

Economic Development, Environment and Highways Policy and Scrutiny Committee

10:00	Thursday, 21 March 2013	Committee Room 1, County Hall, Chelmsford, Essex
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Quorum: 5

Councillor S Walsh
Councillor B Aspinell
Councillor R Bass
Councillor R Callender
Councillor A Durcan
Councillor I Grundy
Councillor A Hedley
Councillor E Johnson
Councillor D Kendall
Councillor G McEwen
Councillor L Mead
Councillor G Mitchinson
Councillor C Pond
Councillor J Roberts
Councillor D Robinson
Councillor S Robinson
Councillor J Schofield
Councillor M Skeels

Chairman

Vice-Chairman

Vice-Chairman

For information about the meeting please ask for:

Sophie Campion, Committee Officer

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Essex County Council

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Part 1

(During consideration of these items the meeting is likely to be open to the press and public)

		Pages
1	Apologies and Substitution Notices The Committee Officer to report receipt (if any)	
2	Declarations of Interest To note any declarations of interest to be made by Members	
3	Minutes 210213 To approve as a correct record the Minutes of the meeting of the Economic Development, Environment and Highways Policy and Scrutiny Committee held on 21 February 2013.	5 - 12
4	Scrutiny Review on the Future of Recycling Centres for Household Waste Service in Essex To note the response (EDEH/07/13) from the Cabinet Member for Economic Development and Waste to the Committee's recommendations.	13 - 16
5	Scrutiny Report on the Relationship with Statutory Undertakers in the way works are undertaken in th To note the detailed response (EDEH/08/13) from the Cabinet Member for Highways and Transportation to the Committee's recommendations.	17 - 20
6	Scrutiny Review on Country Parks To note report (EDEH/09/13) on the Task and Finish Group's recent engagement in Phase 2 of the Country Parks Project.	21 - 24
7	Forward Look: Committee's Overview and Scrutiny Successes To consider report (EDEH/10/13) on the Committee's Overview and Scrutiny Successes.	25 - 34
8	Date of Next Meeting To note that the next scheduled activity day is Thursday 18 April 2013.	
9	Urgent Business To consider any matter which in the opinion of the Chairman should be considered in public by reason of special circumstances (to be specified) as a matter of urgency.	

Exempt Items

(During consideration of these items the meeting is not likely to be open to the press and public)

To consider whether the press and public should be excluded from the meeting during consideration of an agenda item on the grounds that it involves the likely disclosure of exempt information as specified in Part I of Schedule 12A of the Local Government Act 1972 or it being confidential for the purposes of Section 100A(2) of that Act.

In each case, Members are asked to decide whether, in all the circumstances, the public interest in maintaining the exemption (and discussing the matter in private) outweighs the public interest in disclosing the information.

10 Urgent Exempt Business

To consider in private any other matter which in the opinion of the Chairman should be considered by reason of special circumstances (to be specified) as a matter of urgency.

**MINUTES OF A MEETING OF THE ECONOMIC DEVELOPMENT,
ENVIRONMENT & HIGHWAYS POLICY AND SCRUTINY COMMITTEE
HELD AT COUNTY HALL, CHELMSFORD ON 21 FEBRUARY 2013**

Present:

Councillor S Walsh (Chairman)	Councillor A Hedley
Councillor B Aspinell	Councillor E Johnson
Councillor R Callender	Councillor D Kendall
Councillor N Edey, Substitute for R Bass	Councillor J Schofield
Councillor I Grundy	Councillor B Wood, Substitute for C Pond

Also in attendance was Councillor Ray Howard, Member of the Safer and Stronger Communities Committee and Councillor John Jowers, Cabinet Member for Communities and Planning.

1. Apologies and Substitution Notices

The Committee Officer reported apologies for absence from Councillors G Mitchinson, C Pond, J Roberts, R Bass, D Robinson, M Skeels, G McEwen and L Mead. Two notices of substitution were also reported, Councillor N Edey substituting for R Bass and Councillor B Wood substituting for C Pond.

2. Minutes

The Minutes of the Committee meeting held on 17 January 2013 were approved as a correct record and signed by the Chairman.

3. Declarations of Interest

With reference to Minute 4 – Scrutiny Review on the Off Site Emergency Planning Requirements around COMAH Sites in Essex, Councillor A Hedley declared a personal interest as Chairman of the Fire Authority and Councillor B Aspinell declared a personal interest as a member of the Fire Authority.

4. Scrutiny Report on the Off Site Emergency Planning Requirements around COMAH Sites in Essex

The Committee considered report EDEH/06/13 seeking formal endorsement of the scrutiny report on the off site emergency planning requirements around COMAH sites in Essex that also took into account the broader issues associated with the implementation of the Civil Contingencies Act 2004 and promotion of community resilience. The scrutiny report ('the report') was the culmination of a review that had been undertaken by the former Safer and Stronger Communities Policy and Scrutiny Committee (SSCC).

The Chairman introduced the report and referred those present to the Executive Summary setting out the background to the report, and the reasons for bringing

the report to this Committee's attention. While acknowledging that the review had taken longer to complete than may have been anticipated, that in itself demonstrated the interest SSCC took in the subject and level of understanding it sought on the subject. It is a substantial report, and Councillor Walsh wished to put on record on behalf of the SSCC, his thanks to the many witnesses and organisations who contributed to this work, and the various officers and councillors who have helped draw this report together.

Councillor Howard, a member of the SSCC, was invited to address the meeting as he had been responsible for drawing attention to the subject following concerns expressed to the Area Forum he had chaired about the regulation of COMAH sites on Canvey Island. He welcomed the publication of the scrutiny report and expressed his gratitude to all those parties who had contributed to the review, and commended the detailed scrutiny report now before the Committee for its approval.

The Chairman then proceeded to summarise the layout of the scrutiny report. The sections on 'Introduction' and 'Approach to Evidence Gathering' set out the background and methodology, which includes site visits, witness sessions, a communications workshop and an off-site emergency planning exercise.

