



Essex County Council

## Summons

To all Members of  
Essex County Council

You are hereby summoned to attend the meeting of the County Council to be held as shown below to deal with the business set out in the Agenda.

<b>10:00</b>	<b>Tuesday, 13 October 2015</b>	<b>Council Chamber, County Hall, Chelmsford, Essex</b>
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**Dave Hill**  
**Executive Director for People Commissioning**

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This meeting is open to the public and the press.

The agenda is available on the Essex County Council website, [www.essex.gov.uk](http://www.essex.gov.uk). On the home page select 'Your Council' and then 'Meetings and Decisions'. Finally, select 'Full Council' on the date shown above from the meeting calendar.

The agenda and associated documents may be requested in alternative formats such as large print, Braille and on disk.

Please note that an audio recording may be made of the meeting – at the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded.



**Prayers** The meeting will be preceded by Prayers led by The Right Reverend Hugh Allan, o.praem. Prior of Chelmsford and Parish Priest of Our Lady Immaculate.

**Public Questions** A period of up to 30 minutes will be allowed for members of the public to ask questions on any business of the Council (Standing Order 16.12.10). No question shall be longer than three minutes and speakers must have registered with the clerk no later than 7 calendar days before the date of the meeting. On arrival, and before the start of the meeting, registered speakers must identify themselves to staff in order to be seated.

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<b>1</b>	<b>Apologies for Absence</b>	
<b>2</b>	<b>Declarations of Interest</b> To note any declarations of interest to be made by Members in accordance with the Members' Code of Conduct	
<b>3</b>	<b>Confirmation of the minutes of the meeting held on 14 July 2015</b>	<b>5 - 24</b>
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<b>5</b>	<b>Receipt of petitions and deputations (if any)</b>	
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<b>10</b>	<b>To receive a report seeking approval for a dispensation for the ongoing absence of Councillor J Pike</b>	<b>67 - 68</b>

<b>11</b>	<b>To receive a report of matters reserved to the Council and consider any recommendations</b>	<b>69 - 70</b>
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<b>14</b>	<b>Questions (Standing Order 16.12)</b>	
<b>a</b>	<b>Written Questions and Answers</b>	
<b>b</b>	<b>Questions of the Leader and Cabinet Members</b>	
<b>c</b>	<b>Questions of the Representative of the Police and Crime Panel</b>	
<b>d</b>	<b>Questions of the Representative of the Essex Fire Authority regarding the Report to Constituent Authorities September 2015</b>	<b>97 - 100</b>

# Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 14 July 2015

## Present

Chairman: Councillor N Hume

Vice-Chairman: Councillor J F Aldridge

## Councillors:

J Abbott	D Finch	D Louis
B Aspinell	M D Fisher	M Mackrory
S Barker	R Gadsby	R A Madden
R L Bass	K Gibbs	M Maddocks
A Bayley	A Goggin	M McEwen
K Bentley	R J Gooding	V Metcalfe
D Blackwell	I Grundy	A Naylor
K Bobbin	C Guglielmi	Lady Newton
R G Boyce	D Harris	P Oxley
A Brown	A M Hedley	M J Page
M Buckley	I Henderson	C Pond
G Butland	T M A Higgins	J M Reeves
S Canning	R Hirst	S Robinson
J Chandler	P Honeywood	C Seagers
P Channer	R C Howard	K Smith
K Clempner	M Hoy	J Spence
T Cutmore	J Huntman	A Turrell
M Danvers	A Jackson	K Twitchen
J Deakin	J G Jowers	S Walsh
T Durcan	D J Kendall	R G Walters
M Ellis	N Le Gresley	J Whitehouse
A Erskine	J Lodge	J A Young

**Prior to the meeting:****Prayers**

The meeting was preceded by prayers led by The Reverend Canon Carol Smith, Vicar of Moulsham St John's & Moulsham St Luke's, Chelmsford; Chaplain to Chairman of the Council & Workplace Chaplain, Essex County Hall.

**Public Questions**

The Chairman welcomed two members of the public who had registered to speak.

- a) Ralph Morgan Vice-Chairman of Basildon Hackney Carriage Proprietors and Drivers Association and also representing the Papworth Trust, a disabled centre in Clayhill Road asked:

'For months now we have had to endure the continuous flooding under the railway bridge at the junction of Clayhill Road and Southernhay. This sometimes gets to depths of 5-6 inches and when it stops raining it can take 18 hours to subside. You can understand that it restricts access to the town centre for many disabled residents, guide dogs won't walk through, people in electric wheelchairs or manual, mobility scooters, people with autism who attend the Papworth Centre have to have planned routes, and when this floods these people get disorientated because of the water, even pedestrians have to wait until the traffic stops just so they can get through, or get soaked. When some drivers go through they have no respect for the pedestrians who consequently get soaked.

After many phone calls and emails to Highways with little or no response, I had to contact our MP Mr Stephen Metcalfe who came to the site and luckily it had rained the night before, so he could see the aftermath of the problem. I also got our local County Councillor Mr Kerry Smith involved.

On June 30th I was present on site when Anglian Water put the CCTV down the sewer, and it was clear. I witnessed this, and they suggest the problem is with the County Council.

On Saturday 4th of July at Midnight we had a prolonged thunderstorm and the depth of the water was 1ft, this made it impossible to work.

All the local residents are asking 'when will this be resolved?' and they do not wish to hear the County Council blaming Anglian Water and vice-versa. They need this problem resolved ASAP.'

The Chairman called upon Councillor Bass, Cabinet Member for Highways and Transportation to respond.

The Cabinet Member thanked Mr Morgan for his question. He stated that:

'flooding was an issue that affected many areas of Essex and one that did require a multi-agency approach as it is not always immediately clear which Authority has responsibility for fixing the problem. In this case the Council has worked very closely with Anglian Water to understand what the issues are that

are contributing to the flooding. As a result of these investigations the Council attempted to clear the gullies and the associated pipework in this location earlier this year. The matter was then referred to Anglian Water as it was considered that the problem was in their pipework into which the highways drains discharged.

Anglian Water attended the site on 30 June 2015, jetted their system and carried out a camera survey. This revealed that their pipework was clear of obstruction and running free as the questioner has stated. The next step will be for Essex Highways to re-attend the site to investigate further where the blockage is. This is being programmed with the intention of starting work in the next two weeks. It is not a matter of us 'passing the buck' as the Council and Anglian Water are working very closely in collaboration. However, I do appreciate that it is very frustrating for the whole community when these flooding events occur frequently at the same location. In summary, we are doing our best to sort this problem out and with Stephen Metcalfe MP and Councillor Kerry Smith 'on the case' I doubt that we will be able to delay much longer.'

The Chairman advised Council that he had been informed that Mrs Renee Joyce, Chair of Governors at Tany's Dell Community Primary School & Nursery had submitted a question but had been delayed in traffic. He had agreed that her question be put on her behalf by Mr Burton.

- b) Mr Burton read the question as submitted by Mrs Renee Joyce, Chair of Governors at Tany's Dell Community Primary School & Nursery:

'I would like to ask the Cabinet Member for Education and Lifelong Learning if he would be willing to meet with a delegation from the Governing Body of Tany's Dell Community Primary School, Harlow as you may not be aware that in 2012, despite some reservations, we agreed to a request from Essex County Council to expand to a two-form entry, year on year, to accommodate the rising birth rate in Harlow.

At that time, we were assured by a senior officer that we would be supported financially to ensure that existing systems were maintained in order to keep children safe and happy in school and to preserve our caring, family ethos.

By September 2015, we will have 120 extra children on roll, with another 90 still to come.

Last autumn, we approached the same senior officer, to discuss a matched contribution towards the cost of expanding the dining hall. He visited, discussed the plans and we were assured that he would support this bid and it was submitted in good time. When emails and phone messages remained unanswered, and nothing further was heard, finally the school was informed by another officer that all capital funding had been allocated for the present financial year and that work at our school was not considered a priority.'

The Chairman called upon Councillor Gooding, Cabinet Member for Education and Lifelong Learning to respond.

The Cabinet Member thanked Mrs Joyce for her question and Mr Burton for reading it on her behalf. He stated that:

‘I would firstly like to thank the school for agreeing to expand back in 2012. It is part of a much needed increase in pupil places that has helped to alleviate some of the pressures in Harlow. I know that at the time there were some issues around the size of the school hall and the dining areas and it clearly would have been preferable to have delivered an expansion of those facilities at the time that the school itself was expanded. The issue, as it often is, was around the availability of funding and discussions have taken place between the school and officers of the Council until quite recently. There is, of course, revenue funding that is made available that is commensurate with the number of children. However, I do accept the issue around the size of the school hall and the difficulties with delivering those parts of the school curriculum that go with that. So, I would be more than happy to meet with the school and, perhaps, outside of this meeting we could make arrangements to ensure that takes place and I will ensure that officers at County also attend. There is a clear need to balance the demands upon our capital programme but this is a matter I am happy to discuss.’

A third member of the public, Mr Tattum, had registered to speak but was not present in the Chamber in order to ask his question.

### **The Chairman formally opened the meeting.**

The Chairman advised members that in the interest of improving accessibility to the Council’s public meetings, this meeting would be recorded and broadcast live over the internet. The recording would then remain available to listeners via the Council’s website. He urged Members to be aware of the need to identify themselves each time they spoke for the purpose of the recording and to use the microphones with care.

### **1. Apologies for Absence**

Apologies for absence were received on behalf of Councillors W Archibald, E C Johnson, J Knapman, S Lissimore, M McGeorge, J W Pike and A Wood.

### **2. Declarations of Interest**

Councillor Whitehouse declared a personal and non-pecuniary interest in question 16 of Agenda Item 12 as a member of the local District and Town Councils and resident of St John’s Road in Epping.

### **3. Minutes of the meeting held on 12 May 2015**

#### **Resolved:**

That the minutes of the meeting held on 12 May 2015 be approved as a correct record and signed by the Chairman.



#### **4. Chairman's Announcements**

##### **Recent Death**

The Chairman informed members of the death of Mrs Joan Smith M.B.E, known to many Members as Councillor Joan Lyon, and sent condolences to her family.

She was first elected as a County Councillor in 1981 representing the Division of Witham Northern until 2000 and served in many capacities including as a member of the Education, Environmental and Highways Committees. She was the Chairman of the Heritage and Culture Committee and had a major role in the opening of the visitor centre at Cressing Temple.

As well as being a member of many other Council committees she was also appointed in 1995 as Chairman of Braintree District Council.

Members stood in remembrance.

##### **Queen's Birthday Honours**

The Chairman congratulated the 17 residents in the County recognised in the Queen's Birthday Honours and in particular:

- Essex County Councillor Bob Boyce – MBE (for services to Local Government) and
- Maldon District Councillor Frank Delderfield – MBE (for services to the communities in Great Totham and Maldon).

##### **Presentation of awards**

##### **Try a Train Day**

The Chairman invited Councillor Higgins to present an award for the 'Try a Train Initiative'.

Councillor Higgins informed members that the Options for Independent Living (OIL) Rail sub-group and Essex County Council were 'Highly Commended' in the 'Improved Mobility' category of the 'Accessible Britain Challenge Award' in March for the 'Try a Train Initiative.'

This year, over 150 students with learning disabilities from seven Essex Schools and their carers spent a day on the railway on Thursday, 4 June. The long-running and successful 'Try a Train' days run by the County Council's Travel Training team help local students gain more independence and open up opportunities that would be hard to access otherwise.

### **Chartered Institution of Highways and Transportation Partnership Award**

The Chairman invited Councillor Bass to present the award.

Councillor Bass informed members that in June the County Council and Ringway Jacobs partnership 'Essex Highways' won a coveted national award; the 'Chartered Institution of Highways and Transportation Awards' in the 'Effective Partnerships' category, beating many larger organisations to the coveted annual honour.

At the award ceremony, the judging panel had said: 'The Essex County Council and Ringway Jacobs partnership was the clear winner from an extremely strong field of entries. A model of effective partnership-working built on shared objectives and problem solving. A shining example of what can be achieved through true collaboration.'

### **Rocketry Awards**

The Chairman congratulated five students from the James Hornsby School, Basildon, who had travelled on Thursday 18 June to the International 'Build a Rocket' final at the Paris Airshow, having built and refined their rockets, through both the regional and national finals of the competition and competed against national winners from France and the USA. The school did fantastically well and finished as runners-up.

The students were VIPs at the Paris Airshow, met the French President, Francois Hollande, as well as representatives from NASA and were interviewed on French TV. They were presented with a trophy and have now been invited to the House of Commons in July as well as to various other prestigious events.

The students were present in the Chamber and the Chairman invited them to step forward to receive a certificate to mark their achievement. The students were: Joe Cox, Hannah Platts, Tyler Sharp, David Thai and Hollie Wollaston.

Members applauded to show their appreciation.

## **5. Executive Statement**

The Leader of the Council, Councillor Finch, delivered an Executive Statement on the subject of Devolution entitled 'Towards a Greater Essex devolution deal' and included an update from the Leaders and Chief Executives devolution conference, reflections on what the Summer Budget means for English devolution, and what devolution means for Essex.

## **6. Motions**

### **1. Footway Improvements**

It was moved by Councillor Pond and seconded by Councillor Lodge that:

‘This Council notes with approval the progress that has been made in recent years with maintaining carriageways, especially on PR 1 and 2 roads.

Council now looks to the two Cabinet Members to secure an equivalent improvement with footways, many of which, throughout the county, have become seriously degraded.

The allocation of extra funds for footway repairs has been welcome, and Council believes what is now needed is a timed programme of footway improvements, district by district, over a five-year period, and engaging with local county councillors and parishes, to ensure the worst problems are identified and rectified as soon as possible.’

It was moved by Councillor Bass and seconded by Councillor Howard that the Motion be amended to read as follows:

‘This Council notes with approval the significant progress that has been made in recent years with maintaining carriageways, especially on PR 1 and 2 roads, as a consequence of the Conservative Administration’s pursuit of the correct maintenance strategy and its effective management of the Authority’s finances.

Council acknowledges plans to secure an equivalent improvement with footways, many of which, throughout the County, have become seriously degraded.

The allocation of extra funds for footway repairs is welcome, and Council believes what is now needed is a timed programme of footway improvements, across the County, over a five-year period, and continuing to engage with local county councillors, districts and parishes, ensuring, as with the carriageways, that the worst problems on the most important and heavily used footways are dealt with as a priority.’

Upon being put to the meeting the amendment was declared to be carried and so became the substantive Motion.

Upon being put to the meeting the Motion was declared to be carried.

### **2. Local Enterprise Partnerships**

It was moved by Councillor Butland and seconded by Councillor Lady Newton that:

‘This Council fully supports the Government’s plans for devolution of powers to elected local authorities and calls on Ministers to help support Essex businesses and Councils deliver further prosperity to residents by expeditiously agreeing to the formation of a Greater Essex Local Enterprise Partnership (GELEP).

This will support more local and much quicker decision making, than the current South East Local Enterprise Partnership (SELEP), on schemes and projects which will help further to increase jobs, skills, wealth and growth in the Greater Essex economy.

The creation of a GELEP could also be co-terminus with plans for devolution in Essex and help return powers to local people.’

Upon being put to the meeting the Motion was declared to be carried.

### **3. Call for 20 MPH default Speed Limit on Residential Roads**

It was moved by Councillor Mackrory and seconded by Councillor Deakin that:

‘This Council notes that:

- speed limits on Britain’s residential roads are 60% higher than in Europe;
- more than half of all road accident casualties occur on roads with 30mph limits;
- reducing speed limits on residential roads has been found to reduce both the incidence of accidents and the numbers of fatalities and serious injuries that result; and
- new Department for Transport guidelines make it easier for local authorities to adopt a 20 mph default speed limit on residential roads.

This Council therefore resolves:

- (a) to endorse the need to reduce injury accidents;
- (b) to welcome and encourage proposals for 20 mph zones from City/Borough/District/Parish Councils and community groups in Essex; and
- (c) to include consideration of requests within the remit of Local Highways Panels.’

It was moved by Councillor Bass and seconded by Councillor Howard that the Motion be amended to read as follows:

‘This Council notes that:

- speed limits on Britain’s residential roads are up to 60% higher than in some European countries;
- about half of all road accident casualties in Essex occur on roads with 30mph limits;

- reducing speed limits on residential roads has been found to reduce both the incidence of accidents and the numbers of fatalities and serious injuries that result; and
- new Department for Transport guidelines on 20 mph limits and 20 mph zones are consistent with current ECC policies.

This Council therefore resolves:

- (a) to endorse the need to reduce injury accidents particularly KSIs;
- (b) to welcome and encourage proposals for 20 mph limits and 20 mph zones from City/Borough/District/Parish Councils and community groups in Essex; and
- (c) to continue, subject to current ECC policies, to include consideration of requests within the remit of Local Highways Panels.'

Upon being put to the meeting the amendment was declared to be carried and so became the substantive Motion.

Upon being put to the meeting the Motion was declared to be carried.

#### **4. Living Wage**

It was moved by Councillor Danvers seconded by Councillor Harris that:

'This Council believes that paying the living wage not only benefits employees but also employers and the wider economy. Council further believes that the living wage has the support of all three main political parties in raising those on low pay up to a decent standard of living.

Council therefore agrees:

- a) to ensure that Essex County Council and Essex Cares employees are paid at least the living wage as soon as practicable and that any financial implications resulting from this are considered as part of the Medium Term Resource Planning process;
- b) to explore ways through the appropriate scrutiny process of using its influence as a major local employer and provider of services to encourage other local employers to pay the living wage in Essex.'

It was moved by Councillor Finch and seconded by Councillor Spence that the Motion be amended to read as follows:

'This Council believes that paying the National Living Wage announced in the budget on 8 July not only benefits employees but helps to reduce reliance on welfare benefits.

Council therefore:

- a) supports Essex County Council employees being paid the National Living Wage from 1 April 2016 and agrees that the cost of implementation be made from savings elsewhere in the Council's Budget unless funded by Central Government.
- b) agrees that the appropriate scrutiny process assess the impact on Essex County Council's supply chain of paying the National Living Wage and the consequential impact on the Council's budget for future years; noting that in the budget there was a 1% reduction in Corporation Tax to support the funding of this in private sector organisations.'

Upon being put to the meeting the amendment was declared to be carried and so became the substantive Motion.

Upon being put to the meeting the Motion was declared to be carried.

## **7. Adjournment**

With the agreement of Council the Chairman adjourned the meeting for luncheon at 13:03pm.

The meeting reconvened at 14:00pm.

## **8. New Statutory Procedure for Dismissing Statutory Officers**

Councillor Finch, the Leader of the Council, presented a report to make changes to the Constitution to implement a new process for the dismissal of statutory officers (the Head of the Paid Service, the Section 151 Officer and the Monitoring Officer).

### **Resolved:**

That the Constitution be amended as set out in the Annex to the report.

## **9. Essex Pension Fund Board Annual Report**

Councillor Bass, Chairman of the Essex Pension Fund Board, presented the sixth Annual Report of the Essex Pension Fund Board, covering the period from 1 April 2014 until 31 March 2015.

The report was received and adopted.

## **10. Cabinet Issues**

Councillor Finch, the Leader of the Council, presented a report concerning matters considered by Cabinet since the last Council meeting.

Cabinet Members responded to questions as follows:

- (i) Councillor Kendall asked the Cabinet Member for Highways and Transportation regarding 'Getting Around in Essex' that, as in the consultation document it states that in 2012 there had been 45 million journeys by bus in Essex, did the Cabinet Member share his concern that there had been only 1,421 responses to the bus consultation and what lessons can be learnt from the consultation process and how could it be improved.

The Cabinet Member agreed that it would have been preferable if there had been more responses. However, it was not a one-off consultation but a continuing dialogue and it was his intention that there would be full engagement through local forums, bus forums and creating a Countywide Bus Strategy Commissioning Board in order to pursue a number of issues with the operators.

