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## **Minutes of a meeting of the Cabinet held in The Council Chamber, County Hall, Chelmsford, CM1 1QH on Tuesday, 26 November 2019**

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### **Present:**

<b>Councillor</b>	<b>Cabinet Member Responsibility</b>
K Bentley	Deputy Leader and Infrastructure (Chairman)
T Ball	Economic Development
S Barker	Customer, Communities, Culture and Corporate
R Gooding	Education and Skills
D Madden	Performance, Business Planning and Partnerships
L McKinlay	Children and Families
J Spence	Health and Adult Social Care
S Walsh	Environment and Climate Change Action

Councillors Pond, Henderson, Steptoe, Jackson, Turrell, Maddocks, Mackrory, Durham, Chandler, Grundy, Buckley, Mitchell, Goggin and Wagland 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. Apologies for absence were received from Councillors D Finch (Leader of the Council) and G Mohindra (Finance Property and Housing).
3. There were no declarations of interest.

### **2. Minutes: 22 October 2019**

The minutes of the meeting held on 22 October 2019 were agreed as a correct record and signed by the Chairman.

### **3. Questions from the public**

There were no public questions.

### **4. Employment Support for individuals who experience mental ill health (FP/533/10/19)**

Cabinet received a report advising that supporting adults who experience mental ill-health to gain employment, while helping those in work who experience mental ill-health to retain their employment, were priorities both for

the county council and the NHS. The report advised that research demonstrated the positive impact of employment on self-esteem, life satisfaction and reducing the symptoms of mental ill health.

Councillor Spence, Cabinet Member for Health and Adult Social Care provided answers to questions from Councillors Mackrory and Henderson in respect of the weighting used during the tender process and the time taken for those in need of treatment to receive it.

**Resolved:**

- 1 That the current contract with Essex Partnership University Trust is extended by 2 months to 30 June 2020 and the necessary waiver from ECC's Procurement Rules be granted to achieve this.
- 2 That ECC will act as lead commissioner and procure, in partnership with the five Essex Clinical Commissioning Groups (CCGs) plus Southend CCG, employment support for individuals who experience mental ill health in Essex. Essex County Council will be the lead commissioner.
- 3 That the contract will be awarded in two lots as set out in paragraph 3.11 and the contract will be for a period of two years and nine months starting on 1 July 2020, with the option of a two-year extension.
- 4 That the funding envelope outlined in paragraph 5.1.1 will form the maximum value of the contract to be awarded.
- 5 That the evaluation criteria will be based on 50% quality, 40% cost and 10% social value.
- 6 That the contract will be procured using the Open Procurement method in line with the Public Contracts Regulations 2015
- 7 That the approval of the detailed evaluation model and contract award is delegated to the Executive Director for Adult Social Care.

**5. Formal Review of the Essex Minerals Local Plan (FP447/05/19)**

A report was received advising that the Essex Minerals Local Plan was adopted in 2014. The Council was required to review the plan within 5 years of adoption to ensure that policies remained relevant and effectively addressed the needs of the local community. If the plan needed to be updated, then a formal review process needed to be undertaken.

An assessment had been undertaken and it was recommended that a number of updates to policies were considered, subject to wider consultation. In order to do this a full formal review of the plan was required. The report sought Cabinet's approval to commence the review. Approval was also sought to revise the Minerals and Waste Development Scheme, which was the

timetable for production/review of plans to reflect the proposed timetable for the formal review.

Councillor Ball, Cabinet Member for Economic Development provided answers to questions from Councillor Pond in respect of the need to include transport planning and the use of clean technology within the review. A written answer would be provided to Councillor Mackrory in respect of the promotion of a similar waste treatment facility to that in Hertfordshire.

**Resolved:**

- 1 Agree to undertake a formal review of the Essex Minerals Local Plan to address as a minimum the issues identified at paragraph 3.11 of this report in accordance with the draft findings of the assessment at Appendix 1 and the indicative timetable at paragraph 5.3 subject to further consultation (under Regulations 18 and 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012) and to take account of such.
- 2 Agree to publish a revised Minerals and Waste Development Scheme to reflect this review so that the scheme is as set out in Appendix 2.

**6. Award of Residual Waste Service Orders (FP/547/10/19)**

A report was received advising that the Council was the waste disposal authority for the area. A framework agreement had been set up which was used to easily buy capacity to dispose of waste to meet the business as usual needs as the waste disposal authority for Essex. The report sought approval to award twelve Service Orders to multiple 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.

