Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall on Tuesday 21 December 2021

Present (via Zoom):

Councillor	Cabinet Member Responsibility
Councillor K Bentley	Leader of the Council (Chairman)
Councillor L McKinlay	Deputy Leader and Community, Equality, Partnerships and Performance
Councillor T Ball	Education Excellence, Life-Long Learning and Employability
Councillor M Buckley	Waste Reduction and Recycling
Councillor G Butland	Devolution, the Arts, Heritage and Culture
Councillor B Egan	Children's Services and Early Years
Councillor L Scott	Highways Maintenance and Sustainable Transport
Councillor J Spence	Health and Adult Social Care
Councillor L Wagland	Economic Renewal, Infrastructure and Planning
Councillor C Whitbread	Finance, Resources and Corporate Affairs

Councillors M Durham, D King, M Mackrory, M Platt, A Goggin, B Massey and L Scordis were also present via Zoom.

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 of membership since the last report.

2. Apologies for absence were received from Councillor Henderson, Leader of the Labour Group, for whom Councillor Scordis substituted.

3. There were no declarations of interest.

2. **Minutes of Previous Meeting**

The Minutes of the meeting held on 24 November 2021 were approved as a true record and would be signed by the Chairman.

3. **Questions from the public**

There were no questions from members of the public.

4. **Procurement of new energy supply contracts and adoption of renewable energy policy for 2021-22 (FP/096/07/21)**

The Cabinet received a report setting out a number of matters in relation to the procurement of new energy supply contracts and adoption of renewable energy policy for 2021-22 for their consideration and approval.

The Cabinet Member for Finance, Resources and Corporate Affairs responded to a question from Councillor Mackrory in respect of the options for schools now they were not included within the contracts. Written responses would also be provided to Councillors Scordis and King in respect of the timetable for the installation of solar panels and related infrastructure, assurance around the use of Certified Renewable Energy certificates and the options available to Essex County Council in creating it's own carbon offsets.

Resolved:

1. To agree to procure flexible supply contracts for electricity and gas for the Council's energy requirements for its core estate and infrastructure from 1 October 2022 using an open single stage procurement procedure. Contracts will be for a 3-year contract term with an option to extend for up to 3 years.

2. To agree that the purchases under the flexible supply contracts over the 3 year term will have a maximum total expenditure of £25.6m (£23.1m for electricity and £2.5m for gas) based on forecast spend in 2022/23 of £8.4m (£7.6m for electricity and £800,000 for gas).

3. To agree to back up the flexible electricity supply contracts with the purchase of Renewable Energy Guarantee of Origin certificates from the successful electricity supplier at an additional estimated cost of £78,000 per annum.

4. To agree that the flexible supply contracts will be procured using an evaluation model based on 60% price and 40% quality, of which 5% of the quality score will assess social value.

5. To agree that the Executive Director, Economy, Investment and Public Health, is authorised to agree the detailed evaluation model for the procurement of the flexible supply contracts in consultation with the S151 Officer.

6. To agree that the Cabinet Member for Finance, Resources and Corporate Affairs is authorised to award the contracts to the successful bidders following completion of the procurement process.

7. To agree to adopt the Renewable Electricity Policy 2021-25 in the form appended to the report.

5. Essex County Council Social Value Policy (FP/183/10/21)

The Cabinet received a report containing matters related to the Essex County Council Social Value Policy for their consideration and approval.

The Cabinet Member for Finance, Resources and Corporate Affairs moved the following further recommendation in respect of the report:

That a report be brought back to the Cabinet Member for Finance, Resources and Corporate Affairs to consider how the policy may be expanded to take account of social value relating to the Council's commitments under the Armed Forces Covenant.

This was duly seconded by the Cabinet Member for Education Excellence, Life-Long Learning and Employability and it was agreed by those present that the recommendation would be voted on at the conclusion of the report's presentation.

The Cabinet Member for Finance, Resources and Corporate Affairs responded to questions from Councillors Mackrory and King with regard to flexibility when suppliers were selected, and the enforceability of social value elements of the procurement process.

Resolved:

1. To agree the social value policy in the form appended to the report.

2. That a report be brought back to the Cabinet Member for Finance, Resources and Corporate Affairs to consider how the policy may be expanded to take account of social value relating to the Council's commitments under the Armed Forces Covenant.

6. Beaulieu Park Railway Station - Commissioning of Network Rail GRIP Stage 5 (FP/204/11/21)

The Cabinet received a report containing matters related to the Beaulieu Park Railway Station – Commissioning of Network Rail GRIP Stage 5 for their consideration and approval.

The Cabinet Member for Economic Renewal, Infrastructure and Planning agreed to provide a written response to Councillor King with regard to the detail of the risk review completed by Essex County Council and the challenges made to Network Rail's assumptions as part of this process, and any elements of the scheme that may have been removed due to value engineering.

Resolved:

To authorise the Director, Highways and Transportation, in consultation with the section 151 officer to enter into the Development Services Agreement

(DSA) with Network Rail for GRIP stage 5 to enable the Beaulieu Park Railway Station Project to progress through GRIP Stage 5 for the sum of £9,407,267 if the final total project cost estimate issued at the conclusion of GRIP Stage 4 is less than £157.07m.

7. **Transfer of Land at former Essex County Hospital, Colchester to Essex Housing Development LLP (FP/206/11/21)**

The Cabinet received a report containing matters related to the transfer of land at former Essex County Hospital, Colchester to Essex Housing Development LLP for their consideration and approval.

Resolved:

1. To agree to enter into a contract for the transfer of the freehold ownership of land shown edged red on the Plan from the Council to Essex Housing Development LLP for the value shown in the Confidential Appendix in three phases.

2. To agree to provide Essex Housing Development LLP with a development loan for the value shown in the Confidential Appendix as part of a development loan facility made by Essex County Council (the Council) to Essex Housing Development LLP ('The LLP').

3. To agree revenue expenditure value as shown in the Confidential Appendix to be drawn down from the Working Capital facility provided by the Council.

4. To note that the Section 151 Officer has delegated authority to amend the period of the loan agreement and the repayment amounts and dates.

5. To agree in its role as Member of Essex Housing Development LLP that:

    5.1 Essex Housing Development LLP enters into an agreement with Essex County Council to take out a development loan for the value shown in the Confidential Appendix.

    5.2 Essex Housing Development LLP enters into an agreement with Essex County Council to purchase the Site.

    5.3 Essex Housing Development LLP enters into a design and build contract for the building of 63 units on the site for Phase 1.

8. **Decisions taken by or in consultation with Cabinet Members (FP/221/11/21)**

The report was noted.

9. **Date of the next meeting**

The next meeting of the Cabinet would take place on Tuesday 18 January 2022 in the Council Chamber at County Hall, Chelmsford.

10. **Urgent Business**

There was no urgent business.

11. **Confidential Appendix: Confidential Appendix: Transfer of Land at former Essex County Hospital to Essex Housing Development LLP (FP/206/11/21) (Public and press excluded)**

The confidential appendix to report FP/206/11/21, to which minute 7, above, refers was agreed.

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

There was no urgent exempt business.

There being no further business, the meeting closed at 11.05 am.