

Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 08 May 2012

Present

Chairman: Councillor R L Bass

Vice-Chairman: Councillor K Twitchen

Councillors:

D Abrahall	C Griffiths	G Mitchinson
J F Aldridge	I Grundy	D Morris
B Aspinell	Mrs E M Hart	A Naylor
Mrs S Barker	A M Hedley	M J Page
L Barton	Mrs T M A Higgins	J W Pike
J Baugh	Mrs S Hillier	C C Pond
K Bentley	R C Howard	Mrs I Pummell
R G Boyce	N Hume	Mrs J M Reeves
A Brown	A J Jackson	C G Riley
G Butland	E C Johnson	J Roberts
S Candy	J G Jowers	D C F Robinson
S C Castle	D J Kendall	Mrs T L Sargent
R P Chambers	M C M Lager	J M Schofield
P Channer	D Louis	M Skeels
Mrs T M Chapman	J R Lucas	Mrs A Turrell
J A Deakin	G W McEwen	S M Walsh
W J C Dick	M Mackrory	R G Walters
J Dornan	R A Madden	Mrs E A Webster
N D C Edey	P J Martin	Mrs M J Webster
D Finch	S Mayzes	Mrs J H Whitehouse
M D Fisher	L Mead	B Wood
M Garnett	Mrs V Metcalfe	J A Young
R G Gooding	Mrs M A Miller	

The meeting was preceded by prayers led by Father Jonathan Pearce, Vicar of St. Peter's, Great Totham.

1. Death of Councillor Tom Smith-Hughes, Leader of the Opposition

The Chairman of the Council addressed the members concerning the death of Councillor Tom Smith-Hughes, Leader of the Opposition;

'Members, on 18th April we learned with great sadness of the death in Office of our colleague Tom Smith-Hughes, at the age of 63, after a long and brave fight against cancer. Tom was, of course, the Leader of the Liberal Democrat Group and Leader of the Opposition on this Council and was also a Member of Chelmsford Council. He represented the electoral Division of Chelmsford North and was first elected to the County Council in 1981, serving for 8 years until 1989, and then was re-elected in 1993 serving a further 19 years until his death – that is a total of 27 years' service to the County Council.

He was a Member of a number of Committees of the Council and outside bodies over this time. Most significantly, he was a Member of the old Policy and Resources Committee and then Corporate Strategy Committee (which were the forerunners of the Cabinet) from 1993 until 2000 – becoming Vice-Chairman in 1997, under the Labour/Liberal Democrat Administration which ran the Council over that period. He was Chairman of the General Scrutiny Committee from 2002 to 2005 and became Leader of the Liberal Democrat Group in 2005. He was a Member of the Board and of the Investment Steering Committee of the Essex Pension Fund, from 1997 where his financial experience was greatly valued.'

Councillor Mackrory as Acting Leader of the Opposition and Councillor Martin as Leader of the Council responded similarly.

The Chairman concluded by saying 'Tom was a thoroughly decent man and he will be greatly missed. I got to know him very well through our shared interest in finance and the pension fund. He was a formidable analyser and debater on all matters of a financial nature and yet he was always generous in his outlook and approach to political issues and people.

Tom was respected and liked by all Members of the Council. He showed tremendous courage in fighting his recent illness. We mourn his passing. Our thoughts, prayers and condolences are with his widow Jill and his family at this time and we will have the opportunity to pay our respects at the Memorial Service this afternoon at 2.45pm, at Chelmsford Cathedral.'

Members stood in his memory.

The meeting was then called to order.

Councillor R L Bass in the Chair

2. Election of Chairman

It having been proposed by Councillor J Jowers and seconded by Councillor A M Hedley it was

Resolved:

That Councillor K Twitchen be elected Chairman of the County Council for the forthcoming Municipal Year.

Councillor Twitchen made and signed the Declaration of Acceptance of Office.

