

# Minutes of a meeting of Essex County Council held at County Hall, Chelmsford on 13 December 2011

## Present

Chairman: Councillor R L Bass

Vice-Chairman: Councillor K Twitchen

## Councillors:

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

### **1. Apologies for Absence**

Apologies for absence were received on behalf of Councillors D Abrahall, L Barton, T Durcan and B Wood.

### **2. Declarations of Interest**

Councillor Knapman declared a prejudicial interest in regard to item 10 – Motion 1 as the Environmental Portfolio Holder for the Epping Forest District Council.

Councillor Robinson declared a personal interest in regard to item 10 – Motion 1 as a user of the St Osyth Recycling Centre.

Councillors Higgins, Lager and Young declared a personal interest in item 9 as Peer Assessors for the Member Development Charter.

Councillor Martin declared a personal interest in item 9 as Chairman of the Assembly of the East of England Local Government Association.

### **3. Minutes.**

#### **Resolved:**

That the minutes of the meeting held on 11 October 2011 be approved as a correct record and signed by the Chairman.

### **4. Royals Visits and Occasions**

On 24 October 2011 The Chairman was presented to HRH the Duchess of Cornwall on the occasion of her visit to the Writtle Agricultural College and the new Alan Titchmarsh Centre.

On 26 October 2011 The Chairman attended at St James' Palace where Essex young people received their Gold Duke of Edinburgh Awards. The awards were presented by HRH The Earl of Wessex.

On 23 November 2011 The Chairman was presented to HRH The Earl of Wessex on the occasion of the opening of the Brentwood School's new Sixth Form Centre.

### **5. Essex Fresh Start School in Chelmsford**

The Chairman extended a welcome to the members of the student council from Essex Fresh Start School in Chelmsford who were visiting to observe Council proceedings.

#### **6. Presentation of Awards**

The Chairman was pleased to receive on behalf of the County Council two Risk Management Awards, presented by Councillor David Finch, one being the 'Risk Management Team of the Year – Not For Profit Award' and the other being 'Highly Commended for the Enterprise Risk Management Strategy of the Year'.

#### **7. Civic Functions and forthcoming events**

The Chairman extended an invitation to Councillors and their partners to attend the Chairman's Annual Christmas Function to be held at Mayntrees in the evening on Thursday 15 December.

The Chairman reminded Members that there was to be a carol service at County Hall at 1.00 pm on Thursday 15 December 2011 and he hoped that many would attend.

The Chairman took the opportunity to wish Members a very Merry Christmas, and a happy and prosperous New Year.

#### **8. Presentation of petitions**

The Chairman formally received a petition concerning a request for a zebra crossing / lollipop lady at Circular Road, Colchester presented by Councillor Margaret Fisher on behalf of Councillor Lyn Barton.

#### **9. Statement from The Leader**

The Leader of the Council delivered a statement regarding the use of Council's Resources.

In accordance with the agreed procedure, Councillor Smith-Hughes responded as Leader of the Opposition. The Leader of the Council replied to the matters raised by Councillor Smith-Hughes and then, subsequently, to questions put by other Members of the Council.

The statement was received.

#### **10. Motions**

The Chairman advised Council that notwithstanding advice from officers, and in the absence of explicit direction from The Constitution he had determined that the second Motion as expressed in the Agenda, (relating to the Closure of Recycling Household Waste Centres in Essex, moved by Councillor G McEwen and seconded by Councillor D Robinson) was out of order as it was repetitive of the first Motion (moved by Councillor M Mackrory and seconded by Councillor D Kendall) and therefore was not conducive to efficient debate.

However, not wishing to stifle debate he expressed the hope that Councillors McEwen and Robinson would make their views known during the debate on the first motion and furthermore, exceptionally, he extended an invitation to both to speak briefly at the conclusion of the debate prior to Councillor Mackrory exercising his right of reply.

Councillor T Smith-Hughes rose on a point of order (16.12.4) and, noting that the Monitoring Officer and the Lead Governance Officer had both advised to the contrary, expressed concern that The Constitution did not provide The Chairman with explicit guidance on this matter and requested that officers should seek a remedy to the omission.

