



Essex County Council

Place Services and Economic Growth Policy and Scrutiny Committee

10:30	Thursday, 17 May 2018	Committee Room 1, County Hall, Chelmsford, CM1 1QH
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For information about the meeting please ask for:

Lisa Siggins, Democratic Services Officer

Telephone: 033301 34594

Email: lisa.siggins@essex.gov.uk

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2	Minutes To approve as a correct record the Minutes of the meeting held on 22 February 2018.	5 - 11
3	Questions from the Public A period of up to 15 minutes will be allowed for members of the public to ask questions or make representations on any item on the agenda for this meeting. On arrival, and before the start of the meeting, please register with the Committee Officer.	
4	Update on an Air Quality Policy To receive an update (PSEG/10/18) from Councillor Simon Walsh, Cabinet Member for Environment and Waste and Mark Ash, Director of Waste and Environment on air quality in Essex.	12 - 21
5	Country Parks Car Park Charging To receive a verbal update from Councillor Simon Walsh, Cabinet Member for Environment and Waste.	

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| 6 | The Localism and Subsidiarity Task and Finish Group
To receive an interim report (PSEG/11/18) of the Task and Finish Group and seek approval from the Committee on the recommendations and actions contained therein. | 22 - 45 |
| 7 | Call-In: FP/136/04/18 Proposed 18-Month Experimental Order: Prohibition Of Right-Turn – Noak Hill/Wash Road (West), Basildon
To receive report (PGE/12/18) confirming that no further action will be undertaken in respect of the call in of this particular decision. | 46 - 50 |
| 8 | Place Services and Economic Growth Policy and Scrutiny Committee Work Programme 2017-18
To receive report (PSEG/13/18) concerning the Committee's work programme. | 51 - 52 |
| 9 | Date of Next Meeting
To note that the next Committee activity day will be on Thursday, 21 June 2018. | |
| 10 | 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.

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| 11 | 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. |
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Agenda item 1

Committee: Place Services and Economic Growth Policy and Scrutiny Committee

Enquiries to: Robert Fox, Senior Democratic Services Officer

Membership, Apologies, Substitutions and Declarations of Interest

Recommendations:

To note

1. Membership to be confirmed at Annual Council on 15 May. Robert Fox will provide an update at the meeting.
2. Apologies and substitutions
3. Declarations of interest to be made by Members in accordance with the Members' Code of Conduct

Minutes of the meeting of the Place Services and Economic Growth Policy and Scrutiny Committee, held in Committee Room 1 County Hall, Chelmsford, CM1 1QH on Thursday, 22 February 2018

Present:

Councillor E Johnson (Chairman)

Councillor M Durham

Councillor C Guglielmi

Councillor S Hillier

Councillor P Honeywood

Councillor D Kendall

Councillor B Massey

Councillor J Moran

Councillor C Pond

Councillor R Pratt

Councillor W Schmitt

The following officer was present in support throughout the meeting:

Robert Fox - Senior Democratic Services Officer

1 Membership, Apologies, Substitutions and Declarations of Interest

The report of the Membership, Apologies and Declarations was received and it was noted that:

1. The membership of the committee was unchanged since the last meeting;
2. Councillors R Gadsby and J Young had sent their apologies; additionally Councillors T Ball and A Sheldon had sent their apologies and were substituted by Councillors C Guglielmi and J Moran respectively.
3. Councillor C Guglielmi declared an interest in relation to item 4 as a Director of the North Essex Garden Community.

2 Minutes

The minutes of the meeting held on Thursday, 18 January 2018 were agreed as an accurate record and were signed by the Chairman.

A further request should be made of the Cabinet Member for Environment and Waste with regard to the Woodland Trust and Hainault Forest.

3 Questions from the Public

There were no public questions.

4 Air Quality

Councillor Simon Walsh, Cabinet Member for Environment and Waste was in attendance for this item, alongside Mark Ash, Director for Waste and Environment and John Meehan, Head of Environment and Flood Management.

Councillor Walsh introduced a presentation which focussed on what

constitutes pollution and what it means for Essex County Council, and the seven issues listed by the motion, which was approved by Full Council in December 2017, requested a review by this committee ought to focus upon.

Mark Ash highlighted that nine out of 10 of the world's population live in proximity to an area which does not comply with World Health Organisation air quality standards; with the most in need the ones that are most exposed to poor air quality. Improving the air quality of Essex will meet the strategic aims and priorities of helping to create great places to live and work; helping to secure sustainable development; and protecting the environment whilst also improving the health of the people in the county. The most striking pollutants are nitrogen dioxide and particulates and many of the county's strategies and air quality management issues are focussed on these. Major road networks and urban stop-start congested areas are a risk to public health in Essex.

Councillor C Pond raised the issue of environmental issues being underplayed in the ECC responses to local plans. Mark Ash responded there will be a change in focus as the overlap between economic and environmental development are recognised, thus raising the profile of green infrastructure. Therefore, there shall be a consolidation of responses to local plans.

Councillor J Moran stated he was concerned that Saffron Walden has been highlighted as a particular pollution concern due to narrow congested streets; and, therefore asked whether the extension of traffic control systems would be better replaced by increased traffic flow? Mark Ash responded that there have been studies, notably in King's Heath, Birmingham, which showed there are small gains that can happen reasonably quickly. Councillor Walsh highlighted an Environment Agency graph showing reduced air quality in areas of stop-start traffic in London. Councillor Walsh stated he would circulate the graph to the Committee. He also stated there should be some engagement with the Greater London Authority on air quality as there is cross-boundary impact for Essex.

In Essex, 20 areas exceed air quality standards. Where this is the case the Local Authority must prepare an Air Quality Action Plan setting out the measures it intends to put in place in pursuit of the air quality objectives. The main pollutant in each case is nitrogen dioxide, but there will be an increased focus on particulates. Mark Ash issued a word of caution as there is not a consistency of approach across the Essex local authorities in terms of capturing pollutant data and it will be key in order to be informed by better data moving forward.

Councillor C Pond noted Basildon and Harlow have a prevalence of roundabouts to assist traffic flow and that neither has an Air Quality Management Area (AQMA). Whereas the rest of Essex mainly has signalised junctions. Councillor J Moran added the latest issue of *Science* magazine provides evidence that traffic is not the largest air pollutant. He

also raised, as did Councillor W Schmitt, whether any studies were available on the switching off of engines at signalised junctions?

John Meehan presented on the seven elements of the Full Council motion. With regard to the adoption of an overarching Council Air Quality Improvement Policy he stated a fuller picture of what is happening throughout the county is needed to enable improved monitoring of pollutants. There is a school education programme to raise awareness of the long-term issues potentially caused by pollutants.

Councillor C Pond suggested the addition of railway authorities in relation to air quality policy engagement due to the non-electrified freight trains that travel through Essex. An energy strategy is being developed and will be published shortly.

The Council has no specific air quality standards, as yet, but developing policy may define any standards. However, pragmatic and practical quality standards are adhered to in procurement activity, John Meehan informed the Committee.

There is also a developing strategy on cycling, walking and sustainable transport. The County does have a *Making Sustainable Travel Decisions* document to assist staff and Members in transport decisions. It is still an open question with regard to which vehicles are the most polluting.

Councillor D Kendall requested some clarity on what ECC can and cannot realistically influence in terms of air quality? Mark Ash agreed to return with the definitions at the next meeting of the full committee.

John Meehan confirmed that in relation to dialogue with HM Government and Local Planning Authorities conversations with spatial planning colleagues are ongoing. Additionally, progress on the Garden Communities projects is likely to have impact on improving air quality as ECC has a high aspiration of 60% sustainability from the developments.

The Chairman of the Committee thanked the Cabinet Member and officers for the presentation and suggested a return to the Committee on 19 April with further information.

Councillor J Moran stated he would wish pollutants from farm vehicles to be considered in any review and suggested information could be forthcoming from the National Farmers' Union.

Councillor D Kendall questioned whether ECC monitors air quality in and around its own buildings? What are the air quality standards in each borough/city/district in the county? What are the definitions of a polluting car and what does data reveal to be the most polluting? What funding is available for the district and county cycling strategies? Mark Ash agreed to include answers to these questions at the next meeting of the full committee.

Councillor C Pond, with regard to transport, stated ECC should not be contracting bus services where the buses being used by operators are old and subsequently heavy polluters. He suggested the officers contact passenger transport to raise awareness of this happening.

Councillor R Pratt suggested any Task and Finish Group review should include conversations with district environmental health colleagues looking at domestic, commercial and restaurant pollutants.

Councillor S Hillier stated the task would potentially be enormous and that the review be broken into 'bite-size chunks'. Councillor D Kendall, therefore, referred to the seven elements of the Full Council motion and stated it would be expected these areas were looked at first prior to any diversion. Councillor M Durham agreed and stated the committee would need to thoroughly define the objectives and suggested the review is conducted by a full committee Task and Finish Group.

The Cabinet Member for Environment and Waste thanked the committee for its input into the issue and would welcome the Committee doing a full review of Air Quality.

The Chairman of the Committee questioned whether the Committee take the review in full committee or Task and Finish Group, following the next session in April. It was agreed to re-evaluate following that session, but Councillor Durham's suggestion of a full committee Task and Finish Group be given serious consideration.

