
Minutes of a meeting of the Cabinet meeting that took place in the Essex Restaurant at County Hall on Thursday 29 July 2021

Present:

Councillor	Cabinet Member Responsibility
Councillor K Bentley	Leader of the Council (Chairman)
Councillor M Buckley	Waste Reduction and Recycling
Councillor G Butland	Devolution, Art, Heritage and Culture
Councillor B Egan	Children's Services and Early Years
Councillor L Wagland	Economic Renewal, Infrastructure and Planning
Councillor C Whitbread	Finance, Resources and Corporate Affairs
Councillor J Spence	Health and Adult Social Care

Councillors Pond (by remote link), Mackrory, Scordis, King, Durham, Schwier, Fleming, Massey, Platt and Barker were also present.

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

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

1. There had been no changes of membership since the last report.
2. Apologies were received from Councillor McKinlay, Deputy Leader and Cabinet Members for Community, Equality, Partnerships and Performance, Councillor Scott, Cabinet Member for Highways Maintenance and Sustainable Transport and Performance, Councillor Ball, Cabinet Member for Education Excellence, Skills and Training and Councillor Henderson, Leader of the Labour Group, for whom Councillor Scordis substituted.
3. There were no declarations of interest.

2. **Minutes of Previous Meetings**

The Minutes of the meeting held on 22 June 2021 were approved as a true record and signed by the Chairman, subject to the correction of a typographical error.

3. **Questions from the public**

Questions were received from a member of the public who was unable to attend the meeting in relation to Agenda item no.7. A response was provided by the Cabinet Member for Economic Renewal, Infrastructure and Planning and a more detailed response would subsequently be provided in writing.

4. **Acknowledgement of the Essex Climate Action Commission's Final Report 'Net Zero: Making Essex Carbon Neutral' (FP/088/06/21)**

The Cabinet received the final report of the Essex Climate Action Commission, entitled 'Net Zero: Making Essex Carbon Neutral'.

The Leader of the Council, the Cabinet Member for Economic Renewal, Infrastructure and Planning, the Cabinet Member for Waste Reduction and Recycling and Councillor Schwier, Climate Czar, responded to questions from Councillors Mackrory, Scordis and Pond. The questions related to the extent to which the Council had and would engage with central government to achieve the recommendations of the Climate Action Commission, how a modal shift away from car use would be encouraged, how the Commission's report aligned with the Essex Design Guide and how the use of public transport could be encouraged, particularly bus use. The need to set robust targets for residual waste and recycling, and the benefits of walkable town centres and school streets were also referenced.

Resolved:

1. To agree to accept and welcome the 'Net Zero: Making Essex Carbon Neutral' report from the Essex Climate Action Commission as at Appendix A.
2. To agree that a response to the Commission's Net Zero: Making Essex Carbon Neutral report is brought to the Cabinet meeting later in 2021.
3. To formally thank the Commission for their work in producing the final report.

5. **2021/22 Financial Overview as at the First Quarter Stage (FP/011/03/21)**

The Cabinet received a report set out the current forecast financial position of Essex County Council's (ECC) revenue and capital budgets as at the first quarter stage of the 2021/22 financial year.

The Cabinet Member for Finance, Resources and Corporate Affairs and the Cabinet Member for Waste Reduction and Recycling responded to questions from Councillors King and Scordis in relation to the expectations for potential settlement amounts connected to a resolution of a dispute and whether dialogue was taking place with central government about funding requirements in the event of another lockdown period becoming necessary.

A written answer would also be provided to Councillor King from the Cabinet Member for Education Excellence, Skills and Training in relation to the forecast overspend for Independent Schools.

Resolved:

