
Essex County Council Meeting 11 December 2018

Answers to Written Questions

Agenda Item 10

1. By Councillor Smith of the Cabinet Member for Education and Skills

‘According to ROSPA (Royal Society for the Prevention of Accidents), during 2016 a total of 1,981 children were directly involved in an accident while riding a bicycle.

Within the Highway Code, there is Rule 59 which states; “You should wear a cycle helmet which conforms to current regulations, is the correct size and securely fastened.”

With these two points in mind, will the Cabinet Member write to all schools within the County to ask them to make it mandatory for all pupils cycling to and from school, to use an approved cycle-helmet?’

Reply

‘As an avid cyclist myself and cycling champion for ECC I cannot emphasis enough the importance of wearing a helmet when riding a bicycle. Indeed, having fractured my skull when crashing in a race in Yorkshire long before the modern and effective cycle helmets were devised, I understand the dangers from personal experience.

Although I appreciate what Cllr Smith is trying to achieve, I’m not sure writing to schools will have much impact. The responsibility is that of the parents to ensure that their child has all the relevant safety gear before they set off in the morning to school. Schools can share information with parents, but it is down to parents to make decisions about the safety of their children.

Regarding the stats, yes there were 1,981 children nationally aged between 0-15 who were either killed or seriously or slightly injured in 2016, however this has nearly halved in the past 10 years (3,765 in 2006). I may also add that nationally the number of cycling related deaths in children 0-15 has also reduced from 31 in 2006 to just 2 in 2017. These stats seem to suggest that children are better equipped at dealing with road situations than in previous years, perhaps in part due to a good standard of training.

In Essex for example, every school is given the opportunity to have cycle training,

through the Bikeability scheme which allows children to gain practical skills and better understanding of how to cycle on today's roads. This training includes bike maintenance and how to ride safely. Bikeability gives everyone the skills and confidence for all kinds of cycling.

For more information and/or to book Bikeability lessons in your school or local area contact saferessexroads@essexhighways.org

2. By Councillor Hillier of the Cabinet Member for Environment and Waste

'Would the Cabinet Member please give an indication as to when the community and education facilities at the Basildon Tovi Eco Park will be made available for community use?'

Reply

'The community and education facilities will form part of the visitor centre at the Basildon plant. The contract dictates that the visitor centre will be open from the services commencement date, or when the plant becomes fully operational, after the acceptance tests have been passed.

The plant is currently in its commissioning phase, which enables the plant to be fully tested. Due to ongoing performance issues and the legal proceedings relating to these, we are unable to predict when the plant will become fully operational.'

3. By Councillor Smith of the Cabinet Member for Finance, Commercial and Traded Services

'Will the present administration consider ending the use of products that contain palm oil at the earliest possible opportunity?'

This question requests that the administration creates a task and finish group to investigate the hidden use of palm oil-based products within goods purchased by Essex County Council and use this knowledge to create a report for the attention of the administration on how to reduce and end the use of this unethical item at the earliest opportunity.

It is also critical for Essex County Council to send the message out to suppliers that palm oil-based products are not welcome anymore and that they have also had their day.

The principles and ethics of the people of Essex must be held paramount.'

Reply

'We welcome the focus on eliminating palm oil use and, as a public sector body, we take our sustainable procurement responsibilities very seriously. We recognise that the use of Palm Oil is most prevalent within food and some cleaning/toiletry products and, with this in mind, we will investigate further the implications of adopting a no Palm Oil usage policy with our strategic suppliers.'

4. By Councillor Robinson of the Cabinet Member for Customer and Corporate

'What suggestions have been made by Library staff that could contribute to the required savings or increase income?'

Reply

'The Future Library Service Strategy Consultation is not about delivering savings - it is about creating a more relevant and convenient service.'

A number of ideas have already been developed and implemented, including library space hire, a new creator space at Basildon library and hosting paid-for events.'

5. By Councillor Robinson of the Cabinet Member for Customer and Corporate

'It has been said that the Libraries review isn't about saving money. So, is a saving assumed in next year's budget or not? If the projected £2 million saving could be identified in other ways, will the closures still be pursued?'

Reply

'The draft library services strategy is about making the service relevant to the way people live now and fit for the future. It is responding to the dramatic slump in use of libraries over the last 10 years, as we've found new ways online to inform and entertain ourselves.'

It is irresponsible to spend taxpayers' money on keeping poorly used buildings open when we could spend it on improving the library services that people do use, whilst still maintaining a network of well-located libraries throughout Essex.

Next year's budget has not been set and no saving is assumed, as the strategy will not be adopted until summer 2019.