5 Localism And Subsidiarity Task And Finish Group: Interim Report To The Committee

Councillor C Pond as the Chairman of the Task and Finish Group updated the Committee on the ongoing review. Councillor Pond highlighted a response from the Cabinet Member for Highways was still outstanding with regard to areas of responsibility the County Council might be willing to delegate to local councils.

Following an enlightening contribution from Maldon District Council at the last meeting of the Task and Finish Group a letter was sent to all Borough/City/District Councils requesting a response which would enable the Group to isolate the most requested areas for devolved activity. To date there have been five responses, plus Epping Forest District Council will attend the next meeting of the Task and Finish Group. Further responses will be chased, and once received will enable the Group to submit a cogent report to the Committee with recommendations to the relevant Cabinet Member(s). The final report will need to demonstrate those areas that could potentially be delivered more effectively and cost-efficiently by districts and/or parishes in order to achieve political buy-in at the County Council.

As a member of the Task and Finish Group Councillor S Hillier acknowledged the topic is much larger than that first envisioned and sought

the support of the Committee to continue with the review. Councillor D Kendall, also a member of the Group, agreed and stated that along with the list of highways related areas that might be devolved this be extended to other functions of the County Council. He warned, however, that funding streams in terms of who will pay for delivery may be a sticking point; but that parishes might have a degree more flexibility due to their precepts.

Councillor M Durham reported on a visit he undertook, as leader of Maldon District Council, to Eastleigh Borough Council in Hampshire which has devolved everything possible to its parishes.

Councillor W Schmitt stated Braintree District Council is ready and willing to undertake devolved services in order to provide better service for the taxpayer, with an example being the maintenance of grass verges.

The Chairman of the Committee highlighted the difficulties of unparished areas to deliver services; and Councillor S Hillier highlighted part-parished areas, such as Basildon where it is even more complicated to deliver devolved services.

Following the discussions it was agreed that the Task and Finish Group continue with the review. Councillor C Pond stated a final report would be presented to the April 2018 meeting of the Committee.

Councillor C Pond also informed the Committee of a conference he attended on 19 February in Waltham Abbey on the Forests of Essex. The conference was intense but had great value and was attended by 131 delegates with themes relevant to the work of the Committee, such as air pollution and the beneficial role trees play in the environment and the associated absorption factors. Councillor Pond stated he would contact the organisers of the conference to provide the papers to circulate to committee members.

Councillor M Durham referred to the expectation that districts log and maintain where trees have been planted, but this is becoming a financial burden.

Councillor W Schmitt stated that there is a right tree at the right time in the right place and is aware of the costs but trees benefit the future health of residents. She stated Europe tends to be more tree-oriented than the UK.

Councillor C Pond stated the conference heard that woodland management at a number of Essex forests are being degraded by the increasing number of winter visitors and that similar applies at some of the county's Country Parks and at Hatfield Forest. Increased urban development is one of the reasons for this. Councillor Pond also stated forests and woodlands are often overlooked when local authorities develop their Local Plans and he was concerned that comments from the County Council on Local Plans have not included any reference to the health and wellbeing agenda of ECC. He stated he would raise this with the Cabinet

Member for Environment and Waste.

6 Petition With 2,318 Signatures: No To Baddow Bus Gate

The Committee received a petition with 2,318 signatures against the proposal for a bus gate in Baddow Road, Chelmsford.

The Chairman of the Committee explained the procedure as outlined in the ECC Petitions Policy which provides for a petition with 2,000 signatures or more to be received by the relevant Scrutiny Committee and the Chairman would make a decision on how it is progressed. All such signatures are responded to by either the relevant Cabinet Member or and Executive Director in writing to the lead petitioner. The Chairman explained this petition was related to a local issue and was not, in his opinion, an issue the committee could usefully debate at this stage. He considered that at this stage the contents of the petition be noted and this was seconded by Councillor S Hillier who stated if the issue moves forward the committee might be minded to consider at a future meeting.

The petition was, therefore, duly noted. Councillor D Kendall wished to record his opposition to the noting of the petition stating that residents who had signed the petition would expect the committee to examine the proposal and discuss the concerns raised.

7 Call-in of decision: FP/058/01/18 Review of ECC Street Lighting

The Committee noted report PSEG/08/18 regarding the call-in of decision FP/058/01/18 Review of ECC Street Lighting and noted the call-in had been withdrawn and no further action by the Committee was required.

8 Place Services and Economic Growth Policy and Scrutiny Committee Work Programme 2017/18

The Committee work programme, as presented, was noted.

Councillor W Schmitt requested the work programme be supplemented with a review of grass verges. She stated that some areas that cut verges twice a year do not need to do so and there is a potential saving to the taxpayer if the committee could look closely at what, where and when verges are cut.

Councillor J Moran questioned why the cutting of grass verges is undertaken by the County Council and not devolved to districts and/or parishes? He stated his experience in Saffron Walden is that the County Council does not cut verges very well.

The Chairman of the Committee stated the County Council does devolve grass-cutting where it can but that there is a limited budget available. Some parishes are happy to supplement some of their precept whilst others not so. Similarly some districts are happy to undertake extra grass-cutting – it comes down to money. Harlow District Council appreciates the grass-cutting that ECC does and once flowering and seeding is finished the grass

is cut back for hay.

Councillor D Kendall suggested the Deputy Cabinet Member responsible for looking at grass verges is invited to update the Committee. He also stated any review should include the maintenance and repair of verges and the installation of dropped kerbs that go over them. He stated he would support a review.

Councillor S Hillier stated Basildon Borough Council supplements the cutting done by ECC. In the urban areas of the Borough the edges of the roads are kept short on the verges and bio-diversity is encouraged on the outer verges. He fully supported the merit of undertaking a review.

Councillor C Pond agreed that grass verges would be a welcome addition to the work programme, and suggested any review include what grows in grass verges in terms of the judicious planting of appropriate species.

The Chairman of the Committee thanked Councillor Schmitt for the suggestion and the Committee for its input. It was agreed to add grass verges to the work programme.

Robert Fox brought Members attention to the Libraries public engagement events being held in March at locations throughout the county.

Robert Fox also stated the next activity day would be a Highways briefing undertaken by the Cabinet Member for Highways and would be held in private session. The rationale behind this is to understand issues the Committee might wish to take forward on its work programme. Councillor J Moran stated the Corporate Policy and Scrutiny Committee is looking at the finances behind the Ringway Jacobs highways contract and there might be an opportunity for joint-working on this. He stated he would mention this at the next meeting of the Corporate Policy and Scrutiny Committee.

9 Date of Next Meeting

The Committee noted that the next activity day will be on Thursday, 22 March 2018 commencing at 10.30 a.m. Councillor D Kendall indicated his apologies for this activity day and that he would be substituted by Councillor S Robinson.

The next formal meeting of the Committee will be on Thursday, 19 April 2018 at 10.30 a.m., with a pre-meeting for Members only at 10.00 a.m. Councillor B Massey and Councillor W Schmitt indicated their apologies for this meeting and would be substituted by Councillor J Moran and Councillor C Guglielmi respectively.

There being no urgent business the meeting closed at 12.53 p.m.

Chairman

		AGENDA ITEM 4
		PSEG/10/18
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 May 2018	
Update on an Air Quality Policy		
Enquiries to:	Mark Ash Director for Waste and Environment mark.ash@essex.gov.uk	

Background

An amended motion below was proposed by Councillor S Walsh and seconded by Councillor T Cutmore at December 2017 Full Council. In summary, it highlighted that the Place Services and Economic Growth Policy and Scrutiny Committee is undertaking a review of air quality issues and asks that Committee to consider a number of suggestions and make appropriate recommendations to the Cabinet Member, as part of the review.

The Place Services and Economic Growth Policy and Scrutiny Committee met on the 22nd February and a presentation was given on the Clean Air Review and the seven issues raised at full council

The item was introduced by Cllr Walsh, Portfolio member for Waste and Environment and it was presented by Mark Ash, the Director for Waste and Environment and John Meehan, the Head of Sustainability and Resilience. The Committees agreed to re-evaluate the topic at the next full committee (May) to give the proposal of a Task and Finish Group serious consideration.

A number of questions were raised at the meeting of 22 February and this paper seeks to address these.

Overview

Air pollution is the biggest environmental risk to health. Globally, nine out of ten people live in a city that does not comply with WHO air quality standards. Within the UK, poor outdoor air quality is linked to 50,000 deaths each year. The most vulnerable are children, the elderly, or those with pre-existing medical conditions. The design of our urban and rural infrastructure, particularly road infrastructure, determines where air pollution is produced, and how it is dispersed.

This is a multifactorial problem which requires a holistic solution.

Essex Context

Essex is a large County with differing circumstances affecting different communities. West Essex lies in the wind shadow of London, a global City with significant air quality issues. The M25, M11, A12 and A13 are large roads generating poor quality air. Likewise Stanstead Airport generates poor quality air too. In addition, there are pockets of pollution in industrial areas, shipping ports, train stations, and some large farming complexes.

