

Minutes of a meeting of the Cabinet that was held remotely on Tuesday, 16 March 2021

Present:

Councillor	Cabinet Member Responsibility
Councillor D Finch	Leader of the Council (Chairman)
Councillor T Ball	Economic Development
Councillor S Barker (for agenda items 7-11 only)	Customer, Communities, Culture and Corporate
Councillor K Bentley	Deputy Leader and Infrastructure
Councillor R Gooding	Education and Skills
Councillor L McKinlay	Children and Families
Councillor J Spence	Health and Adult Social Care
Councillor S Walsh	Environment and Climate Change Action
Councillor C Whitbread	Finance

Councillors Durham, Turrell, Steptoe, Hedley, Henderson, Wood, Grundy, Weston, Butland, Chandler, Aldridge, Platt, Mackrory, Wagland, Pratt and Pond 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 to membership since the last meeting of Cabinet.
2. Apologies were received from Councillors Madden and Barker (for agenda items 1-6).
3. There were no declarations of interest.

2. **Minutes: 16 February 2021**

The minutes of the meeting held on 16 February 2021 were agreed as a correct record and would be signed by the Chairman.

3. **Questions from the public**

There were four questions from members of the public. The Cabinet Members for Education and Skills, Environment and Climate Change Action, and Economic Development spoke in response to these questions, all of which

related to item no. 7 on the agenda - Response to Climate Action Commission's Interim Report (FP/915/15/20).

4. **SELEP Local Growth Fund Award to the University of Essex for Parkside Phase 3 (FP/746/07/20)**

The Cabinet considered a report seeking approval for the passporting of a grant of five million pounds (£5,000,000) of Local Growth Fund (LGF) from South East LEP Limited (SELEP) to the University of Essex for delivery of the Parkside Phase 3 Project.

Resolved:

1. To enter into a grant agreement with the University of Essex for £5,000,000 towards the delivery of the Parkside Phase 3 Project.
2. That the Executive Director, Place and Public Health is authorised to agree the terms of the grant agreement with the University of Essex provided that the terms of such grant are consistent with the terms set out by SELEP.
3. To amend the profile of the capital programme in line with the revised cost profile of £5,000,000 across 2021/22 and 2022/23 for the Parkside Phase 3 Project to be financed by the SELEP LGF grant.

5. **Housing Infrastructure Fund – Contract for Beaulieu Park Station and Chelmsford North East Bypass (FP/544/10/19)**

The Cabinet received a report seeking approval to enter into a grant funding agreement with Homes England before the 31 March 2021 as part of the Housing Infrastructure Fund (HIF) to secure the release of a grant of £217.861mm to enable ECC to continue with infrastructure works to sponsor and underwrite the development of Beaulieu Park Station and the Chelmsford North East Bypass (the "Project"). The report also sought approval to enter into agreements with Chelmsford City Council (CCC) and Braintree District Council (BDC) in relation to the relevant terms of the GDA that CCC and BDC had involvement in delivering.

The Leader of the Council responded to questions from Councillors Mackrory and Pond in relation to the potential for an increase to the estimated level of passenger numbers, when design and operational information may be expected, assumptions made in relation to existing commuter patterns and the potential to influence the name of the station. The Leader agreed to consider arranging a member briefing on the matter at an appropriate point.

Resolved:

1. To enter into a Grant Determination Agreement (GDA) with Homes England for £217.861m.

2. That the Executive Director, Place and Public Health is authorised to agree terms with the Department of Transport (DfT) over the monitoring and evaluation of the DfT conditions that form Annexure 7 of the GDA in consultation with the Section 151 and Monitoring Officers and to ensure that the final terms do not materially change the risks to the Council from those set out in this report.
3. That the Chief Executive writes to Braintree DC to urge it to progress negotiations with the County Council to formalise an agreement relating to the District functions of the HIF project and that Executive Director, Place and Public Health is authorised to agree terms with BDC regarding joint working arrangements for the delivery of the Project.
4. To enter into an agreement with CCC of up to £5m for capital costs in relation to the City functions relating to the HIF project Agreement.
5. To negotiate with BDC to enter into an agreement complying with the terms of the HIF project on terms approved by the Executive Director, Place and Public Health in consultation with the monitoring officer.
6. That:
 - (a) the addition of £13.93m to the Capital Programme to be funded by prudential borrowing to allow the commitment within the GDA to be entered into subject to a requirement that this addition may not be spent on the Beaulieu Park scheme without a further cabinet decision to authorise the expenditure once value engineering has been completed; and
 - (b) that the Executive Director, Place and Public Health undertake an immediate review of the capital programme to find savings of £13.93m to fund the £13.93m should it be required.
7. That the addition of £2.224m to the Capital Programme for Chelmsford North East Bypass to be fully funded by received S106 contributions.
8. That the reprofiling of the capital programme allocations as set out in the table below:

	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	TOTAL
	£000	£000	£000	£000	£000	£000	£000	£000
Capital Programme Adjustments required								
Beaulieu Park Station	2,860	(216)	(1,766)	6,579	8,019	(3,227)	1,581	13,950
Chelmsford North East Bypass	(192)	(2,272)	(9,674)	12,338	2,224	-	-	2,224
Total Adjustments	2,468	(2,488)	(11,640)	19,217	10,243	(3,227)	1,581	16,155

9. Not to award any contract for the construction of the station or the bypass until:
 - (a) the terms of the associated agreement with the DFT referred to below have been agreed by the Executive Director, for Place and Public Health and he is satisfied that the final terms do not materially change the risks to the Council from those set out in this report;

(b) the Executive Director, for Place and public health is satisfied that terms have been agreed for the acquisition of all land required for the bypass; and

(c) the Executive Director, for Place and Public Health is satisfied that the station has been value engineered in the optimum way.