1. To draw down funds from reserves as follows:
 - i. **£1.3m** from the Adults Digital Programme Reserve to the Adult Social Care and Health portfolio to fund projects within the digital programme (section 5.1.iv)
 - ii. **£1.2m** from the Insurance Reserve to the Finance, Resources and Corporate Affairs RSSS portfolio in respect of recovery of income relating to Highways claims, to meet ECC budget pressures in 2021/22 as planned in February budget setting (section 5.15.iii)
 - iii. **£3.7m** from the Covid Equalisation Reserve to the Adult Social Care and Health portfolio to support the COVID Resilience Fund (section 5.1.iv)
 - iv. **£2.5m** from the Covid Equalisation Reserve to the Community, Equality, Partnerships and Performance portfolio relating to: Essex Outdoors loss of income (**£2.4m**), additional staff required in Registrations (**£105,000**) and Coroner's inquest backlog (**£35,000**) (section 5.3.ii)
 - v. **£1.6m** from the Covid Equalisation Reserve to the Finance, Resources and Corporate Affairs RSSS relating to Delivery and Assurance (**£1.3m**), Transactional services staffing (**£150,000**), staffing re Entry Level Employment (**£149,000**), and People Operations (**£65,000**) (section 5.15.iii)
 - vi. **£1.4m** from the Covid Equalisation Reserve to the Community, Equality, Partnerships and Performance RSSS (**£1.3m**) and to the Finance, Resources and Corporate Affairs RSSS portfolio (**£87,000**) relating to Business Support (sections 5.13.iii & 5.15.iii)
 - vii. **£441,000** from the Covid Equalisation Reserve to the Highways Maintenance and Sustainable Transport portfolio to cover lost income within Park & Ride services due to the impact of COVID (section 5.9.iv)
 - viii. **£1.7m** from the Technology Solutions Reserve to the Finance, Resources and Corporate Affairs RSSS portfolio relating to the Social Care Platform Programme (section 5.15.iii)
 - ix. **£1.6m** from the Transformation Reserve to Children's Services and Early Years portfolio to support the 2021/22 budget (section 5.2.ii)
 - x. **£903,000** from the Transformation Reserve to the Adult Social Care and Health portfolio; to support the savings programme (**£843,000**) and for the Independent Living Programme (**£60,000**) (section 5.1.iv)
 - xi. **£654,000** from the Private Finance Initiatives (PFI) Equalisation Reserves to the Education Excellence, Skills and Training portfolio in relation to Debden PFI (**£389,000**) and Clacton secondary schools PFI (**£265,000**) (section 5.7.iii)
 - xii. **£584,000** from the Ambition Fund Reserve to the Community, Equality, Partnerships and Performance RSSS portfolio

- xiii. relating to the Just About Managing project to cover the costs associated with the Working Families Initiative (section 5.13.iii) **£220,000** from the Ambition Fund Reserve to the Adult Social Care and Health portfolio towards funding for Mental Health (section 5.1.iv)
- xiv. **£187,000** from the Covid Equalisation Reserve to the Community, Equality, Partnerships and Performance RSSS (**£44,000**) and Leader RSSS portfolio (**£143,000**) to the Communications and Marketing team for pandemic related media campaigns (sections 5.13.iii & 5.16.ii).
- xv. **£383,000** from the Transformation reserve to the Children's Services and Early Years portfolio to support the Divisional Based Intervention Team within the Children's Sustainability Programme (section 5.2.ii)
- xvi. **£33,000** from the Transformation Reserve to the Finance, Resources and Corporate Affairs RSSS portfolio relating to Technology Services Portfolio project. This was previously approved (FP/387/03/19) but has time lapsed (section 5.15.iii)
- xvii. **£28,000** from the Quadrennial Election Reserve to the Community, Equality, Partnerships and Performance portfolio relating to costs of the May 2021 elections (section 5.3.ii)
- xviii. **£25,000** from the Collection Fund Risk Reserve to the Finance, Resources and Corporate Affairs RSSS portfolio to support analysis of the pandemic impact (section 5.15.iii).
- xix. **£125,000** from the Covid Equalisation Reserve to the Children's Services and Early Years portfolio for the Family Innovation Fund Extra (section 5.2.ii)

2. To appropriate funds to reserves as follows:

- i. **£2.5m** to the Children's Transformation Reserve from the Children's Services and Early Years portfolio appropriating the Social Care Grant settlement to the reserve until it is required (section 5.2.ii)
- ii. **£2.3m** to the Waste Reserve from the Waste Reduction and Recycling portfolio due to a lower inflationary increase than budgeted (section 5.11.iii)
- iii. **£1.1m** to the Commercial Investment in Essex Places Reserve from the Finance, Resources and Corporate Affairs RSSS portfolio due to the receipt following the sale of Schools payroll (section 5.15.iii)
- iv. **£6,000** to the Community Initiatives Fund Reserve from Community, Equality, Partnerships and Performance portfolio following receipt of grant, which will be utilised before planned use of reserves (section 5.3.ii)
- v. **£314,000** to the Private Finance Initiatives (PFI) Equalisation Reserves from the Education Excellence, Skills and Training Portfolio in relation to Building Schools for the Future (section 5.7.iii)