Councillor J Knapman, having declared a prejudicial interest left the room for the duration of the first motion.

#### **1. Closure of Recycling Household Waste Centres in Essex**

Moved by Councillor M Mackrory, seconded by Councillor D Kendall and supported by Councillor B Aspinell

‘Council notes that increasing recycling rates in Essex is crucial to reducing the amount of waste going to landfill. The role of a local network of Recycling Centres for Household Waste [RCHWs] is an important component in achieving this.

The Economic Development, Environment and Highways Policy and Scrutiny Committee held on 17 November 2011 recommended that the Cabinet Member reconsider his original decision to close the High Ongar and St Osyth sites in the light of the evidence given at that meeting by -

- the Local Members
- the petitioners and
- the ‘call in’ witnesses.

To this end an urgent scrutiny review of that evidence would be carried out which would include the wider operations of RCHWs in Essex, to report before the Cabinet Member’s stated latest decision date of early January 2012.

Council, therefore, deplores the precipitate action taken by the Cabinet Member to close the RCHW sites at High Ongar and St Osyth before this scrutiny review has even commenced.’

The matter having being put to a recorded vote, and names having been read by The Chief Executive, the motion was declared to be lost by a majority of 55 votes to 14 with one abstention.

Those who voted in favour of the Motion were Councillors:

B Aspinell	G W McEwen	T C Smith-Hughes
J A Deakin	M Mackrory	Mrs A Turrell
M D Fisher	Mrs M A Miller	Mrs J H Whitehouse
Mrs T M A Higgins	C C Pond	J A Young
D J Kendall	D C F Robinson	

Those who voted against the Motion were Councillors:

J F Aldridge	R G Gooding	G Mitchinson
Mrs S Barker	I Grundy	D Morris
R L Bass	Mrs E M Hart	A Naylor
J Baugh	A M Hedley	M J Page
K Bentley	Mrs S Hillier	R A Pearson
R G Boyce	R C Howard	J W Pike
A Brown	N J Hume	Mrs I Pummell
G Butland	A J Jackson	Mrs J M Reeves
R Callender	E C Johnson	C G Riley
S Candy	J G Jowers	J Roberts
S C Castle	M C M Lager	Mrs T L Sargent
R P Chambers	D Louis	J M Schofield
P Channer	J R Lucas	M Skeels
Mrs T M Chapman	R A Madden	K Twitchen
W J C Dick	P J Martin	S M Walsh
J Dornan	S Mayzes	R G Walters
N D C Edey	L Mead	Mrs E A Webster
D Finch	Mrs V Metcalfe	Mrs M J Webster
M Garnett		

Councillor C Griffiths abstained.

## **2. Improving the Safety of Children crossing roads in the County**

Moved by Councillor T Smith-Hughes, seconded by Councillor Mrs T Higgins and supported by Councillor B Aspinall

‘Council notes with concern that significant numbers of children are killed or injured on Essex roads. Whilst it welcomes the Department of Transport latest THINK! Road Safety campaign which has been launched in Essex and aims to educate children and parents about keeping children safer, Council believes the County Council itself needs to do more to ensure the safety of children and prevent injuries or fatal accidents from occurring on the roads in Essex. Council also notes increasing concern by residents reported in the media about the lack of pedestrian crossings or inadequate safety measures near schools.

Council resolves that a full review is undertaken so as to enhance the safety of children crossing Essex roads. Current and potential measures, criteria and initiatives should be critically examined with a view to making crossing of roads safer and that appropriate financial resources are made available to this end.’

Upon the motion being put to the meeting the following amendment was moved by Councillor T Chapman and seconded by Councillor S Candy:

- (1) That Council believe the death of any child on an Essex road is a cause for great concern and welcomes the Department of Transport's THINK! Road Safety campaign aimed at educating children and parents about keeping children safe. Council believes the County Council itself needs to do all it can to ensure the safety of children and prevent injuries or fatal accidents from occurring on the roads of Essex Council also notes the concern of residents reported in the media about the lack of pedestrian crossings or inadequate safety measures near schools.
- (2) That Council resolve that school crossings be included in the Peer Review of Road Safety that is to be undertaken in the New Year.