The 'Summary of Evidence' provided an overview of the evidence collated from the scrutiny review including a comprehensive overview of the County's role in the off-site emergency planning of COMAH sites. Under the COMAH Regulations 1999 the County Council's responsibilities are –

- To liaise with the site operators to view their safety report, request them to provide worst case scenario for our planning assumptions and inform the writing of the off-site plan.
- To produce the off site emergency plan in liaison with other stakeholders including emergency services and district council.
- To write the plan, plan and deliver the off site exercise and review every three years.
- To provide a post exercise report.
- To charge the operator for the cost of delivering the plan and the exercise.
- To support if required, the operator in the advice to the public within the Public Information Zone.

The County Council has no other specific responsibilities under the 1999 Regulations. However, the review also took into consideration the Authority's responsibilities as a Category 1 responder under the Civil Contingencies Act 2004.

The section also summarised the key findings including risk and scale aversion. Members were particularly aware that local perception of risk was important to

those concerned, and this was reflected in their recognition of the importance of appropriate communications.

The section on 'Conclusions and Recommendations' identified the reasons for the six recommendations that the SSCC had reached on the basis of the evidence considered:

- Recommendation 1 recognised the innovative and excellent work the Essex Civil Protection and Emergency Management (ECPEM) team does on behalf of Essex residents. Throughout the review the Team had demonstrated its thoroughly professional approach to its responsibilities and the provision of its services.
- Recommendation 2 dealt with the issue of communication with the public and examples of good practice, and wished to encourage all COMAH operators to adopt a similar approach.
- Recommendation 3 acknowledged the work of the Schools Project and how community resilience can be enhanced by engaging young people through emergency planning awareness campaigns.
- Recommendation 4 looked to the County Council itself and how it can best assist emergency planning functions through the dissemination of information through a variety of means, including its website.
- Recommendation 5 was focussed upon how the County Council's own response to emergencies with a number of examples given. It proposed a short review to draw on real recent emergencies in order to test the robustness of the Council's own preparedness to respond to emergencies.
- Recommendation 6 proposed the monitoring of responses to the preceding recommendations to be picked up in June and later in the Autumn of this year.

The Appendices and Annexes to the Report contained more detailed information collected during the review.

Rosanna Briggs, Deputy Head of the ECPEM, which is a partnership between Essex County Council and Essex County Fire and Rescue Service (ECFRS), had been invited to address the Committee to share the on going work that Team has been undertaking since the scrutiny review began.

At the outset of her presentation she stated that her Team had welcomed the interest shown by the SSCC in taking forward the scrutiny review, as well as the continued interest of Canvey Island residents in the review as that interest really helps to support the Team's goal to engage with as many communities as possible.

By way of background she advised that when the review was announced originally there had been three voluntary redundancies of managers within the

service, including the officer who worked on COMAH planning. In addition the County Council had entered into discussions to formalise a Partnership with ECFRS to deliver the emergency management service. The Chief Fire Officer has now taken on the role as Head of Service that has been a progressive move towards delivering many potential benefits for our communities in Essex. Mrs Briggs was requested to take on the additional responsibilities of COMAH and Environment planning and although it was a co-incidence that the scrutiny review was initiated, she felt that it was an opportune time for the ECPEM to review its own procedures and identify any improvements that might be required to enhance the delivery of the service. She took the opportunity to also thank her team publicly for their work.

Mrs Briggs acknowledged that if ECC only worked under the COMAH Regulations some people might assume that there might be little in place to respond to an event, which potentially could happen on a site. However, the COMAH regulations are underpinned with other legislation such as the Civil Contingencies Act 2004 that places six duties on all Category 1 Responders (including all county/district/borough/city and unitary authorities throughout England and Wales) to plan for and support the communities, this includes warning and informing. There is strong evidence that through its professional expertise the ECPEM is delivering a much more holistic service beyond merely satisfying the County Council's statutory responsibilities under the COMAH regulations. Another part of its duties is to produce and publish a Community Risk Register within a multi agency environment, and many local authorities have taken this a step further and produced their own local Register.

In summary the scrutiny review provided the ECPEM with the opportunity to -

- provide evidence to the SSCC,
- facilitate the Committee in arrangements for various site visits,
- extend an invitation to Committee members to attend two COMAH Exercises within the review period, and
- provide, upon the request of the SSCC, additional evidence throughout the review and support through awareness briefings.

Nevertheless it was emphasised that throughout the process the Team had to adhere to national security policy, which has been paramount since 9/11. Senior officers within the County Council and ECPEM have had to be security cleared, which is an invasive process in terms of personal details, which would be subjected to inspection by Essex Police.

In addition to the engagement set out above, the Team has augmented the regulation requirements to engage with the HSE and has taken the opportunity to fully brief that body on the additional activities taken to support the COMAH regulations. In response it was understood that the Health and Safety Executive has recognised that this has produced a proactive approach to COMAH planning within Essex. COMAH planning is about ensuring good working relationships with all stakeholders and this of course includes other organisations such as the

emergency services, Environment Agency, Health and Safety Executive, other local authorities including other County Council departments.