- (ii) Councillor Henderson asked the Cabinet Member for Highways and Transportation if he would agree to keep a close eye on Bus Legislation currently on its way through the House of Commons that could bring benefits to Local Authorities.

The Cabinet Member agreed to do so and added that in addition to monitoring closely any changes in bus legislation he invited Councillor Henderson to play an active part in monitoring by agreeing to become a member of the Countywide Bus Strategy Commissioning Board.

- (iii) Councillor Henderson asked Councillor Finch, the Leader of the Council, regarding the Meals Service if there was any form of assessment being undertaken of those currently receiving the service and if so can Council be informed who is carrying out that assessment and what are the criteria.

- (iv) Councillor Henderson asked the Leader of the Council and the Cabinet Member for Adults and Children that an assurance be given that minimum standards would be maintained in the delivery of the Meals on Wheels Service and it would not be jeopardised if there were insufficient volunteers or local groups willing to deliver the service.

The Leader of the Council stated that he has given a commitment that those people who need the Service would continue to receive it.

The Cabinet Member for Adults and Children in the context of the closure of the Colchester depot, noted that the consultation process was under way not to determine if Meals on Wheels was still required but to re-shape the service and improve the quality of the service provided. Each recipient of the service had already received or would be receiving a visit. He requested that all members engage with this consultation. There are 15 months to ensure that the service is improved.

- (v) Councillor Young, noting that the Leader and the Cabinet Member for Adults and Children had given an assurance that no vulnerable person would go without a meal, asked him what was the purpose of the assessment? Was it a rationing exercise? She expressed the view that Meals on Wheels was low-level, effective intervention that should be encouraged.

The Cabinet Member explained that the exercise was not a rationing exercise but to determine how the users would like their meals delivered in the north of the County.

- (vi) Councillor Young regarding the Equalities Policy Statement and Equalities Strategy requested that the Member Reference Group be a cross-party body and urged members to complete their Equality and Diversity online training. She also asked the Leader of the Council to comment on the use of the Equality Impact Assessments for decisions.

The Leader of the Council replied that the Member Reference Group was already a cross-party body. He also urged all members to complete their online training and gave an assurance that he will enforce and monitor the completion of the Equality Impact Assessments relating to decisions. He invited Councillor Young to join him in the monitoring.

- (vii) Councillor Bayley concerning 'Getting About in Essex' asked the Cabinet Member for Highways and Transportation if he could intervene in order to get the Number 26 bus reinstated. In 2013 this bus route was suspended due to bad weather but has never returned to service.

The Cabinet Member replied that the policy of this Council is to try to maximise the commercial operation of all routes in the County of Essex and where that doesn't work the County can intervene and support the service if it fulfils certain criteria. He couldn't comment on an individual service but for any bus route to be reinstated it would need to meet those criteria.

- (viii) Councillor Whitehouse asked the Cabinet Member for Adults and Children if, as the contract for Meals on Wheels had not been operating for very long and had failed to deliver the service as promised, had any lessons been learnt?

The Cabinet Member replied that the current contract had been extended whilst recognising that since 2012 less people are choosing to have Meals on Wheels. In consequence prices had not been increased but, as stated earlier, consultation is being undertaken on the delivery and procurement of the service for the future.

The report of Cabinet Issues was received and adopted.



## **11. Council Issues**

Councillor Finch, the Leader of the Council, presented the report of matters reserved to Council noting the changes to the membership of committees, Group Leadership and Deputies to Cabinet Members.

He asked members to note that there was a further amendment following Councillor Metcalfe's resignation as Deputy to the Cabinet Member for Finance.

In response to a question from Councillor Henderson the Leader of the Council confirmed that there was no increase to the overall cost of the Special Responsibility Allowances.

The Report of Council issues was received and adopted.

## **12. Written questions to the Leader of the Council and Cabinet Members**

The published answers to the 20 written questions submitted in accordance with Standing Order 16.12.1 were noted.

The following supplementary questions were asked as a result of having received a written reply:

- (4) Councillor Kendall asked Councillor Madden, the Cabinet Member for Adults and Children, if he would be willing to help facilitate and attend a meeting with the North East London Foundation Trust in Brentwood so that the residents in the Borough who have an interest in mental health issues can ask questions and raise concerns with the new provider?

The Cabinet Member replied that he would.

- (5) Councillor Kendall asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if the annual report on School Destination data was a new development.

The Cabinet Member replied that it was a new development intended to maintain high standards.

- (6) Councillor Robinson asked Councillor Finch, the Leader of the Council, if the changes to which he referred in his answer, from managing people to managing contracts, would be borne in mind.

The Leader replied that as the Council changed to a commissioning organisation it would continue to be very mindful of costs and to be vigilant whilst ensuring that staff are paid correctly to recruit and retain staff of sufficient calibre.

- (7) Councillor Le Gresley asked Councillor Bass, the Cabinet Member for Highways and Transportation, if the policy to which he referred in his answer was a new policy or, if it were an established policy, he wished to

apologise for not being previously aware of it. In either event he asked, if the Cabinet Member would send a note to members of the Local Highways Panels and relevant officers so they are fully aware of the policy.

The Cabinet Member replied that he believed the Local Highways Panels were fully aware of the policy and his answer to both the written question and the supplementary would reinforce that awareness.

- (9) Councillor Ellis asked Councillor Bentley, the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling, if he would confirm that he would not recognise the motion passed by Basildon Borough Council.

The Cabinet Member replied that he recognised the motion that had been passed by Basildon Borough Council but did not agree with it.

- (10) Councillor Aspinell asked Councillor Spence, the Cabinet Member for Finance, if he could have sight of the entrepreneurial new initiatives that this administration are putting in place to raise revenue from the Council's assets

The Cabinet Member replied that there were some matters in hand regarding this and he would seek to provide Councillor Aspinell with a briefing.

- (11) Councillor Higgins asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he could provide any timeframe for the repair of East Bridge and could she have an assurance that it would be quicker than repairs to another bridge in her Division the temporary barriers on which were installed nearly 20 years ago.

The Cabinet Member, on behalf of Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery, replied that there was a requirement to consult with the Borough Council and then design the solution and as the Local County Member Councillor Higgins would also be advised. He couldn't speculate on the timeframe as it was dependent upon the technical appraisal.

- (13) Councillor Aspinell thanked Councillor Madden, the Cabinet Member for Adults and Children, for his reply but requested that, rather than provide a general reply, the Cabinet Member address the specific case mentioned in the question. Why had the assessors determined that this individual should not be entitled to a blue badge? He also wished to know if the assessors had based their decision on medical grounds and if so had those grounds been shared with the individual and had he been informed that he had a right of appeal.

The Cabinet Member replied that he was aware of the case and had been in correspondence with Councillor Aspinell. The Department of Transport guidelines changed in 2012. Although comments from the medical

profession are very much taken into account, it is the role of the independent assessor to determine if there was an entitlement to a blue badge. He added that any appeal against such a decision could be made within six months of the decision date.

- (14) Councillor Abbott asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he wished to elaborate on the written reply specifically in relation to paragraph 2 where there is reference to improvements in communication with the bus operators. He wondered if he could be specific about what those improvements might be and specifically comment on the communications relating to the road signage on Church Road Rivenhall on 29 and 30 July where it remains unknown what bus will be providing the service.

The Cabinet Member, replying on behalf of Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery, replied that he had nothing to add to the written reply except to assure him that the Council is in the process of continuous improvement.

- (15) Councillor Abbott asked Councillor Bass, the Cabinet Member for Highways and Transportation, if, relating to the crossings to which reference was made in the question, and the written reply that defined the extent of the defect before repainting would take place, could he have an assurance that those that meet that criteria will be fully repainted in time for the next school term in September.

The Cabinet Member, replying on behalf of Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery, replied that he was confident officers would ensure it would be done.

- (17) Councillor Henderson asked Councillor Brown, the Cabinet Member for Communities and Healthy Living, if she did not agree that a £3.6million cut would have a major impact on the Public Health Budget as he was sure that many organisations which provide services would be very concerned and could he have her assurance that the National Health Visitor Service, that is about to be transferred to the Council's control in October bringing a £10.9million budget with it, would not have its budget cut

The Cabinet Member replied that the Council was working very hard with partners to keep all transferred services intact. Health visitors are a very important part of the service and there is no intention that the service should be curtailed.

- (18) Councillor Young asked Councillor Bentley, the Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling, if he agreed that his answer revealed that the Council did not know if apprentices were leaving to take up full-time jobs and would he commit to undertaking a

review in order to assess how the apprenticeship scheme is working in Essex.

The Cabinet Member replied that to undertake such a review would be very difficult as it would require the introduction of a method of keeping track of people once they have left the apprenticeship scheme. If it were possible it would require considerable resources, money and time to complete. Essex has one of the lowest unemployment figures in the country and is one of the lowest areas for persons not in education, employment or training. Essex also has one of the greatest success rates for apprenticeships. The Council is investing in other areas to achieve the greatest good to improve skills and training in areas where there is the greatest need.

- (19) Councillor Young asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if, notwithstanding the written answer where it is stated she had a suite of documents provided, she had received all of the required documents. The Scrutiny Committee when it considered the matter of home to school transport in 2014 heard an officer speak of 'extensive modelling'. This modelling had not been provided and she didn't feel that she had received the full business case for the decision. She asked that the Cabinet Member re-examine the extent of the documentation provided.

The Cabinet Member replied that he believed Councillor Young had received everything she had requested including detailed documents and correspondence, but he would re-examine the matter and if there were any more relevant documents he would make them available.

- (20) Councillor Danvers, whilst thanking Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, for agreeing earlier to meet with the representatives of Tany's Dell School asked if, having made a decision to expand a school and given financial promises, should not those promises be kept. Failure to do so might, in the future, make any discussions with other schools about possible expansions more difficult.

The Cabinet Member asked members to note the need to balance the capital investment in order to enable schools to take additional pupils with the broader remit of what was required. However he acknowledged the point made by Councillor Danvers whilst discussions took place to ensure that necessary work was undertaken to facilitate expansion of schools where required.

### **13. Questions of the Leader of the Council, Cabinet Members and Committee Chairmen**

1. Councillor Harris asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if, when the expansion or development of all schools was being agreed, the other Cabinet Members worked together in

order to consider such matters as highways, footpaths and cycle-ways. This was particularly relevant, for example, when taking decisions in regard to the redevelopment of the Alderman Blaxhill site. An opportunity existed to talk to Colchester Borough Council about this issue.

The Cabinet Member replied that he hoped there was always such collaborative working between the relevant Councils and the Cabinet Members.

2. Councillor Pond asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he was aware that as from 13 September Buckhurst Hill and Loughton would be served by additional overnight trains on Fridays and Saturdays and this might necessitate the consideration of additional lighting time at the stations. Would he look again at the reply given by the street lighting service to Loughton Town Council's request that this would meet the exception criteria.

The Cabinet Member replied that he had been made aware and he would certainly examine the need for any changes to the lighting arrangements by way of the established criteria for exemptions.

3. Councillor Pond asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he was aware that the numbers of uses of Stratford Station has risen to 92 million per annum many of whom are residents of Essex. The accommodation on the platform for Essex-bound trains is rudimentary and would the Cabinet Member please raise the matter with whatever consultative body may be appropriate?

The Cabinet Member replied that he had not been made aware of the numbers involved but he did agree that the facilities on the Essex-bound platform are inadequate. He agreed to raise it at the appropriate opportunity.

4. Councillor Young asked Councillor Bass, the Cabinet Member for Highways and Transportation, to clarify the budgetary provision for footway and highway maintenance and whether it was capital or revenue?

The Cabinet Member replied that approximately £9.5million was available in the capital budget for improvements and had been focussed initially on main centres of population, Harlow, Basildon, Chelmsford and Colchester and was now working to upgrade the facilities in the Market Towns of Essex and residential areas where the footpaths were most used. It was not appropriate to use revenue budgets for these works.

5. Councillor Howard asked Councillor Finch, the Leader of the Council, and Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if they would agree that the formal opening of Hadleigh Park by the Secretary of State and the Olympic cyclist Victoria Pendleton was a most enjoyable and memorable event? Would they also say that Essex County Council together with Active Essex and the Salvation Army have invested in one of the best mountain bike facilities in a valuable green space.

The Leader of the Council agreed that the opening was a well-run, stimulating and significant occasion that amply demonstrated the beauty of the area and the wonderful facilities. It was a very worthwhile initiative to encourage and improve the health of the community.

The Cabinet Member for Education and Lifelong Learning endorsed the Leader's comments.

6. Councillor Higgins asked Councillor Hirst, the Cabinet Member for Customer Services, Planning and the Environment, concerning the continued use of 0845 numbers and the cost to residents contacting the Council, what is the timetable for their phased withdrawal?

The Cabinet Member replied that since 1 July there has been significant progress to inform users and redirect callers to alternative methods of access and many people now use the internet. Work to replace the 0845 numbers continues.

7. Councillor Aspinell asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, if he had arranged a meeting with the St James' School in order to discuss footpath matters.

The Cabinet Member replied that he would look into it.

8. Councillor Aspinell asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he was aware that despite £8million being spent on the High Street in Brentwood the paving slabs remained unstable and were 'sliding down the road'. He wondered when the job was going to be finished properly.

The Cabinet Member replied that he would pass on this question to Councillor Johnson although he regretted that there would be no recourse against a contractor as the work had been undertaken some eight years previously. He added that such problems often occurred because HGVs mounted the pavement which is, of course, unacceptable.

9. Councillor Deakin asked Councillor Bass, the Cabinet Member for Highways and Transportation, if, in the light of the recent road traffic accident in Rainsford Road, Chelmsford, the provision of refuges was still on track to be provided by September 2015.

The Cabinet Member acknowledged the request. He would pass the information on to Councillor Johnson, the Cabinet Member for Highways Maintenance and Small Schemes Delivery.

10. Councillor Deakin asked Councillor Bass, the Cabinet Member for Highways and Transportation, if he would also pass on to the Cabinet Member for Highways Maintenance and Small Schemes Delivery her concerns about the broken and loose pavements in Duke Street, Chelmsford and ask him to investigate and arrange a repair.

The Cabinet Member agreed to pass the matter on to the Cabinet Member for Highways Maintenance and Small Schemes Delivery.

11. Councillor Abbott asked Councillor Gooding, the Cabinet Member for Education and Lifelong Learning, what assessments were undertaken prior to the decision to amend the school transport policy and when the assessments were undertaken was consideration taken of the differences between urban and rural areas?

The Cabinet Member replied that the new policy meant that transport was only freely available to the nearest school and catchments were no longer relevant. In consequence, there is no difference between rural or urban areas.

12. Councillor Robinson asked Councillor Bass, the Cabinet Member for Highways and Transportation, regarding Section 106 Agreements, if a scheme is part-funded by an Agreement does the scheme still have to go to the LHP for approval?

The Cabinet Member confirmed that it did.

13. Councillor Henderson asked Councillor Finch, the Leader of the Council, if he was considering devolving powers to make decisions on street lighting to District Councils?

The Leader of the Council replied that he had no fixed ideas about how devolution might work and had been in correspondence with the Leader of Harlow Council.

#### **14. Questions of the representative of the Essex Police and Crime Panel**

1. Councillor Mackrory asked Councillor Jowers, the representative of the Essex Police and Crime Panel, the extent to which the Police and Crime Panel has been involved in the sell-off of the police headquarters and does he expect consultation.

Councillor Jowers responded that there had been discussions in order to make £48million of savings. Options are being looked at. Yes there would be consultation and everything was being looked at.

2. Councillor Aspinell asked Councillor Jowers to explain what enforcement took place with regard to:
- Travellers,
  - Road Traffic and
  - Speed Limits.

Councillor Jowers explained that:

- Travellers are best managed through the Essex Countywide Traveller Unit (ECTU). The police are enthusiastic members of the ECTU

committee. The problem is that Essex has insufficient official sites. Travellers also tend to congregate in Districts that are not members of the ECTU.

- Pavement Parking is not actually an offense unless the vehicle is causing an obstruction. But this is an operational matter and not for the Police and Crime Panel.
- Although speed enforcement was a matter for the police, directing resources to this matter would inevitably impact upon the police's ability to investigate other matters, including knife-crime and child protection.

3. Councillor Fisher asked Councillor Jowers for his view of the proposal that there should be a sharing of premises with the Fire Authority.

Councillor Jowers agreed that there may be legislation forthcoming to bring together all the blue-light services but his view was that there needed to be caution about this approach as they comprise completely different groups of staff. The Police and Crime Commissioner is looking at all options regarding the use of assets.

**15. To note the report of the Essex Fire Authority's meeting on 11 June 2015 and to ask questions of the Authority's representative**

There were no questions of Councillor Hedley, the Authority's representative on the Essex Fire Authority, but he thanked Councillor Aspinell for the kind words he had said about the Essex Fire Service.

He then asked members to note that the Integrated Risk Management Plan was the main subject of the report and it considered the future of the Essex Fire and Rescue Service.

The Service is currently at the beginning of a 12-month public consultation. A number of presentations have been arranged with Local Authorities. He urged Members to read the document and become involved as the consultation will shape the options for change and the decisions to be taken on the future of the Fire Service.

Changes can be made to improve the service without too much pain and it is imperative that the public understand the need for these changes and are reassured that they will be as safe as they are today in the hands of a first class Fire Service.

The report of the Fire Authority's meetings held on June 2015 was received.

The meeting closed at 15:23.

Chairman  
13 October 2015



# Motions under Standing Order

## 16.11.2

**Deadline for receipt is Thursday, 1 October at 10.30 am.**

### **1. Funding Support for Refugees**

Moved by Councillor D Finch and seconded by Councillor T Cutmore

This Council notes the Prime Minister's announcement that the UK will accept up to 20000 refugees direct from Syrian refugee camps and welcomes the positive approach taken by Essex Councils during the current crisis.

This Council notes that whilst Government funding is to be provided to cover this support it is for the first year only and will not cover the full costs of service provision.

This Council therefore calls upon the Government to fully fund the support to refugees and for the full 5 year period.

### **2. Review of Pothole Criteria**

Moved by Councillor D Kendall and seconded by Councillor S Robinson

This Council notes that a pothole is a hole that is deeper than 50mm and wider than 75mm in any horizontal direction. Many of our residents have serious concerns about this definition and would like to see the depth and width criteria reduced.

This Council therefore calls upon the Place Services and Economic Growth Scrutiny Committee to undertake an urgent review of the County Council's criteria for pothole repairs. The review should be tasked with looking into what impact any changes to the current criteria would have in terms of repair times, costings and improved resident satisfaction compared to what is currently on offer.

### **3. Adult Social Care**

Moved by Councillor K Clempner and seconded by Councillor M Danvers

This Council notes recent news from CQC highlighting the care homes in Essex providing inadequate care and acknowledges that while some private sector homes provide excellent care, others without adequate funding and resources do not.

This Council therefore calls on the Government to provide a separate funding arrangement for social care, as it does with funding for education, which must be based on need and funded in line with anticipated demographic pressures facing Essex.

This Council also calls on the administration to lobby Government to ensure that caring is professionalised with appropriate national standards of training and skill acquisition.

Further the authority should lead the private sector by example and reopen its own local care homes to act as an exemplar and where possible be ready to take back failed homes into local authority control.

#### **4. Parking around Schools**

Moved by Councillor N Le Gresley and seconded by Councillor M Ellis

Parking problems around schools throughout the County are getting worse, increasing the dangers to our children and exacerbating conflicts between some parents and local residents that increasingly results in violence. No single agency, council, police or school is individually responsible for dealing with this situation, although they all have specific duties and are no doubt doing their best with available resources. What is needed is a holistic approach and leadership to co-ordinate all these different organisations so as to find the best combined solution to the problem and the discourse it engenders.

