

## **Minutes of a meeting of the Cabinet that took place in the Council Chamber at County Hall at 10.15 am on Friday 15 October 2021**

### **Present:**

<b>Councillor</b>	<b>Cabinet Member Responsibility</b>
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, I Henderson, D King, M Mackrory, M Platt, and P Schwier were also present. Councillor C Pond also participated 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. There were no apologies for absence.
3. There were no declarations of interest.

### **2. Minutes of Previous Meetings**

The Minutes of the meeting held on 21 September 2021 were approved as a true record and signed by the Chairman.

### **3. Questions from the public**

There were none.

### **4. 2021-22 Financial Overview as at the Half Year Stage (FP/012/03/21)**

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

The Cabinet Member for Health and Adult Social Care responded to questions from Councillor Henderson on recruitment and retention in the care market and backlogs in providing care and support.

The Cabinet Member for Finance, Resources and Corporate Affairs responded to questions from Councillors Henderson, King, Mackrory and Pond in respect of council tax collection rates, the impact of interest rate rises on the County Council's borrowing and modelling for the impact of any increases in the rate of National Insurance and in the rate of inflation. In response to a question from Councillor King, the Leader confirmed that a formal response to the recommendations from the Climate Action Commission would be considered by the Cabinet in November 2021.

**Resolved:**

1. To draw down funds from reserves as follows:
  - i. **£2m** from the Waste Reserve to the Waste Reduction and Recycling portfolio due to pressures which have increased tonnages costs (section 5.11.iii)
  - ii. **£860,000** from the Covid Equalisation Reserve to the Adult Social Care and Health portfolio; **£634,000** to offset the overspend on the Essential Living Fund (ELF) and **£226,000** for residential and nursing care block bed contracts (section 5.1.vi)
  - iii. **£219,000** from the Covid Equalisation Reserve to the Economic Renewal, Infrastructure and Planning portfolio relating to under recovery of income within International Trade (section 5.5.ii)
  - iv. **£192,000** from the Covid Equalisation Reserve to the Children's Services and Early Years portfolio due to the pressure caused by increased applications to the Early Years inclusion panel (section 5.2.ii)
  - v. **£167,000** from the Private Finance Initiatives (PFI) Equalisation Reserves to the Education Excellence, Skills and Training portfolio in relation to Debden PFI (**£139,000**) and Building Schools for the Future PFI (**£28,000**) (section 5.7.iv)
  - vi. **£99,000** from the Community Initiatives Fund Reserve to the Community, Equality, Partnerships and Performance portfolio to fund eligible expenditure incurred within Community Partnerships (section 5.3.iii)

- vii. **£85,000** from the Reserve for Future Capital Funding to the Highways Maintenance and Sustainable Transport portfolio relating to expenditure incurred on benefits realisation studies for SELEP and DEFRA (section 5.9.ii)
  - viii. **£80,000** from the Covid Equalisation Reserve to the Devolution, the Arts, Heritage and Culture portfolio relating to Gypsies and Travellers in respect of loss of income on rent and lettings (section 5.4.ii)
  - ix. **£65,000** from the Bursary for Trainee Carers Reserve to the Education Excellence, Skills and Training portfolio to Adult Community Learning (ACL) in respect of the Nightingale Project (section 5.7.iv)
  - x. **£24,000** from the Covid Equalisation Reserve to the Leader RSSS portfolio due to Communications and Marketing costs related to the pandemic (section 5.16.iii)
  - xi. **£22,000** from the Covid Equalisation Reserve to the Community, Equality, Partnerships and Performance portfolio to cover the cost of terminating a transport contract for the Youth Service (NCS) (section 5.3.iii)
  - xii. **£18,000** from the Commercial Investment in Essex Places Reserve to the Finance, Resources and Corporate Affairs RSSS portfolio relating to the final costs of sale of Schools Payroll (section 5.15.iii)
  - xiii. **£13,000** from the Quadrennial Reserve to the Community, Equality, Partnerships and Performance portfolio relating to costs of the May 2021 elections (section 5.3.iii)
2. To appropriate funds to reserves as follows:
- i. **£2.5m** to the Adults Transformation Reserve from the Adult Social Care and Health portfolio appropriating the Social Care Grant settlement to the reserve until it is required (section 5.1.vi)
  - ii. **£1.8m** to the Carry Forward Reserve from the Finance, Resources and Corporate Affairs RSSS portfolio to support the 2022/23 budget as detailed in section 5.15.iii
  - iii. **£1.5m** to the Carry Forward Reserve from the Children's Services and Early Years portfolio to support the 2022/23 budget as detailed in section 5.2.ii
  - iv. **£764,000** to the Covid Equalisation Reserve from the Community, Equality, Partnerships and Performance portfolio relating to funding which is no longer required due to an improved financial position within Essex Outdoors (section 5.3.iii)

