

Minutes of the meeting of the Full Council, held in the Council Chamber at County Hall, Chelmsford on Tuesday, 13 December 2022

Present: Chairman: Cllr Eddie Johnson

Cllr Barry Aspinell	Cllr Ian Grundy	Cllr James Newport
Cllr Tony Ball	Cllr Carlo Guglielmi	Cllr Mark Platt
Cllr Lewis Barber	Cllr Michael Hardware	Cllr Ross Playle
Cllr Susan Barker	Cllr Dave Harris	Cllr Stephen Robinson
Cllr Kevin Bentley	Cllr Anthony Hedley	Cllr Peter Schwier
Cllr Dave Blackwell	Cllr Ivan Henderson	Cllr Lee Scordis
Cllr Lynette Bowers-Flint	Cllr Paul Honeywood	Cllr Lee Scott
Cllr Adele Brown	Cllr Michael Hoy	Cllr Laureen Shaw
Cllr Malcom Buckley	Cllr John Jowers	Cllr Andrew Sheldon
Cllr Graham Butland	Cllr Sam Kane	Cllr Chris Siddall
Cllr Simon Crow	Cllr David King	Cllr Mick Skeels
Cllr Tom Cunningham	Cllr Dan Land	Cllr Kerry Smith
Cllr Jude Deakin	Cllr Derrick Louis	Cllr Clive Souter
Cllr Mark Durham	Cllr Mike Mackrory	Cllr John Spence
Cllr Beverley Egan	Cllr Bob Massey	Cllr Mike Steel
Cllr Jane Fleming	Cllr Aidan McGurran	Cllr Mike Steptoe
Cllr Martin Foley	Cllr Jaymey Mclvor	Cllr Marshall Vance
Cllr Mike Garnett	Cllr Louise McKinlay	Cllr Lesley Wagland
Cllr Alan Goggin	Cllr Anthony McQuiggan	Cllr Chris Whitbread
Cllr Ray Gooding	Cllr Dr Richard Moore	Cllr Holly Whitbread

It was noted that Cllr John Jowers was supporting the Chairman at the meeting as the Vice-Chairman, Cllr Jillian Reeves, was unable to be present in the Chamber.

Not present but attended the meeting online (these members did not vote on any items):

Cllr June Lumley	Cllr Jillian Reeves
Cllr Chris Pond	Cllr Wendy Stamp

Chairman's Welcome and Introduction

The Chairman informed those present that the meeting would be broadcast live over the internet by way of the ECC Democracy YouTube Channel.

The opening remarks, together with the broadcast of the entire meeting may be found on the [ECC Democracy YouTube Channel](#).

Prayers

The meeting was preceded by prayers led by Councillor Spence, a lay Canon in the Church of England.

Councillor Johnson formally opened the meeting.

1. Apologies for Absence

Apologies for absence were received on behalf of Cllr Paul Gadd, Cllr Marie Goldman, Cllr Jeff Henry, Cllr Luke Mackenzie, Cllr Peter May, Cllr Paul Thorogood and Cllr Andy Wiles

2. Declarations of Interest

Members were reminded by the Chairman of the need to declare any interests and to do so immediately or at the start of the consideration of any relevant item of business.

3. Confirmation of the minutes of the meeting of Council held on 11 October 2022

Resolved:

That the minutes of the meeting held on 11 October 2022 be approved as a correct record and signed by the Chairman.

4. Public Speakers

There were none.

5. Chairman's Announcements and Communications

Honorary Aldermen

The Chairman noted that at the Extraordinary meeting held in October 2022, two former members were appointed as Honorary Aldermen, in recognition of their service. Unfortunately one of the former member's, Mr Tony Durcan, was unable to attend. The Chairman welcomed Mr Mick Page to the meeting and presented him with a certificate and badge.