Mrs Briggs concluded by highlighting some of the learning her Team has taken away from this two year scrutiny review:

1. Since the announcement of the review, the ECPEM has now developed a COMAH Strategy document, which clearly identifies a policy and audit process.
2. The ECPEM has established through its new partnership arrangements with ECFRS a closer working relationship to record and maintain within a centralised system a register of all the activities/exercises held on the COMAH site throughout the year – not just every three years as the regulations state.
3. Given that the pressures on the emergency services and others is high and the requirements of Thurrock Council, which has a number of COMAH sites, the ECPEM has taken a proactive approach and will be establishing a COMAH Group between Essex County and Thurrock Councils (including the emergency services) to ensure that both Councils are both fully compliant under the Regulations and at the same time ensuring the best use of resources.
4. As proposed by SSCC Members during the review, the ECPEM is in the process of developing awareness briefings for elected councillors.
5. The ECPEM is actively promoting with the COMAH Site Operators, extended Public Information Zone areas where appropriate, which are over and above the Health and Safety Executive guidance. This will help to ensure that more people are advised on community resilience.
6. The ECPEM is actively working closer with the District Councils on community awareness projects, also recognising that those councils also have similar duties under the Civil Contingencies Act.
7. Due to the constraints of the ECC website, ECPEM felt that they needed to progress more work on warning and informing. Therefore it has established its own website “Prepared in Essex” and an app – which is multi layer platform and has already put information around the COMAH planning on the site.
8. The ECPEM is in the process of building a business case to submit to the County Council for its service to have its own social media account.
9. As part of a seminar organised by the Team following the Committee’s meeting, it was proposed to inform Members and other invited guests about the new Command, Control and Co-ordination procedures

Finally, Mrs Briggs thanked all Members of the SSCC for their considerable interest throughout the review. ECPEM in partnership with the County Council and ECFRS had always sought to raise the standard of community resilience and public confidence. While Essex has been recognised as a lead in this area of work at a national level, she reassured those present that the ECPEM would continue to work hard with all the other Category 1 Responders under the Civil Contingencies Act namely the emergency services and all local authorities to ensure that its services would continue to improve.

Councillor John Jowers, Cabinet Member for Communities and Planning, attended the meeting and indicated to the Committee that he welcomed the scrutiny report commenting that it was a comprehensive and sensible report.

Before seeking the Committee's formal approval to the scrutiny report the Chairman drew Members' attention to an email that had been circulated to the Committee from a witness, Steve Sawkins, setting out his further thoughts on the review subject.

The Committee AGREED the formal publication of the Scrutiny Report on 'Off Site Emergency Planning Requirements Around COMAH Sites In Essex', and the following recommendations contained therein:

General: Recommendation 1

It be recommended that the Essex Civil Protection and Emergency Management Team and the Essex Resilience Forum be formally commended for the ongoing development of emergency planning work in Essex, and the national recognition achieved for those initiatives they have championed including the film 'Civil Contingencies Act. Act One', developing community resilience through the Schools Project, and its input into off site COMAH Emergency Plans including the Shoeburyness Emergency Alert Service.

Public Communications Good Practice: Recommendation 2

It be recommended that the Cabinet Member for Communities and Planning urge all COMAH site operators in Essex to provide consistent high quality public safety information to local communities on their individual sites in accordance with good practice being promoted nationally as part of COMAH regulations and as demonstrated by QinetiQ at its Shoeburyness site.

Schools Project: Recommendation 3

It be recommended to the Cabinet that the County Council continue to promote and support the development of community resilience through the Schools Project based upon the success of engaging school children to raise awareness about the importance of being prepared for emergencies.

Corporate Services: Recommendation 4

That, in view of the importance of community resilience and the County Council's statutory duties, it be recommended to the Cabinet Members for Communities and Planning, and Finance and Transformation Programme, and Economic Growth and Waste and Recycling that a protocol be developed to ensure that the services provided by the corporate Communications and IS Teams to the ECPEM Team are modern up to date, effective, and user friendly in the support and delivery of public information on emergency planning in Essex taking into account the needs of individual residents.

Corporate Emergency Planning: Recommendation 5

It was agreed that as part of its Forward Look the Committee set up a Task and Finish Group to scrutinise the effectiveness of the Council's own corporate preparedness to respond to emergencies.

Monitoring Outcomes of scrutiny review: Recommendation 6

That the Committee seek an initial response from the Cabinet Members to the five recommendations set out above to be reported in June 2013, and the outcomes of this scrutiny review be monitored in the Autumn of 2013.

Following the Committee's consideration of the scrutiny report itself at the formal meeting there was a separate seminar organised by the ECPEM Team to provide Members' with an up to date overview of civil contingency planning in Essex. Several guest speakers, including statutory Category One Responders, had been invited to address the Committee. Also a number of guests who had contributed evidence to the review were invited to the seminar.

In addition there was an emergency planning exhibition in the Council Chamber foyer that incorporated some of the public communication tools and materials used by the ECPEM Team to deliver its services; and a number of the Fire Service's emergency response vehicles and equipment had been brought to County Hall to provide the Committee with evidence of the some of the considerable investment made by the ECFRS to support the planning process.

5. Dates of Future Meetings

The Committee noted that the next activity day was scheduled for Thursday 21 March 2013 at 10am.

There being no urgent business the meeting closed at 10.43am.

Chairman

		AGENDA ITEM 4
		EDEH/07/13
Committee:	Economic Development, Environment and Highways Policy & Scrutiny Committee	
Date:	21 March 2013	
SCRUTINY REVIEW ON THE FUTURE OF RECYCLING CENTRES FOR HOUSEHOLD WASTE SERVICE IN ESSEX (Minute 5/ January 2013)		
Enquiries to:	Christine Sharland, Governance Officer 01245 430450 christine.sharland@essex.gov.uk	

In January 2013 (Minute 5) the Committee approved the final report and recommendations of the Task and Finish Group's scrutiny report on the Recycling Centres for Household Waste Service in Essex.

A copy of the response received from Councillor Bentley as Cabinet Member for Economic Development and Waste is set out at Appendix A. For ease of reference the two recommendations as set out in the scrutiny report are set out at Appendix B.

It is confirmed that the proposal for an in depth scrutiny review will be initiated following the County Council's election in May 2013.

Action required by the Committee:

The Committee is requested to note the Cabinet Member's response in this matter.

Appendix A

Response from Councillor Kevin Bentley, Cabinet Member for Economic Development and Waste to the Committee's recommendations

'Thank you for passing me your report on the operation and future development of the recycling centre for household waste (RCHW) service in advance of the EDEHPSC meeting on 17 January, and as promised I am giving you my initial response to the recommendations set out in the scrutiny report.