Essex County Council, as the senior partner, accepts this responsibility and resolves to reinstate the 'School Travel Planning Team' (disbanded in 2012), or some other such group within the Economic Growth and Development Department, to take the lead.

This team, in conjunction with County Councillors, who themselves have a key role in this area as community representatives, will be responsible for co-ordinating action and responses from the different agencies, including schools, whose responsibilities do not end at the school gates, to promote and develop 'School Traffic Management Plans', for each school location, that incorporate 'School Travel Plans', prepared and maintained by each school.

Suitable action is long overdue and this approach would be a cost effective initiative that will benefit the entire school system in Essex and serve to bring greater harmony between parents and residents as well as providing a safer environment for Essex children.

# Members' Allowances Scheme

## Members' Allowances Scheme: Report of the Independent Remuneration Panel

### 1. Background

It is a number of years since there has been a thorough review of the Council's scheme of allowances. The Council's Independent Review Panel last reported in 2010. It is timely therefore to ensure that the Scheme is still current and complies with up-to-date policies and that it properly recompenses councillors operating in a large, visionary local authority; bears comparison with other Councils; is completely transparent about what can or cannot be claimed; and is justifiable to the public.

In May, the Council appointed an Independent Remuneration Panel and agreed its Terms of Reference for reviewing the current Members' Allowances Scheme as follows:

#### Membership:

Organisation / Role	Name
Chairman	Dr Declan Hall
Local resident	Mary Williamson
Local Business Representative	Elaine Oddie

#### Role

1. To review the County Council's Members' Allowances Scheme, taking in to account the roles and responsibilities of Members (both in the Council and in serving their communities) set out in the County Council's agreed role profiles and elsewhere.
2. To take account of comparative data on the remuneration paid by other comparable local authorities in terms of size, location and budget and other non-local authority public sector organisations, social enterprises, charities and public sector or private sector companies.
3. To hear representations from elected Members.
4. To make recommendations to the Council on:
  - (a) the amount of Basic Allowance which should be paid to all Members;
  - (b) the responsibilities or duties for which Members should receive Special Responsibility Allowances and the amount of such allowances;
  - (c) the amount of the Childcare and Dependents' Carers' Allowances;
  - (d) Travelling and Subsistence Allowances;

- (e) Independent and Co-opted members' allowances;
- (f) whether allowances should be index-linked and if so what the suitable index might be;
- (g) the timing of implementation of the recommendations; and
- (h) the provisions within the Members' Allowances Scheme relating to meals when undertaking approved duties at County Hall.

## **2. Statutory Requirements**

Under the Local Authorities (Members' Allowances) (England) Regulations 2003, every relevant local authority is required to review its Members' Allowances Scheme. In doing so, local authorities are required to establish and maintain an Independent Remuneration Panel, whose function is to provide the local authority with advice and recommendations on its scheme and the amounts to be paid.

Local Authorities must include in their scheme of allowances a basic allowance, payable to all members, and may include provision for the payment of special responsibility allowances and a dependents' carer's allowance. In addition, the 2003 Regulations allow for the inclusion of a travel and subsistence allowance and a co-optees' allowance, within the allowances scheme.

The Regulations state that before a local authority makes or amends its scheme of allowances, the authority shall have regard to the recommendations made in relation to it by an independent remuneration panel. However, the Council is not obliged to abide by all or any of the panel's recommendations.

## **3. The Independent Remuneration Panel's Report**

The Panel's report and its recommendations to the Council are set out in the Annex to this report. Having regard to those recommendations the Council is required to decide what amendments if any it wants to make to its scheme of allowances.

### **Recommended:**

- (1) That the findings of the Council's Independent Remuneration Panel as set out in the Annex to this report be noted.
- (2) That the recommendations of the Council's Independent Remuneration Panel as set out in the Annex to this report be noted.
- (3) That any changes to the Members' Allowances Scheme which are agreed by Council come into effect from a date to be agreed by Council.
- (4) That the Council's Members' Allowances Scheme be amended accordingly.
- (5) That the Monitoring Officer be authorised to produce a revised Members' Allowances Scheme for incorporation in the Constitution based on the Council's decisions.

**A Review  
Of  
Members' Allowances  
For  
Essex County Council**

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**A Report  
By the  
Independent Remuneration Panel**

**Dr Declan Hall (Chairman)  
Elaine Oddie OBE  
Mary Williamson**

**August 2015**

## EXECUTIVE SUMMARY

Essex County Council Basic Allowance & SRAs Schedule 2015/16					Essex County Council Panel Recommendations			
Allowances Payable	No.	Current BA & SRAs <sup>1</sup>	Total £ Per Member	Sub Totals	No.	Rec'd BA & SRAs	Rec'd Total £ Per Member	Rec'd Sub Total £
<b>Basic Allowance</b>	75	£11,500		£862,500	75	£12,112		£908,400
<b>Executive SRAs</b>								
Leader	1	£53,500	£65,000	£53,500	1	£50,000	£62,112	£50,000
Deputy Leader	1	£40,125	£51,625	£40,125	1	£37,500	£49,612	£37,500
Other Cabinet Members	8	£35,310	£46,810	£282,480	8	£33,300	£45,412	£266,400
Deputy to Cabinet Member	11	£13,375	£24,875	£147,125	11	£10,000	£22,112	£110,000
<b>Chairmen's SRAs</b>								
Scrutiny Board	1	£16,050	£27,550	£16,050	1	£15,000	£27,112	£15,000
Overview & Scrutiny Committees	4	£13,375	£24,875	£53,500	3	£12,500	£24,612	£37,500
Development & Regulation Committee	1	£13,375	£24,875	£13,375	1	£12,500	£24,612	£12,500
Audit Committee	1	£13,375	£24,875	£13,375	1	£12,500	£24,612	£12,500
Standards Committee	1	£13,375	£24,875	£13,375	1	£5,000	£17,112	£5,000
Pension Board	NA				1	£5,000	£17,112	£5,000
Council	1	£21,680	£33,180	£21,680	1	£20,000	£32,112	£20,000
<b>Vice Chairmen SRAs</b>								
Council	1	£10,840	£22,340	£10,840	1	£10,000	£22,112	£10,000
<b>Opposition Groups SRAs</b>								
Leader Main Opposition Group[s]	1	£16,050	£27,550	£16,050	1	£14,500 <sup>2</sup>	£26,612	£14,500
Leader Other Opposition Groups	0	NA	NA		0	NA	NA	
<b>Sub Totals: BA</b>				£862,500				£908,400
<b>Sub Totals: SRAs</b>	32			£681,475	32			£595,900 <sup>3</sup>
<b>TOTAL (Maximum payable)</b>				£1,543,975				£1,504,300
<b>Savings (Maximum - potential)</b>								£39,675

### Posts considered by the Panel to receive an SRA but not recommended

<sup>1</sup> The current Leader voluntarily forgoes 3% of his SRA, thus reducing it to £51,895, making a total of £63,395. Other post holders who currently voluntarily elect to forgo 3% of their SRA entitlement include the Deputy Leader, all 8 other Cabinet Members, 1 Deputy to a Cabinet Member and the Chairmen of the Health Overview & Scrutiny and Development & Regulation Committees.

<sup>2</sup> The total payable to Leader of Opposition Group[s] SRA is to be capped at £14,500. This SRA has been future proofed so it will vary depending upon size of a Main Opposition Group.

<sup>3</sup> The SRA sub-total of £595,900 is the *maximum* payable per year under the Panel's recommendations. It is likely that less than £595,900 will be spent on SRAs per year due to the 1-SRA only rule.

- Opposition Spokespersons
- Members appointed to the Council Adoption and Fostering Panels

**The Panel also recommends that:**

#### **Qualifying for a Main Opposition Group Leader[s] SRA**

To qualify as a 'Main' Opposition Group it has to have a minimum of 7 members. All qualifying Opposition Group Leaders are to be paid an SRA on a pro rata basis out of a maximum Main Opposition SRA of £14,500.

#### **Confirming the '1-SRA only' Rule**

The allowances scheme continues to prohibit the receipt of more than 1 SRA regardless of the number of remunerated posts a Member may hold.

#### **Co-optees' Allowances**

The provision for a Financial Loss Allowance (FLA) is removed from the current scheme.

The four education Co-optees are not paid a Co-optee's Allowance but that they continue to be able to claim travel and subsistence allowances for attending approved duties both within and out of the county.

#### **The Independent Person appointed to the Joint Standards Committee**

The remuneration for the Essex County Council Independent Person appointed to the Joint Standards Committee remains at £500.

#### **The Dependants' Carers' Allowance (DCA)**

The current scope and level of reimbursements that are payable as a Dependants' Carers' Allowance is unaltered.

#### **Discontinuation of the Members' meal provision and in-county subsistence**

Members are no longer permitted to claim meal provision or subsistence allowance for undertaking approved duties within the county.

The Panel further recommends that the only exception to the discontinuation of direct subsistence provision to Members is when they attend meetings of Full Council at County Hall.

#### **Subsistence Allowances**

The Members' Allowances scheme is amended to reflect the discontinuation of in-county subsistence allowances and meal provision at County Hall, except for meetings of Full Council in the case of the meal provision.

For attending approved duties out of the county that the scope and level of Subsistence Allowances are unaltered.

### **Travel Allowances**

The scope and level of Travel Allowances are unaltered.

### **Indexation**

The following indices are applied to the remuneration and allowances paid to Members of Essex County:

- **Basic Allowance and SRAs:**
  - Indexed to the annual percentage salary increase for local government staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.
- **Mileage Allowance:**
  - Adjusted in line with HMRC rates
- **Subsistence Allowances:**
  - The day subsistence allowances and overnight subsistence allowances should be indexed to the same percentage increase that may be applied by the Council to Officer day and overnight subsistence rates.
- **DCA:**
  - **Rates claimable for various categories of care:**
    - Indexed to the same percentage increase that the Council may apply to the Basic Allowance and SRAs

### **Implementation of Recommendations**

Essex County Council implements the recommendations contained in this report from the date of their next full Council meeting following the publication of this report.



**THE**  
**INDEPENDENT REMUNERATION PANEL**  
**FOR**  
**ESSEX COUNTY COUNCIL**  
**A REVIEW OF MEMBERS' ALLOWANCES**

**August 2015**

**Introduction: The Regulatory Context**

1. This report is a synopsis of the deliberations and recommendations made by the statutory Independent Remuneration Panel (the Panel) appointed by Essex County Council to provide advice on its Members' Allowances scheme.
2. The Panel was convened under The Local Authorities (Members' Allowances) (England) Regulations 2003 (SI 1021) (the 2003 Regulations). These regulations, which arise out of the relevant provisions in the Local Government Act 2000, require all local authorities to maintain an independent remuneration panel (also known as an IRP) to review and provide advice to their council on Members' allowances. This is in the context whereby elected Members are able to determine their own levels of remuneration, and much of the scope and levels of other allowances/reimbursements.
3. All Councils are required to convene their Panel and seek its advice before they make any changes or amendments to their members' allowances scheme and they must 'pay regard' to the Panel's recommendations before setting a new or amended members' allowances scheme.
4. In particular, the Panel has been reconvened under the 2003 Regulations [10. (50)], which states:

Where an authority has regard to an index for the purpose of annual adjustment of allowances it must not rely on that index for longer than a period of four years before seeking a further recommendation from the

independent remuneration panel established in respect of that authority on the application of an index to its scheme.

5. The previous panel report recommended that Essex County Council applied an index to its allowance scheme but this recommendation was rejected and allowances have not been indexed since 2011. Therefore there is no requirement for ECC to review its scheme at this time, but the Council has chosen to review the scheme which is now four years old.

### **The Panel**

6. Essex County Council reconvened its independent remuneration Panel consisting of the following members:

- Dr Declan Hall (Chairman): formerly a lecturer at the Institute of Local Government, The University of Birmingham, now an independent consultant specialising in members' allowances. A national representative.
- Elaine Oddie (OBE): Chair of Board of Essex Chamber of Commerce. An accountant who works in Chelmsford, with experience of being on Chelmsford City Council's Standards Committee and IRP. A local business representative.
- Mary Williamson MA: Parish Councillor, School Governor, member of School Appeals Panel and a retired Further Education Lecturer. A local resident.

7. The Review was supported and serviced throughout by the following Officers:

- Terry Osborne: Director for Corporate Law and Assurance and Monitoring Officer
- Joanna Boaler: Head of Democratic Services
- Andy Gribben: Council and Member Support Officer

### **Terms of Reference**

8. The terms of reference were to review the County Council's Members' Allowances Scheme, taking in to account the roles and responsibilities of Members (both in the Council and in serving their communities) as set out in the County Council's agreed role profiles and elsewhere.

9. The Panel was also asked to take account of comparative data on the remuneration paid by other comparable local authorities in terms of size, location and budget and other non-local authority public sector organisations, social enterprises, charities and public sector or private sector companies.
10. To hear representations from elected Members.
11. To make recommendations to the Council on:
  - (a) The amount of Basic Allowance which should be paid to all Members;
  - (b) The responsibilities or duties for which Members should receive Special Responsibility Allowances and the amount of such allowances;
  - (c) The amount of the Childcare and Dependants' Carers' Allowances;
  - (d) Travelling and Subsistence Allowances;
  - (e) Independent and Co-opted members' allowances;
  - (f) Whether allowances should be index-linked and if so what the suitable indices should be;
  - (g) The timing of implementation of the recommendations
  - (h) The provisions within the Members' Allowances Scheme relating to meals when undertaking approved duties at County Hall.

### **Evidence Reviewed by the Panel**

12. The Panel met at County Hall, Chelmsford on 8-9 June 2015 to hear and consider oral evidence from Members, receive and consider the written submissions from Members and briefings from Officers – see appendices one and two for details. The Panel also reviewed further written information pertinent to the review, such as meetings schedules, benchmarking data, statutory guidance, etc. See appendices three and four for further details.

### **Principles and Observations**

#### **Right to forgo all or part of allowances**

13. There was a wide range of views presented to the Panel regarding the purpose of a Members' Allowances scheme and the nature of being an elected Member. There was a minority view that felt Members 'remuneration' in general was not appropriate and that an allowances scheme should ensure that Members were not out of pocket rather than provide recompense. Other Members took the view that the current levels of allowances do not reflect the time and responsibilities undertaken by elected Members and were not sufficient to attract a wider range of candidates. Others took a similar view but recognised that the allowances could not and should not be at a level that 'attracted' candidates but should at least recognise and compensate part of the time required to be a Member.
14. The Panel points out that the 2003 Regulations (13) specify that:

The scheme shall provide that a person may, by notice in writing given to the proper officer of the authority, elect to forgo his entitlement or any part of his entitlement to allowances.

15. Members who disagree with the level and scope of some or all of the allowances payable have the right to forgo all or part of their entitlement. In fact as pointed out in the executive summary a number of members at Essex elect to forgo 3% of their SRA (see footnote 1 for details).

### **Reducing Barriers and Providing Recompense**

16. The Panel continues to be guided by the overarching principle that underpinned the previous review as laid out in the February 2010 Report namely,  
  
to develop a scheme that properly recompenses Councillors operating in a large, visionary local authority; bears comparison with other Councils; is completely transparent about what can or cannot be claimed; and justifiable to a public [who have] become cynical about the issue generally.
17. The Panel consciously eschewed recommending allowances at a level to 'attract' high calibre candidates. It would result in recommending allowances at levels that would be difficult to justify publicly and in any case there was limited support for this principle. Rather the Panel has sought to recommend a scheme that seeks to minimise financial barriers to public service so as to enable a wide range of people to become a Councillor without incurring undue personal financial cost. Allowances should provide a large degree of recompense for time spent and responsibility carried by Members.
18. On the other hand, the Panel recognises that an element of Members' work should be voluntary, given freely as a public service so that Members do not stand for and remain on the Council primarily for financial reasons.

### **Transparency**

19. Representations made to the Panel emphasised that the recommendations and allowances scheme should be transparent so it can be understood how and why the allowances are being paid and for the scheme to be simple to operate. The transparency principle has led the Panel to take a consistent approach in how it has arrived at its recommendations so that both elected Members and the public understand the logic of the allowances payable.

### **The nature of Essex as a county and council**

20. During its deliberations the Panel was struck by the fact that many of the SRAs payable in Essex are at the upper end of the comparative spectrum. With some

exceptions the Panel is not unduly alarmed at this context. The Panel feels by and large most allowances and the levels payable can be substantiated. This is particularly the case bearing in mind the fact that the county in general is large and diverse and Essex County Council is one of the largest principal councils in England, in terms of population, size and budget. It is an innovative and pioneering council that has a leading role on both the regional and national stage. To take but one dimension - partnership arrangements. Essex County Council has to work with in a number of ways:

- 12 Essex district councils
- 2 Essex unitary councils
- 5 Clinical Commissioning Groups
- 4 Acute Trusts
- The South East Local Enterprise Partnership (SELEP)

21. The SELEP is the largest LEP in England. Essex County Council is a complex organisation that has to work through multi-tiered partnerships. This is not the case with most of the comparator councils. The nature of the county and the council is such that the Panel would be more concerned if the allowances payable were not at the upper end of the comparative spectrum.

### **Recognising Current Economic Context and the Role of the Panel**

22. While there was evidence indicating that some of the allowances, particularly the Basic Allowance, merit a thorough reconsideration, the Panel has to be aware of the economic context. The weight of the representations and evidence received by the Panel indicated that general increases in allowances or wholesale additional remunerated posts could not be justified. This has led the Panel to ensure that its recommendations do not increase the total spend on allowances and in fact, despite the fact that the Panel is recommending an increase in the Basic Allowance, the recommendations taken together could result in an annual saving in the order of £52,000.<sup>4</sup>
23. The secondary role of the Panel during this review has then been to address any anomalies arising due to legislative and structural changes over the last 4 years. In particular, the Panel has sought to correct any apparent incongruities that are apparent with the SRAs and not addressed by the rebalancing exercise.

### **Rebalancing the Basic Allowance and SRAs**

24. The Panel recognises that this is an opportune moment to 'rebalance' the weighting of the current allowances scheme, specifically by funding an increase

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<sup>4</sup> Based on an estimated annual saving of approximately £15,000 and £7,000 by ending the blanket meal and drinks provision respectively. The maximum that could be paid out in Basic and Special Responsibility Allowances under the Panels' recommendations is £1,504,400 which would be a savings of £30,000 compared to the total paid out in Basic (£862,859) and Special Responsibility (£610,881) Allowances 2013/14.

in the Basic Allowance from small decreases in the SRAs. The Panel notes that on one level the Council has already carried out a rebalancing through the reduction in the number of Deputies to Cabinet Members from 16 to 11 and the voluntary elimination of 7 SRAs for Opposition Spokespersons, which means the number of SRAs (and consequently the total amount paid out in SRAs) has decreased since the previous review. As a result the current allowances scheme provides for a maximum of 33 SRAs and is now in line with the 2003 Statutory Guidance (paragraph 72) which states that: "If the majority of members of a council receive a special responsibility allowance the local electorate may rightly question whether this was justified".

25. Nonetheless it remains that the SRAs in Essex County Council's Members' Allowances scheme are high, particularly regarding the most senior posts on the Council where the variation from the mean is most striking. Generally this is only how it should be, given the complex nature of the county and the concomitant responsibilities undertaken by Members but the comparative data indicates that the differential between the Basic Allowance and levels of SRAs is outside the normal range - by a further marginal rebalancing of the scheme through taking monies from SRAs to fund a recommended increase in the Basic Allowance this should no longer be the case.