Deaths

Former Councillor Ann Haigh

The Chairman informed members of the death of former Councillor Ann Haigh who was the member for Buckhurst Hill from June 2001 – May 2005. Although Ann only served for one term at Essex, she served on Epping Forest Council from 1996-2010 and was Chairman of the Council during her time in office where she hosted a number of multi-faith initiatives.

During Ann's time at Essex, she served on a number of children and education committees following her extensive experience in social work in Essex and dedicated herself to speaking out for vulnerable children and young people.

Cllr Stephen Robinson and Cllr Chris Pond paid tribute.

The Chelmsford Mayor, Councillor John Galley

The Chairman paid tribute to Councillor John Galley who was the Mayor of Chelmsford and died in October after a period of illness.

Cllr Galley had served as a Parish Councillor in Boreham for over 30 years and was elected to Chelmsford Borough Council as it then was in 2000. He became the Mayor of Chelmsford in May 2022. He had previously held a number of roles, including serving as the Council's Cabinet Member for Finance and Deputy Leader for 16 years.

Cllr Bob Massey paid tribute.

At the invitation of the Chairman, members stood in silent remembrance of those who had died.

Awards**Essex Housing Awards**

The Chairman informed members that a number of awards had been won by the Council at the Essex Housing Awards, that recognise high quality development, services and individuals from the public, private and voluntary sectors and promote best practice across the county.

At the invitation of the Chairman Cllr Tony Ball, Cabinet Member for Education Excellence, Life Long Learning and Employability spoke about the award won by Kickstart Essex for construction skills.

Cllr John Spence, Cabinet Member for Adult Social Care and Health, then spoke about the Mid Essex rough sleeping initiative outreach service which had received the working in partnership award.

Cllr Lesley Wagland, Cabinet Member for Economic Renewal, Infrastructure and Planning spoke about the last award to be won on the night which was for the Harlow Gilston Garden Town Transport Strategy which won the Building Garden Communities category at the Essex Housing Awards.

Social Worker of the Year Awards 2022

At the invitation of the Chairman, Cllr Beverley Egan, Cabinet Member for Children's Services and Early Years spoke about two awards won at the Social Worker of the Year Awards 2022, with Amy White awarded Gold as Children's Newly Qualified Social Worker (NQSW) of the Year, and Sehrish Zeb awarded Silver for Adults NQSW of the Year.

Essex Pedal Power programme

At the invitation of the Chairman Cllr Lee Scott, Cabinet Member for Highways Maintenance and Sustainable Transport, spoke on the Essex Pedal Power programme which was recognised with a major national award, winning the Community Engagement Project of the Year Award from Modeshift, who were the leading national organisation for sustainable transport.

'A-Rating' by CDP

The Chairman informed members that the Council had achieved an 'A-Rating' by CDP, formerly known as the Carbon Disclosure Project. The Chairman invited Cllr Peter Schwier, Climate Czar to speak on the achievement which recognised Essex as one of only 122 locations across the globe taking bold leadership on environmental action and transparency, despite the pressures of a challenging global economic situation.

Visit Essex

At the invitation of the Chairman, Cllr Mark Durham spoke on Visit Essex who had won a 2022 Chartered Institute of Public Relations Pride Award.

The Chairman, on behalf of the Council, thanked and congratulated everyone involved for their contributions towards achieving these awards.

Active Essex Awards

The Chairman informed members that he had been delighted to be at the Active Essex awards the previous week and to hear the brilliant work of individuals and organisations helping everyone stay active across the county. The Chairman had been delighted to present the Active Workplace Award and Cllr Louise McKinlay, Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance had also presented an award. At the invitation of the Chairman, Cllr Louise McKinlay spoke about the awards.

Colchester City Status

The Chairman informed members that he had had the privilege of attending a reception at the town hall in Colchester in November, as part of a ceremony to mark the occasion of Colchester officially becoming a city. The Lord Lieutenant had presented the letters patent to the Mayor of Colchester at a special Council meeting. The Chairman congratulated Colchester and its residents.