As the Committee will be aware the household recycling centres are a well-used and valued service, which together with the recycling services provided by our District, Borough and City Councils and the enthusiasm of Essex residents have led to record breaking recycling performance in the County.

May I take this opportunity to extend my thanks to the members of the Task and Finish Group for undertaking this review. The scrutiny report reflects the evidence gathered by the Group on the existing service in Essex as well as looking at good practice elsewhere, and underpins the robustness of the recommendations. Subject to the Committee's approval, I shall take those recommendations fully into account as part of the consideration of the future development of the service.

With regard to the observations and recommendations set out in the interim scrutiny report, I confirm that I am fully supportive of the points made under recommendation 1, and that –

- I am committed to ensuring that residents have good access to RCHW facilities, and our dialogue with neighbouring authorities to facilitate the removal of any barriers to accessing services will continue.
- The County Council will be exploring all options, following the award of a new RCHW contract later this year, to support small business in Essex to recycle their waste through the RCHW service. In addition we will, when developing new or redesigning existing sites, explore the demand from businesses and incorporate this need into site designs.
- The new RCHW service contract will have a robust audit trail for all waste entering the site so we can track it to its end destination; ensuring service users can be confident that the waste they bring to the site is being recycled appropriately

I am particularly pleased with the second recommendation whereby the Group has proposed that this initial review should lead into a more in depth scrutiny review that will consider the RCHW service in the context of the changing environment that the service operates within. As the Essex Waste Partnership collectively focuses its efforts on making recycling easier and more efficient for Essex residents, through investment in kerbside recycling services, the demands on the RCHW service from users has and will continue to change. It is therefore essential we continue to review the contribution and on-going role of the RCHW network. It is on this basis that I fully concur with the proposal, and look forward to liaising with the Committee in the development of the new review.'

Appendix B

Recommendations arising from the scrutiny review on recycling centres:

1. That, subject to the formal approval of the Economic Development, Environment and Highways Policy and Scrutiny Committee, this report be commended to the Cabinet Member for Economic Growth, Waste and Recycling, as an overview of its initial investigation of the RCHW Service and specific attention is drawn to its observations on

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- The existing anomalies where Essex residents have to pay to use recycling facilities provided by neighbouring Councils like Southend Borough Council and the London Borough of Havering.
- Consideration of an extension of the RCHW service to incorporate trade waste.
- As part of the new contractual arrangements the contractor be required to sign up to and comply with the End Destinations of Recycling Charter (dated June 2012).

2. That an in depth scrutiny review be conducted following the 2013 County Council elections on the future of the Recycling Centres for Household Waste Service taking account of the following issues to be addressed:

- How does the implementation of the Joint Municipal Waste Management Strategy affect the role of the RCHW Service in practice? For example:
 - How has the development of kerbside collections affected the volume and type of material deposited at recycling centres, and what changes are envisaged in the future?
 - How will the operation of the Courtauld Road facility impact upon the RCHW Service?
- Given the changing role of recycling centres:
 - What type of modern facilities will be required in the future?
 - How many centres in total may be necessary and where should they be located?
 - What are the key factors that should be considered in developing the future design of the service
- What is the impact upon the type and frequency of visits to recycling centres given the variation in kerbside collections operated by WCAs, which may be impacting the ability of ECC to deliver an effective RCHW service, and how can those variations be addressed effectively?
- What other recycling collection models exist across the country and what has been their impact upon the associated RCHW Services?
- Across Essex how can the recycling of commercial waste be improved, whilst ensuring the RCHW service does not become overburdened?

		AGENDA ITEM 5
		EDEH/08/13
Committee:	Economic Development, Environment and Highways Policy & Scrutiny Committee	
Date:	21 March 2013	
SCRUTINY REPORT ON THE RELATIONSHIP WITH STATUTORY UNDERTAKERS IN THE WAY WORKS ARE UNDERTAKEN IN THE HIGHWAY (Minute 7/February 2012)		
Enquiries to:	Christine Sharland, Governance Officer 01245 430450 Christine.sharland@essex.gov.uk	

In February 2012 (Minute 7) the Committee approved its scrutiny report on the relationship with Statutory Undertakers in the way works are undertaken in the highway.

At its meeting in August 2012 (Minute 12) the Committee was advised that Councillor Louis, the Cabinet Member for Highways and Transportation, had accepted all the recommendations. However, no detail was given at that time.

A more detailed response to the four recommendations set out in the scrutiny report has now been received from Councillor Louis, and is reproduced below:

Recommendation 1

That it be recommended to the Cabinet Member for Highways and Transportation that an effective Communications Protocol be developed as soon as possible to address the information needs of the public, public transport operators and councillors on road works and NRSWA in Essex. A response to this recommendation is requested for the Committee's consideration in Summer 2012.

Cabinet Member's response 'Officers are working on a revised protocol to ensure that public transport operators and others are fully aware of and engaged in discussions around planned road works in order to mitigate the impact on the travelling public. This protocol will be finalised early in the New Year following the completion of the H&T restructure. In addition, an improved protocol has been established to ensure that members are aware of any planned road closures in their area in advance of formal public consultation/notification.'

Recommendation 2

That it be recommended to the Cabinet Member for Highways and Transportation that improvements be made to the quality of public information published by Essex County Council on NRSWA and other road works in Essex, and that up to date information on road works be published on the website together with the ability for the public to report problems with those works. A response to this recommendation is requested for the Committee's consideration in Summer 2012.

Cabinet Member's response 'Essex County Council continues to subscribe to the national, public, DfT supported "Elgin" website for roadworks information. Recently a number of changes have been made to this site to improve the information available. This includes the ability for a member to set up an alert facility for their own area.'

Under the new Highways contract with Ringway Jacobs, a "service information centre" (website) is being established which will provide improved information on all activity taking place in Essex.'