Reported levels of air quality are focused where residents are directly affected by the nearby pollution source. In most cases these are households close to major roads. Other sources of air pollution such as sulphur emissions from shipping or particulate emissions from farming practices whilst measured are not considered a major factor in impacting upon human health. Emissions from industrial processes are also measured (and reported to the Environment Agency) and districts and boroughs will be aware of these 'sources'. There are two main traffic generated pollutants where data is collected and there is a requirement of local authorities to implement reductions:

1. **NO_x**, this is a generic term for the nitrogen oxides that are most relevant for air pollution, namely nitric oxide (NO) and nitrogen dioxide (NO₂).
2. **Particulate Matter (PM₁₀, PM_{2.5})** Particulate Matter is a non-gaseous air pollutant, made up of various different shapes and particle sizes. PM₁₀ refers to the sizes of particles which incorporates all sizes of 10 microns or less, PM_{2.5} incorporates all sizes of 2.5 microns or less.

Until relatively recently (2009) the major PM source was from industrial processes, however the promotion of diesel cars in favour of petrol (to reduce CO₂ levels) has seen an increase in levels of PM_{2.5}.

It is a district/borough responsibility to measure and report pollution levels, and declare Air Quality Management Areas (AQMA's) to Defra. However the majority of sites have been declared due to the proximity of residents to roads. In these cases the districts/boroughs work closely with Essex County Council in developing action plans to address the issues.

Essex County Council Strategic Focus

Improving the air quality of Essex will meet our strategic aims and priorities as set out in the Organisational Strategy.

It will meet the **strategic aim** of:

- helping to create great places to live and work.

It will also meet our **strategic objectives** of:

- helping to secure sustainable development
- protect the environment and also improving the health of the people in Essex.

Progress on the Air Quality Review Issues

Cabinet members proposed an overarching Air Quality policy which could include many recommendations.

Part of an Air Quality Policy would be

- 1) coordinating the considerable work which is being done across Essex County Council
- 2) Proposing new areas of work to improve Air Quality

Two questions in particular are addressed in this paper:

- 1. What could ECC realistically influence in terms of air quality?**
- 2. What are the definitions of a polluting car and what does data reveal to be the most polluting?**

To respond to these questions it would be beneficial to consider these against existing policies and actions.

1) What is already being done across Essex County Council

Throughout the Authority there are already actions and schemes being undertaken to address the issue of air quality within Essex:

a) Existing Environmental Standards for procured Essex Services

Services provided or commissioned by the Council are contracted with regard to their effects on air quality, and contractors are also expected to abide by the provisions of the overarching policy. Procurement and users of the Corporate finance system (TCS) ask suppliers to adhere to the industry environmental quality standards (ISO14001 etc. or similar).

What more could be done?

Current contracts managed by Category Managers could be further evaluated to a baseline air quality consideration. Existing services which appear as if they can be improved could be highlighted and re evaluated eg Some Essex buses seem to be older and therefore more polluting?

b) Lowering emissions via staff travel expenses

ECC sets out the most environmentally friendly way to travel during work in “Making Sustainable Travel Decisions” which is a guide to using alternative forms of transport other than the car. The guide explains how ECC provide expenses for cycle mileage and car sharing.

What more could be done? Should a new Policy consider enhancing these non-polluting expenses to make them more attractive?

Consideration could be given to lowering car expenses on larger, more polluting cars. It would be difficult to penalise the “most polluting vehicle” as the size of the engine, the differing fuels etc. are still being debated in terms of which are the most polluting.

Since 1992, European Union regulations have been imposed on new cars since 1992 to improve air quality. The regulations have become more stringent by design to define acceptable limits for exhaust emissions. The evolution of emissions standards can be viewed below. ECC may wish to consider using this table to define the most polluting vehicles.

Emissions standard	Applied to new passenger car approvals from:	Applied to most new registrations from:
Euro 1	1 July 1992	31 December 1992
Euro 2	1 January 1996	1 January 1997
Euro 3	1 January 2000	1 January 2001
Euro 4	1 January 2005	1 January 2006
Euro 5	1 September 2009	1 January 2011
Euro 6	1 September 2014	1 September 2015

c) Ensure that reduction of air pollution is properly considered in planning determination and comments on any Local Plan reflect improving air quality

This is carried out by the Environment team, the Sustainable Travel team and the Essex Highways teams who seek to promote and create public transport infrastructure, modal shift, and electric vehicle facilities to be a central part of any Local Plan. An example is the adoption by Epping Forest that all new developments include charging points for electric vehicles as standard.

Air quality can be a material consideration in the planning process for development proposals, particularly if the application may:

- conflict with proposals in an Air Quality Action Plan;
- lead to a deterioration in air quality as a direct result of the proposal;
- increase human exposure in areas of existing poor air quality.

Local and ECC planners consistently reiterate these issues.

d) Supporting cycling and walking as a safe alternative to petrol driven transport

ECC has a Sustainable Travel team, Public Rights of Way team and an Active Essex Team who are fully engaged in this agenda. ECC also support cycling through our countywide and district cycling strategies.

The Sustainable Travel Team has a variety of existing schemes to promote and market the use of sustainable travel

- The Bike loan scheme for ECC employees
- The Free Bike store of 30 bikes for use by ECC employees
- An annual Cycling Grant of c £100,000 to encourage cycling across Essex which is bid for by cycling and community groups
- The Cycling Ambassador Programme
- Consultation on Travel Plans for new developments
- The Bikeability scheme which improve the cycling skills of school children
- Promotion of Dockless bike schemes in Essex

There is a current consultation with ECC staff regarding modes of transport for getting to and from work and the committee may want to have sight of the results to inform its work.

Essex Highway have recently put up signs on the core Harlow cycling network to encourage more use, but there is a recognition that many older cycleways need new signage and maintenance. Essex Highway have secured £1.2 million for the cycling network around the A127 in April 2018.

ECC are supporting the Garden Communities development which is likely to have some major impacts on improving air quality as we strive for 60% sustainable travel use from these developments.

e) Incorporating Air Quality Issues into current and developing Strategies

Within Essex County Council there are already a number of existing strategies and policies which either directly or indirectly take air quality issues into consideration.

These Strategies are:

Energy & Low Carbon Strategy

Sustainable Modes of Travel Strategy

Green Infrastructure Strategy (in development)

Cycling Strategy

Walking Strategy (proposed)

Finance Regulations,

Procurement rules,

Public Health Strategies

f) Liaison between Essex Highways and national and local partners

Essex Highways are in constant dialogue with the districts and boroughs, Highways England and a wide variety of other partners. Part of their remit is to reduce congestion and part of the rationale for this is to reduce pollution, particularly in built up areas.

Essex Highways have worked with Colchester and Saffron Walden to seek to remove traffic from the town centre. In the case of Colchester bus technology has been improved to reduced emissions. ECC announced in February 2018 £1,072,500 was secured from The Department for Environment, Food and Rural Affairs' 'Clean Bus Technology Fund'. The money was secured through a joint bid with Colchester Borough Council, Rochford District Council and Southend-on-Sea. It will be used to retrofit 60 Arriva and First buses in the Colchester and Rochford Air Quality Management Areas to Euro VI, which is the highest emissions standard. Another bid for this funding is being prepared.

To further consider what else can be influenced or achieved the committee might like to give consideration to asking the Task and Finish group to considering The benefits of an overarching Air Quality policy including:

- Recommending the use of Green Infrastructure and trees to ameliorate pollution.

- The establishment of County Wide Monitoring, including monitoring of PM_{2.5}
- The creation and enlargement of Low emission Schemes and Strategies
- The further promotion of clean or alternatively fuelled vehicles
- The review of existing Travel Plans and the development on new Travel Plans
- The development of a County-wide Schools education programme about the effects and prevention of pollution
- The better use of Section 106 funding to improve air quality
- Promoting the role of renewable energy to improve air quality
- A comprehensive Public Engagement programme to explain the air quality issue and create behaviour change to improve the situation

The Local Government Association published a report in March 2017 called Air Quality – A briefing for Directors of Public Health had the following to say on what local authorities could do:

There are many things local authorities can do to tackle the health impacts of local air pollution – and to do so cost-effectively.

While overarching regulations like vehicle emissions standards are controlled by governments and the EU and new vehicle and appliance designs by industry, local authorities have many powers in:

- traffic and parking management
- street design and road layouts
- planning
- using idling powers
- public and school transport policies
- forbidding the dirtiest vehicles or favouring clean vehicle fuels like petrol, LPG or CNG over diesel and bio-diesel
- installing electric vehicle charging points
- reviewing and enforcing Smoke Control Areas
- low or zero emission last mile services
- fleet management and car clubs
- vehicle and building air conditioning
- building energy efficiency and cleaner heat sources

All these actions are potential ways to reducing emissions, concentrations or exposure to pollution.

Any improvement in air quality will have positive health consequences. Improvements to air quality are also an important co-benefit of interventions targeting other health outcomes, such as active travel and increased physical activity.

Actions to address the health impacts of air pollution can also play a critical role in supporting other local priorities such as health inequalities, care integration and supported self-management, sustainability, growth and regeneration and localism and community engagement.