Councillor K Twitchen in the Chair

Councillor Twitchen thanked the Council for her election and proposed a vote of thanks to the past Chairman, Councillor R L Bass paying tribute to his achievements. Councillor P J Martin, Councillor M Mackrory for the Opposition and Councillors R G Boyce, C C Pond, and J Young echoed the Chairman's remarks and extended their good wishes to Councillor Twitchen.

Councillor Twitchen presented the past Chairman's badge to Councillor Bass who thanked members for their kind words, and congratulated Councillor Twitchen on her election.

Councillor Twitchen made a brief statement introducing her period of office.

3. Appointment of Vice-Chairman

It having been proposed by Councillor A Naylor and seconded by Councillor R Gooding it was

Resolved:

That Councillor N Hume be appointed Vice-Chairman of the County Council for the forthcoming Municipal Year.

Councillor Hume made and signed the Declaration of Acceptance of Office and gave a brief statement thanking the Council for his appointment.

4. Apologies for Absence

Apologies for absence were received on behalf of Councillors R Callender, T Durcan and R A Pearson.

5. Declarations of Interest

There were no declarations of interest at this time and subsequent declarations of interest are noted against the relevant item.

6. Minutes

Resolved:

That the minutes of the meeting held on 7 February 2012 be approved as a correct record and signed by the Chairman.

7. Recent Death

The Chairman informed members of the recent death of former County Councillor for Brentwood (South) Mrs Janet Hayward aged 91 and sent condolences to her family.

Janet represented Brentwood (South) from May 1977 until May 1993. During her term with Essex County Council she served on a wide range of committees and outside bodies including Education, Social Services, Personnel and Estates. Janet was also a governor of Brentwood County High School and other schools and of Chelmsford College of Further Education and Writtle College.

The Chairman invited members to stand and observe a moment's silence.

8. Chelmsford Council's new city status

The Chairman congratulated Chelmsford Council on Chelmsford winning City status in March. She noted that it was an honour for Chelmsford and also recognised Essex as a vibrant and successful County.

The Chairman also commiserated with Colchester and Southend who were unsuccessful on this occasion.

9. Presentation of Awards

'Councillor Award for Outstanding Contribution to Financial Performance'.

The Chairman was pleased to present to Councillor David Finch an award from the Local Government Information Unit Councillor Achievement Awards 2012. At a ceremony in London on 27 February, Councillor David Finch was

announced as the winner of the 'Councillor Award for Outstanding Contribution to Financial Performance'.

The Chairman noted that Councillor Finch was in competition with four other Councillors including those from Birmingham City Council and Lincolnshire County Council and his nomination highlighted how Councillor Finch has used his role as the Cabinet Member for Finance and Transformation to ensure that value for money and better services are at the heart of the Council's spending decisions.

The Chairman went on to remark that by implementing a raft of new measures he had ensured vast savings, such as the £300m of efficiency improvements and back-office savings that will have been achieved by 2012/13 and that the judges were not only impressed with Councillor Finch's achievements, and his clear strategic vision, but also by his inclusive approach to decision-making.

Councillor Finch thanked the Chairman and asked that it be noted that the achievement was also due to the hard work of many officers, in particular The Executive Director for Finance Margaret Lee and the Chief Executive Joanna Killian.

Plaque from the 'Institute of Customer Service Accreditation'

The Chairman was also pleased to receive from Councillor Lucas, Cabinet Member for Environment and Culture, an award on behalf of ContactEssex from the Institute of Customer Service Accreditation. Councillor Lucas asked that the Chairman note that this award was recognition for the outstanding service provided by the staff of ContactEssex and paid tribute to the manager of Customer Services, Telephony, Cheryl Arthur.

Letter for Her Majesty Queen Elizabeth II

The Chairman read a letter had been received from the palace. The letter was in response to the congratulations and expressions of loyalty that had been sent by Essex County Council on the occasion of Her Majesty's Diamond Jubilee.

10. Presentation of petitions

The Chairman formally received a petition relating to a reduction of the speed limit through the village of Weeley presented by Councillor M Skeels and passed it to the Cabinet Member for Highways and Transportation.

The Chairman also received a petition relating to a pedestrian crossing at Linnet Drive, Chelmsford presented by Councillor Jude Deakin and passed it to the Cabinet Member for Highways and Transportation.

