

Cabinet Issues

1. Award of Residual Waste Treatment Contract

The Cabinet has agreed the Final Business Case for the Residual Waste Treatment Contract (PFI) and approved its submission to the DEFRA Waste Infrastructure Delivery Programme (WIDP) as part of securing a £100.9m Waste Infrastructure Credit (formerly PFI) grant. It has also agreed to award the Residual Waste Contract to the consortium of Urbaser and Balfour Beatty (the preferred bidder). The Contract will deliver a Mechanical Biological Treatment (MBT)-based residual waste treatment facility at the County Council's site in Courtauld Road, Basildon, and the Cabinet has also agreed to lease 8.5 hectares of the site to the consortium on the basis that the total nominal cost of the contract (including the sub-lease) is no greater than £919m at Financial Close. Services at the site are due to commence in June 2015, following periods of planning, construction, testing and commissioning, and will last for a period of 25 years.

As part of its deliberations on this issue, the Cabinet also agreed that the revised Joint Working Agreement between this Council and Southend-on-Sea Borough Council should be progressed to a satisfactory conclusion prior to contract award. Finally, authority was delegated to the Project Director – Waste to finalise the contract, the sub-lease and the Joint Working Agreement, in consultation with other officers as necessary.

The award of this contract is a considerable achievement, representing the culmination of many years work by Members and Officers of Essex County Council and its partners. The Cabinet wishes to record its thanks to all concerned.

2. Update on progress towards delivery of the Corporate Business Plan/background and vision for future performance arrangements

The Cabinet has received information concerning the Council's performance against the outcomes identified within the Essex Works Corporate Plan 2012 – 17 (based on the latest information available) and has considered approved targets and aspirations in relation to those outcomes for 2012/13. Members were particularly pleased to note areas of effective performance.

The second part of the report on this issue focussed on the Council's short-term plans, and in particular on work being undertaken to bring closer alignment between financial, performance and risk planning in 2012/13. The Cabinet welcomed this development and approved, as far as it was concerned, the proposed format for a revised formal quarterly report for Cabinet and the Executive Scrutiny Committee.

3. Review of Governance Arrangements – Audit 2010/11

The Cabinet has noted the findings by the Audit Commission that the Council has made significant improvements in the quality of its governance and has made progress towards achieving a real and sustainable culture change.

Since 2008, the Audit Commission has monitored elements of the Council's governance arrangements via a series of external and internal audits. The Cabinet considered a report by the Commission which summarised these previous reviews and set out the issues which they identified, together with the actions taken by the Council in response to them. The report provided an up to date assessment of the position as at October 2011 and made recommendations for further improvement.

Noting that the Corporate Governance project sponsored by the Executive Director for Finance and delivered by the Transformation Support Unit had come to an end, the Cabinet acknowledged that it was now appropriate to move away from a largely project-focused response to governance issues. The monitoring, maintenance and improvement of the Council's corporate governance would therefore in future be undertaken as part of 'business as usual' core activity, with actions in response to the Audit Commission's recommendations tracked by the cross-party Corporate Governance Steering Board (with the Audit Committee also playing a key monitoring role).

4. The LEP and the Growing Places Fund

Local Enterprise Partnerships (LEPs) are partnerships of local authorities and businesses formed to help drive sustainable local economic growth and create the conditions for business growth in its local area(s). The South East LEP (SELEP), which spans Essex, Kent and East Sussex, has made significant progress over the past 18 months, and has been heavily supported by the Council in achieving its status as perhaps the most important – and most improved – LEP in the Country.

While some LEPs have established themselves as legal entities – and some as companies limited by guarantee – the South East LEP exists as an informal partnership with no separate corporate legal identity. Its operation and administration has been provided by the Council with the full approval of the LEP Board. This has proven successful to date; the South East LEP's management of the Growing Places Fund (a government initiative to enable schemes capable of unlocking opportunities for new homes and increased job growth) is perhaps the best example of a LEP working quickly and effectively with another authority as Accountable Body. Given the prominent status this affords the Council, and the likelihood of the extension of these arrangements in the future, it is necessary to adopt a clear position on the Council's role as Accountable Body for this and other LEP-related funding streams or activities.

The Cabinet has therefore agreed that the Council should assume responsibility as the Accountable Body for the Growing Places Fund (which has been transferred to

the Local Enterprise Partnership (LEP)). Having noted the grant-making structure adopted by the LEP Board, it has also authorised the Assistant Chief Executive to approve loan applications recommended by that Board and to enter into appropriate legal agreements on behalf of the Council with the recipients of grant funding once these have been approved by the Board.

5. Essex Adoption Agency Ofsted Inspection 2012

The Cabinet has been pleased to note the outcome of the recent Ofsted inspection of Essex Adoption Agency which has found the Agency to be 'Good with Outstanding features'. This compares with findings of Good (strong) in previous inspections held in 2005 and 2008. Three practice recommendations were made arising from the inspection and the Cabinet noted the action plan which had been put in place to address these.

The Cabinet placed on record thanks to the staff and Members involved through the Adoption Team, adoption panels and the Corporate Parenting Panel.

6. Essex Children's Services Plan for Sustained Improvement 2012/13

The Cabinet has endorsed activity contained within the Essex Children's Services Plan for Continued Improvement 20/12, produced to pull together recommendations arising from the recent Ofsted inspection, the previous Statutory Improvement Plan, key Munro recommendations and service development activity within Children's Social Care.