Recommendation 3

That the Leader of the Council be recommended to include NRSWA and the management of road works within Essex within the Member Induction Programme following County Council elections, and his response be reported to the Committee meeting in Summer 2012.

Cabinet Member's response 'This will be included in the induction pack for Members after the election. '

Recommendation 4

That the Cabinet Member for Highways and Transportation be requested to provide an update on any proposed changes to be made to the way that NRSWA is currently operated in Essex no later than February 2013, and consider the adoption of a permit scheme in Essex.

Cabinet Member's response 'The Ringway Jacobs contract includes a proposal to look at the establishment of a Permit Scheme in Essex. The East of England permit scheme was launched on 5 November 2012. Currently, Essex is not participating in this scheme, but will be liaising with those participating authorities to understand the benefits the scheme is bringing and the business cases developed. Once the H&T restructure is completed, the NRSWA Manager has been tasked with undertaking the investigatory/feasibility work to look at the options, costs and efficiencies of adopting such a scheme in Essex. This initial work will be completed by 31 March 2013. If a scheme is viewed as a viable option for Essex, implementation would be likely to be in April 2014, allowing for the consultation and changes that would need to be put in place.'

It is also understood that the Department for Transport is currently reviewing the regulations and protocols around permit schemes and that an update is expected in the spring. Officers are monitoring progress on this to ensure that any new guidance or changes can be incorporated into the feasibility work Essex will be undertaking.'

Action required by the Committee:

The Committee note the Cabinet Member response as now reported.

A copy of the full Scrutiny Report is available via CMIS
<http://78.136.39.196/essexcmis5/ScrutinyReports.aspx>
entitled 'Statutory Undertakers – Final Report'.

		AGENDA ITEM 6
		EDEH/09/13
Committee:	Economic Development, Environment and Highways Policy & Scrutiny Committee	
Date:	21 March 2013	
SCRUTINY REVIEW ON COUNTRY PARKS (Minute 6/ August 2012)		
Enquiries to:	Christine Sharland, Governance Officer 01245 430450 christine.sharland@essex.gov.uk	

In August 2012 (Minute 6) the Committee approved the Task and Finish Group's final scrutiny report on Country Parks, which was focussed on Phase 1 of the project looking at the future of Cressing Temple and Marsh Farm. The Committee had visited the sites in March 2012, and the Group had considered the opportunities for these particular sites in the future. It was also confirmed that the Group would reconvene to input into Phase 2 of the Council's project to consider other Country Parks.

Following the Committee's meeting on 17 January Members of the original Task and Finish Group met the country parks project team to discuss a range of options available for the County Council's future management of country parks across Essex. A note of that meeting is attached at the Appendix to this report.

Action required by the Committee:

The Committee is requested to note the Task and Finish Group's recent engagement in Phase 2 of the Country Parks Project.

Appendix

Notes of Country Parks Task & Finish Group meeting held on Thursday 17 January 2013

In attendance:

Members

Simon Walsh, Chairman
Barry Aspinell
David Kendall
John Roberts

Officers

Olivia Shaw, Fast Track Manager,
Tim Dixon, Head of Country Parks
Julie Nash, Operations Manager – Country Parks
Julie Ellis, Change Director
Christine Sharland, Governance Officer
Sophie Campion, Committee Officer

Phase 1 Update

The Marsh Farm attraction part of the site had progressed through to a successful tenant for the lease subject to Cabinet approval. The anticipated start date would be the 1 April 2013.

Cressing Temple had resulted in an unsuccessful procurement and this opened up an opportunity to explore the options further and go back to the interested parties to see why some had not progressed through the process. Initial focus would be on marketing the opportunity for the catering concession.

Phase 2

Will look at Great Notley, Cudmore Grove, Danbury, Belhus Woods, Thorndon & Weald Country Parks. The presentation outlined key data for each of the Parks, including size, visitor numbers, facilities, current partners/stakeholders, gross income & gross expenditure.

The net costs, currently £350k, would have been £1million prior to charging for car parking.

The presentation set out examples from other Local Authorities and Third Sector organisations, with a wide variety of models and experiences.

Question 1 – How do we want to take ownership of the Country Parks forward?

Members considered that ECC should retain ownership of the Country Parks and keep overall control.

The Parks should keep the principle of their current environment and local facilities and any commercial development should take place within that principle. There was a recognised need to make money but without affecting the environment or access to the Park.

The appropriateness of options for each Park should fit the landscape.

Question 2 – What are our priorities when managing the Parks?

Health & Wellbeing and opportunities to link with health authority budgets.

A lot of people are not aware of the facilities and some can be difficult to access via public transport.

There is a need to ensure that literature is available where applicable, such as where sites have trails to follow.

Question 3 – Is it essential that we keep our Parks as ECC managed, branded and marketed assets?

Members considered that Parks should be looked at on an individual basis in this regard. One view was that it did not matter who managed the Park as long as the responsibility was clear if something went wrong.

For restaurants ECC should be looking for tenants. Whereas partnerships were appropriate for other aspects.

Options for an added experience at the Park should be considered to enhance the visitor's experience as long as it didn't adversely affect the overall environment.

Question 4 – What balance do we want to strike between the Parks as visitor attractions and community assets?

Members felt that it was important to encourage attendance from a wider area, whilst balancing this with local people feeling that it is their Park too.

The volunteer base should be encouraged so as not to lose them.

Any proposals put forward for each Park should involve local Members and consultation.

Investment would be needed to make money backed up by a business case.

Conclusion:

It was clarified that there would not be the necessary capital to keep investing but ECC wants to safeguard options for the Parks.

The next stage of the process would be to apply a SWOT analysis for each Park and bring that back to the Group for consideration.

- A short report would be submitted to the March meeting of the EDEH P&S Committee to report on the Group's activities so far.