11. Statement by The Leader regarding membership of Cabinet and Deputies

The Leader, Councillor Peter Martin, presented a report announcing changes to the membership of Cabinet, Cabinet Portfolios and Deputies.

He paid tribute to Councillor Chapman who had most recently held the portfolio for Highways and Transportation but had also held previous portfolios. He also paid tribute to Councillor Candy who had most recently held the portfolio for Children's Services and also had held previous portfolios. Both had made significant contributions as Cabinet Members. He thanked them for their terms of office.

He welcomed Councillors Ray Gooding and John Aldridge to the Cabinet and announced changes to the Cabinet Portfolios as detailed in the report.

12. To note the Political Groups' appointments to Committees

The Council received a report of the Political Groups' appointments to the following committees:

- Development and Regulation Committee
- Audit Committee
- Investment Steering Committee (and thereby County Council representatives on the Essex Pension Fund Board)
- Committee to consider applications to undertake certain duties by Members and Foreign Travel by Officers
- Executive Scrutiny Committee
- Children and Young People Policy and Scrutiny Committee
- Community and Older People Policy and Scrutiny Committee
- Economic Development, Environment and Highways Policy and Scrutiny Committee
- Health Overview and Scrutiny Committee
- The County Council Members on the Essex County Council and Essex Fire Authority Joint Standards Committee

13. To elect the Chairmen of Committees

The Council received a report to elect the Chairmen of the following Committees:

- Children and Young People Policy and Scrutiny Committee
- Community and Older People Policy and Scrutiny Committee
- Economic Development, Environment and Highways Policy and Scrutiny Committee
- Health Overview and Scrutiny Committee
- Development and Regulation Committee
- Executive Scrutiny Committee (to be determined at a future date)
- Audit Committee

- Appeals Committee
- Scrutiny Board

Having been moved by Councillor P J Martin and seconded by Councillor W J C Dick it was

Resolved:

That the Chairmen of the Committees be elected as set out in the report presented to Council.

14. Appointment of County Council representatives on the Essex Police Authority

The Council received a report setting out its representatives on the Essex Police Authority. Having been moved by Councillor P J Martin and seconded by Councillor W J C Dick it was:

Resolved:

That the Council appoint the representatives to the Essex Police Authority as set out in the report presented to Council.

15. Appointment of County Council representatives on the Essex Fire Authority

The Council received a report setting out its representatives on the Essex Fire Authority. Having been moved by Councillor P J Martin and seconded by Councillor W J C Dick it was:

Resolved:

That the Council appoint the representatives on the Essex Fire Authority as set out in the report presented to Council.

16. Executive Statements

Councillor David Finch, Deputy Leader and Cabinet Member for Finance and Transformation gave a statement concerning Transformation Programme Issues.

Councillor Finch stated that by the end of the financial year 2012/13 it was expected that savings and efficiencies in the region of £370 million would be delivered.

He then explained in more detail the specific actions and plans of the Transformation Programme and pledged to continue to rationalise and integrate services to make it easier for Customers and to remove inefficient processes and duplication.

The statement was received.

Councillor Tracey Chapman, Cabinet Member for Highways and Transportation gave a statement on the prevailing challenges in Essex as a result of the drought conditions.

The Leader, Councillor P J Martin declared an interest as a non-executive director of Veolia Water East Limited.

Councillor Chapman described the arrangements for monitoring and reducing risks to the water supply; focusing on securing a water surplus and meeting the challenges posed by impending drought. She also noted that the matter of drought management had been added to the scope of the Flood Partnerships.

In response to a question from members she agreed to investigate the specific locality of hosepipe bans.

The statement was received.

17. Establishment of Police and Crime Panels

The Council received a report to consider the establishment of a Police and Crime Panel on the recommendation of Cabinet.