## **The Panel's Recommendations - the Basic Allowance**

### **Recalibrating the Basic Allowance**

26. The Panel, in line with the 2003 Statutory Guidance (paragraphs 67-69), revisited the original variables utilised in arriving at the Basic Allowance in 2010 but updated for the most recent values available.
27. The 3 variables and their respective updated values are as follows:
  - **Input:** 156 days per year
  - **Public Service Discount:** 33%
  - **Rate of Remuneration:** £116.46 per day
28. The expected minimum annual input of 156 days is based on the 2013 Councillors Census (LGA). This census shows that Members of 'shire counties' with no positions of responsibility on average put in 21.6 hours per week on "total" "council business".<sup>5</sup> This equates to 156 days per year on a 7.75 hour working day.
29. The Public Service Discount is the element of a Members' time that is not remunerated and is given freely as public service or *pro bono publico*. One third is the typical size of the voluntary discount applied by Panels as it broadly reflects the proportion of time out of the total spent on council-related duties that is devoted to representing constituents, wards and local communities. Thus, out of the 156 days per year expected input for Members 52 days were assumed to

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<sup>5</sup> Specific information supplied to Dr Hall in an email from the LGA, 20 September 2014, and based on the raw data gathered for the publication of the 2013 Councillors Census

be unremunerated, leaving 104 remunerated days.

30. The updated rate of remuneration is based on the 2014 median daily pay (gross) for all full-time employees resident in the county.<sup>6</sup> This is a change from the previous rate of remuneration that was based on advice to IRPs from the LGA, and was known as the LGA daily session rate and was updated annually. The LGA no longer provides this advice. Consequently the Panel has used a county-wide based rate of remuneration as it most closely reflects the median earnings of Members' constituents.
31. Thus the recalibrated Basic Allowance has been arrived at by applying the following formula as laid out in the 2003 Statutory Guidance:
- 156 days annual expected average input – 52 days per year as a Public Service Discount  
= 104 remunerated days per year
  - 104 days per year x £116.46 per day  
= £12,112
32. The current Basic Allowance (£11,500), unchanged since 2010, has not kept pace with earnings. Although the Panel previously recommended the indexation of allowances, the Council chose not to apply any index. Moreover, since April 2014 Members are no longer permitted to join the Local Government Pension Scheme (LGPS) with existing Members already in the scheme being required to exit it once their current electoral term ends. This is deferred remuneration denied. In effect there has been a reduction in the Basic Allowance since the previous review.

### **Benchmarking the current Basic Allowance**

33. As a further check, the Panel benchmarked the current Essex County Council Basic Allowance (£11,500) against that paid in the comparator councils utilised for the benchmarking group<sup>7</sup>.
34. This exercise was carried out to ascertain that by not "recalibrating" the current Basic Allowance whether it had significantly fallen behind that paid in peer authorities. The Panel has not been driven by the comparative remuneration figures but used them for simply placing the current Basic Allowance in context and to test out whether there is an external reason to recommend the recalibrated Basic Allowance.
35. The average Basic Allowance paid in the benchmarking group is £11,134, which statistically is not a significant variation on the current Essex Basic Allowance of

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<sup>6</sup> Based on 2014 median gross annual pay for all full time employees resident in the county, which is £30,279. This equates to £116.46 per day. See Annual Survey of Hours and Earnings (ASHE), Table 8.7a Annual pay (gross) for all full time employee jobs, UK 2014, Office of National Statistics.

<sup>7</sup> See notes to Appendix 4 for details on how the benchmarking group of 11 councils was arrived at.

£11,500. While benchmarking does not provide a strong external case to recalibrate the Essex Basic Allowance it is noted that the Basic Allowance paid in the two most comparable county councils, Kent and Hampshire is £12,805 and £12,003 respectively. Widening the comparative net somewhat further it is noted that the Basic Allowance for all Councillors in Wales is £13,300 and in Scotland it is £16,726 - where all councils are unitary authorities in both countries.

36. Non-executive directors (NEDs) appointed to NHS Trusts receive £6,157 per year for a time commitment of at least 2.5 days per month and NEDs appointed to NHS Foundation Trusts typically receive £10,000 - £14,000 for a similar time commitment<sup>8</sup>. When compared to NED appointments in the NHS the recalibrated Basic Allowance represents value for money.
37. However, there is a strong internal reason to recommend the recalibrated Basic Allowance by linking it to the removal of direct meal provision to Members. The recommended Basic Allowance has to be understood in the context of the Panel's recommendation on Members' meal provision, as part of a *quid pro quo* process.

### **Discontinuation of the Members' meal provision and in-county subsistence**

38. As in the 2010 review, the direct provision of Members' meals in the dedicated Members area emerged as an important issue, albeit with no overwhelming consensus on how to move forward. Currently, and less typically these days, the Members are able to come to County Hall and as long it is an approved duty they have a dedicated Members lounge where they are able to have a meal by signing for it. The question is whether this meal provision is still justified.
39. There was some misconception on the part of some Members who supported the continuation of subsistence for Members, whether as an allowance or as meals provided directly (as is currently the situation in the vast majority of cases). There was a view that the right of Members to claim reimbursement of subsistence while on approved duties was 'a condition of service' in that Members were entitled to it by virtue of being a Councillor. This is not the case. Subsistence allowances used to be statutory, as an allowance that could be claimed by Members for carrying out approved duties at maximum rates set by the Secretary of State. This statutory right ended on 31 December 2003.
40. The Local Authorities (Members' Allowances) (England) Regulations 2003 SI 1021 (or the 2003 Regulations) which came into force on 1 January 2004 and subsistence allowances became discretionary (see paragraphs 8.1 and 10.2.c). Increasingly, councils are choosing not to provide meals or subsistence allowances for approved duties within their council area. This has been partly driven by the desire to save money, partly by the MPs' expenses scandal but because subsistence provision/allowances is seen as mainly a left-over from a different era, namely one where they did not receive any meaningful remuneration. Now that Members are receiving a not insubstantial remuneration

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<sup>8</sup> See advert for appointment as Non-executive Director of Mid Essex Hospital Services NHS Trust, September 2014, <http://www.ntda.nhs.uk/wp-content/uploads/2014/09/Information-pack-PDF-429KB1.pdf>



the entitlement to claim a subsistence allowance or have meals provided directly is much diminished. It is certainly not a condition of service. For instance Kent County Council no longer provides meals or has a subsistence allowance that can be claimed by Members for undertaking approved duties within the county.

41. Much of the rest of the representation supporting the continuation of meal provision rested on the argument that by providing meals in a dedicated Members eatery or dining area-cum-lounge it creates a place where Members can meet informally and network with other Members. These two issues, meal provision and a place to network/liaise informally with other Members have become concomitant where it is not necessarily the case.
42. The Members area can be maintained and the Council can ensure Members still have access to coffee/tea and dining facilities but where they have to pay for any subsistence taken. It is hard to justify to the public that Members warrant a free meal for just turning up. It is not a cost that results from their Councillor role, a Member would have to eat at lunchtime regardless.
43. Consequently, the Panel can see no reason to change the position it took at the time of the previous review where it stated

The dining area could remain as a facility for members to meet and have informal discussions. The provision of a fridge and microwave would mean that members could store and heat up meals which they have brought into the building or they could visit the main restaurant and pay for their food and drink.<sup>9</sup>

44. **The Panel recommends that Members are no longer able to claim a meal provision or subsistence allowance for undertaking approved duties within the county.**
45. However, based on representations received the Panel has made an exception for full Council. It is the one occasion when all Members are expected to be at County Hall and Council can last a full working day or more. Moreover, there was the supplementary argument in that by keeping a meal provision for full Council it would add to the efficiency of conducting business. If Members were required to obtain their meals elsewhere it would mean longer meal break[s] and take longer to reconvene meetings. In addition, it is the council equivalent of a 'high' day and as such can be seen as an exception to the rule. The Panel accepted these arguments and the Members should continue to have a meal provision when attending full Council.
46. **The Panel recommends that the only exception to the discontinuation of subsistence provision to Members is when they attend full Council meetings at County Hall.**

### **Recommending the Basic Allowance**

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<sup>9</sup> Panel Report on reviewing allowances for Essex County Council, February 2010, page 3.

47. On the figures (2014/15) supplied to the Panel the discontinuation of subsistence for Members undertaking duties within the county (full Council excepted) will result in an annual savings of more than £22,000 (approximately £15,000 on meals and £7,470 on refreshments). Taking into account that Members will no longer be provided meals as routine, that the Basic Allowance has remained static for more than 5 years and loss of benefits arising from membership of the LGPS, the Panel has concluded that the recalibrated Basic Allowance is appropriate.
48. **The Panel recommends a Basic Allowance of £12,122.**

### **Recommending SRAs - The Leader**

49. The SRA for the Leader of Essex County Council has historically been linked to the salary of an MP, in that the sum of the Basic Allowance and SRA paid to the Leader equals that of an MP. The link with MPs salary has served its purpose and the Panel has decided to break that link, particularly in light of the proposal to increase MPs salaries from £67,000 to £74,000.
50. The current SRA for the Leader is £53,500, which reflects the level of a MPs salary in 2010. Benchmarking shows the SRA for the Leader is among the highest in the comparator councils, where the Leaders' mean SRA is £33,867. It is difficult to draw meaningful analogies with other Essex-wide public posts as they are not strictly comparable and the range of remuneration received is varied to say the least.
51. The only two other Essex-wide comparative posts are the Chair of the Essex Fire Authority, whose remuneration is determined locally, with an SRA of £15,400, and the Essex Police and Crime Commissioner, whose remuneration is determined nationally, with a total remuneration of £85,000, which only serve to highlight how difficult it is finding meaningful analogous posts to the Leader of Essex County Council. In the adjacent London Borough Councils the most recent (2014) report by the Joint IRP for London Councils the recommended SRA for a London Borough Council Leader was £54,769, with a recommended Basic Allowance of £10,703. The role of Essex County Council Leader and ordinary Member is larger than that in any London Borough Council, based on population, geographic size, budget and complexity.
52. The June 2015 consultation by the Independent Parliamentary Standards Authority (IPSA) on MPs' pay drew comparisons between a MP's role and pay with others it felt to be comparable in both the public and private sectors. It shows the mean total remuneration of a basket of comparable roles in the public sector to be £100,495 whereas the median total remuneration of private sector directors to be £106,869. The Office of National Statistics does not publish average earnings for council areas and type of occupation, but it does by region and occupation.<sup>10</sup> It shows that "corporate managers and directors" in the East of England have a mean gross salary of £53,183 - although most of these

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<sup>10</sup> See Annual Survey of Hours and Earnings (ASHE), Table 3.7a Annual pay (gross) for all full time employee jobs, UK 2014, Work Region Occupation, Office of National Statistics.

corporate managers and directors will not oversee an organisation the size of Essex with an overall services budget of just under £1.8 billion.

53. As with the Basic Allowance, when compared to Chairs of NHS Foundation Trusts the Leader's remuneration represents value for money. For instance, the remuneration for the advertised post of Chair of the Colchester Hospital NHS Foundation Trust in December 2014 was £45,000 per year for 3 days per week, which is the full-time equivalent of £75,000 per year.<sup>11</sup> However, Chairs of other NHS Trusts are typically remunerated approximately £24,000 (Band 1) but again this is for the equivalent of 3 days per week for chairing sub-county bodies that are smaller than Essex County Council, with smaller budgets and with the post holder having fewer powers than the Leader of the Council, not to mention longer lines of public accountability. Moreover, this 'standard' remuneration for Chairs of NHS Trusts (Band 1) can be and is regularly set higher by individual trusts in response to market conditions.
54. In the vast majority of cases, chairs of boards of directors of private companies with a similar turnover to Essex County Council are remunerated a great deal more than the Leader currently receives. However, the Panel recognises that such a comparison to the private sector is not strictly analogous and 'market' rates cannot be applied to Members' remuneration.
55. The Panel has always been content with the fact that the Leader's SRA is at the higher end of the local government comparative spectrum. As noted above, Essex is a large and complex county and that particularly affects the role of the Leader and other senior Members. Previously the Panel has consciously recognised the sub regional agenda that the Leader was increasingly required to address, an agenda which continues albeit with a greater Essex-wide dimension. A particular development since the last review is the burgeoning regional agenda. While the SELEP is an example of this, with concomitant demands on the Leader (and Deputy Leader) it is clear that the devolution agenda will be a pressing issue for the Leader once the imminent legislation is passed and its implementation rolled out.
56. Another change since the previous review is the implementation of the relevant provisions of the Local Government and Public Involvement in Health Act 2007, namely the requirement to have a strong leader executive model of governance. This has put further responsibility on the Council Leader. Finally, while there is no legal requirement for the Leader of Essex to be full-time the post holder, regardless of whom they may be, is effectively full time in the post and is prohibited from being able to earn an outside living by virtue of holding the Leader's office. This is not the case in all the comparator councils.
57. However, in line with the principle of rebalancing the BA and SRAs and the need to find further monies to pay for the recommended Basic Allowance the Panel has reduced the Leader's SRA by rounding it down to £50,000.
58. **The Panel recommends that the SRA paid to the Leader of Essex County Council should be £50,000.**

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<sup>11</sup> <http://www.veredus.co.uk/job/chair-jobid-16836>

## **The Deputy Leader**

59. The Deputy Leader's SRA, as with most of the SRAs, was originally set in accord with the 2003 Statutory Guidance (paragraph 76) in that it was arrived at by assessing it as a ratio of the Leader's role. By definition the Leader will be 100% in terms of workload and responsibility and the SRA for the Deputy Leader was set at 75% of the Leader's SRA, which equates to £40,125.
60. A ratio of 75% is comparatively high, with the typical range being 55-65%. However, the Deputy Leader role is an active one with the post holder also holding a portfolio, which is not always the case in the peer authorities, as well as stand-in for the Leader when required. Again the Deputy Leader of Essex has historically been deemed to be the equivalent of a full-time role.
61. The Panel found no reason to alter the current ratio of 75% and has arrived at the Deputy Leader's recommended SRA by setting it at 75% of the Leader's recommended SRA which equates to £37,500.
62. **The Panel recommends that the SRA for the Deputy Leader of Essex County Council is £37,500.**

## **The Other Executive (Cabinet) Members (8)**

63. The SRA for the other Cabinet Members (portfolio holders) has been set at a pro rata of 66% of the Leader's SRA, which equates to £35,310. The mean SRA paid in the benchmarking groups is £19,195 but unlike in Essex most of these posts in the comparator councils are not deemed to be the equivalent of full time. The Cabinet Members are responsible for some of the largest portfolios in local government and the current ratio of 66% has been maintained, which equates to £33,300.
64. **The Panel recommends that the SRA for the other Executive (Cabinet) Members for Essex County Council is £33,300.**

## **Deputies to Cabinet Members (11)**

65. The Deputies to Cabinet Members, of which there are currently 11, receive an SRA of £13,375, on a par with the Committee Chairmen and set at 25% of the Leader's SRA. The equivalent post does not always exist elsewhere, it is only paid in 6 out of the 11 comparator councils with a mean SRA of £8,839.
66. Unlike the Chairmen of Committees which are either statutory committees (Scrutiny) or undertake a statutory function (Audit) there is no formal legal recognition of the post of Deputy to a Cabinet Member. The Panel understands that they assist and support their designated Cabinet Member with a specific remit in shaping and developing the strategic priorities of the Council as it relates to the allocated portfolio with the exception of the exercising of any executive function. They also have a role in monitoring performance in areas relating to the allocated portfolio. In this they are given discrete tasks to undertake and look into

issues in more depth and report back to their Cabinet Member. There is also an element of succession planning, creating a cadre of Members who are competent and able to step up to being a Cabinet Member if and when required.

67. Representation was made asking the Panel to make a recommendation to lower the number of remunerated Cabinet Deputies. However, it is not for the Panel to comment on how the Council decides to organise itself - the Panel's main role is to assess the size of the respective roles under consideration and whether they merit remuneration and at what level. On the other hand, the Panel also has a remit in relation to the total cost of the allowances scheme and the relative cost of supporting respective council functions carried out by Members.
68. On balance the Panel recognised that all 11 Deputies to Cabinet Members contribute to the effective operation of the Council and the executive. Yet, it remains a somewhat 'nebulous' role. Deputies to the Cabinet Members have limited constitutionally-defined responsibilities and their individual workloads and responsibilities are partly dependent on their working relationship with their respective Cabinet Member, which appears to be variable.
69. The Panel finds it difficult to justify a SRA on a par with the Committee Chairmen - their workload may be similar but responsibilities are not, at least in constitutional terms. Consequently, the Panel has recalibrated the SRA for Deputy to Cabinet Member at 20% of the Leader's SRA, which equates to £10,000.
70. **The Panel recommends that the SRA for the Deputies to the Cabinet Members is £10,000. The Panel further recommends that no more than 11 such posts are remunerated at any one time but if there were less than 11 the Panel would support a corresponding pro rata increase in the SRA for Deputies to Cabinet Members.**

### **Chairman of the Scrutiny Board**

71. The SRA (£16,050) for the Chairman of the Scrutiny Board has been set at 30% of the Leader's SRA. The mean SRA for equivalent posts in the comparator councils is £11,141 although only 5 out of the 11 peer councils remunerate such a post. The Scrutiny Board comprises of the Chairmen of the four Scrutiny Committees (one of which will always chair the Scrutiny Board) and the Audit Committee and is charged with overall responsibility for the direction and management of the Council's overview and scrutiny functions and co-ordination of the work of the Overview and Scrutiny Committees. The Chairman of the Scrutiny Board is paid a 5% (of Leader's SRA) premium for chairing what is effectively a central management committee for scrutiny.
72. No evidence was received to indicate that the current ratio of 30% required revising and as such should be maintained vis-à-vis the Leader's revised SRA, which now equates to £15,000.
73. **The Panel recommends that the SRA for the Chairman of the Scrutiny Board is £15,000.**

### **Chairmen of the Overview and Scrutiny Committees (3)**

74. There are four Overview and Scrutiny Committees and currently the allowances' scheme provides for all four of the Chairmen to receive an SRA of £13,375, set at 25% of the Leader's SRA. However, as one of these Chairmen always chairs the Scrutiny Board only 3 SRAs for Chairmen of the Overview and Scrutiny Committees are actually paid under the 1-SRA only rule.
75. **The Panel recommends that the allowances scheme is amended to reflect constitutional reality by clarifying that there are only 3 SRAs payable to Chairmen of the Overview and Scrutiny Committees as the fourth Overview and Committee Chairman will be chairing the Scrutiny Board and will be in receipt of the relevant SRA.**
76. The mean SRA for equivalent posts in the comparator councils is £8,159 although there are generally more overview and scrutiny committees in other councils. For instance, in Hampshire the chairmen of overview and scrutiny committees receive a lower SRA (£11,586) but Hampshire remunerates the Chairs of six such committees (5+1) as opposed to four in Essex (1+3). Hampshire County Council also pays its Scrutiny Vice-Chairmen an SRA of £2,901. Lancashire which also has 3 scrutiny committees whose chairman receives an SRA of £7,397 but the Vice Chairman also get an SRA of £3,477.
77. While there is no suggestion of remunerating Vice-Chairmen of Committees of Essex County Council when the broader comparative picture is brought into focus the 'comparatively' high SRAs for all committee chairmen in Essex do not look quite as out of sync as they do on first appearance. Moreover, all the Overview and Scrutiny Chairmen in Essex are expected to regularly chair at least some of their committee's respective task and finish working groups where much of the work of scrutiny is undertaken.
78. The Panel received no evidence to suggest that the current ratio of 25% of the Leader's SRA requires revising. **The Panel recommends that the SRA for the 3 Chairmen of Overview and Scrutiny Committees (excluding the 4th committee chairman who chairs the Scrutiny Board) should be £12,500.**

### **Chairman of the Development & Regulation Committee**

79. The SRA for the Chairman of the Development & Regulation Committee has been set as with all remunerated Committee Chairmen at 25% of the Leader's SRA, currently £13,375. The mean SRA for the equivalent post in the comparator councils is £9,055 although that does not take into account councils that also pay their Vice-Chairman, such as in Suffolk where the SRA for the Chairman of its Planning and Regulatory Committee is £12,000 but the Vice-Chairman's SRA is £1,500, thus the members' remuneration in relation to the Planning and Regulation functions is greater than in Essex.
80. The Development & Regulation Committee's remit includes a range of statutory functions such as mineral and waste planning applications, school applications and relevant licensing, registration and enforcement matters. It is an active

committee, meeting 12 times per year. The Panel received no evidence that the 25% ratio is no longer appropriate.