6. Petitions

The Chairman invited Cllr Sam Kane to present a petition relating to improved traffic management at a junction in Waltham Abbey. Cllr Lee Scott responded to receive the petition.

The Chairman then invited Cllr Chris Siddall to present a petition regarding pedestrian safety on Earls Colne High Street. Cllr Lee Scott responded to receive the petition.

Lastly the Chairman invited Cllr Ray Gooding to present a petition concerning a pedestrian crossing in Newport. Cllr Lee Scott responded to receive the petition.

7. Executive Statements

At the invitation of the Chairman, Cllr Kevin Bentley, Leader of the Council, Cllr Louise McKinlay, Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance and Cllr Chris Whitbread, Cabinet Member for Finance, Resources and Corporate Affairs gave a statement on 'Everyone's Essex, the next twelve months'.

The Executive Statement is [published on the ECC website](#) and the broadcast of the meeting may be found on the [ECC Democracy YouTube Channel](#).

8. Motions

1. Decline of the Highways in Essex

Moved by Cllr Lee Scordis and seconded by Cllr Ivan Henderson.

'This Council recognises that:

1. The current administration are running a policy of managed decline of our Highways.
2. We are investing less than half the annual amount required to just 'stay still'.
3. There is no money left for potholes.

4. We are likely to lose two vital link roads in Essex, and
5. The council faces extra costs from claims due to a failure to maintain our roads, which is likely to increase further with a policy of managed decline.

Therefore this council calls for;

1. The first Highways emergency to be declared, as Essex is unable to maintain its roads and footways to a safe or adequate standard.
2. That the Leader of the council writes to the Secretary of State for Transport requesting an urgent meeting to discuss the current financial black hole regarding Highways, and
3. That the Leader of the council writes to the new Chancellor opposing further cuts to local councils.'

Having been put to the meeting the motion was **lost**.

2. ECC Transport Policy

Moved by Cllr Kerry Smith and seconded by Cllr Michael Hoy.

'Council calls for an early LGA peer review of the county council's transport policies, to include consideration of arrangements with its strategic highways partner.'

Having been put to the meeting the motion was **lost**.

3. Constructive Approach to Achieving Net Zero

Moved by Cllr Peter Schwier and Seconded by Cllr Holly Whitbread

'This Council notes that the United Kingdom is leading the way on climate change, with 90 per cent of the world's economy covered by net zero targets, a significant increase from just one third before the UK's COP 26 presidency.

This Council is supportive of the UK Government's ambition to make this country a clean energy superpower and is proud of the UK's record on cutting greenhouse emissions.

This Council acknowledges our Climate Action and our ambitious £200 million Climate Action Plan which has seen Essex recognised as one of only 122 locations across the globe taking bold leadership on environmental action and transparency, despite the pressures of a challenging global economic situation.

However, this Council:

1. Is concerned by the impact of illegal protests on residents, threatening nationally important infrastructure.
2. Understands the need to act on the environment but believes that cooperation with the UK Government and residents is the right way

- to pursue our objectives.
3. Condemns all illegal protests organised by Just Stop Oil.
 4. Commends the robust and timely action taken by Essex Police to minimise disruption.
 5. Demands that Just Stop Oil end all illegal protest activities and work constructively alongside local and national government to achieve our net zero target.'

It was moved by Cllr Stephen Robinson and seconded by Cllr David King that the motion be amended to read:

'This Council notes that the United Kingdom is leading the way on climate change, with 90 per cent of the world's economy covered by net zero targets, a significant increase from just one third before the UK's COP 26 presidency.

This Council is supportive of the UK Government's ambition to make this country a clean energy superpower and is proud of the UK's record on cutting greenhouse emissions.

This Council therefore regrets that the Government has given approval for a new coal mine in Cumbria, and calls on the Government to support onshore **wind** generation and to restore schemes to encourage homeowners to generate their own electricity.'