Future Public Engagement Programme for the Clean Air Policy

Public engagement/consultation is a key part of the success of a new policy. Whilst there are clear benefits of the Clean Air Policy that is consulted upon, it needs

present a coordinated air quality message across Essex. This has two strands; public and sectoral.

a) Engaging with Public:

For the Clean Air Policy to have credibility with residents this will only be achieved by consulting with them. For this Policy to have value we would need to have a clear vision of what we wish to achieve and equally importantly, what is achievable. Engagement could be undertaken using different media, such as;

- A number of Roadshows
- Social media campaigns
- Press and publicity
- A formal consultation period

b) Engagement with the sector

Of equal importance to engaging with residents, is the need to engage with internal and external partners. ECC already works closely with districts and boroughs in its role as the Local Highways Authority. Given the multifaceted effect of poor air quality it is important that the following internal partners are consulted:

i) Internal

- Public Health,
- Active Essex
- Finance,
- Procurement
- Infrastructure and Environment.

ii) External

Whilst the Authority will be drafting the policy, the successful delivery of actions will depend upon the engagement and support of various partners. At this stage the list is not exhaustive, and there will be the opportunity to widen the list as the process progresses.

- Essex Air Quality Consortium
- Essex Planning Officers Association
- The 12 Districts and 2 Unitaries
- Various Clean Air groups
- Neighbouring Authorities
- Universities
- Department for Environment, Food and Rural Affairs

Case Studies to exemplify clean air projects

1. Cleaner Buses

Buses in Essex are set to have lower emission after Essex County Council and partners secured more than a million pounds in grant funding from the Government in April 2018. The Council announced £1,072,500 secured from The Department for Environment, Food and Rural Affairs' 'Clean Bus Technology Fund'.

The money was secured through a joint bid with Colchester Borough Council, Rochford District Council and Southend-on-Sea. It will be used to retrofit 60 Arriva and First buses in the Colchester and Rochford Air Quality Management Areas to Euro VI, which is the highest emissions standard.

Essex is one of just 20 local authorities in the country to have secured funding and is now looking to upgrade buses as soon as possible. Some of the first buses expected to benefit from the upgrades will be in Colchester where commercial and Park and Ride services will be improved. A number of bus services which run along the A127 corridor, where air quality issues have been identified, are also set to benefit from the funding.

A second bid is in preparation.

2. Solar Panels on ECC Buildings

Following an assessment of all Essex County Council assets the following 3 sites were selected to install solar panels:

Canvey Island Library – 13kWp

Ely House – 100kWp

Freebournes – 152kWp

Total: 265kWp

These sites are providing ECC pollution free energy which can be used on site. The Waste & Environment Team are now investigating further sites owned by ECC.

3. Air Quality monitoring using Street lighting Management Systems

The proposed scheme will take place in First Avenue Harlow as part of the on-going lamp column upgrade. Sensors will be mounted on identified lampposts at 5 – 8m. It will be possible to display a range of common atmospheric conditions and pollutants concurrently to enable an assessment of air quality.

- Pollution sensors (CO, CO2, NO2, O3)
- Temperature + Humidity
- Wind

The dashboard will provide map views highlighting zones where air quality metrics can be seen over selectable time periods. If successful this could be a model to extend the real time monitoring network throughout Essex.

4. Electric Chargers at Park and Ride April 2018

Motorists are now able to charge their electric cars at four new charging points at the Sandon and Chelmer Valley Park and Ride sites. Electric Blue, in partnership with Essex County Council, installed the points at no cost to taxpayers and drivers are able to pay using a mobile app. Each point is capable of charging two cars at a time. In total, four cars can be charged simultaneously at each site, so depending on your battery size it should take roughly four hours to fully charge your car. “There are no subscriptions, connection fees or minimum spends. Motorists can buy a unit of energy for around 25 pence, so for a 22 kilowatt car battery it is possible to do up to 100 miles for £5.50

5. Electric Chargers along the A127 Corridor

Following ECC securing funding from Highways England there is now ongoing scoping work to ascertain the suitability of installing Rapid EV Chargers at key locations along this road – leading to an expanding network of charging infrastructure, ensuring EV’s replace ‘traditional’ vehicles.

6. On street community charging points.

The ECC Environment Team is working closely with Essex Highways colleagues and district/boroughs to evaluate opportunities for residential on street charging points. The project will be part funded by OLEV (75%) and we are looking at working with a provider to meet the remainder of the 25%.

Recommendation

It can be seen that there has been a significant amount of effort put into improving air quality in Essex and there is more that could be done. This is a substantial area but there are many great financial and non-financial benefits to improving air quality in Essex. It is recommended that consideration is given To establishing a Task and Finish Group to carry out a full review of what has been achieved and what should be done to understand better what further efforts could substantially improve the air quality of Essex

		AGENDA ITEM 6
		PSEG/11/18
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 May 2018	
The Localism and Subsidiarity Task and Finish Group.		
Enquiries to:	Robert Fox, Scrutiny Officer Robert.Fox@essex.gov.uk	

The following pages are the interim report of the Localism and Subsidiarity Task and Finish Group.

Members are requested to consider and agree the actions and recommendations as the work of the Group continues.

Scrutiny

Improving public services

Scrutiny Report

Localism and Subsidiarity: A Task and Finish Group review

**Interim Report by the Place Services and Economic
Growth Scrutiny Committee**

Dated: May 2018

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Foreword by the Chairman of the Task and Finish Group



It was John Major, when Prime Minister in the early 1990s, who invented the dictum that the closer to the people a decision to do or not to do so something was taken, the more palatable it would be likely to be to residents, the people we all represent. When in 2011 the County Council signed a strategic agreement for highways provision, and created the parking partnerships a little later on, much local knowledge was actually lost, and decisions were taken further from the residents.

We all know that the people taking decisions in this area are acting from the best interests of the County, but that is not necessarily how it appears to our residents. “They” seem to have become further away, not closer to the people.

The Group was determined to examine methods of working that would dispel this perhaps undeserved perception, and I want to thank my colleagues, Councillors Hillier, Kendall, and Sheldon, for their purposeful tackling of these issues. Our indefatigable clerk, Robert Fox, has helped us meld our sometimes disparate thoughts into a cogent interim report.

The drafting of a final report must await receipt from Highways of their dossier of what functions might be passed on, and under what conditions, and that paper must, in itself, give rise to further issues for us to consider and work on.

SUMMARY OF RECOMMENDATIONS AND ACTIONS

The Task and Finish Group has agreed its interim recommendations to the relevant Cabinet Members and will formally file these at the 17 May 2018 meeting of the Committee; along with the actions for the scrutiny function at Essex County Council. These recommendations are outlined below. In the event that the Cabinet Members do not accept any of the recommendations below, the Committee should be advised, in each case, the reasons for rejection in writing.

Recommendations:

1. The libraries estate be reviewed, without any withdrawal of existing services from any locality, and parished areas invited to run any additional community libraries. The provision of stock and rotation be undertaken under a Service Level Agreement with the County, if, and when, such community libraries are established;

2. That every district study the Maldon District Council model of incorporating local functions with a view to seeing if can be effective in other parts of the county;
3. The ECC Highways Ranger scheme be devolved completely to district councils, or consortia thereof, recognising there would need to be a series of agreements, with light-touch legal understandings for the transfer of responsibilities;
4. To enhance emerging localism the Task and Finish Group the County Council provides express support to Essex County Councillors' so, wherever possible, they be encouraged to engage with their Parish and Town Councils and assist the facilitation of local ideas;
5. That Essex County Council find a way to make it easier to sort out insurance liabilities, as parishes are likely reluctant to take on public liability;
6. That dialogue commences at the earliest convenience with second-tier and parish authorities to determine those functions which can realistically be devolved and any transference of funding required for devolution;
7. The final report be received by Full Council following the deferral to this Committee and that the report also be filed with all second-tier authorities so that it may encourage those districts that did not respond to the initial requests, and follow-up, to consider the areas that they might consider carrying-out locally;
8. That a workshop take place bringing together key stakeholders to include *inter alia* districts, parishes, County Council. The Task and Finish Group will organise this workshop, to take place as soon as practicable after the May local elections, with the aim of giving a richness to the final report regarding the practical responsibilities of discussing how localism can be taken forward.

Actions

1. The Chairman of the Place Services and Economic Growth Policy and Scrutiny Committee engages with the Cabinet Member for Culture, Communities and Customer with regard to any outcomes from the library service public engagement events;
2. Through the Chairman of the Place Services and Economic Growth Policy and Scrutiny Committee ask the Scrutiny Board to determine a scrutiny review of the Community Initiatives Fund to further establish local partnerships as well as governance to create unified approaches for specific areas;
3. The Place Services and Economic Growth Policy and Scrutiny Committee should commence a review of grass verges as agreed at the Committee meeting of 22 February 2018.

Each of the recommendations and actions above will take consideration of the key issues of management, funding, scrutiny and public liability. The final report will include a check-list pertinent to each of these key issues against each of the recommendations and actions to enable the Committee to evaluate fully how the implementation and, subsequent impact of the Committee's considerations is progressing.

I commend this interim report to the Committee.

Councillor Chris Pond

Vice-Chairman, Place Services and Economic Growth Policy & Scrutiny Committee
Chairman of the Localism and Subsidiarity Task and Finish Group

BACKGROUND

Background to the Scrutiny Review

At the Full Council meeting on date July 2017 it was moved by Councillor Chris Pond and seconded by Councillor Colin Sargeant that:

'This Council applauds achievements of the Administration to date in the field of localism, such as the Community Initiatives Fund. Local Highways Panels were a useful step in bringing together County and District members; their funding needs to be sufficient, and their processes (including Highway Rangers) more effective, the better to suit local needs.