The mover and seconder of the original motion indicated their willingness to accept the amended motion as the substantive motion.

The substantive motion was put to the meeting and declared to be carried.

**11. The Corporate Vision**

A report on the adoption of The Corporate Vision on the recommendation of Cabinet was presented by Councillor P Martin, Leader of the Council.

Upon being put to the meeting it was

**Resolved:**

- (1) That Council adopt *The EssexWorks Commitment 2012-2017*, as set out in Annex A to the report; as its new corporate vision and part of the Council's Policy Framework.
- (2) That Council ensure there are explicit linkages between the content of *The EssexWorks Commitment 2012-17* document and the forthcoming budget and corporate plan.

**12. Member Development Charter**

A report recommending committing to the East of England Member Development Charter was presented, at the request of The Leader, by Councillor J Aldridge, Chairman of the Member Development Steering Group.

An amendment to the recommendations was proposed by Councillor Aldridge and seconded by Councillor Dick and so amended upon being put to the meeting it was

**Resolved:**

- (1) That Essex County Council formally commit to the East of England Member Development Charter and the objectives of the Charter.
- (2) That the Member Development Strategy as set out in Annex "A" to this Report be agreed as the Essex County Council Member Development Strategy and that any revisions or amendments be agreed by The Leader of The Council in consultation with the Member Development Steering Group.
- (3) That it be noted that the Member Development Steering Group will continue to oversee Member development and progress towards achieving Charter accreditation.
- (4) That it be noted that Councillor John Aldridge will continue to act as the Chairman of the Member Development Steering Group.



**13. Council Issues**

The report of Council Issues was received and upon being put to the meeting the recommendation to item 1 (Part 3 of The Constitution – Scheme of Delegation to Officers) was agreed and accordingly it was

**Resolved:**

That Part 3 of the Constitution under Council Functions be amended to show the additional delegation to the County Solicitor as follows:

‘To apply to the High Court to be appointed as an Administrator where the Council is a creditor of the deceased and the probate process has not commenced in reasonable time or the creditor dies intestate and, if so appointed, to carry out such functions as necessary for the administration of the estate.’

**14 Cabinet Issues**

The report of Cabinet Issues was received and upon being put to the meeting the recommendation to item 4 (Proposal to establish a partnership agreement for a Joint Emerging Planning Service was agreed and accordingly it was

**Resolved:**

That paragraph 13.3 of the Constitution be amended with effect from 1 January 2012 to reflect the delegation of civil protection and emergency planning functions to the Essex County Fire and Rescue Service by the addition of the following wording:

‘The following partnership will exercise executive functions in accordance with the terms of the agreements currently in operation, namely the Civil Protection & Emergency Management Partnership.’

**15 Overview and Scrutiny Issues**

The report of Overview and Scrutiny Issues was received.

**16 Questions****a) Members responded to oral questions as follows:**

- i) That Essex Music Services should be applauded for their work in the County, in particular their involvement in seven orchestras, and a public recognition that they and the young people concerned are a credit to their communities; (Councillor M Mackrory of the Cabinet Member for Environment and Culture)

The Cabinet Member signified his agreement.

- ii) A request that traffic problems on the A120 should be addressed, particularly in the wake of a recent incident involving a collision between a school bus and a car, that planned improvements should be brought forward, particularly a review of the speed limits of roads that feed the A120; (Councillor S Candy of the Cabinet Member for Highways and Transportation)

The Cabinet Member responded that such a review was underway.

- iii) Requesting information relating to the future plans of Sawyers Hall College site; (Councillor D Aspinell of the Cabinet Member for Education)

The Cabinet Member responded that there have been a range of options being considered. He also noted that there has been an application for a Free School that is now before the Secretary of State. The situation as it develops would be reported back to Members. It remained the intention to provide an education system in Essex that was fit for purpose.