The Leader, Councillor Peter Martin nominated Councillor John Jowers to be the Council's representative and this was agreed and so it was

Resolved:

1. That Council approve the establishment of the Essex Police and Crime Panel with the terms of reference as set out in the Annex to the report and to any consequential amendments to the Constitution and
2. That Councillor John Jowers be appointed as the Council's representative on the Essex Police and Crime Panel.

18. Council Issues

The report of Council Issues was received and upon being put to the meeting the recommendations relating to,

Items 1 amendments to the Constitution and 2 Date of Meeting in October were agreed and accordingly it was

Resolved:

Amendments to the Constitution

- (1) That Part 3 of the Constitution be amended as set out in Annex "A" to the report to take effect as at the conclusion of the meeting.
- (2) That the Constitution be further amended with effect from 1 June 2012 to move 15.5.4 (iv) relating to Adult Community Learning from the Executive Functions of the Acting Executive Director for Adult Social Care to become 15.5.3 (v) of the Executive Functions of the Executive Director for Schools, Children and Families to reflect the appointment of the new Director of Education & Learning who will assume responsibility for Adult Community Learning.
- (3) That Articles 9 and 10 of the Constitution be amended as set out in Annex "B" to the report to take effect as at the conclusion of the meeting.
- (4) That approval be given to reschedule the meeting of Council on Tuesday, 10 October to Tuesday, 16 October 2012 at 10 am.

19. Report of Cabinet Issues

The report of Cabinet Issues was received and adopted.

20. Report of Overview and Scrutiny Issues

The report of Overview and Scrutiny Issues was received and adopted.

21. Questions to the Leader of the Council, Cabinet Members and Committee Chairmen

- a) Members responded to oral questions as follows:
 - (i) Highways maintenance policy in relation to the timetabling of repairs to potholes, (Councillor Young of the Cabinet Member for Highways and Transportation)

The Cabinet Member explained the criteria for the repair of potholes and that all potholes, having been assessed, should be repaired within the pre-determined timetables. The criteria had not been changed.

- (ii) Regarding a safety review of the Army and Navy Flyover in Chelmsford following a number of accidents, (Councillor Madden of the Cabinet Member for Highways and Transportation)

The Cabinet Member expressed her condolences to those persons who had been involved in a fatal accident on 4 March and others injured on 16 March and at other times in this area. The results of a current safety audit will be shared with members and made available to the Local Highways Panels.

- (iii) The price increase of the Essex Bus Timetable from £1 to £13.50, (Councillor Pond of the Cabinet Member for Highways and Transportation)

The Cabinet Member agreed to investigate the price increase and report back directly to Councillor Pond.

- (iv) A request for information on why letters sent to residents did not acknowledge their objections to parking restrictions in Brentwood but instead requested that they reconsider, (Councillor Kendall of the Cabinet Member for Highways and Transportation)

The Cabinet Member said she would look into this and report back directly to Councillor Kendall.

- (v) Concerning the inspection of works in the Highway by utility companies and the impact of Ringway Jacobs Contracts. (Councillor Aspinell of the Cabinet Member for Highways and Transportation)

The Cabinet Member requested that Members and the public keep the highways service informed of any problems. However, this situation had not been adversely affected by the recent contract change.

- (vi) A request for information relating to disposal of the site of the former Junior School in Epping and its temporary use, (Councillor Whitehouse of the Deputy Leader)

The Deputy Leader assured members that monetary value was not the only criteria for the disposal of this asset and that options such as its potential for community use would be explored.

- (vii) Commending the work of the outgoing Cabinet Member but also seeking her agreement that the key to improved highways improvements was not simply a restructuring of the service delivery

but also about investment and money, (Councillor Bass of the Cabinet Member for Highways and Transportation)

The Cabinet Member thanked Councillor Bass for his comments.

b) Written Questions (Standing Order 16.11.3)

1. By Councillor B Aspinell and Councillor J Roberts of the Cabinet Member for Highways and Transportation

‘Would the Cabinet Member inform the Council of any discussions that have taken place between Crossrail and Officers of Essex County Council regarding their proposed works to Shenfield Station in Brentwood?’