Future provision of library services will be based on evidence of need.'

6. By Councillor Abbott of the Cabinet Member for Infrastructure

‘In their joint letter of 30th November 2018 to the Local Plan Inspector (Part 1 of Plan) the North Essex Authorities (NEAs) state that they are working closely with Essex County Council on route options and funding for the A12 that can specifically support the delivery of the Colchester/Braintree Borders Garden Community (West Tey New Town of at least 24,000 houses).

The Inspector in finding the joint Part 1 Plan Unsound in June 2018 said that the A120 routing and funding was also "essential" to support the Garden Communities, of which West Tey is by far the largest.

Given that ECC and the NEAs say they are committed to the delivery of West Tey, why did ECC take an apparently unilateral and different approach in deciding to prefer Route D for the A120, which does not serve West Tey directly and so appears contrary to the recommendations of the Local Plan Inspector?’

Reply

‘I thank the member for Witham Northern for his question on the preferred route for the A120.

The A120 is not fit for purpose now let alone in the future. It is a strategic trunk road linking a port and an airport, and it is quite unique in this respect. Along the way it also connects important settlements such as Braintree and Colchester. In this case, the best solution is the most effective and beneficial route option for a strategic trunk road.

Throughout the consultation, it was specified that any one of the routes must be capable of accommodating traffic from growth in Local Plans.

Option D emerged as the best option, and it is this route we have advocated to government.

That the Inspector has said that the A120 is important for Garden Communities is a bonus in many ways, especially in making the case to government for funding. If confirmed, the infrastructure proposals specific to the Garden Communities would be capable of being designed in a way that complements improvements for the A120 and indeed the A12.’

7. By Councillor Abbott of the Cabinet Member for Infrastructure

‘In the area of Witham and nearby villages in the division I represent, 3 housing developers in particular are fixing both plastic and metal backed directional and advertising signs to public streetlight columns, directional signs, parking signs,

weight restriction signs, zebra crossing beacon columns, etc, etc - all on highway land.

It is understood that a certain number of such signs can be agreed with ECC for directional purposes and I also understand that this is an issue in many areas of the county, but the extent of the developer signage in the Witham area far exceeds the permitted numbers and is growing.

I have been in correspondence with ECC officers about this issue, including where developer signs have led to safety issues, such as being fixed over footways low enough to cause injury to pedestrians. Officers have been helpful in requiring the removal of a number of developer signs, but it is not long before more go up.

What is the council's policy on this issue and what sanctions might be applied to developers who persistently flout agreements in using highway fixtures for their own advertising purposes?’

Reply

‘I thank the member for Witham Northern for his question on policy regarding advertising at housing developments.

Essex Highways Development Management are proactively trying to manage the problems by liaising with offending developers. However, with the increasing need for housing in Essex and thus the increasing level of house building to match this need, policing/enforcement and management of any scheme is going to incur significant resource costs.

Essex Highways is currently drafting a Highways Practice Note which will clarify what will be permitted under the legislation and when signs must be removed. Investigations will be undertaken to again look at the viability of operating a scheme in order to finance removal if required.’

8. By Councillor Davies of the Leader of the Council

‘The Fourth of January 2019 marks the 70th anniversary of Basildon New Town and Basildon will be celebrating throughout 2019. How will Essex County Council take this opportunity to be involved in this historic occasion and contribute to the celebrations?’

Reply

‘Essex County Council are delighted that Basildon is set to mark this important 70th anniversary with a year of celebratory activity across 2019, including the recruitment of a new post to facilitate the programme of events.

ECC look forward to supporting Basildon Borough Council to help them access a variety of funding opportunities around people, places, arts, and culture over the coming year. Working closely with partner authorities is an approach that is very important to ECC, and we will do just that with Basildon Borough Council to ensure their celebrations are a success.'

9. By Councillor Scordis of the Cabinet Member for Customer and Corporate

'Regarding the methodology used to grade libraries, can the portfolio holder explain why the research for Prettygate library has not included the deprivation levels for Shrub End, a neighbouring ward that is a seven-minute walk from Prettygate library, which suffers from high levels of deprivation and high levels of poor literacy rates?'

Reply

'In the Future Library Service Strategy Consultation, library usage is just one of 5 key factors included in the needs assessment and includes not just book loans, but also computer and wifi usage. Other factors such as location, deprivation and social isolation, give some weighting to the social function of libraries.

The needs assessment for all libraries evaluated deprivation based on the Index of Multiple Deprivation figure for the lower-layer super output area each library is situated in.