The amendment moved by Cllr Stephen Robinson and seconded by Cllr David King was put to the meeting and was **lost**.

Having been put to the meeting the motion was **carried**.

- Councillor Hoy wished it to be recorded in the minutes that he voted against the motion.

9. Adjournment

With the agreement of Council, the Chairman adjourned the meeting at 1:00pm. The meeting reconvened at 1:30pm.

10. Council Issues

At the invitation of the Chairman, Cllr Kevin Bentley presented the report and it having been moved by Cllr Kevin Bentley and seconded by Cllr Beverley Egan it was

Resolved to:

1. Review of 'written questions' pilot

- (i) Delete paragraphs 16.12.1 – 16.12.4 of the constitution

- (ii) Renumber paragraphs 16.12.5 – 16.12.7 and any cross references accordingly.
- (iii) That Council notes that the reason for the above changes is that there is an effective procedure for members to ask formal written questions of the Leader and Cabinet Members which provides published answers.

2. Public Questions at Council

Replace Paragraph 16.12.8 of the constitution with the following renumbered paragraph:

16.12.4 Questions asked by Members of the Public

- (i) At every meeting of the Full Council there shall be a period of up to 30 minutes to enable members of the public to ask questions. A petition may be handed to the Chairman; but no other written statement or document may be handed up or circulated to the meeting.
- (ii) A member of the public may ask a question under this Standing Order only if it has been sent to the Head of Democracy and Transparency by email at:
democratic.services@essex.gov.uk
by no later than 10.30am seven days before the meeting. The Head of Democracy and Transparency may allow a question to be submitted in post by prior arrangement.
- (iii) No person may ask more than one question at any meeting and no more than one question may be submitted on behalf of any group or organisation.
- (iv) A question may be rejected if it:
 - (a) is not about a matter for which the Council has powers or duties;
 - (b) is defamatory, frivolous, vexatious or offensive;
 - (c) is substantially the same as a question put to a meeting in the previous six months;
 - (d) includes any confidential or exempt information or if the answer is likely to involve the disclosure of any confidential or exempt information; or
 - (e) is or is likely to be subject to separate appeal, adjudication, litigation, mediation or dispute resolution.If a question is rejected under this Standing Order then the Council will provide a written explanation as to why it has been rejected.

- (v) The Chairman may edit any question submitted for brevity, to remove references to anybody or person which is not able to answer back at the meeting or to otherwise bring the question into order.
- (vi) Questions which have not been rejected will be set out in writing and circulated at the meeting.
- (vii) Questions shall normally be dealt with in the order in which notice was received. The Chairman may revise the order of questions if he considers it appropriate, for example to group together similar questions.
- (viii) At the appropriate time the Chairman will invite the person who gave notice of the question or, if the Chairman agrees otherwise, another person on their behalf, to ask the question. The person asking the question must be present at the meeting or the question will not be asked. A period of three minutes will be allowed for the question to be asked.
- (ix) There is no opportunity for a member of the public to make a statement or to ask a supplementary question. The question must be asked using the wording unless the question has been edited by the Chairman when the edited version must be used.
- (x) The relevant Member will respond to the question orally. Any answer may refer to published information.
- (xi) No other Member shall be permitted to speak.
- (xii) Any question of which proper notice has been given but which is not dealt with in the allotted time of 30 minutes will not be held over to the next meeting: after the meeting a written response will be given in the form in which the question was received.