This Council now needs to take further initiatives to ensure that decisions affecting local people are taken as close to them as possible, instead of centrally at County Hall, or by remote joint boards. Devolution to or involvement of districts and parishes in such functions as highway repairs, parking control and enforcement would all increase local buy-in, and should be attainable within existing budgets.

This Council refers this whole question to the Corporate Scrutiny Committee for further examination.

It was moved by Councillor Ian Grundy and seconded by Councillor Eddie Johnson that the motion be amended to read as follows:

'This Council applauds achievements of the Administration to date in the field of localism, such as the Community Initiatives Fund. Local Highways Panels were a useful step in bringing together County and District members; their funding needs to

be sufficient, and their processes (including Highway Rangers) more effective, the better to suit local needs.

This Council now needs to consider further initiatives to ensure that decisions affecting local people are taken as close to them as possible, instead of centrally at County Hall, or by remote joint boards. Devolution to or involvement of Districts, Boroughs, the City and parishes in such functions as highway repairs, parking control and enforcement would all increase local buy-in, and could be attainable within existing budgets.

This Council refers this whole question to the Place Services and Economic Growth Scrutiny Committee to be considered along with other important issues for inclusion in their work programme.'

Councillor Pond and the seconder Councillor Sargeant accepted the amendment and, with the approval of Council, the amendment having become the substantive motion it was put to the meeting and was carried.

Membership

The Place Services and Economic Growth Scrutiny Committee agreed on 21 September 2017 to include in its work programme, and commence with immediate effect, a review of Localism and Subsidiarity and, therefore, established a Task and Finish Group, under the Chairmanship of Councillor Chris Pond.

The full membership of the Task and Finish Group was:

Councillor Chris Pond (Chairman), Loughton Central
Councillor Stephen Hillier, Pitsea
Councillor David Kendall, Brentwood South
Councillor Andrew Sheldon, South Benfleet

Evidence Base of the Scrutiny Review

A scoping document (Appendix 1) was agreed at the first meeting of the Task and Finish Group. The Group agreed, at the outset, that the issue of street lighting is far too big to deal with within the review, as constituted. Evidence was sought from those identified on the scoping document and the following list of those who attended as witnesses or provided a written submission:

Councillor Susan Barker, Cabinet Member for Culture, Communities and Customer
Councillor Ian Grundy, Cabinet Member for Highways
Andrew Cook, Director for Commissioning: Transport and Infrastructure
Peter Massie, Head of Commissioning Essex Highways
John Gili-Ross, Vice-Chairman Essex Association of Local Councils
Councillor Penny Channer, Maldon District Council

Richard Holmes, Director of Customer and Communities, Maldon District Council
Councillor Graham Butland, Leader of Braintree District Council
Councillor Colin Riley, Leader of Castle Point Borough Council
Councillor Roy Whitehead, Leader of Chelmsford City Council
Councillor Paul Smith, Leader of Colchester Borough Council
Councillor Neil Stock, Leader of Tendring District Council

The Task and Finish Group is content that it has received, to date, a range of views and received contributions from a number of key individuals and groups to undertake this review, whilst acknowledging the evidence base could have been wider. However, despite invitations to attend Task and Finish Group meetings or provide written evidence not all were taken up. The contributions received are highlighted in the section below, which is presented together with recommendations for the Cabinet Members for Highways; and Culture, Communities and Customer from whom the Task and Finish Group invites a response.

ISSUES, EVIDENCE AND RECOMMENDATIONS

Key Evidence

The first meeting of the Task and Finish Group established the scope of the review and it was agreed the following should be tested as part of the review:

- How possible and practical is it to take decisions to deliver services at a more local level and how can budgets be devolved locally?
- What responsibilities, by service area, would the County Council be prepared to devolve to the more local level?
- How are services being delivered now?
- What would the advantages and disadvantages of services being devolved be?
- What would the staffing and funding implications be?
- What is the appetite/willingness of the City, Borough, District, Parish and Town Councils to take on the responsibility?
- What services could realistically come under more local control?

The Task and Finish Group heard the original motion to Full Council was supported as it is no longer effective to have a central provider; many functions are done far better locally, and with that comes cost benefits as well as more effectiveness and responsibility for Parish Councils – some of whom will welcome the move.

By theme, the key evidence received at the Task and Finish Group sessions are outlined below:

Libraries

Co-location of library services with parish council hubs encourages localism and would, as such, provide efficiencies. Parish willingness to take on paid staff might be a barrier to delivering a more localised library service although some libraries have different potential solutions in terms of office space. It is understood that by making them stand-alone entities local libraries would not have the buying power that the County service has; and, therefore, if devolved to Parish Councils the County might take the opportunity to rotate books between libraries, within a service level agreement. The County could also provide the check-in and check-out service for the stock.

There are examples of the diversification of use in libraries, for example the homework clubs at both Danbury and Fryerns libraries. The public engagement conversations held throughout the county are likely to provide further ideas for the use of the county libraries and the Committee should be briefed on any future plans for the library service. The Task and Finish Group suggests an **ACTION** that the Chairman of the Place Services and Economic Growth Policy and Scrutiny Committee engages with the Cabinet Member for Culture, Communities and Customer with regard to any outcomes from the public engagement events.

The Task and Finish Group recognised the Essex Libraries public engagement exercise would undoubtedly produce many good ideas for the future running of the service. The Task and Finish Group would **RECOMMEND** that the libraries estate be reviewed, without withdrawal of existing services from any locality, and parished areas invited to run any additional community libraries. The provision of stock and rotation be undertaken under a Service Level Agreement with the County, if, and when, such community libraries are established.

With regard to Local Plans the Task and Finish Group suggests that they should include, where there is sufficient population growth, consideration of new local library provision being part of that plan, such to be developer funded.

It was reported to the Group that Registration centres are now provided in libraries. Registration statistics in terms of timescales are not as they should be as people get the choice where to register a birth or death, but most choose their local registration centre as it is the nearest but are not, necessarily, open on certain days, so customers prefer to await convenient availability. Where registration is provided is in some cases an historical accident; and it should be an aim that registration facilities be easily available in most towns via the wider library estate.

Highways

Key Evidence members discussed the previous agency arrangements of managing the highways function

There are two tiers of activity that may be considered:

- i) Activities which are the responsibility of the County Council (or have issues of dispute over ownership and responsibility between Local Authorities and may lead to service withdrawal) but are not currently being undertaken by County and are either not, or insufficiently budgeted for (e.g. sign washing);
- ii) Activities that are being done at the present but, given the need to find savings, cannot continue to be done by the ECC (e.g. Public Rights of Way maintenance, verge cutting). There are currently a substantial number of contracts with district councils to carry out such work; but there is no consistency across the County. Whereas with highways, the drawing together of all the work has achieved substantial savings and improved performance in respect of Priority 1 (PR1) and Priority 2 (PR2) roads.

A major concern here concerns budgets, both for revenue and capital projects., and connected with this is quality assurance for any activity passed down. We have not yet received guidance from Essex Highways on the mechanism for devolution of moneys, but the Panel appreciates ECC would need to be sure such devolution was cash limited. Parishes and Districts could of course add to the devolved moneys such funds of their own as they considered appropriate. Whilst recognising that public expenditure is constrained at all levels of local government, a district that attached importance to a particular activity or project (for instance, the cosmetic or aesthetic upgrade of a high street or conservation area, might be prepared to invest in that project, especially if it would unlock local economic growth. Parishes, which are not subject to capping, might be willing to contribute their own funds as well, especially where there was a clear desire among their electorate to deal with a particular issue. The Panel had its attention drawn to initiatives by Devon County Council (see below) which could well be instructive in this field.

As for quality control, the Panel would expect all work to be subject to inspection by the Highways inspectors.

For the first tier of activity public expectation is important – it should be clear what is being achieved if any extra costs are incurred. Therefore, cleaning contracts, for signage and bus shelters etc., could be arranged on a local basis. Another issue is maintaining timetables in bus shelters – although the maintenance of bus shelters is not straightforward, as they are owned by different parties, as are streetlamps.

The Task and Finish Group heard from representatives of Maldon District Council on how the Highways Ranger Team have been incorporated into the Park and Maintenance Team at the Council, and how they had made a real difference to the team and enabled a more linked-up approach. It was felt that the district could

manage the needs at a more local level because they are closer to the ground. It was confirmed that without the funding Maldon District Council would not be able to take on the function. There are other functions that could, potentially, be devolved into a Highways' Rangers 'Plus' scenario, such as drainage, Public Rights of Way, relevant elements of Trading Standards, signage (such as finger posts) and street lighting.

Therefore, the Task and Finish Group would **RECOMMEND** that every district study the Maldon District Council model with a view to seeing if can be effective in other parts of the county. Additionally, with regard to the second tier of activity, the Task and Finish Group would **RECOMMEND** the ECC Highways Ranger scheme be devolved completely to district councils, or consortia thereof, recognising there would need to be a series of agreements, with light-touch legal understandings for the transfer of responsibilities.