If the member thinks there are other factors that should be taken into account in the needs assessment, they should respond to the consultation at www.essex.gov.uk/libraries-consultation'

10. By Councillor Scordis of the Cabinet Member for Customer and Corporate

'Can the portfolio holder please confirm how much will be saved, per taxpayer in Essex, on the proposed savings from closing 25 libraries?'

Reply

'The draft library services strategy is about making the service relevant to the way people live now and fit for the future. It is responding to the dramatic slump in use of libraries over the last 10 years, as we've found new ways online to inform and entertain ourselves.

Savings are not the main driver and specifics will not be known until after we have considered the results of the consultation. The indicative estimated savings of closing the 25 libraries identified in tier 4 are up to £974,000 a year, but these are subject to further verification, and do not include additional one off or ongoing costs

of supporting community libraries or any capital costs or benefits.

Next year's budget has not been set and no saving is assumed, as the strategy will not be adopted until summer 2019.

Future provision of library services will be based on evidence of need.'

11. By Councillor Reid of the Cabinet Member for Customer and Corporate

'The consultation period for the library closures started on 29 November 2018 and ends on 20 February 2019 can the Cabinet Member gives us assurance that the consultation will be taken seriously, and that people's views will be taken into consideration and we can be confident that it is not already a done deal.'

Reply

'The consultation is being taken incredibly seriously. No decisions have been taken and none will be taken until after we have received and considered all the results from the consultation. We have put forward proposals, based on evidence of need for library services across the county. Now we want to hear what Essex residents and library users think of those proposals. I encourage everybody to complete the survey at www.essex.gov.uk/libraries-consultation, as this is the best way to ensure that their views are considered.'

12. By Councillor Reid of the Cabinet Member for Children and Families

'A recent report from Shelter states that young people who have no permanent home has doubled in the last 5 years. The report states that one in eleven children have no permanent home. This seriously affects their mental health, their schooling and their wellbeing. Can the Cabinet Member let us know what the figure is for young people in Essex who find themselves in this position and what is being done to eradicate this problem which should not be happening in the 21st century.'

Reply

'Recent government figures show that 2,408 children are currently in Temporary Accommodation within Essex (2,813 including Thurrock and Southend on Sea). The district and borough councils have a duty under Part 7 of the Housing Act 1996 to provide action to prevent homelessness and assist people threatened with or actually homeless. The Homelessness Reduction Act 2017 that came in to force earlier in the year strengthened the districts' duty to prevent homelessness.

Essex County Council are working closely with our district and borough colleagues to assist in both the reduction in the number of families becoming homeless and

where homelessness has not been able to be prevented to provide good quality accommodation for these families. Essex Trailblazers a LGC Awards shortlisted service that is a collaboration between Essex Council, the 12 district & borough councils and the 2 unitary councils has worked with 545 households in the last 18 months preventing 389 families from becoming homeless. Essex County Council and the districts & boroughs are also developing a number of innovative pieces of work via the Essex Vision homelessness workstream to tackle homelessness in all its forms and provide a better future for the families going through it.

I'd be happy to share with you more information about these projects.'

13. By Councillor Kendall of the Cabinet Member for Infrastructure

'Following on from the recent top 20 potholes initiative, will the Cabinet Member for Infrastructure now offer members a similar service for their top 20 footpath defects as we all have some serious defects across our Divisions?'

Reply

'I thank the member for Brentwood South for his question on the future of the top 20 potholes initiative.

Following the positive response by members to the top 20 potholes initiative, we will explore options going forward and a further initiative covering footpath defects could be an option.

However, in terms of processes and procedures for footpaths, the work involved in preparing jobs for repairs would be very different. We would need to obtain utility apparatus information in advance as most of the services are in footways. Currently, we have an exemption when repairing potholes under 100mm as there is minimal excavation and the utility apparatus tends to be deeper underground or below the road construction layers given the weight of traffic on the roads.

Furthermore, the treatment types would be different to that used in carriageways. Footways have a more varied type of construction and can include slabbed areas, concrete or bitumen. There also tends to be other underlying issues (like trees) that have caused the damage, and these would require attention too.

Therefore, the costs involved in a footway initiative would be quite different, as would the cost ratio per defect.'

14. By Councillor Kendall of the Cabinet Member for Children and Families

‘How many Essex families have applied for an "Education & Health Care Plan" (EHCP) over the last four years and how many of these families have been successful with their application? What support is the County Council providing families who are not able to get a plan?’