- 81. The Panel recommends that the Chairman of the Planning & Regulation Committee is paid an SRA of £12,500.**

### **Chairman of the Audit Committee**

82. The Chairman of the Audit Committee is paid an SRA of £13,375. The mean SRA for this post in the comparator councils is £9,055 where it is regarded as a main committee as in Gloucestershire and £5,843 where it is regarded as a 2<sup>nd</sup>-tier committee, such as in Lancashire. At present Essex does not make this type of distinction between main and 2<sup>nd</sup>-tier committees. This benchmarking is subject to the normal health warning in that it does not take account of comparator councils that also remunerate Audit Vice-Chairmen or indeed those comparator councils who rely heavily on Co-optees appointed to their Audit Committees who are in turn paid a Co-optees Allowance - which is not the case in Essex.
83. The Audit Committee only meets quarterly but the work of the committee has grown since the previous review, as the Audit function has become more important in local government. The Chairman is also expected to liaise, develop relationships and work with both internal and external auditors and there is also a large element of reading and understanding reports of a complex financial nature. The Panel confirms that the current operational ratio of 25% of the Leader's SRA used to arrive at the SRA for the Chairman of the Audit Committee is still appropriate.
- 84. The Panel recommends that the Chairman of the Audit Committee is paid an SRA of £12,500.**

### **Chairman of the Joint Standards Committee**

85. The Council has maintained a Standards Committee, as a Joint Committee that serves both the County Council and Essex Fire Authority. The Chairman is always a County Member who in line with the current model in Essex receives an SRA paid at the same level £13,375 as other committee chairmen.
86. There has been a significant change in the Standards regime since the last review. The Localism Act 2011 discontinued the requirement to maintain a stand-alone Standards Committee; it is no longer a statutory requirement to have one. More importantly the Standards Committee now has a lesser remit and fewer powers than it did at the time of the last review.
87. Benchmarking is of limited value in this instance as not all the comparator councils have maintained a Standards Committee, as is the case in Birmingham, Hampshire Hertfordshire, Kent, Lancashire, Suffolk and Surrey to name but a few of the comparator councils. These councils will have arrangements in place, whether ad hoc or standing, to hear any complaints against Members that

reaches such a stage but the consequences of the Localism Act 2011 means such meetings are so infrequent and workload so light that the Chairmen have not been deemed to hold a 'significant' enough level of responsibility to merit an SRA.

88. Alternatively where the residual Standards functions are still dealt with by a Standards Committee it has typically merged with an Audit or Governance Committee as is the case for Warwickshire, where the Chairman's SRA is £4,277. This has usually been done as it has been accepted that the Standards function does not merit a stand-alone committee in its own right and a remunerated Chairman.
89. The reality for the Joint Standards Committee is that the workload and responsibility is not what it was and the number of formal meetings has greatly reduced - to the extent that it has only formally met once for the past 2 years and currently has no scheduled meetings for the coming year. Moreover, the powers it can exercise have been much reduced, e.g., it can no longer suspend a Councillor.
90. Yet, the Chairman still has a role to undertake at a more informal level, most notably, when a complaint against a Member is received. Now complaints are almost always resolved informally by the Monitoring Officer in consultation with the new post of Independent Person and Chairman of the Joint Standards Committee so that the issue is resolved before it goes before the Committee for consideration. The Standards Committee has now become the last, rather than first, means for considering complaints against Members.
91. Nonetheless, the current SRA is no longer justified and should be recalibrated by setting it at 10% of the Leader's SRA.
92. **The Panel recommends that the SRA for the Chairman of the Joint Standards Committee is £5,000.**

### **The Chairman and Vice-Chairman of Essex County Council**

93. Currently the Chairman and Vice-Chairman of the Council receive an SRA of £21,680 and £10,840 respectively. They can claim back travel and subsistence for attending functions as Chairman and Vice Chairman of the Council, which the Panel supports as this is a different case from that of the other Members attending approved duties. Nonetheless, out of their SRA they have to meet their own day-to-day expenses, including appropriate clothing, that invariably arise from representing the Council at public and other events they have to attend. Benchmarking shows that Chairmen/Mayors and Vice-Chairmen/Deputy Mayors receive a mean SRA of £13,915 and £5,338 where an SRA is paid, which occurs in 7 out of the 11 comparator councils. The remaining 4 Councils pay their equivalent posts a 'Civic Allowance' which is outside the remit of the Panel as it is an allowance payable under s3(5), and s5(4) of the Local Government Act 1972 rather than arising from the Local Government Act 2000. The 1972 Act permits a principal council to pay the chair and vice-chair of that



council an allowance which it thinks reasonable for the purpose of meeting the expenses of those offices.

94. However, in line with the Council's policy on transparency the Council has chosen to forgo its right to pay a Civic Allowance to its civic heads and to pay them via a SRA that has to be published in the allowances scheme.
95. Both the Council Chairman and to a lesser extent the Vice-Chairman roles are very time consuming not simply in relation to chairing council meetings but in representing the County at numerous events. No representation was received that suggested the SRA paid to the Council Chairman and Vice-Chairman required adjusting and the current ratios, 40% and 20% of the Leader's SRA are still applicable.
96. **The Panel recommends that the Chairman of the Council is paid an SRA of £20,000 and the Vice-Chairman paid an SRA of £10,000.**

### **The Opposition Group SRAs – Leaders of the Opposition Groups**

97. The Essex County Council Members' Allowances scheme provides for an SRA of £16,050 for the Leader of the Main Opposition Group, which was set at 30% of the Leader's SRA. The mean SRA for equivalent posts in the comparator councils is £9,669.
98. However where two or more of the largest Opposition Groups are of equal size the Opposition Leaders have voluntarily agreed that the SRA (£16,050) that would normally be paid to the Leader of the Main Opposition Group is divided equally amongst the respective largest Opposition Group Leaders. This is currently the case where the two largest Opposition Groups are Labour and the Liberal Democrats with 9 members each. Consequently each Group Leader receives an SRA of £8,025.
99. The fracturing of traditional political loyalties and the rise of multi-party politics at both the national and local level means that the current formal approach is not as best fit as it could be. It is possible to have a Main Opposition Group of 19 Members, with its Leader getting an SRA of £16,050 (on current levels) and another Opposition Group of 18 Members whose Leader would receive nothing - this does not meet the Panel's principle of equity.
100. **The Panel recommends that the current SRA for Leader of the Main Opposition Group is replaced with an Opposition Group Leaders SRA. No evidence was received to suggest that the current ratio of 30% (of the Leader's SRA) utilised to arrive at the Opposition Group Leader's SRA was flawed: the Panel has reset it at 29%, which now equates to £14,500. It has done so to ensure a consistent approach in that no post holder currently in receipt of an SRA receives a higher total remuneration than present once the recommended increase in the Basic Allowance is taken into account.**
101. **Out of this SRA (£14,500) all Opposition Group Leaders are to be paid an SRA on a pro rata basis subject to a qualification, namely that an**

**Opposition Group has to have 10% of the Council membership, defined as 7 Members.**

102. Under the current political configuration, only the Labour and Liberal Democrat Opposition Groups meet the qualifying criteria and therefore will each receive an SRA of £7,250 (£14,500, which is 9 group members divided by 18 total Opposition Group Members) subject to the Panel's recommendations being adopted by Council.
103. For illustrative purposes, the third largest Opposition Group on Essex County Council is currently the UKIP Group with 6 Members. If the UKIP Group was to gain an additional member, for instance, via a by-election and take a seat from Labour, under the revised arrangements the UKIP Group Leader would be entitled to a pro rata share of the Opposition Group Leaders SRA set at 7/24 of the £14,500 available, which is £4,229. In turn, the Labour Opposition Leader would be reduced to 8 Members and would receive 8/24 of the Opposition Group Leaders SRA, which is £4,833. The Leader of what would then be the Main Opposition Group (Liberal Democrats in this example) would receive 9/24 of £14,500, which equates to £5,438. The Panel feels this approach is more equitable rather than the current winner takes all arrangement.

**The Opposition Spokespersons**

104. Representation was received that drew attention to the Panel's recommendation from its previous review for an SRA of £1,337 (2.5% of the Leaders' SRA) to be paid to 7 Main Opposition Group Spokespersons, which the Council adopted but subsequently discontinued with the emergence of the 3 largest Opposition Groups of the same size after the May 2013 elections, since reduced to 2.
105. These representations suggested that there is a case to reinstate the Opposition Spokespersons' SRA but the main point being made was that the Opposition collectively got a very small proportion of the SRAs payable and total paid out in SRAs. The Panel is not recommending the restitution of the Main Opposition Group Spokesperson SRAs as the conditions that led to Council discontinuing these SRAs have not fundamentally altered.
106. It is pointed out that the Council goes beyond the statutory minimum requirements of the 2003 Regulations which obliges the Council to pay at least 1 Opposition Member an SRA where a council is controlled by one or more political groups and an Opposition Group is registered as a party group under the relevant provisions of the Local Government and Housing Act 1989.
107. Furthermore the Panel has gone some way to addressing the proportionality argument by providing for all Opposition Group Leaders to be paid a pro rata SRA as long as their respective group has at least 7 Members. Indeed, the recommendation of this Panel to pay a pro rata SRA to all Opposition Group Leaders who qualify could potentially apply to up to five Opposition Group Leaders if they each had 7 members in their group.

108. Another suggestion to address the proportionality argument was for the Council to rotate Chairmen of Committees to include Opposition Members. How the Council chooses to organise itself is outside the remit of this Panel and it feels unable to make a comment in this regard. The Panel simply notes under the proportionality requirements of the Local Government Act 2000 that there is no requirement to allocated committee chairs on a politically proportional basis.

### **SRAs Arising - Members on the Adoption and Fostering Panels**

109. The Council, as the responsible corporate parent of cared for children, are the 'court' of final resort to consider appeals against adoption and fostering decisions. Members are appointed to these Panels to undertake what is a quasi-judicial function. Representation was received arguing that these Members merited a SRA for their work on Adoption and/or Fostering Panels. It is not unknown for these posts to be remunerated, for instance Gloucestershire County Members on its Adoption and Fostering Panels each get an SRA of £5,460.
110. However, the Panel has decided not to make a recommendation regarding these posts, there not being enough evidence received to support the proposal.

### **Member Champions**

111. The Panel was asked to recognise the work undertaken by Member Champions. The Panel is not making a recommendation regarding the role of Member Champions. Although they are assigned a designated lead topic it is organised on an informal basis and the particular lead or topic any Member may undertake at any particular time is a fluid one. Moreover, the Constitution (3.8.1) in enunciating the "roles and responsibilities of all Members" makes clear that all Members are expected to be a champion for the Council and their local division and therefore the Panel considers the role of Member Champion to be already remunerated through the Basic Allowance.

### **Chairman of the Essex Pension Fund Board**

112. Representation was received supporting a new SRA - for the Chairman of the Essex Pension Fund Board. The Pension Fund Board exercises on behalf of the Council all of the powers and duties of the Council in relation to its functions as Administering Authority of the Essex Pension Fund except where they have been specifically delegated by the Council to another Committee or to an officer. This also includes overseeing the work of the Essex Pension Fund Investment Steering Committee.
113. The Chairman of the Pension Fund Board is also ex officio the Chairman of the Investment Steering Committee, both of which meet at least on a quarterly basis. Moreover, the on-going reform of pensions in general and the Local Government Pension Scheme (LGPS) in particular means that the Chairman has to keep up with on-going legislative changes. Interestingly the equivalent post is remunerated in 7 of the 11 comparator councils with a mean SRA of £6,204. The

Panel is content to recommend an SRA for the Chairman of the Essex Pension Fund Board and has decided that the post is at the very least on a par with the Chairman of Standards and the SRA be set at 10% of the Leader's SRA.

- 114. The Panel recommends that the Chairman of the Essex Pension Fund Board is paid an SRA of £5,000.**

#### **Other Issues Arising - Annual Statements by Members**

115. The Panel was also asked to revisit the recommendation it made in 2010 that Members produce an annual statement that highlights activities and achievements in the previous year, or alternatively come forward with a similar or another recommendation in the same vein. The rationale behind this request was that it would counteract 'public suspicion over the payment of allowances.'
116. The context in 2010 that led the Panel to recommend that Members produce an annual statement has now abated, and the Panel's recommendation to discontinue the blanket meal provision should clear up the lingering 'public suspicion.' The Council did adopt the recommendation in 2010 but it turned out to be bureaucratic, placing a large significant burden on Officers. Moreover, the annual statements were superseded when Council put in place a committee information system on its website that publishes Members' attendance records for committees and development sessions as well as other relevant information, such as appointments to community and outside bodies.
117. The Panel received no evidence that in the main Members were not undertaking both the formal and wider community-related duties expected of them, indeed quite the opposite.
118. Consequently the Panel feels that there is no need to revisit the recommendation on annual statements by Members.

#### **Confirming the '1-SRA only' Rule**

119. In line with good practice, **the Panel recommends that the allowances scheme continues to prohibit the receipt of more than 1 SRA regardless of the number of remunerated posts a Member may hold.**

#### **Other Allowances – The Co-optees' Allowances**

120. Presently there are four Co-optees (2 diocesan and 2 lay) appointed under the Local Government Act 2000 to the relevant scrutiny committee with responsibility for education.
121. Although not claimed the allowances scheme provides for these Co-optees to claim a Financial Loss Allowance (FLA), capped at £52.49 per day for attending any approved duty in respect of their responsibilities. **The Panel recommends that this provision for a Financial Loss Allowance (FLA) is removed.** Under

the 2003 Regulations there is no authority to pay such an allowance within the scope of a Members' Allowances scheme.

122. The Council may pay a Co-optees Allowance under the 2003 Regulations but no evidence was received to pay such an allowance. **The Panel does not recommend that the four education Co-optees are paid a Co-optee's Allowance.**
123. **The Panel further recommends that the Co-optees continue to be able to claim travel and subsistence allowances for attending approved duties both within and out of the County.**

### **Independent Member on the Joint Standards Committee**

124. The Localism Act 2011 replaced the national conduct regime with the requirement to adopt a local code of conduct. Section 28 of the Act also requires an authority to put in place arrangements under which it can investigate an allegation of a breach of a code made in writing and, if it is considered that an investigation is warranted, requires the authority to appoint at least one independent person whose views must be sought after it has made an investigation and before it takes a decision. It allows members who have had an allegation made against them to seek the views of the independent person if they wish. The Council and Fire Authority have jointly appointed two Independent Persons to advise the Council and Members who are paid £500 per year.
125. Under the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015/881 the Independent Person, appointed under the Localism Act 2011 has acquired an additional responsibility. The new regulations replace the statutory protection that required an appointment of a Designated Independent Person (DIP) to investigate any allegation of misconduct against statutory officers. In the place of a DIP process, any decision will now be taken by full Council, which must consider any advice, views or recommendations from a panel which must include at least two independent members, the conclusions of any investigation into the proposed dismissal, and any representations from the officer concerned.
126. In the case of a proposed dismissal of a statutory officer the Council is required to invite at least two Independent Persons who have been appointed for the purposes of the members' conduct regime under section 28(7) of the Localism Act 2011 to sit alongside councillors on a panel that must consist of a minimum two Independent Persons.
127. The Panel acknowledges that a nominal fee of £500 per year is paid to the Independent Persons and this does not seem unreasonable. However, this has not been the subject of any in-depth review by the Panel as this fee falls outside the Members' Allowances Scheme
128. **The Panel recommends that the remuneration paid to the Essex County Independent Person remains at £500.**

### **The Dependants' Carers' Allowance (DCA)**

129. No representation was received suggesting that the reimbursements and levels claimable under the Dependants' Carers' Allowances needed revising.
130. **The Panel recommends that the current scope and level of reimbursements paid under the Dependants' Carers Allowance is unaltered.**

### **Subsistence Allowances**

131. The Panel has already recommended that subsistence allowances for attending approved duties within the county and the general meal provision at County Hall be discontinued.
132. **The Panel recommends that the necessary amendments are made to Appendix 2 of the Members' Allowances scheme to reflect the discontinuation of in-county subsistence allowances and meal provision at County Hall, except for Full Council meetings in the case of the meal provision.**
133. No issues were raised regarding the Subsistence Allowances for attending approved duties out of the County. **The Panel recommends that the scope and level of Subsistence Allowances are unaltered in this regard.**

### **Travel Allowances:**

134. No issues were raised regarding the Travel Allowances for attending approved duties both within and out of the County. **The Panel recommends that the scope and level of Travel Allowances are unaltered.**

### **Indexation**

135. The Panel has traditionally recommended that allowances should be subject to indexation - it helps ensure they maintain their relative value and negates the need for periodic significant increases in allowances. The Council has not adopted indexation since the last review in 2011. The Council has every right not to apply any relevant index. The Panel was advised that the Council can only apply indexation to allowances within the period of four years from the most recent panel review.
136. The authority to index all or any of the Essex County Council Members' allowances based on the Panel's previous report has now lapsed.
137. **The Panel recommends that the following indices are applied to the remuneration and allowances paid to Members of Essex County Council:**
- **Basic Allowance and SRAs:**
    - Indexed to the annual percentage salary increase for local government

staff (at spinal column 49) to be implemented from the start of the municipal year, rather than financial year, for which year it is applicable.

- **Mileage Allowance:**
  - Adjusted in line with HMRC rates.
- **Subsistence Allowances:**
  - The day subsistence allowances and overnight subsistence allowances should be indexed to the same percentage increase that may be applied by the Council to Officer day and overnight subsistence rates.
- **DCA:**
  - **Rates claimable for various categories of care:**
    - Indexed to the same percentage increase that the Council may apply to the Basic Allowance and SRAs.

### **Implementation of Recommendations**

138. The Panel further recommends that Essex County Council implement the recommendations contained in this report from the date of their next full Council meeting following the publication of this report.