- v. **£800,000** to the Carry Forward Reserve from Other Operating Costs to mitigate future interest rate risk (section 5.12.ii)
  - vi. **£367,000** to the Collection Fund Risk Reserve from the Finance, Resources and Corporate Affairs portfolio to support council tax funding in future years (section 5.8.iii).
  - vii. **£142,000** to the Private Finance Initiatives (PFI) Equalisation Reserves from the Education Excellence, Skills and Training portfolio in relation to Clacton secondary schools PFI (section 5.7.iv)
  - viii. **£85,000** to the Carry Forward Reserve from the Community, Equality, Partnerships and Performance RSSS portfolio from Essex Legal Services to cover costs associated with an ongoing Trading standards case which has been delayed due to Covid related court delays (section 5.13.iii)
3. To approve the following adjustments:
- i. To create a new Everyone's Essex Reserve to set aside resources to support delivery of the Everyone's Essex strategy for levelling up the county and improving lives and opportunities for all our residents, and to transfer **£25m** from the Renewal Fund Reserve, **£10m** from the Equalities Fund Reserve and **£10m** from the Ambition Fund Reserve to this reserve.
  - ii. Vire **£195,000** from the Community, Equality, Partnerships and Performance portfolio to Finance, Resources and Corporate Affairs RSSS portfolio to meet pressures relating to a restructure from Service Transformation to Organisation development and talent Management (sections 5.3.iii & 5.15.iii)
  - iii. Vire **£33,000** from Community, Equality, Partnerships and Performance RSSS portfolio to Leader RSSS portfolio to part fund a fixed term position within the Partnerships and Equality team (sections 5.13.iii & 5.16.iii)
  - iv. Vire **£26,000** within the Finance, Resources and Corporate Affairs RSSS portfolio from Finance to Human Resources in order to support business partnering training capacity across the functional area (section 5.15.iii)
  - v. To amend the capital budget as shown in Appendices C (i) and C (ii) which allows for capital slippage of **£10.7m**, capital budget additions of **£6.3m**, capital budget reductions of **£5.7m** and advanced works of **£5.3m** (see section 7.2).

**5. Bus Back Better: Bus Service Improvement Plan for Essex (FP/091/06/21)**

The Cabinet was asked to agree a Bus Service Improvement Plan which the Council had been asked to produce by the Government as part of the Government's national bus strategy.

The Cabinet Member for Highways Maintenance and Sustainable Transport responded to questions from Councillors Henderson, Mackrory and Pond in respect of cross border connectivity and liaison with adjacent counties, building confidence and incentivising usage, supporting young people in peak times, network franchising, the use of income from fines, investment in the fleet, and partnership working. It was confirmed that the Enhanced Partnership Plan would be presented to the appropriate scrutiny committee.

**Resolved:**

1. It was agreed to adopt the Bus Service Improvement Plan at appendix A to the report.
2. It was agreed that the Cabinet Member will take decisions relating to the elements of the Bus Service Improvement Plan that it is proposed will be delivered through Essex County Council's first Enhanced Partnership Plan and Scheme.
3. It was noted that there are likely to be additional resources required in order to deliver the Enhanced Partnership Plan and Scheme which are the delivery mechanisms for key parts of this plan and required to be in place by 31 March 2022. A further decision relating to those resource requirements will be included in the paper that is due to be considered at Cabinet in March 2022 to make the Enhanced Partnership Plan and Scheme.
4. It was noted that the Cabinet will take the final decision on adopting the Enhanced Partnership plan and scheme(s).

**6. New Library Building in Shenfield and Associated Development (FP/115/07/21)**

The Cabinet's approval was sought to redevelop the Shenfield Library site to make better use of this public land, create a more energy efficient building, improve a much valued community asset and attract a surplus to be reinvested in public services.

The Cabinet Member for Economic Renewal, Infrastructure and Planning responded to questions from Councillors Henderson, Mackrory and Pond in respect of adjacent trees, sale values of apartments, links with public transport, social value investments and affordable housing, green

technologies and the carbon impact of demolition and fabrication of new buildings.

**Resolved:**

1. It was agreed to demolish the current Shenfield Library building and replace it with a new scheme comprising a new library, a commercial unit and nine apartments.
2. It was agreed to invest from the capital programme to cover the costs of technical design, site preparatory works, demolition, and construction costs as set out in the confidential appendix.
3. It was agreed to the drawdown of £85,211 from the transformation reserve (for costs that cannot be capitalised) as set out in the confidential appendix.
4. It was agreed to undertake a procurement process for a demolition contractor via the Mitie Facilities Management contract for the demolition of the current building. This is Essex Housing's preferred method of procurement for demolition contractors as it reduces uncertainty for design and build contract bidders and can speed up and therefore lower the overall cost of the project. The award of contract to be delegated to the Head of Essex Housing so long as the cost is within the budget.
5. It authorised the commencement of improvement works at Bishops Hill Adult Community Learning Centre to create a temporary library space to be used during the period of works at the current site procured via Mitie Facilities Management contract to start work as soon as possible and avoid delays to the rest of the programme.
6. It was agreed to undertake a procurement process and to enter into a design and build contract for the re-development of the Site in line with the planning consent. The design and build contract will be procured under a single stage competitive tender with bids evaluated on 50% quality (including 5% social value) and 50% price. Agree that the Head of Essex Housing may award the contract if it is within budget and in line with our evaluation criteria.
7. It was agreed that the private apartments are sold individually through a traditional open market sales approach, through the appointment of a sales agent for the scheme.
8. It was agreed that a tenant be found for the commercial unit through a traditional open market approach, through the appointment of a letting agent for the unit who is briefed on the need to identify a tenant that will be complementary to the library.
9. It was agreed that the Head of Essex Housing be given delegated authority to accept or reject bids for sales of the nine housing units after

taking proper advice.

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

The report was noted.

**8. Date of the next meeting**

The next meeting of the Cabinet would take place at 2.30pm on Wednesday 24 November 2021 in the Council Chamber at County Hall, Chelmsford.

**9. Urgent Business**

There was no urgent business.

**10. Exclusion of the press and public**

Resolved that the press and public were excluded from the meeting during the consideration of the remaining items of business on the grounds that they involve the likely disclosure of exempt information falling within Schedule 12A to the Local Government Act 1972, the specific paragraph(s) of Schedule 12A engaged being set out in the report or appendix relating to that item of business.

**11. Confidential Appendix: New Library Building in Shenfield and Associated Development (FP/115/07/21) (Public and press excluded)**

The confidential appendix to report FP/115/07/21, to which minute 6, 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 11.10am