Reply

[in response to the question] ‘How many Essex families have applied for an "Education & Health Care Plan" (EHCP) over the last four years and how many of these families have been successful with their application?’:

Requests for an assessment for an EHCP			
a) 2015	b) 2016	c) 2017	d) 2018
1266	1735	1780	1982

Requests for an assessment for an EHCP direct from families			
a) 2015	b) 2016	c) 2017	d) 2018
388	451	519	628

Number of EHCPs finalised			
a) 2015	b) 2016	c) 2017	d) 2018
579	882	946	1029

Number of EHCPs agreed – from requests from families			
a) 2015	b) 2016	c) 2017	d) 2018
217	225	227	268

[in response to the question] 'What support is the County Council providing families who are not able to get a plan?'

'The majority of children's needs can be met at mainstream SEN Support level. There are just below 30,000 children in Essex who's needs are being met at SEN Support and just under 8,000 children who have an EHCP in Essex.

At the end of the multi-agency assessment, a decision is made whether a child requires a statutory plan to meet their needs or whether their needs can continue to be met at SEN Support. Each family is offered a meeting to discuss the outcome of the assessment and if a statutory plan is not considered necessary, guidance is given on how to incorporate the information gathered into the child's One Plan. The SENCO has a copy of the advice and information gathered to inform their ongoing support of the child.

SEND Information, Advice and Support Service also offers support and information to families with and without an EHCP. All information about SEND, at all levels is available on the Essex Local Offer website – www.essexlocaloffer.org.uk

15. By Councillor Aspinell of the Cabinet Member for Finance, Commercial and Traded Services

'Following a statement by yourself at a recent Brentwood Borough Council meeting that SELEP monies are match funded by the County, could you explain the process of seeking that funding and the level of match funding in percentage terms we would be committed to?'

Reply

'Essex County Council (ECC) has worked with district, borough, city partners, Essex FE colleges and the SELEP over many years to secure considerable sums for investment in economic growth projects across the county. Through this endeavour ECC and partners have secured over £104m of SELEP's Local Growth Fund to be spent across 25 skills, highways and economic development projects in

Essex.

ECC has committed circa £67m of its own capital to support the delivery of these projects. Decisions on what proportion of total project costs have been met by ECC have been taken on a business case by case basis, as per the needs of each individual project.

The specific process for seeking funding is set out on the SELEP website here: https://www.southeastlep.com/about_us/how-we-award-funding/.

16. By Councillor Aspinell of the Cabinet Member for Infrastructure

‘Can you provide the breakdown costs of the provision of bus shelters provided to us by the Ringway Jacobs team on our Local Highways Panels. I have sought an explanation of these ludicrously high costs, i.e., £10,000 - £15,000 for a three-sided wooden shed from your predecessors - Cllr Bass, Cllr Lewis, Cllr Johnson and have yet to be provided with any explanation. This is a significant commitment from our LHP budget and it would be useful for all members to understand the justification of such high costs.’

Reply

‘I thank the member for Brentwood North for his question on costs of bus shelters.

I include below a breakdown of costs. It is important to note that there are additional costs for other items that are required to ensure that when it is installed, that it is a functioning shelter which is fit for purpose. There is an inclusion in the budget that allows for risk, and then any underspend is recovered by the local highways panel.

Furthermore, most sites require additional civils works such as building a concrete pad for a new shelter or raising the kerbs and footway for mobility impaired users.

Also, some sites require larger wooden shelters where there is high demand, so this adds to the cost.’

	Metal Shelter	Wooden Shelter
Shelter supply/delivery/installation	£4,700	£7,300
Bus stop flag	£65	£65
Pole	£155	£155
Timetable frame	£75	£75

Installation of flag/pole/ancillary items	£200	£200
Bus cage markings	£150	£150
Site survey to update ECC database	£50	£50
Staff time	£1,500	£1,500
sub total	£6,895	£9,495

Contractual O/H and Pro rata	£2,069	£2,849
Profit (fixed 2.5%)	£224	£309

Total cost	£9,188	£12,652
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17. By Councillor Turrell of the Cabinet Member for Infrastructure

'In my Division many public footpaths have been incorporated into the new build estates. This often means that a public footpath is part of a highways footpath system.

The policy for maintenance of public footpaths is not as good as for Highways footpaths, even though many of the public footpaths now have tarmac.

This situation has led to many more trips causing serious injury on the Public Footpaths in my Division.

As we build more housing in Essex and incorporate public footpaths into housing estates this issue is going to grow.

Can the Cabinet Member for Infrastructure look to change the policy on Public Footpaths to the same standard as Highways footpaths?'

Reply

'I thank the member for Mile End and Highwoods for her question on policy for Public Footpaths.