## **Appendix One: Information received by the Panel**

1. Panel's terms of reference
2. Essex County Council, Members' Allowances scheme, 2015-16
3. Independent Remuneration Panel, Essex County Council, Review of the Members' Allowances scheme, 9 February 2010
4. Roles and Responsibilities of those in receipt of an SRA at Essex County Council
5. Terms of reference of the Cabinet and other Council Committees
6. Terms of reference of Overview and Scrutiny Committees
7. List of meetings May 2014- May 2016
8. Structure Committee diagram of Essex County Council 2015
9. Member expenses 2013-2014
10. Member meal offer 2015
11. Member Poster and Member Map
12. Mileage Claim system - claims form
13. Presentation by Panel Chairman, Reviewing Allowances: the current scheme, issues to consider and benchmarking
14. Email to Dr Hall, Councillors mean weekly hours by council and whether a post is held, based on 2013 Councillors Census, 20 September 2014
15. Annual Survey of Hourly Earnings (ASHE), Table 8.7a Annual pay (gross) for all full-time employee jobs, Home Geography, UK 2014, Office of National Statistics.
16. Annual Survey of Hours and Earnings (ASHE), Table 3.7a Annual pay (gross) for all full-time employee jobs, Work Region Occupation, UK 2014, Office of National Statistics.
17. Independent Parliamentary Standards Authority, MPs Pay in the 2015 Parliament: A Consultation, June 2015



## **Appendix Two: Members and Officers who met with the Panel**

### **Members:**

Cllr J. Aldridge	Vice-Chairman of the Council (Conservative)
Cllr S. Barker	Deputy to the Cabinet Member for Adults and Children (Conservative)
Cllr K. Bentley	Deputy Leader of the Council and Conservative Group and Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling
Cllr D. Finch	Leader of the Council and Conservative Group
Cllr R. Gooding:	Cabinet Member for Education and Lifelong Learning (Conservative)
Cllr I. Grundy	Chairman of the People and Families Scrutiny Committee (Conservative)
Cllr N. Hume	Chairman of the Council (Conservative)
Cllr M. Mackrory	Leader of the Liberal Democrat (Opposition) Group and Chairman of Corporate Scrutiny Committee
Cllr J. Pike MBE	Chairman of the Standards Committee (Conservative)
Cllr C. Pond	Leader of Non-Aligned Independent (Opposition) Group
Cllr J. Spence	Cabinet Member for Finance (Conservative)
Cllr S. Walsh	Chairman of the Scrutiny Board and the Place Scrutiny Committee (Conservative)

### **Officers (Briefings):**

Terry Osborne:	Director for Corporate Law & Assurance and the Council's Monitoring Officer
Joanna Boaler:	Head of Democratic Services

### **Appendix Three: Written Submissions Received by the Panel**

Cllr J. Abbott	Leader of Green (Opposition) Group
Cllr S. Barker	Deputy to the Cabinet Member for Adults and Children (Conservative)
Cllr M. Danvers	Labour Member
Cllr D. Finch	Leader of the Council and Conservative Group
Cllr R. Hirst	Cabinet Member for Customer Services, Libraries, Planning & the Environment (Conservative)
Cllr N. Hume	Chairman of the Council (Conservative)
Labour Group	A collective written submission on behalf of the Labour (Opposition) Group
Cllr N. Le Gresley	UKIP Member
Cllr M. Mackrory	Leader of the Liberal Democrat (Opposition) Group and Chairman of Corporate Scrutiny Committee
Cllr J. Pike MBE	Chairman of the Standards Committee (Conservative)
Cllr J. Reeves	Chairman of Health Overview & Scrutiny Committee (Conservative)
Cllr J. Spence	Cabinet Member for Finance (Conservative)
Cllr K. Twitchen	Deputy to the Cabinet Member for Customer Services, Libraries, Planning & the Environment (Conservative)

#### Appendix Four: Benchmarking\* against Essex County Council - other Councils and elsewhere

BM1 Essex County Council Benchmarking: BA + Executive + Council + Scrutiny SRAs											
Council	Population	BA	Leader's SRA	Total Leader	Deputy Leader SRA	Cabinet Member	Deputy to Cabinet Member	Chairman Council	Vice-Chairman Council	Main Scrutiny Board Chairman	Scrutiny Chairs or Leads
Birmingham	1,085,000	£16,287	£50,352	£66,639	£37,764	£28,197		Civic Allowance	Civic Allowance		£12,689
Gloucestershire <sup>12</sup>	602,000	£9,100	£27,300	£36,400	£18,200	£18,200		£9,100	£2,730		£5,460
Hampshire	1,330,000	£12,003	£28,967	£40,970	£17,379	£17,379		Civic Allowance	Civic Allowance		£11,586
Hertfordshire	1,129,000	£9,781	£39,124	£48,905	£29,343	£19,562	£9,781	£9,781	£2,445	£14,672	
Kent	1,480,000	£12,805	£42,109	£54,914	£27,370	£27,370	£12,632	£13,878	£7,367		£7,367
Lancashire	1,176,000	£10,362	£29,590	£39,952	£20,713	£16,274	£8,137	Civic Allowance	Civic Allowance	£7,397	£5,178
Suffolk	732,000	£10,274	£25,684	£35,958	£17,979	£15,411	£5,137	£12,842	£5,137	£5,137	£5,137
Surrey	1,144,000	£12,418	£43,000	£55,418	£31,250	£22,500	£12,500	£18,000	£8,000	£12,000	£10,000
Warwickshire	548,000	£9,172	£22,970	£32,142	£13,782	£10,243		£5,504	£2,752		£5,504
West Sussex	815,000	£11,251	£32,362	£43,613	£22,718	£19,506	£4,847	£28,297	£8,935		£8,935
Worcestershire	569,000	£9,020	£31,074	£40,094	£16,500	£16,500		Civic Allowance	Civic Allowance	£16,500	£9,735
BM Group mean	964,545	£11,134	£33,867	£45,000	£23,000	£19,195	£8,839	£13,915	£5,338	£11,141	£8,159
Essex	1,407,000	£11,500	£53,500	£65,000	£40,125	£35,310	£13,375	£21,680	£10,840	£16,050	£13,375

<sup>12</sup> Gloucestershire permits more than 1 SRA per member so the real remuneration of post holders may be higher in reality

<b>BM2 Essex County Council Benchmarking: Committee and Opposition SRAs</b>										
<b>Council</b>	<b>Population</b>	<b>Main Committee Chairmen</b>	<b>2nd Tier Committee Chairmen</b>	<b>Leader Main Opposition Group</b>	<b>Deputy Leader Main Opposition Group</b>	<b>Shadow Cabinet or Spokesperson</b>	<b>Leader 2nd Opposition Group[s]</b>	<b>Local or Area Chairmen</b>	<b>Pension Fund Chair</b>	<b>Chair or Lead on P&amp;CP</b>
<b>Birmingham</b>	<b>1,085,000</b>	<b>£14,803</b>	<b>£5,659</b>	<b>£12,689</b>	<b>£6,545</b>	<b>£2,618</b>	<b>£5,287</b>	<b>£10,574</b>		
<b>Gloucestershire</b>	<b>602,000</b>	<b>£5,460</b>		<b>£5,850</b>		<b>£1,500</b>	<b>£5,850</b>		<b>£5,460</b>	<b>£5,808</b>
<b>Hampshire</b>	<b>1,330,000</b>	<b>£11,586</b>	<b>£5,793</b>	<b>£11,214</b>		<b>£5,076</b>	<b>£8,911</b>		<b>£5,793</b>	
<b>Hertfordshire</b>	<b>1,129,000</b>	<b>£9,781</b>		<b>£7,113</b>		<b>£4,891</b>	<b>£6,669</b>			
<b>Kent</b>	<b>1,480,000</b>	<b>£9,268</b>	<b>£7,367</b>	<b>£8,624</b>	<b>£4,312</b>	<b>£3,235</b>		<b>£7,367</b>	<b>£7,367</b>	
<b>Lancashire</b>	<b>1,176,000</b>	<b>£7,397</b>	<b>£2,959</b>	<b>£16,274</b>	<b>£8,137</b>		<b>£8,877</b>		<b>£7,397</b>	
<b>Suffolk</b>	<b>732,000</b>	<b>£5,137</b>		<b>£7,705</b>	<b>£5,779</b>	<b>£3,052</b>	<b>£4,623</b>		<b>£5,137</b>	
<b>Surrey</b>	<b>1,144,000</b>	<b>£12,000</b>	<b>£9,000</b>	<b>£5,000</b>				<b>£8,000</b>	<b>£8,000</b>	<b>£8,000</b>
<b>Warwickshire</b>	<b>548,000</b>	<b>£5,504</b>	<b>£4,277</b>	<b>£7,791</b>	<b>£4,769</b>	<b>Formula</b>	<b>£7,791</b>		<b>£4,277</b>	
<b>West Sussex</b>	<b>815,000</b>	<b>£8,935</b>		<b>£14,361</b>			<b>£14,361</b>			
<b>Worcestershire</b>	<b>569,000</b>	<b>£9,735</b>		<b>£9,735</b>						
<b>BM Group mean</b>	<b>964,545</b>	<b>£9,055</b>	<b>£5,843</b>	<b>£9,669</b>	<b>£5,908</b>	<b>£3,395</b>	<b>£7,796</b>	<b>£8,647</b>	<b>£6,204</b>	<b>£6,904</b>
<b>Essex</b>	<b>1,407,000</b>	<b>£13,375</b>		<b>£5,350</b>			<b>£5,350</b>			

## BM3: Essex County Council Benchmarking: Salaries of other posts considered for benchmarking purposes

### National/Devolved Representatives

- MPs: £67,060 due to rise to £74,000
- Member of the (NI) Legislative Assembly: £48,000
- Member of the Scottish Parliament: £59,089
- Member of the Welsh Assembly: £54,391

### Essex Posts

- **Essex Fire Authority:**
  - Basic Allowance: £4,400
  - Chair: £15,400
- **Essex Police & Crime Commissioner:** £85,000<sup>13</sup>

### Other Sub/Regional Posts

- **London-wide**
  - Mayor of London: £143,911
  - Deputy Mayor of London, Transport & Chair of Transport for London: £131,901
  - Chair of London Assembly: £64,744
  - London Assembly Members: £53,973
  - Chair London Pension Funds Authority & Chair of Investment Committee: £50,800
  - Chair of London Councils (13/14): £20,997
- **London Councils (recommendations 2014)**
  - Basic Allowance: £10,703
  - Leader: £54,769
  - Deputy Leader, Cabinet & Chairs of main O&S: 70-80% of Leaders' SRA
  - Scrutiny, Regulatory & Council Chair & Main Opposition Leader: 40-60%
- **Elected Mayors (principal councils):** £69,171 (mean<sup>14</sup>)

<sup>13</sup> Size of role not specified

<sup>14</sup> Based on recent work undertaken by IRP Chairman for Manchester Combined Authority

## Scotland and Wales

- **Scotland**

- Basic Allowance: £16,726
- Leader (Glasgow): £50,180 (inclusive)

- **Wales**

- Basic Allowance: £13,300
- Leader (Cardiff): £53,000 (inclusive)

## Other

- **Essex Salaries** (ASHE 8.7a Home Geog Annual Gross F/T All 2014)

- Median: £30,279
- Mean: £39,222
- 80th percentile: £49,013
- 90th percentile: £65,018

**Table 1: MPs' pay & total reward compared to others (public and private sectors)**

**IPSA Consultation June 2015**

	<b>Basic Salary (£)</b>	<b>MP as % of Comparator</b>	<b>Total Reward (£)</b>	<b>MP as % of Comparator</b>
<b>MP</b>	67,060	100%	75,785	100%
<b>Public Sector comparators updated for 2015 salaries</b>				
<b>Head teacher – National grade L31</b>	79,872	84%	88,578	86%
<b>Police - Chief Superintendent pay point 3</b>	83,094	81%	93,730	81%
<b>Senior Civil Service Grade 1</b>	89,900	75%	108,780	70%
<b>County Council, 2nd Tier, England</b>	84,601	79%	95,599	79%
<b>Armed Forces – Colonel, pay point 1</b>	84,037	80%	113,114	67%
<b>Health - HR Directors</b>	91,984	73%	103,170	73%
<b>Public sector average</b>	85,581	78%	100,495	75%
<b>Private Sector Directors</b>				
<b>Lower Quartile</b>	78,724	85%	91,073	83%
<b>Median</b>	92,243	73%	106,897	71%
<b>Upper Quartile</b>	117,739	57%	138,989	55%

**\* Notes on the Essex County Council Benchmarking Group utilised for the Independent Review of Allowances June 2015**

## **Understanding the Essex County Council Other Councils Benchmarking Group**

The benchmarking group was drawn from three sub groups which were:

### **Sub Group 1:       The 6 other local authorities over 1million population**

1. Kent
2. Hampshire
3. Lancashire
4. Surrey
5. Hertfordshire
6. Birmingham

### **Sub Group 2:       CIPFA 6 Nearest Neighbours (2014)**

7. Kent
8. Hampshire
9. West Sussex
10. Warwickshire
11. Worcestershire
12. Gloucestershire

### **Sub Group 3:       Immediate Geographical Neighbours<sup>15</sup>**

13. Suffolk

Kent and Hampshire are included in Sub Groups 1 and 2, leaving a total of 11 other councils utilised for benchmarking purposes.

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<sup>15</sup> Cambridgeshire was not included as it has committee system of governance





# Appointment of Head of Paid Service

## 1. Appointment of Head of Paid Service

Section 4 of the Local Government and Housing Act 1989 provides that it is the duty of every authority to designate one of its officers as the head of its paid service and to provide that officer with such staff, accommodation and other resources, sufficient to allow him to perform his duties. Under Article 4.4 of the Constitution, Council designates the Chief Executive as Head of the Paid Service under Section 4 of the Act.

In May, Council was advised of the arrangements in place for the recruitment of a Chief Executive following the resignation of Joanna Killian and agreed that the statutory role of Head of the Paid Service be discharged by the Council's current Executive Directors on a rotating basis pending the new Chief Executive taking up the appointment.

Following a rigorous recruitment process the Chief and Deputy Chief Officer Panel will be interviewing shortlisted candidates prior to the Council meeting and will select a preferred candidate for recommendation to the Council.

### **Recommended:**

To agree to appoint the recommended candidate as the new Chief Executive and Head of Paid Service of ECC and to terminate the interim Head of Paid Service arrangements with effect from the date on which the new Chief Executive takes up post.



# Approval for Extended Absence

## 1. Councillor Joe Pike

Section 85 of the Local Government Act 1972 states that a member of a local authority who fails throughout a period of six consecutive months from the date of his or her last attendance to attend any meeting of the authority automatically ceases to be a member of the authority, unless the failure to attend was due to some reason approved by the authority before the expiry of the six-month period.

Councillor Joe Pike last attended a meeting on 12 May. He has been ill for several months, has suffered a fall and consequently is not expected to be well enough to attend meetings before a period of six months has elapsed. At the request of the Conservative Group, the Council's permission is sought to approve Councillor Pike's continued absence from meetings and to review the position if necessary at its meeting on 9 February 2016.

### **Recommended:**

That, in accordance with Section 85 of the Local Government Act 1972, the Council approve Councillor Joe Pike's continued absence from meetings for reasons of ill-health, with the situation to be reviewed if necessary at the Council meeting on 9 February 2016.



## Council Issues

### 1. Changes to Membership of Committees

The following changes have been made in accordance with the notification given by the Conservative Group Leader

- Councillor Rodney Bass to substitute for the Cabinet Member Councillor Roger Hirst only on the Joint Standards Committee and Councillors Stephen Canning and Ricki Gadsby to be appointed substitutes for the other Conservative Members of the Joint Standards Committee.



# **The Leader's Report of Cabinet Issues**

## **1. Establishment of new primary schools**

Cabinet has agreed that a new 210-place primary academy/free school needs to be established from September 2016 on St John's Road, Stansted to provide 30 places each year in order to accommodate population growth in the area. It agreed that the Director for Commissioning: Education and Lifelong Learning issue a document seeking proposals to establish an academy/free school in the area.

Cabinet has given authority to proceed with a construction project to build a 420-place primary school and 56-place early years provision at Newhall, Harlow, in readiness for September 2017 to meet the predicted demand for primary places in the area and to add £9.135m to the Capital Programme to be fully funded by S106 contributions.

## **2. Procurement of Reablement at Home Service**

The Department of Health defines "reablement" as:

"an active period typically of up to 6 weeks of intense activity and support designed to promote people's independence. This is a preventive measure that can reduce people's need for both acute hospital care and can help people to continue living at home for longer."

Reablement services are delivered typically by Occupational therapists, Physiotherapists and home care support workers. The aim is to support individuals to improve their confidence, so they can manage their personal care, practical tasks and activities of daily living. The service is not means tested and is delivered free of charge for a period of up to six weeks for those who meet the criteria and would benefit from a period of reablement.

Cabinet has authorised a competitive tender process to procure one or more suppliers to provide a Reablement at Home service (formerly known as Domiciliary Reablement) for a period of five years commencing on 1 April 2016, when the current contracts for this service end. Cabinet agreed that with effect from the start of the new contract, reablement will become the default pathway and that other than in exceptional cases all new service users will be required to undergo a period of reablement before their longer-term care needs are assessed.

## **3. Transfer of Commissioning Responsibility for the 0-5 Healthy Child Programme (Health Visiting Services) from NHS England to Essex County Council and Associated Novation of Contracts**

Following the enactment of the Health and Social Care Act 2012 the commissioning responsibility for public health transferred to Local Authorities on

1 April 2013. Commissioning responsibilities for children's public health services from pregnancy to age 5 transferred to local authorities with effect from 1 October 2015. The 0-5 Healthy Child Programme (HCP) includes health visiting services and Family Nurse Partnership services (targeted service for teenage mothers).

Cabinet approved the formal novation of the five 0-5 Healthy Child Programme (Health Visiting Service) contracts to Essex County Council as part of this transfer of responsibility.

#### **4. Exercise of extension provisions in the Children's Centres contracts**

Cabinet approved the extension of the four Children's Centres contracts for the period 1 April 2016 to 31 March 2017 with a view to integration of the Children's Centres contracts with the Public Health contracts from April 2017 onwards to procure and deliver the Pre-birth – 19 Health, Wellbeing and Family Support Provision service model.

The Early Years Review revealed how complex Children's Services are for children and families to navigate due to various complementary services being delivered by a number of providers within the early years system. The fragmentation of services across multiple contracts and providers increases the risk that children and families may fall through the net and that services are not identifying needs and targeting resources as fully as they could if services were more integrated and collaborative.

Commissioning an integrated service will make it easier for families to navigate and find the most appropriate services, reduce risk within the system and may also lead to efficiencies through a rationalisation of resource, specifically management costs and overheads, resulting from a lead provider or carefully managed consortium.

#### **5. Incorporation of a Charitable Incorporated Organisation for Active Essex**

Cabinet agreed to set up a Charitable Incorporated Organisation to be known as the "Active Essex Foundation" to access additional funding and resources that will enable Active Essex to increase further the participation in sport and physical activity for the population of greater Essex.

#### **6. Statement of Community Involvement (SCI) – Adoption 2015**

The Statement of Community Involvement (SCI) is a statutory document under the Planning and Compulsory Purchase Act 2004. The SCI does not itself contain any planning policies it simply sets out the Council's commitments as to how it will consult when it is preparing Development Plan Documents and determining planning applications. It sets out the opportunities for early community involvement and how to provide for a sense of ownership over local policy decisions. Once adopted, the SCI becomes binding and the Council must comply with it.

Cabinet approved the Statement of Community Involvement – Update 2015 for adoption. The Draft SCI Update which was approved for consultation incorporated amendments needed partly as a result of new regulations around



development management processes, partly as a result of internal changes in how information is provided and finally to address policy considerations around other documents that are intended to be produced.

Following consultation in May/June this year the draft SCI was amended to provide better clarity.

## **7. Long-term disposal of Solid Recovered Fuel**

The treatment process at the County's new mechanical and biological waste treatment (MBT) facility reduces, by mechanical and biological means, the mass of waste received by approximately 50%. The remaining material forms an output which can be safely landfilled (the biodegradable content responsible for creating landfill methane having been removed during the treatment process) or it can be used as a fuel in energy facilities. In the latter scenario, the product is known as Solid Recovered Fuel (SRF).

Under the MBT Contract the SRF produced by the MBT facility is returned to the Authority's ownership and control for onward transportation to a waste management company. Cabinet has approved arrangements for procuring the disposal of the SRF.

Councillor David Finch  
Leader of the Council



# Scrutiny

Improving public services in Essex

## Annual Report

October 2015



This document contains a number of links to online resources and information. Councillors receiving this report in the Council agenda pack can access these via the electronic version of the pack, or by visiting [www.essex.gov.uk/scrutiny](http://www.essex.gov.uk/scrutiny).

## Foreword

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This report covers the municipal year running from May 2014 to May 2015 – with further information to bring it up to present day. It outlines the key pieces of work undertaken by Scrutiny during that time, and is aimed at members of the public as well as members of the Council.

2014/15 was the second year of the current four-year electoral cycle so the committees entered the year relatively settled into their roles: ready to focus on continued improvement of their scrutiny techniques and on making a difference for the people of Essex. While the Scrutiny Board led discussions about member development, scrutiny best practise and how to engage constructively with the Cabinet and senior officers, the scrutiny committees embarked on a new and more robust way of planning their work for the year. Those programmes were then delivered by the committees, with adjustments through the year to capture new issues as they arose.