- The next meeting of the Group would be arranged for April 2013 to consider the SWOT analyses. The Chairman would meet with officers in the meantime if necessary.
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		AGENDA ITEM 7
		EDEH/10/13
Committee:	Economic Development, Environment and Highways Policy & Scrutiny Committee	
Date:	21 March 2013	
FORWARD LOOK: COMMITTEE'S OVERVIEW AND SCRUTINY SUCCESSES		
Enquiries to:	Christine Sharland, Governance Officer 01245 430450 christine.sharland@essex.gov.uk	

The purpose of this report is to highlight some of the broader messages that the Committee could convey to its successor after the County Council's elections in May 2013, and the development of overview and scrutiny as an effective influence upon the Council's decision making apparatus in the future.

Being the key players in the Committee's activities, Members' impressions have been sought to inform this report both in terms of the reviews undertaken and how to develop the role of the scrutineer so that overview and scrutiny can become more effective moving forward. Some Members' views were captured via a short questionnaire and workshop.

The Executive/ Overview and Scrutiny split was introduced by the Local Government Act 2000 with the aim of making councils more transparent and accountable. Even during its brief history the overview and scrutiny role within Essex County Council has undergone numerous structural changes. While lessons have been learned, the lack of continuity may have undermined the creation of a positive perception of the ongoing work to improve the development of successful scrutiny processes and committee activities, as well as the tracking of successful outcomes of individual projects that could reinforce the belief that the function can produce real benefits. There needs to be a determined effort to focus on scrutiny in a way that will change the attitudes and behaviours of Members themselves in order to promote an effective image of scrutiny and make the role of a scrutineer more appealing to the elected councillor.

In this report the term 'scrutiny' is used generically to describe all those reviews carried out by a Policy and Scrutiny Committee whether they are policy development, pre or post scrutiny.

The Economic Development, Environment and Highways Policy and Scrutiny Committee itself has only been in its current form since May 2011 when the Council amalgamated the former Economic Development and Environment, and Safer and Stronger Communities Policy and Scrutiny Committees. Overall since May 2009 there have been three changes in remit, chairmanship and membership of the 'core committee', and various changes in those Cabinet Members whose portfolios co-incide with the Committee's remit.

With the forthcoming elections in May 2013 the current Committee has now drawn the majority of its work over the past four years to a close subject to the monitoring of the Executive response to the recommendations of three scrutiny reports, and identification of certain topics that warrant further in depth investigation as new scrutiny reviews. The elections also provide a natural opportunity for the Committee to reflect on its past work and successes or otherwise, and to consider what messages it would like to pass on to the new Council and scrutineers in particular.

An overview of projects conducted by this Committee is attached at the Appendix A to illustrate the range of work undertaken recently.

Based upon feedback received the following messages are proposed to be passed on to the Committee's successor(s):

Message One – 'It is important to promote scrutiny as an integral and effective part of the Council's political organisation that provides non-executive councillors with a real ability to influence the decision making apparatus and raise the profile of scrutineers.'

- While there is some evidence to support the claim that scrutiny is developing gradually as an effective facet of the County Council's activities, scrutineers can only contribute to that development through their own positive engagement in well-chosen and planned projects.
- Drawing upon their own experience and introduction to the role of scrutiny committees, Members felt that there needs to be more focus from the outset of the new Council upon the positive achievements of former scrutiny committees to illustrate what is possible from the scrutineer's point of view. In the past when a new committee has been formed Members have been encouraged to consider a committee's remit and choose what topics they would like to review. However, upon reflection Members criticised this approach because it failed to concentrate their minds upon what was required of them to perform the scrutineer role at the outset. Instead Members' attention tended to focus upon their expectations of other parties in providing information, and identifying topics they were generally

interested in without really establishing what tangible outcomes a review could or could not achieve in the longer run. By establishing a better understanding of the scrutiny role itself a committee may be more likely to allocate its efforts and resources to those topics where maximum influence and benefit could be achieved in practice, and its members would share a more common understanding with one another of what a committee was seeking to achieve as a body of scrutineers rather than solely as individuals.

- The Committee has recommended a small number of new scrutiny investigations to its successor that it has identified from evidence considered through its investigations as being of capable of adding value to the Council's consideration of particular subjects: Integrated Transport; the Council's corporate preparedness for emergencies; further development of a review on the future of the recycling centres; and issues arising from its report on Financial Inclusion albeit some of those issues may fall within the remit of other committees.

Message Two – The careful choice and timing of individual reviews is crucial to a scrutiny committee being able to influence the Council's decision making processes. Where a committee's ability to influence may be minimal, it must make an objective decision on whether or not to allocate its finite resources to a project where it is clear from the outset that any recommendations will not affect decisions or have very limited impact.

- It is acknowledged that the choice and timing of some projects has been poor. Members' interest and enthusiasm for a subject is not necessarily a good enough reason for undertaking a review, and may not be sustained positively before any conclusions are reached.
- In the planning of a project clear achievable objectives need to be identified as well as the real prospect of influencing the way that the Council develops policies and services, or the activities of other organisations and provision of services.
- Similarly a Cabinet Member's request for scrutiny committee involvement in a topic should also be critically evaluated in the same way as any other project, because by accepting a proposal there will be knock on effects upon other projects.

Message Three – There needs to be more effective communication with all County Councillors upon the work being conducted by scrutiny committees, including greater clarity around the way that an Executive Member proposes to respond to the findings and conclusions of a scrutiny review and any subsequent implementation.

- It would be helpful to have a mechanism in place to keep all County Councillors updated on scrutiny activity aside from regular reports to full

Council. Members receive a lot of information overall and therefore a way needs to be found to highlight the role performed through the scrutiny function.

- It is not sufficient for a Cabinet Member to simply agree or disagree with a recommendation that has been set out in a public document. A committee will develop its conclusions and recommendations from consideration of the evidence it has collated, which will be published as part of a scrutiny report. Therefore Members felt that a Cabinet Member's response should explain the reasons for his/ her decision in as much detail as possible, together with a timeframe for implementation as appropriate.
- While not proposing that a completed review where outcomes have been monitored should be left open for ongoing consideration, it would be helpful if the Executive could provide Members with information on a topic where the influence of a scrutiny review has had an impact in the longer term. Similarly it would be helpful if Executive reports could acknowledge scrutiny committee referrals where provided.