We have particular concern as to the lack of arrangements in place for alternative car parking for commuters and for local shoppers during the proposed 18 months’ construction period. We would like to know what discussions have taken place, if any, regarding construction traffic routes, together with confirmation that the figure of 120 heavy lorry movements per day in narrow residential roads is the Crossrail proposal. The local Members are concerned over the lack of investment by Crossrail in any improvements to the station and its operation. An alternative entrance to the station from the main station car park in Mount Avenue is urgently needed, either via a foot tunnel to the existing tunnel complex or by way of a bridge to the platforms. Also, no discussions have taken place with the local Councillors regarding proposed decked car parking to be erected on the existing railway car park, which would have significant impact on local residents.

The closure of the car park for the 18-month period would also have significant impact on the local businesses and could threaten their very existence. What, if anything, is being done to allay their fears?’

Reply

Members will be aware of the Crossrail proposals creating a new standard gauge east-west railway line across London linking Shenfield and Abbey Wood in the east to Maidenhead and Heathrow in the west. A new Crossrail service will be provided generally running all stations from Shenfield to terminate at Paddington, Heathrow Airport or Maidenhead. Some “all stations” trains will continue to run between Shenfield and London Liverpool Street in the peak hours. These arrangements will see a small increase in the number of trains from Brentwood and Shenfield station but the detailed timetable will be prepared nearer the time when Crossrail services commence operation from late 2018.

County Council officers have maintained a watching brief as the project has developed with most of the major work taking place in central London. Crossrail held a public exhibition of their proposals in Shenfield

last year and issues have been raised with a view to enhancing the proposed works at both stations. County Councillors Roberts and Aspinell are aware that the County Council has been approached by Crossrail as they start to consider the implementation of the works in Essex. The main concerns that were raised when I met the County Councillors have been passed to Crossrail and a meeting is being organised to consider the issues. Crossrail are currently reviewing and revising their work programme and have indicated their preference for a meeting once this new information is available. It is envisaged that Crossrail, Network Rail and Greater Anglia will all be present at the meeting which I envisage will be chaired by my successor.

My understanding is that the revised proposals now being prepared will be more detailed and specific and the views already put forward by the local Members will also be considered. At Shenfield this will include both the impact and duration of the works, traffic routes proposed for construction traffic, and also the Greater Anglia proposal for decking the existing car park and access improvements.

As soon as further information is available the meeting will be convened and the local Members will be invited.

2. By Councillor M Mackrory of the Cabinet Member for Highways and Transportation

'In the light of continuing serious road traffic accidents on the Army and Navy flyover, will the Cabinet Member consider the installation of Lane Control Signs and Traffic Barriers as used in many places worldwide including Sydney Harbour Bridge? These signs comply with the Vienna Convention on Road Signs and Signals, para 11 of Article 23.'

Reply

There have been two accidents on the Army and Navy flyover recently, one resulted in no injury the other resulted in a passenger being injured. The flyover doesn't have a history of serious accidents.

The fatal crash on 4th March 2012 reported by the Essex Chronicle did not occur on the flyover. This collision occurred on the A1114 Baddow Bypass ½ mile from the flyover. I would like to offer my condolences again for this tragic event.

Keeping the above in mind we are currently developing options which we will discuss with local Members as soon as we can. We are currently looking into the costs and funding possibilities, which will need to be considered along with the options.

3. By Councillor D Kendall of the Cabinet Member for Education and the 2012 Games

'Now that the Connexions Youth Service is no longer operating, would the Cabinet Member please clarify what specific support Essex County Council is giving to the young people of Essex in terms of help and advice to find a job?

Would he also clarify how much is now being spent by the County Council on this area compared with previous years?'

Reply

Following the closure of the Connexions service last summer, the County Council is investing £1.5m per annum to support:

- the delivery of 1-1 information, advice and guidance (IAG) to job ready young people, between the ages of 16-19, who are looking for employment, education or training and are currently NEET (not in employment, education or training). This year we expect to be supporting up to 1500 young people into training or employment through this service.
- schools in taking on their new responsibilities of offering IAG to their students from this September, including investment in a new i-Essex website to help them identify routes into employment and to prepare for them, and the roll out of the Employability for Life Charter across schools in Essex
- the delivery of 1-1 IAG to young people with special educational needs.