It is important to note that Public Rights of Way are usually rural in nature and the great majority of them are not surfaced. Although they should be level and firm it is expected and accepted that the nature of Public Rights of Way is that they are often not uniform, and it would not be possible to have a perfectly flat surface wherever there is an undulating surface.

Where Public Rights of Way are being subsumed into new urban development, depending on the setting of the path in the development layout, it is usual to get the developer to make up the path to an adoptable standard through planning agreements. The path may then be subsequently removed from the Definitive Map and maintained as part of the adopted highway network. Other Footpaths in already established urban areas may have historically been maintained by District Councils, not by the highway authority.

I agree that we need to look at this issue and so I have asked for a guidance note to be written. However, it is important to highlight it will be difficult for bridleways as, by removing the status and conversion to cycleways, horse-riders will be unable to use them. If you have any further thoughts on this particular issue, then please let me know.'

18. By Councillor Mackrory of the Cabinet Member for Infrastructure

'Can the Cabinet Member provide the following:

- What are the terms of reference for the Task Force investigating solutions for the Army and Navy interchange
- How many times has the group met and what progress has been made?'

Reply

'I thank the member for Springfield for his question on the Army and Navy Task Force.

The group has agreed that its terms of reference is to focus on a long-term solution of the junction of the Army and Navy Roundabout which leads to improved traffic in the area in the future. It will include information on traffic flow around the city so that any improvements made to the junction do not have a large negative effect on the rest of the city.

The group met on the 15 October 2018 and 10 December 2018. The first meeting focussed on aims of the task force, and the second meeting focussed on initial scoping work carried out by Jacobs, who are providing expert engineering input.'

19. By Councillor Mackrory of the Cabinet Member for Infrastructure

'Can the Cabinet Member provide an update on the progress with the proposed station at Beaulieu Park, as residents who purchased their homes two years ago on the understanding that the station was coming soon are concerned about the lack of progress.'

Reply

'I thank the member for Springfield for his question on the progress of proposed station at Beaulieu Park.

The rail network will be improved by Beaulieu Park station, and this is essential for the whole of Chelmsford, not just the housing development.

We are working with Network Rail, Countryside, Greater Anglia and Chelmsford City Council in a collaborative way with all parties determined to advance a strong business case for this project. We have the support of all County and Local members in the area and with MPs on the Greater Anglia Taskforce led by the Rt. Hon Priti Patel and the local MP, Vicky Ford.

We have embarked upon a Governance for Railway Investment Projects programme to finalise the design option. This will see three platforms built around an interchange which will accommodate first class access for people arriving on foot, by bike, by bus and by car.

The next milestone for the project is a costed preferred option which will be produced by March 2020.

Following this there are some statutory planning phases to go through before work commences in 2023.'

20. By Councillor Young of the Cabinet Member for Customer and Corporate

'Does the Cabinet Member for libraries agree that the strategy for Essex Libraries has so far been an unmitigated disaster and that the way to work with partners is not to price them out of existence and drive them away from using these facilities?'

Reply

'Not at all. Our proposals have sparked a great deal of public interest and the people of Essex are responding to the survey, which is what we want.

We have good relations with many partners and are keen to work with them and others to make the most effective use of all public spaces and deliver excellent services.

The consultation is a chance for not just our partners, but for all the residents of Essex, to help shape the county's Future Library Service and ensure it considers their needs.'

21. By Councillor Harris of the Cabinet Member for Customer and Corporate

‘Does the Cabinet Member for libraries acknowledge the value of Libraries in their own right as vital community facilities irrespective of how many times a library card is used and that free access to books for children and adults in facilities rooted in our communities is vital for learning and well-being?’

Reply

‘I am incredibly proud of the public library service in Essex and both the staff and volunteers who deliver it. Library services play a unique role in our society by providing access to educational resources and digital technologies.

Our strategy proposes to continue to provide free access to books for children and adults in facilities still rooted in our communities. However, these libraries may not be in the current library buildings and could be delivered in other locations that better reflect modern community needs. Many people may find it more convenient to take their toddler to a Rhymetime in their village hall, to pick up books from a local shop or community centre or to use a library run by a community group co-located with other services.’

22. By Councillor Henderson of the Cabinet Member for Customer and Corporate

‘Does the Cabinet Member for libraries agree that qualified librarians should be valued and appreciated for their skills and expertise?’

Reply

‘Yes. I am incredibly proud of both our permanent library staff and volunteers. Many of our staff are not qualified librarians, but they are equally valued for their high quality work.

This strategy enables staff to not be based purely in libraries, but to undertake more outreach in the community to encourage a greater number of residents to make use of the library service. We are building a library service for the future and best utilising our staff is a key element of this.’