Looking across what the committees have managed to fit into their busy programmes this year, I am pleased to see a fair balance between breadth and depth of focus, between planned work and responsive work, and between items that helped inform Councillors and items that give them an opportunity to apply that knowledge.

Many of the largest pieces of work first planned at the beginning of this period have come to fruition in the last month or two, such as the report to the NHS on complaints handling in hospital trusts and the recent report on educational attainment in Essex – or will do so before Christmas, such as the Jobs, Welfare and Skills report and a report on third party responsibilities in flood management.

As I write this, each committee's work programme for the current municipal year – and up to the 2017 County elections – has also now been agreed, subject of course to Scrutiny's responsibility to respond to unforeseen events as they arise. In general, this report is retrospective and so does not cover the detail of those new work programmes or the work which has begun on them, except where they take forward work from 2014/15.

All in all, this was an excellent year for Scrutiny, resulting in some good work of which Councillors can be proud.

I commend the report to Council.

A handwritten signature in black ink, appearing to read 'Simon Walsh', with a stylized flourish at the end.

**Councillor Simon Walsh**  
Chairman of Scrutiny Board

# Scrutiny

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## What is it?

The [Centre for Public Scrutiny](#) describes local government scrutiny as ‘an independent function, led by local elected Councillors, that works with local people and local bodies to help improve services’. Essex County Council’s scrutiny committees gather evidence and prepare reports on issues of importance to the local community, often making recommendations to the Council’s Cabinet Members and other local bodies (including the health service) to bring about these improvements.

## What does it aim to do?

Scrutiny aims to contribute to the Council’s corporate outcomes in many ways, including:

- Giving Councillors a role in policy development;
- Providing a forum for direct engagement with communities and their representatives;
- Feeding into the planning of consultations and other public engagement;
- Giving Cabinet Members and officers a constructive forum through which to seek Councillors’ input or backing for ideas in an apolitical environment;
- Through the call-in process, providing a structure for scrutinising specific decisions of the Executive;
- Keeping Councillors and the public informed;
- Playing a key role in monitoring, influencing and holding to account the Health Service;
- Monitoring the Council’s performance, tracking progress against plans, reviewing the success of the Council’s actions;
- Acting as a critical friend to the Leader and Cabinet, holding to account when necessary; and
- Helping the authority champion success and learn from experience.

## Who does it?

Essex County Council (ECC) has four scrutiny committees:

- [\*Corporate Scrutiny Committee\*](#)
- [\*Health Overview and Scrutiny Committee \(‘HOSC’\)\*](#)
- [\*People and Families Scrutiny Committee\*](#)
- [\*Place Services and Economic Growth Scrutiny Committee\*](#)

These committees are chiefly made up of elected county Councillors and are composed so as to reflect the political balance of the Council. However, they are expected to operate independently of party politics.

Much of their work is carried out by smaller sub-groups of Councillors which report back to the main committees. Because these are always time-limited groups with a specific purpose, they are often called ‘Task and Finish groups’.

The four committees are overseen by the Scrutiny Board, made up of the Chairmen of each Scrutiny Committee, and the Chairman of the Audit Committee. The Board has a role in steering the direction of Scrutiny, encouraging and disseminating best practice, allocating work across the committees, looking out for new issues on the horizon, leading scrutiny member development and playing a key role in engagement with cabinet members and senior officers.

## How is it done?

A scrutiny exercise broadly consists of the committee deciding what subject to look at, gathering evidence and investigating the matter through research, workshops, visits and written or spoken reports. They pull the findings together into a public scrutiny report.

Scrutiny reports usually include recommendations to members of the executive or other local bodies (such as the NHS). These recipients are expected to respond to those recommendations indicating whether and how they will do something differently as a result.

## How do I find out more?

For more detail about how scrutiny works in Essex County Council you can consult the [Council's constitution](#) which specifies the committees' responsibilities, remit and procedures. Or you can visit [ECC's scrutiny website](#) or contact the [Scrutiny team](#). For those using a paper version of this report, contact details are on the back page of this report.



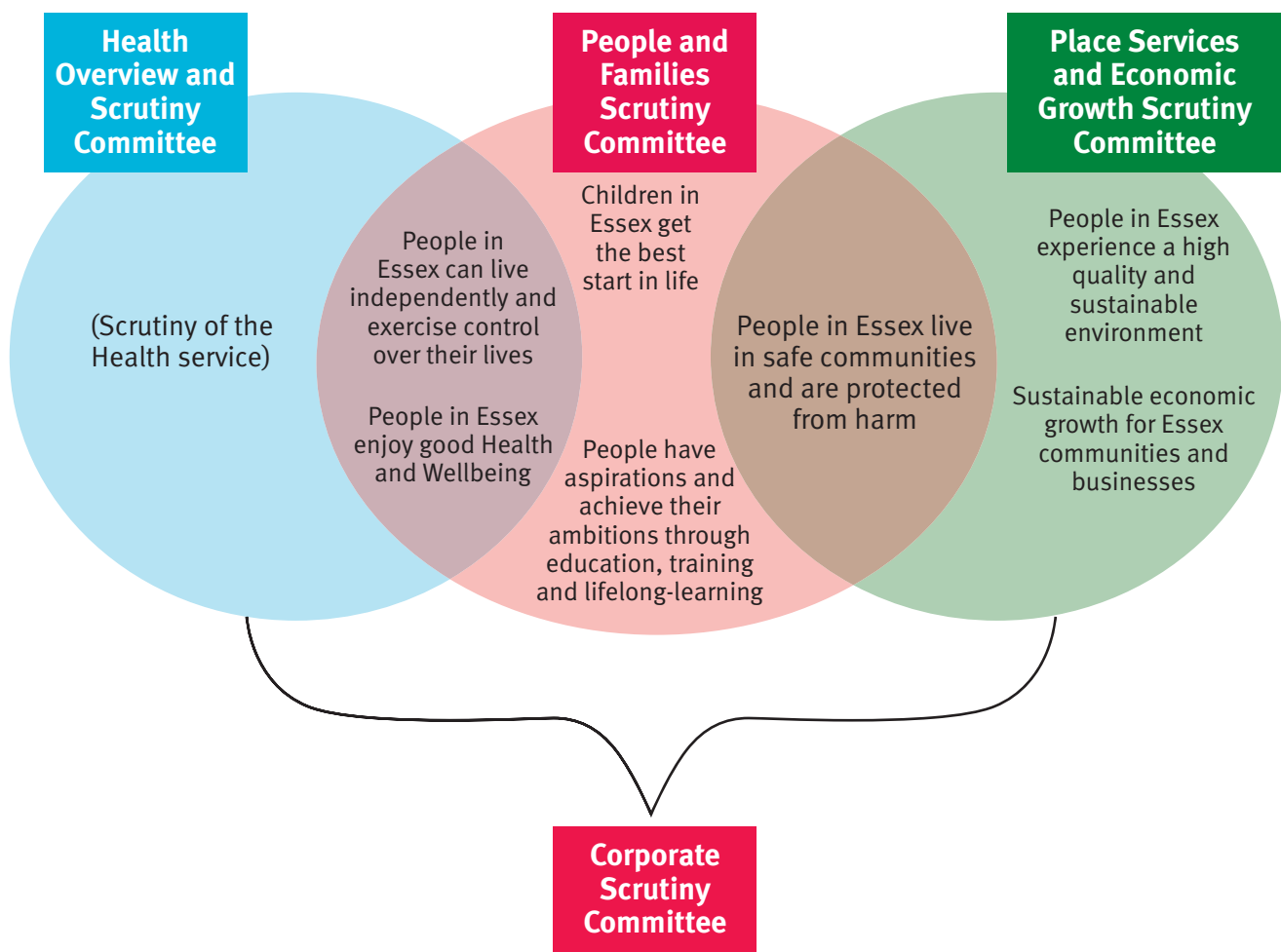
*The Place Services and Economic Growth Scrutiny Committee spent a day on site learning about various methods of road surface repair (Page 79 of 100)*

# Scrutiny in Essex County Council 2014-2015

Essex County Council (ECC) has committed to working towards seven Corporate Outcomes. Because a range of different types of ECC's work contributes to each outcome, most committees relate to most of the outcomes in some way; this diagram shows only the main links.

*Corporate Scrutiny Committee's* role spans all seven because it considers overarching matters and because some elements of its remit (such as HR) relate to all of the outcomes.

The following pages outline a selection of the work undertaken by Scrutiny over the year in relation to each corporate outcome. This list is by no means exhaustive.



## Call-in

Four decisions were **called in** in 2014/15, although three of these were withdrawn by the originator after they met the decision-maker to discuss:

- [Update on expenses Issue – Lord Hanningfield](#)
- Appointment of a non-executive director to Essex Cares Ltd (withdrawn)
- [Speed limit at Rivenhall](#) (withdrawn)
- [Colchester Town Centre Traffic Regulation Order](#) (withdrawn)



# Corporate Outcome: Sustainable economic growth for Essex communities and businesses

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- The *Place Services and Economic Growth Scrutiny Committee* received the [commissioning strategy](#) relating to this Corporate Outcome as part of a market stalls event in the Council chamber. The committee put its feedback together into a letter to the Cabinet Member and was in general supportive of the strategy.
- Broadband coverage in Essex is a live issue for *Corporate Scrutiny Committee*, and the matter is kept on six-monthly review.
- Following lengthy investigation into issues around [financial inclusion](#) in Essex, the *Place Services and Economic Growth Scrutiny Committee* [made recommendations](#) to Cllr David Finch, Leader of the Council (see case study).
- The *Place Services and Economic Growth Scrutiny Committee* considered the work of [ECC's Brussels office](#) and received a [briefing](#) from Cllr Kevin Bentley, Cabinet Member for Economic Growth, Infrastructure, Waste and Recycling on the Council's approach to bidding for and receiving [EU funding](#).
- The *Place Services and Economic Growth Scrutiny Committee* considered the work of the Local Enterprise Partnership (LEP) and its future direction. The Committee wrote to the Secretary of State supporting the Council's position on the future shape and boundaries of the LEP.

## Case Study – Financial Inclusion

Financial inclusion seeks to combat the inability of some individuals to access mainstream financial products and services.

The Financial Inclusion project was originally a cross-cutting scrutiny review in 2012/13. Seventeen recommendations were made to the Cabinet, including budget and policy implications. A 'Task and Finish' group was reconvened in 2013/14 to cross examine the Cabinet's response and review progress since the report was published. This Group [completed its task](#) in June 2014.

The Committee monitored progress through a [response from the Leader of the Council](#) in July 2015 providing a detailed update on activity taken by the Council to promote financial inclusion across Essex. The range of measures described include adjustments to funding allocations for the Citizens Advice Bureaux to reflect the likely number of people experiencing financial issues within their areas (a key recommendation) and a review of ECC's website, grouping all financial inclusion content together on [a single page](#).

The Leader of the Council thanked the Committee for their continued focus on financial inclusion and its impacts on the residents of Essex.

## Corporate Outcome: People in Essex enjoy good health and wellbeing

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- The Essex health arena is complicated with multiple health bodies; some who identify patient needs and purchase health services on their behalf, and others who are providers of those services. Some of the biggest providers of health services in Essex are the five hospital trusts and two of these have had significant financial and performance issues this year. The HOSC has a programme of engagement activity with a large number of these organisations, to offer support and constructive challenge. Adverse regulatory inspection reports on significant providers are reviewed by the Committee and re-assurance sought that appropriate improvement actions are being put in place to address the concerns highlighted.
- The *People and Families Scrutiny Committee* looked into the commissioning of [Public Health for Children and Young People](#), with members of the Young Essex Assembly setting the agenda for the meeting and [sat in on the Committee's deliberations](#).
- The HOSC highlighted difficulties in accessing GP services in Essex and discussed with NHS England Area Team the current challenges, including: more complex issues presented at GP surgeries, higher patient expectations, a shortage of GPs and the older age profile of GPs. The HOSC encouraged initiatives to increase recruitment and retention of GPs and improve communication with service users.
- The HOSC reviewed proposals for the procurement of a [pan-Essex Children and Adolescent Mental Health Service](#), making suggestions and seeking re-assurances about public engagement. In early 2016 a small review group will be established to look at child and adolescent accessibility to mental health services.
- The HOSC reviewed proposals to change the level of [maternity service at Clacton and Harwich community hospitals](#), seeking assurance on public engagement.
- Scrutiny committees continue to monitor the integration of Health and Social care and tie their detailed work into this wider direction of travel.
- Essex is Lead Authority on a joint HOSC with Southend and Thurrock Unitary Councils which is reviewing [changes to the provision of urological cancer surgery](#) proposed by NHS England. The joint HOSC will be seeking to ensure that there is a robust procurement and selection process and good public and patient engagement.
- Essex is one of three areas in England selected to be part of a new Success Regime which will encourage collaboration between all health organisations in the County and provide increased support. The HOSC has discussed the possible implications of this initiative and will review the new arrangement in due course.
- The HOSC continues to monitor [seasonal A&E pressures](#) on acute trusts as part of its regular engagement with hospital trusts.

## Case Study – NHS Complaints

A sub-group of the HOSC looked at complaints handling processes in the five Essex hospital trusts, involving representation from Southend and Thurrock unitary authorities to reflect the pan-Essex nature of the review. In addition to hearing from the Trusts themselves, the Group received evidence from a variety of contributors including patient representatives.

In its [conclusions in July 2015](#), the Group acknowledged good practice in a number of areas but that there is still significant opportunity to improve patient communications and engagement, and the sharing of knowledge and learning in the Trusts. Consequently the Group made recommendations about better Patient Engagement, making it easier to complain and give feedback, learning from complaints, staff training and improving the way the HOSC receives and uses information.



*Some members of the Health Overview and Scrutiny Committee rode out for a day with ambulance crews, to see at first hand the day-to-day pressures on the service.*

## Corporate Outcome: People have aspirations and achieve their ambitions through education, training and lifelong-learning

- A task and finish group of the *People and Families Scrutiny Committee* investigated [Educational Attainment in Essex](#) and produced its findings to a positive [response from the Cabinet Member](#) (See case study).
- The *People and Families Scrutiny Committee* considered the [commissioning strategy](#) relating to this Corporate Outcome as part of a market stalls event in the Council chamber. The committee put its feedback together into a letter to the Cabinet Member and was in general supportive of the strategy.
- The *Place Services and Economic Growth Scrutiny Committee* has run an extensive piece of work throughout the year on [jobs, welfare and skills](#). This is being conducted by a task and finish group and has involved workshop sessions with the Young Essex Assembly including a full day at Anglia Ruskin University. A final report will be published later this year to outline its findings.
- The *People and Families Scrutiny Committee* considered a report on [training and jobs for young people](#) with the [assistance of the Young Essex Assembly](#). Paula Hornett, Senior Strategic Commissioning Manager was on hand as a contributor and to pick up the points raised including a discussion about careers advice in schools and the current rate of young people who are ‘NEET’ or ‘not in employment, education or training.’

### Case Study – Educational Attainment

One of the main topics for the People and Families Committee this year was educational attainment. The Educational Attainment Task and Finish Group worked for 11 months and called for a more linked-up approach to ensure improvements to the education system in Essex. The Task and Finish Group praised the progress already being made in Essex schools, and is keen to ensure those improvements continue.

The Group sought evidence from individual schools, district, borough and city councils, the Young Essex Assembly, Essex School Governors Association, Essex Primary Headteachers Association and the Association of Secondary Headteachers in Essex. On one occasion, in order to hear from key contributors, the Group met out of hours so that young people from the Young Essex Assembly could attend.

The group has made a [series of recommendations](#) to Cllr Ray Gooding, Cabinet Member for Education and Lifelong Learning. Cllr Gooding endorsed many of its findings when he attended the committee in [September 2015](#).

Cllr Maggie McEwen, the Chairman of the Educational Attainment in Essex Task and Finish Group, said: “There have been some notable improvements to educational attainment in Essex in recent years and we are keen to ensure that that momentum continues.

“Having spent almost a year reviewing various aspects of the County’s education system, I am pleased we have been able to produce a list of recommendations that I believe have the potential to make a real difference.”



## Corporate Outcome: Children in Essex get the best start in life

- The *People and Families Scrutiny Committee* considered proposals for a [new operating model for the Youth Service](#) (see case study).
- Following a delay while an Ofsted inspection was carried out in Children's Services, a report on the subject of [children in care](#) - including the favourable result of that inspection - was brought to the *People and Families Scrutiny Committee* by Cllr Dick Madden, Cabinet Member for Children and Adults and Nicky O'Shaughnessy, then Director for Local Delivery Children, Young People & Families Mid. Members commended the Ofsted result and held [a wide-ranging discussion](#) about the services provided, including ECC's various preventative support schemes.
- The *People and Families Scrutiny Committee* was [consulted](#) on the [re-procurement of community provision for children with a disability](#) by Cllr Madden and Philippa Bull, Head of Commissioning Vulnerable People. The committee investigated elements of the proposal such as the aim to support smaller providers in the market and agreed to revisit the issue in 2016, to monitor progress.
- The *People and Families Scrutiny Committee* considered the [commissioning strategy](#) relating to this Corporate Outcome as part of a market stalls event in the Council chamber. The committee put its feedback together into a letter to the Cabinet Member and was in general supportive of the strategy.
- A sub-group of the HOSC has been looking at obesity issues in Essex with a specific focus on preventative measures for pre-school children and those of primary school age, and a final report will be brought to the committee in the Autumn.

### Case Study – New model for the Youth Service

As an issue likely to attract public interest, the [new operating model for the Youth Service](#) was considered by the *People and Families Scrutiny Committee* in [November 2014](#) with the support of Cllr Ray Gooding, Cabinet Member for Education and Lifelong Learning. This led to a further update from the Cabinet Member in January 2015 and the committee continues to monitor progress.

The Committee learnt about the four core values in accordance with which youth work in Essex is delivered; all youth work is intended to be educative, participative, empowering and to provide equality of opportunity. With opportunities to ask questions of the Cabinet member and expert witnesses, the Committee provided constructive challenge as they learnt about the new way that ECC seeks to deliver youth work in the community and in schools; and how the work is delivered to individuals through partnership working.

## Corporate Outcome: People in Essex live in safe communities and are protected from harm

- The [Essex Safeguarding Adults Board Annual Report](#) was presented by Paul Bedwell, business manager, Safeguarding, to the *People and Families Scrutiny Committee* in [November 2014](#). The committee heard about the role and current priorities of the Board, including the preliminary results of an audit on key statutory organisations working with adults. The committee continues to work closely with the Board on safeguarding matters.
- Cllr Madden presented a [report on domestic abuse](#) to the *People and Families Scrutiny Committee* in [July 2015](#), alongside Sheila Norris, Director for Integrated Commissioning and Vulnerable People, and Peter Fairley, Head of Policy & Strategy, People. Following a [detailed discussion](#), including learning about the new roles of Individual Domestic Violence Advisors and the wider prevention agenda, the Chairman thanked Cllr Madden and his team; he was encouraged by the good work being carried out and by the way key parties seemed to be coming together.
- Cllr Madden attended the *People and Families Scrutiny Committee* with Claire Burrell, Head of Commissioning Vulnerable People to brief the Committee on the progress and outcomes of social impact bond-funded multi-systemic therapy.
- The *Place Services and Economic Growth Scrutiny Committee* received the [commissioning strategy](#) relating to this Corporate Outcome as part of a market stalls event in the Council chamber. The committee put its feedback together into a letter to the Cabinet Member and was in general supportive of the strategy.
- Throughout the year the HOSC has worked with the Chairman of the Safeguarding Adults and Children Boards to ensure that safeguarding issues identified at major health providers are considered as a thread through the Committee's business.



