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

Present:

Councillor	Cabinet Member Responsibility
D Finch	Leader of the Council (Chairman)
K Bentley	Deputy Leader and Infrastructure
T Ball	Economic Development
S Barker	Customer, Communities, Culture and Corporate
R Gooding	Education and Skills
D Madden	Performance, Business Planning and Partnerships
J Spence	Health and Adult Social Care
S Walsh	Environment and Climate Change Action

Councillors Pond, Henderson, Jackson, Mackrory, Whitbread, Butland, Goggin, 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 L McKinley (Children and Families) and G Mohindra (Finance, Property and Housing).
3. There were no declarations of interest.

2. Minutes: 26 November 2019

The minutes of the meeting held on 26 November 2019 were agreed as a correct record and signed by the Chairman.

3. Questions from the public

There were no public questions.

4. Award of the design and build contract for construction of Junction 7a of the M11 (FP/558/10/19)

The Cabinet received a report in relation to the creation of a new motorway junction on the M11, junction 7A, sited to the North East of Harlow, along with associated junctions and link road to join the B183 Gilden Way.

Councillor Bentley, Cabinet Member for Infrastructure and Deputy Leader of the Council provided answers to questions from Councillors Pond and Mackrory in respect of the desirability of the scheme from a climate change perspective and the impact on the B183. A written reply would also be provided to Councillor Mackrory in relation to the timescales for the project.

Resolved:

1. Agree to award a contract for the detailed design and construction works to John Graham Construction Ltd following the OJEU compliant restrictive tender for an unqualified fixed price of £39,495,068.00 using NEC3 Engineering Construction Option A Contract (fixed price with activity schedule).
2. Authorise the Director of Capital Investment and Delivery to implement compulsory purchase orders when confirmed in whichever way he considers will provide ECC most advantageous cost and time benefit.
3. Authorise the Director of Capital Investment and Delivery to enter into licences and agreements as necessary to deliver the project within the scope of the scheme.
4. Add the sum of £6.297m to the Capital Programme for 2022/23 to be funded by prudential borrowing to allow the contract to be awarded subject to a requirement that this addition may not be spent on the Junction 7A scheme without a further decision by the Leader to authorise the expenditure.

5. Award of Bio-Waste Service Orders (FP/546/10/19)

The Cabinet received a report advising that the Council was the waste disposal authority for its area and was required to maintain suitable arrangements for the treatment and disposal of Local Authority Collected Municipal Waste. A framework agreement, pursuant to the Cabinet decision of the 23 January 2018 (FP/944/09/17), had been established to enable the Council to secure capacity for the treatment and disposal of biowaste streams. The report sought approval to award five Service Orders to multiple bio-waste treatment providers following a mini-competition conducted pursuant to the 0554 Bio-Waste Disposal Framework agreement.

Councillor Walsh, Cabinet Member for Environment and Climate Change Action provided an answer to a question from Councillors Mackrory in respect of the implications should the estimated annual tonnage limits be exceeded. A written answer would be provided to Councillor Pond in relation to the cost per tonne of lots 1, 2 and 3 as set out in the report.

Resolved:

To award five Service Orders under the framework for a period of 36 months commencing on 1 April 2020 as set out below:

Provider	Location	Tonnage Award p.a*
Birch Airfield Composting Services	Birch, CO5 9XE	40,000 – 50,000
Biogen (UK) Ltd	Chipping Ongar, CM16 6RZ	15,000 – 20,000
Veolia ES (UK) Ltd	Rainham, RM13 9YB	5,000 – 15,000
Material Change Composting Ltd	Creeping St Mary, IP6 8ND	0 – 5,000
FCC Waste Services (UK) Ltd	Haverhill, CB9 8QP	0 – 5,000

*GMT (Guaranteed Minimum Tonnage) applies to lower end of tonnage award quoted.

6. Decisions taken by or in consultation with Cabinet Members (FP/571/11/19)

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

7. Date of Next Meeting

It was noted that the next meeting of the Cabinet would take place on Tuesday 21 January 2020 at 10.00am in Committee Room 1 at County Hall, Chelmsford.

8. Urgent Business

Councillor Spence, Cabinet Member for Health and Adult Social Care, advised that it had been announced that the Bishop of Chelmsford would be appointed to the post of Archbishop of York in June 2020. The Cabinet voiced its congratulations to the Bishop, and it was agreed that a letter to that effect would be sent from Councillor Finch, Leader of the Council.

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.

9. Award of bio-waste Service Orders Confidential Appendix (FP/546/10/19)
(Press and public excluded)

The Cabinet considered the Confidential Appendix to report FP/546/10/19 which contained information exempt from publication referred to in that report and in decisions taken earlier in the meeting (minute 6 above refers).

10. Urgent Exempt Business

There was no urgent exempt business.

There being no further business, the meeting closed at 10.15am.

Chairman
21 January 2020