- iv) Regarding the closure of the first Essex library by its new owners and a request that there should be a reinstatement of the commitment to the provision of libraries in Essex; (Councillor C Pond of the Cabinet Member for Environment and Culture)

The Cabinet Member responded that he was committed to retaining libraries. Additionally, he commended the Essex Book Festival to Members.

**b) Written Questions (Standing Order 16.11.3)**

**1. By Councillor T Smith-Hughes of the Cabinet Member for Children's Services**

'Councillor Candy issued a message to all Members on 26 November 2011, giving the impression that the County Council's position in the judicial review case of the closure of children's homes had been fully vindicated. The second paragraph of her message stated –

"The claimant's case was dismissed and an agreement was reached which Essex fully supports as it sets out the course of action we had previously intended."

However, media reports of the case state that Mr Justice Collins described the 15 December deadline for children to move out of their homes as "foolish" and that the Council had failed to communicate its intention to "protect the interests" of every child to the children themselves and those representing them. The Judge also ordered the Council to pay all the legal costs of the 17 year old boy who took the County Council to Court.

In future, please, can Councillors receive balanced statements which give a rounded picture of an issue rather than misleadingly spun messages which show the Council in too rosy a light?’

### **Reply**

As highlighted by Councillor Smith-Hughes, in my email on the 26 November, I highlighted to Members the facts that:

- the case against Essex County Council had been dismissed;
- an agreement had been reached which Essex fully supported;
- this agreement set out the course of action previously intended;
- each individual home would only be closed when no child or young person is resident;
- we would of course at all times keep sufficient staff for the children/young people remaining in the homes; and
- invited questions from Members.

None of this information is spin it is fact based on the consent order given by the Judge and the professional opinion of the officers that prepared for and attended the case. Had Councillor Smith-Hughes wanted a more detailed briefing he merely needed to request it, as invited in my email.

Had Councillor Smith-Hughes done this before wording this question he might have been more measured in his language as he would understand the Judge’s comments in context.

## **2. By Councillor T Smith-Hughes of the Cabinet Member for Education and the 2012 Games**

‘I have been approached by a number of Essex residents about a consultation that took place in October and November 2011 regarding a proposal to change the priority given to siblings in the criteria used when schools are over-subscribed. I originally knew nothing about the consultation and then heard Councillor Castle interviewed on BBC Essex on the subject. Yet the proposal – presumably his – has gone out to “stakeholders”, which I understand includes schools and parents, but not to County Councillors.

Why, once again, have non-executive Councillors been treated in such a cavalier way, having to hear about a proposal being considered by the Council which could, if introduced, affect their constituents as a result of chance conversations or through the media?’

### **Reply**

The suggestion that this consultation was not shared with non-executive Councillors is factually incorrect and Councillor Smith-Hughes is well aware of this.

The Council recently carried out a consultation on a proposal to give children with siblings already at a community or voluntary controlled infant, junior or primary school the highest possible priority for admission, to take effect for admissions in the 2013-14 school year.

The consultation period opened on 19 October and closed on 25 November. On 19 October the consultation paper was circulated by email directly to:

- All County Councillors (including Councillor Smith-Hughes)
- All Essex MPs
- Parish Councils
- All Essex schools and academies

A copy was also placed on the Council's website and consultation portal.

On 15 November, Councillor Smith-Hughes contacted the Cabinet Office regarding this matter and his queries were answered on 16 November. Further on 17 November the Liberal Democrat Group Office were reminded that Councillor Smith-Hughes had in fact already been consulted and asked whether they needed any further information. No further requests for information have been forthcoming.

### **3. By Councillor M Mackrory of the Cabinet Member for Finance and Transformation Programme**

'In the light of recent revelations regarding unspent and returned Section 106 monies held by this Council, will the Cabinet Member make available to me details of funds held in what is historically known as the 'Springfield Pot', together with the expiry dates by which such funds have to be spent?

Will he further undertake to make available to all Members similar details of Section 106 monies held on a district by district basis?'

#### **Reply**

##### **Springfield Pot**

The balance held is £831k of which £239k has been committed within the Council's accounts whilst the remaining £592k has yet to be committed although plans are being developed. It is worth noting that the last receipt in November 2010 accounts for £341k of the uncommitted balance.