Communities Initiative Fund (CIF)

The Task and Finish Group recognises the excellent practice undertaken over several years through the Community Initiative Fund (CIF) enabling local needs to be met and improving outcomes for local people. The CIF has enabled the better use of resources, the sharing local knowledge together with the utilisation of community assets, and making use of voluntary efforts to give local people greater control over their services.

Through the Committee the Task and Finish Group would ask **ACTION** to be taken by the Scrutiny Board to determine a scrutiny review on the CIF to further establish local partnerships as well as governance to create unified approaches for specific areas. The Scrutiny Board should determine which Committee is best placed to undertake that – the Corporate Policy and Scrutiny Committee has the Fund within its Terms of Reference currently.

Culture and Heritage

The Task and Finish Group heard that with regard to local archives, records and histories some require a specialist controlled environment which the Essex Record Office (ERO) can provide – although the preference is for material that can be kept locally should be so. However, some libraries, notably Clacton, Kelvedon and Manningtree have their local historical records and artefacts in a separate room. The ERO is currently in the process of digitising the archives, and it is understood that the question of its future location may soon be for discussion.

Parish and Town Councils

To enhance emerging localism the Task and Finish Group **RECOMMENDS** the County Council provides express support to Essex County Councillors so, wherever possible, they be encouraged to engage with their Parish and Town Councils and assist the facilitation of local ideas. The Group heard that all but one of the 275 parish/town councils in Essex were members of the Essex Association of Local Councils (EALC); there are District associations and each one of these has an executive member who meet every two months as part of the EALC executive committee. The EALC had approached ECC to see if there might be certain activities that local councils could undertake; examples being greenswards; parking enforcement; parking at schools – possibly assisting parking partnerships, acting as a second party; training the locally engaged volunteers to issue tickets (the North Essex Parking Partnership has indicated it would be happy with this, as long as the individuals were accredited); dog warden patrols etc. Much of this is already happening in Maldon, and the Group commends this is an example of joined-up working between the tiers for the public good.

The EALC provided a full list of activities, to the Task and Finish Group, it might propose be taken over by some local parish councils. ECC recognises that local communities have a better understanding of their local issues and there is an ever-increasing list of activities that the County Council might find difficult to fund in future years; therefore, devolution of some tasks will be essential and some work has already been done on this. There have been discussions with Ringway Jacobs, which already has several schemes in place in other parts of the country with a substantial number of parishes carrying out a range of tasks. The Group heard Devon County Council has a scheme in place, for example, that has provided free training for several hundred volunteers, known as community road wardens, to do varied tasks within parishes. This has included a limited number of pothole repairs, although there has been some concern about the efficiency of this. It should be noted that the safety of individuals is always the prime concern and the County cannot devolve its duty of care as a highways authority. As the largest authority involved in the chain, it would have to exercise vicarious responsibility.

It is reasonable to expect that local priorities be determined by local Parish and Town Councils in direct consultation with community residents and, therefore, subsequent budgets be set accordingly. There is a desire amongst some Parish and Town Councils to undertake more and this is demonstrated by the response to the ECC Local Services Fund for which responses were predominantly applications to replace or supplement services traditionally provided by ECC with many prepared to contribute more in matched-funding than the limit imposed by the fund. Parish and Town Councils would wish to see ECC provide funding for them in taking functions from the County Council – parishes have seen a reduction of funding, like all other councils and the ability to undertake services would be predicated by adequate funding for them so to do, as well as the appropriate powers being passed down to

the Parish or Town Council from ECC. In order to override the district boundary issues that can, on occasion, bring difficulties to contend with the Task and Finish Group **RECOMMENDS** that Essex County Council find a way to make it easier to sort out insurance liabilities, as parishes may be reluctant to take on public liability.

Borough, City and District Councils

The Chairman of the Task and Finish Group wrote to all the Leaders of the Essex districts for their views, providing the scope of the group and asking them what functions they would like to see devolved and seeking responses to the key lines of enquiry. Only six of the Authorities provided responses which were largely positive to the suggestions, with caveats around funding. Table 1.1, below illustrates the responses received which the Task and Finish Group acknowledges is something of a wish-list and that one-size does not, necessarily, fit all.

TABLE 1.1

LOCALISM AND SUBSIDIARITY TASK AND FINISH GROUP: RESPONSES FROM BOROUGH/CITY/DISTRICT COUNCILS IN ESSEX

BOROUGH/CITY/DISTRICT	DEVOLVED RESPONSIBILITY REQUESTS	NOTES
BASILDON	NIL RESPONSE	
BRAINTREE	Weed control Highway grass cutting Accidental debris removal from the public highway Overgrown hedge cutting Gully emptying Cutting grips in rural highways Flooding enforcement Landscaping including tree clearing following high winds Maintenance of street furniture Pothole repairs Health & Wellbeing agenda Communities agenda Trading Standards Registry	Devolved budget responsibility will need careful consideration and discussion to plan, prioritise and develop detailed actions and a fully funded work programme that can be endorsed politically and taken forward for implementation.
BRENTWOOD	NIL RESPONSE	
CASTLE POINT	Minor carriageway repairs Minor footway repairs SW drainage maintenance Gully clearing Weed control Street furniture cleansing and maintenance	ECC should consider devolving all management and delivery of basic highways maintenance functions to Districts and Boroughs. CPBC would be happy to start a dialogue about this, which could be considered in partnership with other Districts/Boroughs. Disappointed with the complete failure of the current highways contract which fails to provide a basic pothole repair service in Castle Point – additional

		funding will not improve the service under fundamental changes are made.
CHELMSFORD	Park & Ride Highways signage Dropped kerbs LHP budget Libraries	There would be TUPE considerations as well as the transfer of equipment and files if Highways functions were devolved to the City Council. Would need confirmation of the true cost of services over the last five years before any transfer of any services.
COLCHESTER	Libraries Highways Waste Trading Standards	Would be happy to take all of Essex County Council's functions for the Colchester Borough geographical area. Without a total commitment of protecting the financial budget and a clear legal agreement that functions can be returned to the County should the resources be reduced there is no point discussing. If these can be agreed then (see devolved responsibility).
EPPING FOREST	<i>An oral response to the Task and Finish Group on parking and highways issues will be forthcoming</i>	
HARLOW	NIL RESPONSE	
MALDON	Drainage Public rights of way Trading Standards Street lighting Signage (finger posts)	Attended T&F Group. Highways Rangers have been incorporated into the Parks and Maintenance Team which has enabled a more linked-up approach – this did come with funding without which MDC would not be able to undertake the function.
ROCHFORD	NIL RESPONSE	
TENDRING	Car parking Highways maintenance	Would welcome further discussion on these two areas.
UTTLESFORD	NIL RESPONSE	
EALC (ON BEHALF OF PARISHES)	Antisocial parking Fly posting Grass cutting Hedge cutting Drainage and ditches Vehicle Activated Sign maintenance Road and Footway Weed Growth Pothole repairs Parking and Dog Warden Responsibilities Public Rights of Way maintenance	A pilot scheme, with Heads of Agreement to ensure against the burden of exhaustive and unnecessary legal activity, would be beneficial involving selected Parish or Town Councils – the EALC would help identify willing councils.

It is clear from the responses received that the second-tier Authorities are, at the very least, happy to start a dialogue with County Council on the devolution of the management and delivery of certain functions – but, at the same time, very clear that devolved funding would need to be provided in order for them to take up some of these functions. The districts are clear about this and will not take up any of the funding until it has been seen that heads of agreement and other legal and public liability issues are taken care of. Without this there would be little appetite for devolved responsibility. Therefore, the Task and Finish Group would **RECOMMEND** that dialogue commences at the earliest convenience with second-tier and parish authorities to determine those functions which can realistically be devolved and any transference of funding required for devolution.

The Task and Finish Group heard that Maldon District Council Community Protection Officers have functions which include: TruCam (speed enforcement); antisocial behaviour; litter enforcement; dog fouling; and enforcement of district council car parks and cash collections. The Task and Finish Group believes that under a localised service council officers should be able to issue general enforcement notices in terms of parking, dog fouling, littering etc. A way to find a means of doing such at a local level, and at times, erasing district/parish boundaries could be found to facilitate this.

The Task and Finish Group would wish to confirm an **ACTION** on the Committee that it should commence a review of grass verges as many of the second-tier authorities as well as the EALC have suggested this is an area that could be devolved – this was agreed at the Committee meeting of 22 February 2018. Currently, the Task and Finish Group found that in the Uttlesford district there are some parishes that do their own grass-cutting but that Essex County Council is not devolving further, currently, due to the Ringway Jacobs contract. The Group heard that this could possibly be resolved. Grass-cutting on new estates is an issue, and will continue to be so with ongoing building works, as this land moves on from the developer to district/borough responsibility. Another factor is grass cutting on current and former council estates, where the Districts have much experience.

Miscellaneous

Finally, the Task and Finish Group **RECOMMENDS** that the final report be received by Full Council following the referral to this Committee and that the report also be filed with all second-tier authorities so that it may encourage those districts that did not respond to the initial requests, and follow-up, to consider the areas that they might consider carrying-out locally.