Members of the Young Essex Assembly held a workshop to give their response to the People and Families Scrutiny Committee's Educational **Page 86 of 100**

## Corporate Outcome: People in Essex experience a high quality and sustainable environment

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- The *Place Services and Economic Growth Scrutiny Committee* considered the [commissioning strategy](#) relating to this Corporate Outcome as part of a market stalls event in the Council chamber. The committee put its feedback together into a letter to the Cabinet Member and was in general supportive of the strategy.
- Following a series of call-ins in the previous year, the *Place Services and Economic Growth Scrutiny Committee* approved a scrutiny report on [part-night street lighting](#) in [June 2014](#), making [nine recommendations](#) aimed at influencing better practise in this arena. A thorough point-by-point response was received from the Cabinet member in [October 2014](#) with a number of actions including an update of the exemption criteria.
- A workshop was held on proposals for a consultation on a local Bus and Passenger Transport Strategy, with the *Place Services and Economic Growth Scrutiny Committee* feeding into planning for the consultation over the following months and then in [July 2015](#) agreeing to add it to its future work programme for further consideration.
- In order to draw together several lines of enquiry on the topic, members of the *Place Services and Economic Growth Scrutiny Committee* attended a private site visit and seminar to learn first-hand about how highways maintenance is managed in practise (see case study).
- Cllr Roger Hirst, Cabinet Member for Customer Services, Libraries, Planning and the Environment, and Tim Dixon, Head of Country Parks consulted the *Place Services and Economic Growth Scrutiny Committee* on proposals regarding: [country parks car parking charges](#) in [December 2014](#). The consultation was about introduction of a variable charging model with the aim of improving the experience of customers and becoming cost neutral. The Committee was supportive of the content of the consultation, recognising the funding gap.
- An extensive piece of work has been ongoing throughout the year on [flood management and third party responsibilities](#). This is being conducted by a *Place Services and Economic Growth Scrutiny Committee* Task & Finish group which will present its final report in Autumn 15.
- Councillors visited Stansted Airport to inform a subsequent session in March 2015 where Cabinet Members and officers presented an overview of the County Council's work around Essex Airports and the Stansted Airport Sustainable Development Plan.
- In [May 2015](#) the *Place Services and Economic Growth Scrutiny Committee* had a briefing on the matter of [Local Highways Panels](#) – a detailed review is scheduled to take place in 2015/16.
- In June 2015 members of the *Place Services and Economic Growth Scrutiny Committee* visited Tovi Eco Park in order to give them first hand insight into the Joint Municipal Waste Management Strategy and surrounding issues.



## Case Study – Roadway Repairs

As the condition of roadways is a perennial topic for this Committee, on 25 September 2014 an innovative approach was taken: an on-site seminar was held at and around the Highways Depot at Springfield to give Councillors first-hand experience of the techniques used to fill potholes, and how highway assets are managed.

Three roads were visited, and four different pothole repair techniques were demonstrated and explained. The Committee was given a tour of the Highways Depot at Springfield by David Forkin, Head of Maintenance and Operations. Councillors learnt about the winter service facilities and other machinery and plant on the site. It also provided an appreciation of the working relationship between the maintenance undertaken on the highway network with the provision and availability of materials and equipment, recycling facilities etc at a depot, as well as the underlying management of the maintenance programme.

This was followed by an afternoon seminar, with a presentation by Paul Goosey, Chairman of Road, Transport and Safety Association (covering the relative merits of the technical options) and David Forkin, Head of Maintenance and Operations (covering the way that the Highways Asset is managed).

Councillors concluded that this level of insight will be crucial in their role as a scrutiny committee considering these issues, accepting that the incidence of potholes would continue to be at the forefront of public concern but proposing that this type of insight would help the Committee consider how best to represent their interests. [A report of the visit](#) and findings was presented in November 2014.



*The Place Services and Economic Growth Scrutiny Committee spent a day on site learning about various methods of road surface repair (see [Page 88 of 100](#))*



## Corporate Outcome: People in Essex can live independently and exercise control over their lives

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- A detailed piece of work on the Commissioning of Services for Vulnerable people was scoped by the *People and Families Scrutiny Committee* between July-September 2014 and is underway.
- The *People and Families Scrutiny Committee* made recommendations to the Cabinet Member on the topic of [Sensory Services](#) – Peter Tempest, Executive Director for Adult Operations, and Anna Saunders, Head of Commissioning for Vulnerable People, presented the [Cabinet Member's response](#) later in the year and the committee continued on to monitor outcomes from its recommendations.
- The *People and Families Scrutiny Committee* considered a report on [Occupational Therapy](#) in [September 2014](#), presented by Cllr Anne Brown, then Cabinet Member for Adult Social Care, Public Health and Wellbeing. After a full discussion, The Chairman thanked Cllr Brown for the positive report and commended the evidence of joint working with local district councils on the topic.
- Cllr Terry Cutmore gave an update on Councillor visits to residential care homes. This will now form part of the future Residential and Domiciliary Care review being undertaken by a task and finish group from the *People and Families Scrutiny Committee*.
- Essex Cares has been on the *People and Families Scrutiny Committee's* radar in the year (see case study).
- The *People and Families Scrutiny Committee* has been monitoring the progress and impacts of [the Care Act](#) throughout the year – they received a report specifically on this topic in [March 2015](#).
- A task and finish group was convened in October 2014 to consider [ECC's Carers Strategy](#). An [interim report](#) was presented to the *People and Families Scrutiny Committee* in March 2015, at which point the committee backed the report's seven recommendations.
- The *People and Families Scrutiny Committee* heard about an entirely new service called the [Community Agent Essex Scheme](#) in [May 2015](#), presented by Cllr Brown with contributions from, among others, Andrew Gardner, Chief Executive of Age UK Essex. Members raised a number of [points for discussion](#) on the day, including looking for clarity on referral routes and recognising that the new Care Act sets prevention as a higher priority.
- The *People and Families Scrutiny Committee* considered the [commissioning strategy](#) relating to this Corporate Outcome as part of a market stalls event in the Council chamber. The committee put its feedback together into a letter to the Cabinet Member and was in general supportive of the strategy.
- In [July 2015](#) the *People and Families Scrutiny Committee* had the opportunity to learn from Cllr Madden and officers including Louise Hall, Head of Commissioning, Vulnerable People, regarding changes to [Meals on Wheels](#) in Essex as the Council approached the termination of its Sodexo contract. The Committee felt that effective communication would be key, and suggested that Councillors should get involved in this process, especially at the Parish level.

- The HOSC has discussed briefings on a number of initiatives to help avoid hospital admissions, including: frailty programmes to re-able the elderly to stay in the community, reducing alcohol-related admissions, ensuring appropriate out of hospital end of life care and the potential enhanced role of pharmacies.

## Case Study – Essex Cares

The Chief Executive of Essex Cares attended the *People and Families Scrutiny Committee* with Peter Martin, Board member, in [November 2014](#) to present their [annual reports](#).

To inform this discussion, members of the Committee visited Essex Cares Harlow Hub in May 2015. Councillors found the visit informative and humbling; Councillors' discussions in advance of this session led to the use of written questions before the committee date, so that when the contributors were present at Committee the discussion could explore a further layer of detail.

One outcome of the discussion was a recommendation that Essex Cares' Annual Accounts be added to their website to support openness and transparency - this was done.



*Members of the People and Families Scrutiny Committee visit Essex Cares' Harlow Hub*

## **Corporate Outcomes: Corporate and overarching work**

Some Scrutiny relates to strategic issues which cut across all of the corporate outcomes – this often falls to the *Corporate Scrutiny Committee*.

This committee also deals with the way the organisation manages itself. This includes how the Council agrees its goals, how it decides to spend its money and how it manages its employees. This type of scrutiny also contributes to all of the above corporate objectives, albeit indirectly, while bringing in important considerations about value for money, good governance, ethics, accountability and transparency.

- The *Corporate Scrutiny Committee* has quarterly items presented by Cllr Derrick Louis, Cabinet Member for Transformation and Corporate and Traded Services, and Keir Lynch, Executive Director for Strategy, Transformation and Commissioning Support (STC), regarding the planning and progress of ECC's transformation programme. The Committee raised various specific queries through the year, including about [ECC's staffing structure](#) and the corporate risk register. The Committee received a [written response](#) from the Cabinet Member on these matters.
- Cllr John Spence, Cabinet Member for Finance, attended the Scrutiny Board and subsequently *Corporate Scrutiny Committee* in [June 2014](#) to discuss the work he had undertaken reviewing the [Capital Programme](#). A task and finish Group will be established following peer review.
- Budget outturn reports are scrutinised by the *Corporate Scrutiny Committee* quarterly, including the [year-end financial outturn](#) in [July 2014](#), presented by Cllr Spence and Margaret Lee, Executive Director for Corporate and Customer Services.
- A [written response](#) was received from Cllr Spence to questions related to youth centre improvements and two academies, raised by Councillors at the October 2014 *Corporate Scrutiny Committee*.
- Cllr Louis attended the *Corporate Scrutiny Committee* in [September 2014](#) to report on [property assets including disposals](#); the committee requested further information later in the year.
- The *Corporate Scrutiny Committee* requested a report from Cllr Louis and Keir Lynch, Executive Director for STC on [the use of consultants by ECC](#). There was a further exchange of [written questions and answers](#) from the Cabinet Member, including a brief outline of the benefits of three pieces of work utilising consultants.
- Councillors heard a briefing from Cllr Spence and David Wilde, Chief Information Officer on ECC's project to [transform its corporate systems](#)/IT infrastructure. This was followed by [further information](#) from the Cabinet member about ECC's approach to partnership working, in particular in the context of collaboration on systems.
- A task and finish group was established by the *Corporate Scrutiny Committee* to [consider ECC's procurement strategy](#) and made [recommendations](#) to the Cabinet Member at the end of the previous year. However the Committee followed up on the matter with a [report on ECC's procurement strategy](#) in [April 2015](#).

## Case Study – Budget Setting

Budget setting and planning was a key interest of the Committee in this year, as they look to add more value to the budget-setting process. The committee was given an overview of the picture at national and County level by Margaret Lee, Executive Director for Corporate and Customer Services, including a jargon-busting session and a session looking at the specific format of ECC's budget papers. This was followed by more Essex-specific insight from Nicole Wood, Director for Financial Services, and several sessions of constructive engagement with Cllr John Spence, Cabinet Member for Finance. The Cabinet member and Committee agreed to continue to seek improvement to Scrutiny's early engagement with the budget-setting process in future years.

## Improvements to scrutiny practise in 2014/15

- The Scrutiny Board has led discussions about **scrutiny best practise** this year, resulting in developments across all four committees such as use of pre-meetings and clear key lines of enquiry, and a move towards using committee time flexibly for briefing days, workshops, market stalls, seminars or visits where appropriate.
- A structured **work programming** process was put in place to enable the committees to better plan their work, respond to emerging issues and engage with the rest of the organisation. For example, this led to two proactive scrutiny investigations by the HOSC this year – the first for four years – in addition to its usual busy workload.
- Committees have begun looking for more opportunities for direct **engagement with communities** and community representatives. For example, Healthwatch Essex has 'speaking observer' status at HOSC, members have engaged with ECC's planning groups and Young Essex Assembly, and HOSC spoke to patient representative groups as part of its review of complaints handling in the hospital trusts.
- As Essex moves towards becoming a **commissioning-led, outcomes based organisation**, scrutiny committees have aligned themselves to the 7 corporate outcomes and received the initial round of commissioning strategies early in the year. They will continue to hold the Cabinet to account on the delivery of those outcomes whilst looking to engage with commissioners and providers, scrutinising relationships as well as outcomes.
- **Communication and links with Cabinet and senior officers** have been strengthened, with regular meetings at both member and officer level, action notes produced directly after each meeting, better tracking of items and updated branding for publications.
- After discussions through the year led by the Board, committees will now have more robust **performance management information** available to them.



# How to get involved in Scrutiny

## Attending a meeting

Members of the public are welcome to attend any public meeting of a Scrutiny Committee or 'Task and Finish' group. Public meetings are listed on the online [meeting calendar found at this link](#).

All Scrutiny Committees allow a certain amount of time for public questions at the beginning of each meeting – if you wish to ask a question make yourself known to the Chairman or clerk well before the meeting starts.

Public meetings are recorded, streamed live on the internet and archived on [ECC's website](#).

Scrutiny regularly asks organisations or individuals to give evidence at meetings for the purpose of their investigations. If you will be attending Scrutiny to give information to a committee, you can find information and guidance about what to expect in the Scrutiny Handbook which has the following subsections at the following links:

- [Guide for County Councillors](#)
- [Guide for county council officers](#)
- [Guide for the public and other organisations](#)

If you would like to feed into the Scrutiny process, or suggest a topic for Scrutiny's attention, you can get in touch with the Scrutiny Team at [scrutiny@essex.gov.uk](mailto:scrutiny@essex.gov.uk).

Alternatively, you can contact any of the Councillors who are on the relevant committee or Task and Finish group and ask them to consider representing you or calling you to give evidence. You can find out which local Councillors are on which Committee by checking the [website](#) or contacting the [Scrutiny Team](#).



*Cllr Reeves, Chairman of the Health Overview and Scrutiny Committee, on a fact-finding mission to the Hazardous Area Response Team at Grangeley*

## Key topics proposed for 2015-2017

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Scrutiny must be responsive and proactive about unforeseen issues as they emerge. For this reason, the list of topics below can only be indicative - it will be subject to revision and alteration throughout the period in question.

For further details about the committee's work programmes, information on any particular items or scheduling information, please contact the [Scrutiny Team](#).

### Corporate Scrutiny Committee

- Staffing
  - Interim staff
  - Paying the living wage
  - Zero-hours contracts
- Assets and money
  - Ethical investments
  - The Reserves Policy
  - Rates of return/risk strategy and Council proposals for selling land and building assets)
- Engagement
  - ECC Petitions Policy
  - ECC Engagement Strategy
  - Member Enquiries system
- Budget
  - Capital Programme
  - Council tax and budget setting & planning 2016/17
- A full programme of other business both already underway and to be commenced; including in response to matters arising such as decisions or consultations.

### Health Overview and Scrutiny Committee

- Obesity issues (ongoing)
- Complex Urological Cancer surgery proposals (in joint committee with Southend and Thurrock Unitary Councils – ongoing)
- Mental Health Service for children and young people
- Patient engagement and the HOSC's working relationship with Healthwatch
- Area updates for all five Clinical Commissioning Groups in Essex, on rota through the year.
- Results of inspection reports eg Care Quality Commission inspection of Colchester Hospital University Foundation Trust.
- Primary care staff shortages, recruitment and succession planning / workforce development.
- A full programme of other business both already underway and to be commenced; including significant service variations, picking up regulatory concerns and any other issues arising in-year.

## People and Families Scrutiny Committee

- Child sexual exploitation
- Care Act implications
- Residential and domiciliary care
- Health and Education plans
- All-age disability
- A full programme of other business both already underway and to be commenced; including in response to matters arising such as decisions or consultations.

## Place Services and Economic Growth Scrutiny Committee

- Third party responsibilities and flood management (ongoing)
- Jobs, welfare and skills (ongoing)
- Local Highways Panels
- Recycling centres for Household Waste Service
- Ringway Jacobs contract (underway)
- Parking Partnerships
- Passenger Transport Strategy
- Commissioning Strategies: environmental aspirations
- Utility contracts and major road schemes
- Aviation Policy
- Local Economic Partnership
- A full programme of other business both already underway and to be commenced; including in response to matters arising such as decisions or consultations.



*Audio from most public meetings of the Council and its Committees, including all Scrutiny Committees, is now broadcast live online*

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**This information is issued by**

Essex County Council, Corporate Law and Assurance Team

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The information contained in this leaflet can be translated, and/or made available in alternative formats, on request.

Published September 2015





# Essex Fire Authority

## Report to the Constituent Authorities of the meeting on 2 September 2015

### 1. Independent Cultural Review

Earlier in 2015, the Authority commissioned Irene Lucas CBE to undertake a wide-ranging review of the historical and current culture within Essex County Fire and Rescue Service (ECFRS). The purpose of the Review was to look at how the culture of the Service is having a detrimental impact on the organisation, its employees and the communities it serves, and provide a report recommending practical steps to move the organisation forward.

The Review has now been concluded and, at its meeting on 2 September, the Authority welcomed Ms Lucas and invited her to present her report.

Ms Lucas outlined the background to the Review, stating its aims and terms of reference, and the methodology she had followed, including statistical information regarding the scale of the exercise. She described the importance of organisational culture and its impact on effective performance, particularly in terms of managing change and delivering significant improvement.

Ms Lucas set out the key questions addressed, and the associated findings, on each of the following six areas covered by the Review:

- The vision, values, strategies and plans of ECFRS
- Governance and Leadership
- Relationships, roles and responsibilities
- Valuing people and challenging poor performance and behaviour
- Learning, development and promotion
- Communication and engagement

In conclusion, Ms Lucas spoke of her serious concerns regarding the culture of ECFRS and its relationships, highlighting that the issues she had identified pervaded all levels of the organisation. Although she had met passionate and determined people who were keen to move on from the current environment, which only a very small minority wished to continue, there was a significant degree of cynicism as to whether the Authority would embrace the Review's recommendations and make the necessary changes.

The summary of key recommendations contained within the Review report is set out below:

- An external Expert Advisory Panel with a range of skills and backgrounds, and accountable to the FRA, should be appointed as soon as possible to

provide strategic advice to the organisation for the next 24 months. The Panel will comprise senior people, experienced in addressing challenging organisations who will provide strategic advice to the FRA and senior officers on the leadership and change now needed.

- Working with the FRA and colleagues at every level in ECFRS, in conjunction with the external Expert Advisory Panel, needs to develop a concise narrative for change that is well understood and supported at every level of the organisation, respecting the roles of fire fighters, those in prevention work and other colleagues.
- The governance of the service needs to be strengthened with greater clarity and visibility given to the role of FRA who need to focus on the strategic challenges facing the service, with more scrutiny support for elected members.
- The continued absence of the Chief Fire Officer needs to be resolved urgently.
- More needs to be done to recruit leaders from non-fire service backgrounds, bringing fresh perspectives and learning from the wider public sector and beyond.
- All disciplinary action should be independently led by a sub-group of the Expert Panel and subject to statutory constraints over the next 24 months, and all intimidatory behaviour against individuals, equipment or property need to be considered by the Expert Panel working with representatives of Essex Police who will advise on criminal proceedings. The sub-group will have a specific role in ensuring elected members are aware of matters without cutting across the existing process. This approach to take effect in respect of all new cases.
- Whistleblowing arrangements need to be clarified and simplified and overseen in confidence by a sub-group of the Expert Panel.
- Introduce a rapid mediation service as has been adopted by Staffordshire County Fire and Rescue Service.
- Create more opportunities to recognise outstanding performance across the organisation on a regular and consistent basis.
- Make promotion to managerial positions more transparent and based on human relations expertise as well as firefighting specialisms. Involve the Expert Panel in overseeing all appointments for the next 24 months.
- Review existing management and delivery mechanisms to provide implementation ability with clear oversight of progress in implementing and, most importantly, embedding change.

- Extend the suite of managerial skills required from operational to more inclusive leadership training, ensuring that the training is offered to those showing talent, potential and who have a desire to progress. Promotion should only be open to those who have completed and successfully graduated from the programme and demonstrated leadership and coaching skills.
- Ensure an independent, rigorous review in six months' time to check on progress.

Members of the Authority thanked Ms Lucas for her work on the report, and formally received it, emphasising the Authority's commitment to taking action in response to the findings. The Authority believes that the majority of ECFRS staff are keen to move forward, and it is important to work with them, and ensure that they are supported against the minority.

The Authority is due to meet again on 7 October to consider its formal response to the report, together with an action plan. It is hoped it will be possible to dovetail work within the action plan with that already in progress to prepare for the future under Programme 2020.

The Constituent Authorities will be kept informed as to progress.

**Councillor Anthony Hedley**  
**Chairman**

