portfolio for anticipated future costs relating to devices and for use in 2024/25 (section 5.16.ii)
  - ii. **£63,000** to the Private Finance Initiatives (PFI) Equalisation Reserve from **the Education Excellence**, Lifelong Learning and Employability portfolio in relation to the Building Schools for the Future PFI (section 5.4.ii)
3. To approve the following adjustments:
- i. Vire **£480,000** to the Chancellor of Essex RSSS portfolio from the Health, Adult Social Care and ICS Integration portfolio to realign Business Support budgets for the Countywide Duty Team (sections 5.16.ii and 5.5.v)

- ii. Vire **£120,000** within the Highways Maintenance and Sustainable Transport portfolio from Essex Highways Operations to Transport Strategy policy lines to align staffing budgets (section 5.6.ii)
- iii. Vire **£57,000** to Climate Czar, Environment, Waste Reduction and Recycling portfolio from the Planning a Growing Economy portfolio to align budget relating to an Executive post between the Economy, Investment and Public Health Management team and the Climate, Environment and Customer Services Management team (section 5.2.iii and 5.9.ii)
- iv. Vire **£41,000** to The Arts, Heritage and Culture portfolio from the Chancellor of Essex portfolio to realign staffing budgets to enable proposed restructures in the Libraries Service (section 5.10.ii and 5.11.ii)
- v. Vire **£31,000** from the Climate Czar, Environment, Waste Reduction and Recycling portfolio to the Highways Maintenance and Sustainable Transport portfolio to align staffing budgets (sections 5.2.iii & 5.6.ii)
- vi. To rename the 'Adults Transformation Reserve' to be called the 'Adults Investment Reserve' with the purpose for the reserve to provide resources to support change capacity to deliver ongoing future sustainability work (section 9.3)
- vii. To close the Adults Digital Programme Reserve and transfer the residual balance of **£28,000** to the Adults Investment Reserve (section 9.4)
- viii. To transfer the remaining balance of **£1.1m** relating to Cabinet Member Action FP/474/07/22 Purchasing of Voice & Data Network, approved in September 2022 from the Transformation Reserve to the Technology and Digitisation reserve to ensure effective oversight of the funding allocated to the programme in a single reserve (section 9.2)
- ix. Transfer **£28,000** from the Property Investment Reserve to the Reserve for Future Capital Funding for the purposes of completing the works on the roof at 45 Clarendon Road in the 2023/24 financial year (section 9.5)
- x. Adjust the original approved profile of spend relating to the Cabinet Member Action "FP/263/12/21 Financial Wellbeing Programme and Community Challenge Fund" to **£371,000** in 2023/24 and **£371,000** in 2024/25 in order to reflect the current anticipated spend.
- xi. Amend the capital budget as shown in Appendices C (i) and C (ii) which allows for capital slippage of **£36.1m**, with £23.4m slipped into 2024/25, and £12.7m into 2025/26. Capital budget additions of **£21.4m**, capital budget reductions of **£1.4m** and advanced works of **£1.7m** from 2024/25. (see section 7.2).

## **15. Colchester A133 Rapid Transit System Section C – Procurement of Construction Works (FP/142/06/23)**

This report was considered in conjunction with a confidential appendix – minute 19 below refers.

The Cabinet's agreement was sought to procure a construction contract for Section C of the Colchester Rapid Transport Scheme (St Andrew's Avenue – east of the Greenstead Roundabout) using a call-off contract from the Pagabo Public Sector Framework.

Responding to a question by Cllr Ivan Henderson, the Cabinet Member for Highways Maintenance and Sustainable Transport acknowledged the importance of holding bus operators to account for service quality as a means of encouraging increased use of public transport. The Cabinet Member for Planning a Growing Economy commented on work to plan the bus service across the Garden Community and undertook to arrange a briefing for interested councillors from Tendring District and Essex County Councils. He also agreed to liaise with Cllr Henderson outside the meeting.

Responding to Cllr David King, the Cabinet Member for Planning a Growing Economy committed to progress on funding challenges for the RTS and the A120/A133 link road being achieved during the second half of the current financial year. He also advised that the link road was on schedule for completion as planned, with no noticeable delays reported. Finally, Cllr Cunningham undertook to provide a written reply concerning the removal of acoustic and visual screening along the route of the Northern Approach Road and how the effects could be mitigated.

### **Resolved:**

1. Agreed to procure a construction contract for Section C of the Colchester Rapid Transport Scheme (A133 St Andrew's Avenue – east of the Greenstead Roundabout) using a call-off contract from the Pagabo Public Sector Framework.
2. Agreed that the high-level tender evaluation criteria for the mini competition be a 50/50 Price/Quality split with 10% of the quality score assessing Social Value and 5% of the quality score assessing carbon impact to the extent that these elements are consistent with the most economically advantageous tender.
3. Agreed that the Director, Highways and Transportation, in consultation with the Section 151 Officer and the Director, Legal and Assurance, is authorised to award the construction contract for RTS Section C subject to the returned cost aligning to the estimated cost within the Confidential Appendix to report FP/142/06/23 and being within the Capital Programme

budget allocation and funding envelope, and the scheme overall being agreed as deliverable within the parameters set by Homes England.

4. Agreed the profile changes to the Capital Programme for current and future years as outlined in the Confidential Appendix to report FP/142/06/23.

**16. Decisions taken by or in consultation with Cabinet Members (FP/156/06/23)**

The report was noted.

**17. Date of next meeting**

Noted that the next meeting of the Cabinet would take place at 10.15am on Tuesday 12 September 2023 in the **Council Chamber** at County Hall, Chelmsford, CM1 1QH.

**18. Urgent business**

There was no urgent business.

**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).

**19. Confidential Appendix: Colchester A133 Rapid Transit System Section C – Procurement of Construction Works (FP/142/06/23)**

The confidential appendix to report FP/142/06/23, to which minute 11, above, refers, was noted.

**20. Confidential Appendix: Option Agreement for Land at Warren and Parker's Farm, Little Canfield (FP/476/08/22)**

The confidential appendix to report FP/476/08/22, to which minute 12, above, refers, was noted.

**21. Urgent Exempt Business**

There was no urgent exempt business.

There being no further business, the meeting closed at 12.10pm.

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**Chairman**  
**12 September 2023**