Following acceptance of this interim report, and in advance of the final report the Task and Finish Group **RECOMMENDS** a workshop take place bringing together key stakeholders to include *inter alia* districts, parishes, County Council. The Task and

Finish Group will organise this workshop, to take place as soon as practicable after the May local elections, with the aim of giving a richness to the final report regarding the practical responsibilities of discussing how localism can be taken forward. Cabinet Members from all Essex Local Authorities will be invited to attend.

One potential outcome of the workshop would be the development of a pilot scheme featuring one larger and one smaller district authority delivering services devolved from Essex County Council.

APPENDIX 1

<p align="center">Essex County Council Place Services and Economic Growth Policy & Scrutiny Committee</p>
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This form is a tool that should be compiled at the start of each inquiry to set out clearly the aims and objectives of the committee's involvement in a particular matter, and will be completed at the end of the inquiry to confirm what has been achieved. It is an iterative form; and also acts as an audit trail for a review.

WHAT ARE WE LOOKING AT?	
Review Topic	Localism and Subsidiarity
Type of Review	TASK AND FINISH GROUP
WHY ARE WE LOOKING AT THIS?	

<p>Rationale for the Review</p>	<p>Extract from the minutes of the full Council meeting of 12 July 2017:</p> <p><u>Localism and Subsidiarity</u></p> <p>It was moved by Councillor Pond and seconded by Councillor Sargeant that:</p> <p>‘This Council applauds achievements of the Administration to date in the field of localism, such as the Community Initiatives Fund. Local Highways Panels were a useful step in bringing together County and District members; their funding needs to be sufficient, and their processes (including Highway Rangers) more effective, the better to suit local needs.</p> <p>This Council now needs to take further initiatives to ensure that decisions affecting local people are taken as close to them as possible, instead of centrally at County Hall, or by remote joint boards. Devolution to or involvement of districts and parishes in such functions as highway repairs, parking control and enforcement would all increase local buy-in, and should be attainable within existing budgets. This Council refers this whole question to the Corporate Scrutiny Committee for further examination.</p> <p>It was moved by Councillor Grundy and seconded by Councillor Johnson that the motion be amended to read as follows:</p> <p>‘This Council applauds achievements of the Administration to date in the field of localism, such as the Community Initiatives Fund. Local Highways Panels were a useful step in bringing together County and District members; their funding needs to be sufficient, and their processes (including Highway Rangers) more effective, the better to suit local needs.</p> <p>This Council now needs to consider further initiatives to ensure that decisions affecting local people are taken as close to them as possible, instead of centrally at County Hall, or by remote joint boards. Devolution to or involvement of Districts, Boroughs, the City and parishes in such functions as highway repairs, parking control and enforcement would all increase local buy-in, and could be attainable within existing budgets. This Council refers this whole question to the Place Services & Economic Growth Scrutiny Committee to be considered along with other important issues for inclusion in their work programme.’</p> <p>Councillor Pond and the seconder Councillor Sargeant accepted the amendment and, with the approval of Council, the amendment having become the substantive motion it was put to the meeting and was carried.</p>
	<p>WHAT DO WE HOPE TO ACHIEVE?</p>

Indicators of success	What would you wish to see happen as a result of the review? What value can scrutiny bring to the review? Why do you think the desired outcome is achievable?
HOW LONG IS IT GOING TO TAKE?	
Timescales	Three month review with final report to Committee in January 2018
Provisional Timetable	19 October – 18 January 2018
WHAT INFORMATION DO WE NEED?	
Terms of Reference	To review: <ul style="list-style-type: none"> • How possible and practical is it to take decisions to deliver services at a more local level and how can budgets be devolved locally?
Key Lines of Enquiry	<ul style="list-style-type: none"> • What responsibilities, by service area, would the County Council be prepared to devolve to the more local level? • How are services being delivered now? • What would the advantages and disadvantages of services being devolved be? • What would the staffing and funding implications be? • What is the appetite/willingness of the City, Borough, District, Parish and Town Councils to take on the responsibility? • What services could realistically come under more local control?
What primary/new evidence is needed?	
What secondary/ existing information is needed?	<p>What have other counties done? Practice elsewhere and maybe visit e.g. Somerset CC is said to be a model of good practice, inc. parking</p> <p>Suffolk CC – libraries run with local input through an Industrial Provident Society</p> <p>CIF Prospectus</p>
What briefings and site visits might be relevant?	CIF funded projects
Other work being undertaken/Relevant Corporate Links	School Crossing Patrols Cabinet Member Reference Group (Cllr Gooding)
What is inside the scope of the review?	<p>Highways and Highways Rangers</p> <p>Libraries</p> <p>Parking Partnerships</p> <p>Devolved budgets, i.e. CIF</p> <p>County records: Liaison between the museum service and ERO; historic buildings and monuments advice (Heritage and Culture 2011 scrutiny report); local accessibility of records</p>

What is outside the scope of the review?	<p>Passenger Transport Responsive Transport Initiatives/Community Transport</p> <p>Both the above will be subject to future reviews by the Committee</p>
WHO DO WE NEED TO CONTRIBUTE/CONSULT? (INITIAL MEETING TO ESTABLISH THIS)	
Relevant Portfolio Holder(s) and other Member involvement	<p>Councillor Ian Grundy Councillor Susan Barker Councillor John Jowers (inauguration of the CIF) Councillor Chris Whitbread, EFDC Councillor Penny Channer, MDC</p>
Key ECC Officers	<p>Andrew Cook, Director Highways and Transportation Peter Massie, Head of Commissioning Essex Highways Suzanna Shaw, Director Customer and Technology Operations Paul Probert, Head of Community Resilience</p>
Partners and service users	<p>Borough/City/District/Parish/Town Councils Unparished/largely unparished councils (Basildon BC to cover – Clare Hamilton (Chief Regeneration Officer)) EALC SEPP/NEPP Chief Officers/Chairmen</p>
WHAT RESOURCES DO WE NEED?	
Lead Member and Membership	<p>Councillor Chris Pond (Chairman) Councillor Stephen Hillier Councillor David Kendall Councillor Andrew Sheldon</p>
Co-optees (if any)	None
Lead Scrutiny Officer/Other	Robert Fox
Expected Member commitment	Four meetings to be concluded by Christmas 2017
WHAT ARE THE RISKS/CONSTRAINTS?	
Risk analysis (site visits etc.)	Risk management form to be completed if any site visits are included as part of the review
Possible constraints	To be determined, if any
WHAT WILL BE REQUIRED FROM STAKEHOLDERS?	
Internal stakeholders	<p>Their time to attend Task and Finish Group meetings Information and advice Communications for any potential press release following the review</p>
External stakeholders	<p>Potential time commitment of co-optee Their time to attend T&F Group evidence sessions</p>
WHO ARE WE DIRECTING ANY RECOMMENDATIONS AND ACTIONS TO?	
Recommendations to (key decision makers):	This to be compiled during, and following the review

Reporting arrangements	Task and Finish Group final report to be presented to the full Committee, for a response from the relevant Cabinet Member(s), on Thursday, 18 January 2018
Follow-up arrangements	Six month implementation review to full Committee in July 2018. Twelve month impact review to full Committee in January 2019
ADDITIONAL INFORMATION/NOTES	
Meeting dates (provisional)	Tuesday, 31 October 2017 at 10.30 a.m.; Room C120: Cllr Barker, Cllr Grundy Tuesday, 14 November 2017 at 2.30 p.m.; Room C120: Cllr Jowers Thursday, 14 December 2017 following the Place Services and Economic Growth Policy & Scrutiny Committee; Committee Room 1: Cllr Grundy, Andrew Cook, Peter Massie

LESSONS LEARNT/SCRUTINY EVALUATION

To be completed in an end of review Workshop* (align to findings of Scrutiny Survey to be attached as an annex). This form should be used in the evaluation of the process adopted by the Scrutiny review Committee/Task and Finish Group and will be used to inform future Scrutiny Reviews.

**Evaluation workshop at the end of the review will typically involve Committee Chairman/T&F chairman, other T&F group members, scrutiny officer, topic proposer and key stakeholders (if applicable)*

DATE OF REVIEW EVALUATION:	
1. Organisation & Planning	
What could have gone better?	Recommendations for future reviews
What were the strengths and weaknesses of the approach used? Proposed and actual start/completion dates: Was the time allocated adequate?	

2. Resourcing	
What could have gone better?	Recommendations for future reviews
Was officer time/resource adequate for this review?	

3. Evidence sessions/site visits	
What could have gone better?	Recommendations for future reviews

4. Stakeholder and Communications	
What could have gone better?	Recommendations for future reviews

5. Report and Recommendations

What could have gone better?	Recommendations for future reviews
Was the purpose of the review achieved? Has there/is there likely to be any influence on service delivery as a consequence of the review?	

		AGENDA ITEM 7
		PSEG/12/18
Committee:	Place Services and Economic Growth Scrutiny Committee	
Date:	17 May 2018	
CALL-IN: FP/136/04/18 PROPOSED 18-MONTH EXPERIMENTAL ORDER: PROHIBITION OF RIGHT-TURN – NOAK HILL/WASH ROAD (WEST), BASILDON		
Enquiries to:	Robert Fox, Scrutiny Officer Robert.Fox@essex.gov.uk	

The Committee is advised that Councillors Tony Ball and Malcolm Buckley called-in a decision reference: Call-In: FP/136/04/18 Proposed 18-Month Experimental Order: Prohibition Of Right-Turn – Noak Hill/Wash Road (West), Basildon.