Key partners from health and the Police had been engaged in developing the Plan and reviewing progress, and would continue to meet on a bi-monthly basis. The Plan would be submitted to the Children and Young People's Policy and Scrutiny Committee in April 2012, and that Committee had already contributed amendments and clarifications from a previous draft which had been incorporated into the final version.

The Cabinet was pleased to note the progress already being made.

7. Troubled Families Programme

In recent years there has been an increasing focus on the development of support and provision for families, rather than the traditional focus in individual family members for assessment and service provision. There have been a number of initiatives, including most recently the launch of the Government's 'Troubled Families' Programme on 28 March 2012. This programme relates to a cohort of families with specific requirements based on a part Payment by Results model, aiming to turn around the lives of some 120,000 families across the country by 2015. The

Department of Communities and Local Government (DCLG) has estimated that 2,220 of these families are resident within Essex.

The Cabinet has received a report describing how the Troubled Families Programme is intended to operate in Essex, and setting out the options being explored for delivery of the Programme. It was noted that the first stage of implementation would be to compile a list of families falling within the definition of 'troubled' to be part of the Programme during its first year, for notification to the DCLG by 30 April 2012.

8. The Essex Countywide Traveller Unit

The Cabinet has agreed to the formation on a staged basis of an Essex Countywide Traveller Unit (ECTU) with the aim of improving quality of life for Gypsy and Traveller residents and achieving efficiency relative to current service provision. It has also approved the budgetary provision necessary to facilitate the first stage of the project, pending conclusion of the planned agreement with external partners.

Work undertaken by a multi-agency project consisting of Essex County Council, Districts, Boroughs, Unitaries, Primary Care Trusts (PCTs), Essex County Fire and Rescue Service and Essex Police had identified that Gypsy and Traveller communities experience worse quality of life outcomes against many measures when compared with the population of Essex as a whole. Both national and local evidence demonstrates that these outcomes also result in high consequential costs to the public sector. The project had also found that service provision can be made more effective and efficient through partners taking a more joined up approach.

Drawing on best practice in considering a wide range of service delivery options, the project team proposed the establishment of a single, multi-agency unit to lead on a wide range of activities, with a number of anticipated benefits as follows:

- Reduced risk of injury and death on site through reduced likelihood of fires on site
- Increased take-up of compulsory education and consequent achievement
- Increased knowledge of and access to all learning opportunities
- Improved health outcomes and awareness
- Improved access to and take up of GP services
- Improved links to social care to ensure equality of access and opportunity
- Unauthorised encampments tolerated/resolved in a firm, fair and consistent manner (although the Unit would not be involved in taking enforcement action against unauthorised developments or advising on planning for new locations for Gypsy and Traveller pitch provision).

In agreeing to the establishment of the Unit, the Cabinet placed on record its thanks to the officers involved for their work in bringing the project to a successful conclusion.

9. Community Infrastructure Levy: Chelmsford and Thurrock

The Cabinet has received information concerning the introduction of the Community Infrastructure Levy (CIL). It has approved the following:

- the Preliminary Draft Charging Schedule (PDCS) produced by Chelmsford City Council, together with associated comments;
- the outline proposal for the governance of CIL in Chelmsford (as included within that Council's PDCS); and
- the submission of comments to Thurrock Council on their proposed PDCS.

The CIL is designed to help ensure that development contributes reasonably to the cost of the infrastructure required to support that development. It will be expressed as a charge of £x per square metre of development. There are a number of exemptions from CIL (social housing, charities and charitable investment) and a District can set its own criteria for further exemptions. It is possible for a District to impose multiple rates of CIL (in certain parts of the District or for different types of development) but the District would have to demonstrate that these differential rates are justified by viability differences only.

To charge a CIL, a Charging Authority (ie a District or City) has to produce a Preliminary Draft Charging Schedule (PDCS). The PDCS has to set out an Infrastructure Delivery Plan involving local infrastructure providers, which includes the County Council. A viability assessment has then to be undertaken to ascertain that the emerging CIL charge will not render all development in the District unviable. After this assessment the PDCS has to be consulted upon publicly and then submitted to an examination in public. A 'meaningful proportion' (yet to be clarified) of CIL is required to be made available to the neighbourhood in which development takes place.

The Cabinet placed on record their appreciation to the other authorities involved (in particular Colchester, Chelmsford and Thurrock Councils), and to the Essex Planning Officers Association, for their respective contributions.

10. Essex County Council's Emissions Strategy

The Cabinet has agreed to the adoption of the Corporate Emissions Strategy as a corporate document for annual review. Adoption was recommended in the light of a particularly strong push from the government for local authorities to take a pro-active approach to tackling greenhouse gas (GHG) emissions.

From April 2010 the Council has been legally required to participate in the CRC energy efficiency scheme (formerly known as the Carbon Reduction Commitment), a mandatory emissions scheme whereby the Council will need annually to measure, report on and purchase carbon allowances for the carbon emissions for which it is liable (for example from its property, schools and street lighting).

The Corporate Emissions Strategy, which emerged from work undertaken by a Task and Finish Group of the Economic Development, Environment and Highways Policy and Scrutiny Committee, provides a high-level, overarching framework for all the council plans, programmes and initiatives relating to energy management and GHG emissions. It defines the Council's objectives and responds to a number of key drivers, such as the CRC scheme and GHG emissions reporting. The Strategy aims to address the Council's responsibility to significantly reduce its emissions and financial implications from CRC by proposing changes to the way in which the Council manages its estate, delivers services and stimulates behavioural change.

The commitment to tackle GHG emissions will apply to all directorates.

Peter Martin
Leader of the Council