##### **Expiry Dates**

The only two contributions within the balance held that have return dates are due to expire in November 2013. The balance as at October 2011 on these accounts was £89k but £59k of this has been committed to date. Both these contributions relate to the Springfield Lyons Development area.

Balances held per district:

High level summaries of the balances held (October 2011) per district are currently being prepared and will be circulated to Members after the meeting of Full Council.

**4. By Councillor D Kendall of the Cabinet Member for Highways and Transportation**

‘Two Brentwood County Members were recently told that dangerous road junctions in their Divisions at -

- Sandpit Lane / Ongar Road in Pilgrims Hatch and
- Devil’s Head crossroads at Warley

would not get funding for major road improvement schemes because there had not been enough reported personal injury accidents and fatalities to make them a priority.

Our residents would now like to know how many people have to be seriously injured or die at these junctions before the County find the funding to enable these much-needed schemes to go ahead?’

**Reply**

Essex County Council and myself take road accidents and injuries very seriously, this is the reason we are working so hard to prioritise and ensure that funds are targeted to make the most impact. Resources are finite and the top priority is for sites where injuries and deaths are currently occurring.

Countywide collision data is searched annually, and from this prioritisation of treatment for sites is determined. The current search criteria are:

For cluster sites:

Four or more reported Personal Injury Collisions within a 100m radius over a three-year period.

For Loss of control sites:

Three or more reported personal injury collisions within a 250m radius over a three-year period with one or more of the causation factors:

- Poor or defective road surface
- Deposit on Road (e.g. oil, mud, chippings)
- Slippery Road (due to weather)
- Loss of control.

### The junction of A128 Ongar Road and Sandpit Lane

Although this junction meets the criteria for a cluster site with four (slight) reported personal injury collisions they are disparate and form no practical treatable pattern.

### The Eagle Way, Harts Wood Road, Childerditch Lane (Devil's Head) Crossroads

This crossroad meets the criteria for a cluster site with nine reported personal injury collisions (eight slight and one serious).

In 2008-09 remedial measures (including gateway features, improved visibility and vehicle activated signs (VAS)) were put in place by Essex County Council whilst Brentwood Borough Council undertook the design of a roundabout for this location.

Financial constraints, significant infrastructure changes and land purchase issues have dictated that any roundabout scheme is unlikely to progress for some time.

The activation of the VAS has been delayed due to unforeseen technical issues and site constraints. I have investigated this and alternative sources of power have now been identified. We are confident these signs will be in working order by the end of the financial year.

Collisions at the crossroad will be monitored and reviewed after a period of 12 months to determine if any further measures are required.

## **5. By Councillor D Kendall of the Cabinet Member for Highways and Transportation**

'I understand that the October edition of the Bus Timetable book was not produced, and a review of the Timetable Book is now going to be carried out.

Will the Cabinet Member please give her assurance that the Bus Timetable book will continue to be published by Essex County Council, on the same basis as it has been up to now, as many of our residents, particularly the elderly, rely heavily on the book because they are unable to access bus timetables via the internet?'

### **Reply**

As you state the October bus timetable was not produced, the reasons for this were; the large number of service changes that were due to be implemented after the planned publication date and the unfortunate absence, long term, of two members of staff.

The last print of the timetable book was in June of this year, when 10,700 books were produced, at a cost of £48,822.

Over the last two years the number of books produced has reduced from approximately 19,000 to 10,700, due to a fall in demand. This is largely due to the availability of bus service information electronically. The number of shops stocking the book has also fallen, we have had an average of 10 outlets close per year, since the book has been in production (2008 – 2011).

The book is currently produced three times a year, the last three prints cost a total of £149,017. Electronic information is widely available, good value for money and easily updateable. I acknowledge that there is a need for printed material in some form and in certain circumstances and this will be considered going forward.