An informal meeting was held on 3 May 2018 for Councillors Ball and Buckley to discuss their call-in with Councillor David Finch, Leader of the Council in Councillor Ian Grundy's, the Cabinet Member for Highways and Transportation, absence. As a result of the informal meeting Councillors Ball and Buckley confirmed they would withdraw the call in and so it would not have to be considered by this Committee.

The reasons for call-in and notes of the informal meeting follow.

Action required by the Committee:

The Committee note that no further action will be undertaken in respect of the call in of this particular decision.

Notification of Call-in

Decision title and reference number Proposed 18 Month Experimental Order: Prohibition of Right Turn – Noak Hill/Wash Road (West), Basildon - FP/136/04/18	
Cabinet Member responsible Cllr Ian Grundy	Date decision published 26 April 2018
Last day of call in period 1 May 2018	Last day of 10-day period to resolve the call-in 13 May 2018
Reasons for Making the Call in Reasons for call in: <ol style="list-style-type: none"> 1. Proposals are not supported by division members 2. Proposals were not supported by the LHP 3. Proposals are opposed by the Borough Councillors for the ward 4. Proposals are opposed by the Parish Council 5. There are numerous objections from residents 6. The plan does not resolve the traffic issues in the area 7. This junction has been the subject of discussion for at least 5 years and this is the only option proposed 	
Signed: Cllr Malcolm Buckley Cllr Tony Ball	Dated: 30 April 2018
For completion by the Senior Democratic Services	
Date call in Notice Received 30 April 2018	Date of informal meeting 3 May 2018
Date of Place Services and Economic Growth Scrutiny Committee Meeting (if applicable) 17 May 2018 (next scheduled meeting)	Date call in withdrawn/resolved 3 May 2018

CALL IN – PROPOSED 18-MONTH EXPERIMENTAL ORDER: PROHIBITION OF RIGHT-TURN – NOAK HILL/WASH ROAD (WEST), BASILDON

**Informal meeting held on Thursday, 3 May 2018 at 12.30 p.m. in Committee
Room 3**

Present

Councillor David Finch (Leader of the Council), Councillor Tony Ball, Councillor Malcolm Buckley

Contributing Officers: Chloe Livingstone, Ian Henderson

Officers present: Katrina Davies, Robert Fox

Introduction

Councillor Finch explained he was substituting for Councillor Ian Grundy, Cabinet Member for Highways who was overseas presently, in order to get the matter resolved expeditiously.

Councillors Ball and Buckley outlined the reasons for the call-in. This Cabinet Member Action (CMA) FP/136/04/18 had been called in on Monday, 30 April 2018. Within the template the two Members raised the following seven issues:

1. Proposals are not supported by the division members;
2. Proposals were not supported by the Basildon LHP;
3. Proposals are opposed by the Borough Councillors for the ward;
4. Proposals are opposed by the Parish Council;
5. There are numerous objections from residents;
6. The plan does not resolve the traffic issues in the area;
7. This junction has been the subject of discussion for at least five years and this is the only option proposed.

In summary Councillors Ball and Buckley stated:

- The junction has been under review for in excess of five years and solutions have been previously proposed that have been rejected on the basis of costs or members have felt they were unacceptable. On several occasions a comprehensive solution has been requested; however, this has never been considered by Cabinet Members. This solution is a piecemeal resolution that is unlikely to resolve the issues in this locality

- A roundabout would be the favoured solution but this has been considered impracticable by officers. However, there are two roundabouts nearby and traffic-flow is not affected at these
- Residents in High Road North and Hornbeam Way have rejected these proposals
- Reservations were highlighted to the Cabinet Member for Highways in February 2018 and the understanding was that a temporary ban was being considered but that work on traffic-flows would be undertaken meaning it was likely to be some time before a CMA was issued. Therefore, it was a surprise to see this CMA so soon
- The LHP was not given a report on the basis that it would be rejected. Therefore, this looks like officers rather than Members are making this decision
- There is a concern on the impact on Dunton Road and the residents of Steeple View and Hornbeam Way.

General response by Councillor David Finch and contributing officers

In response to Councillors Ball and Buckley the following points were made:

- The proposal is an experimental order rather than an end solution
- The traffic volumes are moderate
- There have been 13 collisions, including a fatality in 2016; therefore, it is reasonable to see if a prohibition of a right-turn is an effective and safer solution
- The Parish Council which opposes the experiment is actually over the road from the location and there has been no formal objection received from it
- A consultation held between 8 May – 23 June 2017 received 75 responses from over 1,000 pieces of literature delivered. Of those 23 stated they believed a roundabout was a more suitable solution; 26 were concerned there would be more HGVs; and 30 felt the proposal would just move traffic problems elsewhere
- The engineering team responsible will be providing written notice to in excess of 1,000 residents to explain the process of experimental orders
- The 18 months order starts with a consultation period of six month which allows the scheme to bed-in and users to get used to it. The next 12 months is a period of further data collection and the monitoring of vehicle movements and any accidents. Following this it will either be made a permanent traffic regulation order or removed – either would require a further CMA

Councillor Buckley questioned whether an evaluation could be made after three months with the effective implementation period starting outside of school holidays, for example, between September and December? He also questioned what will happen when the traffic can no longer turn right and whether this would mean accidents would happen a further 50 metres up the road? Residents complain the route is used as a rat-run, so barriers or traffic islands are potentially better solutions than the right-turn prohibition; or a physical barrier in Noak Road could be used.

In response presenting officers stated Highways engineers have reviewed the collisions and estimate that traffic-flow will be 70 vehicles in the morning peak period, and a further 70 in the evening peak. It is estimated that traffic will remain on the A127 or, alternatively, travel onto High Road North, Willowfield and Hornbeam Way before eventually going on to the A176. Engineers have looked at barriers and a bolted solution will be used as a physical measure to stop right-turns. This will all be reviewed as part of the monitoring of the experimental order. Councillor Finch stated if there is an increase in accidents the order could be subject to a rethink and withdrawn. Alternatively, if the scheme is found to be working after, for example, 15 months of data collection the experimental order can be made permanent. At least six months data needs to be collected to take into account seasonal variations on traffic flow. It is expected that the scheme will be installed during the school summer holidays.

Therefore, in summary, Councillor Finch stated it is an experimental proposal which will validate whether the solution becomes permanent or not. It is a good step forward to help traffic-flow, reduce accidents and potential serious injury as there is the evidence of a significant number of accidents, including a fatality. There number of objections is small and there has been no formal objection from the Parish Council. So, the suggestion is that the experiment goes forward and is looked at by Councillors Ball and Buckley with the Cabinet Member for Highways in six months to look at the data collected from traffic monitoring, so far.

Outcome

Councillors Ball and Buckley stated the call-in was a necessary step but agreed to withdraw and meet in six-months with the Cabinet Member for Highways to look at the evidence from the initial data collection.

The call-in, was, therefore, **WITHDRAWN**.

Robert Fox
3 May 2018

PLACE SERVICES AND ECONOMIC GROWTH POLICY & SCRUTINY COMMITTEE
WORK PROGRAMME 2017-18 (ADOPTED BY SEPT 2017 COMMITTEE MEETING)

Approach to topic selection – where can the committee conduct reviews quickly, influence change and make a difference to the residents of Essex.

Date/Timing	Issue/Topic	Focus/other comments	Approach
December 2017 – January 2018	Country Parks car parking consultation	T&F Group for the Committee met in December 2017 to help frame the consultation due in 2018	(i) Task and Finish Group Dec '17 (ii) Report back to Committee Jan '18 (iii) Recommendations agreed by Cabinet Member (iv) Update May '18 (v) Follow-up date Jul '18
Ongoing	Localism and Subsidiarity Task and Finish Group	Motion at Full Council in July 2017. Scoping undertaken and four meetings until January 2018 with a report to the full Committee with recommendations and actions for the relevant Cabinet Member(s). Report with recommendations in March 2018	(i) Task and Finish Group (ii) Interim Report to Full Committee for approval in May '18 (iii) Final Report and Cabinet Member responses Sep '18
Ongoing	Air Quality Monitoring	Motion at Full Council in December 2017. Report to the Committee in February 2018 following which the Committee to establish a review. Update in May 2018	(i) Task and Finish Group (ii) Follow-up date subject to above
March 2018	Passenger Transport and Bus Withdrawal Process		Full committee
March 2018	Highways and Transportation	Opportunity to learn about issues within the portfolio	Full committee briefing
July 2018	Work Programme 2018/19	Establish a potential work programme from September 2018 until July 2019	Whole Committee exercise over two sessions

AGENDA ITEM 8
PSEG/13/18

July 2018	Country Parks car parking consultation	Implementation review report from relevant Cabinet Member	Full Committee
Sep 2018	Libraries	Outcome of Public Engagement Exercise	Full committee
Sep 2018	Moving Around Essex		Task and Finish Group
TBC	Footways		Task and Finish Group
TBC	Localism and Subsidiarity	Implementation review report from relevant Cabinet Member(s)	Full Committee