- vi. **£150,000** to the Technology Solutions Reserve from the Finance, Resources and Corporate Affairs RSSS portfolio to support future years Technology programmes (section 5.15.iii)
3. To approve the following adjustments:
- i. Transfer the balance of funds relating to the Children's Sustainability programme, which are currently ringfenced in the Transformation reserve, to the Children's Transformation Reserve. The balance to be moved, after requests in this report, is **£3m**.
 - ii. Agree to fund all future requests to withdraw money from reserves against decisions previously taken with respect to providing additional funding to services for COVID related reasons from the COVID Equalisation reserve, rather than the reserve(s) originally agreed.
 - iii. Agreement is therefore sought that up to **£16.8m** which has not been drawn down but which was previously authorised to be drawn down from various sources (as set out in **Appendix E**) will now, if required, be drawn down from Covid Equalisation Reserve.
 - vi. Vire **£33,000** from the Community, Equality, Partnerships and Performance portfolio to Devolution, Art, Heritage and Culture Portfolio to fund an additional post in relation to Brexit within Trading Standards (sections 5.3.ii & 5.4.ii)
 - v. Vire **£40,000** from Community, Equality, Partnerships and Performance portfolio to Community, Equality, Partnerships and Performance RSSS portfolio to align delivery of a saving from Strategic Partnerships to Equalities and Diversity (sections 5.3.ii & 5.13.iii)
 - vi. Agree that authority is given to draw down up to **£13m** from the Waste Reserve on an incremental basis but that the money may be drawn down in phases as determined by the Executive Director, Corporate Services in consultation with the Cabinet Member for Finance, Resources and Corporate Affairs to resource the resolution of a dispute (including the referring of the dispute to litigation). This reflects the change in post title and structure of the original authorisation FP/655/11/16.
 - vii. To create a new Equalities Fund Reserve to set aside resources to support the focus on the people and places where the council can make the biggest difference to improve lives, and to transfer **£10.3m** from the Collection Fund Risk Reserve to this reserve.
 - viii. To amend the capital budget as shown in Appendices C (i) and C (ii) which allows for capital slippage of **£21.7m**, capital budget additions of **£15.1m**, capital budget reductions of **£1.5m** and advanced works of **£2m** (see section 7.2).

6. Essex Housing - Annual Delivery Plan 2021/22 (FP/077/05/21)

The Cabinet received a report advising that Essex Housing Development LLP was required to prepare an Annual Delivery Plan for Essex Housing that ECC would be asked to consider and approve. The report sought approval of the Annual Delivery Plan for 2021/22.

The Cabinet Member for Economic Renewal, Infrastructure and Planning would provide a written response to questions from Councillor Mackrory and Pond in relation to forecast reductions in the level of capital programme expenditure from 2023/24 through to 2025/26 and the level of expected net receipts to the Council over the next five years.

Resolved:

1. To agree the Essex Housing Annual Delivery Plan 2021/22 contained in the Confidential Appendix.
2. To note that further formal decisions will need to be taken for each site for development, financing, and land disposal to Essex Housing Development LLP for 2021/22 as set out in paragraph 3.7.

7. Land at Hamberts Farm South Woodham Ferrers - Residential Development (FP/058/04/21)

The Cabinet received a report seeking approval to enter into a contract with Countryside Properties (UK) Limited ('Countryside') in relation to Essex County Council's (ECC) Hamberts Farm site.

The Cabinet Member for Economic Renewal, Infrastructure and Planning responded to questions from Councillors Massey and Mackrory in relation to the provision of a primary school on the site and measures to ensure that sustainable travel was embedded within the development.

Resolved:

1. To agree that subject to the remaining recommendations the Council should enter into an option agreement with Countryside for the disposal of its interest in the land at South Woodham Ferrers shown outlined red on appendix A1 on the terms set out in the report.
2. To agree that subject to 1. the Director, Performance, Investment and Capital Delivery may determine the terms of the agreement in consultation with the Director, Legal and Assurance.
3. To agree that the option agreement may not be entered into until the Director, Performance, Investment and Delivery, in consultation with the Cabinet Member for Economic Renewal, Infrastructure and Planning, and the Director, Legal and Assurance is satisfied that Countryside Properties

(UK) Limited is giving sufficient security for the potential overage payments.