**6. By Councillor B Aspinell of the Cabinet Member for Highways and Transportation**

‘Many Councillors have examples of residents who have suffered serious personal injuries, or claim to have damaged their vehicles in potholes caused primarily by recent bad winters and the Council’s failure to carry out repairs in due time.

When they come to complain or seek compensation they usually get a reply from the Legal Department – a standard type of letter admitting no liability and offering no assistance.

Given the ease with which the Council is able to deny blame for serious injuries suffered by Essex residents, many of them elderly, as a result of badly maintained roads and footways, and the insensitive tone of the letters subsequently sent out to distressed people, would the Cabinet Member agree with me that a rethink of both the Council’s policies and attitude towards the payment of compensation for residents that have suffered financial and/or personal injury because of the bad state of repair of the Council’s highways network is now necessary?’

**Reply**

Following last year’s harsh winter the Council committed to invest in restoring the network with the aid of a £5.3m grant from the DfT and £4m of its own funds as part of the corporate pledge.

With the £5.3m DfT grant the Council has repaired in excess of 20,000 defects in over 1,000 streets and to date £3m of the £4m Corporate Pledge has been allocated restoring in excess of 15,000 defects across a further 2,500 streets. Work will continue throughout the remaining part of the year to ensure the £4m pledged is spent on repairing winter damage.

As standard practice we are committed to addressing urgent defects within 24 hours of report, and those that present imminent danger within two hours of report.

Essex is in the upper quartile for the condition of our network, but we are in the bottom quartile for public satisfaction. I am sure Councillor Aspinell would want to join with me in correcting this misperception.

Personal Injury and property damage claims are dealt with fairly and given due care and attention to ensure that where the Council is liable we agree the appropriate compensation. We do pay compensation when we are legally obliged to do so and in fact this equates to 18% of claimants in relation to Highways.

The Council has a large deductible which allows us to manage an appropriate-sized self-insurance fund and get the best deal from our insurers based on the level of risk we are exposed to. In these times of austerity we have to be especially diligent in retaining the right funds to cover our potential liabilities and have a quarterly health check with our actuary to ensure this is appropriate. Our insurers and auditors need demonstrable evidence that we have managed the risks within this fund and are using our statutory defences appropriately and with rigour.

The Council self-insures up to a £1.2 million deductible per claim. If the Council decided to adopt a more pro-claimant approach and to relax the stances on liability, which are currently backed by legislation and case-law precedent, then the insurance budget would need to be increased significantly.

In terms of communication with those who seek compensation for personal property, we are reintroducing an information leaflet, which explains in plain English the policy and process that the Council operates in terms of claims for Highways resulting in damage to personal property. Many claimants believe they are entitled to compensation and in the first instance do not appreciate the eligibility criteria which is explained in the leaflet. Some claimants when they have had this explained to them on the phone are, albeit surprised, quite accepting of this and do not proceed further. This leaflet is now being sent out with the claim form.

**7. By Councillor Mrs T Higgins of the Cabinet Member for Highways and Transportation**

‘Back in Dec 2007 I asked a question about street clutter, in particular “A Boards”.

Subsequently a draft guidance paper was put out to consultation in August 2008. Since then I have repeatedly asked questions about progress, and the matter was eventually taken up by the Safer and Stronger Policy and Scrutiny Committee in July 2010. When this Committee was disbanded in May 2011, the matter was then delegated to the Safer and Stronger Task and Finish



Group and a report was submitted at the September 2011 meeting. The November meeting was cancelled. When can I expect some action and see the guidance become policy?’

### **Reply**

‘A boards’ on the highway have been an increasing issue of concern over the last seven years. Essex County Council is the Highway Authority and as the Highway Authority there is legislation available to deal with the obstruction of the Highway under the Highways Act 1980. District and Borough Councils as Local Planning Authority have powers under the Town and County Planning Act 1990 (as amended).

Three options were presented to Scrutiny to develop a way forward: that this matter has still to reach a conclusion is evidence of the complex nature of the issues and the wide selection of views expressed by those invited to present to Scrutiny.

The matter will be revisited by Scrutiny, where officers will present a clarification paper on the three options suggested covering the legal and implementation issues surrounding each option. At this stage Scrutiny will be able to make recommendations to myself, as the Cabinet Member, on options to progress through to a full policy.