Through the successful Essex Apprenticeship Programme we are investing a further £2.5m in this financial year, almost entirely externally-sourced funding, to support approximately 600 new and additional Apprenticeship opportunities for young people across Essex, and to support a further 100 with paid work experience placements where those young people are not ready for the challenges of an Apprenticeship. This will bring the number of young people supported by the Essex Apprenticeship Programme to 2,500 since its inception. ECC's apprenticeship scheme has had a real impact on the number of apprenticeships being undertaken across Essex and stimulated above 'natural' growth - the number of apprenticeships undertaken across Essex has increased by 83% in 2 years and this is significantly higher than increases in the region (41%) or nationally (32%).

We are additionally working hard to ensure that the various externally funded programmes aimed at 16-19 year olds in the county are as effective as possible. An example of this is the ESF funded Youth East programme which aims to support close to 1,000 young people who are currently NEET or likely to be so, through training, pre-Apprenticeship programmes and IAG.

Our work continues in ensuring that Essex has first class vocational facilities that offer young people the right kind of practical training that put them well

placed to then secure employment. This includes our £7.75m investment in the Canvey Skills Campus which opens in January 2013, and our support for Colchester Institute's joint venture with Harwich International Port that will see the opening of the Harwich Skills Centre this summer that will train young people in engineering and related skills ahead of the expansion of the off-shore wind energy sector off the coast.

In 2009/10 the budget for the Youth Service and Connexions was integrated (on the same budget line) and totalled £10.7 million. To give an idea of the Connexions/Youth Service split, £5.2 million was spent on Connexions staff. In 2010/11 the integrated spend was £9.39 million and 2011/12 £9.95 million.

In December 2010, Cabinet agreed to reconfigure the Integrated Youth Service achieving £7 million of savings following the reduction in the Area Based Grant. Of this £7million, £5.2 million was a reduction in Connexions staff costs.

4. By Councillor D Kendall of the Cabinet Member for Children's Services

'I understand that a number of charities in Brentwood were unsuccessful with their recent bids to Essex County Council's Early Intervention Fund. These charities include Home-Start Brentwood, SNAP, Crossroads and Extended Schools Services. This decision could threaten the future viability of these organisations as the money they have received from the County Council in the past has allowed them to obtain additional funding from various trusts, grants, donations and lotteries.

Would the Cabinet Member please confirm the following points:

1. Are the above named organisations going to get any funding from the County Council over the next financial year?
2. If these organisations are unable to secure funding from elsewhere, is the County Council prepared to listen to new bids to enable them to continue operating?
3. Would you please tell me how children's services and early intervention in Brentwood is being funded?
4. Has any legal challenge been mounted against the County Council regarding the handling of the Early Intervention Fund?

Reply

(to each of the four points respectively)

1. Bids from the named organisations are welcome to any procurement or grant award process that may be applicable to them in the forthcoming year. Each will be alerted to relevant ECC tenders as and when they become public. All organisations are subject to the terms of the competitive tender processes and as such there is no guarantee of funding to any one organisation.
2. As stated above, bids are welcome from the organisations concerned to any competitive or grant awarded process the County Council may offer and each bid, if meeting the required threshold criteria, will be considered on its own merit against robust procurement methodology.
3. The Early Intervention Fund is allocated from the Early Intervention Grant devolved from Central Government and is allocated to each locality based on a standard formula that takes into account population and socio-economic factors.
4. A legal challenge has been mounted which the County Council is defending.

c) Oral questions of the representative of Essex Police Authority on any matter relevant to the business of that Authority

The report of the Essex Police Authority's meeting held on 19 March 2012 was received.

There were no questions.

d) Oral Questions of the Essex Fire Authority on any matter relevant to the business of that Authority.

The report of the Essex Fire Authority's meeting held on 8 February 2012 was received.

There were no questions.

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The meeting closed at 12:22

Chairman
10 July 2012