Message Four – The Committee has experimented with different ways of working in order to develop some good practice for taking forward the scrutiny function as well as identifying issues that will need to be addressed in the longer term based upon further experience.

- The Committee has experimented with a variety of different approaches to individual subjects chosen through careful planning with the aim of trying to achieve maximum benefit through scrutiny review. The ability to be flexible in the choice of approach has been useful and an important contributor to those reviews that have been considered successful.
- Where a task and finish group undertakes a review, the current practice is for its findings and conclusions to be endorsed by the parent committee. However, there have been some examples where committee members have indicated that they did not feel that they understood a topic well enough having not taken part in the investigation. One of the issues this raises is the need for a group to give careful consideration to the way it handles the presentation of its findings to the full Committee for endorsement.
- There is a general consensus that the use of site visits and different types of forum does engage more positive engagement by members in an investigation depending upon the subject under consideration. Task and finish groups also tend to be favoured for more in depth longer term reviews.

The reflections of the Financial Inclusion Task and Finish Group on the way that it conducted an in depth scrutiny review are set out at Appendix B, and the lessons learned.

Message Five – In parallel with the development of the Council’s scrutiny framework those Members undertaking scrutiny investigations need to be able and willing to develop their individual skills in order to be effective scrutineers through targeted training and development to underpin good practice.

- Those councillors who took part in the workshop reflected on individual participation in different forum and discussed the need to ensure that all Members’ participated fully throughout a review and took active roles for instance in questioning witnesses in all types of meetings. It was felt that there is reluctance by some to engage in debate at larger formal committee meetings rather than smaller task and finish groups. While acknowledging this is a difficult problem to overcome, it was agreed that there is a need to ensure that individuals have the confidence through training and development to fulfil the scrutineer role eg effective questioning, listening, reading and analytical skills. *(Attention was drawn to other committees where training is embedded successfully as a means of supporting members to fulfil their roles in particular activity eg Development and Regulation Committee, Pensions Board).*
- Take steps to ensure that Members focus upon their scrutineer role in fulfilling the objectives of a committee’s review rather than pursuing their own interest in a topic as a whole.
- Members have not always engaged fully in committee activity despite ongoing entreaties for them to do so. It was suggested that in future it may be necessary in the planning of committee activity to approach members more directly to enlist their co-operation to undertake specific responsibilities in the conduct of a review.

Action required by the Committee

That this report be circulated to all Members of the Committee’s successor committee as a record of the Committee’s experience won through conducting a range of scrutiny reviews.

Appendix A

Overview of reviews conducted by the Economic Development, Environment and Highways Policy and Scrutiny Committee

1. Economic Development and Environment Policy and Scrutiny Committee since Summer 2011 *(List incomplete in so far as total number of items that have appeared on agenda)*

- **Park and Ride Scheme** – 3 recommendations/ 1 not accepted, 2 outstanding
- **Exercise of Planning Control on the Use of Inert Waste for Recreational Development** – 3 recommendations/ accepted
- **Corporate Carbon Reduction and Energy Efficiency** – 1 recommendation/ accepted. Evolved primarily as response to Cabinet Member consultation
- **Government Consultation on Dartford-Thurrock river crossing charges Dartford Crossing** – Government consultation, 4 recommendations taken into account as part of County Council response
- Essex Legacy from 2012 Olympic and Paralympic Games – views taken into account
- **Local Transport Plan** – Evolved primarily as response to Cabinet Member consultation
- **Draft National Planning Policy Framework** – Government consultation, views taken into account as part of County Council response
- **Highways Winter Service Information** – Evolved primarily as response to Cabinet Member consultation/ briefing
- **Relationship with Statutory Undertakers in the way works are undertaken in the highway** – 4 recommendations/ accepted, still being monitored
- **Joint Municipal Waste Management Strategy** – Evolved primarily as response to Cabinet Member consultation/ briefing
- Financial Inclusion – 17 recommendations approved January 2013 - to be monitored
- **Future of Recycling Centres** – 2 recommendations/ accepted
- **Future of Country Parks** – views taken into account, Evolved primarily as response to Cabinet Member consultation
- **School Crossing Patrol Policy** - 2 recommendations/ accepted. Evolved primarily as response to Cabinet Member consultation

2. Former Safer and Stronger Communities Policy and Scrutiny Committee (SSCC)

- Sustainable Environment and Enterprise Specialist Services Consultancy Project – 2 recommendations/ accepted
- Off Site Emergency Planning Requirements around COMAH Sites in Essex
- Two Wheeler Road Safety - 24 recommendations/ all generally accepted
- A Board Policy on the Publicly Maintainable Highway – SSCC agreed recommendations that were subsequently changed by the EDEHPSC/ disagreed, CM not accept EDEHPSC but in doing so accepted SSCC proposal.
- Essex Heritage – 8 recommendations/ all generally accepted

- Street Lighting at Night – *13 recommendations/ all generally accepted*

3. Call Ins (since 2011):

- Decision on Park and Ride Saturday Service – *satisfactorily resolved*
- Decision reference FP/576/07/11 on the ECC (Epping Forest district) (permitted parking area and special parking area) (amendment no.7) order 20 - *satisfactorily resolved*
- Decision reference FP/579/07/11 concerning vehicular access to 20 Bowfell Drive – *satisfactorily resolved*
- Decision reference FP/644/09/11 Chelmsford Park and Ride Fare Review – *resolved, but not accepted*
- Decision on Fairmead Road, High Beach, Epping - *satisfactorily resolved*