3. ACCESS joint committee

- (i) enter into a deed of variation with the ACCESS member authorities to reflect the changes to the decision making arrangements of ACCESS set out in (2) and (3) below.
- (ii) make the following changes to the ACCESS joint committee terms of reference and constitution in appendix 5 of the ECC Constitution:
- (iii) insert a new paragraph 4 of part 1 of the *terms of reference* as follows:
 - '4 In consultation with the Councils, the Joint Committee shall have the ability to produce advisory guidelines for the Pool which describe the collectively aligned guidelines or policies of the Councils for engagement with existing and potential Pool Assets and Pool Aligned Asset providers and communication

with other interested parties. Such guidelines will be periodically reviewed and updated by the Joint Committee in consultation with the Councils. Before consulting with the Councils on the guidelines, the Joint Committee shall consult with and consider the advice of the Section 151 Officers Group and, where requested, the Monitoring Officers and from appropriate professional advisers. Any guidelines for the Pool must not go beyond the policies already in place by each Administering Authority and will not supersede or replace the Investment Strategy Statement or policies of each Administering Authority.'

(iv) delete paragraph 1 of part 1 of the *constitution* of the joint committee and replace it with the following wording:

'1. The Joint Committee shall consist of one elected councillor appointed by each Council. The member so appointed must be an elected councillor of the appointing Council and be a serving member of the committee which discharges the functions of that Council as pension administering authority.'

(v) delete paragraph 2 of part 1 of the *constitution* of the joint committee and replace it with the following wording:

'2. Each Council may appoint a substitute. Any such substitute must either meet the eligibility requirements in paragraph 1 or be an elected councillor of another council and serving as a member of the committee of a Council which discharges the functions of that Council as pension administering authority (established under Section 101 of the Local Government Act 1972). The substitute may attend any meeting of the Joint Committee or any of its sub-Committees in place of that Council's principal member appointed under paragraph 1 above if notice that the substitute will attend is given to the Secretary of the Joint Committee by the Council concerned.'

(vi) replace the second sentence of paragraph 5 of part 1 of the *constitution* of the joint committee with the following:

'Any member who ceases to meet the eligibility criteria in paragraph 1 or 2 (as appropriate) shall automatically cease to be a member of the Joint Committee.'

(vii) Delete paragraph 22 of part 2 of the *constitution* of the Joint Committee and replace it with the following text:

'22 ACCESS FOR ELECTED MEMBERS OF THE COUNCILS;
LOCAL PENSIONS BOARDS AND OTHER OBSERVERS
("OBSERVERS")

- '22.1 Any elected member of the Councils who is not a member of the Joint Committee may speak at a meeting of the Joint Committee if the Chairman of the Joint Committee invites him or her to do so but an elected member of the Councils who is not a member of the Joint Committee shall not be entitled to vote at a meeting of the Joint Committee.

Local Pensions Board Observers

- 22.2 The Joint Committee shall invite Observers from the local pensions boards appointed under section 5 of the Public Service Pensions Act 2013 from each of the Councils to attend meetings of the Joint Committee on such basis as it thinks fit, which shall be reviewed by the Joint Committee from time to time. Such persons shall not be subject to the provisions of paragraph 23.1 below (the power to exclude members of the public in accordance with Part V A of the Local Government Act 1972).
- '22.3 Notice of Joint Committee Meetings shall be given by the Secretary to such Observers who are nominated in accordance with paragraph 22.2 above under paragraph 17, including details of the business to be transacted and such reports as are available. Such Observers shall receive copies of the minutes provided to members of the Joint Committee in accordance with paragraph 21.1 and 21.2.
- '22.4 Observers who attend meetings of the Joint Committee shall not be entitled to vote, nor may they speak unless invited to do so by the Chairman.

Other Observers

- '22.6 Any other member of a Council's pensions committee established under Section 101 of the Local Government Act 1972 may attend a meeting of the Joint Committee at the discretion of the Chairman in the capacity of an Observer. Such persons shall not be entitled to vote, nor may they speak unless invited to do so by the Chairman. Such persons shall not be subject to the provisions of paragraph 23.1 below (the power to exclude members of the public in accordance with Part VA of the Local Government Act 1972). Notice of Joint Committee Meetings shall be given by the Secretary to such persons under paragraph 17. Such persons shall receive copies of the minutes provided to members of the Joint Committee in accordance with paragraph 21.1 and 21.2.'