### **8. By Councillor Mrs T Higgins of the Cabinet Member for Children’s Services**

‘What progress has been made with Partners to provide move-on accommodation for young / older people in care or in a similar situation, including those with disabilities?’

### **Reply**

Essex County Council works with a wide range of Partners in providing suitable accommodation options for all individuals who are eligible for support, including those with disabilities.

We have made considerable progress in identifying leaving care accommodation and this has contributed greatly to our reducing numbers of young people who have moved from residential provision into semi-independent accommodation. This is of significant benefit to the young people concerned as it gives them the opportunity to learn independence skills in a supportive environment prior to their 18<sup>th</sup> birthday.

We have a range of provision that includes:

- Supported lodgings placements where young people share a home with the home owner, who provides advice and support to the young person;

- Houses of multiple occupations, which offer placements for typically three or four young people who each have their own room but share kitchen and group facilities. These placements are staffed 24/7;
- Independent flats with floating support where young people are able to live in their own accommodation but with a flexible support package where workers are able to support them for anything from a few hours a week to 40 hours and above, depending on the needs of the young person concerned;
- We are also able to access various supportive housing through partnerships with the District and Borough Councils – these are often operated by charitable organisations such as NACRO.

This provision enables us to identify accommodation that is tailored to the needs of the young person concerned.

Provision of accommodation for young people in care, those leaving care and who have disabilities is challenging. Work is currently taking place to identify how adults' and children's services can work more closely together to ensure that there is a smoother transition for young people with disabilities as they become adults. The Transition Service increasingly works with children's services to identify placements for young people prior to their 18<sup>th</sup> birthday where they can remain with support post 18, this takes place prior to the transfer to Adult services.

Essex County Council's approach to providing services to adults is similarly focused on supporting individuals to be as independent as possible. This ranges from providing personal budgets so that individuals can commission the support they need to be able to live independently, to a range of supported living options with care available onsite (such as Extra Care), through to residential support. Essex County Council works with a wide range of Registered Providers (formerly Registered Social Landlords), District Councils, and private providers to ensure a wide range of accommodation options which can meet individuals' needs. This includes self-contained accommodation for individuals with a learning disability, who previously lived in residential care settings. It also includes work with partners to address the accommodation needs of individuals with a mental health need, focusing on rehabilitation into the community and more independent living.

**9. By Councillor M Mackrory of the Cabinet Member for Adults, Health and Community Wellbeing**

'The Cabinet Member will be aware of the outstanding work carried out by the Essex Respite Association [ERA] throughout the County, over many years.

In the light of the withdrawal of County Council funding, will the Cabinet Member make contact with ERA to establish an interim arrangement which

would allow ERA to facilitate the introduction of the new system of payment by personalised payments? Failure to do so could see the demise of a service that provides help for one of the most socially excluded sections of society.'

## **Reply**

As you are aware, Essex County Council is changing the way it currently funds a range of prevention services. Working with our partners in the Voluntary and Community Sector (VCS), we will be moving to a commissioning approach in 2012/13.

Under the new approach, available monies will be used to commission services in response to the identified needs of people and communities in Essex. This represents a significant shift from traditional annual grant funding arrangements, specifically an end to the following grants and funds as from March 2012:

- Community and Voluntary Grant
- Carers' Grant
- Learning Disability Development Fund
- Dementia Grant.

A commissioning approach will facilitate longer-term contracts with service providers, ensuring much needed continuity and stability to develop and improve service provision. Equally important are robust frameworks for performance management and service evaluation, which will ensure better arrangements for quality assurance and better value for money for service users and their carers.

Essex County Council has worked with Essex Respite Association over a prolonged period of time as it introduced this new approach, allowing ample opportunity for the organisation to prepare itself fully and to demonstrate a willingness to work within the new personalisation agenda. Throughout 2011 (from January), County Council officers have met repeatedly with ERA and outlined the new funding approach.