Councillor Walsh, Cabinet Member for Environment and Climate Change Action provided answers to questions from Councillors Pond, Henderson and Mackrory in respect of the Basildon treatment plant, the position now taken by Holland and Sweden regarding the receipt of waste and the need to consider vehicle movements to landfill sites.

**Resolved:**

Agree to award Service Orders to the waste disposal providers detailed in paragraph 3.5 for a period of 12 months commencing on the 1 April 2020.

**7. Annual Refresh of the 4 year Live at Home Framework (FP/526/09/19)**

A report was received by Cabinet seeking approval to permit existing providers on the Live at Home Framework to refresh their pricing and to permit new providers to bid for inclusion on the framework.

Councillor Spence, Cabinet Member for Health and Adult Social Care provided answers to questions from Councillors Pond, Henderson and Mackrory in respect of the reimbursement rate for Epping Forest, the need to review the Equality Impact Assessment, and the difference between the pay received by carers and the amount charged by agencies. A written response would be provided to Councillor Henderson in respect of the impact of the uplift.

**Resolved:**

- 1 To uplift the minimum hourly rate for standard domiciliary services delivered via the Live at Home Framework and spot purchasing arrangements from £15.28 to £16.56 for all new and existing packages with effect from 5 April 2020.
  - 2 To retain the current 24 hour live in and night asleep rate of £11.76 per hour.
  - 3 To increase the upper end of the pricing matrices within the Live at Home Framework Agreement from £17.96 to £19.48 (£20.48 in Epping) per hour from 5 April 2020 and adopt the pricing matrices as detailed in Appendix B.
  - 4 To authorise the amendment of the Target Supply Areas used within the Live at Home Framework to reflect demographic demand pressures in Essex.
  - 5 To issue existing providers with a Deed of Variation to give effect to the changes to the terms and conditions referred to in this report.
  - 6 To commence the Annual Review Process required by the Live at Home Framework to permit new providers the opportunity to be included on the Framework and allow existing providers to amend their prices.
  - 7 To delegate to the Executive Director of Adult Social Care the authority to execute the outcome of the Annual Refresh Process; namely the acceptance of new prices from existing providers and the acceptance of new providers onto the framework.
- 8. Procurement of contractor to deliver A130/A127 Fairglen Interchange Scheme (FP/520/09/19)**

Cabinet received a report seeking authority to procure a construction contract with a Principal Construction Contractor (PCC) through either a restricted OJEU process or through the use of an infrastructure lot within a new Crown Commercial Services (CCS) framework for the construction works of the A127/A130 Fairglen Interchange scheme. Both routes would be undertaken by using a competitive mini competition tendering process to ensure value for money. The final contractor would be appointed by the Director for Capital Investment and Delivery.

Councillor Bentley, Deputy Leader and Cabinet Member for Infrastructure provided an answer to a question from Councillor Mackrory in respect of the criteria to be used during the procurement.

**Resolved:**

- 1 Agree to procure a Principal Construction Contractor through either:
  - (a) a restricted procedure complying with the Public Contracts Regulations 2015; or
  - (b) through the use of an infrastructure lot within a new Crown Commercial Services (CCS) framework.

for the construction works in the area of the A127/A130 Fairglen Interchange, using a competitive mini competition process.

- 2 To Authorise the Director, Capital Investment and Delivery to select (a) or (b) and to award the contract to the successful Principal Construction Contractor, providing that:
  - the total project cost is within the approved budget,
  - a satisfactory planning permission has been received; and
  - land options have been agreed with all identified landowners and the Director is satisfied that the ownership of any other land is not material to the scheme or can be resolved by compulsory purchase order.

**9. Decisions taken by or in consultation with Cabinet Members (FP/551/10/19)**

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

**10. Date of Next Meeting**

It was noted that the next meeting of the Cabinet would take place on Tuesday 17 December 2019 at 10.00am in Committee Room 1 at County Hall, Chelmsford.

**11. Urgent Business**

There was no urgent business for consideration.

**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.

**12. Award of Service Orders under Residual Waste Disposal Framework Confidential Appendix (FP/547/10/19)**  
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/547/10/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 6 above refers).

**13. Live at Home Annual Refresh 2020/21: To seek approval to allow existing framework providers to rebid prices and new providers to join the framework Confidential Appendix (FP/526/09/19)**  
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/526/10/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 7 above refers).

**14. Urgent Exempt Business**

There was no urgent exempt business.

There being no further business, the meeting closed at 11.10am.

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**Chairman**  
**17 December 2019**