- (viii) Amend the terms of reference of the Section 151 officers' group which supports the ACCESS joint committee (and which is not

included in the ECC constitution) by addition of a new paragraph 2.9 as follows:

‘2.9 Reviewing and advising on any proposed guidelines for the Pool.’

11. Cabinet Issues

At the invitation of the Chairman, Cllr Kevin Bentley presented the report and it having been moved by Cllr Kevin Bentley and seconded by Cllr Beverley Egan it was

Resolved:

To receive the list of urgent decisions taken and the minutes of the Cabinet meetings held on 18 October 2022 and 15 November 2022.

12. Scrutiny Review of Mental Health Services for Young People

At the invitation of the Chairman, Cllr Carlo Guglielmi, Chairman of the Task and Finish Group, presented the report. The Task and Finish Group was convened following a motion to the May meeting of Council, to undertake a scrutiny review of Mental Health services for young people.

It having been moved by Cllr Carlo Guglielmi and seconded by Cllr Ray Gooding it was

Resolved:

That the Task and Finish Group’s final report and recommendations set out in appendix 1 to the report, be noted.

13. Boundary Review

At the invitation of the Chairman, Cllr Kevin Bentley presented the report which set out the Essex County Council draft submission on Council Size for the Local Government Boundary Review and the request for a single division review.

It having been moved by Cllr Kevin Bentley and seconded by Cllr Tom Cunningham it was

Resolved:

1. That Council formally requests a single member division review and that the Director, Legal and Assurance formally writes to the Local Government Boundary Commission to request a such a review.
2. That Council approves the draft submission appended to the report with a recommendation of 77 members, and agreed that the Director, Legal and

Assurance was authorised to submit the final submission in January 2023 after consultation with the Group Leaders and the Boundary Review Member Working Group.

14. Oral Questions of the Leader, Cabinet Member, chairman of a committee or the representative of the Essex Police, Fire and Crime Panel.

The oral questions and answers as part of the broadcast of the meeting may be found on the [ECC Democracy YouTube Channel](#).

The questions asked were:

Question asked by:	Question asked to:	Subject of the question
Cllr Lynette Bowers-Flint	Cabinet Member for Health and Adult Social Care	Helping hospitals to tackle winter pressures
Cllr Jane Fleming	Cabinet Member for Economic Renewal, Infrastructure and Planning	Celebrating female entrepreneurs
Cllr Dave Harris	Leader (in the absence of the Deputy Leader and Cabinet Member for Community, Equality, Partnerships and Performance)	Use of old mobile library van as a food bank
Cllr Dave Harris	Cabinet Member for Highway Maintenance and Sustainable Transport	Checking quality of work done by third parties working on the highway.
Cllr Ivan Henderson	Cabinet Member for Highway Maintenance and Sustainable Transport	Defective streetlights in Harwich town centre.
Cllr Anthony McQuiggan	Cabinet Member for Devolution, the Arts, Heritage, and Culture	Renaming of the Cramphorn Theatre, Chelmsford
Cllr Michael Hoy	Cabinet Member for Highway Maintenance and Sustainable Transport	Including date of report on highways maintenance system
Cllr Michael Hoy	Cabinet Member for Highway Maintenance and Sustainable Transport	Take up of member pothole scheme
Cllr James Newport	Leader (in the absence of the Education Excellence, Lifelong Learning and Employability)	King Edmund School in Rayleigh
Cllr Ross Playle	Cabinet Member for Highway Maintenance and Sustainable Transport	Request for meeting re Witham Christmas market in 2023.
Cllr David King	Cabinet Member for Highway Maintenance and Sustainable Transport	Possibility of creation of a member footpath scheme.
Cllr Chris Pond	Cabinet Member for Highway Maintenance and Sustainable Transport	School parking causing problems in local areas.

15. Closure of Meeting

A recording of the meeting is available as [a video on YouTube](#).
The meeting closed at 2:36pm.

Chairman