The current level of funding equates to £126,322 per annum, for a service which involves respite for carers whilst simultaneously taking service users out on trips and visits. A review of the service indicated that:

- Some clients were not eligible for the service
- Some were already receiving other County Council support services
- The service demonstrated no element of reablement or 'moving on' to other services.

ERA's services therefore do not represent a sustainable, value for money investment by Essex County Council. As a result, the County Council will not be commissioning the ERA.

Between now and April 2012, all service users with an eligible need will be reviewed (either by the County Council or by NEPFT) to identify how their needs can be met in future. ERA has been supplied with Carer Self Assessment forms to ensure that all eligible needs of carers can be identified and provided for. A number of clients currently using the service are not known either to the County Council or NEPFT and are not eligible for services. ERA have advised us that they have spoken with these clients directly to inform them of the situation.

County Council officers intend to meet with ERA Trustees and management during January 2012 to assess progress and identify where additional support might be required.

**10. By Councillor S Mayzes of The Leader of The Council**

‘Given the announcement by the London Organising Committee of the Olympic Games that the Olympic Flame as part of the London 2012 official torch relay will be celebrated in every other local authority area in Essex except Tendring; can the Leader assure the residents of Tendring that this Council is actively pursuing efforts to bring about a “minor detour” to the route in order for Tendring to be part of the celebrations?’

## Reply

On 6 April 2011, following The London Organising Committee for the Olympic and Paralympic Games' (LOCOG) Nations and Regions consultation process, Essex County Council put forward the names of every district in Essex that had expressed an interest in receiving the Olympic Flame - Tendring District was included in this list of recommended destinations.

The Olympic Torch Relay Communities on Route decision was ultimately that of LOCOG and not of Essex County Council.

LOCOG's guiding principle was to take the Olympic Flame as widely across the UK as possible, whilst showcasing the cities, towns and villages on route. However, the Torch cannot visit the whole of the UK during a 70-day Relay. LOCOG set out to design a route that was accessible to the majority of the UK, with the aspiration to be within an hour's journey of 95% of the population.

An event of this magnitude presents complex logistical and operational challenges. LOCOG has analysed hundreds of route-modelling scenarios as part of the route development process. Operational considerations such as timing, safety, Torchbearer numbers and crew fatigue have been balanced against the desire to reach the maximum number of communities around the UK when planning the route.

Councillor Stephen Castle had contacted Tendring District Council's Leader, Councillor Neil Stock, at the earliest opportunity to inform him of LOCOG's decision that the Torch unfortunately will not be visiting Tendring. Although this is disappointing news for the people of Tendring, Essex County Council encourages the residents to engage with their neighbouring Districts to welcome the flame and the Torchbearers to the County.

Councillor Castle and officers are discussing with Highways colleagues and LOCOG as to whether a minor change in the route would be possible. As previously mentioned, the final decision on this will be made by LOCOG.

The Essex Strategic Board for the 2012 Olympic and Paralympic Games, Chaired by Gary Sullivan, is the partnership responsible for ensuring the actions in the Essex Legacy from the 2012 Games Action Plan are taken forward, and that ultimately a legacy from the 2012 Games is delivered across greater Essex.

The partnership gains its authority from the Local Strategy Partnerships for Essex, Southend and Thurrock and represents Essex's interests at regional and national level. Within the Essex Partnership the Essex Strategic Board is one of the key strategic thematic partnerships and securing a legacy from the London 2012 Games is a key theme.

Next year, Essex County Council is committed to work with all districts and boroughs to animate the excitement and the once in a lifetime opportunity

that London 2012 can bring to the residents of Essex. We will work with all partners to maximise this opportunity.

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

There was no report of any meeting of the Essex Police Authority since the last meeting of Council.

In response to questions Councillor Jackson, Chairman of the Authority advised Members that;

- There had just been appointed new internal auditors and next year there would be appointed new external auditors.
- Overpayments that had occurred were due to checks, at that time, not being in place.

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

There was no report of any meeting of the Essex Fire Authority since the last meeting of Council.

There were no questions.

The meeting closed at 13:02

Chairman  
7 February 2012