6. Reablement at Home Contract 2021 – 2024 (FP/966/01/21)

The Cabinet received a report seeking approval to direct award a contract for the Reablement at Home Service to Essex Cares Limited (ECL).

The Cabinet Member for Health and Social Care responded to questions from Councillors Henderson and Mackrory in relation to balancing the need to make savings with the required outcomes for service users, monitoring the impact of hospital readmissions and the need to take service users' experiences into account.

Resolved:

1. To award the Reablement at Home Service Contract to Essex Cares Ltd (trading as ECL) for a three-year term commencing 4 May 2021 on terms which allow the Council to terminate after two years.
2. That the contract be structured to secure a minimum volume of people through the service with contractual targets to improve both these volumes and delivery of outcomes.
3. That the contract will include a contractual provision whereby ECC may require the capacity of the service to be increased temporarily or permanently if there is an increase in demand and that any decision to change the capacity will be taken in accordance with the constitution.
4. That the minimum contract value of £18.3m per year for the 3-year term, plus up to 10% variable operational capacity at a marginal rate worth a maximum of £1.5m per year.
5. To note that work undertaken with the Connect Programme may lead to a recommendation that work is transferred from other services into this contract.
6. To note that ECC is the primary commissioner for the contract with ECL and will take a lead role in contract management. ECC will establish local arrangements to ensure delivery of specification with our NHS partners.

7. Response to Climate Action Commission's Interim Report (FP/915/15/20)

On welcoming the Climate Action Commission's interim report in November 2020 a further report was requested by the Cabinet setting out the

Commission's recommendations that could be agreed as priorities to action as opposed to those which required a more significant action plan to be developed, discussions with partners or a more detailed cost analysis. This subsequent report was presented for Cabinet's consideration.

The Cabinet Member for Environment and Climate Change Action responded to questions from Councillors Turrell, Pond and Henderson in respect of the number of trees planted by Essex County Council, the new fund to support residents and communities to take action on climate change, tree planting on leased land, the non-adoption of the term 'Climate Change Emergency', and the ability to access the funding required to progress the Commission's recommendations. A written answer would also be provided to Councillor Turrell in respect of the detail of the Electric Vehicle Strategy, the intentions for the £400,000 of targeted capital investment specified at point 6.1.1 of the agenda report and the timing of the detailed plans required to establish what was needed to achieve the Net Zero requirement.

The Deputy Leader and Cabinet Member for Infrastructure responded to questions from Councillors Pond and Henderson regarding the potential to expand the designation of school streets and the budget in relation to Public Rights of Way.

Resolved:

1. To note the current programme of climate action (Appendix A of the agenda report) made in response to the recommendations made in the Essex Climate Commission's Interim Report.
 2. That ECC has a policy to transform its estate to have Net Zero greenhouse gas emissions by 2030; creating an electric vehicle strategy for Essex; and the setting up of a Net Zero innovation network.
 3. That officers will report annually to Cabinet on Essex County Council's greenhouse gas emissions and climate resilience measures.
 4. That officers will report annually to Cabinet on greenhouse gas emissions and climate reliance measures across Essex.
 5. That Cabinet Members will bring an update, on a rolling rota basis, on progress made in their portfolio to address the climate challenge, following the publication of the final report of the Climate Commission in summer 2021.
8. **Better Care Fund Plan and arrangements - 2021/22 (FP/955/02/21)**

The Cabinet received a report seeking agreement to vary the six BCF (Better Care Fund) section 75 agreements entered into by the Council with the five Essex CCGs (Clinical Commissioning Groups), to ensure that the use of the mandatory funding contributions for 2020/21 meet the national conditions.

The report also sought agreement for interim arrangements for the management of the Essex BCF between the end of 2020/21 and the establishment of the new 2021/22 BCF Plan once national planning guidance has been published.

Resolved:

1. To vary the six BCF section 75 agreements to reflect:

- the national 2020/21 5.3% uplift to the minimum CCG contributions (total Essex BCF £159.7m) as agreed by the Council and the five CCGs but not yet formalised due to the delay caused by Covid-19 pandemic; and
- the national 2021/22 uplift to the 2020/21 contributions (Uplifted Contributions) which are being uplifted by 5.3% for 2021/22 (total Essex BCF £165.2m).

2. That the Cabinet Member for Adult Social Care and Health may authorise subsequent variation of the six BCF section 75 agreements to reflect the final allocated contributions (Final Allocations), if and when these are published, if different from the Uplifted Contributions.

9. **Decisions taken by or in consultation with Cabinet Members (FP/976/02/21)**

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

10. **Date of next meeting**

It was noted that the next meeting of the Cabinet would take place online at 10am on Tuesday 20 April 2021.

[Post meeting note – an additional meeting has since been scheduled for 26 March 2021].

11. **Urgent Business**

There was no urgent business.

12. **Urgent Exempt Business**

There was no urgent exempt business.

There being no further business, the meeting closed at 11.00am.