4. Petitions (since 2011):

- Crossing at Shenfield, Green Dragon Junction - *2 recommendations/ changes were made to proposals albeit overruled overall. However, Cabinet Member agreed to consult Committee on new policy.*
- Proposed closure of Recycling Centres at Mill Lane, High Ongar and Martins Farm, St Osyth, and changes to opening hours of remaining centres: Petition and Call In (referred to Committee in line with Call In and Petitions procedures) – *1 recommendation/ not accepted*

5. Former Economic Development and Environment Policy and Scrutiny Committee – over two years old

- Bus Telematics
- Highways Fault Reporting
- Response to Draft National Policy Statement for Nuclear Power Generation
- Draft Shoreline Management Plan NB not on CMIS
- Banking on Essex
- School Relocatable Classroom Planning Policy
- Regional Spatial Study
- Essex Rural Commission Report
- Local Transport Plan
- Generation of Energy (not completed)
- Flooding and Water Management Bill
- Corporate Scorecard: 'Percentage of traders who sell age restricted products to young people' (Indicator Ref L131)
- N1168 & N1169 on the Condition of Roads
- Per capita CO₂ emissions in the Local Authority area, and Environment Strategy ECC284a Ecological Footprint
- Corporate Scorecard: Jobs and Foreign Direct Investment (LI 015)

Reflections on the way that the scrutiny review was conducted by the Financial Inclusion Task and Finish Group

Aside from the scrutiny report itself on the topical findings of the Financial Inclusion Task and Finish Group, the way the review has evolved in practice has also provided some useful lessons that could be put into effect for similar projects in the future.

Background

In December 2011 (Minute 58) the Committee agreed to take forward three different reviews by way of three individual task and finish groups. Members were invited to indicate their preferred choice of review, and four members chose to be on the Financial Inclusion Task and Finish Group.

Analysis

As evidenced in its scrutiny report the Group has undertaken an in depth review of financial inclusion that has required each of its four members to be proactive in the collection and examination of evidence, and to play an active role in a succession of meetings and visits.

At the outset the topic was daunting as the basis of a project for various reasons including:

- Financial inclusion goes beyond one particular service issue being a cross cutting and complex subject; and
- it impacts upon individual wellbeing rather than providing a familiar topic that councillors may feel that they have a personal understanding of such as a highways issue, and already have some ideas as to how to resolve perceived problems.

From the outset the Group experienced the discomfort of trying to grapple with an increasing number and range of financial inclusion related issues that they were identifying through evidence captured from witnesses. This reinforced the need to narrow the focus of the particular review. Even so at times the Group found it difficult to see how it could ensure that the review would be able to make a positive contribution to the way that financial inclusion could be enhanced across Essex.

The Group met a lot of people who contributed enthusiastically to the pool of information gathered. It was pleasing too that the review generated further discussion with and among witnesses into ways of sharing ideas with other agencies, and greater co-ordination and collaboration. The Group was rewarded by a number of witnesses thanking Members for the keen interest they had shown in the work being done to tackle financial exclusion.

While there was an outline for the review process itself, the approach taken to its planning was deliberately flexible at the outset so the objectives that were ultimately chosen could produce more effective conclusions for those in need. Even though County Council Officers provided underlying support for the review by stimulating ideas, seeking out information and providing advice, it was notable that on this occasion Members were positively engaged in new ways of working and did not rely on formal agenda and notes to examine evidence and formulate their own conclusions.

Aside from identifying what to focus on in particular, the Group also had to agree on those matters it had to rule out of the review for in depth examination. In practice the topic proved to be really interesting, and there was the temptation to try to look at 'everything'. However, the Group had to be realistic about its ability to influence certain matters that were not within the purview of the County Council, the resources and time available and that would have duplicated work being undertaken elsewhere. For instance the Group remained mindful of the Government's proposed Welfare Reforms but did not duplicate work that was already underway both within the County Council and across Essex as a whole to consider their implications.

The way that the particular Group has worked together has been very successful. With hindsight some of the consequences of the Group's smaller membership may be summarised as follows:

- Throughout the review the Group has worked as a cohesive team, and has moved away from more traditional committee working. A more flexible approach has enabled the Group to plan its activity in a way that has been more responsive to evidence as obtained, and to steer towards developing recommendations that could achieve positive outcomes for promoting financial inclusion.
- Greater onus upon the individual member to take an active ongoing role in the Group's overall activity, which may have contributed to a greater sense of interest and commitment to a project as well as ownership of its outcomes especially as it has entailed a lot of work.
- Attendance at meetings has been particularly good. As a small group its Members have collaborated successfully with one another on identifying dates for meetings, with compromises being made as and when necessary. Where a Member has been unable to take part in a particular meeting, colleagues have shared the evidence missed at the next available opportunity.
- In practice formal notes have not been produced for each meeting albeit the final scrutiny report reflects the evidence collated, together with findings and conclusions. Through regular discussion and exchange of emails, the Group has been able to use the evidence obtained through cross examination of witnesses, to develop and challenge ideas to reach a general consensus in order to identify what further information is required to move the review forward and reach conclusions.
- As a small group it has been easier for its Members to reflect collectively on evidence and bounce ideas off of one another in a positive atmosphere. In larger groups where sporadic attendance may be a problem this may be more difficult to achieve.
- The Group as a whole has exchanged information and ideas through email as and when necessary so that momentum has been maintained on the review. Again this has proven difficult in practice with the full Committee and larger task and finish groups.
- Members have been fully engaged in developing the final content of the scrutiny report based upon shared consideration of evidence, and responsibility for its presentation to Committee for endorsement.
- The Group itself led by Councillor Grundy presented the scrutiny report to the full Committee seeking its endorsement to its conclusions and recommendations. Prior to the meeting it was agreed which recommendations individual Group

members would present to the Committee. At the meeting itself this worked well and the Group itself shared the task of answering their Committee colleagues' questions

Although the Group does not propose to make any specific recommendations on the way that overview and scrutiny processes are developed in the future, it is hoped that its positive experience will be fed into any reviews of those processes.

Reflections Report agreed by the Financial Inclusion Task and Finish Group