8. Intensive Coaching Service for Young People in Care (FP/082/06/21)

The Cabinet received a report advising that the current Department for Education (DfE) funding for the intensive coaching support programme would cease on 30 June 2022. It was proposed that this service was recommissioned and funded by ECC to ensure that provision continued post cessation of the DfE funding. Prior to consideration of the report the Cabinet were advised of a data error in section 3.4 which should have stated that the looked after children figures in Essex had reduced from 1,580 in 2010/11 to 1,079 in 2020/21.

The Cabinet Member for Children's Services and Early Years responded to questions from Councillors Mackrory and King in relation to the cost benefit ratio and the potential for the related investment line to be extended or enhanced.

Resolved:

1. To agree to procure a contract for the provision of Inside Out coaching for vulnerable young people in care in Essex, Hertfordshire and Norfolk using an open, single stage procurement procedure for an initial 3-year contract term from 1 July 2022, with a 1 year plus 1 year option to extend to 2027.
2. To agree that ECC act as lead commissioner of the procurement of the Inside Out coaching Programme on behalf of Hertfordshire County Council and Norfolk County Council.
3. To agree that the total contract value for all 3 Councils over a 5 year period will be £5.1m. The annual contract value for the Council will be £340,000 for the duration of the contract.
4. To agree that the evaluation model for the procurement will be based on 30% price and 70% quality, of which 10% of the quality criteria will assess social value.
5. To agree that the Director for Commissioning, Children and Families is authorised to approve the detailed evaluation model to be used for the procurement in consultation with Hertfordshire County Council and Norfolk County Council.
6. To agree that the Cabinet Member, Children's Services and Early Years is authorised to agree the terms of and award the contract to the successful bidder.
7. To agree that the Cabinet Member, Children's Services and Early Years is authorised to agree the terms of the Collaboration Agreement with Hertfordshire County Council and Norfolk County Council.

8. To agree that the Children's Services and Early Years portfolio is increased by £255,000 for 2022/23 with a full year effect of £340,000 in 2023/24. This will increase the budget gap of the Council's Medium Term Resource Strategy and will require a sustainable financial mitigation to be identified from the Children's Services and Early Years portfolio as part of the 2022/23 budget setting process.

9. **Procurement of the Substance Misuse Specialist Treatment and Recovery Service (FP/060/04/21)**

The Cabinet received a report advising that the Council had historically commissioned substance misuse, drug and alcohol, treatment and recovery services via the Public Health Grant. The contract for the delivery of the current substance misuse specialist prescribing service, an integral part of the wider treatment and recovery system, would expire on 31 March 2022. A new service was needed to comply with the terms of the grant, and to ensure this element of the treatment system was available to residents.

The Cabinet Member for Health and Adult Social Care responded to questions from Councillors Pond and King in relation to the Safe Van initiative in Glasgow, and work undertaken to develop a shared understanding of demand with colleagues from Public Health England.

Written responses would also be provided to Councillors Mackrory and King in relation to the role of the charitable and voluntary sector within the service and the Council's response to the second part of Dame Carol Black's independent review.

Resolved:

1. To agree to procure a contract for the provision of a substance misuse Specialist treatment and recovery service for Essex residents suffering with drug and alcohol misuse using an open, single stage procurement procedure for a 7-year contract term commencing in April 2022.
2. To agree that the provision of this service over the 7-year term will have a maximum total expenditure of £30.3m based on an annual spend of circa £4.3m.
3. To agree that the service will be procured using an evaluation model based on 30% price and 70% quality, of which 10% of the quality score will relate to social value.
4. To agree that the Executive Director, Place and Public Health is authorised to agree the detailed evaluation model for the procurement.
5. To agree that the Cabinet Member for Adult Social Care and Health is authorised to award the contract to the successful bidder.

10. **Decisions taken by or in consultation with Cabinet Members (FP/086/06/21)**

The report was noted.

11. **Date of the next meeting**

The next meeting of the Cabinet would take place on the morning of Tuesday, 21 September 2021, with the venue and time to be confirmed.

12. **Urgent Business**

There was no urgent business.

13. **Confidential Appendix: Essex Housing - Annual Delivery Plan 2021/22 (FP/077/05/21) (Public and press excluded)**

The confidential appendix to report FP/077/05/21, to which minute 6., above, refers was agreed.

14. **Confidential Appendix: Land at Hamberts Farm South Woodham Ferrers - Residential Development (FP/058/04/21) (Public and press excluded)**

The confidential appendix to report FP/033/03/21, to which minute 7., above, refers was agreed.

15. **Urgent exempt business (Public and press excluded)**

There was no urgent exempt business.

There being no further business, the meeting closed at 11.15am.